

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No.

Introduced by:

by request of *I Maga'låhen Guåhan*, the
Governor of Guam, in accordance with the
Organic Act of Guam.

**AN ACT MAKING APPROPRIATIONS FOR THE
OPERATIONS OF THE EXECUTIVE, LEGISLATIVE,
AND JUDICIAL BRANCHES OF THE GOVERNMENT
OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER
30, 2012, MAKING OTHER APPROPRIATIONS, AND
ESTABLISHING MISCELLANEOUS AND
ADMINISTRATIVE PROVISIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

CHAPTER I

GENERAL PROVISIONS

Section 1. Short Title. This Act *shall* be known as the “**General Appropriations Act of 2012.**” *Except* as otherwise provided by this Act, the appropriations made by this Act *shall* be available to pay for obligations incurred on or after October 1, 2011, but *no later than* September 30, 2012. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

1 **Section 2. Estimated Revenues for Fiscal Year 2012. I Liheslaturan**

2 *Guåhan* adopts the following revenue estimates for Fiscal Year 2012 as the basis
3 for the appropriations contained in this Act.

4	I. GENERAL FUND REVENUES	AMOUNT
5	TOTAL GENERAL FUND REVENUE	<u>\$678,802,003</u>
6	PROVISION FOR TAX REFUND PAYMENTS	(\$105,000,000)
7	TOTAL GENERAL FUND REVENUE AVAILABLE	
8	FOR OPERATIONS	<u>\$573,802,003</u>
9	A. TAXES	
10	Income Tax	
11	Corporate	\$111,802,336
12	Individual	\$81,651,368
13	Withholding Taxes, Interest and Penalties	\$209,256,708
14	Provision for Tax Refund Payments	(\$105,000,000)
15	TOTAL INCOME TAXES	\$297,710,412
16	Business Privilege Tax	\$215,900,178
17	Business Privilege Tax (GMHA Pharmaceutical Fund)	(\$8,636,007)
18	Other Taxes	<u>\$3,529,781</u>
19	TOTAL TAXES	\$508,504,364
20	B. FEDERAL SOURCES	
21	Federal Income Tax Collection - Section 30	\$56,037,150
22	Overpayment reconciliation of Section 30 (2 of 4)	(\$5,808,295)
23	Immigration Fees and Indirect Cost	\$0
24	TOTAL FEDERAL SOURCES	\$50,228,855
25	C. USE OF MONEY AND PROPERTY	\$672,804
26	D. LICENSES, FEES, AND PERMITS	
27	Licenses, Fees and Permits	\$5,547,355

1	Licenses, Fees and Permits (Better Public Service Fund)	(\$547,542)
2	TOTAL LICENSES, FEES AND PERMITS	\$4,999,813
3	E. DEPARTMENT CHARGES	\$1,850,178
4	<u>F. SECTION 2718 FUND</u>	<u>\$7,545,989</u>
5	TOTAL GENERAL FUND NET REVENUE COLLECTIONS	<u>\$573,802,003</u>
6	2% GENERAL FUND RESERVE	<u>(\$11,476,040)</u>
7	(Appropriations Cap of 98% of General Fund Revenue; §22436, Chapter 22 of	
8	Title 5 GCA)	
9	TOTAL GENERAL FUND REVENUE	
10	AVAILABLE FOR APPROPRIATION	<u>\$562,325,963</u>
11	II. SPECIAL FUND REVENUES	AMOUNT
12	A. Air Pollution Control Special Fund	\$192,020
13	B. Autonomous Agency Collections Fund	\$875,000
14	C. Better Public Service Fund	\$1,422,747
15	D. <i>Chamorro</i> Land Trust Operations Fund	\$735,657
16	E. Corrections Revolving Fund	\$915,203
17	F. Customs, Agriculture and Quarantine Inspection Services Fund	\$7,911,999
18	G. DPW Building and Design Fund	\$504,712
19	H. Enhanced 911 Emergency Reporting System Fund	\$1,608,278
20	I. Environmental Health Fund	\$1,030,000
21	J. Fire, Life and Medical Emergency Fund	\$600,000
22	K. GMHA Pharmaceuticals Fund	\$8,636,007
23	L. Guam Board of Accountancy Fund	\$421,600
24	M. Guam Contractors License Board Fund	\$852,725
25	N. Guam Environmental Trust Fund	\$375,356
26	O. Guam Highway Fund	\$18,459,079
27	Guam Highway Fund (Better Public Service Fund)	(\$875,205)

1	Guam Highway Fund (Public Transit Fund)	(\$431,092)
2	Total Guam Highway Fund	\$17,152,782
3	P. Guam Plant Inspection and Permit Fund	\$83,817
4	Q. Healthy Futures Fund	\$14,219,231
5	R. Indirect Cost Fund	\$1,826,894
6	S. Land Survey Revolving Fund	\$2,885,837
7	T. Manpower Development Fund	\$2,240,640
8	U. Police Services Fund	\$581,860
9	V. Professional Engineers, Architects and Land Surveyors Board Fund	\$244,062
10	W. Public Recreation Services Fund	\$193,304
11	X. Public School Library Resources Fund	\$652,440
12	Y. Public Transit Fund	\$431,092
13	Z. Safe Streets Fund	\$241,000
14	AA. School Lunch/ Child Nutritional Meal Reimbursement Fund	
15	Federal Sources (100% Federal Grant)	\$10,069,218
16	Cash Collection (Department of Education)	\$1,095,091
17	Total School Lunch/ Child Nutritional Meal Reimbursement Fund	\$11,164,309
18	AB. Solid Waste Operations Fund	\$13,781,645
19	AC. Street Light Fund	\$3,473,531
20	AD. Tax Collection Enhancement Fund	\$696,830
21	AE. Territorial Education Facilities Fund	\$21,619,104
22	AF. Tourist Attraction Fund	\$23,160,585
23	AG. Water Protection Fund	\$71,672
24	AH. Water Research and Development Fund	<u>\$76,975</u>
25	TOTAL SPECIAL FUND REVENUE	\$140,878,914
26	III. FEDERAL MATCHING GRANTS-IN-AID	
27	Federal Grants-in-Aid Requiring Local Match:	

1	A. Agriculture	\$279,000
2	B. Guam Community College	\$1,471,408
3	C. Guam Council on the Arts and Humanities Agency	\$300,000
4	D. Guam Fire Department	\$102,000
5	E. Guam Police Department	\$726,136
6	F. Integrated Services for Individuals with Disabilities	\$2,052,208
7	G. Labor	\$42,100
8	H. Office of the Attorney General	\$6,392,529
9	I. Mental Health and Substance Abuse	\$225,862
10	J. Military Affairs	\$1,547,700
11	K. Public Health and Social Services	\$24,752,122
12	L. University of Guam	<u>\$2,943,706</u>
13	TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	<u>\$40,834,771</u>
14	IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
15	TOTAL GENERAL FUND REVENUE	<u>\$573,802,003</u>
16	PROVISION FOR TAX REFUND PAYMENTS	(\$105,000,000)
17	2% GENERAL FUND RESERVE	<u>(\$11,476,040)</u>
18	TOTAL GENERAL FUND REVENUE	
19	AVAILABLE FOR APPROPRIATION	<u>\$562,325,963</u>
20	TOTAL SPECIAL FUND REVENUE	\$140,878,914
21	TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	<u>\$40,834,771</u>
22	GRAND TOTAL	<u>\$744,039,648</u>
23	Section 3. Debt Service Continuing Appropriations. The following are	
24	continuing appropriations for debt service requirements:	
25	A. LIMITED OBLIGATION HIGHWAY REFUNDING	
26	BOND 2001 SERIES A	[\$6,024,425] 1/

1 (P.L. No. 24-70; due FY 2012 as the final year; source of payment from Liquid
2 Fuel Taxes)
3 1/L.O. Highway Bond 2001 A Bond Reserve and Bond Funds; *not* part of
4 adopted revenues. Debt service matures in FY 2012

5 **B. LIMITED OBLIGATION (SECTION 30) BONDS**

6 **SERIES A, 2001 (SECTION 30 FUNDS) \$9,825,631 2/**
7 (Water System Revenue Bond; P.L. 26-58, amended by P.L. 26-59; Section 30
8 fund pledged; due FY 2012 as the final year)
9 **2/Section 30 Funds (General Fund)**

10 **C. 2002 SHORT TERM FINANCING**

11 **(SECTION 30 FUNDS) \$1,281,818 3/**
12 (Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130; due FY
13 2012 as the final year; source of payment Section 30 Funds)
14 **3/Section 30 Funds (General Fund)**

15 **D. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT)**

16 **REVENUE BONDS, SERIES 2011A \$3,801,287 4/**
17 (Refunding of LO Infrastructure Improvement Bonds, 1997 Series A, acquire,
18 construct, or equip a new Guam Museum, projects that benefit the tourism
19 industry; payment from the Tourist Attraction Fund, pursuant to P.L. 30-228)
20 **4/Tourist Attraction Fund**

21 **E. 2008 SHORT TERM FINANCING \$3,470,840 5/**
22 (Line of Credit; P.L. 29-69 amended by P.L. 29-82 & P.L. 29-87; due FY 2012
23 as the final year; source of payment General Fund, secondary Section 30 Funds)
24 **5/General Fund**

25 **F. GENERAL OBLIGATION BONDS, SERIES 2007 A \$7,874,700 6/**

1	(Partial refunding of GOB, 1993 Series A, funding capital projects and certain	
2	obligations of the Government of Guam; due FY 2037 as the final year; P.L.	
3	29-19, and P.L. 29-21)	
4	6/General Fund	
5	G. GENERAL OBLIGATION BONDS, SERIES 1993 A	\$2,808,214 7/
6	(For education capital projects; Real Property Taxes pledged; due FY 2018 as	
7	the final year; P.L. 29-19 and P.L. 29-21, net of UOG Bond Payment	
8	Obligation \$2,114,429)	
9	7/Territorial Educational Facilities Fund	
10	H. LIMITED OBLIGATION (SECTION 30)	
11	BONDS, SERIES 2009A	\$7,135,019 8/
12	(To finance cost for the new landfill and the closure of Ordot Dump; P.L. 30-1	
13	amended by P.L. 30-7; Due FY 2035 as the final year).	
14	8/Solid Waste Operations Fund	
15	I. GENERAL OBLIGATION BONDS, 2009 SERIES A	\$21,436,781 9/
16	(To finance certain expenses affecting General Fund Deficit; P.L. 29-113	
17	amended by P.L. 30-7; Due FY 2040 as the final year)	
18	9/General Fund	
19	J. GUAM DEPARTMENT OF EDUCATION (GDOE)	
20	SERIES 2010A, CERTIFICATES OF PARTICIPATION	
21	(JOHN F. KENNEDY HIGH SCHOOL PROJECT)	\$4,348,433 10/
22	(To finance certain expenses affecting General Fund Deficit; P.L. 29-113	
23	amended by P.L. 30-7; Due FY 2040 as the final year)	
24	10/General Fund	
25	GRAND TOTAL DEBT SERVICE	\$61,982,723

CHAPTER II
EDUCATION

PART I – GUAM DEPARTMENT OF EDUCATION

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that the Guam Department of Education (GDOE) appropriations for FY 2012 have
3 been duly passed by *I Liheslaturan Guåhan* and enacted into law as Public Law
4 31-75. The passage and enactment of Public Law 31-75 signifies *I Liheslaturan*
5 *Guåhan's* intent in placing education as a priority through providing adequate
6 funding to sustain the operations of the GDOE for FY 2012.

CHAPTER II

PART II – UNIVERSITY OF GUAM

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to
2 provide a lump sum appropriation to the University of Guam. The funds *shall* be
3 expended in accordance to the budget request submitted and the priorities
4 stipulated by the University of Guam’s Board of Regents.

5 It is also the intent of *I Liheslaturan Guåhan* that external funds available to
6 agencies and departments *shall* be taken into consideration to determine the current
7 appropriation level needed. *I Liheslatura* further intends to maximize the use of
8 these funds and that material external funds received *shall* be used to maximize
9 services and programs of the agencies through pursuit of indirect cost
10 reimbursements to reduce the local funding where applicable.

11 **Section 2. Appropriations to the University of Guam.** The amounts in
12 the Subsections below are appropriated from the respective Funds, and for the
13 following purposes, to the University of Guam for Fiscal Year 2012:

14 (a) **General Fund Appropriation for Operations.** The sum of
15 Nineteen Million Nine Hundred Fifty-Four Thousand Seven Hundred Ninety
16 Dollars (**\$19,954,790**) is appropriated from the General Fund to the
17 University of Guam for its operations in Fiscal Year 2012.

18 (b) **Federal Matching Grants-in-Aid.** The sum of Two Million
19 Nine Hundred Forty-Three Thousand Seven Hundred Six Dollars
20 (**\$2,943,706**) is authorized from Federal Matching Grants-in-Aid to the
21 University of Guam for its operations in Fiscal Year 2012.

22 (c) **Guam Board of Accountancy Fund Appropriation for**
23 **Operations.**

24 (1) The sum of One Million Dollars (**\$1,000,000**) is
25 appropriated from the Unreserved Fund Balance of the Guam Board

1 of Accountancy Fund to the University of Guam for its operations in
2 Fiscal Year 2012.

3 (2) The University of Guam and the Guam Board of
4 Accountancy (GBOA) *may* enter into a Memorandum of
5 Understanding allowing the GBOA to make installment payments to
6 the University of Guam over the course of FY 2012, in specific
7 amounts to be agreed-upon by both parties.

8 **Section 3. Appropriations to the University of Guam for Scholarships**
9 **and Training Programs.** The following appropriations are made to the University
10 of Guam:

11 (a) **Student Scholarships, Financial Assistance Programs and**
12 **Program Administration.** The sum of Two Million Four Hundred Twenty-
13 Three Thousand One Hundred Thirty-Seven Dollars (**\$2,423,137**) is
14 appropriated from the General Fund to the University of Guam for Fiscal
15 Year 2012 for: Merit Awards, Student Loans, Nursing Training Program,
16 Professional and Technical Awards, Reserve Officer Training Corps
17 (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs,
18 Early High School Admission Program, Pedro “Doc” Sanchez Scholarship
19 Program, John F. Quan Memorial Scholarship Program, and the
20 administration of all student financial assistance programs. The President of
21 the University of Guam *shall* allocate this appropriation in order to fund said
22 student scholarships, financial assistance programs and program
23 administration subject to §15113 of Chapter 15, Title 17, Guam Code
24 Annotated. *Not more than* ten percent (10%) of the total appropriation
25 herein *shall* be used for the administration of all student financial assistance
26 programs. The Nursing Training Program *shall* receive *no less than* Five
27 Hundred Thousand Dollars (**\$500,000**), and the Pedro “Doc” Sanchez

1 Scholarship Program *shall* receive *no less than* Three Hundred Thousand
2 Dollars (**\$300,000**) of the appropriation contained herein, *except* that *if* a
3 surplus exists, such remaining funds *shall* be distributed to fund other
4 scholarship programs contained in this Subsection.

5 For new recipients of the student financial assistance programs
6 contained in this Subsection beginning Academic Year 2012-2013, the
7 stipends awarded in the respective programs *shall* be as follows:

8 (1) **Merit Awards.** Award recipients are entitled to a
9 monthly stipend to be disbursed in nine (9) monthly installments
10 during the academic year, as follows: First- and Second-year Students:
11 Two Hundred Dollars (**\$200**) per month; Third- and Fourth-year
12 Students: Four Hundred Dollars (**\$400**) per month; and Graduate
13 Students: Five Hundred Dollars (**\$500**) per month.

14 (2) **Nursing Training Program.** Award recipients are
15 entitled to a monthly stipend to be disbursed in nine (9) monthly
16 installments during the academic year, as follows: First- and Second-
17 year Students: Two Hundred Dollars (**\$200**) per month and Third- and
18 Fourth-year Students: Four Hundred Dollars (**\$400**) per month.

19 (b) **Dr. Antonio C. Yamashita Educator Corps.** The sum of One
20 Million One Hundred Seventy-Six Thousand Two Hundred Twenty-One
21 Dollars (**\$1,176,221**) is appropriated from the General Fund to the
22 University of Guam for Fiscal Year 2012. The President of the University
23 of Guam *shall* disburse, pursuant to the directives and policies of the
24 Educator Corps Council, stipends for the Dr. Antonio C. Yamashita
25 Educator Corps, and funds for the administration of said program pursuant
26 to Chapter 18, Title 17, Guam Code Annotated, and §15107 of Title 17 of
27 the Guam Code Annotated, as amended. Not more than ten percent (10%)

1 of the total appropriation herein *shall* be used for the administration of this
2 program.

3 (c) **Dr. Antonio C. Yamashita Educator Corps.** §151304 (b) of
4 Article 13, Chapter 15, Title 17 GCA, is hereby *amended* to read as follows:

5 “(b) Applications for the Yamashita Teacher Corps
6 scholarship programs *shall* be received by April 30 of every year for
7 Fall semester admissions and September 30 of every year for Spring
8 semester admissions at the University of Guam. Applicants *shall* be
9 interviewed at a time and place designated by the Committee. Awards
10 *shall* be granted *no later than* the first week of the Spring and Fall
11 semesters in a written notice to the selected applicant, and the
12 applicant’s school administrator, if applicable.”

13 The President of the University of Guam *shall* post on the University of
14 Guam’s website all reports mandated by this Act regarding the Dr. Antonio C.
15 Yamashita Educator Corps.

16 **Section 4. Appropriation for the Aquaculture Development and**
17 **Training Center.** The sum of One Hundred Twenty-Five Thousand Two Hundred
18 Fifty-Four Dollars (**\$125,254**) is appropriated from the General Fund to the
19 University of Guam for Fiscal Year 2012 for the *sole* purpose of funding the
20 continued operations of the Aquaculture Development and Training Center. Said
21 funds *shall not* be transferred *or* used for any other purpose.

22 **Section 5. Appropriation for WERI’s Guam Hydrologic Survey.** The
23 sum of One Hundred Eighty-Two Thousand Six Hundred Ninety-Four Dollars
24 (**\$182,694**) is appropriated from the General Fund to the University of Guam for
25 Fiscal Year 2012 for the *sole* purpose of funding the Guam Hydrologic Survey
26 (GHS) administered by the Water and Environmental Research Institute of the
27 Western Pacific (WERI). WERI *shall* continue to administer the GHS for those

1 purposes previously established by Guam law. Such funds *shall not* be transferred
2 *or* used for any other purpose.

3 **Section 6. Appropriation for WERI's Comprehensive Water Resource**
4 **Monitoring Program.** The sum of One Hundred Fifty-Five Thousand Six
5 Hundred Twenty-Six Dollars (**\$155,626**) is appropriated from the General Fund to
6 the University of Guam for Fiscal Year 2012 to fund the Water and Environmental
7 Research Institute of the Western Pacific (WERI). Such funds *shall* be used for the
8 sole purpose of matching the Federal funding for the Comprehensive Water
9 Resource Monitoring Program. WERI *shall* continue to administer the
10 Comprehensive Water Resource Monitoring Program for those purposes
11 previously established by Guam law. Such funds *shall not* be transferred *or* used
12 for any other purpose.

13 **Section 7. Appropriation to the University of Guam for the Northern**
14 **and Southern Soil and Water Conservation Districts (SWCD) Program.** The
15 sum of One Hundred Forty-Nine Thousand Three Hundred Eighty-Four Dollars
16 (**\$149,384**) is appropriated from the General Fund to the University of Guam for
17 the operations and activities of the Northern and Southern Soil and Water
18 Conservation Districts (SWCD) Program for FY 2012, and *shall* be equally
19 divided between the Northern and Southern Soil and Water Conservation Districts.
20 Expenditures from this appropriation *shall* be made upon the approval of the
21 District Directors, with the consent of the SWCD Board, and *shall not* require
22 further approval by the University of Guam *or* any other government entity. Such
23 funds *shall not* be transferred *or* used for any other purpose.

24 **Section 8. Appropriation to the University of Guam for KPRG (Public**
25 **Radio).** The sum of Eighty-Nine Thousand Four Hundred Sixty-Seven Dollars
26 (**\$89,467**) is appropriated from the General Fund to the University of Guam for the
27 KPRG Fiscal Year 2012 operations. The President of the University of Guam *shall*

1 disburse the funds to KPRG. *No later than* thirty (30) days after the close of each
2 fiscal quarter of FY 2012, the General Manager of KPRG *shall* submit to the
3 President of the University of Guam, and post on KPRG’s website, all reports
4 mandated by this Act.

5 **Section 9. Appropriation to the Guampedia Foundation.** The sum of
6 One Hundred Forty Thousand Dollars (**\$140,000**) is appropriated from the Tourist
7 Attraction Fund to the University of Guam for the operations of the Guampedia
8 Foundation.

9 **Section 10. University of Guam Capital Improvements Fund**
10 **Continuing Appropriation.** The sum of Five Hundred Thousand Dollars
11 (**\$500,000**) is appropriated from the Guam Highway Fund to the University of
12 Guam Capital Improvements Fund for the purpose of paying for the debt service
13 pursuant to §16132, Chapter 16 of Title 17, Guam Code Annotated.

14 **Section 11. Program Revenue and Expenditure Reports.** *No later than*
15 thirty (30) days after the end of each fiscal quarter, the President of the University
16 of Guam *shall* post on the University of Guam’s website and submit to *I*
17 *Maga’låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
18 Excel file and written report, quarterly program revenue and expenditure reports
19 for the Aquaculture Development and Training Center, the WERI Guam
20 Hydrologic Survey, the WERI Comprehensive Water Resource Monitoring
21 Program, the Northern and Southern Soil and Water Conservation Districts
22 Programs, and KPRG. Said reports *shall* be in the format of basic financial
23 statements *or* such format as may be prescribed by *I Liheslaturan Guåhan*.

24 **Section 12. Program Annual Reports.** The President of the University of
25 Guam *shall* post on the University of Guam’s website and *shall* submit to *I*
26 *Maga’låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
27 Excel file and written report, annual reports for the Aquaculture Development and

1 Training Center, the WERI Guam Hydrologic Survey, the WERI Comprehensive
2 Water Resource Monitoring Program, the Northern and Southern Soil and Water
3 Conservation Districts Programs, and KPRG. At a minimum, said reports *shall*
4 include: program mission statements, objectives, sources of revenue, expenditures
5 by budget classification, number of employees, contracts, and *shall* describe
6 program accomplishments in the fiscal year reported.

7 **Section 13. Scholarships, Financial Assistance and Other Reports.**

8 Sixty (60) days after the end of Fiscal Year 2012, the President of the University of
9 Guam *shall* submit to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
10 *Guåhan*, in a Microsoft Excel file and written report, and post on the University of
11 Guam's website, a report of expenditures from appropriations made in this Act for
12 student scholarships, student financial assistance, the Dr. Antonio C. Yamashita
13 Educator Corps, and the Educator Corps Council. Said report *shall* include each
14 program's name, the number of scholarships *or* loans issued by each program, the
15 names of the recipients awarded by each program, the university or college each
16 award recipient is attending by each program, the date the scholarship *or* loan was
17 awarded by each program, the anticipated date of cohort graduation by each
18 program, the total amount of awards *or* loans, the total amount of loans repaid to
19 date by each program, the balance of the outstanding awards *or* loans by each
20 program, the amount of collections to date for outstanding loans and repayments
21 due by each program, the number of awards for each field of study by each
22 program, and the number of recipients working to complete their academic and
23 financial obligations by each program.

24 **Section 14. Appropriation to the Guam Cancer Trust Fund.** The sum of
25 Seven Hundred Ten Thousand Nine Hundred Sixty-Two Dollars (**\$710,962**) is
26 appropriated from the Healthy Futures Fund to the University of Guam for the
27 administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of

1 Article 6, Chapter 26, Title 11, GCA. This appropriation *shall* be used to fund
2 cancer screening, treatment and support services for Fiscal Year 2012.

3 **Section 15. Transfer Authority for the University Of Guam.**

4 Appropriations for the operations of the University of Guam, contained in Section
5 2 of Part II of Chapter II of this Act *or* for the prior years, may be transferred by
6 the President of UOG out of operations and into the appropriation for statutorily
7 mandated scholarship programs contained in Section 3, Part II, Chapter II of this
8 Act.

CHAPTER II

PART III – GUAM COMMUNITY COLLEGE

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to
2 provide a lump sum appropriation to the Guam Community College (GCC). The
3 funds *shall* be expended in accordance to the budget request submitted and the
4 priorities stipulated by the GCC Board of Trustees.

5 It is also the intent of *I Liheslaturan Guåhan* that external funds available to
6 agencies and departments *shall* be taken into consideration to determine the current
7 appropriation level needed. *I Liheslatura* further intends to maximize the use of
8 these funds and that material external funds received *shall* be used to maximize
9 services and programs of the agencies through pursuit of indirect cost
10 reimbursements to reduce the local funding where applicable.

11 **Section 2. Appropriations to the Guam Community College.** The
12 amounts in the Subsections below are appropriated from the following Funds, and
13 for the following purposes, to the GCC for Fiscal Year 2012:

14 (a) **General Fund Appropriation for Operations.** The sum of
15 Eleven Million Four Hundred Thousand One Hundred Thirty Dollars
16 (\$11,400,130) is appropriated from the General Fund to GCC for its
17 operations in Fiscal Year 2012.

18 (b) **Appropriation to the Guam Community College LPN and**
19 **Vocational Guidance Programs.** The sum of Seven Hundred Five
20 Thousand Fifty-Eight Dollars (\$705,058) is appropriated from the General
21 Fund to the GCC for Fiscal Year 2012 to support the operations of the
22 Licensed Practical Nursing Program and the Vocational Guidance Program.

23 (c) **Appropriation to the Guam Community College Lodging**
24 **Management Program/ProStart Program.** The sum of Twenty-Four
25 Thousand One Hundred Fifty-Four Dollars (\$24,154) is appropriated from

1 the Tourist Attraction Fund to the GCC for Fiscal Year 2012 for the Lodging
2 Management Program/ProStart Program.

3 (d) **Appropriation to the Guam Community College**
4 **Apprenticeship Program.** The sum of One Million Six Hundred Eighty-
5 Eight Thousand Four Hundred Forty-Eight Dollars (**\$1,688,448**) is
6 appropriated from the Manpower Development Fund to the GCC for the
7 GCC Apprenticeship Program for Fiscal Year 2012. In addition to the
8 authorization contained in §71720 of Chapter 7, Title 22, Guam Code
9 Annotated, this appropriation herein *shall* be available and authorized to be
10 used by the GCC to fund the operations of other programs at GCC, as
11 approved by the Board and Administration of the College, after all program
12 requirements and obligations have been fully funded.

13 (e) **Federal Matching Grants-in-Aid.** The sum of One Million
14 Four Hundred Seventy-One Thousand Four Hundred Eight Dollars
15 (**\$1,471,408**) is authorized from Federal Matching Grants-in-Aid to the
16 Guam Community College for its operations in Fiscal Year 2012.

17 **Section 3. Reports.** The President of GCC *shall* submit quarterly reports
18 to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
19 Excel file and written report, thirty (30) days after the end of each fiscal quarter
20 and post said report on the GCC website. Said reports *shall* include, but are *not*
21 limited to, the number of participants in each GCC program, the amounts expended
22 from appropriations in this Act by object classification, a description of each
23 program, the academic courses offered, and the requirements for participation in
24 each program.

CHAPTER II

PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

Section 1. Guam Commission for Educator Certification. The amount below in this Subsection is appropriated from the General Fund to the Guam Commission for Educator Certification for its operations in Fiscal Year 2012 in providing administrative support to the Guam Commission for Educator Certification in accordance with Chapter 27 of 17GCA, the Guam Academy Charter School Council in accordance with §1211(e) of 17GCA, and the Council on Post-Secondary Institutions Certification in accordance with §44104(e) of 17GCA. This appropriation *shall* be expended in accordance with object class allocations outlined below:

1 SUMMARY OF BASE OPERATIONAL APPROPRIATION

	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
2	REG SALARIES	111	\$111,750	\$0	\$111,750
3	OT/SP	112	\$0	\$0	\$0
4	BENEFITS	113	\$34,794	\$0	\$34,794
5	TRAVEL/MILE	220	\$0	\$0	\$0
6	CONT. SERV.	230	\$10,750	\$0	\$10,750
7	OFF. RENTAL	233	\$6,000	\$0	\$6,000
8	SUP. & MAT.	240	\$391	\$0	\$391
9	EQUIPMENT	250	\$0	\$0	\$0
10	WORK. COMP.	270	\$0	\$0	\$0
11	DRUG TEST	271	\$0	\$0	\$0
12	SUBGRANT	280	\$0	\$0	\$0
13	MISC	290	\$4,200	\$0	\$4,200
14					

1	POWER	361	\$0	\$0	\$0
2	WATER/SEWER	362	\$0	\$0	\$0
3	PHONE/TOLL	363	\$4,800	\$0	\$4,800
4	CAP. OUTLAY	450	\$0	\$0	\$0
5	GRAND TOTAL		\$172,685	\$0	\$172,685

6 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

7 **SOURCE**

GENERAL FUND	\$172,685
FEDERAL MATCHING GRANTS-IN-AID	\$0
SPECIAL FUNDS	<u>\$0</u>
TOTAL	\$172,685

CHAPTER II

Part V – MISCELLANEOUS EDUCATIONAL PROVISIONS

1 **Section 1. Purchasing in Economies of Scale.** All agencies receiving
2 appropriations pursuant to this Chapter *shall* take all measures necessary to reduce
3 costs by purchasing services, supplies and materials to realize economies of scale.

4 **Section 2. Local Funds Reimbursement.** Funds appropriated to the
5 Guam Department of Education (GDOE) in accordance with the appropriations to
6 the GDOE in this Act, and with the appropriations set forth in Public Law 31-75 by
7 *I Liheslaturan Guåhan*, *shall not* be used to pay for federally-funded program
8 activities and expenditures *unless* such payment is specifically authorized by Guam
9 statute *or unless* such payment is made pursuant to grants that require that local
10 expenditures be made prior to receiving federal reimbursement. The
11 Superintendent of GDOE *shall* submit a report to *I Liheslaturan Guåhan*, *I*
12 *Maga'låhen Guåhan* and the Office of Public Accountability, in a Microsoft Excel
13 file and written report, of all local funds expended in Fiscal Year 2012 for
14 federally-funded programs, the details of such expenditures by object class, the
15 number of FTEs working in said programs, the amounts reimbursed by federal
16 funds and the amounts that have *not or will not* be reimbursed by federal funds.
17 Said report *shall* cite the authority to expend local funds for federal programs, *shall*
18 name the certifying office, and *shall* give the date of every expenditure.

CHAPTER III
HEALTH

PART I - GUAM MEMORIAL HOSPITAL AUTHORITY

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* to
2 provide a lump sum appropriation to the Guam Memorial Hospital Authority
3 (GMHA). The funds *shall* be expended in accordance to the budget request
4 submitted and the priorities stipulated by the GMHA Board of Trustees (Board)
5 and the GMHA’s management.

6 *I Liheslaturan Guåhan* is resolved to continue to support and establish
7 policies which are in the best interest of the GMHA and its mission. *I Liheslaturan*
8 *Guåhan’s* intent to reduce the credits applied against the appropriations to the
9 GMHA Pharmaceuticals Fund towards the payment of bills for services incurred
10 by qualified Medically Indigent Program (MIP) recipients will help increase
11 GMHA revenues.

12 Furthermore, *I Liheslaturan Guåhan* broadened the scope of borrowing
13 options available to the GMHA through the passing and enactment of Public Law
14 30-200, as amended by Public Law 30-235. Through such efforts, the GMHA was
15 able to borrow Twelve Million Dollars (**\$12,000,000**) in an effort to bring fiscal
16 stability to the GMHA. *I Liheslaturan Guåhan* has provided its support to the
17 GMHA with One Million Dollars (\$1,000,000) per year from the Healthy Futures
18 Fund in accordance with Public Law 30-166, towards providing the GMHA the
19 ability to utilize these funds for the debt service payment for the Government of
20 Guam General Obligation: Guam Memorial Hospital Authority Loan 2011.

21 **Section 2.** Guam Memorial Hospital Authority Pharmaceuticals Fund
22 credit toward Medicaid payments *shall not exceed* the sum of Six Million Four
23 Hundred Seventy-Seven Thousand Five Dollars (**\$6,477,005**) in Fiscal Year 2012.
24 Billings in excess of the seventy-five percent (75%) credit *shall* be paid by other

1 appropriated funds. The Department of Public Health and Social Services *shall*
2 remit all adjudicated claims for processing for MIP payments in accordance with
3 §9902 of Chapter 9 of Title 10 of the Guam Code Annotated and Chapter III, Part
4 II, Section 10 of this Act.

5 **Section 3. Guam Memorial Hospital Authority Pharmaceuticals Fund**
6 **Appropriation.** Pursuant to §§26208 and 26208.1 of Chapter 26, Title 11, Guam
7 Code Annotated, the sum of Eight Million Six Hundred Thirty-Six Thousand
8 Seven Dollars (**\$8,636,007**) is appropriated from the Guam Memorial Hospital
9 Authority Pharmaceuticals Fund to the GMHA for Fiscal Year 2012.

10 **Section 4. Guam Memorial Hospital Authority Healthy Futures Fund**
11 **Appropriations.**

12 (a) Pursuant to §26603(d)(3) of Article 6, Chapter 26, Title 11,
13 Guam Code Annotated, the sum of One Million Seven Hundred Six
14 Thousand Three Hundred Eight Dollars (**\$1,706,308**) is appropriated from
15 the Healthy Futures Fund to the GMHA for Fiscal Year 2012 operational
16 expenses.

17 (b) Pursuant to §26603(d) of Article 6, Chapter 26, Title 11, Guam
18 Code Annotated, the sum of One Million Dollars (**\$1,000,000**) is
19 appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year
20 2012, for the line of credit pursuant to §80104 (t), Chapter 80 Division 4,
21 Title 10, Guam Code Annotated.

22 **Section 5. Guam Memorial Hospital Authority General Fund**
23 **Appropriation.** The sum of Two Million Sixty Thousand Nine Hundred
24 Eighteen Dollars (**\$2,060,918**) is appropriated from the General Fund to the
25 GMHA for Fiscal Year 2012.

CHAPTER III

HEALTH

PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan* for
2 the Department of Public Health & Social Services (DPHSS) to expend their funds
3 in accordance with the object class appropriations.

4 **Section 2. Appropriation.** Funds provided in this Section are hereby
5 appropriated and authorized out of the General Fund, Special Funds and Federal
6 Matching Grants-in-Aid to the Department of Public Health and Social Services
7 for its operations in Fiscal Year 2012. This appropriation *shall* be expended in
8 accordance with object class allocations outlined below.

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

2	APPROP. CLASS	OBJ. CLASS	GEN. FUND	SPCL. FUND	TOTAL
3	REG. SALARIES	111	\$2,905,230	\$3,804,796	\$6,710,026
4	OT/SP	112	\$0	\$0	\$0
5	BENEFITS	113	\$1,020,902	\$1,098,056	\$2,118,958
6	TRAVEL	220	\$31,850	\$0	\$31,850
7	CONT. SERV.	230	\$10,980,947	\$82,205	\$11,063,152
8	OFF. RENTAL	233	\$511,192	\$0	\$511,192
9	SUP. & MAT.	240	\$321,034	\$3,500	\$324,534
10	EQUIPMENT	250	\$0	\$3,000	\$3,000
11	WRK. COMP.	270	\$3,000	\$0	\$3,000
12	DRUG TEST	271	\$713	\$75	\$788
13	SUBGRANT	280	\$0	\$0	\$0
14	MISC.	290	\$17,363,611	\$0	\$17,363,611
15	POWER	361	\$0	\$0	\$0
16	WATER/SEWER	362	\$0	\$0	\$0
17	PHONE/TOLL	363	\$458,977	\$0	\$458,977
18	CAP. OUTLAY	450	\$0	\$0	\$0
19	GRAND TOTAL		\$33,597,456	\$4,991,632	\$38,589,088
20	Healthy Futures Fund - \$4,268,795(111-\$3,299,970, 113-\$968,825)				
21	Environmental Health Fund - \$722,837 (111-\$504,826,113-\$129,231,230-				
22	\$82,205,240-\$3,500,250-\$3,000,271-\$75)				

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$33,597,456
4	FEDERAL MATCHING GRANTS-IN-AID	\$24,752,122
5	SPECIAL FUNDS	<u>\$4,991,632</u>
6	TOTAL	\$63,341,210

1 **Section 3. Public Assistance Program Payments.** *Up to* the sum of Four
2 Million Six Hundred Eighty-Six Thousand Nine Hundred Six Dollars (**\$4,686,906**)
3 from the Base Operational Appropriation is authorized as the Local Match for
4 Federal Matching Grants-In-Aid to the DPHSS for Public Assistance Program
5 payments and administration for Fiscal Year 2012. Nine Million Eighty-Three
6 Thousand Six Hundred Seventy-Two Dollars (**\$9,083,672**) is authorized from
7 Federal Matching Grants-In-Aid.

8 **Section 4. Medically Indigent Program (MIP) Appropriations.**

9 (a) The sum of Fifteen Million Three Hundred Seventeen
10 Thousand Five Hundred Fifty-One Dollars (**\$15,317,551**) is appropriated
11 from the General Fund to the Medically Indigent Program Payment
12 Revolving Fund (MIPPR) for the MIP for Fiscal Year 2012.

13 (b) The sum of One Million Four Hundred Twenty-One Thousand
14 Nine Hundred Twenty-Three Dollars (**\$1,421,923**) is appropriated from
15 Healthy Futures Fund to the MIPPR for the MIP to fund cancer screening,
16 treatment and support services for Fiscal Year 2012.

17 (c) *No more than* fifteen percent (15%) of the appropriations from
18 local fund sources in this Section are authorized to pay for FY 2011
19 Obligations of the MIP program.

20 **Section 5. Medicaid Program.** The sum of Twelve Million Seventy
21 Thousand Seven Dollars (**\$12,070,007**) from the Base Operational Appropriation is
22 authorized as the local match requirement of the Medicaid Program and Fourteen
23 Million Eight Hundred Ninety-Five Thousand Forty Dollars (**\$14,895,040**) is
24 authorized from Federal Matching Grants-In-Aid to the DPHSS for said purpose
25 for Fiscal Year 2012. *No more than* fifteen percent (15%) of the appropriations
26 from local fund sources in this Section are authorized to pay for FY 2011
27 Obligations of the Medicaid program.

1 **Section 6. Medicines and Vacant Positions for the DPHSS Community**
2 **Health Centers.** The sum Three Hundred Forty-Six Thousand Four Hundred
3 Fifty-Nine Dollars (**\$346,459**) is appropriated from the Healthy Futures Fund to the
4 DPHSS Community Health Centers for Fiscal Year 2012.

5 **Section 7. Enhanced Allotment Plan.** The sum of Six Hundred Thirty-
6 Nine Thousand Eight Hundred Two Dollars (**\$639,802**) from the Base Operational
7 Appropriation is authorized as the local match requirement of the Enhanced
8 Allotment Plan (Medicaid Part D) Program and Seven Hundred Seventy-Three
9 Thousand Four Hundred Ten Dollars (**\$773,410**) is authorized from Federal
10 Matching Grants-In-Aid to the DPHSS for said purpose for Fiscal Year 2012.

11 **Section 8. Appropriation to the Guam Cancer Registry.** Pursuant to
12 §26603(d)(4) of Title 11 of the Guam Code Annotated, the sum of One Hundred
13 Forty-Two Thousand Ninety-Two Dollars (**\$142,092**) is appropriated from the
14 Healthy Futures Fund to the DPHSS to maintain the Guam Cancer Registry
15 pursuant to §3201.1 of Title 10 of the Guam Code Annotated. The DPHSS *shall*
16 provide funding to the University of Guam for services, supplies and/or materials
17 in executing the Memorandum of Agreement between the University of Guam and
18 the Department of Public Health and Social Services regarding the collection of
19 data and the maintenance of the Guam Cancer Registry. Any funds pursuant to this
20 Section *not* expended in Fiscal Year 2011 *shall* revert to the Guam Cancer Trust
21 Fund.

22 **Section 9. Prompt Payment of MIP Patient Claims Generated at the**
23 **Guam Memorial Hospital Authority.** The DPHSS *shall* process all MIP patient
24 claims generated at the Guam Memorial Hospital Authority *no later than* forty-five
25 (45) days from receipt of said claim as required by §9902 of Chapter 9 of Title 10
26 of the Guam Code Annotated.

1 **Section 10. Appropriation to the Department of Public Health and**
2 **Social Services for the Division of Environmental Health.** The sum of Two
3 Hundred Ninety-One Thousand Three Hundred Forty-Five Dollars (\$291,345) is
4 appropriated from the Environmental Health Fund, and the sum of One Hundred
5 Twenty-Three Thousand Dollars (\$123,000) is appropriated from the Unreserved
6 Fund Balance of the DPHSS Sanitary Inspection Revolving Fund to the
7 Department of Public Health and Social Services - Division of Environmental
8 Health to fund *up to* fifteen (15) positions, to include environmental health
9 specialists, environmental health engineers, an administrative assistant, and a
10 customer service representative pursuant to Public Law 30-64.

CHAPTER III

PART III - DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the Department of Mental Health and Substance Abuse (DMHSA) *shall*
3 expend the funds appropriated in accordance with the object class appropriation
4 levels.

5 It is further the intent of *I Liheslaturan Guåhan* that the DMHSA *shall*
6 expend *no less than* One Million Seventy Thousand Dollars (**\$1,070,000**) for the
7 operation of the Child Adolescent Services Division and the *I Famagu'on-ta*
8 Program.

9 It is further the intent of *I Liheslaturan Guåhan* to provide adequate funding
10 towards the implementation of the Federal Management Team Plan of Action, as
11 approved by the District Court of Guam, as well as provide the authorizations
12 necessary to administer the Federal Management Team Plan of Action in
13 accordance with the administrative procedures as agreed upon by both the
14 government of Guam and the Federal Management Team.

15 **Section 2. Appropriation.** Funds provided in this Section are hereby
16 appropriated and authorized out of the General Fund, Special Funds and Federal
17 Matching Grants-in-Aid to the DMHSA for its operations in Fiscal Year 2012.
18 This appropriation *shall* be expended in accordance with the object class
19 allocations outlined below.

20

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

2	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
3	REG SALARIES	111	\$3,367,977	\$1,907,604	\$5,275,581
4	OT/SP	112	\$38,387	\$38,203	\$76,590
5	BENEFITS	113	\$1,040,949	\$598,852	\$1,639,801
6	TRAVEL/MILE	220	\$0	\$0	\$0
7	CONT. SERV.	230	\$4,605,831	\$0	\$4,605,831
8	OFF. RENTAL	233	\$194,600	\$0	\$194,600
9	SUP. & MAT.	240	\$1,067,500	\$11,000	\$1,078,500
10	EQUIPMENT	250	\$10,750	\$5,500	\$16,250
11	WORK. COMP.	270	\$0	\$0	\$0
12	DRUG TEST	271	\$0	\$0	\$0
13	SUBGRANT	280	\$0	\$0	\$0
14	MISC	290	\$64,397	\$0	\$64,397
15	POWER	361	\$0	\$0	\$0
16	WATER/SEWER	362	\$0	\$0	\$0
17	PHONE/TOLL	363	\$120,000	\$0	\$120,000
18	CAP. OUTLAY	450	\$0	\$0	\$0
19	GRAND TOTAL		\$10,510,391	\$2,561,159	\$13,071,550

20 Healthy Futures Fund \$2,561,159

1	SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING	
2	SOURCE	
3	GENERAL FUND	\$10,510,391
4	FEDERAL MATCHING GRANTS –IN-AID	\$225,862
5	SPECIAL FUNDS	<u>\$2,561,159</u>
6	TOTAL	\$13,297,412

1 **Section 3. Department of Mental Health and Substance Abuse –**
2 **Detoxification & Rehabilitation Services.** The sum of Eight Hundred Thirty-
3 Nine Thousand Forty Dollars(**\$839,040**)is appropriated from the General Fund to
4 the DMHSA for Fiscal Year 2012 for outsourcing of drug and alcohol
5 detoxification, rehabilitation, and prevention services, *provided* that the
6 expenditure of such funds *shall* comply with Title 48 USC §1421b(p).

7 **Section 4. Oasis Empowerment Center for Women Alcohol Substance**
8 **and Homeless Program.** For Fiscal Year 2012, the sum of Fifty Thousand
9 Dollars (**\$50,000**) is appropriated from the General Fund to the DMHSA for the
10 Oasis Empowerment Center for Women Alcohol Substance and Homeless
11 Program.

12 **Section 5. Department of Mental Health and Substance Abuse for the**
13 **Amended Permanent Injunction and Plan of Action.** Pursuant to Court Order
14 No. CV 01-0041 CBM, the sum of Three Million Dollars (**\$3,000,000**) is hereby
15 appropriated from the General Fund to the DMHSA for Fiscal Year 2012 for the
16 payment of court ordered deposits that are due in Fiscal Year 2012 in accordance
17 with the modified funding schedule, for the implementation of the Amended
18 Permanent Injunction and Plan of Action.

19 **Section 6. Expenditures Related to the Federal Management Team**
20 **(FMT) Plan of Action (POA).** Funds reimbursed to the government of Guam
21 from the Federal Management Team Community First Guam Federal Credit Union
22 DMHSA Amended Permanent Injunction Trustee Account *shall* be deposited into
23 and recorded in the existing Permanent Injunction – DMHSA Fund. The sum of up
24 to Ten Million Dollars (**\$10,000,000**) is authorized from the Federal Management
25 Team Community First Guam Federal Credit Union DMHSA Amended Permanent
26 Injunction Trustee Account funds reimbursed to the government of Guam *only* to

- 1 fund personnel and operational expenditures identified by the FMT POA as filed in
- 2 the District Court of Guam under Case No. CV 01-0041.

CHAPTER III

PART IV - DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the Department of Integrated Services for Individuals with Disabilities
3 (DISID) *shall* retain its funding levels according to the maintenance of effort and
4 according to its expenditure levels in Fiscal Year 2011.

5 **Section 2. Appropriation.** Funds provided in this Section are hereby
6 appropriated and authorized out of the General Fund, Special Funds and Federal
7 Matching Grants-in-Aid to the DISID for its operations in Fiscal Year 2012.

8 This appropriation *shall* be expended in accordance with object class
9 allocations outlined below.

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

2	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
3	REG SALARIES	111	\$372,766	\$0	\$372,766
4	OT/SP	112	\$0	\$0	\$0
5	BENEFITS	113	\$113,601	\$0	\$113,601
6	TRAVEL/MILE	220	\$0	\$0	\$0
7	CONT. SERV.	230	\$70,424	\$513,881	\$584,305
8	OFF. RENTAL	233	\$118,128	\$0	\$118,128
9	SUP. & MAT.	240	\$4,000	\$0	\$4,000
10	EQUIPMENT	250	\$0	\$0	\$0
11	WORK. COMP.	270	\$0	\$0	\$0
12	DRUG TEST	271	\$0	\$0	\$0
13	SUBGRANT	280	\$0	\$0	\$0
14	MISC	290	\$555,426	\$0	\$555,426
15	POWER	361	\$0	\$0	\$0
16	WATER/SEWER	362	\$0	\$0	\$0
17	PHONE/TOLL	363	\$16,000	\$0	\$16,000
18	CAP. OUTLAY	450	\$0	\$0	\$0
19	GRAND TOTAL		\$1,250,345	\$513,881	\$1,764,226
20	Healthy Futures Fund		\$513,881		

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$1,250,345
4	FEDERAL MATCHING GRANTS-IN-AID	\$2,052,208
5	SPECIAL FUNDS	<u>\$513,881</u>
6	TOTAL	\$3,816,434

CHAPTER IV
UNIFIED JUDICIARY

1 **Section 1. Appropriation.** The amounts specified in this Section are
2 appropriated and authorized from the General Fund and Federal Matching Grants-
3 in-Aid to the Unified Judiciary for its operations in Fiscal Year 2012.

4 It is the intent of *I Liheslaturan Guåhan* that external funds available to
5 agencies and departments *shall* be taken into consideration to determine the current
6 appropriation level needed. *I Liheslaturan* further intends to maximize the use of
7 these funds and that material external funds received *shall* be used to maximize
8 services and programs of the agencies through pursuit of indirect cost
9 reimbursements to reduce the local funding where applicable.

10 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
11 **SOURCE**

12 GENERAL FUND	\$21,352,213
13 FEDERAL MATCHING GRANTS-IN-AID	\$0
14 SPECIAL FUNDS	\$0
15 TOTAL	\$21,352,213

16 **Section 2. Court-Appointed Attorney Fees.** The sum of Seven Hundred
17 Forty-Five Thousand Four Hundred Thirty-Three Dollars (**\$745,433**) is
18 appropriated from the General Fund to the Unified Judiciary for the *sole* purpose of
19 paying court-appointed attorney fees arising from the defense of indigent clients
20 for Fiscal Year 2012. Said funds *shall* be deposited in the Judicial Client Services
21 Fund account, as created by Title 7, Guam Code Annotated, Division 1, Chapter
22 9.6, and *shall not* be subject to any transfer authority. Any unexpended funds
23 appropriated herein *shall* revert to the General Fund at the end of FY 2012.

24 **Section 3. Adult and Juvenile Drug Courts.** The sum of Six Hundred
25 Fifty-One Thousand Two Hundred Seventy-Seven Dollars (**\$651,277**) is

1 appropriated from the General Fund to the Unified Judiciary for the operations of
2 the Adult and Juvenile Drug Courts for Fiscal Year 2012.

3 **Section 4. Family Visitation Center.** The sum of One Hundred Forty-
4 Five Thousand Dollars (**\$145,000**) is appropriated from the Safe Streets Fund, to
5 the Unified Judiciary for Fiscal Year 2012, to pay for contractual services for the
6 operation of the Family Visitation Center, *provided*, that the Judiciary must comply
7 with §18125 (c) and (d) of Title 16, Guam Code Annotated, and §9211 (b) of Title
8 7, Guam Code Annotated.

9 **Section 5. Transfer Authority of the Judiciary of Guam.** The Unified
10 Judiciary in FY 2012 is authorized to transfer funds from the appropriation made in
11 Chapter IV Section 1 into the appropriations made in Chapter IV Sections 2, 3 and
12 4, but *shall not* transfer appropriations out from the appropriations made in Chapter
13 IV Sections 2, 3 and 4 into Chapter IV Section 1.

14 **Section 6. Judicial Building Fund FY 2012 Budget.** The Unified
15 Judiciary of Guam *shall* report its Judicial Building Fund FY 2012 Budget to *I*
16 *Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
17 Excel file and a written report, on or before October 30, 2011, and post the same
18 on its website.

19 **Section 7. Judicial Building Fund Revenues and Expenditures**
20 **Reporting.** The Unified Judiciary of Guam *shall* report all revenues and
21 expenditures for the Judicial Building Fund to *I Maga'låhen Guåhan* and the
22 Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report,
23 on a quarterly basis and post the same on its website. Each quarterly report *shall*
24 be due *no later than* thirty (30) days after the end of each quarter.

25 **Section 8. Unified Judiciary Authorization to Fund any Operational**
26 **Shortfall.** The Judiciary of Guam is authorized to fund any operational shortfall

- 1 for Fiscal Year 2012 from the Judicial Building Fund consistent with the covenants
- 2 and provisions of the Loan Documents between the Judiciary a the Bank of Guam.

CHAPTER V
EXECUTIVE BRANCH

1 **Section 1. Appropriation.** The amounts specified in the Summary of Base
2 Operational Appropriation in Subsections (a) through (ee) are hereby appropriated
3 and authorized out of the General Fund, Special Funds and Federal Matching
4 Grants-in-Aid, specified in the respective Summary of Base Operational
5 Appropriation Funding Source, to the agencies, departments and offices in each
6 Subsection for its operations in Fiscal Year 2012. This appropriation *shall* be
7 expended in accordance with object class allocations outlined below.

8

1 **(a) OFFICE OF *I MAGA'LÅHI***

2 **(1) Appropriations to the Office of *I Maga'lahen*.** The amounts
3 in the Subsections below are to support the operations of the Office of *I*
4 *Maga'lahen Guåhan*, inclusive of the Medical Referral Office, Government
5 House, Bureau of Information Technology, Guam Liaison
6 Office/Washington, D.C., *I Segundu Na Maga'lahen Guåhan* and the Guam
7 State Clearinghouse from the respective Funds, and for the following
8 purposes, to the Office of *I Maga'lahen Guåhan* for Fiscal Year 2012:

9 **(i) General Fund Appropriation for Operations.** The
10 sum of Six Million Two Hundred Three Thousand Seven Hundred
11 Fifty Three Dollars (**\$6,203,753**) is appropriated from the General
12 Fund to the Office of *I Maga'lahen Guåhan* for its operations in
13 Fiscal Year 2012.

14 **(ii) Indirect Cost Fund Appropriation for Operations.**
15 The sum of Three Hundred Eleven Thousand Three Hundred Fifty
16 Seven Dollars (**\$311,357**) is appropriated from the Indirect Cost Fund
17 to the Office of *I Maga'lahen Guåhan* for its operations in Fiscal Year
18 2012.

19

1 (b) COMMISSION ON DECOLONIZATION

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$65,000	\$0	\$65,000
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$19,898	\$0	\$19,898
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$4,840	\$0	\$4,840
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$4,170	\$0	\$4,170
11	EQUIPMENT	250	\$7,530	\$0	\$7,530
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$3,000	\$0	\$3,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$104,438	\$0	\$104,438

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$104,438
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$104,438

7

1 (c) ANCESTRAL LANDS COMMISSION

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$125,094	\$0	\$125,094
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$38,096	\$0	\$38,096
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$3,040	\$0	\$3,040
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$8,066	\$0	\$8,066
11	EQUIPMENT	250	\$775	\$0	\$775
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$3,400	\$0	\$3,400
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$178,471	\$0	\$178,471

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$178,471
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$178,471

7

1 (d) VETERANS AFFAIRS OFFICE

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$205,407	\$0	\$205,407
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$62,869	\$0	\$62,869
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$10,000	\$0	\$10,000
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$7,707	\$0	\$7,707
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$8,000	\$0	\$8,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$293,983	\$0	\$293,983

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$293,983
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$293,983

7

1 **(e) BUREAU OF BUDGET AND MANAGEMENT RESEARCH**
2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$782,622	\$228,256	\$1,010,878
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$231,330	\$71,510	\$302,840
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$14,813	\$14,813
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$5,640	\$0	\$5,640
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$150	\$150
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$14,333	\$14,333
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$1,019,592	\$329,062	\$1,348,654

21 Indirect Cost Fund **\$329,062**

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$1,019,592
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$329,062</u>
6	TOTAL	\$1,348,654

7

1 (f) CIVIL SERVICE COMMISSION

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$502,895	\$0	\$502,895
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$149,654	\$0	\$149,654
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$20,984	\$0	\$20,984
9	OFF. RENTAL	233	\$85,470	\$0	\$85,470
10	SUP. & MAT.	240	\$1,000	\$0	\$1,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$31,540	\$0	\$31,540
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$10,780	\$0	\$10,780
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$802,323	\$0	\$802,323

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$802,323
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$802,323

7

1 (g) DEPARTMENT OF ADMINISTRATION

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$4,907,716	\$622,717	\$5,530,433
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$1,471,438	\$208,290	\$1,679,728
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$594,691	\$36,586	\$631,277
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$30,000	\$0	\$30,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$375	\$0	\$375
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$375,000	\$0	\$375,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$7,379,220	\$867,593	\$8,246,813

21 Indirect Cost Fund **\$867,593**

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$7,379,220
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$867,593</u>
6	TOTAL	\$8,246,813

7 **(1) Support of Child in Custody (Title 19 GCA §5116).** The
8 sum of Six Hundred Forty-Nine Thousand Nine Hundred Sixty-Two Dollars
9 **(\$649,962)** is appropriated from the General Fund to the Department of
10 Administration (DOA) for Fiscal Year 2012 for the *sole* purpose of paying
11 orders of the court pursuant to §5116, Title 19, Guam Code Annotated.

12 **(2) Residential Treatment Fund.** The sum of One Million Two
13 Hundred Thousand Dollars **(\$1,200,000)** is appropriated from the General
14 Fund to the DOA for the Residential Treatment Fund in Fiscal Year 2012 to
15 pay the expenses of persons under the jurisdiction of the Superior Court of
16 Guam who require residential care because of physical, mental or emotional
17 disabilities, or severe emotional disturbances. All such persons and their
18 escorts referred off-Guam for treatment and care *shall* submit to the Director
19 of DOA appropriate documentation to justify and receive reimbursement of
20 their travel expenses. The Director of Administration *shall* submit reports,
21 in a Microsoft Excel file and written report, to *I Maga'låhen Guåhan* and the
22 Speaker of *I Liheslaturan Guåhan* describing all expenditures made pursuant
23 to this appropriation *no later than* thirty (30) days after the end of each
24 quarter of Fiscal Year 2012, and post the same on the DOA website.

25 **(3) Government Claims Fund.** The sum of One Hundred
26 Thousand Dollars **(\$100,000)** is appropriated from the General Fund to the
27 DOA for the Government Claims Fund for payment of approved

1 government claims in Fiscal Year 2012. The Director of DOA *shall, no*
2 *later than* thirty (30) days after the close of each quarter of Fiscal Year 2012,
3 submit a report to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
4 Excel file and written report, describing expenditures made pursuant to this
5 appropriation, and post the same on the Department's website.

6 **(4) Government of Guam's General Purpose Financial**
7 **Statement and Single Audit Report.** The sum of Three Hundred Seventy-
8 Seven Thousand Dollars (**\$377,000**) is appropriated from the General Fund
9 to the DOA for the Fiscal Year 2011 Audit of the Government of Guam's
10 General Purpose Financial Statement and the Single Audit Report. The
11 Public Auditor *shall* administer said funds and *shall* oversee the annual
12 audit.

13 **(5) Single Audit Report on the Tourist Attraction Fund.** The
14 sum of Eighteen Thousand Dollars (**\$18,000**) is appropriated from the
15 Tourist Attraction Fund to the DOA for the Fiscal Year 2011 Audit of the
16 Government of Guam's Tourist Attraction Fund Financial Statement and
17 Single Audit Report. The Public Auditor *shall* administer said funds and
18 *shall* oversee the annual audit.

19 **(6) Single Audit Report on the Guam Highway Fund.** The sum
20 of Eighteen Thousand Dollars (**\$18,000**) is appropriated from the Guam
21 Highway Fund to the DOA for the Fiscal Year 2011 Audit of the
22 Government of Guam's Highway Fund Financial Statement and Single
23 Audit Report. The Public Auditor *shall* administer said funds and *shall*
24 oversee the annual audit.

25 **(7) Interest-Only Payments to the Government of Guam**
26 **Retirement Fund Pursuant to Public Law 28-38.** The sum of Three
27 Hundred Thirty-Two Thousand Seven Hundred Fifty-Three Dollars

1 **(\$332,753)** is appropriated from the General Fund to DOA for “interest
2 only” payments for the GDOE and GMHA deficiency to the GGRF pursuant
3 to this Section. Any balance remaining from this appropriation *shall* revert
4 to the General Fund.
5

1 **(h) GUAM ELECTION COMMISSION**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$319,877	\$0	\$319,877
5	OT/SP	112	\$24,752	\$0	\$24,752
6	BENEFITS	113	\$111,151	\$0	\$111,151
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$200,000	\$0	\$200,000
9	OFF. RENTAL	233	\$117,960	\$0	\$117,960
10	SUP. & MAT.	240	\$6,000	\$0	\$6,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG-TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$100,000	\$0	\$100,000
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$12,850	\$0	\$12,850
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$892,590	\$0	\$892,590

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$892,590
4	FEDERAL MATCHING GRANTS -IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$892,590

7

(i) DEPARTMENT OF REVENUE AND TAXATION
SUMMARY OF BASE OPERATIONAL APPROPRIATION

APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
REG SALARIES	111	\$5,900,873	\$273,807	\$6,174,680
OT/SP	112	\$0	\$0	\$0
BENEFITS	113	\$1,800,443	\$85,946	\$1,886,389
TRAVEL/MIL	220	\$0	\$9,500	\$9,500
CONT. SERV.	230	\$0	\$1,367,097	\$1,367,097
OFF. RENTAL	233	\$1,059,635	\$15,785	\$1,075,420
SUP. & MAT.	240	\$8,201	\$61,075	\$69,276
EQUIPMENT	250	\$0	\$0	\$0
WORK. COMP.	270	\$0	\$0	\$0
DRUG-TEST	271	\$1,500	\$0	\$1,500
SUBGRANT	280	\$0	\$0	\$0
MISC	290	\$0	\$0	\$0
POWER	361	\$0	\$0	\$0
WATER/SEWER	362	\$0	\$0	\$0
PHONE/TOLL	363	\$0	\$101,400	\$101,400
CAP. OUTLAY	450	\$0	\$0	\$0
GRAND TOTAL		\$8,770,652	\$1,914,610	\$10,685,262

Better Public Service Fund \$1,422,747 (220 - \$9,500; 230 - \$1,367,097; 240 - \$46,150)

Tax Collection Enhancement Fund \$491,863 (111 - \$273,807; 113 - \$85,946; 233 - \$15,785; 240 - \$14,925; 363 - \$101,400)

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$8,770,652
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$1,914,610</u>
6	TOTAL	\$10,685,262

7 (1) **Personnel Costs for the Department of Revenue and Taxation.**

8 The sum of Seven Hundred Twenty-Six Thousand One Hundred Ninety-Five
9 Dollars (**\$726,195**) is appropriated from the General Fund to the Department of
10 Revenue and Taxation (DRT) in Object Class 111 and the sum of Two Hundred
11 Forty-Two Thousand Sixty-Five Dollars (**\$242,065**) is appropriated from the
12 General Fund to DRT in Object Class 113 for the payment of personnel costs at
13 DRT.

14

1 (j) **BUREAU OF STATISTICS AND PLANS**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$868,320	\$0	\$868,320
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$257,702	\$0	\$257,702
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$0	\$0
9	OFF. RENTAL	233	\$21,000	\$0	\$21,000
10	SUP. & MAT.	240	\$6,391	\$0	\$6,391
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG-TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC.	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$9,000	\$0	\$9,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$1,162,413	\$0	\$1,162,413

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$1,162,413
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$1,162,413

7

1 **(k) DEPARTMENT OF PUBLIC WORKS**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$6,490,836	\$3,715,036	\$10,205,872
5	OT/SP	112	\$0	\$40,653	\$40,653
6	BENEFITS	113	\$1,965,468	\$1,153,435	\$3,118,904
7	TRAVEL/MILE	220	\$0	\$21,777	\$21,777
8	CONT. SERV.	230	\$0	\$803,336	\$803,336
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$0	\$2,957,081	\$2,957,081
11	EQUIPMENT	250	\$0	\$95,632	\$95,632
12	WORK. COMP.	270	\$0	\$1,250	\$1,250
13	DRUG TEST	271	\$0	\$7,688	\$7,688
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$119,291	\$119,291
19	CAP. OUTLAY	450	\$0	\$67,000	\$67,000
20	GRAND TOTAL		\$8,456,304	\$8,982,179	\$17,438,483

21 DPW Building & Design Fund \$497,806 (111 - \$109,647; 113 - \$33,113;
22 230 - \$83,051; 240 - \$97,634; 250 - \$50,232; 270 - \$500; 271 - \$1,875; 363
23 - \$72,754; 450 - \$49,000)

1 Guam Highway Fund \$8,484,373 (111 - \$3,605,389; 112 - \$40,653; 113 -
2 \$1,120,322; 220 - \$21,777; 230 - \$720,285; 240 - \$2,859,447; 250 -
3 \$45,400; 270 - \$750; 271 - \$5,813; 363 - \$46,537; 450 - \$18,000)

4 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
5 **SOURCE**

6	GENERAL FUND	\$8,456,304
7	FEDERAL MATCHING GRANTS-IN-AID	\$0
8	SPECIAL FUNDS	<u>\$8,982,179</u>
9	TOTAL	\$17,438,483

10 (1) **Guam Solid Waste Authority Appropriation.** The sum of
11 Six Million Two Hundred Forty-Six Thousand Six Hundred Twenty-Six
12 Dollars (**\$6,246,626**) is appropriated from the Solid Waste Operations Fund
13 to the Guam Solid Waste Authority pursuant to Public Law 31-20 for its
14 Fiscal Year 2012 operations.

15

1 (I) CONTRACTORS LICENSE BOARD

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$383,393	\$383,393
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$120,254	\$120,254
7	TRAVEL/MILE	220	\$0	\$16,000	\$16,000
8	CONT. SERV.	230	\$0	\$169,054	\$169,054
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$0	\$74,106	\$74,106
11	EQUIPMENT	250	\$0	\$35,620	\$35,620
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$288	\$288
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$9,600	\$9,600
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$12,000	\$12,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$820,315	\$820,315

21 Contractors License Board Fund \$820,315

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$820,315</u>
6	TOTAL	\$820,315

7

1 (m) PEALS BOARD

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$25,810	\$25,810
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$8,195	\$8,195
7	TRAVEL/MILE	220	\$0	\$3,800	\$3,800
8	CONT. SERV.	230	\$0	\$56,312	\$56,312
9	OFF. RENTAL	233	\$0	\$18,000	\$18,000
10	SUP. & MAT.	240	\$0	\$2,900	\$2,900
11	EQUIPMENT	250	\$0	\$4,600	\$4,600
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$40	\$40
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$1,750	\$1,750
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$2,900	\$2,900
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$124,307	\$124,307

21 PEALS Fund \$124,307

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$124,307</u>
6	TOTAL	\$124,307

7

1 (n) GUAM POLICE DEPARTMENT

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$15,582,380	\$0	\$15,582,380
5	OT/SP	112	\$771,652	\$0	\$771,652
6	BENEFITS	113	\$5,444,446	\$0	\$5,444,446
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$464,719	\$464,719
9	OFF. RENTAL	233	\$232,200	\$0	\$232,200
10	SUP. & MAT.	240	\$215,000	\$35,000	\$250,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$20,000	\$0	\$20,000
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$44,559	\$82,141	\$126,700
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$52,929	\$0	\$52,929
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$22,363,166	\$581,860	\$22,945,026

21 Police Services Fund \$581,860

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$22,363,166
4	FEDERAL MATCHING GRANTS-IN-AID	\$726,136
5	SPECIAL FUNDS	<u>\$581,860</u>
6	TOTAL	\$23,671,162

7 (1) **Special Pay.** The amount below in this Subsection is
8 appropriated from the General Fund to the Guam Police Department in
9 Object Class 111 and *shall* be used to fund all Special Pay, to include
10 Holiday Pay, Night Differential Pay, ten percent (10%) Hazardous Pay, four
11 percent (4%) Hazardous Pay, and Additional Pay six (6) hours, in Fiscal
12 Year 2012 for eligible classified employees funded within this Subsection.

13	SPECIAL PAY	111 Total	\$2,423,651
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14

1 (o) DEPARTMENT OF CORRECTIONS

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$8,877,024	\$0	\$8,877,024
5	OT/SP	112	\$970,527	\$0	\$970,527
6	BENEFITS	113	\$3,237,883	\$0	\$3,237,883
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$543,865	\$915,203	\$1,459,068
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$102,515	\$96,000	\$198,515
11	EQUIPMENT	250	\$12,925	\$0	\$12,925
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$79,800	\$0	\$79,800
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$70,000	\$0	\$70,000
19	CAP. OUTLAY	450	\$80,000	\$0	\$80,000
20	GRAND TOTAL		\$13,974,539	\$1,011,203	\$14,985,742

21 DOC Revolving Fund \$915,203 (230)

22 Safe Streets Fund \$96,000 (240)

23

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$13,974,539
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$1,011,203</u>
6	TOTAL	\$14,985,742

7 **(1) Special Pay.** The amount below in this Subsection is
8 appropriated from the General Fund to the Department of Corrections in
9 Object Class 111, and *shall* be used to fund all Special Pay, to include Night
10 Differential Pay and ten percent (10%) Hazardous Pay, in Fiscal Year 2012
11 for eligible classified employees funded within this Subsection.

12	SPECIAL PAY	111 Total	\$854,496
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13 **(2) Prior Years Cost of Care and Custody for Prisoners**
14 **Confined in Federal Facilities.** The sum of Six Hundred Seventy-Six
15 Thousand Four Hundred Fifty-Seven Dollars (**\$676,457**) is appropriated
16 from the General Fund, and Two Million Dollars (**\$2,000,000**) is
17 appropriated from the Territorial Educational Facilities Fund to the
18 Department of Corrections for Fiscal Year 2012 for the payment of prior and
19 current year obligations for prisoners confined in federal facilities of the
20 Federal Bureau of Prisons.

21

1 (p) DEPARTMENT OF AGRICULTURE

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$1,789,789	\$0	\$1,789,789
5	OT/SP	112	\$14,561	\$0	\$14,561
6	BENEFITS	113	\$583,689	\$0	\$583,689
7	TRAVEL/MILE	220	\$5,400	\$0	\$5,400
8	CONT. SERV.	230	\$14,577	\$15,100	\$29,677
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$15,606	\$18,817	\$34,423
11	EQUIPMENT	250	\$0	\$5,000	\$5,000
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$3,400	\$3,400
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$18,000	\$6,000	\$24,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$2,441,622	\$48,317	\$2,489,939

21 Guam Plant Inspection & Permit Fund \$48,317

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$2,441,622
4	FEDERAL MATCHING GRANTS-IN-AID	\$279,000
5	SPECIAL FUNDS	<u>\$48,317</u>
6	TOTAL	\$2,768,939

7 **(1) Ranking Structure for Conservation Law Enforcement**
8 **Officers Appropriation.** The sum of Sixty Thousand Dollars (**\$60,000**) is
9 appropriated from the General Fund to the Department of Agriculture for
10 Fiscal Year 2012 *only* for personnel costs as a result of the implementation
11 of the Ranking Structure for Conservation Law Enforcement Officers.

12 **(2) Animal Shelter.** The sum of Ninety-Eight Thousand Eighty-
13 Three Dollars (**\$98,083**) is appropriated from the General Fund to the
14 Department of Agriculture for Fiscal Year 2012 for the operations of the
15 Guam Animals in Need (GAIN) animal shelter in *Yigo*, Guam.
16

1 **(q) GUAM PUBLIC LIBRARY SYSTEM**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$735,482	\$0	\$735,482
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$229,996	\$0	\$229,996
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$104,678	\$0	\$104,678
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$30,000	\$0	\$30,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$200	\$0	\$200
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$36,000	\$0	\$36,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$1,136,356	\$0	\$1,136,356

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$1,136,356
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$1,136,356

7

1 (r) DEPARTMENT OF YOUTH AFFAIRS

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$2,225,656	\$180,884	\$2,406,540
5	OT/SP	112	\$39,202	\$0	\$39,202
6	BENEFITS	113	\$809,441	\$59,683	\$869,124
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$40,104	\$26,122	\$66,226
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$99,516	\$25,939	\$125,455
11	EQUIPMENT	250	\$0	\$9,410	\$9,410
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$225	\$0	\$225
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$43,500	\$0	\$43,500
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$3,257,644	\$302,038	\$3,559,682

21 Healthy Futures Fund \$302,038

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$3,257,644
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$302,038</u>
6	TOTAL	\$3,559,682

7 **(1) Special Pay.** The amount below in this Subsection is
8 appropriated from the General Fund and Healthy Futures Fund to the
9 Department of Youth Affairs in Object Class 111, and *shall* be used to fund
10 all Special Pay, to include Holiday Pay, Night Differential Pay and ten
11 percent (10%) Hazardous Pay, in Fiscal Year 2012 for eligible classified
12 employees funded within this Subsection.

13	SPECIAL PAY	111 Total	\$407,225
14	General Fund - \$391,182; Healthy Futures Fund \$16,043		

15 **(2) Youth Program Appropriation.** The sum of Three Hundred
16 Forty-Six Thousand Three Hundred Twenty-Five Dollars (**\$346,325**) is
17 appropriated from the General Fund to the Department of Youth Affairs
18 (DYA) for Fiscal Year 2012 to fund programs contracted out to non-
19 governmental organizations for youths who are runaways, homeless, or
20 victims of abuse.

21

1 (s) **GUAM ENVIRONMENTAL PROTECTION AGENCY**
 2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$262,999	\$262,999
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$80,738	\$80,738
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$117,724	\$117,724
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$0	\$25,606	\$25,606
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$76,182	\$76,182
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$39,542	\$39,542
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$602,791	\$602,791

21 Guam Environmental Trust Fund \$311,645 (111 - \$111,096; 113 - \$33,976;
 22 230 - \$56,824; 240 - \$14,564; 290 - \$75,182; 363 - \$20,003)
 23 Air Pollution Control Fund \$164,900 (111 - \$88,546; 113 - \$27,374; 230 -
 24 \$34,000; 240 - \$3,974; 290 - \$1,000; 363 - \$10,006)

1 Water Protection Fund \$61,520 (111 - \$29,421; 113 - \$9,270; 230 - \$13,710;
2 240 - \$3,616; 363 - \$5,503)
3 Water Research and Development Fund \$64,726 (111 - \$33,936; 113 -
4 \$10,118; 230 - \$13,190; 240 - \$3,452; 363 - \$4,030)

5 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
6 **SOURCE**

7	GENERAL FUND	\$0
8	FEDERAL MATCHING GRANTS-IN-AID	\$0
9	SPECIAL FUNDS	<u>\$602,791</u>
10	TOTAL	\$602,791

11 **(1) Closure, Monitoring, and Opening of the Island's Landfills.**

12 The sum of Two Hundred Thousand Dollars (**\$200,000**) is hereby
13 appropriated from the Solid Waste Operations Fund to the Guam
14 Environmental Protection Agency. The appropriation recognizes the duties
15 and responsibilities of the Agency related to the closure, monitoring, and
16 opening of the island's landfills.

17 **(2) Beach Monitoring.** The sum of One Hundred Thousand
18 Dollars (**\$100,000**) is hereby appropriated from the Tourist Attraction Fund
19 to the Guam Environmental Protection Agency for the *sole* purpose of beach
20 monitoring. The Tourist Attraction Fund *shall* provide resources to the
21 Guam Environmental Protection Agency for tasks performed by the Agency
22 related to the monitoring of the island's beaches and any other tourist
23 infrastructure. As tourism represents a major contributor to the island's
24 economy, this appropriation ensures that the island's beaches are safe for
25 recreational and commercial use.

26 This appropriation is *not* subject to transfer or use for any other
27 purpose.

1 (t) DEPARTMENT OF LABOR/AHRD

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$692,532	\$276,648	\$969,180
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$209,996	\$84,342	\$294,338
7	TRAVEL/MILE	220	\$0	\$5,388	\$5,388
8	CONT. SERV.	230	\$40,946	\$4,140	\$45,086
9	OFF. RENTAL	233	\$115,902	\$73,888	\$189,790
10	SUP. & MAT.	240	\$15,144	\$4,200	\$19,344
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$150	\$397	\$547
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$42,100	\$0	\$42,100
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$27,146	\$6,000	\$33,146
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$1,143,916	\$455,003	\$1,598,919

21 Manpower Development Fund \$455,003

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$1,143,916
4	FEDERAL MATCHING GRANTS-IN-AID	\$42,100
5	SPECIAL FUNDS	<u>\$455,003</u>
6	TOTAL	\$1,641,019

7 (1) **Appropriation to the Worker's Compensation Fund.** The
8 sum of Seven Hundred Ninety-Eight Thousand Five Hundred Ninety-Three
9 Dollars (**\$798,593**) is appropriated from the General Fund to the Department
10 of Labor for the Worker's Compensation Fund for Fiscal Year 2012 for
11 Worker's Compensation payments pursuant to §9144, Title 22, Guam Code
12 Annotated, to include obligations incurred in past years and in the future.
13 Said appropriation may be used to pay for medical, surgical, and other
14 treatment; nurses; hospital services; medical travel and per diem costs;
15 medicine; crutches; and equipment required by a claimant for such period as
16 the injury and recovery therefrom may require. Said appropriation *shall not*
17 be expended for disability compensation payments for FTE's funded by this
18 Act. The Director of Labor may use *no more than* Forty Thousand Dollars
19 (**\$40,000**) from said appropriation to pay for legal services for Worker's
20 Compensation hearings.

21

(u) **DEPARTMENT OF PARKS AND RECREATION**
SUMMARY OF BASE OPERATIONAL APPROPRIATION

APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
REG SALARIES	111	\$2,061,558	\$0	\$2,061,558
OT/SP	112	\$0	\$0	\$0
BENEFITS	113	\$624,011	\$0	\$624,011
TRAVEL/MILE	220	\$0	\$0	\$0
CONT. SERV.	230	\$0	\$81,652	\$81,652
OFF. RENTAL	233	\$0	\$0	\$0
SUP. & MAT.	240	\$0	\$81,652	\$81,652
EQUIPMENT	250	\$0	\$30,000	\$30,000
WORK. COMP.	270	\$0	\$0	\$0
DRUG TEST	271	\$0	\$0	\$0
SUBGRANT	280	\$0	\$0	\$0
MISC	290	\$0	\$0	\$0
POWER	361	\$0	\$0	\$0
WATER/SEWER	362	\$0	\$0	\$0
PHONE/TOLL	363	\$30,000	\$0	\$30,000
CAP. OUTLAY	450	\$0	\$0	\$0
GRAND TOTAL		\$2,715,569	\$193,304	\$2,908,873

Public Recreation Services Fund \$193,304

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$2,715,569
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$193,304</u>
6	TOTAL	\$2,908,873

7 **(1) Maintenance and Repair of Public Restrooms.** The sum of
8 Four Hundred Thousand One Hundred Sixty-Six Dollars (**\$400,166**) is
9 appropriated from the Tourist Attraction Fund to the Department of Parks
10 and Recreation for the maintenance and repair of restroom facilities in public
11 parks island-wide for Fiscal Year 2012. *No later than* thirty (30) days after
12 the end of every fiscal quarter, the Director of the Department of Parks and
13 Recreation *shall* submit a quarterly report to the Public Auditor and the
14 Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written
15 report, of the expenditures from this appropriation, and post the same on the
16 Department’s website.

17 **(2) Maintenance of Pool Facilities.** The sum of Three Hundred
18 Forty-Nine Thousand Two Hundred Eleven Dollars (**\$349,211**) is
19 appropriated from the Tourist Attraction Fund to the Department of Parks
20 and Recreation for the maintenance of pool facilities for Fiscal Year 2012.
21 These funds *shall* be used for the Northern Pool and the *Hagåtña* Pool. *No*
22 *later than* thirty (30) days after the end of every fiscal quarter, the Director
23 of the Department of Parks and Recreation *shall* submit a quarterly report to
24 the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
25 Excel file and written report, of the expenditures from this appropriation,
26 and post the same on the Department’s website.

27

1 (v) DEPARTMENT OF LAND MANAGEMENT

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$1,708,886	\$1,708,886
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$510,239	\$510,239
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$83,826	\$356,201	\$440,027
9	OFF. RENTAL	233	\$557,106	\$0	\$557,106
10	SUP. & MAT.	240	\$0	\$28,000	\$28,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$7,200	\$7,200
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$23,198	\$23,198
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$640,932	\$2,633,724	\$3,274,656

21 Land Survey Revolving Fund \$2,633,724

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$640,932
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$2,633,724</u>
6	TOTAL	\$3,274,656

7

1 (w) CHIEF MEDICAL EXAMINER

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$258,360	\$0	\$258,360
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$78,411	\$0	\$78,411
7	TRAVEL/MILE	220	\$8,440	\$0	\$8,440
8	CONT. SERV.	230	\$44,820	\$0	\$44,820
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$6,198	\$0	\$6,198
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$35	\$0	\$35
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$2,630	\$0	\$2,630
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$398,894	\$0	\$398,894

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$398,894
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$398,894

7

1 **(x) CUSTOMS AND QUARANTINE AGENCY**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$5,820,158	\$5,820,158
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$1,436,320	\$1,436,320
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$95,746	\$95,746
9	OFF. RENTAL	233	\$0	\$5,391	\$5,391
10	SUP. & MAT.	240	\$0	\$59,212	\$59,212
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$38,500	\$38,500
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$7,455,327	\$7,455,327

21 Customs, Agriculture, and Quarantine Inspection Services Fund \$7,455,327

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$7,455,327</u>
6	TOTAL	\$7,455,327

7

1 (y) DEPARTMENT OF CHAMORRO AFFAIRS

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$510,555	\$0	\$510,555
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$156,149	\$0	\$156,149
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$71,210	\$0	\$71,210
9	OFF. RENTAL	233	\$182,529	\$0	\$182,529
10	SUP. & MAT.	240	\$3,737	\$0	\$3,737
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$3,521	\$0	\$3,521
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$927,701	\$0	\$927,701

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$927,701
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$927,701

7

1 **(z) DEPARTMENT OF MILITARY AFFAIRS**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$219,709	\$0	\$219,709
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$76,400	\$0	\$76,400
7	TRAVEL/MILE	220	\$5,750	\$0	\$5,750
8	CONT. SERV.	230	\$33,742	\$0	\$33,742
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$18,433	\$0	\$18,433
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$8,524	\$0	\$8,524
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$8,428	\$0	\$8,428
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$370,986	\$0	\$370,986

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$370,986
4	FEDERAL MATCHING GRANTS-IN-AID	\$1,547,700
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$1,918,686

7

1 (aa) COUNCIL ON THE ARTS AND HUMANITIES AGENCY

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$90,397	\$0	\$90,397
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$37,768	\$0	\$37,768
7	TRAVEL/MILE	220	\$4,270	\$0	\$4,270
8	CONT. SERV.	230	\$19,302	\$0	\$19,302
9	OFF. RENTAL	233	\$33,500	\$0	\$33,500
10	SUP. & MAT.	240	\$2,000	\$0	\$2,000
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$15,531	\$0	\$15,531
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$94,362	\$0	\$94,362
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$2,870	\$0	\$2,870
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$300,000	\$0	\$300,000

21

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$300,000
4	FEDERAL MATCHING GRANTS-IN-AID	\$300,000
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$600,000

7 (1) **Guam Territorial Band.** The sum of Forty Thousand Dollars
8 **(\$40,000)** is appropriated from the Tourist Attraction Fund to the Guam
9 Council on the Arts and Humanities Agency, and *shall* be used to fund the
10 operations of the Guam Territorial Band in Fiscal Year 2012.

11

1 (bb) GUAM FIRE DEPARTMENT

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$12,603,367	\$624,346	\$13,227,713
5	OT/SP	112	\$1,944,682	\$34,500	\$1,979,182
6	BENEFITS	113	\$6,116,615	\$204,833	\$6,321,448
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$197,700	\$195,318	\$393,018
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$296,186	\$381,627	\$677,813
11	EQUIPMENT	250	\$0	\$72,473	\$72,473
12	WORK. COMP.	270	\$20,000	\$0	\$20,000
13	DRUG TEST	271	\$5,145	\$1,225	\$6,370
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$103,250	\$531,302	\$634,552
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$45,000	\$48,000	\$93,000
19	CAP. OUTLAY	450	\$0	\$69,970	\$69,970
20	GRAND TOTAL		\$21,331,945	\$2,163,594	\$23,495,539

21 Enhanced 911 Emergency Reporting System Fund \$1,563,594 (111 -
22 \$624,346; 112 - \$34,500; 113 - \$204,833; 230 - \$175,318; 240 - \$371,627;
23 250 - \$57,000; 271 - \$1,225; 290 - \$8,775; 363 - \$48,000; 450 - \$37,970)

24 Fire, Life and Medical Emergency Fund \$600,000 (230 - \$20,000; 240 -
25 \$10,000; 250 - \$15,473; 290 - \$522,527; 450 - \$32,000)

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
2 **SOURCE**

3	GENERAL FUND	\$21,331,945
4	FEDERAL MATCHING GRANTS-IN-AID	\$102,000
5	SPECIAL FUNDS	<u>\$2,163,594</u>
6	TOTAL	\$23,597,539

7 (1) **Special Pay.** The amount below in this Subsection is
8 appropriated from the General Fund to the Guam Fire Department in Object
9 Class 111 and *shall* be used to fund all Special Pay, to include Holiday Pay,
10 Night Differential Pay, Firefighter’s 106 Hours Pay and EMT-A Duty Pay,
11 in Fiscal Year 2012 for eligible classified employees funded within this
12 Subsection.

13	SPECIAL PAY	111 Total	\$5,413,607
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14

1 (cc) **GUAM EDUCATIONAL TELECOMMUNICATIONS**
 2 **CORPORATION (PBS GUAM)**

3 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

4	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
5	REG SALARIES	111	\$381,043	\$0	\$381,043
6	OT/SP	112	\$0	\$0	\$0
7	BENEFITS	113	\$114,566	\$0	\$114,566
8	TRAVEL/MILE	220	\$0	\$0	\$0
9	CONT. SERV.	230	\$25,490	\$0	\$25,490
10	OFF. RENTAL	233	\$0	\$0	\$0
11	SUP. & MAT.	240	\$0	\$0	\$0
12	EQUIPMENT	250	\$0	\$0	\$0
13	WORK. COMP.	270	\$0	\$0	\$0
14	DRUG TEST	271	\$0	\$0	\$0
15	SUBGRANT	280	\$0	\$0	\$0
16	MISC	290	\$0	\$0	\$0
17	POWER	361	\$0	\$0	\$0
18	WATER/SEWER	362	\$0	\$0	\$0
19	PHONE/TOLL	363	\$0	\$0	\$0
20	CAP. OUTLAY	450	\$0	\$0	\$0
21	GRAND TOTAL		\$521,099	\$0	\$521,099

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$521,099
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$521,099

7

1 (dd) **CHAMORRO LAND TRUST COMMISSION**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$371,064	\$371,064
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$111,819	\$111,819
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$124,570	\$124,570
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$0	\$29,571	\$29,571
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$0	\$0
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$6,600	\$6,600
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$643,624	\$643,624

21 Chamorro Land Trust Operations Fund \$643,624

22

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$643,624</u>
6	TOTAL	\$643,624

7

1 (ee) **GUAM REGIONAL TRANSIT AUTHORITY**

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

3	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
4	REG SALARIES	111	\$0	\$249,603	\$249,603
5	OT/SP	112	\$0	\$0	\$0
6	BENEFITS	113	\$0	\$66,204	\$66,204
7	TRAVEL/MILE	220	\$0	\$0	\$0
8	CONT. SERV.	230	\$0	\$2,777,854	\$2,777,854
9	OFF. RENTAL	233	\$0	\$0	\$0
10	SUP. & MAT.	240	\$0	\$2,500	\$2,500
11	EQUIPMENT	250	\$0	\$0	\$0
12	WORK. COMP.	270	\$0	\$0	\$0
13	DRUG TEST	271	\$0	\$0	\$0
14	SUBGRANT	280	\$0	\$0	\$0
15	MISC	290	\$0	\$8,400	\$8,400
16	POWER	361	\$0	\$0	\$0
17	WATER/SEWER	362	\$0	\$0	\$0
18	PHONE/TOLL	363	\$0	\$6,000	\$6,000
19	CAP. OUTLAY	450	\$0	\$0	\$0
20	GRAND TOTAL		\$0	\$3,110,561	\$3,110,561

21 Guam Highway Fund \$2,679,469 (111 - \$249,603; 113 - \$66,204; 230 -
22 \$2,346,762; 240 - \$2,500; 290 - \$8,400; 363 - \$6,000)

23 Public Transit Fund \$431,092 (230)

24

1	SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING	
2	SOURCE	
3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$3,110,561</u>
6	TOTAL	\$3,110,561

CHAPTER VI
LEGISLATIVE BRANCH

1 **Section 1. Appropriation.** The sum of Seven Million Thirty Thousand
2 Two Hundred Sixty-Four Dollars (**\$7,030,264**) is appropriated from the General
3 Fund to *I Liheslaturan Guåhan* for its operations, including personnel services, for
4 Fiscal Year 2012.

5 **Section 2. Appropriation to the Office of Finance and Budget.** The sum
6 of Three Hundred Seventy-Eight Thousand Seven Hundred Thirty-Seven Dollars
7 (**\$378,737**) is appropriated from the General Fund to *I Liheslaturan Guåhan*,
8 specifically for the Office of Finance and Budget (OFB) for its operations,
9 including personnel services, for Fiscal Year 2012.

10 **Section 3. Continuing Appropriation for *I Liheslaturan Guåhan*.** The
11 unexpended balance of funds appropriated to *I Liheslaturan Guåhan* for Fiscal
12 Year 2011 *shall not* lapse and is available to *I Liheslaturan Guåhan* for
13 expenditures in Fiscal Year 2012.

14 **Section 4. Continuing Appropriation for the Office of Finance and**
15 **Budget.** The unexpended balance of funds appropriated to *I Liheslaturan Guåhan*
16 for the Office of Finance and Budget (OFB) for Fiscal Year 2011 *shall not* lapse
17 and is available to *I Liheslaturan Guåhan* for the OFB for expenditures in Fiscal
18 Year 2012.

**CHAPTER VII
LEGAL SERVICES**

PART I - OFFICE OF THE ATTORNEY GENERAL

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the Office of the Attorney General (OAG) *shall* expend the funds appropriated
3 in accordance with the object class appropriation levels. *I Liheslaturan Guåhan*
4 supports the efforts of the OAG to acquire the appropriate technology to replace its
5 aging APASI system. The OAG *shall* expend *up to* Three Hundred Forty
6 Thousand Dollars (**\$340,000**) from the Miscellaneous Object Category (290) for
7 the preliminary work related to the APASI system upgrade. The funds *shall* be
8 used during the Implementation of Advance Planning Document Phase (IAPD),
9 which *shall* be submitted to the Speaker of *I Liheslaturan Guåhan* upon its
10 completion. Along with the IAPD, the OAG *shall* submit to the Speaker of *I*
11 *Liheslaturan Guåhan* a formal commitment letter from the respective grantor
12 agency, pledging the total federal funds for the APASI system upgrade.

13 **Section 2. Appropriation.** The amounts below are appropriated and
14 authorized from the General Fund to the OAG for its operations in Fiscal Year
15 2012, to include office rental and local matching fund requirements. This
16 appropriation *shall* be expended in accordance with object class allocations
17 outlined below.

18 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

19	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
20	REG SALARIES	111	\$6,067,827	\$0	\$6,067,827
21	OT/SP	112	\$0	\$0	\$0
22	BENEFITS	113	\$1,807,405	\$0	\$1,807,405
23	TRAVEL/MILE	220	\$20,000	\$0	\$20,000

1	CONT. SERV.	230	\$460,593	\$0	\$460,593
2	OFF. RENTAL	233	\$493,816	\$0	\$493,816
3	SUP. & MAT.	240	\$36,570	\$0	\$36,570
4	EQUIPMENT	250	\$35,253	\$0	\$35,253
5	WORK. COMP.	270	\$0	\$0	\$0
6	DRUG TEST	271	\$2,288	\$0	\$2,288
7	SUBGRANT	280	\$0	\$0	\$0
8	MISC	290	\$2,173,460	\$0	\$2,173,460
9	POWER	361	\$0	\$0	\$0
10	WATER/SEWER	362	\$0	\$0	\$0
11	PHONE/TOLL	363	\$42,000	\$0	\$42,000
12	CAP. OUTLAY	450	\$82,500	\$0	\$82,500
13	GRAND TOTAL		\$11,221,712	\$0	\$11,221,712

14 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

15 **SOURCE**

16	GENERAL FUND	\$11,221,712
17	FEDERAL MATCHING GRANTS-IN-AID	\$6,392,529
18	SPECIAL FUNDS	<u>\$0</u>
19	TOTAL	\$17,614,241

20 **Section 3. Transfer Authority for the Office of the Attorney General**
21 **(OAG).** The OAG may transfer funds between appropriations in this Act for the
22 OAG, *provided* that the OAG notifies *I Maga'lâhen Guâhan* and the Speaker of *I*
23 *Liheslaturan Guâhan* no later than fifteen (15) working days before the transfer is
24 made, *except* that *no* funds *shall* be transferred for regular salaries (Object Class
25 111) and benefits (Object Class 113).

CHAPTER VII

PART II – PUBLIC DEFENDER SERVICE CORPORATION

1 **Section 1. Appropriation.** Amounts specified in this Section are
2 appropriated from the General Fund to the Public Defender Service Corporation
3 for its operations in Fiscal Year 2012, to include office rental and local matching
4 fund requirements. This appropriation *shall* be expended in accordance with object
5 class allocations outlined below.

6 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

7	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
8	REG SALARIES	111	\$2,346,542	\$0	\$2,346,542
9	OT/SP	112	\$0	\$0	\$0
10	BENEFITS	113	\$803,253	\$0	\$803,253
11	TRAVEL/MILE	220	\$0	\$0	\$0
12	CONT. SERV.	230	\$96,509	\$0	\$96,509
13	OFF. RENTAL	233	\$271,200	\$0	\$271,200
14	SUP. & MAT.	240	\$28,700	\$0	\$28,700
15	EQUIPMENT	250	\$23,100	\$0	\$23,100
16	WORK. COMP.	270	\$0	\$0	\$0
17	DRUG TEST	271	\$0	\$0	\$0
18	SUBGRANT	280	\$0	\$0	\$0
19	MISC	290	\$20,025	\$0	\$20,025
20	POWER	361	\$0	\$0	\$0
21	WATER/SEWER	362	\$0	\$0	\$0
22	PHONE/TOLL	363	\$31,920	\$0	\$31,920
23	CAP. OUTLAY	450	\$0	\$0	\$0

1 GRAND TOTAL \$3,621,249 \$0 \$3,621,249

2 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

3 **SOURCE**

4 GENERAL FUND \$3,621,249

5 FEDERAL MATCHING GRANTS-IN-AID \$0

6 SPECIAL FUNDS \$0

7 **TOTAL** **\$3,621,249**

8 **Section 2. Transfer Authority for the Public Defender Service**

9 **Corporation.** The Public Defender Service Corporation (PDSC) may transfer
10 funds between appropriations made in this Act for the PDSC, *provided* that the
11 PDSC notify *I Maga'lahen Guâhan* and the Speaker of *I Liheslaturan Guâhan* no
12 *later than* fifteen (15) working days before the transfer is made, *except that no*
13 funds *shall* be transferred to regular salaries (Object Class 111) and benefits
14 (Object Class 113).

CHAPTER VIII
MAYORS COUNCIL OF GUAM

1 **Section 1. Appropriation.** The amounts below are appropriated from the
2 General Fund to the Mayors Council of Guam (MCOG) for its operations in Fiscal
3 Year 2012. This appropriation *shall* be expended in accordance with object class
4 allocations outlined below.

5 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

6	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
7	REG SALARIES	111	\$5,036,956	\$0	\$5,036,956
8	OT/SP	112	\$0	\$0	\$0
9	BENEFITS	113	\$1,463,950	\$0	\$1,463,950
10	TRAVEL/MILE	220	\$0	\$0	\$0
11	CONT. SERV.	230	\$0	\$0	\$0
12	OFF. RENTAL	233	\$100,332	\$0	\$100,332
13	SUP. & MAT.	240	\$1,000	\$0	\$1,000
14	EQUIPMENT	250	\$0	\$0	\$0
15	WORK. COMP.	270	\$0	\$0	\$0
16	DRUG TEST	271	\$0	\$0	\$0
17	SUBGRANT	280	\$0	\$0	\$0
18	MISC	290	\$332,812	\$0	\$332,812
19	POWER	361	\$0	\$0	\$0
20	WATER/SEWER	362	\$0	\$0	\$0
21	PHONE/TOLL	363	\$88,187	\$0	\$88,187
22	CAP. OUTLAY	450	\$0	\$0	\$0
23	GRAND TOTAL		\$7,023,237	\$0	\$7,023,237

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$7,023,237
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$0</u>
6	TOTAL	\$7,023,237

7 **Section 2. Streets Maintenance and Beautification.** The sum of One
8 Million Thirty-Six Thousand Twenty-Six Dollars (**\$1,036,026**) is appropriated
9 from the Tourist Attraction Fund to the MCOG for Fiscal Year 2012 for the
10 maintenance and beautification of village secondary and tertiary roads, and for the
11 operations of the Mayors' offices, but *not* for personnel costs. Said funds *shall not*
12 be subject to any transfer authority of *I Maga'låhen Guåhan*, and *shall* be divided
13 among the Village Mayors as follows:

14 (a) each Mayor *shall* receive the sum of Twenty Thousand Dollars
15 (**\$20,000**); and

16 (b) the remaining balance of the fund *shall* be distributed to each
17 Mayor pro rata based on the total road mileage of the respective village as a
18 percentage of Guam's total road mileage in the most current report of Guam
19 Roads Pavement Inventory of the Department of Public Works.

20 **Section 3. Island-Wide Village Beautification Projects.** The sum of
21 Four Hundred Seventy Thousand Nine Hundred Twenty-One Dollars (**\$470,921**) is
22 appropriated from the Tourist Attraction Fund to the MCOG for Island-Wide
23 Village Beautification Projects to include:

24 (a) the maintenance and repair of village recreational facilities
25 under the jurisdiction of the Mayor;

26 (b) the maintenance and repair of main roads in each village; and

(c) the planting and maintenance of the village official flower in each village, and other flowering plants, shrubs, and trees adjacent to the village's main roads, public restrooms and recreational facilities. A Mayor may contract with a private entity to provide the services authorized by this Section, subject to the Guam Procurement Law, Chapter 5, Title 5, Guam Code Annotated.

Section 4. Grounds Maintenance for Schools. Subject to approval and scheduling of the public school principals, the Mayors are responsible for regular ground maintenance of Guam Department of Education school grounds in their respective districts where ground maintenance is *not* already subject to an existing contract for a minimum of twice a month during a regular school calendar year. Subject to approval of scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

The sum of Four Hundred Forty-Seven Thousand Eight Hundred Sixty-Three Dollars (**\$447,863**) is appropriated from the General Fund to the MCOG Revolving Fund for the grounds maintenance of specified schools of the Department of Education, to be allocated as follows:

VILLAGE	SCHOOL	AMOUNT
Agana Heights	Agana Heights Elementary	\$8,628
Agat	Marcial Sablan Elementary	\$11,402
	Oceanview Middle	\$16,749
	P.C. Lujan Elementary	\$8,881
Barrigada	B.P. Carbullido Elementary	\$7,449
	L.P. Untalan Middle	\$7,867
	M.A. Ulloa Elementary	\$13,049
Dededo	Wettengel Elementary	\$17,103
	J.M. Guerrero Elementary	\$14,570

1		Liguan Elementary	\$0
2		Astumbo Elementary	\$8,235
3		Finegayán Elementary	\$19,004
4		V.S.A. Benavente Middle	\$26,605
5		Astumbo Middle	\$0
6		Okkodo High	\$0
7	Inarajan	Inarajan Elementary	\$5,866
8		Inarajan Middle	\$7,437
9	Mangilao	H.B. Price Elementary	\$7,158
10		George Washington High	\$46,114
11		Adacao Elementary	\$0
12	Merizo	Merizo Elementary	\$6,220
13	MTM	J.Q. San Miguel Elementary	\$3,864
14	Ordot/Chalan Pago	Ordot/Chalan Pago Elementary	\$8,932
15		Agueda Johnston Middle	\$14,583
16	Piti	Jose Rios Middle	\$7,132
17	Santa Rita	H.S. Truman Elementary	\$12,301
18		Southern High	\$39,275
19		Alternative School	\$4,206
20	Sinajana	C.L. Taitano Elementary	\$4,232
21	Talofofó	Talofofó Elementary	\$7,602
22	Tamuning	L.B. Johnson Elementary	\$3,801
23		Tamuning Elementary	\$4,434
24		Chief Brodie Elementary	\$7,602
25		JFK High School	\$0
26	Umatac	F.Q. Sanchez Elementary	\$1,267
27	Yigo	Upi Elementary	\$9,502

1	D.L. Perez Elementary	\$16,470
2	Machananao Elementary	\$8,742
3	F.B. Leon Guerrero Middle	\$16,470
4	Simon Sanchez High	\$17,357
5	Yona M.U. Lujan Elementary	<u>\$7,754</u>
6	TOTAL FOR ALL VILLAGES	\$427,863

7 **Section 5. Authorization to Reallocate Funds.** Notwithstanding any
8 other provision of Law, the MCOG is authorized to reallocate funds appropriated
9 in Fiscal Year 2012 Miscellaneous (Object Class 290) into other categories, *except*
10 personnel, within all Base Operational Appropriations, including the return of
11 funds transferred from Object Class 290 back into Object Class 290.

12 **Section 6. Public Safety and Social Education Programs.** The sum of
13 Four Hundred Sixteen Thousand Eight Hundred Sixty Dollars (**\$416,860**) is
14 appropriated from the General Fund to the MCOG, with each village to receive
15 Fifteen Thousand Dollars (**\$15,000**), and with the remaining funds to the MCOG,
16 for Fiscal Year 2012, to be expended in accordance with plans approved by the
17 MCOG or respective Village Municipal Planning Council and filed with the
18 Director of Administration, to fund public safety and social education programs
19 that enforce alcohol regulations, reduce underage drinking, support traffic safety,
20 reduce drug-related violence and abuse, to support government of Guam substance
21 abuse prevention programs, and to support organized sports programs in the
22 community.

23 **Section 7. Continuing Appropriation to the Mayors Council.** The
24 unexpended balance of the funds appropriated to the Mayors Council for Fiscal
25 Year 2011 *shall not* lapse and is available to the Mayors Council for expenditures
26 in Fiscal Year 2012.

1 **Section 8. Authority to Make Payments on Prior Year Obligations.**

2 Notwithstanding any other provision of Law, the Mayors Council of Guam
3 (MCOG) is hereby authorized to utilize unexpended funds appropriated to the
4 MCOG for Fiscal Year 2011 and carried over to Fiscal Year 2012, as mandated in
5 Section 7 of this Chapter, to pay for obligations incurred, and to carry over any
6 remaining unencumbered Fiscal Year 2011 funds appropriated to the MCOG.

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART I - OFFICE OF PUBLIC ACCOUNTABILITY

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the Office of Public Accountability (OPA) *shall* expend the funds appropriated
3 for the rent increase related to the office space utilized for procurement hearings.

4 **Section 2. Appropriations.** The amounts below are appropriated from the
5 General Fund to the OPA for its operations in Fiscal Year 2012. This
6 appropriation *shall* be expended in accordance with the object class allocations
7 outlined below.

8 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

9	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
10	REG SALARIES	111	\$681,473	\$0	\$681,473
11	OT/SP	112	\$0	\$0	\$0
12	BENEFITS	113	\$249,405	\$0	\$249,405
13	TRAVEL/MILE	220	\$0	\$0	\$0
14	CONT. SERV.	230	\$198,385	\$0	\$198,385
15	OFF. RENTAL	233	\$102,594	\$0	\$102,594
16	SUP. & MAT.	240	\$8,400	\$0	\$8,400
17	EQUIPMENT	250	\$9,450	\$0	\$9,450
18	WORK. COMP.	270	\$0	\$0	\$0
19	DRUG TEST	271	\$0	\$0	\$0
20	SUBGRANT	280	\$0	\$0	\$0
21	MISC	290	\$3,800	\$0	\$3,800
22	POWER	361	\$0	\$0	\$0

1	WATER/SEWER	362	\$0	\$0	\$0
2	PHONE/TOLL	363	\$7,000	\$0	\$7,000
3	CAP. OUTLAY	450	\$0	\$0	\$0
4	GRAND TOTAL		\$1,260,507	\$0	\$1,260,507

5 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

6 **SOURCE**

7	GENERAL FUND			\$1,260,507
8	FEDERAL MATCHING GRANTS-IN-AID			\$0
9	SPECIAL FUNDS			<u>\$0</u>
10	TOTAL			\$1,260,507

11 **Section 3. Transfer Authority for the Office of Public Accountability.**

12 The Public Auditor may transfer funds between appropriations made in this Act for
13 the OPA, *provided* that the Public Auditor notifies *I Maga'låhen Guåhan* and the
14 Speaker of *I Liheslaturan Guåhan* no later than fifteen (15) working days before
15 the transfer is made.

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART II – GUAM BOARD OF ACCOUNTANCY

1 **Section 1. Legislative Intent.** It is the intent of I Liheslaturan Guåhan to
2 provide a lump sum appropriation to the Guam Board of Accountancy (GBOA).
3 The funds shall be expended in accordance to the budget request submitted and the
4 priorities stipulated by the GBOA.

5 **Section 2. Appropriation.** The amounts below are appropriated from the
6 GBOA Special Fund (P.L. 30-55) to the GBOA for its operations in Fiscal Year
7 2012. This appropriation shall be expended in accordance with the object class
8 allocations outlined below.

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

2	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
3	REG SALARIES	111	\$0	\$0	\$0
4	OT/SP	112	\$0	\$0	\$0
5	BENEFITS	113	\$0	\$0	\$0
6	TRAVEL/MILE	220	\$0	\$0	\$0
7	CONT. SERV.	230	\$0	\$367,500	\$367,500
8	OFF. RENTAL	233	\$0	\$26,000	\$26,000
9	SUP. & MAT.	240	\$0	\$6,000	\$6,000
10	EQUIPMENT	250	\$0	\$5,000	\$5,000
11	WORK. COMP.	270	\$0	\$0	\$0
12	DRUG TEST	271	\$0	\$0	\$0
13	SUBGRANT	280	\$0	\$0	\$0
14	MISC	290	\$0	\$17,100	\$17,100
15	POWER	361	\$0	\$0	\$0
16	WATER/SEWER	362	\$0	\$0	\$0
17	PHONE/TOLL	363	\$0	\$0	\$0
18	CAP. OUTLAY	450	\$0	\$0	\$0
19	GRAND TOTAL		\$0	\$421,600	\$421,600

Guam Board of Accountancy Fund - \$421,600

1 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

2 **SOURCE**

3	GENERAL FUND	\$0
4	FEDERAL MATCHING GRANTS-IN-AID	\$0
5	SPECIAL FUNDS	<u>\$421,600</u>
6	TOTAL	\$421,600

CHAPTER X
GUAM VISITORS BUREAU

1 **Section 1. Appropriation.** The amounts below are appropriated from the
2 Tourist Attraction Fund (TAF), *not* otherwise appropriated, to the Guam Visitors
3 Bureau (GVB) for its operations in Fiscal Year 2012. This appropriation *shall* be
4 expended in accordance with the allocations outlined in this Section.

5 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

6	(a)	GENERAL ADMINISTRATION	\$2,436,026
7	(b)	MARKETING	\$8,753,193
8	(c)	PRINTING, PROMOTIONAL	\$262,715
9	(d)	RESEARCH	\$406,014
10	(e)	DESTINATION DEVELOPMENT	\$1,456,875

11 **Section 2. Appropriation to GVB for Special Projects.** The sum of One
12 Million One Hundred Seventy-Two Thousand Eight Hundred Two Dollars
13 (**\$1,172,802**) is appropriated from the TAF to the GVB to fund the *Tumon* and
14 *Hagåtña* Beach Cleaning, *Tumon* Landscaping, and Island-wide Roadways
15 Maintenance projects in Fiscal Year 2012. After all of the foregoing projects
16 within this Section are fully funded, the GVB Board of Directors *may* approve the
17 use of the surplus funds for other Board-approved projects.

18 **Section 3. Appropriation to GVB for Pã'å Taotao Tåno'.** The sum of
19 Eighty Thousand Dollars (**\$80,000**) is appropriated from the TAF to the GVB for
20 the Fiscal Year 2012 operations of *Pã'å Taotao Tano* to provide for the local
21 match for the ANA Language Grant, the New *Pã'å AmeriCorps*, the *Guåhu*
22 *Taotao Tåno'* Annual Pageant, and the Northern Cultural Arts Program.

1 **Section 4. Appropriation to GVB for the Historic *Inalåhan***
2 **Foundation.** The sum of Thirty Thousand Dollars (**\$30,000**) is appropriated from
3 the TAF to the GVB for the Fiscal Year 2012 operations of the Historic *Inalåhan*
4 Foundation.

5 **Section 5. Appropriation to GVB for the Traditions Affirming our**
6 **Seafaring Ancestry (TASA).** The sum of Fifty Thousand Dollars (**\$50,000**) is
7 appropriated from the TAF to the GVB for the Fiscal Year 2012 operations of the
8 TASA.

9 **Section 6. Appropriation to GVB for the Tourism Education Council.**
10 The sum of Thirty Thousand Dollars (**\$30,000**) is hereby appropriated from the
11 TAF to the GVB for the Fiscal Year 2012 operations of the Tourism Education
12 Council.

13 **Section 7. Appropriation to GVB for the *Håya* Cultural Preservation**
14 **Foundation (*Sinangån-ta* Outreach).** The sum of Fifteen Thousand Dollars
15 (**\$15,000**) is hereby appropriated from the TAF to the GVB for the Fiscal Year
16 2012 operations of the *Håya* Cultural Preservation Foundation (*Sinangån-ta*
17 Outreach).

18 **Section 8. Appropriation for FESTPAC 2012.** The sum of Four
19 Hundred Thousand Dollars (**\$400,000**) is hereby appropriated from the TAF to the
20 GVB for the Guam Council on the Arts and Humanities Agency for Guam's
21 participation at the 11th Festival of Pacific Arts and is *not* subject to transfer or use
22 for any other purpose.

23 **Section 9. Appropriation to the Guam Visitors Bureau Rainy Day**
24 **Fund.** The sum of Two Hundred Thousand Dollars (**\$200,000**) is hereby
25 appropriated from the TAF to the GVB for deposit in the Rainy Day Fund, in
26 accordance with the provisions set forth in Section 1(b) of Public Law 30-116, for
27 the purposes cited therein and is *not* subject to transfer *or* use for any other

1 purpose.

2 **Section 10. Creation of the Guam FESTPAC & Folklife Festival Trust**

3 **Account.** (a) There is hereby created, separate and apart from all other funds of
4 the government of Guam, a trust account known as the Guam FESTPAC &
5 Folklife Festival Trust Account (Trust Account). The Trust Account *shall not* be
6 commingled with the General Fund or any other funds of the government of Guam,
7 and it *shall* be maintained in a separate bank account, administered by the Guam
8 Visitors Bureau.

9 (b) Monies deposited into the Trust Account *shall* be invested or
10 reinvested into interest bearing instruments, United States treasury notes,
11 investment grade and insured corporate notes, and other like instruments which are
12 readily convertible to cash needed to pay for the 12th Festival of Pacific Arts held
13 in Guam and Guam's participation in the 2015 Smithsonian Folklife Festival as
14 determined by the 12th Festival of Pacific Arts Coordinating Committee.

15 (c) Monies deposited into the Trust Fund and any interest earned *shall not*
16 be subject to any transfer authority of *I Maga'lahaen Guåhan* or any representative
17 of the Guam Visitors Bureau.

18 **Section 11. Appropriation to the Guam FESTPAC & Folklife Festival**
19 **Trust Account.** The amounts in the Subsections below are appropriated to the
20 Guam Visitors Bureau for deposit into the Guam FESTPAC & Folklife Festival
21 Trust Account; and is *not* subject to transfer or use for any other purpose:

22 (a) the sum of One Hundred Thousand Dollars (**\$100,000**) from the
23 appropriation made to the Guam Visitors Bureau for the Guam Tourism
24 Foundation pursuant to Item (F) of Section 25 of Chapter V of Part III of
25 Public Law 29-113;

1 (b) the sum of Eighty Five Thousand Dollars (**\$85,000**) from
2 unappropriated surplus Fiscal Year 2011 Tourist Attraction Fund revenues;
3 and

4 (c) the sum of One Million Seventy-Five Thousand Seven Hundred
5 Fourteen Dollars (**\$1,075,714**) from the Tourist Attraction Fund.

6 **Section 12. Appropriation to the University of Guam.** The sum of Two
7 Hundred Thousand Dollars (**\$200,000**) is hereby appropriated from the Tourist
8 Attraction Fund to the University of Guam for the FY 2012 operations of the
9 Rhinoceros Beetle Program and is not subject to transfer or use for any other
10 purpose.

CHAPTER XI
MISCELLANEOUS APPROPRIATIONS

Section 1. Public Streetlights Appropriations.

(a) **Special Fund Appropriations.** The sum of Three Million Four Hundred Seventy-Three Thousand Five Hundred Thirty-One Dollars (**\$3,473,531**) is appropriated from the Streetlight Fund to the Utility Cost Account (DOA) to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2012 as further delineated in Appendix II.

(b) The sum of Two Million Three Hundred Twenty-Three Thousand One Hundred Ninety Dollars (**\$2,323,190**) is appropriated from the Guam Highway Fund to the Utility Cost Account (DOA) to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2012 as further delineated in Appendix II.

(c) The sum of Two Hundred Twelve Thousand Four Hundred Eighty-Two Dollars (**\$212,482**) is appropriated from the Tourist Attraction Fund to the Utility Cost Account (DOA) to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2012 as further delineated in Appendix II.

Section 2. Appropriations to Retirees for Supplemental Annuity Benefits and for Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety-Six Thousand Three Hundred Three Dollars (**\$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2012 for direct payments to government of Guam retirees who retired prior to October 1, 1995, or their survivors, for the continuing payment of Four Thousand Two Hundred Thirty-Eight Dollars (**\$4,238**) per year in supplemental annuity benefits, consisting of the sums of One Thousand Two Hundred Dollars (**\$1,200**), One Thousand Five Hundred Dollars (**\$1,500**), Seven Hundred Dollars (**\$700**), and Eight Hundred

1 Thirty-Eight Dollars (**\$838**) in annual benefits authorized by various General
2 Appropriation Acts.

3 (b) No retiree who is eligible for Retiree Supplemental Annuity Benefits
4 provided for in Subsection (a) hereof *shall* receive said benefits *if* her or his annual
5 retirement annuity, excluding survivor benefits and excluding the supplemental
6 benefits authorized herein, is *greater than* Forty Thousand Dollars (**\$40,000**). No
7 retiree who is eligible for Retiree Supplemental Annuity Benefits *shall* receive
8 *more than* the sum of Forty Thousand Dollars (**\$40,000**) in combined retirement
9 annuities and Supplemental Annuity Benefits in any one (1) fiscal year.

10 (c) The Director of DOA *shall* coordinate with the Director of the
11 Government of Guam Retirement Fund (GGRF) and *shall* disburse to the retirees
12 or their survivors, the supplemental annuity benefits provided for in Subsection (a)
13 of this Section. The GGRF *shall* provide the Director of DOA with the information
14 needed to affect disbursement. To realize savings associated with the cost of
15 preparing separate checks and mailing separate checks for the supplemental
16 annuity for retirees, the Director of DOA may enter into a Memorandum of
17 Understanding (MOU) with the GGRF in which the Director of DOA remits the
18 supplemental annuity payments to the GGRF for disbursement to the retiree at the
19 same time the regular annuity check is issued, *or* by including the supplemental
20 annuity in the regular annuity check issued by the GGRF.

21 (d) Funds held in the Supplemental Annuity Benefits Special Fund *shall*
22 *not* be commingled with the General Fund or any other fund, *shall* be held in a
23 separate bank account that *shall* continue to be administered by the Director of
24 DOA, and *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

25 (e) For Fiscal Year 2012, the Guam Power Authority, the A.B. Won Pat
26 International Airport Authority, the Guam Economic Development Authority, the
27 Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose

1 D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and the
2 Guam Visitors Bureau *shall* remit to DOA an amount equal to the number of
3 retirees eligible pursuant to Subsection (a) hereof who have retired from that entity
4 multiplied by Four Thousand Two Hundred Thirty-Eight Dollars (**\$4,238**). Said
5 remittances *shall* be paid in two (2) equal installments on or before October 10,
6 2011, and April 15, 2012, respectively. Said remittances *shall not* be subject to *I*
7 *Maga'låhen Guåhan's* transfer authority.

8 (f) For Fiscal Year 2012, the Guam Power Authority, the A.B. Won Pat
9 International Airport Authority, the Guam Economic Development Authority, the
10 Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose
11 D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and the
12 Guam Visitors Bureau *shall* remit to the GGRF payments for medical, dental, and
13 life insurance payments for retirees who have retired from those respective
14 agencies. Said remittances *shall* be paid in two (2) equal installments on or before
15 October 10, 2011, and on or before April 1, 2012, respectively. The agencies'
16 remittances for medical, dental and life insurance mandated herein are *ex gratia*
17 payments, and are for Fiscal Year 2012 *only*.

18 (g) For Fiscal Year 2012, the sum of Nine Hundred Eighty-Seven
19 Thousand Dollars (**\$987,000**) is appropriated from the General Fund to the GGRF
20 to pay the cost of Medicare premiums for government of Guam retirees and their
21 survivors domiciled on Guam, and who are eligible to receive Social Security
22 income benefits, and who are eligible to enroll in the government of Guam Group
23 Health Insurance Program. *No* government of Guam retiree or their survivor *shall*
24 be required to enroll in the Government of Guam Health Insurance Program in
25 order to receive the reimbursement.

26 (h) For Fiscal Year 2012, the sum of Two Hundred Thirty-Two Thousand
27 Five Hundred Fifteen Dollars (**\$232,515**) is appropriated from the General Fund to

1 the GGRF for *I Maga'låhi* and *I Segundu Na Maga'låhi/I Segundu Na Maga'håga*
2 pensions.

3 (i) For Fiscal Year 2012, the sum of Four Hundred Sixty-Six Thousand
4 Four Hundred Twenty-Nine Dollars (**\$466,429**) is appropriated from the General
5 Fund to the GGRF for retirement annuities for former judges and justices of the
6 Superior Court and Supreme Court of Guam.

7 (j) The GGRF Board of Trustees *shall* enact and, if necessary, amend
8 administrative regulations that establish procedures to ensure the proper
9 submission, receipt and accounting of all sums remitted pursuant to Subsections (e)
10 and (f) hereof.

11 **Section 3. Survivor Supplemental Annuity Additions.** §8135(d)(6) of
12 Title 4, Guam Code Annotated, is *amended* to read:

13 “(6) the prospective payment of supplemental benefits for the period
14 of October 1, 2011 through September 30, 2012 for survivors of those
15 employees who retired prior to October 1, 1995, to be paid in the following
16 manner:

17 (i) Four Thousand Two Hundred Thirty-Eight Dollars
18 (**\$4,238**) in Retiree Supplemental Annuity Benefits, known as the sum
19 of One Thousand Two Hundred Dollars (**\$1,200**), One Thousand Five
20 Hundred Dollars (**\$1,500**), Seven Hundred Dollars (**\$700**), and Eight
21 Hundred Thirty-Eight Dollars (**\$838**) in annual benefits formerly
22 contained in various General Appropriation Acts.

23 (ii) *No* person eligible for Retiree Supplemental Annuity
24 Benefits provided for in this Section *shall* receive such benefits if his
25 regular annual retirement annuity exclusive of the supplemental
26 amounts authorized hereby *exceeds* Forty Thousand Dollars
27 (**\$40,000**). *No* persons eligible for Retiree Supplemental Annuity

1 Benefits *shall* receive *more than* the sum of Forty Thousand Dollars
2 (\$40,000) in combined retirement annuities and supplemental
3 retirement annuities.

4 (iii) Any retiree or survivor eligible to receive the
5 supplemental annuity may waive their supplemental annuity payment
6 authorized herein by the filing of a notarized affidavit waiving such
7 payment with the Retirement Fund.”

8 **Section 4. Disability Supplemental Annuity Additions.** §8129(g) of
9 Title 4, Guam Code Annotated, is *amended* to read:

10 “(g) Any disability retirement annuitant who commenced receiving
11 a disability retirement annuity *prior to* October 1, 1995, and who is entitled
12 to disability retirement benefits under this Chapter *shall* receive, during the
13 period commencing on October 1, 2011 and ending on September 30, 2012,
14 prospective non-cumulative supplemental annuity benefits as follows:

15 (1) Four Thousand Two Hundred Thirty-Eight Dollars
16 (\$4,238) in Retiree Supplemental Annuity Benefits, known as the sum
17 of One Thousand Two Hundred Dollars (\$1,200), One Thousand Five
18 Hundred Dollars (\$1,500), Seven Hundred Dollars (\$700), and Eight
19 Hundred Thirty-Eight Dollars (\$838) in annual benefits formerly
20 contained in various General Appropriation Acts.

21 (2) *No* persons eligible for Retiree Supplemental Annuity
22 Benefits provided for in Paragraph (g) of this Section *shall* receive
23 such benefit if their regular annual retirement annuity, excluding
24 survivor benefits, prior to the supplemental amounts herein *exceeds*
25 Forty Thousand Dollars (\$40,000). *No* persons eligible for Retiree
26 Supplemental Annuity Benefits *shall* receive *more than* the sum of

1 Forty Thousand Dollars (**\$40,000**) in combined retirement annuities
2 and supplemental retirement annuities.

3 (3) Any disability retirement annuitant eligible to receive the
4 supplemental annuity may waive their supplemental annuity payment
5 authorized herein by the filing of a notarized affidavit waiving such
6 payment with the Retirement Fund.”

7 **Section 5. Retirees Supplemental Annuity Additions.** §8122(d)(6) of
8 Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

9 “(6) Any retirement annuitant who commenced receiving a
10 retirement annuity *prior to* October 1, 1995, and who is entitled to
11 retirement benefits under this Chapter, *shall* receive, during the period
12 commencing on October 1, 2011 and ending on September 30, 2012,
13 prospective, non-cumulative supplemental annuity benefits as follows:

14 (i) Four Thousand Two Hundred Thirty-Eight Dollars
15 (**\$4,238**) in Retiree Supplemental Annuity Benefits, known as the sum
16 of One Thousand Two Hundred Dollars (**\$1,200**), One Thousand Five
17 Hundred Dollars (**\$1,500**), Seven Hundred Dollars (**\$700**), and Eight
18 Hundred Thirty-Eight Dollars (**\$838**) in annual benefits formerly
19 contained in various General Appropriation Acts.

20 (ii) *No* retiree who is eligible for Retiree Supplemental
21 Annuity Benefits provided for in this Section *shall* receive such
22 benefit if her/his regular annual retirement annuity, excluding the
23 supplemental amounts authorized herein and survivor benefits,
24 *exceeds* Forty Thousand Dollars (**\$40,000**). A retiree who is eligible
25 for Retiree Supplemental Annuity Benefits *shall* receive *no more than*
26 Forty Thousand Dollars (**\$40,000**) in combined retirement annuities
27 and supplemental retirement annuities.

1 (iii) Any retiree or survivor eligible to receive the
2 supplemental annuity may waive their supplemental annuity payment
3 authorized herein by the filing of a notarized affidavit waiving such
4 payment with the Retirement Fund.”

5 **Section 6. Appropriation for Cost of Living Allowance (COLA).**

6 (a) *I Maga'låhen Guåhan shall* provide, by a single lump sum payment, a
7 Cost of Living Allowance (COLA) of One Thousand One Hundred Dollars
8 (\$1,100) to each retiree of the GGRF who is retired as of September 30, 2011, *or*
9 his survivor, *no later than* November 1, 2011, *unless* the annuitant chooses in
10 writing to receive bi-monthly payments from October 1, 2011 through September
11 30, 2012. The sum of Six Million Seven Hundred Seventy Thousand Five
12 Hundred Dollars (\$6,770,500) is appropriated from the General Fund to the DOA
13 to pay said COLA.

14 (b) The Guam Power Authority, the A. B. Won Pat International Airport
15 Authority, the Guam Economic Development Authority, the Guam Housing
16 Corporation, the Government of Guam Retirement Fund, the Jose D. Leon
17 Guerrero Commercial Port, the Guam Waterworks Authority and the Guam
18 Visitors Bureau *shall* pay a COLA in a single payment of One Thousand One
19 Hundred Dollars (\$1,100) to every Government of Guam Retirement Fund retiree
20 who retired from each respective aforementioned agency as of September 30,
21 2011, *or* his survivor, *no later than* November 1, 2011, *unless* the annuitant
22 chooses in writing to receive bi-monthly payments from October 1, 2011 through
23 September 30, 2012.

24 (c) Each agency mentioned in Subsection (b) *shall* reimburse the General
25 Fund for any COLA paid by the Fund in Fiscal Year 2012 to retirees who have
26 retired from that agency and their survivors, *no later than* December 31, 2011.

1 (d) Any retiree or survivor eligible to receive the COLA may waive their
2 payment authorized herein by filing a notarized affidavit waiving such payment
3 with the entity responsible for the Retirement Fund.

4 (e) *If* a retiree is both a Defined Benefit and a Defined Contribution
5 Retiree, her or his survivor *shall only* be entitled to a single COLA payment.

6 **Section 7. (a) Guam Memorial Hospital Authority Appropriation.**
7 **Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that supplemental
8 funding due to the budget shortfall being experienced by the Guam Memorial
9 Hospital Authority (GMHA) is directly due to mandates imposed upon them.

10 *I Liheslaturan Guåhan* finds that the government of Guam is mandated
11 pursuant to the Organic Act of Guam to provide medical care services for the
12 people of Guam, regardless of a patient's ability to pay or availability of medical
13 insurance coverage.

14 *I Liheslaturan Guåhan* further finds that the cost of providing the requisite
15 medical services can be reduced by establishing an urgent care center to address
16 the non-emergency medical needs of patients currently availing themselves of
17 GMHA emergency room services and resources.

18 Whereas, *I Liheslaturan Guåhan* takes due note that there is a balance
19 available for reprogramming in the amount of Six Hundred Eighteen Thousand
20 Nine Hundred Ninety-Four Dollars (**\$618,994**), in the Tobacco Bond Proceeds
21 Account, managed by the Guam Economic Development Authority, for the
22 specific purposes of financing working capital expenditures for Guam and the
23 hospital.

24 It is the intent of *I Liheslaturan Guåhan* to appropriate the funds necessary
25 to assist GMHA to partially address its budgetary shortfall.

26 It is, further, the intent of *I Liheslaturan Guåhan* to provide for the initial
27 funding for the requisite processes relative to establishing an urgent care center for

1 medical services within the GMHA facility premises, so as to alleviate the current
2 strain being imposed upon the emergency room, and imposition of exorbitant costs
3 against limited GMHA finances.

4 (b) **Reprogramming and Appropriation of Available Funds from the**
5 **2007 Tobacco Bond Proceeds; and Funds from the Available Interest of the**
6 **Tobacco Asset Backed Bonds 2001 Series B, to the Guam Memorial Hospital**
7 **Authority for Working Capital Expenditures.**

8 (1) The sum of Three Hundred Seventy Thousand Dollars
9 (**\$370,000**) is hereby reprogrammed from the available funds of the 2007
10 Tobacco Bond Proceeds account, managed by the Guam Economic
11 Development Authority, and appropriated to the Guam Memorial Hospital
12 Authority (GMHA) for working capital expenditures, as specifically
13 provided for in the following expenditure schedule:

14 (A) Three Hundred Twenty Thousand Dollars (**\$320,000**) for
15 any budgetary shortfall in the category of pharmaceuticals, supplies,
16 and similar necessities; and

17 (B) *up to* Fifty Thousand Dollars (**\$50,000**), as determined to
18 be necessary, for the implementation of requisite processes to
19 establish an urgent health care center within the GMHA facility. Any
20 remaining funds *not* expended for this purpose *shall* be expended to
21 fund budgetary shortfalls.

22 (c) The aggregate sum of Forty-Three Thousand Four Hundred Thirty-
23 Three Dollars (**\$43,433**) from the available interest of the Tobacco Asset Backed
24 Bonds 2001 Series B, managed by the Guam Economic Development Authority, is
25 hereby reprogrammed from the following account numbers and in the amounts
26 listed: #71 02 3000 3 01 - \$20,995.00; #71 08 3000 3 01 - \$6,595.00; #71 10
27 3000 3 01 - \$6,789.00; #71 04 3000 3 01 - \$4,526.00; #71 06 3000 3 01 -

1 \$4,528.00; and is hereby appropriated to the Guam Memorial Hospital Authority
2 to finance working capital expenditures.

3 (1) The funds reprogrammed and appropriated pursuant to this
4 Subsection *shall not* be utilized to fund personnel or outstanding contractual
5 debt services.

6 (2) The funds reprogrammed and appropriated pursuant to this
7 Subsection *shall* be deemed a continuing appropriation and *shall* remain
8 available for working capital expenditures, as authorized pursuant to this
9 Subsection, until fully expended.

10 (d) Notwithstanding any other provision of law, any unexpended funds
11 reprogrammed pursuant to this Section of this Act *shall* be deemed to continue to
12 be available for the purposes the funds were reprogrammed and may be expended
13 by the Guam Memorial Hospital Authority within the subsequent fiscal year,
14 *unless* this Subsection is specifically amended or repealed pursuant to law.

15 (e) **Funds Not Subject to *I Maga'lahi's* Transfer Authority.** The funds
16 reprogrammed and appropriated pursuant to this Subsection *shall not* be subject to
17 the Governor's transfer authority, and *shall only* be expended pursuant to the
18 provisions of this Subsection.

19 (f) **Effective Date.** This Section *shall* become effective upon enactment
20 of this Act.

21 **Section 8. (a) *Talofof* Gymnasium Repairs Appropriations.**
22 **Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that there is strong
23 community support and participation by the residents of *Talofof* in the village
24 fitness, health and wellness programs.

25 *I Liheslaturan Guåhan* further finds that the *Talofof* indoor gymnasium
26 plays a significant role in promoting healthy lifestyles and is heavily utilized by
27 village residents, as well as visiting sports teams and persons.

1 *I Liheslaturan Guåhan* further finds that expenditure of the sum required to
2 repair the facility is a quality of village life issue for *Talofof* residents and should
3 be supported by the people of Guam.

4 Further, *I Liheslaturan Guåhan* takes due note that the facility helps to deter
5 tobacco, alcohol and drug abuse and destructive behavior of residents.

6 It is the intent of *I Liheslaturan Guåhan* to ensure the continuation of health,
7 wellness, and fitness programs for village residents and visitors by repairing the
8 *Talofof* Indoor Gymnasium utilizing available funds intended for such purposes.

9 (b) **Reprogramming and Appropriation of Funds for the Repair of**
10 **the *Talofof* Indoor Gymnasium.** The sum of One Hundred Forty-Eight
11 Thousand Eight Hundred Twenty-Nine Dollars (**\$148,829**) is hereby
12 reprogrammed from the available funds of the 2007 Tobacco Bond Proceeds
13 account, managed by the Guam Economic Development Authority, and
14 appropriated to the *Talofof* Mayor’s Office for the *sole* purpose of financing
15 working capital expenditures for the repair of the *Talofof* Indoor Gymnasium.
16 The funds hereby reprogrammed and appropriated pursuant to this Act *shall* be
17 expended as provided for in the “*Talofof* Village Facilities Repair/Rehabilitation
18 Assessment Report”, which is attached to and incorporated as a part of this Act as
19 Exhibit “A”.

20 (c) **Effective Date.** This Section *shall* be immediately effective upon
21 enactment.

22 **Section 9. Appropriation to Department of Education.**

23 (a) The sum of Four Hundred Eight Thousand Two Hundred Fourteen
24 Dollars (**\$408,214**) is hereby appropriated from the General Fund to the
25 Department of Education in Object Class 361-Power.

26 (b) The sum of Two Million Four Hundred Thousand Dollars
27 (**\$2,400,000**) is hereby appropriated from the General Fund to the Utility Cost

1 Account (Department of Administration) to pay the Guam Power Authority for the
2 Guam Department of Education Promissory Note (the agreement between the
3 GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as
4 the “installation payment agreement for the past due electrical service”) in Fiscal
5 Year 2012.

6 **Section 10. Appropriation for Emergency Tax Refunds.** The sum of
7 Four Million Five Hundred Fifty-Six Thousand Eight Hundred Fifty-Five Dollars
8 **(\$4,556,855)** from the Section 2718 Fund is hereby appropriated to the Department
9 of Revenue and Taxation to pay for tax refund obligations owed to the individual
10 taxpayers that have filed special payment requests for medical, death and financial
11 hardship needs.

CHAPTER XII
MISCELLANEOUS PROVISIONS

1 **Section 1. Deficit Reduction.** All unpaid prior year obligations, including
2 obligations for tax refunds; vendor payables; back pay for employees or other
3 obligations resulting from judgments or awards approved prior to FY 2012 by any
4 regulatory body, court or administrative authority, which remain unpaid at the
5 beginning of FY 2012, *unless* otherwise authorized, *shall* be paid from the un-
6 appropriated General Fund revenues collected in excess of appropriations and
7 reserved for deficit reduction pursuant to §22436 of Article 4, Chapter 22 of Title
8 5, Guam Code Annotated. The obligations *shall* be paid in the order of when they
9 were incurred, with the longest outstanding obligation being paid first and so forth.
10 The Department of Administration *shall* transmit a copy of the cumulative prior
11 year obligations on a quarterly basis to *I Maga'låhen Guåhan*, the Speaker of *I*
12 *Liheslaturan Guåhan*, and the Office of Finance and Budget. If *I Maga'låhi* (the
13 Governor) declares that the non-payment of prior year obligations will disrupt
14 essential services to a department or agency, he may utilize FY 2012
15 appropriations for the agency, *provided* that the Bureau of Budget and
16 Management Research imposes a corresponding reserve and reduces the
17 department's current year allotment by the same amount.

18 **Section 2. Retirement Option for Government of Guam Employees.** A
19 member of the Government of Guam Retirement Fund (GGRF) who is eligible for
20 retirement may retire upon the complete remittance of her or his outstanding
21 individual contributions to the GGRF, including the employee and employer
22 retirement contributions. Any and all fees, interest at actuarial set assumed rate of
23 return for fund investments rates, and penalties required by the GGRF *shall* be paid
24 by the government. This Section *shall not* restrict the continuing remittance of
25 existing GGRF contributions as required by law or by the GGRF. By the fifteenth

1 (15th) day of each month, the Director of the GGRF *shall* provide a detailed report
2 to the Speaker of *I Liheslaturan Guåhan* regarding said remittances and the
3 number of retirements pursuant to this Section during the previous month. Nothing
4 herein *shall* be construed to abrogate any provision of Public Law 28-38.

5 **Section 3. Volunteers and Donations for Skinner Plaza, Plaza De**
6 **España and Guam Congress Building.** The Executive Director of *I Liheslaturan*
7 *Guåhan* may receive donations, including, but *not* restricted to, donations of goods,
8 materials and services, for the purpose of maintaining and renovating Skinner
9 Plaza, the *Plaza De España*, and the Guam Congress Building (also known as the
10 Old Legislative Building).

11 **Section 4. Temporary Employment of Retired Corrections Officers.**
12 The Department of Corrections (DOC) may hire retired Guam Corrections Officers
13 if a critical need arises. Retired corrections officers hired under this Section may
14 receive their retirement annuity while employed on this temporary basis. Officers
15 may *only* be hired under this Section to fill positions left vacant because of military
16 activation of corrections officers or absence due to a long-term disability status
17 which has been certified by a medical doctor. The DOC may exercise this hiring
18 authority *provided* its authorized budget for personnel is *not* exceeded in filling
19 those positions and *shall* be terminated when the incumbent returns from military
20 service or long-term disability. Retired officers may be hired *only* in the ranks of
21 Corrections Officers Supervisor I and below, *only* at Step I, and *shall not* receive
22 sick and annual leave. Officers hired under this Section *shall* meet requirements for
23 the position in question, *except* for written examinations, and the Director of DOC
24 *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a),
25 Chapter 8 of Title 4, Guam Code Annotated, retirees hired temporarily pursuant to
26 this Section may continue to receive retirement benefits. Any employee hired

1 under this Section *shall* only be eligible to enroll in the Government of Guam
2 Health Insurance Program as an active employee.

3 **Section 5. Temporary Employment of Retired Guam Police Officers.**

4 The Guam Police Department (GPD) may hire retired Guam Police Officers if a
5 critical need arises because of military activation of police officers or absence due
6 to a long-term disability status which has been certified by a medical doctor.
7 Retired police officers hired under this Section may receive their retirement
8 annuity while employed under this temporary basis. The GPD may exercise this
9 hiring authority *provided* its authorized budget for personnel is *not* exceeded. The
10 retiree hired *shall* fill such a vacant position and *shall* be terminated when the
11 incumbent returns from military service or long-term disability. Retired officers
12 may be hired *only* at the ranks of Sergeant I and below, *only* at Step I, and *shall not*
13 receive sick and annual leave. Officers hired under this Section *shall* first meet the
14 requirements for the position in question, *except* for written examinations, and the
15 Chief of Police of GPD *shall* certify that every retiree hired is fit for duty.
16 Notwithstanding §8121(a), Title 4, Guam Code Annotated, retirees hired
17 temporarily pursuant to this Section may continue to receive retirement benefits.
18 The GPD *may* pay for Civilian Volunteer Police Reserve stipends to a police
19 reserve officer to provide temporary services in the absence of a regular police
20 officer. Any employee hired under this Section *shall* only be eligible to enroll in
21 the Government of Guam Health Insurance Program as an active employee.

22 **Section 6. Temporary Employment of Retired Guam Firefighters.** The

23 Guam Fire Department (GFD) may hire retired GFD firefighters if a critical need
24 arises because of military activation of GFD firefighters *or* absence due to a long-
25 term disability status which has been certified by a medical doctor. Retired GFD
26 firefighters hired under this Section may receive their retirement annuity while
27 employed under this temporary basis. The GFD may exercise this hiring authority

1 *provided* its authorized budget for personnel is *not* exceeded. The retirees hired
2 *shall* fill such a vacant position and *shall* be terminated when the incumbent
3 returns from military service or long-term disability. Retired fire personnel may be
4 hired *only* at the ranks of Fire Specialist and below, *only* at Step I, and *shall not*
5 receive sick and annual leave. Retired firefighters hired under this Section *shall*
6 first meet the requirements for the position in question, *except* for written
7 examinations, and the Fire Chief of GFD *shall* certify that every retiree hired is fit
8 for duty. Notwithstanding §8121(a), Title 4, Guam Code Annotated, retirees hired
9 temporarily pursuant to this Section may continue to receive retirement benefits.
10 Any employee hired under this Section *shall* only be eligible to enroll in the
11 Government of Guam Health Insurance Program as an active employee.

12 **Section 7. Temporary Employment of Retired Customs and**
13 **Quarantine Officers.** The Customs and Quarantine Agency (CQA) may hire
14 retired Customs and Quarantine Officers if a critical need arises as a result of
15 military activation of Customs officers or absence due to a long-term disability
16 status which has been certified by a medical doctor or when vacancies cannot be
17 filled within six (6) months because of the lack of qualified applicants. The CQA
18 officers hired under this Section may receive their retirement annuity while
19 employed under this temporary basis. The CQA may exercise this hiring authority
20 *provided* its authorized budget for personnel is *not* exceeded. The retired officer
21 *shall* fill such a vacant position and *shall* be terminated when the incumbent
22 returns from military service or long-term disability, or when a fully-qualified
23 applicant is available. Retired officers may be hired *only* in the ranks of Customs
24 Officer III and below, *only* at Step I, and *shall not* receive sick and annual leave.
25 Retirees hired pursuant to this Section *shall* meet requirements for the position in
26 question, *except* for written examinations, and the Director of CQA *shall* certify
27 that every retiree hired is fit for duty. The requirements of Title 17, Article 3,

1 Chapter 32 are waived for employment pursuant hereto except for §32304(b)(4).
2 Notwithstanding §8121(a), Title 4, Guam Code Annotated, retirees hired
3 temporarily pursuant to this Section may continue to receive retirement benefits.
4 Any employee hired under this Section *shall* only be eligible to enroll in the
5 Government of Guam Health Insurance Program as an active employee.

6 **Section 8. Temporary Employment of Retired Department of Revenue**
7 **and Taxation Employees.** The Department of Revenue & Taxation (DRT) may
8 hire retired employees of the DRT when a critical need arises or absence due to a
9 long-term disability status which has been certified by a medical doctor. The DRT
10 may exercise this hiring authority *provided* its authorized budget for personnel is
11 *not* exceeded in the areas of Tax Collection, Taxpayer Assistance, Tax
12 Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step I
13 for the position in question, and *shall not* receive sick and annual leave.
14 Notwithstanding §8121(a), Title 4, Guam Code Annotated, retirees hired
15 temporarily pursuant to this Section may continue to receive retirement benefits.
16 Any employee hired under this Section *shall* only be eligible to enroll in the
17 Government of Guam Health Insurance Program as an active employee.

18 **Section 9. Government of Guam Health Insurance Program**
19 **Enrollment for Employment Pursuant to Public Law 31-01.** Any employee
20 hired pursuant to Public Law 31-01 *shall only* be eligible to enroll in the
21 Government of Guam Health Insurance Program as an active employee.

22 **Section 10. Locum Tenens Exemption During the Absence of the Chief**
23 **Medical Examiner.** The Office of the Chief Medical Examiner is exempt from
24 the government of Guam Procurement Law in contracting for the professional
25 services of a qualified medical examiner to be provided when the Chief Medical
26 Examiner is absent from work.

1 **Section 11. Advance Payments for Medical Services.** In order to expedite
2 acceptance of Medically Indigent Program (MIP) clients at the Joint Commission
3 accredited facilities for medical treatment approved by the MIP, the Director of
4 Public Health and Social Services (DPHSS) may advance payments for said
5 medical treatment or air ambulance program established by Section 33, Chapter V
6 of Public Law 28-150, and may establish escrow accounts for immediate and
7 advance payment of medical treatment at hospitals and other medical facilities
8 accredited by the Joint Commission determined by the Director of DPHSS to be
9 best able to serve Medically Indigent Program clients.

10 **Section 12. Transfer of Employees.** (a) Notwithstanding any other
11 provision of law and in recognition of personnel shortages in certain areas, *I*
12 *Maga'låhen Guåhan* is authorized to transfer employees within or between any
13 line department or agency of the government of Guam, *except* that:

14 (1) this Section *shall not* apply to any employee of the Legislative
15 or Judicial branches of government;

16 (2) the transfer of an employee *shall not* result in a loss of pay or
17 salary;

18 (3) *no* employee *shall* be transferred if the employee has filed a
19 viable grievance with the Civil Service Commission for discrimination based
20 on political affiliation, gender, or sexual harassment, *unless* the employee
21 consents to said transfer;

22 (4) notwithstanding any other provision of law or regulation, *no*
23 employee of an autonomous agency may be transferred to a line department
24 or agency;

25 (1) *I Maga'låhen Guåhan shall* transfer the funding authorized for
26 that employee's position from the transferor agency to the transferee agency,

1 including GMHA, DPHSS, and DMHSA, *unless* the transfer is from a line
2 agency to an autonomous agency;

3 (2) this Section *shall not* be used to transfer employees acting in
4 good faith who report or expose bad business practices, illegal activities, or
5 inappropriate conduct by public officials; and

6 (3) *no* employee occupying a classified position created by statute
7 within an agency *shall* be transferred out of an agency nor *shall* such
8 employee and position be transferred out of such agency. Any employee
9 whose classified position is created by statute within a specific department
10 or agency, and has been transferred out of such agency or whose classified
11 position has been transferred out of such agency *shall* be immediately
12 transferred back to such agency.

13 (b) *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I*
14 *Liheslatura* of the transfer of each employee pursuant to this authorization, with
15 the name and position of the employee being transferred, the line department or
16 agency the employee is being transferred from, the line department or agency the
17 employee is being transferred to, the time duration of the transfer, and whether the
18 transfer is permanent.

19 **Section 13. Contracts Exceeding Funds Restriction.** *No* agency *shall*
20 contract or agree to spend any money for goods or services or in settlement of a
21 lawsuit or claim in excess of the amount appropriated by *I Liheslatura* (the
22 Legislature) to that agency for such goods, services, claim, or settlement, and
23 BBMR *shall not* allot funds to that agency for the payment of any amount towards
24 such goods, services, claim, or settlement *if* the total amount of the goods, services,
25 claim, or settlement is *more than* the amount appropriated or amount allotted by
26 BBMR. Any contract or agreement made in violation hereof *shall* be void. Any

1 agency head or certifying officer who knowingly contracts or agrees to spend any
2 money in excess of said allotments *shall* be guilty of a misdemeanor.

3 **Section 14. Restrictions on Executive Branch Hiring of Unclassified**
4 **Employees.** *No* government funds of any kind or description may be expended for
5 the employment or hiring of unclassified employees in the Executive Branch of the
6 government of Guam, *except* for the following:

7 (a) certified persons in the Guam Department of Education, as
8 identified in Subsection (12) of §715 of Chapter 7 of Title 1 of the Guam
9 Code Annotated;

10 (b) any academic teaching positions at the University of Guam and
11 the Guam Community College;

12 (c) nurses, doctors, licensed health professionals and ancillary
13 health employees necessary for clinical purposes at the Department of Public
14 Health and Social Services, the Department of Mental Health and Substance
15 Abuse, the Office of the Chief Medical Examiner, the Guam Memorial
16 Hospital Authority, the Guam Police Department, and the Department of
17 Integrated Services for Individuals with Disabilities;

18 (d) Department of Labor Survey Workers;

19 (e) Systems and Programming Administrator, Junior Systems
20 Programmer, Senior Programmer Analyst, Junior Application Analyst,
21 Junior Programmer Analyst, Junior Application Programmer, and positions
22 dealing with tax audits, tax investigations, tax collections and processing of
23 taxes at the Department of Revenue and Taxation;

24 (f) federally-funded positions (matching and up to 100%);

25 (g) persons filling temporary vacancies created by the call to active
26 military duty of employees who are members of the reserve components of
27 the Department of Defense and the Department of Transportation, including,

1 but *not* limited to, the United States Army, the United States Navy, the
2 United States Marine Corps, the United States Air Force, the Army National
3 Guard, the Air National Guard, and the United States Coast Guard, *or*
4 created by absence due to a long-term disability status which has been
5 certified by a medical doctor. Departments may exercise this hiring
6 authority *provided* its authorized budget for personnel is *not* exceeded;

7 (h) positions within the Office of *I Maga'låhen Guåhan*, the Office
8 of *I Segundu Na Maga'låhen Guåhan* and the Guam State Clearinghouse,
9 and department or agency heads, deputies and private secretaries;

10 (i) positions within the Mayors Council of Guam;

11 (j) positions within the Guam Election Commission;

12 (k) limited-term, part-time substitute teachers of the Guam
13 Department of Education; and

14 (l) professional engineers required to fill chief engineer positions.

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

18 **Section 15. Board and Commission Meeting Stipends.** Any
19 compensation or stipend owed to a board or commission member for attending a
20 regular or special meeting in FY 2012 *shall* be paid from the budget of the
21 department or agency responsible for the administrative support and operations of
22 such board or commission. Any board member who has served on a board
23 continuously (for ten (10) years or more) may receive a stipend totaling *no more*
24 *than* Two Hundred Fifty Dollars (**\$250**) per month for meetings attended; *however*,
25 board and commission members may elect to *not* receive said compensation.

1 **Section 16. Contracts.** Positions in the classified and unclassified service
2 *shall not* be filled pursuant to a contractual arrangement, *except* as provided in this
3 Section for FY 2012.

4 (a) Subject to Chapter 5, Title 5, Guam Code Annotated,
5 government of Guam departments and agencies may contract with
6 independent contractors, provided that *no* agency may contract for services
7 customarily provided by employees in the classified service, *except* as
8 provided by law.

9 (b) Government of Guam departments and agencies that *do not*
10 customarily obtain professional services, such as licensed health
11 professionals, licensed architects, licensed engineers, legal services, actuarial
12 services and auditing services through an employee in the classified service
13 in that department or agency may contract to obtain such services.

14 (c) The Office of the Attorney General and the Public Defender
15 Service Corporation are authorized to contract with attorneys as independent
16 contractors to provide services in areas in which it is impracticable or
17 impossible for the office to proceed. Such contracts *shall* be let in
18 accordance with the procurement laws of Guam. *No* such independent
19 contractor hired pursuant to this Section may receive from the government
20 of Guam any remuneration in any form other than in payment for the
21 position into which such person is hired. The Office of the Attorney General
22 and the Executive Director of the Public Defender Service Corporation *shall*
23 file a copy of every such contract with the Chief Procurement Officer and
24 the Director of DOA, together with a written certification stating why it is
25 impracticable to handle the matter within the office as otherwise constituted.

26 (d) This Section *shall not* apply to the Guam Department of
27 Education; the University of Guam; the Guam Community College; the

1 Unified Judiciary when filling positions of justices and judges pro tem, law
2 clerks, and legal interns; the Department of Revenue and Taxation when
3 filling the position of legal counsel; *I Liheslaturan Guåhan*; the Guam
4 Memorial Hospital Authority; and the Department of Public Health and
5 Social Services and the Department of Mental Health and Substance Abuse
6 when filling positions of licensed health professionals.

7 (e) Any instrumentality of the government of Guam that fills any
8 classified or unclassified positions by contractual arrangement in accordance
9 with this Section *shall* file a copy of every such contract with the Chief
10 Procurement Officer, together with a written certification stating why it is
11 impracticable to handle the matter within the instrumentality as otherwise
12 constituted.

13 **Section 17. Wireless Communications Restrictions.** With the exception
14 of federal funds, *no* government of Guam funds, regardless of source and including
15 funds expended by autonomous agencies, *shall* be expended for the use of cellular
16 telephones, cellular telephone services and other wireless telephone services,
17 *unless* the government of Guam will be reimbursed from Federal funds *or* other
18 grants. This Section *shall not* apply to *I Maga'låhen Guåhan*; *I Segundu Na*
19 *Maga'låhen Guåhan*; the Speaker of *I Liheslaturan Guåhan*; the Chief Justice of
20 the Supreme Court of Guam; the Presiding Judge of the Superior Court of Guam;
21 official use of the Crisis Hotline Program of the Department of Mental Health and
22 Substance Abuse; law enforcement officials; on-call health professionals at the
23 Guam Memorial Hospital Authority, the Department of Mental Health and
24 Substance Abuse, and the Department of Public Health and Social Services;
25 Village Mayors and Vice Mayors; the Guam Fire Department and EMS officials;
26 on-call emergency management personnel; the Chief Medical Examiner, and the
27 Guam Visitors Bureau.

1 **Section 18. Deposit for Random Drug Testing for Testing Designated**
2 **Positions.** The sum of Twenty Thousand Three Hundred Forty-Six Dollars
3 (\$20,346) is authorized from the General Fund and Special Fund appropriations in
4 this Act and identified in Appendix IV, representing the total of all appropriations
5 in this Act to individual agencies for random drug testing of employees in Testing
6 Designated Positions (TDP) delineated in the Department of Administration Drug
7 Free Workplace Program (DFWP Operating Procedures), and *shall* be deposited
8 into an account with the Department of Administration. This Fund *shall not* be
9 subject to *I Maga'låhen Guåhan's* transfer authority.

10 **Section 19. Program Reporting Requirements for Employment,**
11 **Employment Placement, and Job Training Programs at the Guam**
12 **Community College, the University of Guam, and the Guam Department of**
13 **Labor.**

14 (a) The President of the University of Guam, the President of the
15 Guam Community College, and the Director of the Guam Department of
16 Labor *shall* transmit a report to *I Maga'låhen Guåhan* and the Speaker of *I*
17 *Liheslaturan Guåhan*, *no later than* June 30 of each year, on the actual
18 number of program completers and/or certificates issued for each program,
19 and employment data for said program completer for the two (2) years
20 following completion of their respective programs, to include salary levels,
21 job location, or whether the job is in the same field as the program.

22 (b) The report mandated in Subsection (a) *shall* also be posted on
23 each agency's respective website.

24 **Section 20.** If any Cost Accounts created by this Act require existing
25 automated postings within the Government of Guam Financial Management
26 System to be manually duplicated to conform to the requirements in this Act the

1 Department of Administration may instead report the details of the Cost Account
2 outside the Financial Management System.

3 **Section 21. Authorization for Payment of Prior Year Obligation.** The
4 sum of One Hundred Thirty-Six Thousand Fifty-Four Dollars and Thirty-Eight
5 Cents (**\$136,054.38**) is hereby authorized to be expended by the Department of
6 Public Works from its Base Operational Appropriations in Section 1(k) of Chapter
7 V of this Act, to satisfy the outstanding debt balance owed for the completion of
8 the Guam Public Market Redevelopment Project, Phase II-Department of
9 Commerce Project No. 320-5-1008-L-AGN, which was completed in 1995 in full
10 accordance with all Project Contract requirements, including Change Orders #1
11 and #2. *I Maga'låhen Guåhan* is also authorized to transfer *up to* One Hundred
12 Thirty-Six Thousand Fifty-Four Dollars and Thirty-Eight Cents (**\$136,054.38**)
13 from any agency's appropriation in Chapter V, to the Department of Public Works,
14 to satisfy the outstanding debt balance herein.

15 **Section 22.** Section 3 of Public Law 31-75 is hereby *amended* to read:

16 **“Section 3. Appropriation.** Pursuant to §§52101 and 52102 of
17 Chapter 52, Division 2 of Title 11 Guam Code Annotated, the amounts
18 specified in the Summary of Base Operational Appropriation in this Section,
19 are appropriated out of the General Fund, Special Funds, and Federal
20 Matching Grants-in-Aid as specified in the Summary of Base Operational
21 Appropriation Funding Source to the GDOE Operations Fund for Fiscal
22 Year 2012. This appropriation *shall* be expended in accordance with the
23 cash disbursement schedules required by §52101(b), and in accordance with
24 the program, department or divisional object class allocations outlined
25 below:

26 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

27

APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
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1	REG SALARIES	111	\$121,330,804	\$2,280,862	\$123,611,666
2	OT/SP	112	\$0	\$0	\$0
3	BENEFITS	113	\$37,703,856	\$660,195	\$38,364,051
4	TRAVEL/MILE	220	\$0	\$0	\$0
5	CONT. SERV.	230	\$7,332,437	\$11,073,956	\$18,406,393
6	OFF. RENTAL	233	\$0	\$0	\$0
7	SUP. & MAT.	240	\$1,454,000	\$1,095,091	\$2,549,091
8	EQUIPMENT	250	\$0	\$652,440	\$652,440
9	WORK. COMP.	270	\$100,000	\$0	\$100,000
10	DRUG TEST	271	\$0	\$0	\$0
11	SUBGRANT	280	\$0	\$0	\$0
12	MISC	290	\$1,250,395	\$0	\$1,250,395
13	POWER	361	\$1,525,000	\$11,708,682	\$13,233,682
14	WATER/SEWER	362	\$0	\$1,804,089	\$1,804,089
15	PHONE/TOLL	363	\$361,561	\$0	\$361,561
16	CAP. OUTLAY	450	\$0	\$227,324	\$227,324
17	GRAND TOTAL		\$171,058,053	\$29,502,639	\$200,560,692

18 School Lunch Program-Federal Sources \$10,069,218 (230-\$10,069,218)

19 School Lunch Program Cash Collection \$1,095,091 (240-\$1,095,091)

20 Public Library Resources Fund \$652,440 (250-\$652,440)

21 Territorial Educational Facilities Fund \$16,810,890 (111-\$2,280,862; 113-
22 \$660,195; 230-\$1,004,738; 361-\$10,833,682; 362-\$1,804,089; 450-
23 \$227,324)

24 Autonomous Agency Collections Fund \$875,000 (361)

25 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**
26 **SOURCE**

1	GENERAL FUND	\$ <u>171,058,053</u>
2	FEDERAL MATCHING GRANTS-IN-AID	\$0
3	SPECIAL FUNDS	\$ <u>29,502,639</u>
4	TOTAL	\$<u>200,560,692</u>

5 **Section 23. Section 2718 Fund.** A new §4302.3 is hereby *added* to Article
6 3 of Chapter 4, Title 4, Guam Code Annotated, to read:

7 **“§4302.3. Creation of Section 2718 Fund.**

8 (a) There is hereby created, separate and apart from other funds of
9 the government of Guam, a fund known as the Section 2718 Fund
10 (hereinafter *Fund*). The fund *shall* be separate and apart from all other funds
11 of the government of Guam, *shall* be kept in a separate bank account, and
12 *shall not* be subject to any transfer authority of *I Maga’lahen Guåhan* or any
13 interfund transfers.

14 (b) All proceeds from rebates paid to and entitled to the
15 government of Guam pursuant to Section 2718(b)(1)(A) of the Public Health
16 Services Act, as amended by the Patient Protection and Affordable Care Act
17 (PPACA), Public Law 111-148, *shall* be deposited in the Section 2718 Fund.

18 (c) All proceeds from reductions in quarterly premiums for non-
19 compliance with the requirements of Public Law 30-93 relative to the
20 disclosure of detailed claims utilization and cost information, *shall* be
21 deposited in the Section 2718 Fund.

22 (d) Notwithstanding the general provisions of 5 GCA § 22406
23 which require that unused and de-appropriated funds revert to the General
24 Fund, or any other provision of Guam law to the contrary, all de-
25 appropriated or unused funds appropriated from the Section 2718 Fund
26 *shall*, in all circumstances, and whether in whole or in part, be returned to
27 the Section 2718 Fund and *not* the General Fund.

1 (e) Notwithstanding the provisions of 5 GCA §21103, §21107 and
2 §21110 or any other provision of Guam law to the contrary, all interest
3 earned on the Section 2718 Fund *shall* be returned to the Section 2718 Fund.

4 (f) The Director of Administration *shall* submit a report on a
5 quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and
6 interest earned collected and expended from the Section 2718 Fund and *shall*
7 post such report on the Department’s website.”

8 **Section 24.** A new Subsection (d) is *added* to §6205.2 of Article 2, Chapter
9 6 of Title 4, Guam Code Annotated, to read:

10 “(d) The Department of Public Works (DPW) is authorized to
11 recruit and compensate above Step 10 one (1) professional engineer in
12 the unclassified service to fill the vacant position of Chief Engineer
13 for DPW’s Highway Division. In addition to meeting the
14 qualifications and requirements for the position as established by the
15 Department of Administration, the candidate *shall* be registered as a
16 professional civil engineer in Guam, *or shall* become registered in
17 Guam within two (2) years after beginning employment. Additionally,
18 when hiring above step per this Subsection, the candidate for Chief
19 Engineer of DPW’s Highway Division *shall* have a minimum of ten
20 (10) years of relevant highway engineering experience. This
21 Subsection *shall* be applicable *only* when the position is one hundred
22 percent (100%) funded by the Federal Highway Administration.”

23 **Section 25. Payment of Subscriber Rebates.** A new §4302.4. is hereby
24 *added* to Article 3 of Chapter 4 of Title 4, Guam Code Annotated, to read as
25 follows:

26 “§4302.4. **Payment of Subscriber Rebates.** The Insurance &
27 Banking Commissioner of Guam, in a manner compliant with the Patient

1 Protection and Affordable Care Act, *shall* pay or cause to be paid, rebates to
 2 all eligible subscribers of the Government of Guam Group Health Insurance
 3 Program as required by §2718(b)(1)(A) of the Public Health Services Act, as
 4 amended by U.S. Public Law 111-148, the Patient Protection and Affordable
 5 Care Act (PPACA).”

6 **Section 26.** A new Section is hereby *added* to Public Law 31-75 to read as
 7 follows:

8 “**Section 26.** The Guam Board of Education *shall* pass a resolution
 9 that identifies funds within Section 3 of this Act to pay unpaid, promised
 10 compensation due to unprocessed personnel actions for authorized detailed
 11 appointments and other back pay as outlined below which *shall* be
 12 reprogrammed by the Superintendent of the Guam Department of
 13 Education.”

Transaction/Obligation Date	Transaction Type	Vendor	General Fund (\$)	Reasons for Nonsubmittal or Nonpayment
8/11/2009	Court Order – Award	Reyes, Luis	\$250,000.00	No appropriation to cover expense
8/14/2006	Court Order - Back Pay	Pilarca, Jonathan	\$423.42	No appropriation to cover expense
Aug-10	Overtime due to Late Bussing	Promised Compensation	\$2,753.41	No appropriation to cover expense
10/10/1999-7/9/2007	Promised Compensation due to unprocessed by authorized detailed appointments	Borja, Benjamin	\$29,975.86	No appropriation to cover expense
11/13/2006-11/12/2007	Promised Compensation due to unprocessed by authorized detailed appointments	Manibusan, Emily	\$3,875.33	No appropriation to cover expense
11/19/2007-1/3/2008	Promised Compensation due to unprocessed by authorized detailed appointments	Anderson, Delores	\$3,747.60	No appropriation to cover expense
12/21/1996-7/9/2007	Promised Compensation due to unprocessed by authorized detailed appointments	Borja, Joey	\$21,798.74	No appropriation to cover expense
2/6/2006-1/7/2008	Promised Compensation due to unprocessed by authorized detailed appointments	Juanillo, Merlita	\$6,831.18	No appropriation to cover expense
6/30/2003-7/9/2007	Promised Compensation due to unprocessed by authorized detailed appointments	Deraco, Ceasar A	\$11,734.18	No appropriation to cover expense
7/2-11/12/2006	Promised Compensation due to unprocessed by authorized detailed appointments	Laguana, Ronald	\$2,447.53	No appropriation to cover expense

8/14/2006-5/30/2008	Promised Compensation due to unprocessed by authorized detailed appointments	Babauta, Joseph	\$5,566.74	No appropriation to cover expense
8/24/2004-2/6/2007	Promised Compensation due to unprocessed by authorized detailed appointments	Aguon, Mary P	\$20,386.13	No appropriation to cover expense
9/2/1997-11/20/2006	Promised Compensation due to unprocessed by authorized detailed appointments	Duenas, Magdalena	\$18,001.24	No appropriation to cover expense
9/29/2007-5/8/2008	Promised Compensation due to unprocessed by authorized detailed appointments	Plain, Wanda	\$1,875.17	No appropriation to cover expense
Total			\$379,416.53	

2

3 **Section 27. Assignment of Offsets Against Business Privilege Taxes for**

4 **Past Due MIP Billings.** A *new* subitem (6) is *added* to §26216(a) of Chapter 26,
5 Title 11, Guam Code Annotated, to read:

6 “(6) **Assignment of offsets.** A healthcare service provider may
7 assign any offsets authorized by subitem (a)(1), *supra.*”

8 **Section 28.** Section 2 of Public Law 31-40 is hereby *amended* to read:

9 **“Section 2. Creation of the Adequate Education Act Account.**

10 (a) There is hereby created, separate and apart from all other funds
11 of the government of Guam, an account known as the Adequate Education
12 Act Account (Account). The Account *shall not* be commingled with the
13 General Fund or any other funds of the government of Guam, and it *shall* be
14 maintained in a separate bank account. The Account’s interest and
15 investment earnings *shall* be continuously appropriated to the Department of
16 Administration for the payment of the GDOE-Guam Power Authority
17 Promissory Note. Upon full payment of the Promissory Note, succeeding
18 interest and investment earnings *shall* be continuously appropriated to the
19 GDOE for maintenance and repair of its facilities.

20 (b) Monies other than interest or investment earnings that are
21 deposited into the Account *shall* be used solely to pay for projects approved
22 in the ARRA SFSF Phase I and Phase II grant application, including any

1 subsequent amendments approved by USDOE in accordance with the
2 appropriation in Section 3(a) of this Act. Withdrawals from the Account
3 *shall* only be made upon written approval from the GDOE Superintendent
4 and an authorized representative of Alvarez & Marsal, the USDOE-
5 approved Third Party Fiduciary Agent for GDOE, and a certification that
6 such withdrawals are within the authorized uses for Capital Improvement
7 Projects, Technology Upgrades and Science, Technology, Engineering &
8 Math (STEM) CIPs and Equipment approved by USDOE contained in the
9 ARRA SFSF Phase I and Phase II grant application, including any
10 subsequent amendments approved by USDOE from the Attorney General of
11 Guam. Such withdrawals *shall* be approved *only* for the purposes of
12 payment for approved ARRA SFSF Phase I and Phase II grant projects.

13 (c) Monies deposited into the Account *shall not* be subject to any
14 transfer authority of *I Maga'lahaen Guåhan* or any representative of the
15 Guam Department of Education.”

16 **Section 29.** §8105 of Chapter 8 of Title 5A, Guam Administrative Rules
17 and Regulations, is hereby *amended* to read as follows:

18 **“§8105. Certificates for Teachers, General.**

19 (e) Professional Endorsement for Specialty Areas. Educators
20 wishing to certify in multiple content areas, or to add an additional area, are
21 able to apply for an endorsement on their existing certificate. To qualify for
22 an endorsement, the applicant must provide evidence of the successful
23 completion of fifteen (15) credit hours in the field. There will be an
24 additional charge for the endorsement which will last the term of the existing
25 certificate. Specialty areas for consideration are instructional technology,
26 visually impaired, orientation and mobility, deaf and hearing impaired,
27 media specialist, or other specialty areas as approved by GCEC.”

1 **Section 30.** §8107 of Chapter 8 of Title 5A, Guam Administrative Rules
2 and Regulations, is hereby *amended* to read as follows:

3 “**§8107. Certificates for Preschool Teachers.** (a) Basic
4 Educator Preschool Certificate.

5 (1) Minimum Requirements. An associate degree in early
6 childhood education; or an associate degree in a field related with equivalent
7 to a major relating to early childhood education, with one (1) year
8 experience teaching preschool-age children, or a baccalaureate degree or
9 advanced degree in early childhood education, and has not taken and /or
10 passed the PRAXIS I, or a baccalaureate or advanced degree in a related
11 field and coursework equivalent to a major related to early childhood
12 education and with one (1) year experience teaching preschool-aged children
13 and has not taken and/or passed PRAXIS I.”

14 **Section 31. (a) Transfer of Property.** To provide necessary land for the
15 development of a Consolidated Central Office, there is hereby transferred to the
16 Guam Power Authority (GPA), in fee simple, the following described parcel of
17 real property, determined to be necessary and related to GPA's immediate need for
18 the Consolidated Central Office. A parcel of government of Guam land more
19 particularly described as Lot No. 5412-2 (property), situated in *Fadian, Mangilao*,
20 containing an area of 60,759± square meters as shown on the map recorded in the
21 Department of Land Management on November 30, 2006 under Document
22 Number 746393.

23 (b) **Rezoning.** Lot No. 5412-2, municipality of *Mangilao*, is hereby
24 rezoned from Agricultural (A) to Public Facility (PF) for the purpose of
25 constructing a Consolidated Central Office.

26 (c) **Title and Ownership.** Title and ownership of the property must
27 remain with GPA for a period of *at least* ten (10) years. The property transferred

1 to the Guam Power Authority may *not* be sold, leased, or otherwise encumbered by
2 GPA and *shall* be transferred back to the *Chamorro* Land Trust Commission if
3 GPA *no* longer needs the use of it to fulfill its mission.

4 **Section 32. Funding for the *Chamorro* Land Trust Commission.**

5 Effective October 1, 2012, the sum of Eight Hundred Seventy-Five Thousand
6 Dollars (**\$875,000**) is appropriated every fiscal year from the Autonomous
7 Agencies Collection Fund (AACF) to the *Chamorro* Land Trust Commission. The
8 appropriations made in this Section *shall* be continuous and *shall not* be subject
9 to any transfer authority by *I Maga 'lahi* (the Governor).

10 **Section 33. Authorization for Payment of Prior Year Obligation.** The

11 sum of Twenty Five Thousand Seventy-Two Dollars and Forty-Eight Cents
12 (**\$25,072.48**) is hereby authorized to be expended by the Department of
13 Corrections from its Base Operational Appropriations in Section 1(o) of Chapter V
14 of this Act, to satisfy the outstanding debt balance owed for medical x-ray services
15 rendered to DOC inmates by X-Ray Pro, which were performed between FY 2004
16 through FY 2008. *I Maga'låhen Guåhan* is also authorized to transfer *up to*
17 Twenty Five Thousand Seventy-Two Dollars and Forty-Eight Cents (**\$25,072.48**)
18 from any agency's appropriation in Chapter V, to the Department of Corrections,
19 to satisfy the outstanding debt balance herein.

20 **Section 34. Prioritization of Payment to Awardees in Reference to**

21 **Superior Court Case No. SP0206-93.** If the Notes as specified to be issued
22 Public Law 30-239 are *not* issued by September 30, 2011, *I Maga'låhen Guåhan*
23 *shall* issue a new Request for Proposal within fifteen (15) days after the end of FY
24 2011.

25 **Section 35.** §8135(a) of Article 1 of Chapter 8 of Title 4, Guam Code
26 Annotated, is hereby *amended* to read as follows:

1 “(a) The annual survivor annuity payable under § 8134 *shall* be
2 determined as follows:

3 (1) **Spouse.** The annual survivor annuity *shall* be equal to sixty
4 percent (60%) of the basic retirement annuity or the basic disability
5 retirement annuity earned by the member and accruing to that member’s
6 credit, or payable to the member at the date of the member's death for the
7 period of the member's total service, whichever is greater. The spouse’s
8 annual survivor annuity *shall not*, in any case, be *less than* One Thousand
9 Two Hundred Dollars (\$1,200) per year.

10 (2) **Children.** The basic minor child annuity *shall* be Two
11 Thousand Eight Hundred Eighty Dollars (\$2,880) per year for a minor child
12 *up to* eighteen (18) years of age. The aggregate basic minor child annuity for
13 children of a member *shall not*, in any case, exceed Fourteen Thousand Four
14 Hundred Dollars (\$14,400) per year for five (5) or more minor children.”

15 **Section 36.** As an incentive to conserve energy and water consumption,
16 departments, agencies, and instrumentalities of the government of Guam, inclusive
17 of the University of Guam, the Guam Community College, and all Mayoral Offices
18 of the Mayors Council of Guam, are hereby authorized to transfer any unexpended
19 FY 2012 appropriations for utilities, to other expenditure categories within their
20 respective budgets.

21 **Section 37. Amendments to Chapter 28, Title 11, Guam Code**
22 **Annotated, Relative to Use Tax Law Exemptions.**

23 (a) **Legislative Findings.** *I Liheslaturan Guåhan* finds that the Use Tax
24 Law that applies to tangible personal property specifically *excludes* imports by “a
25 contractor importing permanent equipment for the performance of a construction
26 contract, with intent to remove, and who does remove, such equipment out of
27 Guam upon completing the contract.” However, current economic conditions

1 differ from previous periods wherein legislation were designed to provide
2 incentives for business development on Guam. The pending military build-up and
3 public infrastructure improvements have attracted a large contingency of
4 contractors that import their construction-related equipment specifically for their
5 economic gain. Importation of large amounts of equipment for construction usage
6 hinders local businesses, such as distributors and rental companies, and
7 significantly limits the economic benefit to Guam. Such importation bypasses local
8 businesses and are *not* subject to local taxes, equating to millions of dollars of lost
9 revenue.

10 The majority of construction equipment imported for use on Guam is
11 brought in to generate business revenue. Hauling and operation of heavy
12 equipment have detrimental local impact, to include damaged roads, highways and
13 villages, increased emission into our air and potential fluid leaks into our soil and
14 water lens. If businesses are utilizing construction equipment to generate revenue,
15 then they should bear the associated costs to the community. These costs are
16 amounting to millions of dollars of damages to public roadways and our natural
17 environment.

18 *I Liheslaturan Guåhan* finds that the Guam Customs and Quarantine Agency
19 is tasked to collect Use Tax. However, there is *no* designation as to which agency
20 is responsible for ensuring that the untaxed imported equipment are actually
21 removed out of Guam upon completion of contracts. There is a need to improve the
22 monitoring of imported construction equipment for the performance of a
23 construction contract, otherwise there will be an increased possibility of equipment
24 left behind or sold, and never taxed.

25 *I Liheslaturan Guåhan* finds that for the privilege of doing business in
26 Guam, contractors *shall* also be subject to the Use Tax Law, *if* any work is
27 performed by them for projects located in Guam.

1 *I Liheslaturan Guåhan* finds that in the best interests of Guam, amendments
2 to current legislation are needed to impose the current Use Tax on imported
3 construction equipment for the performance of a construction contract.

4 (b) New Subsections (m), (n) and (o) are *added* to §28101 of Chapter 28,
5 Title 11, Guam Code Annotated, to read:

6 **§28101** .“(m) *Contractor* means a person who contracts to erect,
7 construct, repair, or improve buildings, highways, and other structures and
8 includes those engaged in the practice of architecture, professional
9 engineering, land surveying, landscape architecture, and pest control or
10 fumigation. A contractor is any person or business making repairs,
11 alterations or additions to real property. For purposes of discussion, the term
12 contractor means construction contractor.

13 (n) *Construction Equipment* means light and heavy, off-road and
14 on-road, gas, diesel, electric or other powered equipment or tools.

15 (o) *Landed value* means the greater amount between the insured
16 value or fair market value the item has at the time it arrives on Guam, based
17 on industry standards used to assess items.”

18 (c) §28102(c)(1) of Chapter 28, Title 11, Guam Code Annotated, is
19 *repealed*, and subsequent subsections renumbered in sequence, to read:

20 “(c) temporary use of property, *not* of a perishable or quickly
21 consumable nature, where such property is imported into Guam for
22 temporary use (not sale) therein by the person importing the same and is *not*
23 intended to be, and is *not*, kept permanently in Guam (as for example
24 without limiting the generality of the foregoing language):

25 (1) in the case of moving picture films imported for use in
26 theaters in Guam with intent or under contract to transport the same
27 out of Guam after completion of such use;

1 (2) in the case of a transient visitor importing an automobile
2 or other belongings into Guam to be used by him while therein but
3 which are to be and are removed upon his departure from Guam.”

4 (d) §28103 of Chapter 28, Title 11 Guam Code Annotated, is *amended* to
5 read:

6 **“§28103. Levy of Tax.**

7 There is hereby levied on the landlord value of, and *shall* be
8 paid and collected, in the manner, at the times, and by the persons,
9 hereinafter provided a use tax upon the use or consumption of all
10 property (as hereinabove defined) in Guam.”

11 (e) The first paragraph of §28105 is *amended*, and a new §28105(g) is
12 *added* to Chapter 28, Title 11, Guam Code Annotated, to read:

13 “Every person who imports into Guam, or acquires in Guam from any
14 other person to taxable under 11 GCA, Chapter 26, in respect to the
15 transaction by which the former acquired the same, any property for his use
16 or consumption, *shall* be subject to a tax in respect to such use or
17 consumption at the rate in this Chapter provided, measured by the landed
18 value of such property, which tax *shall* be payable:”

19 “(g) The Customs and Quarantine *shall* collect the Use Tax on
20 construction equipment for the performance of a construction contract as
21 mandated by this Chapter, and will maintain a database of the inventory of
22 taxed equipment to reconcile with tax collected.”

23 (f) *Amend* §28112 of Chapter 28, Title 11, Guam Code Annotated, to
24 read:

25 **“§28112. Continuing Appropriation.**

26 Upon enactment of this Act, and each fiscal year thereafter:

1 (a) Sums based on twenty percent (20%) of the total Use Tax
2 collected in the previous fiscal year *shall* be appropriated to the “Customs,
3 Agriculture and Quarantine Inspection Services Fund” to cover costs
4 associated with Use Tax collection inspection activities. This appropriation
5 is continuous, but is contingent on the annual submission of a detailed
6 budget to *I Liheslaturan Guåhan* by the Director of the Customs and
7 Quarantine Agency.

8 (b) Sums based on twenty percent (20%) of the total Use Tax
9 collected in the previous fiscal year shall be appropriated to the “Department
10 of Public Works Services Village Roadway Funds” to cover costs associated
11 with improvements, repairs, and general maintenance to roads on Guam *not*
12 covered by Office of Federal Highway Funds. This appropriation is
13 continuous, but is contingent on the annual submission of a detailed budget
14 to *I Liheslaturan Guåhan* by the Director of the DPW.

15 (c) Sums based on twenty percent (20%) of the total Use Tax
16 collected in the previous fiscal year *shall* be appropriated to the “Guam
17 Environmental Protection Agency Environmental Cleanup Fund” to cover
18 costs associated with preserving Guam’s natural resources. This
19 appropriation is continuous, but is contingent on the annual submission of a
20 detailed budget to *I Liheslaturan Guåhan* by the Director of the GEPA.”

21 **Section 38.** §22111 of Article 1 of Chapter 22, Title 5, Guam Code
22 Annotated, is *amended* to read as follows:

23 **“§22111. Direct Deposit of Judiciary Appropriations.**

24 (a) With respect to the appropriations by *I Liheslaturan Guåhan* for
25 the operations of the Judiciary of Guam for any fiscal year, the Director of
26 Administration *shall* deposit, on the last day of each month, into a bank
27 account designated by the Judiciary, a sum from the prior month’s General

1 and Special Fund revenue collections as defined in Subsection (a)(1) and (2)
2 of this Section; *provided*, however, that the deposits for the fiscal year *shall*
3 *not* exceed the total amount appropriated by *I Liheslaturan Guåhan* for the
4 fiscal year.

5 (1) Deposit percentage calculation for each fiscal year *shall*
6 equal the General Fund appropriation amount of the Judiciary of
7 Guam’s budget for the fiscal year divided by the total General Fund
8 Revenue Available for Appropriation for the government of Guam as
9 adopted by *I Liheslaturan Guåhan* in the General Appropriations Act
10 for the same fiscal year. The term “General Fund Revenue Available
11 for Appropriation” as used herein *shall not* include revenue for tax
12 refund payments, federal sources, and the two percent (2%) General
13 Fund Reserve as mandated by 5 GCA § 22436.

14 (2) The monthly deposit *shall* be based on the percentage
15 derived from Subsection (a)(1) of this Section multiplied by the actual
16 cash collected by the aggregate revenue funding sources as defined in
17 Subsection (a) of this Section.

18 (b) The Chief Justice of the Judiciary of Guam *shall* submit to the
19 Speaker of *I Liheslaturan Guåhan*, *I Maga’lahen Guåhan*, and the Director
20 of Administration, on *or* before October 10 of each year, a projected
21 schedule of the monthly deposits in accordance with Subsection (a)(2) of
22 this Section for the Judiciary for the fiscal year.

23 (c) It *shall* be a ministerial duty of the Director of Administration
24 to make the monthly deposits to the Judiciary of Guam as required by this
25 Section.”

26 **Section 39.** §30113 of Article 1 of Chapter 30, Title 5, Guam Code
27 Annotated is hereby *amended* to read as follows:

1 **“§30113. Outside Employment Regulated.**

2 *Neither* the Attorney General *nor* any person employed in the
3 Department of Law *shall* engage in any outside employment which *shall*
4 conflict with his duties within the Department of Law. Attorneys in the
5 Department of Law *shall not* engage in the practice of law outside of the
6 Department of Law.”

7 **Section 40.** A new Item (3) is *added* to Subsection (i) of Article 5 of
8 Chapter 1 of Title 5, Guam Code Annotated, to read as follows:

9 “(3) Bond proceeds appropriated under item (1) of this Subsection
10 *shall* be expended for purposes exclusive to and in support of item (1) and
11 *shall not* be expended for purposes in item (2) of this Subsection or for any
12 other purposes.”

13 **Section 41. Administrative Leave Authorized for Worker’s**
14 **Compensation Commission Claimants.** A new Subsection (j) is hereby *added* to
15 §9104 of Chapter 9, Title 22, Guam Code Annotated, to read as follows:

16 “(j) **Authorization for Administrative Leave.** Any person who is
17 injured while performing service for the government of Guam as an
18 employee under the authorized direction of a public officer or employee, and
19 has been certified by the Worker’s Compensation Program as such, *shall* be
20 granted administrative leave with pay for the duration of time as deemed
21 necessary by a licensed physician. However, such leave *shall* terminate on
22 the date the individual is *no longer* eligible for Worker’s Compensation
23 benefits.

24 (1) **Supplemental Payments Prohibited.** An employee
25 covered by this Act *shall* be paid from their employing agency; and
26 any monthly payments issued pursuant to this Act *shall* be in place of,

1 and *not* in addition to, any monthly payments authorized by the
2 Worker's Compensation Program, *not* to include payments issued to
3 cover the cost of medical treatment.

4 (2) Periodic Review. The Department of Labor Worker's
5 Compensation Commission is hereby authorized to conduct
6 independent, periodic reviews once every three (3) to six (6) months
7 to assess the severity of the individual's medical condition resulting
8 from the workplace injury. Such review may include requiring
9 claimants to submit periodic surveys developed by the Department or
10 their employer to assist with assessing the medical condition of the
11 employee; such survey *shall* be completed and signed by the attending
12 physician.

13 (3) Penalties. Any person, including an employee, employer,
14 medical case manager, health care provider, vocational rehabilitation
15 provider, or workers' compensation insurance carrier who, knowingly
16 and with intent to defraud, makes a false statement or representation
17 for the purpose of obtaining, affecting, or denying any benefit or
18 payment under the provisions of this Chapter, either for her or himself
19 or for any other person, *shall* forfeit all benefits or payments obtained
20 as a result of the false statement or representation and all or a portion
21 of any right to compensation under the provisions of this Chapter as
22 determined by Director and:

23 (i) for fraud involving Ten Thousand Dollars
24 (\$10,000) *or* more, be fined *not more than* One Hundred
25 Thousand Dollars (\$100,000) *or* imprisoned *not more than*
26 three (3) years, *or* both; and

1 (ii) for fraud involving *less than* Ten Thousand
2 Dollars (\$10,000), be fined *not more than* Ten Thousand
3 Dollars (\$10,000) or imprisoned *not more than* two (2) years, or
4 both.”

CHAPTER XIII

ADMINISTRATIVE PROVISIONS

1 **Section 1. Authorization for Matching Requirements for Federal**
2 **Grants-in-Aid.** All departments are authorized to expend funds appropriated in
3 this Act for matching requirements of Federal grants.

4 **Section 2. Carryover of Local and Federal Matching Program Funds**
5 **for Grants.** The Local and Federal Matching Funds for programs whose expiration
6 dates extend beyond September 30, 2012 *shall not* lapse and may be expended
7 throughout the period of the grant award.

8 **Section 3. Government of Guam Retirement Fund Rate of**
9 **Contribution.** In accordance with §8137(e) of Article 1, Chapter 8 of Title 4 of
10 the Guam Code Annotated, the government rate of contribution to the Government
11 of Guam Retirement Fund throughout Fiscal Year 2012 *shall* be twenty-eight and
12 thirty hundredths percent (28.30%).

13 **Section 4. Autonomous Agency Revenues and Expenditures Reported**
14 **to *I Maga'låhen Guåhan* and *I Liheslaturan Guåhan*.** Notwithstanding any other
15 provision of law, every autonomous and semi-autonomous agency or public
16 corporation in the government of Guam *shall* report all revenues and expenditures
17 for all funds under its purview and administration to *I Maga'låhen Guåhan* and the
18 Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report,
19 on a monthly basis and post the same on its website. Each monthly report *shall* be
20 due *no later than* thirty (30) days after the end of each month.

21 **Section 5. Revenue Tracking Report.** The Director of BBMR, in
22 collaboration with the Director of DRT and the Director of DOA, *shall* determine,
23 after the end of each month of the fiscal year, the revenue tracking for the balance
24 of the fiscal year, based upon the actual collections of the preceding month, and
25 prepare a statement comparing “actual” and “projected” revenues. Said statement

1 shall be certified as to its accuracy by each of the aforementioned Directors, and
2 submitted to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a
3 written report, *no later than* thirty (30) days after the end of each month of the
4 fiscal year. Said statements shall be posted quarterly on BBMR’s website. The
5 Director of BBMR, the Executive Director of *I Liheslaturan Guåhan*, and the
6 Director of the Office of Finance and Budget shall meet from time to time to
7 revise, approve, and implement changes to the format of the report.

8 **Section 6. Prior Year Appropriations Report.** *I Liheslaturan Guåhan*
9 finds that in order to work effectively to reduce and manage the deficit of the
10 government of Guam, it will need to repeal or de-appropriate past appropriations,
11 which remain outstanding but *not* expended. To assist in this effort, the
12 Department of Administration, in collaboration with the Office of Finance and
13 Budget, shall submit a report to the Speaker of *I Liheslaturan Guåhan* on January
14 1, 2012 delineating any appropriation from *all* fiscal years prior to 2012, which
15 have *not* been encumbered or fully expended as of the date of the report. The
16 report shall also delineate those appropriations from FY 2011 and prior fiscal years
17 which have been carried forward to Fiscal Year 2012 pursuant to law or this Act
18 and the expenditures thereon. Thereafter, monthly updates to the report shall be
19 submitted until unexpended appropriations from prior fiscal years are eliminated
20 by repeal or other operation of law.

21 **Section 7. Exemption from BBMR Allotment Release Control.** §1303,
22 Title 5, Guam Code Annotated, shall not apply to the Mayors Council of Guam,
23 the Office of Public Accountability, the Office of Finance and Budget, *I*
24 *Liheslaturan Guåhan*, the Public Defender Service Corporation, the Office of the
25 Attorney General and the Unified Judiciary of Guam. Said entities may draw
26 against their respective appropriations as needed to meet their obligations in
27 accordance with a drawdown schedule that said entities shall submit to the

1 Director of DOA *no later than* October 31, 2011. Failure to submit such drawdown
2 schedule *shall* subject such entity to the allotment release control by BBMR.

3 **Section 8. Special Fund Transfer.** Unless otherwise specified in this
4 Act, *I Maga'lâhen Guâhan* is authorized to transfer to the General Fund any cash
5 available from any appropriated Special Fund to fund the appropriations authorized
6 by this Act. All cash amounts from Special Funds transferred to cover the
7 appropriations authorized by this Act or any other Act or Law authorizing
8 appropriations *shall* be promptly reimbursed to the Special Fund from which it was
9 withdrawn within sixty (60) days after receipt of said funds. The Director of the
10 Department of Administration *shall* certify that such transfer will not deter any
11 function or project for which the Special Fund was established. *I Maga'lâhen*
12 *Guâhan shall* submit a report to the Speaker of *I Liheslaturan Guâhan* on the fifth
13 (5th) day of every month on all transfers made pursuant to this Section. Said
14 report *shall* enumerate the amount of each transfer, identify the funds to and from
15 which the transfer was made, certify that such transfer will not deter any function
16 or project for which the Special Fund was established and state the purpose of each
17 transfer. *Unless* otherwise restricted or specifically allowed by this Act, for FY
18 2012 *I Maga'lâhen Guâhan* is authorized to transfer *up to* fifteen percent (15%)
19 between agencies' Fiscal Year 2012 Special Fund base operational (*except* the
20 utility funds) appropriations contained in Chapter V and in Parts II, III and IV of
21 Chapter III of this Act; *provided* that notice of each transfer and justification
22 therefore are delivered within fifteen (15) working days after the transfer is made
23 to the Speaker of *I Liheslaturan Guâhan* and the Office of Finance and Budget.

24 For the purposes of this Section, amounts loaned from Special Funds to the
25 General Fund shall be considered transfers. All loans between Special Funds and
26 the General Fund shall be considered accounted for as a temporary borrowing
27 between such funds and shall not be considered revenue to the borrowing fund.

1 **Section 9. Secondary and Tertiary Road Projects.** *I Maga'låhen*
2 *Guåhan*, after consultation with the Village Mayors, may delete and add secondary
3 and tertiary road repair projects to the list in Part IV of Chapter II of Public Law
4 28-68, *if* such amendment is necessitated by changes in cost estimates, availability
5 of funds or critical needs, *provided* that the repair of potholes on primary and
6 secondary roads *shall* remain a high priority and *shall* commence as soon as
7 practicable. The Directors of the Bureau of Budget and Management Research and
8 the Department of Public Works *shall* report to *I Liheslaturan Guåhan* the status
9 and balance of the appropriations made to fund the repair of such road projects
10 pursuant to PL 28-68.

11 **Section 10. Facilities Insurance Requirements.** Every department and
12 agency of the government of Guam, through the Department of Administration,
13 may expend such sums as necessary from the department or agency's
14 appropriations for operations contained in this Act, for insurance of government-
15 owned facilities, built or repaired with FEMA grant funds, where such insurance is
16 required by FEMA.

17 **Section 11. Reporting Requirements for Non-Profit Organizations.** All
18 non-profit organizations that receive funds pursuant to this Act *shall* maintain
19 financial records that accurately account for said funds and *shall* provide a
20 budgetary breakdown by object category to the department or agency that oversees
21 the appropriation. The non-profit organization *shall* be provided a copy of this
22 Section by the department or agency overseeing such appropriation, but this duty
23 *shall not* prevent any non-profit organization from carrying out its responsibilities
24 under this Section. The non-profit organization *shall* also provide to said
25 department:

1 (a) a quarterly report describing its activities during the reporting
2 period and the results it achieved *no later than* twenty (20) days after the end
3 of each quarter;

4 (b) notification of all procurement of equipment and services of
5 Five Thousand Dollars (**\$5,000**) *or more* prior to awarding the contract
6 therefore;

7 (c) access to the overseeing department or agency's duly
8 authorized representative, and government of Guam auditors, to appropriate
9 records for the purpose of audit and examination of books, documents,
10 papers, and records of funds expended under the appropriation;

11 (d) submission of a detailed inventory listing of each year's
12 purchases, as certified by its certifying officer; and

13 (e) a final report to the overseeing department or agency for
14 submission to *I Liheslaturan Guåhan* containing a full disclosure of all
15 expenditures of funds appropriated by this Act *no later than* November 15,
16 2012. The overseeing department or agency *shall* post the same on its
17 website.

18 (f) Non-compliance with these reporting requirements will subject
19 the non-profit organization to a three percent (3%) reduction of its
20 appropriation(s) and the overseeing agency's contract with the organization
21 *shall* so provide.

22 **Section 12. Fund Reversions.** *Unless* otherwise specified in this Act:

23 (a) General Fund Reversion. All unexpended or unencumbered
24 appropriations made from the General Fund pursuant to this Act *shall* revert
25 to the General Fund on the last day of Fiscal Year 2012.

26 (b) Tourist Attraction Fund Reversion. All unexpended or
27 unencumbered appropriations made from the Tourist Attraction Fund

1 pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last
2 day of Fiscal Year 2012.

3 (c) Healthy Futures Fund Reversion. All unexpended or
4 unencumbered appropriations made from the Healthy Futures Fund pursuant
5 to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal
6 Year 2012.

7 (d) Territorial Education Facilities Fund Reversion. All
8 unexpended or unencumbered appropriations made from the Territorial
9 Education Facilities Fund pursuant to this Act *shall* revert to the Territorial
10 Education Facilities Fund on the last day of Fiscal Year 2012.

11 (e) Guam Highway Fund Reversion. All unexpended or
12 unencumbered appropriations made from the Guam Highway Fund pursuant
13 to this Act *shall* revert to the Guam Highway Fund on the last day of Fiscal
14 Year 2012.

15 **Section 13. Restriction on the Home Use of Government of Guam**
16 **Vehicles.** *Except* when expressly permitted by §1103(c) of Chapter 1, Title 4,
17 Guam Code Annotated, or any other law, *no* government of Guam owned, leased
18 or rented vehicles may be driven home by an employee *unless* such employee is on
19 call as an emergency first responder.

20 **Section 14. Transfer Authority of I Maga'låhen Guåhan.** *Unless*
21 otherwise restricted or specifically allowed by this Act, for FY 2012 *I Maga'låhen*
22 *Guåhan* is authorized to transfer *up to* fifteen percent (15%) between Fiscal Year
23 2012 General Fund Executive Branch base operational (*except* the utility funds)
24 appropriations contained in Chapter V and in Parts II, III and IV of Chapter III of
25 this Act; *provided* that notice of each transfer and justification therefore are
26 delivered within fifteen (15) working days after the transfer is made to the Speaker
27 of *I Liheslaturan Guåhan* and the Office of Finance and Budget. Notwithstanding

1 any other provision of law, *no* funds *shall* be transferred out of the Guam
2 Department of Education Operations Fund, *or* the Fiscal Year 2012 General Fund
3 appropriations made to the Guam Department of Education, the Unified Judiciary,
4 *I Liheslaturan Guåhan*, the Office of Finance and Budget, the Mayors Council, the
5 Public Defender Service Corporation, and the Office of Public Accountability.

6 **Section 15. Combined Purchase of Textbooks.** The Guam Department of
7 Education, the University of Guam, and the Guam Community College *shall*
8 together develop a more cost-effective method of purchasing textbooks for the
9 government of Guam, in which the government would benefit from the economies
10 of scale and combined purchasing power of the three (3) institutions. The joint
11 proposal *shall* target implementation for School Year 2011-2012, and *shall* be
12 submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* *no*
13 *later than* January 15, 2012.

14 **Section 16. Uniform Allowances.** Uniform allowances authorized in this
15 Act *shall not* be less than One Hundred Fifty Dollars (**\$150**) for the fiscal year, and
16 *shall* be issued to the employees *no later than* the end of the first quarter of FY
17 2012.

18 **Section 17. Administration of Deficit Reduction.** The Department of
19 Administration is hereby designated the authority to receive and process claims
20 submitted pursuant to Section 6 of Chapter XII of this Act.

21 **Section 18. Government Staffing Pattern.**

22 (a) Staffing Pattern. *No later than* thirty (30) days after the end of each
23 quarter of Fiscal Year 2012, every director, administrator or head of a government
24 of Guam agency, excluding line agencies, *shall* submit to the Speaker of *I*
25 *Liheslaturan Guåhan*, in a Microsoft Excel file and written report, and post the
26 same on the agency website, a current staffing pattern in the format of the
27 Executive Branch FY 2012 Budget Call, as of the close of the previous quarter.

1 The agencies required to submit are all autonomous and semi-autonomous
2 agencies, public corporations, the Mayors Council of Guam, and the Unified
3 Judiciary. Said staffing pattern *shall* include, at a minimum, the name of every
4 current employee and her or his position title, most recent hire date, salary,
5 increment costs and benefit costs, the funding source for her or his salary and
6 benefits, and the gross salary and benefits paid for during the quarter.

7 (b) *No later than* thirty (30) days after the end of each quarter of Fiscal
8 Year 2012, the Director of the DOA *shall* post the government wide line agency
9 staffing pattern on the bit.guam.gov portal on the budget website, in a Microsoft
10 Excel file and written report. The format of the report *shall* be the current staffing
11 pattern in the format of the Executive Branch FY 2012 Budget Call, as of the close
12 of the previous quarter. Said staffing pattern *shall* include, at a minimum, the name
13 of every current employee and her or his position title, most recent hire date,
14 salary, increment costs and benefit costs, the funding source for her or his salary
15 and benefits, and the gross salary and benefits paid for during the quarter.

16 **Section 19. Monthly Working Trial Balance and Statement of**
17 **Revenues, Expenditures and Changes in Fund Balance Report.** The Director
18 of the Department of Administration *shall* submit a Monthly Working Trial
19 Balance and Statement of Revenues, Expenditures and Changes in Fund Balance
20 Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a
21 Microsoft Excel file and written report, *no later than* twenty (20) days after the end
22 of each month. Each monthly revenues, expenditures and changes in fund balance
23 report *shall* itemize: (a) the Revenues by (1) Individual Income Taxes, (2)
24 Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Business
25 Privilege Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses,
26 Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the
27 Expenditures by Department by Object Class; and (c) Other Sources (Uses) by

1 Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall*
2 be itemized by Fund transferred from and Transfers Out *shall* be itemized by Fund
3 transferred to. Each monthly report *shall* be posted on the Department of
4 Administration's website as a Microsoft Excel file *no later than* twenty (20) days
5 after the end of each month.

6 **Section 20. Reporting Requirements for Boards and Commissions.** The
7 governing boards and commissions of *all* agencies, public corporations, and
8 departments of the government of Guam that are *not* appropriated funds from the
9 General Fund pursuant to this Act *shall* provide electronic copies of the monthly
10 board and commission meeting agendas, approved minutes, and other attachments
11 and addendums as discussed in each monthly meeting, to *I Maga'låhen Guåhan*
12 and the Speaker of *I Liheslaturan Guåhan* *no later than* fifteen (15) days after the
13 end of said meeting and post the same on its website or the agency, public
14 corporation, or department to which it governs.

15 **Section 21. Re-assignment of Tax Credits.** Notwithstanding any other
16 provision of law, any assignable tax credits that are assigned to businesses,
17 corporations, or other entities on Guam from businesses, corporations, or other
18 entities on Guam granted such tax credits, used to pay for taxes due not from the
19 assignable tax source, *shall be* repaid from the tax source, from which the
20 assignable tax credit was granted, by the Director of the Department of
21 Administration. This Section *shall be* codified by the Guam Compiler of Laws.

22 **Section 22. CITIZEN-CENTRIC REPORTS.**

23 The Public Auditor of Guam, in collaboration with the Association of
24 Government Accountants, *shall* submit by October 31st of each year to the Speaker
25 of *I Liheslaturan Guåhan* and *I Maga'låhen Guåhan* a complete list of current and
26 outdated CITIZEN-CENTRIC REPORTS submitted by line agencies, and

- 1 autonomous and semi-autonomous agencies, public corporations, the Mayor's
- 2 Council of Guam, the Judiciary of Guam, and *I Liheslaturan Guåhan*.

CHAPTER XIV
COST ACCOUNTS

PART I – GOVERNMENT OF GUAM EMPLOYEE
MEDICAL, DENTAL, AND LIFE INSURANCE

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the medical, dental and life insurance appropriations for Fiscal Year 2012
3 maintain funding levels according to the maintenance of effort and according to its
4 expenditure levels in Fiscal Year 2011 less any negotiated decreases to FY 2011
5 premiums and maintaining the FY 2011 ratios for employer/employee and
6 employer/retiree contributions with the exception of a Two Thousand Dollars
7 (\$2,000) deductible health savings account medical insurance plan which *shall*
8 have a \$0 employee contribution.

9 **Section 2. Health Benefit Cost Account.**

10 (a) There is hereby created a Health Benefit Cost Account. All
11 appropriations to the Health Benefit Cost Account in this Act and subsequent Acts
12 for the health, life and dental premiums of departments or agencies *shall only* be
13 used by the Department of Administration to pay for health, life and dental
14 insurance premiums for the specified department or agency. This Cost Account
15 *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

16 (b) All health insurance carriers for the government of Guam *shall* file a
17 monthly written report with the Department of Administration aggregating the:

18 (1) Enrollees, both subscribers and dependents, by active employee
19 and retiree subscriber counts by plan by class by groups supported/paid by
20 the General Fund, detailed by agency/department; and enrollees, both
21 subscribers and dependents, by active employee and retiree subscriber
22 counts by plan by class by groups supported/paid by autonomous agencies of
23 the government of Guam, detailed by autonomous agency.

1 (2) Autonomous agencies within this Subsection *shall* include the
2 Guam Power Authority, the Guam Waterworks Authority, the Jose D. Leon
3 Guerrero Commercial Port, the A.B. Won Pat International Airport
4 Authority, the Guam Housing Corporation, the Guam Housing and Urban
5 Renewal Authority, the Guam Economic Development Authority, the
6 Government of Guam Retirement Fund, and the Guam Visitors Bureau.

7 (3) This report *shall* be filed with *I Maga'låhen Guåhan* and the
8 Speaker of *I Liheslaturan Guåhan* no later than twenty (20) days after the
9 end of each month of Fiscal Year 2012.

10 (c) All health insurance carriers for the government of Guam *shall* file a
11 monthly written report detailing each individual health insurance premium
12 payment received by the government of Guam health insurance carrier from the
13 government of Guam, by date and by agency to *I Liheslaturan Guåhan* no later
14 than twenty (20) days after the end of each month of Fiscal Year 2012.

15 (d) The Office of Public Accountability *shall* conduct a quarterly audit of
16 all reports submitted by insurance carriers by obtaining supporting documents from
17 all agencies and departments, autonomous or otherwise, of the government of
18 Guam to confirm and substantiate reported premium payments.

19 **Section 3.** Chapter VI of Public Law 31-74 is hereby *repealed*.

20 **Section 4. *I Maga'låhen Guåhan* Appropriation of Reimbursed Funds**
21 **from the Guam Waterworks Authority.**

22 The sum of Eighteen Million Three Hundred Thirty-Three Thousand Three
23 Hundred Thirty-Three Dollars (**\$18,333,333**) reimbursed and received from the
24 Guam Waterworks Authority (GWA) by the government of Guam in accordance
25 with Public Law 30-145 is hereby authorized for the following:

26 (a) The sum of Three Million Five Hundred Eleven Thousand
27 Nineteen Dollars (**\$3,511,019**) of the funds are authorized to pay for

1 medical, dental and life insurance premiums for government of Guam
2 employees during Fiscal Year 2012 pay periods fourteen (14) through
3 twenty-six (26) as delineated in Subsection (d) of this Section and Section 5,
4 Chapter XIV, Part I of this Act and Appendix I.

5 (b) The sum of Four Million Six Hundred Forty-Six Thousand Two
6 Hundred Two Dollars (**\$4,646,202**) of the funds are authorized to pay for
7 medical, dental and life insurance premiums for government of Guam
8 employees during Fiscal Year 2012 pay periods fourteen (14) through
9 twenty six (26) as delineated in Subsection (d) and Section 6, Chapter XIV,
10 Part I of this Act.

11 (c) The sum of Ten Million One Hundred Seventy-Six Thousand
12 One Hundred Twelve Dollars (**\$10,176,112**) of the funds are authorized to
13 pay for medical, dental and life insurance premiums for government of
14 Guam retirees during Fiscal Year 2012 for the months of May, June, July,
15 August and September as delineated in Subsection (d), Chapter XIV, Part I
16 of this Act.

17 (d) The following sums represent the allotments due for
18 appropriations of reimbursed funds from the GWA in Sections 5, 6 and 7(c),
19 Chapter XIV, Part I of this Act.

20 (e) Provided, however, that should any above appropriations be
21 paid from the use of proceeds from the sale of the Bonds, as provided for in
22 Section 1(j) of Chapter XV of this Act, prior to receipt of the reimbursement
23 from GWA, then all remaining proceeds from said reimbursements after
24 payment of the above *shall* be applied toward the repayment of Prior Year
25 Unpaid tax refunds.
26

			Section 5	Section 6	Section 7	
	PAY PERIOD	DATE	DOA	SEMI-AUTO	RETIREEES	TOTAL
3	14	4/7/2012	\$270,083	\$65,322		\$335,405
4	15	4/21/2012	\$270,078	\$381,740		\$651,818
5	16	5/5/2012	\$270,078	\$381,740	\$1,017,613	\$1,669,431
6	17	5/19/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
7	18	6/2/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
8	19	6/16/2012	\$270,078	\$381,740		\$651,818
9	20	6/30/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
10	21	7/14/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
11	22	7/28/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
12	23	8/11/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
13	24	8/25/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
14	25	9/8/2012	\$270,078	\$381,740	\$1,017,611	\$1,669,429
15	26	9/22/2012	\$270,078	<u>\$381,740</u>	<u>\$1,017,611</u>	<u>\$1,669,429</u>
16			\$3,511,019	\$4,646,202	\$10,176,112	\$18,333,333

17 **Section 5. Agency Expenses Appropriated to Health Benefit Cost**
18 **Account Administered by the Department of Administration.** Funds provided
19 in this Section are hereby appropriated from the General Fund, Special Funds and
20 the GWA Reimbursement to the Health Benefit Cost Account administered by the
21 Department of Administration as outlined in this Section for government of Guam
22 employees' medical, dental and life insurance premiums in Fiscal Year 2012. The
23 breakdown of fund sources by agencies is allocated in Appendix I. Medical, dental
24 and life insurance premiums for one hundred percent (100%) federally funded
25 positions are *not* appropriated in this Section, but *shall* be deposited into the Health
26 Benefit Cost Account. The appropriations and deposits to the Health Benefit Cost

1 Account *shall* apply to the following departments and agencies for Fiscal Year
 2 2012:

	Gen.& Spec. Funds	Gen.& Spec. Funds	GWA Reimburs.
	M/D Insur.	Life Insur.	M/D/L Insur.
5 Office of the Governor	\$47,857	\$12,798	\$87,992
6 Commission on Decolonization	\$739	\$152	\$1,358
7 Ancestral Lands Commission	\$1,765	\$457	\$3,246
8 Veteran's Affairs Office	\$2,359	\$914	\$4,338
9 BBMR	\$26,039	\$3,047	\$23,703
10 Civil Service Commission	\$10,609	\$1,524	\$19,507
11 Department of Administration	\$119,386	\$21,025	\$151,314
12 Guam Election Commission	\$6,096	\$914	\$11,209
13 Dept. of Revenue and Taxation	\$114,876	\$23,921	\$187,649
14 Bureau of Statistics and Plans	\$18,520	\$3,047	\$34,053
15 Department of Public Works	\$388,655	\$44,946	\$345,428
16 Contractors License Board	\$15,581	\$1,828	
17 PEALS Board		\$152	
18 Attorney General	\$85,789	\$14,322	\$157,737
19 Guam Police Department	\$347,448	\$55,764	\$638,836
20 Department of Corrections	\$244,523	\$34,586	\$449,592
21 Department of Agriculture	\$38,330	\$6,094	\$70,476
22 Public Health & Social Services	\$238,767	\$21,635	\$73,258
23 Guam Public Library	\$21,115	\$4,418	\$38,823
24 Department of Youth Affairs	\$74,812	\$11,275	\$113,755
25 Guam Environ. Protection Agency	\$19,369	\$1,067	
26 Mental Health & Substance Abuse	\$171,512	\$19,502	\$128,168
27 Department of Labor/AHRD	\$38,101	\$4,114	\$23,914

1	Department of Parks and Recreation	\$55,480	\$10,665	\$102,008
2	Dept. of Integrated Services for			
3	Individuals with Disabilities	\$7,369	\$1,828	\$13,549
4	Mayors Council of Guam	\$128,591	\$31,234	\$236,433
5	Department of Land Management	\$135,317	\$7,466	
6	Chief Medical Examiner	\$4,077	\$457	\$7,497
7	Customs and Quarantine Agency	\$324,560	\$22,549	
8	Department of Chamorro Affairs	\$10,881	\$2,133	\$20,006
9	Department of Military Affairs		\$305	
10	Guam Fire Department	\$315,136	\$44,489	\$511,835
11	PBS Guam	\$11,776	\$1,524	\$21,653
12	Guam Comm. for Ed. Cert.	\$4,426	\$457	\$8,137
13	Office of Public Accountability	\$13,895	\$2,438	\$25,548
14	Chamorro Land Trust Commission	\$26,116	\$1,676	
15	Guam Regional Transit Authority	\$27,045	\$1,067	
16	Total	\$3,096,917^{1/}	\$415,795^{1/}	\$3,511,022^{2/}

17 Funding Sources:

18 ^{1/}General Fund and Special Funds as outlined in Appendix I

19 ^{2/}GWA Reimbursement

20 **Section 6. Agency Medical, Dental and Life Insurance Expenses**
21 **Appropriated to Branches and Agencies.** Funds provided in this Section are
22 hereby appropriated from the General Fund, and the GWA Reimbursement to the
23 branches and agencies as outlined in this Section for government of Guam
24 employees' medical, dental, and life insurance premiums in Fiscal Year 2012.

	Gen.. Fund	Gen. Funds	GWA Reimburs.	
	M/D Insur.	Life Insur.	M/D/L Insur.	
3	Unified Judiciary of Guam	\$417,125	\$64,601	\$423,978
4	<i>I Liheslaturan Guåhan</i>	\$96,243	\$15,236	\$98,116
5	Department of Education	\$3,043,337	\$413,657	\$3,042,584
6	University of Guam	\$770,821	\$72,980	\$742,650
7	Guam Community College	\$283,350	\$33,214	\$278,615
8	Public Defender Service Corporation	<u>\$59,020</u>	<u>\$8,227</u>	<u>\$60,259</u>
9	Total	\$4,669,896^{1/}	\$607,915^{1/}	\$4,646,202^{2/}

10 Funding Sources:

11 ^{1/} General Fund

12 ^{2/} GWA Reimbursement

13 **Section 7. Retiree Medical, Dental and Life Insurance Expenses**
14 **Appropriated to the Government of Guam Retirement Fund (GGRF).** The
15 sum of Ten Million Four Hundred Sixty-Five Thousand Eight Hundred Twenty-
16 Eight Dollars (**\$10,465,828**) is appropriated from the General Fund, and the sum of
17 Two Million Eight Hundred Eight Thousand Two Hundred Fourteen Dollars
18 (**\$2,808,214**) is appropriated from the Section 2718 Fund to the GGRF to pay for
19 retiree benefits outlined in Subsection (a) for Fiscal Year 2012. The sum of Nine
20 Hundred Seventy-Two Thousand Five Hundred Fourteen Dollars (**\$972,514**) is
21 appropriated from the General Fund to the GGRF to pay for retiree benefits
22 outlined in Subsection (b) for Fiscal Year 2012. Ten Million One Hundred
23 Seventy-Six Thousand One Hundred Twelve Dollars (**\$10,176,112**) is appropriated
24 from the GWA Reimbursement to the GGRF to pay for retiree benefits outlined in
25 Subsection (a) for Fiscal Year 2012 for the months of May, June, July, August and
26 September.

1 (a) Retiree group medical and dental insurance premiums to
2 continue existing programs currently contained in the semi-monthly
3 payments; and

4 (b) Retiree life insurance subsidy to continue existing programs
5 currently contained in the semi-monthly payments.

CHAPTER XIV
COST ACCOUNTS
PART II – GOVERNMENT OF GUAM AGENCIES’
UTILITY COST ACCOUNTS

1 **Section 1. Legislative Intent.** It is the intent of *I Liheslaturan Guåhan*
2 that the power and water/sewer costs appropriations for Fiscal Year 2012 cover the
3 reasonably expected increases or decreases in power and water/sewer rates
4 utilizing the actual costs, by agency, as submitted by the Guam Power Authority
5 and the Guam Waterworks Authority.

6 **Section 2. Utility Cost Account.** There is hereby created a Utility Cost
7 Account. All appropriations to the Utility Cost Account in this Act and subsequent
8 Acts for power and water/sewer of departments or agencies *shall* be released from
9 the Utility Cost Account monthly at the rate of one-twelfth (1/12) of the total
10 appropriation and used *exclusively* by the Department of Administration for
11 payments of utility charges for the specified departments or agencies. The Utility
12 Cost Account *shall not* be subject to *I Maga’låhen Guåhan’s* transfer authority.

13 **Section 3. Agency Expenses Appropriated to Utility Cost Account**
14 **Administered by the Department of Administration.** Funds provided in this
15 Section are hereby appropriated from the General Fund and Special Funds to the
16 Utility Cost Account administered by the Department of Administration as
17 outlined in this Section and further delineated by fund source in Appendix II for
18 each government of Guam agency in Fiscal Year 2012. The appropriations and
19 deposits to the Utility Cost Account *shall* apply to the following departments and
20 agencies for Fiscal Year 2012:

	<u>Power</u>	<u>Water</u>
Ancestral Lands Commission	\$4,700	\$600
Veteran's Affairs Office	\$11,000	\$1,032

	<u>Power</u>	<u>Water</u>	
1			
2	Department of Administration	\$265,000	\$33,000
3	Department of Public Works	\$1,099,729	\$206,486
4	Contractors License Board	\$15,000	\$0
5	PEALS Board	\$5,700	\$0
6	Guam Police Department	\$165,297	\$42,315
7	Department of Corrections	\$160,225	\$118,140
8	Department of Agriculture	\$142,000	\$36,500
9	Department of Public Health & Social Services	\$503,110	\$34,666
10	Guam Public Library	\$128,980	\$6,000
11	Department of Youth Affairs	\$56,275	\$26,118
12	Guam Environmental Protection Agency	\$81,406	\$11,387
13	Guam Solid Waste Authority	\$120,000	\$80,000
14	Department of Mental Health & Substance Abuse	\$600,000	\$25,000
15	Department of Parks and Recreation	\$295,717	\$444,111
16	Mayors Council of Guam	\$766,013	\$159,266
17	Department of Military Affairs	\$296,432	\$6,111
18	Guam Fire Department	\$357,206	\$77,493
19	PBS Guam	\$65,000	\$0
20	Chamorro Land Trust Commission	<u>\$21,750</u>	<u>\$0</u>
21	Total	\$5,160,540	\$1,308,225

22 **Section 4. Agency Utility Costs Appropriated to Branches and**
23 **Agencies.** Funds provided in this Section are hereby appropriated from the
24 General Fund to the branches and agencies as outlined in this Section for power
25 and water/sewer in Fiscal Year 2012 and further delineated in Appendix II.

	<u>Power</u>	<u>Water</u>	
26			
27	Unified Judiciary of Guam	\$1,046,236	\$37,733

1	<i>I Liheslaturan Guåhan</i>	\$198,177	\$8,599
2	University of Guam	\$4,024,457	\$121,423
3	Guam Community College	\$1,264,336	\$39,872
4	Public Defender Service Corporation	<u>\$48,000</u>	<u>\$0</u>
5	Total	\$6,581,206	\$207,627

CHAPTER XIV
COST ACCOUNTS

PART III - VACANCY POOL COST ACCOUNT

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that in reviewing the submittal of Bill 145-31 (COR), the Executive Branch’s
3 Budget Request for Fiscal Year 2012, the sum of Eleven Million Six Hundred
4 Fifty-Four Thousand Nine Hundred Twenty-Seven Dollars (**\$11,654,927**) was
5 requested to fill three hundred fifty-six (356) vacancies under the direction of *I*
6 *Maga’låhen Guåhan*.

7 *I Liheslatura* further finds that the funding level for the Guam Department of
8 Education (GDOE), included with *I Maga’låhi*’s request, was underfunded by over
9 Ten Million Dollars (**\$10,000,000**) below the adjusted authorized levels for Fiscal
10 Year 2011 and trended for organic growth.

11 *I Liheslatura* recognizes that funding these vacancies as requested by *I*
12 *Maga’låhi* and allowing appropriation levels for GDOE to fall below its current
13 requirements, also as proposed by the Executive Branch, is tantamount to an
14 egregious sacrifice in the quality of education for the students of Guam who
15 already experience the downfall of financial disturbances at their school campuses
16 and in the classrooms.

17 It is the intent of *I Liheslaturan Guåhan*, therefore, that vacancies in Fiscal
18 Year 2012 that are funded by the General Fund *shall not* be included in
19 appropriations in this Act.

20 **Section 2. Vacancy Pool Cost Account Funded by Special Funds.**

21 There is hereby created a Vacancy Pool Cost Account for which all appropriations
22 from specified Special Funds listed in Section 3, Part III of this Chapter to the
23 Vacancy Pool Cost Account in this Act and subsequent Acts for vacant positions of
24 the Executive Branch departments, *unless* otherwise stated, *shall* be deposited in to

1 the Vacancy Pool Cost Account. This Cost Account *shall only* be used to pay
2 salaries of new hires, funded by Special Funds, after October 1, 2011 for positions
3 unfilled at the beginning of FY 2012 for the specified agency.

4 This Cost Account *shall not* be subject to *I Maga'låhen Guåhan's* transfer
5 authority, but corresponding amounts *shall* be transferred by the Bureau of Budget
6 and Management Research (BBMR) to an agency or department to be used for
7 payroll upon the filling of an authorized position.

8 The Cost Account *shall* be available to pay the salaries of employees who
9 are returning to their government positions from military deployment, who were
10 *not* in the previous fiscal year staffing pattern, drawing a salary. Certification of the
11 availability of funds for the recruitment GG1s for all vacancies to be filled using
12 the Vacancy Pool Cost Account *shall* be processed by BBMR.

13 **Section 3. Agency Expenses Appropriated to Vacancy Pool Cost**
14 **Account Administered by the Department of Administration.** Funds provided
15 in this Section are hereby appropriated from the General Fund and Special Funds
16 as specified below and further delineated by fund source in Appendix III to the
17 Vacancy Pool Cost Account administered by the Department of Administration
18 and as outlined in this Section for Fiscal Year 2012. The appropriations and
19 deposits to the Vacancy Pool Cost Account *shall* be allotted to the departments or
20 agencies upon hiring *not to exceed* the projected remaining salary and benefits for
21 Fiscal Year 2012:

22 Commission on Decolonization	\$132,926
23 Veteran's Affairs Office	\$31,092
24 Department of Revenue & Taxation	\$390,253
25 PEALS Board	\$113,903
26 Department of Agriculture	\$18,874
27 Department of Labor/AHRD	\$70,874

1	Department of Integrated Services for Individual with Disabilities	\$22,556
2	Department of Land Management	\$109,330
3	Customs and Quarantine Agency	\$109,563
4	Chamorro Land Trust Commission	\$42,490
5	Guam Regional Transit Authority	<u>\$101,972</u>
6	Total	\$1,143,833

CHAPTER XV
REVENUE ANTICIPATION FINANCING

1 **Section 1. Revenue Anticipation Financing.** A new § 1512.3 is *added* to
2 Title 5 Guam Code Annotated to read as follows:

3 “§ 1512.3. **Authorization to Issue Bonds for Revenue Anticipation**
4 **Financing.**

5 (a) **Authorization of Issuance of Bonds.** *I Maga’lahen Guåhan* is
6 authorized to issue two or more series of bonds of the Government of Guam as
7 provided in this Section, in an aggregate principal amount not to exceed three
8 hundred forty-three million seven hundred thousand Dollars (\$343,700,000) to
9 provide the following: (i) funds for the payment of unpaid income tax refunds, for
10 the payment of cost of living adjustments to certain retired former government of
11 Guam employees pursuant to the case known as *Rios v. Camacho*, and, if no
12 alternate source of funding is available, for the payment of health insurance
13 premiums for fiscal year 2012; (ii) such amount as may be needed to capitalize and
14 pay from bond proceeds interest on the bonds due, accruing or required to be set
15 aside in Fiscal Year 2012 and 2013; (iii) any appropriate or necessary debt service
16 reserve; (iv) any appropriate or necessary working capital reserve (herein called the
17 "Budget Stabilization Account"); and (v) expenses incurred in connection with the
18 issuance of such bonds not already included in an existing appropriation for or the
19 regular budget of any Government agency or instrumentality or public
20 corporation providing any service in connection with the issuance of such bonds;
21 *provided, however*, that bonds may not be issued in an amount that would cause a
22 violation of the debt limitation provisions of 48 USC 1423a (§ 11 of the Organic
23 Act of Guam).

1 **(b) Terms and Conditions Determined by Certificate or Indenture.**

2 The terms and conditions of the bonds *shall* be as approved by *I Liheslaturan*
3 *Guåhan*, and as determined by *I Maga'lahen Guåhan* by the execution of a certificate
4 *or* indenture authorizing the issuance of the bonds, prior to the issuance of the
5 bonds; provided, however, that such terms and conditions *shall* be consistent with
6 this Section, and that each series of the bonds *shall* mature *not later than* thirty-five
7 (35) years after its respective date of issuance, *shall* bear interest at such rates and
8 be sold for such price *or* prices as *shall* result in a yield to the bondholders that
9 *does not exceed* eight percent (8%) per annum, *shall* require interest only
10 payments for Fiscal Years 2012, 2013 and 2014 and *shall not* require bond
11 principal payments until after such Fiscal Years.

12 **(c) Valid and Binding Limited Obligations.** The certificate or

13 indenture pursuant to which the bonds authorized by this Section are issued *shall*
14 provide that the bonds constitute the valid and legally binding limited obligations of
15 the Government of Guam payable from the revenues as defined in the
16 certificate or indenture. The validity of any such bonds *shall not* be affected by the
17 validity or regularity of any proceedings for the payment of the costs and
18 expenses funded by such bonds. All officers charged by law with any duty in the
19 collection of the revenues of the Government from which debt service on the
20 bonds will be payable *shall* do every lawful thing necessary to collect such sum.
21 The validity of any such bonds *shall not* be affected by the validity *or* regularity of
22 any proceedings for the payment of the expenses paid *or* to be paid with the
23 proceeds of the bonds.

24 **(d) Pledge of Business Privilege Tax Revenues.** The certificate or

25 indenture pursuant to which the bonds authorized by this Section are issued *may*
26 provide that the tax revenues derived from the levy of up to three (3) percentage

1 points, out of the total number of percentage points levied from time to time, of the
2 business privilege tax levied pursuant to Article 2 of Chapter 26 of Title 11 of the
3 Guam Code Annotated, or any successor thereto, are pledged to secure the
4 repayment of any bonds issued under this Section and to pay costs incurred in the
5 issuance or administration of the bonds and any required reserves. Any such
6 pledge made to secure the bonds *shall* be valid and binding from the time the
7 pledge is made. The revenues pledged and thereafter received by the government
8 of Guam or by any trustee, depository or custodian *shall* be deposited in a separate
9 account entitled the “RAF Revenue Fund” and *shall* be immediately subject to the
10 lien of such pledge without any physical delivery thereof or further act, and the
11 lien of such pledge *shall* be valid and binding against all parties having claims of
12 any kind in tort, contract or otherwise against the government of Guam or such
13 trustee, depository or custodian, irrespective of whether the parties have notice
14 thereof. The certificate or indenture by which such pledge is created need not be
15 recorded, and *shall* direct the distribution and disbursement of revenues from the
16 RAF Revenue Fund following their deposit therein. All such taxes, to the extent
17 so pledged, are hereby continuously appropriated for such purpose. So long as
18 any bonds issued pursuant to § 1512.3, Title 5 Guam Code Annotated remain
19 outstanding, the Government of Guam may not reduce the rate of levy and
20 collection of the pledged business privilege tax below three percent (3%), nor may
21 the government of Guam reduce the services, products or activities to which the
22 pledged Business Privilege Tax applies, nor may the government of Guam
23 upwardly adjust any exception or exclusion to, or otherwise impair, the pledged
24 business privilege tax.

25 (e) **Additional Bonds.** This Section does not prohibit the government
26 of Guam from issuing, after appropriate enabling legislation, other obligations of

1 the government that are general obligations of the government. *This* Section does not
2 prohibit the government of Guam from issuing, after appropriate enabling
3 legislation, other obligations of the government that are secured by pledged
4 Business Privilege Tax revenues on a parity with or subordinate to the bonds
5 authorized by this Section on such terms as are provided by the certificate or
6 indenture pursuant to which the bonds are issued. Such certificate or indenture
7 *may* also provide that the aggregate principal amount of all bonds outstanding
8 on a parity with the bonds authorized pursuant to this Section with respect to
9 pledged Business Privilege Tax revenues shall not exceed six hundred million
10 Dollars (\$600,000,000). Notwithstanding anything to the contrary in this
11 Subsection (e), the certificate or indenture pursuant to which the bonds are
12 issued *shall* provide that such limitation shall not apply to additional bonds
13 issued for the sole purpose of refunding outstanding bonds authorized under by
14 this Section, paying costs of issuance and funding any required debt service reserves
15 associated therewith, and *may* otherwise provide for the raising of such limitation
16 under such circumstances as may be specified therein.

17 (f) **Waiver of Immunity; Submission to Jurisdiction.** Notwithstanding
18 any substantive or procedural provision of Chapter 6 of Title 5, Guam Code
19 Annotated, the Government of Guam waives immunity from any suit or action in
20 contract on the bonds or any other agreement or facility entered into in connection
21 with the bonds, but does not waive immunity as to the personal liability of elected
22 officials and employees of the Government of Guam. Any such suit or action
23 shall be brought in the District Court of Guam.

24 (g) **No Personal Liability.** No employee or elected official of the
25 Government of Guam shall be individually or personally liable for the payment of
26 any amounts due on any bonds issued under this Section, or for any other liability

1 arising in connection with the bonds; *provided, however*, that nothing in this
2 Section shall relieve any employee or elected official from the performance of a
3 ministerial duty required by law.

4 (h) **Form of Bonds; Covenants; Appointment of Fiduciaries.** The
5 technical form and language of the bonds, including provisions for execution,
6 exchange, transfer, registration, paying agency, lost or mutilated bonds,
7 negotiability, cancellation and other terms or conditions not inconsistent with this
8 Section, including covenants relating to the collection and application of
9 revenues, *shall* be as specified in the certificate or indenture executed by *I*
10 *Maga'lahaen Guåhan* authorizing issuance of the bonds. Said certificate or
11 indenture *shall* appoint one or more trustees, co-trustees or other fiduciaries
12 authorized to receive and hold in trust the proceeds of the bonds, the revenues and
13 other moneys relating thereto, to protect the rights of bondholders and to perform
14 such other duties as may be specified in the indenture. *I Maga'lahaen Guåhan* is also
15 authorized to execute any appropriate agreements, certificates or other
16 instruments relating to the bonds and the sale of bonds.

17 (i) **Authorization for Credit Enhancement.** *I Maga'lahaen Guåhan* is
18 authorized to enter into such contracts or agreements with such banks,
19 insurance companies or other financial institutions as he determines are necessary or
20 desirable to improve the security and marketability of the bonds issued under this
21 Section. Such contracts or agreements *may* obligate the Government to
22 reimburse, with interest, any such banks, insurance companies or other financial
23 institutions for advances they make to pay principal of or interest on the bonds and
24 to indemnify any such banks, insurance companies or other financial
25 institutions for costs and expenses incurred in connection with any such advance.
26 Any such reimbursement obligation and any other obligations of the Government of

1 Guam under such contracts or agreements *shall* be limited obligations of the
2 Government of Guam payable from and secured by the revenues as provided by the
3 certificate *or* indenture. Any such reimbursement obligation and any other obligations
4 of the Government of Guam under such contracts or agreements *shall* be treated, under
5 § 11 of the Organic Act, as creating an obligation issued to refund the bonds.

6 (j) **Use of Proceeds from the Sale of the Bonds.** The proceeds from
7 the sale of the first series of the bonds, which may be sold in one or more series or
8 subseries (collectively, the “Series A Bonds”), *shall* be used and are hereby
9 appropriated to (i) pay one hundred eighty-seven million dollars (\$187,000,000) of
10 unpaid income tax refunds and pay twenty million dollars (\$20,000,000) of cost
11 of living adjustments to certain retired former government of Guam employees
12 pursuant to the case known as *Rios v. Camacho*; (ii) fund capitalized interest due,
13 accruing or required to be set aside on the Series A Bonds prior to the end of Fiscal
14 Year 2013; (iii) establish any appropriate or necessary debt service reserve; (iv)
15 establish any appropriate or necessary Budget Stabilization Account; and (v) pay
16 expenses relating to the authorization, sale and issuance of the Series A Bonds,
17 including, without limitation, printing costs, costs of reproducing documents, credit
18 enhancement fees, underwriting, legal, feasibility, financial advisory and accounting
19 fees and charges, fees paid to banks *or* other financial institutions providing credit
20 enhancement, costs of credit ratings and other costs, charges and fees in
21 connection with the issuance, sale and delivery of the Series A Bonds.

22 The proceeds from the sale of the second series of the bonds, which may be
23 sold in one or more series or subseries (collectively, the “Series B Bonds”), *shall* be
24 used and are hereby appropriated to (i) pay unpaid income tax refunds and, if no
25 alternate source of funding is available, pay health insurance premiums for fiscal
26 year 2012; (ii) fund capitalized interest due, accruing or required to be set aside on

1 the Series B Bonds prior to the end of Fiscal Year 2013; (iii) establish or make a
2 deposit to any appropriate or necessary debt service reserve; (iv) establish or make a
3 deposit to any appropriate or necessary Budget Stabilization Account; and (v) pay
4 expenses relating to the authorization, sale and issuance of the Series B Bonds,
5 including, without limitation, printing costs, costs of reproducing documents, credit
6 enhancement fees, underwriting, legal, feasibility, financial advisory and accounting
7 fees and charges, fees paid to banks *or* other financial institutions providing credit
8 enhancement, costs of credit ratings and other costs, charges and fees in
9 connection with the issuance, sale and delivery of the Series B Bonds. The Series
10 B Bonds *shall* not be issued prior to February 1, 2012.

11 (k) **Permitted Investments.** The bond proceeds and any revenues
12 pledged to secure the payment of the bonds are authorized to be, and shall only be,
13 invested in those investments permitted by the certificate or indenture pursuant
14 to which such bonds are issued. Permitted investments shall include investment
15 agreements, forward purchase agreements or similar structured contracts as
16 further described in the certificate *or* indenture authorizing the issuance of the
17 bonds.

18 (l) **Approval by Guam Economic Development Authority.** No
19 bonds authorized by this Section shall be sold until the Board of Directors of
20 GEDA has approved the sale by resolution.

21 (m) **Approval of Voters Not Required.** The issuance of bonds
22 pursuant to this Section *shall not* be subject to the approval of the voters of Guam.

23 (n) **Approval of Bonds.** *I Liheslaturan Guåhan*, pursuant to subsection (b)
24 of this Section and § 50103(k), Title 12 Guam Code Annotated, hereby approves the
25 issuance and sale by the Government of Guam of the Series A Bonds and the

1 Series B Bonds for the purposes and in the aggregate principal amount authorized
2 by § 1512.3, Title 5 Guam Code Annotated; provided that such bonds are issued and
3 sold subject to the terms, conditions, requirements and limitations mandated
4 therein.

5 (o) **Deposit of Bond Proceeds to Pay Income Tax Refunds.** The
6 portion of the bond proceeds authorized by this Section that is mandated to pay
7 income tax refunds *shall* be transferred immediately after receipt thereof by the bond
8 trustee into the Income Tax Reserve Fund.

9 (p) **Bond Proceeds Not Subject to Transfer Authority.** The proceeds
10 of the bonds authorized by this Section *shall not* be subject to any transfer
11 authority of *I Maga'lahen Guåhan*.”

12 **Section 2. Amendment of Real Property Tax Provisions.**

13 (a) **Intent of Amendments.** The intent of the amendments made by this
14 Section is that real property taxpayers have the same amount of liability to the
15 government of Guam and the Chamorro Land Trust Commission after the
16 effectiveness of the amendments as they did before such effectiveness, and the
17 amended sections shall be administered consistent with that intent.

18 (b) **Amendments.** §§ 24102(a), 24102(f) and 24103 of Article 1 Chapter
19 24 Division 2 of Title 11 GCA; §§ 24401, 24402, 24404, 24405, 24406 and 24407
20 of Article 4 Chapter 24 Division 2 of Title 11 GCA; and § 75112(i) of Chapter 75
21 of Title 21 GCA are hereby amended to read as follows:

22 “§ **24102.** (a) *Property* means land and improvements on land, and includes
23 the interest of a lessee or licensee of land owned by the Chamorro Land Trust
24 Commission.”

1 “§ 24102. (f) *Value, full cash value, fair market value and cash value means*
2 ~~ninety percent (90%)~~ mean one hundred percent (100%) of the appraised value;
3 *appraised value* means the amount at which property would be taken in payment of
4 a just debt from a solvent debtor as determined by the last completed valuation
5 conducted pursuant to ~~§ 24306, Title 11, Guam Code Annotated~~ Title 11 GCA
6 §24306, as amended by the annual adjustments mandated in this Chapter. The
7 appraised value of the interest of a lessee or licensee of land owned by the
8 Chamorro Land Trust Commission shall be the appraised value of the land, not
9 including improvements.”

10 “§ 24103. **Levy.**

11 There is hereby levied on all land property in Guam a yearly tax at the rate of
12 ~~seven-seventy seconds (7/72%)~~ seven-eighths percent (0.0875%) of the value
13 thereof and ~~seven-eighths percent (7/18%)~~ seven-twentieths percent
14 (0.3500%) of the value of the improvements thereon. Such tax shall be assessed and
15 collected in the manner prescribed in this Chapter. All proceeds derived by the
16 government under any provision of this Chapter *shall* be deposited in the Treasury
17 of Guam to the credit of the General Fund.”

18 “§ 24401. **Exemptions: Listed.**

19 The following property is exempt from real property taxes and shall not be assessed:

20 (a) All property title to which is in the United States or the government of
21 Guam, except for the interest of a lessee or licensee in land owned and leased or
22 licensed by the Chamorro Land Trust Commission;

23 (b) All property which is being used for public roads or easements;

1 (c) All property used exclusively for educational, religious, or other
2 eleemosynary purposes;

3 (d) Property included in any cemetery in use as such and not conducted for
4 profit.

5 (e) Property upon which the provisions of 21 GCA § 61504 prohibit the
6 construction of buildings.

7 (f) Property use in active farming for at least eight (8) months in any tax year.”

8 **“§ 24402. Home Tax Exemption.**

9 The owner of a home shall ~~be entitled to an exemption in determining the value~~
10 ~~thereof for the purpose of assessing real property to the following extent: the first~~
11 ~~Fifty Thousand Dollars (\$50,000.00) of the appraised value of improvements,~~
12 ~~consisting of a building used as a dwelling and any outbuilding, and the land on~~
13 ~~which it is located, the exemption being applied first to the improvements and the~~
14 ~~balance, if any, to the land.~~ pay a real property tax on the value of the
15 improvements at a rate equal to the rate that would otherwise apply pursuant to
16 Section 24103 or Section 24110, as applicable, times the ratio of (i) the appraised
17 value of the improvements minus Fifty Thousand Dollars (\$50,000.00) (but not
18 less than zero), divided by (ii) the appraised value of the improvements; and shall
19 pay a real property tax on the value of the land at a rate equal to the rate that would
20 otherwise be applicable pursuant to Section 24103 or Section 24110 times the ratio
21 of (i) the appraised value of the land minus the excess, if any of Fifty Thousand
22 Dollars (\$50,000.00) over the appraised value of the improvements (but not less
23 than zero), divided by (ii) the appraised value of the land. Those taxpayers who
24 previously qualified for home tax exemptions shall automatically qualify for the
25 rates contained herein.”

1 **“§ 24404. Limitation.**

2 The ~~exemption~~ rates provided by Section 24402 shall not be allowed for more than
3 one home for any one owner.”

4 **“§ 24405. Same: Husband and Wife.**

5 A husband and wife shall be permitted one home ~~exemption~~ subject to the rates
6 provided in Section 24403, where entitled thereto, whether the home is community
7 property or not, and shall not be permitted ~~an exemption~~ those rates for separate
8 homes for each of them, unless they are living separate and apart, in which case the
9 amount of the exemption shall be divided equally between them.”

10 **“§ 24406. Same: Commercial Use.**

11 A person whose home comprises property that is used in part for commercial
12 purposes shall not be entitled to ~~an exemption~~ the rates provided by Section 24402,
13 except as to a building, or a separate portion thereof or apartment therein, that is
14 exclusively used and occupied by him or her as his or her permanent residence;
15 provided, further, that in the case of a separate portion or apartment, the amount of
16 the exemption shall be prorated on the basis that the appraised value of the separate
17 portion or apartment bears to the total appraised value of the building.”

18 **“§ 24407. Same: Ownership in Common.**

19 Where property is owned in common, the ~~exemption~~ \$50,000 amount provided in
20 the formulas in Section 24402 shall be prorated among the owners.”

21 **“§ 75112(i). Applicable Taxes on Chamorro Homelands.** Notwithstanding
22 any other provision of law:

1 (1) Taxes on Chamorro Land Trust Land. The holder of any lease or license
2 for the occupation or beneficial use of Chamorro Homelands shall be subject to all
3 applicable taxes on the lessee's or licensee's interest in the land and on any
4 improvements to any tract land so leased or licensed. Taxes assessed for
5 ~~improvements~~ shall be collected by the Department of Revenue and Taxation,
6 which shall maintain a separate record for all such taxes collected.

7 (2) ~~Payment in Lieu of Real Property Taxes on Chamorro Land Trust Land.~~
8 ~~In lieu of payment of real property taxes, the holder of any lease or license for the~~
9 ~~occupation or beneficial use of Chamorro Homelands shall pay to the Department~~
10 ~~of Revenue and Taxation the equivalent sum which would otherwise be paid to the~~
11 ~~government of Guam in real property taxes, as if the tract or tracts were taxable~~
12 ~~private real property. For the purpose of accessing payment in lieu of taxes, the~~
13 ~~Department of Revenue and Taxation shall determine and collect an assessment in~~
14 ~~a manner consistent with the assessment of real property taxes for privately owned~~
15 ~~real property. The Department of Revenue and Taxation shall maintain a separate~~
16 ~~record of all payments in lieu of taxes collected.~~

17 (3) ~~Deposit and Earmarking of Funds Collected. All taxes on improvements~~
18 ~~or payments in lieu of taxes identified in Items 1 and 2 of Subsection (i) of this~~
19 ~~Section shall be deposited in the Chamorro Loan Guarantee Fund, and is~~
20 ~~earmarked to carry out the purposes set forth pursuant to this Chapter.”~~

21 **Section 3. Additional Child Tax Credit Reimbursements.**

22 (a) No less than ninety percent (90%) of all Additional Child Tax Credit
23 (ACTC) reimbursements received by the government of Guam shall be deposited
24 directly into the Income Tax Refund Efficient Payment Trust Fund of Chapter 51,
25 Title 11, Guam Code Annotated and applied to “A” Status returns. Interest

1 earned in the Fund may be used to hire seasonal employees to assist with income
2 tax processing.

3 (b) No less than ten percent (10%) of all ACTC reimbursements
4 received by the government of Guam shall be deposited into the General Fund
5 and are hereby appropriated from the General Fund to fund vacancies and
6 overtime for the Department of Revenue and Taxation (DRT) Income Tax
7 Processing and Income Tax Enforcement Divisions and to fund DRT related data
8 processing activities, services, inclusive of e-filing of taxes, and revaluation of
9 property tax assessment as determined by the Director of the Department of
10 Revenue and Taxation.

11 **Section 4. Refunding of 1993 General Obligation Bonds for Savings.**

12 A new § 1512.4 is *added* to Title 5 Guam Code Annotated to read as follows:

13 **“§1512.4. Authorization to Issue General Obligation Bonds to Refund**
14 **Government of Guam General Obligation Bonds, 1993 Series A.**

15 (a) **Authorization of Issuance of Bonds.** *I Maga’lahen Guåhan* is authorized
16 to issue bonds of the government of Guam as provided in this Section, in an
17 aggregate principal amount not to exceed the amount necessary to provide for the
18 following: (i) the refunding of all or a portion of the Government of Guam General
19 Obligation Bonds, 1993 Series A, (ii) capitalizing and paying from bond proceeds
20 interest on the bonds accruing or due in Fiscal Year 2012, and (iii) paying expenses
21 incurred in connection with the issuance of such bonds not already included in an
22 existing appropriation for or the regular budget of any Government agency or
23 instrumentality or public corporation providing any service in connection with
24 the issuance of such bonds; *provided, however*, that bonds may not be issued in an
25 amount that would cause a violation of the debt limitation provisions of 48 USC

1 1423a (§ 11 of the Organic Act of Guam). The issuance of the bonds shall be
2 subject to the following additional limitations and conditions: (1) all obligation of
3 the Government to pay debt service on the 1993 Series A bonds being refunded
4 shall be discharged concurrently with the issuance of the refunding bonds and
5 thereafter any remaining debt service on the refunded 1993 Series A bonds shall be
6 payable solely from and secured solely by a refunding escrow established for such
7 purpose; and (2) the present value in the aggregate of debt service on the refunding
8 bonds shall be at least two percent (2.0%) less than the present value in the
9 aggregate of debt service on the refunded bonds, using the yield on the refunding
10 bonds as the discount rate.

11 (b) **Terms and Conditions Determined by Certificate or Indenture.**

12 The terms and conditions of the bonds shall be as determined by *I Maga'laha*
13 *Guåhan* by the execution of a certificate or indenture authorizing the issuance of
14 the bonds upon or prior to the issuance of the bonds; provided, however, that such
15 terms and conditions shall be consistent with this Section, and that the bonds shall
16 mature not later than the year after final year in which the refunded bonds mature.

17 (c) **Valid and Binding General Obligations.**

18 The bonds authorized by this Section shall constitute the valid and binding general obligations of the
19 government of Guam. The government of Guam pledges its full faith and credit
20 for the punctual payment of both principal of and interest on the bonds. There
21 shall be collected annually in the same manner and at the same time as government
22 revenue for other purposes is collected, such sum as is required to pay the principal
23 of and interest on the bonds. All officers charged by law with any duty in the
24 collection of revenues of the government from which debt service on the bonds
25 will be payable shall do every lawful thing necessary to collect such sum. The

1 validity of any such bonds shall not be affected by the validity or regularity of any
2 proceedings for the expenditure of the proceeds of the bonds.

3 (d) **Appropriations from the General Fund.** There is hereby
4 appropriated from the General Fund such amount as will equal in each year the
5 amount of money necessary to pay the principal and interest on such bonds.

6 (e) **Additional Bonds.** Nothing in this Section shall be construed to
7 prevent the government of Guam from issuing, after appropriate enabling
8 legislation, other obligations of the government secured by the general obligation
9 of the government on a parity with or subordinate to the bonds authorized by this
10 Section on such terms as may be provided by the indenture or certificate pursuant
11 to which the bonds are issued.

12 (f) **Waiver of Immunity; Submission to Jurisdiction.** Notwithstanding
13 any substantive or procedural provision of Chapter 6 of Title 5 Guam Code
14 Annotated, the government of Guam waives immunity from any suit or action in
15 contract on the bonds, but does not waive immunity as to the personal liability of
16 elected officials and employees of the government of Guam.

17 (g) **No Personal Liability.** No employee or elected official of the
18 government of Guam shall be individually or personally liable for the payment of
19 any amounts due on any bonds issued under this Section, or for any other liability
20 arising in connection with the bonds; provided, however, that nothing in this
21 Section shall relieve any employee or elected official from the performance of any
22 ministerial duty required by law.

23 (h) **Form of Bonds; Covenants; Appointment of Fiduciaries.** The
24 technical form and language of the bonds, including provisions for execution,

1 exchange, transfer, registration, paying agency, lost or mutilated bonds,
2 negotiability, cancellation and other terms or conditions not inconsistent with this
3 Section, including covenants relating to the collection of revenues, shall be as
4 specified in the certificate or indenture executed by I Maga'lahañ Guåhan
5 authorizing the issuance of the bonds. *I Maga'lahañ Guåhan* is also authorized to
6 execute, on behalf of the government of Guam, any appropriate agreements,
7 certificates or other instruments relating to the bonds, the sale of bonds and the
8 payment of the refunded bonds.

9 (i) **Authorization for Credit Enhancement.** *I Maga'lahañ Guåhan* is
10 authorized to enter into such contracts or agreements with such banks, insurance
11 companies or other financial institutions as he determines are necessary or
12 desirable to improve the security and marketability of the bonds issued under this
13 Section. Such contracts or agreements may contain an obligation to reimburse,
14 with interest, any such bank, insurance company or other financial institution for
15 advances it makes to pay the principal of or interest on the bonds and to indemnify
16 any such bank, insurance company or other financial institution for costs and
17 expenses incurred in connection with any such advance. Any such reimbursement
18 obligation and any other obligations of the government under such contracts or
19 agreements shall be general obligations of the government of Guam and any such
20 advance, if necessary, shall be treated for Organic Act purposes as creating an
21 obligation issued to refund the bonds.

22 (j) **Use of Proceeds from the Sale of the Bonds.** The proceeds from the
23 sale of the bonds shall be used and are hereby appropriated to (1) establish an
24 escrow for the payment of the refunded bonds; (2) to pay interest on the bonds
25 accruing or due in Fiscal Year 2012, (3) to pay expenses incurred in connection with
26 the issuance of such bonds not already included in an existing appropriation for or

1 the regular budget of any Government agency or instrumentality or public
2 corporation providing any service in connection with the issuance of such bonds.
3 The proceeds of the bonds shall not be subject to any transfer authority of *I*
4 *Maga'lahaen Guåhan*.

5 (k) **Permitted Investments.** The proceeds of the bonds and any debt
6 service deposits relating to such bonds may be invested in, but only in, the types of
7 investments permitted by the certificate or indenture pursuant to which such bonds
8 are issued. Permitted investments shall include investment agreements, forward
9 purchase agreements or similar structured contracts as further described in the
10 certificate *or* indenture authorizing the issuance of the bonds.

11 (l) **Approval by the Guam Economic Development Authority.** Title
12 12 Guam Code Annotated §50103(k) provides that agencies and instrumentalities
13 of the Government of Guam shall issue bonds and other obligations only by means
14 of and through the agency of the Guam Economic Development Authority
15 (GEDA). No bonds authorized by this Section shall be sold until the board of
16 directors of GEDA has adopted a resolution approving the sale.

17 (m) **Approval of Voters Not Required.** Notwithstanding Title 3 Guam
18 Code Annotated §§17311 and 17312, the issuance of the bonds authorized by this
19 Section shall not be subject to the approval of, or placed before, the voters of
20 Guam.

21 (n) **Approval of Bonds.** *I Liheslaturan Guåhan*, pursuant to §50103(k),
22 Title 12 Guam Code Annotated, hereby approves the issuance and sale by the
23 government of Guam of bonds for the purposes and in the principal amounts not to
24 exceed the purpose and limits set forth in this Section; *provided* that the conditions
25 to the issuance of such bonds, including but not limited to the savings requirement,

1 shall have been met, and that such bonds shall have a final maturity date not later
2 than the year after the final maturity of the refunded bonds.”

3 **Section 5. Reaffirmation of 5GCA, §22413.** a) Pursuant to and in
4 accordance with Chapter 22 of Title 5 of the Guam Code Annotated, *I Maga’lahen*
5 *Guåhan* is authorized to arrange a Line of Credit with any bank or commercial
6 lending institution licensed on Guam not to exceed Six Million Dollars
7 (\$6,000,000) without the approval of *I Liheslaturan Guåhan*. This Section merely
8 reaffirms 5GCA §22413, as amended, and is not intended to modify, alter, or
9 amend 5GCA §22413.

10 b) Notwithstanding any other provision of law, a report of the expenditures
11 pursuant to the Subsection above shall be submitted to *I Maga’lahen Guahan* and
12 the Speaker of *I Liheslaturan Guåhan* no later than thirty (30) days after the end of
13 each month.

14 **Section 6. Definitions and Use of the *Tiyan* Campus.** Section 2 of
15 Public Law 30-37 shall be amended to read: “The following meanings shall be
16 ascribed to the following capitalized terms used in this Act:

17 (a) *Government of Guam* shall mean the Government of Guam, its
18 agencies, divisions, and departments.

19 (b) *Lease* shall mean that certain Lease Agreement with Option to
20 Purchase entered into on June 23, 2009 between Core Tech International
21 Corporation, as Landlord, and the Government of Guam, as Tenant, as already
22 amended or as may become amended, whereby Government of Guam is to utilize

1 the Tiyan Campus, as defined below, for educational or other governmental
2 purposes, including accommodating any shortage of classrooms and school
3 facilities.

4 (c) *Tiyan Campus* shall mean the lease premises under the Lease and may
5 be utilized for educational or other governmental purposes, including
6 accommodating any shortage of classrooms and school facilities.

7 (d) *Lessor* shall mean the Landlord under the Lease. *Lessor*, as used in
8 this Act, shall also mean and include any assignee or transferee of the rights,
9 credits and off-sets as allowed in this Act.”

10 **Section 7. Other Provisions Unchanged.** Except as specifically modified
11 herein, all other provisions of Public Law 30-37 shall remain unchanged and in full
12 force and effect.

13 **Section 8. Suspension of interest accruing on COLA award amounts**
14 **due to unidentified COLA awardees’ beneficiaries, estates still in probate, and**
15 **other unresolved issues.** The lawsuit relating to Rios vs Camacho, Superior Court
16 Case No. SP0206-93 ruled in favor of the COLA Class. The Government of
17 Guam issued a General Obligation Bond 2009 with intentions to pay the full \$90
18 million settlement to the COLA recipients. Concurrently, the COLA Relief Act
19 was passed ordering the Government to pay 7% interest per annum calculated from
20 the settlement date on outstanding principal amount due to the COLA Awardees.
21 As a result, the bond proceeds were insufficient to pay the total COLA class

1 settlement award. As of this date, not all COLA claims have been resolved due to
2 estates in probate, unidentified beneficiaries, and/or other reasons beyond the
3 control of the Department of Administration, while the principal amount continues
4 to accrue interest. As such, for these class of recipients with unresolved
5 beneficiary or other issues, interest will no longer accrue effective September 30,
6 2011.

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