



OFFICE OF THE GOVERNOR OF GUAM

September 21, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trentai-unu na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Dear Madam Speaker:

Transmitted herewith is Substitute Bill No. 1(2-S) “**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**”, which I have signed into law as Public Law 31-77, simply to avert a government shutdown. If it were not for this reason, I would have vetoed it. Below are some of the reasons that would have compelled me to veto the bill, had it not been for the looming arrival of the new fiscal year:

In the FY 2012 Executive Budget Request submitted by my administration, the revenues presented therein were fully allocated to various departments and agencies based on their respective operational requirements. In that proposal was the restructuring of \$32M in debt service to make up the General Fund revenues needed to fund the departmental funding requirements, which included the Supplemental Budget shortfall funding for departments, medical/dental/life insurance, as well as the additional \$20M for DOE personnel that the Legislature funded through a one-time fund source (ARRA/SFSF) in FY11 that now has to come from the General Fund. After all the criticisms received from the Legislature about the \$32M restructuring, the Legislature added new borrowings of \$18M, as a fund source if the GWA revenues are not received, and \$26M for the Retirement Fund for a total of \$44M in additional borrowing. This is \$12M over this administration's restructuring proposal.

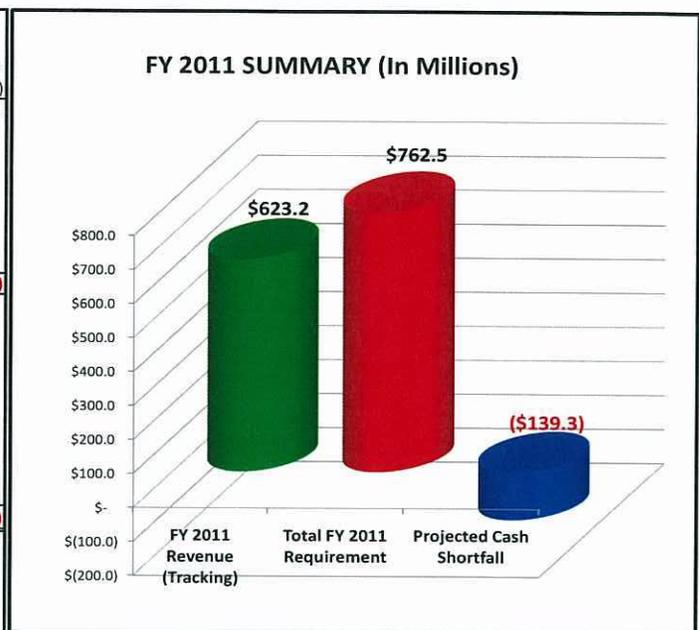
Phantom Appropriations & Financial Health

Chapter I, Section 2(F). Section 2718 Fund. This Section identifies \$7,545,989 in revenues from the Public Health Services Act and was added into the General Fund revenue section as Section 2718 Fund, which may or may not be received in this fiscal year and in the amount estimated. The appropriations made against this fund source may or may not have the revenues to support implementation of such appropriations. As I have stated, time and again, for the past three years, we cannot count on phantom revenue sources. ***This is how we got into this financial mess. This practice of buttering the revenues to adhere to the balanced budget principle is half of the cause of the decades-old structural imbalance of the General Fund.***

Chapter I, Section 5. Prior Year Obligations and Future Obligation Proposals. This section is mandating the payment of prior year and future obligations, when monthly revenue collections exceed the monthly revenue budget. *Exactly how do you propose this government will survive with the current cash crisis, when monthly cash collections fluctuate (as opposed to the monthly budget allotments) and fixed operational costs do not? This is unrealistic and will present major cash challenges.* The monthly projection of revenues based on a statistical weighting of historical collections, reflects the monthly cash collections fluctuation. If the projected cash collection in any given month falls below the minimum amount needed for the non-discretionary expenditures, but cash collected exceeds projections, this section mandates the set aside of the excess cash collected. This is unrealistic and irresponsible to implement as payless paydays and unpaid obligations will result. For example, if July's projected revenue collection is \$35M, actual collection is \$39M, ($\$39M - \$35M = \$4M$ excess) and required fixed costs are \$45M, we will be mandated to set aside the \$4M excess cash received even though the collections for July were \$10M less than what is needed. These fixed costs are the minimum requirements of cash disbursement needed for payroll, DOE allotments, Judiciary allotments, court-ordered payments, utilities, GMHA allotments, debt service, Supplemental Benefits, Supplemental Annuities, nonprofit organization vendors, MIP vendors, and others. This is the primary reason any excess cash over projections should not be prematurely allocated as proposed in Section 5, Chapter I until the financial results have been validated through the audit and other internal control processes. This will ensure the proper cash management of the available funds to account for the peaks and valleys in collections that occur during the year. Additionally, this section does not address how we will be able to pay all valid FY2011 payables, accruals and other liabilities, with FY2012 Cash Receipts since "excess" collections must be used to pay 50% COLA, 40% GFT lawsuit and 10% other prior year obligations.

This provision was included in Substitute Bill 145-31 which I vetoed. In my veto letter to the Legislature, I again attempted to direct attention to cash shortfall of the General Fund. This matter cannot be swept under the rug and ignored. The Democrat leadership continues to argue that "provisions for tax refunds" were funded in the budgets they passed and that there should have been funds set aside for payment of tax refunds. To reiterate what the Director of Administration has been explaining, if all the revenues that were adopted in this current year were actually collected and used to pay **ONLY** for expenses authorized in the FY 2011 Budget Act, then the cash available to pay **only the FY 2011 expenses** would still be short by **\$35M** because revenues were again over projected. However, because of over-projection of revenues adopted by the Legislature for the past three years, there are expenditures that were left unpaid and had to be carried forward into FY 2011. These unpaid obligations had to be paid, in addition to the unbudgeted court ordered payments and prior year tax refund payout, with FY 2011 revenues. If the government had indeed "set aside" the provision for tax refunds and the 2% Reserve, this government would have had to cut over \$100M worth of salaries and benefits which equate to an estimated 2,700 GovGuam employees funded by the General Fund. This would have had a catastrophic impact on government operations and services. I am reiterating this issue in an excerpt taken from my veto message of Substitute Bill 145-31 below:

FY 2011 SUMMARY	
Total Adopted General Fund Revenues	\$ 657.9
FY 2011 Tracking Over-Projection	\$ (34.7)
FY 2011 Revenue (Tracking)	\$ 623.2
Less FY 2011 Requirements:	
FY 2011 Appropriations	\$ 535.2
Provision for Tax Refunds	100.1
2% GF Reserve ^{1/}	10.9
Set-asides ^{2/}	11.7
Sub-total FY 2011 Requirements	\$ 657.9
	(\$34.7)
Less Unbudgeted Items:	
Unpaid Tax Refund - '09 and Prior	36.6
Permanent Injunction	10.7
Interfund Transfers - paid back	8.4
Solid Waste Operations Fund	2.3
Prior Year Payables	25.6
FY10 Cash Overdraft	18.0
Prior Year Debt - Bureau of Prisons	3.0
Sub-total Unbudgeted Items	\$ 104.6
Projected Cash Shortfall ^{3/}	(\$139.3)
<small>1/ Appropriations Cap of 98% of General Fund Revenue pursuant to §22436, Ch. 22, 5GCA 2/ GMHA Pharmaceuticals Fund: \$8,095,038; Tax Credit - JFK Rent: \$3,000,000; and Better Public Services Fund: \$590,591 3/ Based on Cash Shortfall, no deposits could be made to the Provision for Tax Refunds and 2% GF Reserve</small>	



"The FY11 cash shortage of \$139.3M, illustrated in the FY2011 Summary Table above, supports the government's inability to deposit funds into the Tax Refund Reserve Account, let alone pay the Unpaid Tax Refunds of over \$200M it owes to the people of Guam. The cash shortfall is a fact that this Administration has been aggressively *attempting to bring to the attention of Legislature but which has been continually ignored* as though it does not exist and does not have any bearing on tax refunds and the budget. This shortfall is the primary reason why we barely make payroll each pay period and is why we continue to delay payments to vendors. This shortfall is what prohibits me from releasing full allotments to the University of Guam, the Guam Community College, the Judiciary of Guam, the Executive line agencies and the special programs funded by the General Fund. *This shortfall is why this government cannot reserve cash for the Provision for Tax Refunds in which certain Senators continue to point out as being available to pay refunds because it is in the Budget Act. Passing a structurally unbalanced budget does not address the cash shortfall.*" (emphasis added)

Subsection (b) requires that we report the General Fund tax revenues on a cash basis. It should be noted that the current revenue report is based on the generally accepted government accounting principles which report revenues on the modified accrual basis of accounting. Revenues are recognized when "available and measureable" as defined by NCGAS1 paragraph 62. Reporting revenues on a cash basis will be tedious and will take a while as a detailed reconciliation to the AS400 will need to be completed.

Continuing Appropriations. *This is yet another phantom appropriation provision and, thus, empty promises to these agencies. Considering the important work these agencies do, and the customers they serve, it is disingenuous for the legislature to give the false hope that these agencies will receive the cash to back up the allotments for these continuing appropriations.* Contained in this bill are authorizations for continuing appropriations to the Legislature, United Judiciary, Office of Attorney General, Office of Public Accountability, Mayors' Council, and

many others. FY2011 General Fund actual revenues are tracking \$36M *below the adopted* General Fund revenues. The appropriation lapses of these entities, which are to be carried over into FY 2012 exist because there is not enough cash to remit full allotments in this fiscal year. *This is why the lapse exists in the first place! How can we provide the cash to back up the continuing appropriations if all the revenues for FY2012 are appropriated through this budget act, provisioned for tax refunds or held in the two-percent reserve?* This mandate only exacerbates the deficit and will be analogous to empty promises.

Critical, Underfunded Areas

Chapter V, Section 1 (g)(2). Residential Treatment Fund. The Residential Treatment Fund is required to hire seven employees using the RTF funds. The unfunded court ordered positions are expected to severely increase the cost for the RTF. As such, the current appropriations are underfunded.

Chapter V, Section 1 (g)(3). Government Claims Fund. The appropriation to the Government Claims Fund is currently underfunded. There is currently a total of \$255,223.95 (see attachment) in government claims waiting to be posted in the accounting system. This \$255K is beyond the \$100K appropriated in FY2011. Appropriation authority ran out on March 18, 2011. We also recommend that the processing be transferred to the Attorney General's Office due to the nature and sensitivity inherent to government claims.

Chapter V, Section 1 (g)(7). Interest-Only Payments to the Government of Guam Retirement Fund Pursuant to Public Law 28-38. The Governor requested \$2M to provide for the interest-only payments for the GDOE and GMHA debt to the GGRF, however, Bill 1(2-S) appropriates only \$332,753. Based on current funding, DOA is paying an average of \$81,000 per month and in FY 2012 is expected to pay \$82,000 per month for a cost of \$984,000. There is no appropriation for the remaining \$650K.

Contradictory Language

Chapter XII, Section 1. Deficit Reduction. Excerpts from this section state:

"...shall be paid from the un-appropriated General Fund revenues collected in excess of appropriations and reserved for deficit reduction..."

This excerpt contradicts the provision in Chapter I, Section 5.

"...may utilize FY2012 appropriations for the agency, provided that the BBMR imposes a corresponding reserve and reduces the department's current year allotment by the same amount."

These carryover liabilities are a result of appropriations passed by the Legislature, in excess of revenue collections. This section will require a supplemental bill for FY2012 to appropriate additional funding for these obligations that will be reduced from the departments FY2012 budget.

Chapter XIII, Section 14. Transfer Authority of *I Maga'låhen Guåhan*. This section mandates a waiting period of fifteen (15) working days before the Governor can enact a transfer between FY 2012 General Fund Executive Branch base operational appropriations. This affects the Governor's ability to address critical health and public safety emergencies.

Unfunded Mandates

Chapter XIII Section 19 Government Staffing Pattern. This section requires the Department of Administration to "post a government wide line agency staffing pattern." All line agencies are required to submit their staffing pattern to the legislature no later than 30 days after the end of each quarter. As the two deadlines are concurrent, DOA will require additional time to compile and verify the data from the line agencies. The legislature provides no funding or human resources support to make this happen, unless of course the legislature believes the men and women of DOA do not already do enough work. As their Governor, I can tell you right now, these men and women go above and beyond their call, and they perform exceptionally. Their staff roll is stretched as it is. This is yet another unfunded mandate.

Legislating Inaccurate Financial Reports

Chapter XIII, Section 20. Monthly Working Trial Balance and Statement of Revenues, Expenditures and Changes in Fund Balance Report. This section requires that the Department of Administration provide the General Fund financial statements no later than 20 days after the end of each month. The Department of Administration currently closes the accounting books on a quarterly basis. If we provide the financial statements on a monthly basis, the amounts will be subject to change. Given the time frame and inability to fill vacant positions, this information may not be accurate when presented.

Chapter XIII, Section 21. Monthly Cash Balance Reports for General and Special Funds. The Government of Guam currently has 151 bank accounts (60 local, 80 bond and special revenue, and 11 for the solid waste receiver) from various banks (BOG, Bank Pacific, ANZ, Citibank, BOG Trust, US Bank, Bank of New York). Clarification is needed on what is to be included in this report. There are 11 bank accounts that are monitored for the Solid Waste Receiver. DOA does not control the deposits or withdrawals on these accounts and is unclear as to the inclusion of these accounts in the report. Also, there are several bond bank accounts held in trust, both on island and in the continental US and clarification is needed on these accounts also. It would be almost impossible to comply with this requirement of Monthly Cash Balance Reports for General and Special Funds considering all other monthly reporting requirements. This is feasible on a quarterly basis and due on or before 30 days after the quarter ends.

Shortfalls in Critical Service Areas

Chapter XIV, Section 2. Hiring Freeze. The government may not have the ability to fill management level positions critical to departments operations when incumbent vacates through resignation, retirement or other separations. This will negatively impact the ability of departments and agencies to provide mandated services with manpower deficiencies.

Certain entities that are projected to have funding shortfalls include:

1. **Veterans Affairs (VAO).** A funding shortfall of \$65,733 has been identified. This shortfall will impact the operations of the Veterans' cemetery in which only one position has been funded out of three positions requested.
2. **Guam Fire Department (GFD).** A funding shortfall of \$2,522,956 has been identified. This shortfall will impact primarily in the salaries and benefits covering overtime and special pay.
3. **Guam Memorial Hospital Authority (GMHA).** The Legislature did not fully fund the Pharmaceutical Fund by \$2,000,000. It is expected that funding covering pharmaceutical requirements will be insufficient during the fiscal year; such shortfall may be covered under the Health Futures Fund miscellaneous appropriation for operation, but such shortfall will contribute to overall funding deficiency of the hospital.
4. **Department of Mental Health and Substance Abuse (DMHSA).** A funding shortfall of \$2,191,825 has been identified. Such shortfall will impact those employees hired in FY 2011 by the Federal Management Team whose salaries and benefits must be paid by the General Fund in FY 2012. Additionally, under the Healthy Futures Fund, a shortfall has also been identified in the amount of \$380,423. Both the GF and HFF shortfalls will also impact on the contractual requirement during the fiscal year based on existing contractual services being provided in FY 2011.
5. **Department of Integrated Services for Individuals with Disabilities (DISID).** A shortfall of \$44,756 has been identified. Such shortfall will impact the salaries and benefits for existing personnel at this agency.
6. **Department of Administration (DOA).** A shortfall of \$783,446 has been identified. Such shortfall will impact management level positions needed in the management of personnel and services of the accounting department. Moreover, these positions are considered necessary for the department to handle the additional reporting and accounting requirements imposed by the substitute bill. Under the Indirect Cost Funds, a shortfall of \$9,468 has been identified. Such shortfall will impact the training opportunities needed by the accountants and other professional employees at DOA accounting to maintain their accounting knowledge current.
7. **Guam Regional Transit Authority (GRTA).** Under the Guam Highway Fund, a shortfall of \$79,143 has been identified. Such shortfall will impact the bus contracts in FY 2012.
8. **Department of Revenue & Taxation (DRT).** Under the General Fund, a shortfall of \$1,169,736 has been identified. Such shortfall will impact the salaries and benefits of those employees hired in FY 2011 under the ACTC program and other miscellaneous appropriations, resulting in an abbreviated collection program in FY 2012.

Training and Continuing Education Fund. The Governor's original budget submission requested for \$30,000 for the training and continuing education for accountants and related positions. This was included in the FY2011 budget but subsequently not included in the FY2012 budget passed by the legislature. Training for government accountants is essential and vital for our operations. The accounting, and especially governmental accounting, is a highly dynamic field. The standards are constantly changing and the government must be able to keep abreast with these changes or risk losing our unqualified opinion.

Madam Speaker, I signed the budget bill into law to avert a government shutdown. For the first time in history, appropriations were passed without a revenue level being adopted. There was no assessment, through the hearing process, of the needs of the critical services each agency provides. Not much information was sought from our administration before changes were made to the budget bill. To be clear, the changes were made through substitutions that occurred and were presented during the Committee of the Whole.

Since coming to office, I have continuously explained the cash crisis we have and the need to hold the line on spending. I have done this by first explaining the major difference between the budget and the government's cash flow. This is a grave distinction with an operational deficit as large as the one before us now.

I want to assure the people of Guam that I will use my executive powers to align expenditures with revenues by holding the line on spending. I will move forward with the reorganization of the government, and the cost reductions necessary to bring structural balance to the General Fund. I will make the tough decisions within my authority. ***This budget is only part and parcel to the larger effort to stabilize the government's fiscal health.*** I signed it to keep the government operating in the new fiscal year. I signed it in the spirit of compromise. Otherwise, I would have vetoed it without pause.

Thank you,



EDDIE BAZA CALVO

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (SECOND) Special Session

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

This is to certify that Substitute Bill No. 1 (2-S), "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," was on the 7th day of September, 2011, duly and regularly passed.



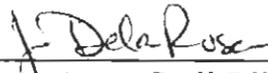
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 8th day of Sept., 2011, at 10:10 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: SEP 20 2011

Public Law No. 31-77

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (SECOND) Special Session

Bill No. 1 (2-S)

As substituted and amended on the Floor.

Introduced by:

Committee on Appropriations, Taxation,
Public Debt, Banking, Insurance,
Retirement, and Land

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	<u>(\$105,000,000)</u>
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	<u>\$0</u>
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)	<u>(\$547,542)</u>
2	TOTAL LICENSES, FEES AND PERMITS	\$4,999,813
3	E. DEPARTMENT CHARGES	\$1,850,178
4	F. SECTION 2718 FUND	<u>\$7,545,989</u>
5	TOTAL GENERAL FUND NET REVENUE COLLECTIONS	\$573,802,003
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	\$562,325,963
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)	<u>(\$875,205)</u>

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. Department of 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	\$562,325,963
20	TOTAL SPECIAL FUND REVENUE	\$140,878,914
21	TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	<u>\$40,834,771</u>
22	GRAND TOTAL	\$744,039,648

23 **Section 3. Authorization to Pay and Prioritize the Payment of**
24 **Tax Refunds by Enacting an Income Tax Payment System.**

25 (a) Prioritization of Additional Child Tax Credit (ACTC)
26 Reimbursements. The Provisional Set Aside for tax refunds includes the
27 Additional Child Tax Credit (ACTC), which is a refundable tax credit that is

1 reimbursed to Guam by the Federal Government after refund payments are
2 made to Guam taxpayers that claim the ACTC. Lack of prioritization of
3 ACTC refund payments creates lost opportunity for Guam to receive
4 reimbursed ACTC funds that can then be used to pay more refunds or
5 support the operations of the government.

6 (b) Prioritization of Earned Income Tax Credit Data. For future
7 planning purposes, by December 31, 2011, the Director of the Department of
8 Revenue and Taxation *shall* provide a report to *I Maga'låhen Guåhan* and
9 the Speaker of *I Liheslaturan Guåhan* certifying the total amount of EITC
10 paid for each tax year and fiscal year dating back to Fiscal Year 2003. The
11 report *shall* include the total number of EITC recipients categorized within
12 the standard income brackets used by the IRS for reporting purposes.

13 (c) Prioritization of Tax Refund Payments and Status Report
14 Requirement.

15 Emergency Refunds:

16 2011 and Prior Emergency A Status Returns \$10,000,000

17 (1) Emergency refunds may be paid at any time during Fiscal
18 Year 2012, and are subject to the prioritization of return status
19 designation and amounts.

20 (2) The tax refund disbursement amounts authorized in this
21 Section may be within the following classification of return status
22 designations and amounts:

23 **Non-Emergency Refunds with ACTC claims for Tax Years:**

24 2010 A Status Returns up to \$95,000,000

25 2011 A Status Returns up to \$95,000,000

26 (3) The Director of the Department of Revenue and Taxation
27 *shall* submit a status report to *I Maga'låhen Guåhan* and the Speaker

1 of *I Liheslaturan Guåhan* by the 20th day of each month that contains
2 the number of tax refunds paid and amounts by each return status
3 designation group.

4 **Section 4. Prioritization of Revenue Collections in Excess of**
5 **Monthly Collections.**

6 (a) Income Tax Refunds.

7 (1) Within thirty (30) days upon enactment of this Act, the
8 Department of Revenue and Taxation *shall* provide a full accounting
9 of the total income tax liability of the government, and *shall* be
10 submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
11 *Guåhan*.

12 (2) The Director of the Bureau of Budget and Management
13 Research *shall* create a General Fund twelve (12) month revenue
14 budget based on the revenue estimates in Chapter I, Section 2, relative
15 to a statistical weighting of historical collections by month by
16 collection category in the General Fund Combined Comparative
17 Statement of Revenues report. The report *shall* be submitted to *I*
18 *Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*
19 within thirty (30) days upon enactment of this Act.

20 (3) Notwithstanding any other provision of law, monthly
21 revenue collections in excess of the monthly revenue budget in
22 Chapter I, Section 4(a)(2) of this Act from the categories defined in
23 Chapter I, Section 5(c) of this Act as income tax revenues are hereby
24 appropriated for the payment of tax liabilities defined as: (A)
25 Individual Income Tax Refund and Interest payment; and (B)
26 Corporate Income Tax Refund and Interest payment, and hereby
27 prioritized according to Chapter I, Section 3(c) of this Act.

1 (4) Available excess General Fund tax revenues are available
2 for expenditure when *no* third party claims, pledges, encumbrances,
3 appropriations, or liens exist against such excess General Fund tax
4 revenues. If any outside party asserts claims over such resources, the
5 matter *shall* be resolved at the appropriate legal jurisdiction.

6 (5) The identification and recordation of available excess
7 revenues *shall* be performed by the Department of Administration, in
8 coordination with the Bureau of Budget and Management Research
9 and the Department of Revenue and Taxation.

10 (6) Thirty (30) days after the close of the current fiscal year,
11 the Department of Administration *shall* provide a detailed
12 reconciliation of the payment of income tax refunds through available
13 excess revenues for the current fiscal year to *I Maga'låhen Guåhan*
14 and the Speaker of *I Liheslaturan Guåhan*.

15 **Section 5. Prior Year Obligations and Future Obligation**
16 **Proposals.**

17 (a) Excess Available General Fund Tax Revenues.
18 Notwithstanding any other provision of law, monthly revenue collections in
19 excess of the monthly revenue budget in Chapter I, Section 4(a)(2) of this
20 Act from the categories defined in Chapter I, Section 5(b) of this Act as
21 General Fund tax revenues *shall* be appropriated for the payment of Prior
22 Year Obligations and Future Obligation Proposals as defined and prioritized
23 below:

24 (1) Fifty percent (50%) of all excess collections identified in
25 Chapter I, Section 5(c) of this Act *shall* be appropriated for payment
26 of principal and interest obligations pursuant to *Rios v. Camacho*,
27 Superior Court No. SP0206-93.

1 (2) Forty percent (40%) of all excess collections identified in
2 Chapter I, Section 5(c) of this Act *shall* be appropriated for payment
3 of principal and interest obligations pursuant to Guam Federation of
4 Teachers v. Government of Guam, et. al., Superior Court Case No. SP
5 0009-07.

6 (3) Five percent (5%) of all excess collections identified in
7 Chapter I, Section 5(c) of this Act *shall* be appropriated for payment
8 of principal and interest of prior year obligations to any employees
9 identified in the report in Chapter I, Section 5(f) of this Act.

10 (4) Five percent (5%) of all excess collections identified in
11 Chapter I, Section 5(c) of this Act *shall* be appropriated for payment
12 of principal and interest of prior year obligations to all other claimants
13 identified in the report in Chapter I, Section 5(f) of this Act

14 (b) General Fund tax revenues are defined as revenues reported by
15 the Department of Administration on a cash basis for the General Fund.
16 Available revenues for the purpose of this Act represent cash or cash
17 instruments with a maturity term of *less than* ninety (90) days that are
18 available and earned by the government of Guam within the current fiscal
19 year.

20 (c) Excess General Fund tax revenues are available for expenditure
21 when *no* third party claims, pledges, encumbrances, appropriations, or liens
22 exist against such excess General Fund tax revenues. If any outside party
23 asserts claims over such resources, the matter *shall* be resolved at the
24 appropriate legal jurisdiction.

25 (d) The identification and recordation of excess revenues *shall* be
26 performed by the Department of Administration, and *shall* provide any
27 additional reports requested by the Office of Finance and Budget should the

1 reporting requirements outlined in Chapter I, Section 4(a)(5) of this Act *not*
2 provide adequate information to ascertain excess General Fund tax revenues.
3 Excess revenues identified in Chapter I, Section 5(c) of this Act *shall* be
4 disbursed by the Department of Administration in accordance with the
5 priorities outlined in Chapter I, Section 5(a) of this Act for payment of the
6 prior year obligations.

7 (e) Thirty (30) days after the close of the current fiscal year, the
8 Department of Administration *shall* provide a detailed reconciliation of the
9 payment of the prior year obligations through excess General Fund revenues
10 for the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I*
11 *Liheslaturan Guåhan*.

12 (f) Thirty (30) days after the close of the current fiscal year, the
13 Department of Administration shall provide a detailed report to the Speaker
14 of *I Liheslaturan Guåhan* delineating all recorded unpaid prior year
15 obligations from fiscal years prior to September 30, 2011.

16 **Section 6. Debt Service Continuing Appropriations.** The following are
17 continuing appropriations for debt service requirements:

18 **A. LIMITED OBLIGATION HIGHWAY REFUNDING**

19 **BOND 2001 SERIES A** **[\$6,024,425] 1/**
20 (P.L. No. 24-70; due FY 2012 as the final year; source of payment from Liquid
21 Fuel Taxes)

22 1/L.O. Highway Bond 2001 A Bond Reserve and Bond Funds; *not* part of
23 adopted revenues. Debt service matures in FY 2012

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

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

1	BONDS, SERIES 2009A	\$7,135,019 8/
2	(To finance cost for the new landfill and the closure of Ordot Dump; P.L. 30-1	
3	amended by P.L. 30-7; Due FY 2035 as the final year).	
4	8/Solid Waste Operations Fund	
5	I. GENERAL OBLIGATION BONDS, 2009 SERIES A	\$21,436,781 9/
6	(To finance certain expenses affecting General Fund Deficit; P.L. 29-113	
7	amended by P.L. 30-7; Due FY 2040 as the final year)	
8	9/General Fund	
9	J. GUAM DEPARTMENT OF EDUCATION (GDOE)	
10	SERIES 2010A, CERTIFICATES OF PARTICIPATION	
11	(JOHN F. KENNEDY HIGH SCHOOL PROJECT)	\$4,348,433 10/
12	(P.L. 30-178; 5 GCA, Chapter 58A)	
13	10/General Fund	
14	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. Notwithstanding the general provisions of §30107.1 of Title 11,
9 Guam Code Annotated, and this Act, this appropriation *shall* continue to be
10 available until expended.

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

16 **Section 11. Appropriation to the Guam Cancer Trust Fund.** The sum of
17 One Million Four Hundred Twenty-One Thousand Nine Hundred Twenty-Three
18 Dollars (**\$1,421,923**) is appropriated from the Healthy Futures Fund to the
19 University of Guam for the administration of the Guam Cancer Trust Fund,
20 pursuant to §26603(d)(2) of Article 6, Chapter 26, Title 11, GCA. This
21 appropriation *shall* be used to fund cancer screening, treatment and support
22 services for qualified applicants in Fiscal Year 2012 this appropriation *shall*
23 continue to be available until expended.

24 **Section 12. Program Revenue and Expenditure Reports.** *No later than*
25 thirty (30) days after the end of each fiscal quarter, the President of the University
26 of Guam *shall* post on the University of Guam's website and submit to *I*
27 *Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft

1 Excel file and written report, quarterly program revenue and expenditure reports
2 for the Aquaculture Development and Training Center, the WERI Guam
3 Hydrologic Survey, the WERI Comprehensive Water Resource Monitoring
4 Program, the Northern and Southern Soil and Water Conservation Districts
5 Programs, and KPRG. Said reports *shall* be in the format of basic financial
6 statements *or* such format as may be prescribed by *I Liheslaturan Guåhan*.

7 **Section 13. Program Annual Reports.** The President of the University of
8 Guam *shall* post on the University of Guam’s website and *shall* submit to *I*
9 *Maga’låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
10 Excel file and written report, annual reports for the Aquaculture Development and
11 Training Center, the WERI Guam Hydrologic Survey, the WERI Comprehensive
12 Water Resource Monitoring Program, the Northern and Southern Soil and Water
13 Conservation Districts Programs, and KPRG. At a minimum, said reports *shall*
14 include: program mission statements, objectives, sources of revenue, expenditures
15 by budget classification, number of employees, contracts, and *shall* describe
16 program accomplishments in the fiscal year reported.

17 **Section 14. Scholarships, Financial Assistance and Other Reports.**
18 Sixty (60) days after the end of Fiscal Year 2012, the President of the University of
19 Guam *shall* submit to *I Maga’låhen Guåhan* and the Speaker of *I Liheslaturan*
20 *Guåhan*, in a Microsoft Excel file and written report, and post on the University of
21 Guam’s website, a report of expenditures from appropriations made in this Act for
22 student scholarships, student financial assistance, the Dr. Antonio C. Yamashita
23 Educator Corps, and the Educator Corps Council. Said report *shall* include each
24 program’s name, the number of scholarships *or* loans issued by each program, the
25 names of the recipients awarded by each program, the university or college each
26 award recipient is attending by each program, the date the scholarship *or* loan was
27 awarded by each program, the anticipated date of cohort graduation by each

1 program, the total amount of awards *or* loans, the total amount of loans repaid to
2 date by each program, the balance of the outstanding awards *or* loans by each
3 program, the amount of collections to date for outstanding loans and repayments
4 due by each program, the number of awards for each field of study by each
5 program, and the number of recipients working to complete their academic and
6 financial obligations by each program.

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

8 Appropriations for the operations of the University of Guam, contained in Section
9 2 of Part II of Chapter II of this Act *or* for the prior years, may be transferred by
10 the President of UOG out of operations and into the appropriation for statutorily
11 mandated scholarship programs contained in Section 3, Part II, Chapter II of this
12 Act.

13 **Section 16. Continuing Appropriation.**

14 The appropriations made to the Student Financial Assistance Program, the Dr. Antonio C. Yamashita Educator
15 Corps and the University of Guam for Fiscal Year 2011 *shall not* lapse and *shall*
16 continue until fully expended, to include payment of prior year obligations.

17

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. Unexpended funds appropriated
3 for the GCC Lodging Management Program/ProStart Program *shall not*
4 lapse and *shall* remain available for use in succeeding fiscal years until all
5 said sums are expended.

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

16 (e) **Federal Matching Grants-in-Aid.** The sum of One Million
17 Four Hundred Seventy-One Thousand Four Hundred Eight Dollars
18 (**\$1,471,408**) is authorized from Federal Matching Grants-in-Aid to the
19 Guam Community College for its operations in Fiscal Year 2012.

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

CHAPTER II

PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

1 **Section 1. Guam Commission for Educator Certification.** The amount
2 below in this Subsection is appropriated from the General Fund to the Guam
3 Commission for Educator Certification for its operations in Fiscal Year 2012 in
4 providing administrative support to the Guam Commission for Educator
5 Certification in accordance with Chapter 27 of 17GCA, the Guam Academy
6 Charter School Council in accordance with §1211(e) of 17GCA, and the Council
7 on Post-Secondary Institutions Certification in accordance with §44104(e) of
8 17GCA. This appropriation *shall* be expended in accordance with object class
9 allocations outlined below:

10 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

11	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
12	REG SALARIES	111	\$111,750	\$0	\$111,750
13	OT/SP	112	\$0	\$0	\$0
14	BENEFITS	113	\$34,794	\$0	\$34,794
15	TRAVEL/MILE	220	\$0	\$0	\$0
16	CONT. SERV.	230	\$10,750	\$0	\$10,750
17	OFF. RENTAL	233	\$6,000	\$0	\$6,000
18	SUP. & MAT.	240	\$391	\$0	\$391
19	EQUIPMENT	250	\$0	\$0	\$0
20	WORK. COMP.	270	\$0	\$0	\$0
21	DRUG TEST	271	\$0	\$0	\$0
22	SUBGRANT	280	\$0	\$0	\$0
23	MISC	290	\$4,200	\$0	\$4,200

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**

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

12 **Section 2. Continuing Appropriation for Guam Commission for**
13 **Educator Certification.** The unexpended balance of funds appropriated to the
14 Guam Commission for Educator Certification (GCEC) for Fiscal 2011 *shall not*
15 lapse and is available to the GCEC for expenditures in Fiscal Year 2012.

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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 II,
4 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

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

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

SUMMARY OF BASE OPERATIONAL APPROPRIATION

APPROP. CLASS	OBJ. CLASS	GEN. FUND	SPCL. FUND	TOTAL
REG. SALARIES	111	\$2,905,230	\$3,804,796	\$6,710,026
OT/SP	112	\$0	\$0	\$0
BENEFITS	113	\$1,020,902	\$1,098,056	\$2,118,958
TRAVEL	220	\$31,850	\$0	\$31,850
CONT. SERV.	230	\$10,980,947	\$82,205	\$11,063,152
OFF. RENTAL	233	\$511,192	\$0	\$511,192
SUP. & MAT.	240	\$321,034	\$3,500	\$324,534
EQUIPMENT	250	\$0	\$3,000	\$3,000
WRK. COMP.	270	\$3,000	\$0	\$3,000
DRUG TEST	271	\$713	\$75	\$788
SUBGRANT	280	\$0	\$0	\$0
MISC.	290	\$17,363,611	\$0	\$17,363,611

1	POWER	361	\$0	\$0	\$0
2	WATER/SEWER	362	\$0	\$0	\$0
3	PHONE/TOLL	363	\$458,977	\$0	\$458,977
4	CAP. OUTLAY	450	\$0	\$0	\$0
5	GRAND TOTAL		\$33,597,456	\$4,991,632	\$38,589,088

6 Healthy Futures Fund - \$4,268,795(111-\$3,299,970, 113-\$968,825)

7 Environmental Health Fund - \$722,837 (111-\$504,826,113-\$129,232,230-
8 \$82,205,240-\$3,500,250-\$3,000,271-\$75)

9 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

10 **SOURCE**

11	GENERAL FUND	\$33,597,456
12	FEDERAL MATCHING GRANTS-IN-AID	\$24,752,122
13	SPECIAL FUNDS	<u>\$4,991,632</u>
14	TOTAL	\$63,741,210

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

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

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

1 (b) The sum of Seven Hundred Ten Thousand Nine Hundred Sixty-
2 Two Dollars **\$710,962** is appropriated from Healthy Futures Fund to the
3 MIPPR for the MIP to fund cancer screening, treatment and support services
4 for Fiscal Year 2012.

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

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

16 **Section 6. Medicines and Vacant Positions for the DPHSS Community**
17 **Health Centers.** The sum Three Hundred Forty-Six Thousand One Hundred
18 Fifty-Nine Dollars (**\$346,159**) is appropriated from the Healthy Futures Fund to the
19 DPHSS Community Health Centers for Fiscal Year 2012.

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

26 **Section 8. Department of Public Health and Social Services Carry-**
27 **Over Authorization.** The unexpended balance of appropriations from the General

1 Fund and Special Funds to the DPHSS for Fiscal Year 2011 *shall not* revert to the
2 General Fund and *shall* be available until fully expended for the original purposes
3 of said appropriations. The Director of DPHSS *shall* submit a report to the Speaker
4 of *I Liheslaturan Guåhan* regarding the allocation, demographics and expenditures
5 of the appropriations contained herein *no later than* thirty (30) days after the end of
6 each quarter and post the same on DPHSS's website. The Director of
7 Administration *shall* pay MIP and Medicaid vendors on a first-in first-out basis.

8 **Section 9. Appropriation to the Guam Cancer Registry.** Pursuant to
9 §26603(d)(4) of Title 11 of the Guam Code Annotated, the sum of One Hundred
10 Forty-Two Thousand Ninety-Two Dollars (**\$142,092**) is appropriated from the
11 Healthy Futures Fund to the DPHSS to maintain the Guam Cancer Registry
12 pursuant to §3201.1 of Title 10 of the Guam Code Annotated. The DPHSS *shall*
13 provide funding to the University of Guam for services, supplies and/or materials
14 in executing the Memorandum of Agreement between the University of Guam and
15 the Department of Public Health and Social Services regarding the collection of
16 data and the maintenance of the Guam Cancer Registry. Any funds pursuant to this
17 Section *not* expended in Fiscal Year 2011 *shall* revert to the Guam Cancer Trust
18 Fund.

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

24 **Section 11. Appropriation to the Department of Public Health and**
25 **Social Services for the Division of Environmental Health.** The sum of Two
26 Hundred Ninety-One Thousand Three Hundred Forty-Five Dollars (**\$291,345**) is
27 appropriated from the Environmental Health Fund, and the sum of One Hundred

1 Twenty-Three Thousand Dollars (**\$123,000**) is appropriated from the Unreserved
2 Fund Balance of the DPHSS Sanitary Inspection Revolving Fund to the
3 Department of Public Health and Social Services - Division of Environmental
4 Health to fund *up to* fifteen (15) positions, to include environmental health
5 specialists, environmental health engineers, an administrative assistant, and a
6 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.

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

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

13 **Section 4. Oasis Empowerment Center for Women Alcohol Substance**
14 **and Homeless Program.** For Fiscal Year 2012, the sum of Fifty Thousand
15 Dollars (**\$50,000**) is appropriated from the General Fund to the DMHSA for the
16 Oasis Empowerment Center for Women Alcohol Substance and Homeless
17 Program.

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

25 **Section 6. Expenditures Related to the Federal Management Team**
26 **(FMT) Plan of Action (POA).** Funds reimbursed to the government of Guam
27 from the Federal Management Team Community First Guam Federal Credit Union

1 DMHSA Amended Permanent Injunction Trustee Account *shall* be deposited into
2 and recorded in the existing Permanent Injunction – DMHSA Fund. The sum of up
3 to Ten Million Dollars (\$10,000,000) is authorized from the Federal Management
4 Team Community First Guam Federal Credit Union DMHSA Amended Permanent
5 Injunction Trustee Account funds reimbursed to the government of Guam *only* to
6 fund personnel and operational expenditures identified by the FMT POA as filed in
7 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.

10 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

11	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
12	REG SALARIES	111	\$372,766	\$0	\$372,766
13	OT/SP	112	\$0	\$0	\$0
14	BENEFITS	113	\$113,601	\$0	\$113,601
15	TRAVEL/MILE	220	\$0	\$0	\$0
16	CONT. SERV.	230	\$70,424	\$513,881	\$584,305
17	OFF. RENTAL	233	\$118,128	\$0	\$118,128
18	SUP. & MAT.	240	\$4,000	\$0	\$4,000
19	EQUIPMENT	250	\$0	\$0	\$0
20	WORK. COMP.	270	\$0	\$0	\$0
21	DRUG TEST	271	\$0	\$0	\$0
22	SUBGRANT	280	\$0	\$0	\$0

1	MISC	290	\$555,426	\$0	\$555,426
2	POWER	361	\$0	\$0	\$0
3	WATER/SEWER	362	\$0	\$0	\$0
4	PHONE/TOLL	363	\$16,000	\$0	\$16,000
5	CAP. OUTLAY	450	\$0	\$0	\$0
6	GRAND TOTAL		\$1,250,345	\$513,881	\$1,764,226

7 **Healthy Futures Fund \$513,881**

8 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

9 **SOURCE**

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

CHAPTER IV
UNIFIED JUDICIARY

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

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

SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING SOURCE

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

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

Section 3. Adult and Juvenile Drug Courts. The sum of Six Hundred 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. Continuing Appropriation to the Judiciary.** The unexpended
26 balance of the funds appropriated to the Unified Judiciary for Fiscal Year 2011

1 *shall not* lapse and is available to the Unified Judiciary for expenditures in Fiscal
2 Year 2012.

3 **Section 9. Unified Judiciary Authorization to Fund any Operational**
4 **Shortfall.** The Judiciary of Guam is authorized to fund any operational shortfall
5 for Fiscal Year 2012 from the Judicial Building Fund consistent with the covenants
6 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
2 Base Operational Appropriation in Subsections (a) through (ee) are hereby
3 appropriated and authorized out of the General Fund, Special Funds and Federal
4 Matching 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.

1 **(a) OFFICE OF I MAGA'LÅHI**

2 **(1) Appropriations to the Office of *I Maga'låhen*.** The amounts
3 in the Subsections below are to support the operations of the Office of *I*
4 *Maga'låhen 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'låhen Guåhan* and the Guam
7 State Clearinghouse from the respective Funds, and for the following
8 purposes, to the Office of *I Maga'låhen 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'låhen 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'låhen Guåhan* for its operations in Fiscal Year
18 2012.

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

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

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

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

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

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

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

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

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

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

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**

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.

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

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

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

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

21 Better Public Service Fund \$1,422,747 (220 - \$9,500; 230 - \$1,367,097; 240
 22 - \$46,150)

23 Tax Collection Enhancement Fund \$491,863 (111 - \$273,807; 113 -
 24 \$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.

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

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

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.

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

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

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

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

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		

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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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)

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.

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

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.

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

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

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	\$3,559,681
21	Healthy Futures Fund				\$302,037

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.

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 \$164,901 (111 - \$88,546; 113 - \$27,375; 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 *shall* continue to be available until expended. This
27 appropriation is *not* subject to transfer or use for any other 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

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.

1 (u) DEPARTMENT OF PARKS AND RECREATION

2 SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

21 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.

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		

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

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

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

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

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

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

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

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

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

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

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 **(I) 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 Notwithstanding the general provisions of §30107.1, Title 11, Guam Code
12 Annotated, and this Act, this appropriation *shall* continue to be available
13 until expended.

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	\$13,227,714
5	OT/SP	112	\$1,944,682	\$34,500	\$1,979,182
6	BENEFITS	113	\$6,116,615	\$204,833	\$6,321,447
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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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

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

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 Fund Operations Fund \$643,624

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

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)

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'låhen Guåhan* and the Speaker of *I*
23 *Lihselaturan Guåhan* 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).

1 **Section 4. Continuing Appropriation to the Office of the Attorney**

2 **General.** The unexpended balance of the funds appropriated to the Office of the
3 Attorney General (OAG) for Fiscal Year 2011 *shall not* lapse and is available to
4 the OAG for expenditures in Fiscal Year 2012.

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

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	\$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
	Barrigada	P.C. Lujan Elementary
	B.P. Carbullido Elementary	\$7,449
	L.P. Untalan Middle	\$7,867
Dededo	M.A. Ulloa Elementary	\$13,049
	Wettengel Elementary	\$17,103
	J.M. Guerrero Elementary	\$14,570

1		Liguan Elementary	\$0
2		Astumbo Elementary	\$8,235
3		Finegayan 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	Talofofu	Talofofu 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	\$20,000
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	\$447,863

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'lâhen Guâhan* and the
 14 Speaker of *I Liheslaturan Guâhan* no later than fifteen (15) working days before
 15 the transfer is made.

16 **Section 4. Continuing Appropriation for the Office of Public**

17 **Accountability.** The unexpended or unencumbered balance of funds appropriated
 18 to the OPA for FY 2011, pursuant to Public Law 30-196, as amended by Public
 19 Laws 30-224 and 31-74, *shall not* lapse and *shall* be available to the OPA for
 20 expenditures in FY 2012 for authorized FY 2012 expenses. Any FY 2012 expenses
 21 paid by the continuing appropriations revenues *shall* reserve the FY 2012 revenues
 22 appropriated, which may be expended by Legislative appropriation.

CHAPTER IX

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.

9 SUMMARY OF BASE OPERATIONAL APPROPRIATION

10	APPROP. CLASS	OBJ. CLASS	GEN FUND	SPCL FUND	TOTAL
11	REG SALARIES	111	\$0	\$0	\$0
12	OT/SP	112	\$0	\$0	\$0
13	BENEFITS	113	\$0	\$0	\$0
14	TRAVEL/MILE	220	\$0	\$0	\$0
15	CONT. SERV.	230	\$0	\$367,500	\$367,500
16	OFF. RENTAL	233	\$0	\$26,000	\$26,000
17	SUP. & MAT.	240	\$0	\$6,000	\$6,000
18	EQUIPMENT	250	\$0	\$5,000	\$5,000
19	WORK. COMP.	270	\$0	\$0	\$0
20	DRUG TEST	271	\$0	\$0	\$0
21	SUBGRANT	280	\$0	\$0	\$0
22	MISC	290	\$0	\$17,100	\$17,100
23	POWER	361	\$0	\$0	\$0

1	WATER/SEWER	362	\$0	\$0	\$0
2	PHONE/TOLL	363	\$0	\$0	\$0
3	CAP. OUTLAY	450	\$0	\$0	\$0
4	GRAND TOTAL		\$0	\$421,600	\$421,600

5 **SUMMARY OF BASE OPERATIONAL APPROPRIATION FUNDING**

6 **SOURCE**

7	GENERAL FUND				\$0
8	FEDERAL MATCHING GRANTS-IN-AID				\$0
9	SPECIAL FUNDS				<u>\$421,600</u>
10	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. Notwithstanding the
18 general provisions of §30107.1, Title 11, Guam Code Annotated, and this Act, this
19 appropriation *shall* continue to be available until expended.

20 **Section 3. Appropriation to GVB for *På'å Taotao Tåno'*.** The sum of
21 Eighty Thousand Dollars **(\$80,000)** is appropriated from the TAF to the GVB for
22 the Fiscal Year 2012 operations of *På'å Taotao Tano* to provide for the local
23 match for the ANA Language Grant, the New *På'å* AmeriCorps, the *Guåhu*
24 *Taotao Tåno'* Annual Pageant, and the Northern Cultural Arts Program.
25 Notwithstanding the general provisions of §30107.1, Title 11, Guam Code

1 Annotated, and this Act, this appropriation *shall* continue to be available until
2 expended.

3 **Section 4. Appropriation to GVB for the Historic *Inalåhan***
4 **Foundation.** The sum of Thirty Thousand Dollars (**\$30,000**) is appropriated from
5 the TAF to the GVB for the Fiscal Year 2012 operations of the Historic *Inalåhan*
6 Foundation. Notwithstanding the general provisions of §30107.1, Title 11, Guam
7 Code Annotated, and this Act, this appropriation *shall* continue to be available
8 until expended.

9 **Section 5. Appropriation to GVB for the Traditions Affirming our**
10 **Seafaring Ancestry (TASA).** The sum of Fifty Thousand Dollars (**\$50,000**) is
11 appropriated from the TAF to the GVB for the Fiscal Year 2012 operations of the
12 TASA. Notwithstanding the general provisions of §30107.1, Title 11, Guam Code
13 Annotated, and this Act, this appropriation *shall* continue to be available until
14 expended.

15 **Section 6. Appropriation to GVB for the Tourism Education Council.**
16 The sum of Thirty Thousand Dollars (**\$30,000**) is hereby appropriated from the
17 TAF to the GVB for the Fiscal Year 2012 operations of the Tourism Education
18 Council. Notwithstanding the general provisions of Title 11 GCA §30107.1, and
19 this Act, this appropriation *shall* continue to be available until expended.

20 **Section 7. Appropriation to GVB for the *Håya* Cultural Preservation**
21 **Foundation (*Sinangån-ta* Outreach).** The sum of Fifteen Thousand Dollars
22 (**\$15,000**) is hereby appropriated from the TAF to the GVB for the Fiscal Year
23 2012 operations of the *Håya* Cultural Preservation Foundation (*Sinangån-ta*
24 Outreach). Notwithstanding the general provisions of Title 11 GCA §30107.1, and
25 this Act, this appropriation *shall* continue to be available until expended.

26 **Section 8. Appropriation for FESTPAC 2012.** The sum of Four
27 Hundred Thousand Dollars (**\$400,000**) is hereby appropriated from the TAF to the

1 GVB for the Guam Council on the Arts and Humanities Agency for Guam's
2 participation at the 11th Festival of Pacific Arts. Notwithstanding the general
3 provisions of Title 11 GCA §30107.1, and this Act, this appropriation *shall*
4 continue to be available until expended, and is *not* subject to transfer or use for any
5 other purpose.

6 **Section 9. Appropriation to the Guam Visitors Bureau Rainy Day**
7 **Fund.** The sum of Two Hundred Thousand Dollars (\$200,000) is hereby
8 appropriated from the TAF to the GVB for deposit in the Rainy Day Fund, in
9 accordance with the provisions set forth in Section 1(b) of Public Law 30-116, for
10 the purposes cited therein. Notwithstanding the general provisions of Title 11
11 GCA §30107.1, and this Act, this appropriation *shall* continue to be available until
12 expended, and is *not* subject to transfer *or* use for any other purpose.

13 **Section 10. Creation of the Guam FESTPAC & Folklife Festival Trust**
14 **Account.** (a) There is hereby created, separate and apart from all other funds of
15 the government of Guam, a trust account known as the Guam FESTPAC &
16 Folklife Festival Trust Account (Trust Account). The Trust Account *shall not* be
17 commingled with the General Fund or any other funds of the government of Guam,
18 and it *shall* be maintained in a separate bank account, administered by the Guam
19 Visitors Bureau.

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

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

4 **Section 11. Appropriation to the Guam FESTPAC & Folklife Festival**
5 **Trust Account.** The amounts in the Subsections below are appropriated to the
6 Guam Visitors Bureau for deposit into the Guam FESTPAC & Folklife Festival
7 Trust Account; notwithstanding the general provisions of Title 11 GCA §30107.1,
8 and this Act, this appropriation *shall* continue to be available until expended, and is
9 *not* subject to transfer or use for any other purpose:

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

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

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

19 **Section 12. Appropriation to the University of Guam.** The sum of Two
20 Hundred Thousand Dollars (**\$200,000**) is hereby appropriated from the Tourist
21 Attraction Fund to the University of Guam for the FY 2012 operations of the
22 Rhinoceros Beetle Program. Notwithstanding the general provisions of 11 GCA
23 §30107.1 and this Act, this Appropriation *shall* continue to be available until
24 expended and is not subject to transfer or use for any other purpose.

CHAPTER XI

MISCELLANEOUS APPROPRIATIONS

1 **Section 1. Public Streetlights Appropriations.**

2 (a) **Special Fund Appropriations.** The sum of Three Million Four
3 Hundred Seventy-Three Thousand Five Hundred Thirty-One Dollars (**\$3,473,531**)
4 is appropriated from the Streetlight Fund to the Utility Cost Account (DOA) to pay
5 the Guam Power Authority for the operation of public streetlights in Fiscal Year
6 2012 as further delineated in Appendix II.

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

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

16 **Section 2. Appropriations to Retirees for Supplemental Annuity** 17 **Benefits and for Other Costs.**

18 (a) The sum of Eleven Million Six Hundred Ninety-Six Thousand Three
19 Hundred Three Dollars (**\$11,696,303**) is appropriated from the General Fund to the
20 Supplemental Annuity Benefits Special Fund for Fiscal Year 2012 for direct
21 payments to government of Guam retirees who retired prior to October 1, 1995, or
22 their survivors, for the continuing payment of Four Thousand Two Hundred
23 Thirty-Eight Dollars (**\$4,238**) per year in supplemental annuity benefits, consisting
24 of the sums of One Thousand Two Hundred Dollars (**\$1,200**), One Thousand Five
25 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) *Talofofo* 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 *Talofofo* in the village
24 fitness, health and wellness programs.

25 *I Liheslaturan Guåhan* further finds that the *Talofofo* 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 (5) *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 (6) 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;

6 (7) *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; and

13 (8) this Section shall not apply to any employee of the Mayoral
14 offices.

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

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

1 BBMR. Any contract or agreement made in violation hereof *shall* be void. Any
2 agency head or certifying officer who knowingly contracts or agrees to spend any
3 money in excess of said allotments *shall* be guilty of a misdemeanor.

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

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

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

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

19 (d) Department of Labor Survey Workers;

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

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

26 (g) persons filling temporary vacancies created by the call to active
27 military duty of employees who are members of the reserve components of

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

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

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

12 (j) positions within the Guam Election Commission;

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

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

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

19 **Section 15. Board and Commission Meeting Stipends.** Any
20 compensation or stipend owed to a board or commission member for attending a
21 regular or special meeting in FY 2012 *shall* be paid from the budget of the
22 department or agency responsible for the administrative support and operations of
23 such board or commission. Any board member who has served on a board
24 continuously (for ten (10) years or more) may receive a stipend totaling *no more*
25 *than* Two Hundred Fifty Dollars (**\$250**) per month for meetings attended; *however*,
26 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'lâhen Guâhan*'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'lâhen Guâhan* and the Speaker of *I*
17 *Lihe slaturan Guâhan*, *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'lâhen 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 (240-\$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. Payment of Subscriber Rebates.** A new §4302.4. is hereby
9 *added* to Article 3 of Chapter 4 of Title 4, Guam Code Annotated, to read as
10 follows:

11 “**§4302.4. Payment of Subscriber Rebates.** The Insurance &
12 Banking Commissioner of Guam, in a manner compliant with the Patient
13 Protection and Affordable Care Act, *shall* pay or cause to be paid, rebates to
14 all eligible subscribers of the Government of Guam Group Health Insurance
15 Program as required by §2718(b)(1)(A) of the Public Health Services Act, as
16 amended by U.S. Public Law 111-148, the Patient Protection and Affordable
17 Care Act (PPACA).”

18 **Section 25.** A new Subsection (d) is *added* to §6205.2 of Article 2, Chapter
19 6 of Title 4, Guam Code Annotated, to read:

20 “(d) The Department of Public Works (DPW) is authorized to
21 recruit and compensate above Step 10 one (1) professional engineer in
22 the unclassified service to fill the vacant position of Chief Engineer
23 for DPW’s Highway Division. In addition to meeting the
24 qualifications and requirements for the position as established by the
25 Department of Administration, the candidate *shall* be registered as a
26 professional civil engineer in Guam, *or shall* become registered in
27 Guam within two (2) years after beginning employment. Additionally,

1 when hiring above step per this Subsection, the candidate for Chief
 2 Engineer of DPW’s Highway Division *shall* have a minimum of ten
 3 (10) years of relevant highway engineering experience. This
 4 Subsection *shall* be applicable *only* when the position is one hundred
 5 percent (100%) funded by the Federal Highway Administration.”

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

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

13	Obligation	Transaction	Employee	Amount	Reasons for Nonsubmittal
14	<u>Date</u>	<u>Type</u>			<u>or Nonpayment</u>
15	08/11/2009	Court Order – Award	Reyes, Luis	\$250,000.00	No appropriation to cover expense
16	08/14/2006	Court Order - Back Pay	Pilarca, Jonathan	\$423.42	No appropriation to cover expense
17	08/01/2010	Overtime - Late Bussing		\$2,753.41	No appropriation to cover expense
18	10/10/1999-	Promised Comp. due to			
19	7/9/2007	detailed appointments	Borja, Benjamin	\$29,975.86	No appropriation to cover expense
20	11/13/2006-	Promised Comp. due to			
21	11/12/2007	detailed appointments	Manibusan, Emily	\$3,875.33	No appropriation to cover expense
22	11/19/2007-	Promised Comp. due to			
23	1/3/2008	detailed appointments	Anderson, Delores	\$3,747.60	No appropriation to cover expense
24	12/21/1996-	Promised Comp. due to			
25	7/9/2007	detailed appointments	Borja, Joey	\$21,798.74	No appropriation to cover expense
26	2/6/2006-	Promised Comp. due to			
27	1/7/2008	detailed appointments	Juanillo, Merlita	\$6,831.18	No appropriation to cover expense
28	6/30/2003-	Promised Comp. due to			

<u>Date</u>	<u>Type</u>	<u>Employee</u>	<u>Amount</u>	<u>Reasons for Nonsubmittal or Nonpayment</u>
7/9/2007	detailed appointments	Deraco, Ceasar A	\$11,734.18	No appropriation to cover expense
7/2/2006-	Promised Comp. due to			
11/12/2006	detailed appointments	Laguana, Ronald	\$2,447.53	No appropriation to cover expense
8/14/2006-	Promised Comp. due to			
5/30/2008	detailed appointments	Babauta, Joseph	\$5,566.74	No appropriation to cover expense
8/24/2004-	Promised Comp. due to			
2/6/2007	detailed appointments	Aguon, Mary P	\$20,386.13	No appropriation to cover expense
9/2/1997-	Promised Comp. due to			
11/12/2006	detailed appointments	Duenas, Magdalena	\$18,001.24	No appropriation to cover expense
9/29/2007-	Promised Comp. due to			
5/8/2008	detailed appointments	Plain, Wanda	\$1,875.17	No appropriation to cover expense

14 **Section 27. Assignment of Offsets Against Business Privilege Taxes for**
15 **Past Due MIP Billings.** A *new* subitem (6) is *added* to §26216(a) of Chapter 26,
16 Title 11, Guam Code Annotated, to read:

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

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

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

21 (a) There is hereby created, separate and apart from all other funds
22 of the government of Guam, an account known as the Adequate Education
23 Act Account (Account). The Account *shall not* be commingled with the
24 General Fund or any other funds of the government of Guam, and it *shall* be
25 maintained in a separate bank account. The Account’s interest and
26 investment earnings *shall* be continuously appropriated to the Department of
27 Administration for the payment of the GDOE-Guam Power Authority
28 Promissory Note. Upon full payment of the Promissory Note, succeeding

1 interest and investment earnings *shall* be continuously appropriated to the
2 GDOE for maintenance and repair of its facilities.

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

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

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

23 **“§8105. Certificates for Teachers, General.**

24 (e) Professional Endorsement for Specialty Areas. Educators
25 wishing to certify in multiple content areas, or to add an additional area, are
26 able to apply for an endorsement on their existing certificate. To qualify for

1 an endorsement, the applicant must provide evidence of the successful
2 completion of fifteen (15) credit hours in the field. There will be an
3 additional charge for the endorsement which will last the term of the existing
4 certificate. Specialty areas for consideration are instructional technology,
5 visually impaired, orientation and mobility, deaf and hearing impaired,
6 media specialist, or other specialty areas as approved by GCEC.”

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

9 “**§8107. Certificates for Preschool Teachers.** (a) Basic
10 Educator Preschool Certificate.

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

20 **Section 31. (a) Transfer of Property.** To provide necessary land for the
21 development of a Consolidated Central Office, there is hereby transferred to the
22 Guam Power Authority (GPA), in fee simple, the following described parcel of
23 real property, determined to be necessary and related to GPA's immediate need for
24 the Consolidated Central Office. A parcel of government of Guam land more
25 particularly described as Lot No. 5412-2 (property), situated in *Fadian, Mangilao*,
26 containing an area of 60,759± square meters as shown on the map recorded in the

1 Department of Land Management on November 30, 2006 under Document
2 Number 746393.

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

6 (c) **Title and Ownership.** Title and ownership of the property must
7 remain with GPA for a period of *at least* ten (10) years. The property transferred
8 to the Guam Power Authority may *not* be sold, leased, or otherwise encumbered by
9 GPA and *shall* be transferred back to the *Chamorro* Land Trust Commission if
10 GPA *no* longer needs the use of it to fulfill its mission.

11 **Section 32. Funding for the *Chamorro* Land Trust Commission.**
12 Effective October 1, 2012, the sum of Eight Hundred Seventy-Five Thousand
13 Dollars (**\$875,000**) is appropriated every fiscal year from the Autonomous
14 Agencies Collection Fund (AACF) to the *Chamorro* Land Trust Commission. The
15 appropriations made in this Section *shall* be continuous and *shall not* be subject
16 to any transfer authority by *I Maga 'lahi* (the Governor).

17 **Section 33. Authorization for Payment of Prior Year Obligation.** The
18 sum of Twenty Five Thousand Seventy-Two Dollars and Forty-Eight Cents
19 (**\$25,072.48**) is hereby authorized to be expended by the Department of
20 Corrections from its Base Operational Appropriations in Section 1(o) of Chapter V
21 of this Act, to satisfy the outstanding debt balance owed for medical x-ray services
22 rendered to DOC inmates by X-Ray Pro, which were performed between FY 2004
23 through FY 2008. *I Maga'låhen Guåhan* is also authorized to transfer *up to*
24 Twenty Five Thousand Seventy-Two Dollars and Forty-Eight Cents (**\$25,072.48**)
25 from any agency's appropriation in Chapter V, to the Department of Corrections,
26 to satisfy the outstanding debt balance herein.

1 **Section 34. Prioritization of Payment to Awardees in Reference to**
2 **Superior Court Case No. SP0206-93.** If the Notes as specified to be issued
3 Public Law 30-239 are *not* issued by September 30, 2011, *I Maga'låhen Guåhan*
4 *shall* issue a new Request for Proposal within fifteen (15) days after the end of FY
5 2011.

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

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

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

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

22 **Section 36.** As an incentive to conserve energy and water consumption,
23 departments, agencies, and instrumentalities of the government of Guam, inclusive
24 of the University of Guam, the Guam Community College, and all Mayoral Offices
25 of the Mayors Council of Guam, are hereby authorized to transfer any unexpended
26 FY 2012 appropriations for utilities, to other expenditure categories within their
27 respective budgets. Any unexpended utility funds *shall not* be subject to any

1 transfer authority of *I Maga'lahi* (the Governor), and may be carried over and are
2 authorized for use by the departments, agencies, and instrumentalities of the
3 government of Guam, inclusive of the University of Guam, the Guam Community
4 College, and all Mayoral Offices of the Mayors Council of Guam during
5 succeeding fiscal years.

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

8 **(a) Legislative Findings.** *I Liheslaturan Guåhan* finds that the Use Tax
9 Law that applies to tangible personal property specifically *excludes* imports by “a
10 contractor importing permanent equipment for the performance of a construction
11 contract, with intent to remove, and who does remove, such equipment out of
12 Guam upon completing the contract.” However, current economic conditions
13 differ from previous periods wherein legislation were designed to provide
14 incentives for business development on Guam. The pending military build-up and
15 public infrastructure improvements have attracted a large contingency of
16 contractors that import their construction-related equipment specifically for their
17 economic gain. Importation of large amounts of equipment for construction usage
18 hinders local businesses, such as distributors and rental companies, and
19 significantly limits the economic benefit to Guam. Such importation bypasses local
20 businesses and are *not* subject to local taxes, equating to millions of dollars of lost
21 revenue.

22 The majority of construction equipment imported for use on Guam is
23 brought in to generate business revenue. Hauling and operation of heavy
24 equipment have detrimental local impact, to include damaged roads, highways and
25 villages, increased emission into our air and potential fluid leaks into our soil and
26 water lens. If businesses are utilizing construction equipment to generate revenue,
27 then they should bear the associated costs to the community. These costs are

1 amounting to millions of dollars of damages to public roadways and our natural
2 environment.

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

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

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

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

18 “§28101(m) *Contractor* means a person who contracts to erect,
19 construct, repair, or improve buildings, highways, and other structures and
20 includes those engaged in the practice of architecture, professional
21 engineering, land surveying, landscape architecture, and pest control or
22 fumigation. A contractor is any person or business making repairs,
23 alterations or additions to real property. For purposes of discussion, the term
24 contractor means construction contractor.

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

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

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

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

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

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

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

19 “**§28103. Levy of Tax.**

20 There is hereby levied on the landed value of, and *shall* be paid
21 and collected, in the manner, at the times, and by the persons,
22 hereinafter provided a use tax upon the use or consumption of all
23 property (as hereinabove defined) in Guam.”

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

26 “Every person who imports into Guam, or acquires in Guam from any
27 other person to taxable under 11 GCA, Chapter 26, in respect to the

1 transaction by which the former acquired the same, any property for his use
2 or consumption, *shall* be subject to a tax in respect to such use or
3 consumption at the rate in this Chapter provided, measured by the landed
4 value of such property, which tax *shall* be payable.”

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

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

11 “§28112. **Continuing Appropriation.**

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

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

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

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

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

9 **“§22111. Direct Deposit of Judiciary Appropriations.**

10 (a) With respect to the appropriations by *I Liheslaturan Guåhan* for
11 the operations of the Judiciary of Guam for any fiscal year, the Director of
12 Administration *shall* deposit, on the last day of each month, into a bank
13 account designated by the Judiciary, a sum from the prior month’s General
14 and Special Fund revenue collections as defined in Subsection (a)(1) and (2)
15 of this Section; *provided*, however, that the deposits for the fiscal year *shall*
16 *not* exceed the total amount appropriated by *I Liheslaturan Guåhan* for the
17 fiscal year.

18 (1) Deposit percentage calculation for each fiscal year *shall*
19 equal the General Fund appropriation amount of the Judiciary of
20 Guam’s budget for the fiscal year divided by the total General Fund
21 Revenue Available for Appropriation for the government of Guam as
22 adopted by *I Liheslaturan Guåhan* in the General Appropriations Act
23 for the same fiscal year. The term “General Fund Revenue Available
24 for Appropriation” as used herein *shall not* include revenue for tax
25 refund payments, federal sources, and the two percent (2%) General
26 Fund Reserve as mandated by 5 GCA § 22436.

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

5 (b) The Chief Justice of the Judiciary of Guam *shall* submit to the
6 Speaker of *I Liheslaturan Guåhan*, *I Maga'lahaen Guåhan*, and the Director
7 of Administration, on *or* before October 10 of each year, a projected
8 schedule of the monthly deposits in accordance with Subsection (a)(2) of
9 this Section for the Judiciary for the fiscal year.

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

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

15 “**§30113. Outside Employment Regulated.**

16 *Neither* the Attorney General *nor* any person employed in the
17 Department of Law *shall* engage in any outside employment which *shall*
18 conflict with his duties within the Department of Law. Attorneys in the
19 Department of Law *shall not* engage in the practice of law outside of the
20 Department of Law.”

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

23 “(3) Bond proceeds appropriated under item (1) of this Subsection
24 *shall* be expended for purposes exclusive to and in support of item (1) and
25 *shall not* be expended for purposes in item (2) of this Subsection or for any
26 other purposes.”

1 **Section 41. Administrative Leave Authorized for Worker’s**
2 **Compensation Commission Claimants.** A new Subsection (j) is hereby *added* to
3 §9104 of Chapter 9, Title 22, Guam Code Annotated, to read as follows:

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

12 (1) Supplemental Payments Prohibited. An employee
13 covered by this Act *shall* be paid from their employing agency; and
14 any monthly payments issued pursuant to this Act *shall* be in place of,
15 and *not* in addition to, any monthly payments authorized by the
16 Worker’s Compensation Program, *not* to include payments issued to
17 cover the cost of medical treatment.

18 (2) Periodic Review. The Department of Labor Worker’s
19 Compensation Commission is hereby authorized to conduct
20 independent, periodic reviews once every three (3) to six (6) months
21 to assess the severity of the individual’s medical condition resulting
22 from the workplace injury. Such review may include requiring
23 claimants to submit periodic surveys developed by the Department or
24 their employer to assist with assessing the medical condition of the
25 employee; such survey *shall* be completed and signed by the attending
26 physician.

1 (3) Penalties. Any person, including an employee, employer,
2 medical case manager, health care provider, vocational rehabilitation
3 provider, or workers' compensation insurance carrier who, knowingly
4 and with intent to defraud, makes a false statement or representation
5 for the purpose of obtaining, affecting, or denying any benefit or
6 payment under the provisions of this Chapter, either for her or himself
7 or for any other person, *shall* forfeit all benefits or payments obtained
8 as a result of the false statement or representation and all or a portion
9 of any right to compensation under the provisions of this Chapter as
10 determined by Director and:

11 (i) for fraud involving Ten Thousand Dollars
12 (\$10,000) *or* more, be fined *not more than* One Hundred
13 Thousand Dollars (\$100,000) or imprisoned *not more than*
14 three (3) years, or both; and

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

19 **Section 42. §22413 of Chapter 22 of Title 5, Guam Code Annotated, is**
20 **hereby *amended* to read:**

21 **“§ 22413. Line of Credit for the General Operations.**

22 *I Maga'låhen Guåhan*, (the Governor) on behalf of the government of
23 Guam, is authorized to arrange a line of credit *not to exceed* Twenty Million
24 Dollars (\$20,000,000) with any bank or commercial lending institution
25 licensed on Guam for the payment of general operations of the government
26 when the funding of the deposits for income tax refunds result in a shortfall

1 of cash required to pay for appropriations for operations in the *Annual*
2 *Appropriations Act*. The terms of the line of credit *shall* include the
3 following:

4 (a) the line of credit shall be used by *I Maga'låhen Guåhan* to pay for
5 general operations in cases where a cash shortage is eminent and a strong
6 likelihood exists that the shortage could hamper governmental operations;

7 (b) prepaid charges *shall not* be levied by the bank or trust department
8 for opening the line of credit;

9 (c) the interest rate shall be subject to competitive negotiations
10 between *I Maga'låhen Guåhan* (the Governor) and the banks; such interest
11 rate shall be computed on a monthly average and based on the actual
12 amounts extended to the government;

13 (d) interest earned by the financial institution providing the proceeds
14 for the line of credit shall be exempt from taxation by the government of
15 Guam;

16 (e) all terms of the line of credit agreement not specifically defined in
17 the foregoing shall be negotiated by *I Maga'låhen Guåhan* [the Governor] in
18 the best interests of the people of Guam;

19 (f) funds necessary for such repayment of interest and principal on
20 loans authorized by this Section of this Article are appropriated from the
21 General Fund and any pledge revenues; the duration for repayment of the
22 loan shall be negotiated by *I Maga'låhen Guåhan* [the Governor] which
23 shall not extend beyond two fiscal years;

24 (g) funds necessary for the repayment of interest and principal on
25 loans authorized by this Section and (§22414 of this Article are appropriated
26 from the revenue derived from the tax increase contained in P.L. No. 17-4,
27 and, to the extent necessary, from other revenues of the government of

1 Guam and the General Fund; any excess funds from the tax increases
2 contained in P.L. No. 17-4 shall be used to retire said debt instruments as
3 additional principal payments and for no other purposes;

4 (h) notwithstanding the first Paragraph of this Section, or any other
5 provision of law, the terms of the line of credit arranged by *I Maga'låhen*
6 *Guåhan* [the Governor] as provided by this Section, may permit the bank or
7 commercial lending institution licensed on Guam with which such line of
8 credit is arranged to grant participation in such line of credit, at such times
9 and in such amounts and upon such terms and conditions as such bank or
10 lending institution licensed in Guam shall determine, to other banks, or
11 commercial lending institutions, including those not licensed on Guam, or to
12 any other persons, associations, or corporations; the exemption from taxation
13 by the government of Guam of the interest derived from the line of credit
14 shall be preserved to any such participant; such participation shall be made
15 by public offering;

16 (i) the loan may be secured by pledge of funds or a guaranty of the
17 government of Guam, including the revenues derived by the government of
18 Guam under §30 of the Organic Act of Guam; and

19 (j) notwithstanding any substantive or procedural provision of Chapter
20 6 of Title 5 of the Guam Code Annotated, the government of Guam hereby
21 waives immunity from any suit or action in contract on the line of credit but
22 does not waive sovereign immunity of elected or appointed officials and
23 employees of the government of Guam.”

24 **Section 43.** Section 3 of Public Law 30-216, as amended by Section 2 of
25 Public Law 31-42, is *amended* to read as follows:

26 **“Section 3. Timely Completion of Maintenance Services.**

1 (a) The Directors of the DPW, GFD and GPD *shall* exercise best
2 management practices to ensure that procurement documents pertinent to
3 Section 2 (a) of this Act are completed and transmitted to the General
4 Services Agency (GSA) by July 15, 2011.

5 (b) The Department of Public Works, the Guam Fire Department
6 and Guam Police Department are hereby authorized, through the applicable
7 procurement rules and regulations of the General Services Agency, to
8 augment maintenance service capacity by procuring the services of private
9 sector maintenance businesses capable of completing the purposes
10 referenced in Section 2 of this Act.

11 (c) All amounts appropriated by this Act which are *not* encumbered
12 by August 15, 2011 *shall* transfer to the Department of Public Works
13 Transportation Maintenance Division for preventative maintenance services
14 specified in Section 2 (a) of this Act. Amounts transferred *shall* continue to
15 be available to the Department until expended, and *shall not* be subject to *I*
16 *Maga'lahaen Guåhan's* transfer authority.

17 (d) The Department of Public Works is hereby authorized to
18 maximize the funding for and the construction of wooden bus shelters as
19 authorized by this Act by partnering with the Guam Trades Academy and
20 the Guam Community College.”

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 before the transfer is made to the
27 Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget.

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

7 **Section 15. Email Addresses Paid for with Government of Guam**
8 **Funds.** The Office of *I Maga'låhen Guåhan* *shall* create a list of all email
9 addresses paid for by any funds appropriated by this Act and *shall* post said list on
10 the respective agency's or branch's website and the Office of *I Maga'låhen*
11 *Guåhan*'s website.

12 **Section 16. Combined Purchase of Textbooks.** The Guam Department of
13 Education, the University of Guam, and the Guam Community College *shall*
14 together develop a more cost-effective method of purchasing textbooks for the
15 government of Guam, in which the government would benefit from the economies
16 of scale and combined purchasing power of the three (3) institutions. The joint
17 proposal *shall* target implementation for School Year 2011-2012, and *shall* be
18 submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* *no*
19 *later than* January 15, 2012.

20 **Section 17. Uniform Allowances.** Uniform allowances authorized in this
21 Act *shall not* be less than One Hundred Fifty Dollars (**\$150**) for the fiscal year, and
22 *shall* be issued to the employees *no later than* the end of the first quarter of FY
23 2012.

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

27

1 **Section 19. Government Staffing Pattern.**

2 (a) Staffing Pattern. *No later than* thirty (30) days after the end of each
3 quarter of Fiscal Year 2012, every director, administrator or head of a government
4 of Guam agency, excluding line agencies, *shall* submit to the Speaker of *I*
5 *Liheslaturan Guåhan*, in a Microsoft Excel file and written report, and post the
6 same on the agency website, a current staffing pattern in the format of the
7 Executive Branch FY 2012 Budget Call, as of the close of the previous quarter.
8 The agencies required to submit are all autonomous and semi-autonomous
9 agencies, public corporations, the Mayors Council of Guam, and the Unified
10 Judiciary. Said staffing pattern *shall* include, at a minimum, the name of every
11 current employee and her or his position title, most recent hire date, salary,
12 increment costs and benefit costs, the funding source for her or his salary and
13 benefits, and the gross salary and benefits paid for during the quarter.

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

23 **Section 20. Monthly Working Trial Balance and Statement of**
24 **Revenues, Expenditures and Changes in Fund Balance Report.** The Director
25 of the Department of Administration *shall* submit a Monthly Working Trial
26 Balance and Statement of Revenues, Expenditures and Changes in Fund Balance
27 Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a

1 Microsoft Excel file and written report, *no later than* twenty (20) days after the end
2 of each month. Each monthly revenues, expenditures and changes in fund balance
3 report *shall* itemize: (a) the Revenues by (1) Individual Income Taxes, (2)
4 Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Business
5 Privilege Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses,
6 Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the
7 Expenditures by Department by Object Class; and (c) Other Sources (Uses) by
8 Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall*
9 be itemized by Fund transferred from and Transfers Out *shall* be itemized by Fund
10 transferred to. Each monthly report *shall* be posted on the Department of
11 Administration's website as a Microsoft Excel file *no later than* twenty (20) days
12 after the end of each month.

13 **Section 21. Monthly Cash Balance Reports for General and Special**
14 **Funds.** The Director of the Department of Administration *shall* submit a monthly
15 report of beginning cash balances, cash deposits, cash withdrawals, and ending
16 cash balances of the government of Guam General, Special Funds and Trust Funds
17 and Accounts to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*,
18 in a Microsoft Excel file and written report, *no later than* twenty (20) days after the
19 end of each month. The Director *shall* prepare the report in the format prescribed
20 and prepared by the Office of Finance and Budget for reporting purposes. Said
21 format *shall* be prepared by the Office of Finance and Budget by October 31, 2011.
22 Each monthly report *shall* itemize *all* General Fund and Special Fund cash
23 balances by bank, by bank account name, by bank account number, and by fund
24 name.

25 **Section 22. Reporting Requirements for Boards and Commissions.** The
26 governing boards and commissions of *all* agencies, public corporations, and
27 departments of the government of Guam that are *not* appropriated funds from the

1 General Fund pursuant to this Act *shall* provide electronic copies of the monthly
2 board and commission meeting agendas, approved minutes, and other attachments
3 and addendums as discussed in each monthly meeting, to *I Maga'låhen Guåhan*
4 and the Speaker of *I Liheslaturan Guåhan* no later than fifteen (15) days after the
5 end of said meeting and post the same on its website or the agency, public
6 corporation, or department to which it governs.

7 **Section 23. Re-assignment of Tax Credits.** Notwithstanding any other
8 provision of law, any assignable tax credits that are assigned to businesses,
9 corporations, or other entities on Guam from businesses, corporations, or other
10 entities on Guam granted such tax credits, used to pay for taxes due not from the
11 assignable tax source, *shall be* repaid from the tax source, from which the
12 assignable tax credit was granted, by the Director of the Department of
13 Administration. This Section *shall be* codified by the Guam Compiler of Laws

14 **Section 24. CITIZEN-CENTRIC REPORTS.**

15 The Public Auditor of Guam, in collaboration with the Association of
16 Government Accountants, *shall* submit by October 31st of each year to the Speaker
17 of *I Liheslaturan Guåhan* and *I Maga'låhen Guåhan* a complete list of current and
18 outdated CITIZEN-CENTRIC REPORTS submitted by line agencies, autonomous
19 and semi-autonomous agencies, public corporations, the Mayor's Council of
20 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 (\$2000) deductible health savings account medical insurance plan which *shall* have
8 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,
19 Chapter XIV, Part I of this Act:

		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	\$381,740	\$1,017,611	\$1,669,429
16			\$3,511,019	\$4,646,202	\$10,176,112	\$18,333,333

Section 5. Agency Expenses Appropriated to Health Benefit Cost Account Administered by the Department of Administration. Funds provided in this Section are hereby appropriated from the General Fund, Special Funds and the GWA Reimbursement to the Health Benefit Cost Account administered by the Department of Administration as outlined in this Section for government of Guam employees' medical, dental and life insurance premiums in Fiscal Year 2012. The breakdown of fund sources by agencies is allocated in Appendix I. Medical, dental and life insurance premiums for one hundred percent (100%) federally funded positions are *not* appropriated in this Section, but *shall* be deposited into the Health 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	\$638,835
20 Department of Corrections	\$244,523	\$34,586	\$449,591
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	\$511,834
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	\$3,096,917¹	\$415,790¹	\$3,511,019²

17 Funding Sources:

18 ¹ General Fund and Special Funds as outlined in Appendix I

19 ²GWA 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. Any
25 surplus appropriations from this Section may be used by the branches and agencies
26 outlined in this Section to fund general operations.

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

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

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

Section 3. Agency Expenses Appropriated to Utility Cost Account Administered by the Department of Administration. Funds provided in this Section are hereby appropriated from the General Fund and Special Funds to the Utility Cost Account administered by the Department of Administration as outlined in this Section and further delineated by fund source in Appendix II for each government of Guam agency in Fiscal Year 2012. The appropriations and deposits to the Utility Cost Account *shall* apply to the following departments and 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 as further delineated in Appendix II. Any
26 surplus appropriations from this Section may be used by the branches and agencies
27 outlined in this Section to fund general operations.

	<u>Power</u>	<u>Water</u>	
1			
2	Unified Judiciary of Guam	\$1,046,236	\$37,733
3	<i>I Liheslaturan Guåhan</i>	\$198,177	\$8,599
4	University of Guam	\$4,024,457	\$121,423
5	Guam Community College	\$1,264,336	\$39,872
6	Public Defender Service Corporation	<u>\$48,000</u>	<u>\$0</u>
7	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. Hiring Freeze.** All departments and agencies of the Executive
21 Branch are prohibited from filling vacant positions with appropriations in this Act,
22 *except* as provided for herein and in Chapter XIV, Part III, Section 3 of this Act.
23 This prohibition applies to appointments of any persons *not* currently employed by
24 the government of Guam, including permissive reinstatements, limited-term

1 appointments, temporary-authorization appointments, and retired-annuitant
2 appointments beginning October 1, 2011 to September 30, 2012.

3 The Department of Education, the University of Guam, the Guam
4 Community College, the Guam Fire Department, the Guam Police Department, the
5 Department of Corrections, Law Enforcement Divisions of DYA, the Department
6 of Agriculture, the Department of Parks & Recreation, the Unified Judiciary, the
7 Office of the Attorney General, the Customs and Quarantine Agency, the
8 Department of Public Health and Social Services, the Department of Mental Health
9 and Substance Abuse, and the Department of Revenue and Taxation may fill
10 positions vacated due to retirement, termination or resignation at or below the
11 grade-step level of the vacated position. The Department of Public Works is
12 authorized to hire Bus Drivers to fill vacant Bus Driver positions.

13 The DOA *shall* publish a list on its website of all funded positions for which
14 a salary payment was issued or leave without pay was approved as of the twenty-
15 second (22nd) pay period of Fiscal Year 2011, and *shall* transmit a Microsoft Excel
16 file and written report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
17 *Guåhan no later than* October 31, 2011. The list *shall* include all branches,
18 departments, and agencies of the government of Guam, most recent hire date,
19 official position number, fund source, grade-step and total salary (Object Class
20 111) and total benefits (Object Class 113). The list *shall* serve as the position
21 inventory of the government of Guam and official authorized positions allowable
22 under the provisions of this Act.

23 Positions funded from the Community First Guam Federal Credit Union
24 DMHSA Amended Permanent Injunction Trustee Account and positions funded in
25 Section 11 to Part II of Chapter III of this Act are allowable and exempt from the
26 hiring freeze provisions in this Section.

1	Veteran’s Affairs Office	\$31,092
2	Department of Revenue & Taxation	\$390,253
3	PEALS Board	\$113,903
4	Department of Agriculture	\$18,874
5	Department of Labor/AHRD	\$70,874
6	Department of Integrated Services for Individual with Disabilities	\$22,556
7	Department of Land Management	\$109,330
8	Customs and Quarantine Agency	\$109,563
9	Chamorro Land Trust Commission	\$42,490
10	Guam Regional Transit Authority	<u>\$101,972</u>
11	Total	\$1,143,833

12 **Section 5. Severability.** *If* any provision of this Act or its application to
13 any person or circumstance is held invalid, the invalidity *shall not* affect other
14 provisions or applications of this Act which can be given effect without the invalid
15 provision or application and to this end the provisions of this Act are severable.

**APPENDIX 1
HEALTH INSURANCE COST ACCOUNT
FY 2012**

<u>AGENCY</u>	<u>FUND SOURCE</u>	<u>MED & DEN</u>	<u>LIFE</u>
OFFICE OF THE GOVERNOR	GENERAL FUND	\$32,869	\$12,798
OFFICE OF THE GOVERNOR	INDIRECT COST FUND	\$14,988	\$0
COMMISSION ON DECOLONIZATION	GENERAL FUND	\$739	\$152
ANCESTRAL LANDS COMMISSION	GENERAL FUND	\$1,765	\$457
VETERANS AFFAIRS OFFICE	GENERAL FUND	\$2,359	\$914
BUREAU OF BUDGET & MANAGEMENT RESEARCH	GENERAL FUND	\$12,892	\$2,133
BUREAU OF BUDGET & MANAGEMENT RESEARCH	INDIRECT COST FUND	\$13,147	\$914
CIVIL SERVICE COMMISSION	GENERAL FUND	\$10,609	\$1,524
DEPARTMENT OF ADMINISTRATION	GENERAL FUND	\$82,296	\$18,283
DEPARTMENT OF ADMINISTRATION	INDIRECT COST FUND	\$37,090	\$2,742
GUAM ELECTION COMMISSION	GENERAL FUND	\$6,096	\$914
DEPARTMENT OF REVENUE & TAXATION	GENERAL FUND	\$102,058	\$27,702
DEPARTMENT OF REVENUE & TAXATION	TAX COLLECTION ENHANCEMENT FUND	\$12,818	\$1,219
BUREAU OF STATISTICS AND PLANS	GENERAL FUND	\$18,520	\$3,047
DEPARTMENT OF PUBLIC WORKS	GENERAL FUND	\$187,870	\$33,214
DEPARTMENT OF PUBLIC WORKS	GUAM HIGHWAY FUND	\$194,336	\$11,275
DEPARTMENT OF PUBLIC WORKS	DPW BUILDING & DESIGN FUND	\$6,449	\$457
CONTRACTORS LICENSE BOARD	GUAM CONTRACTORS LICENSE BOARD FUND	\$15,581	\$1,828
PEALS BOARD	P.E.A.L.S. FUND	\$0	\$152
DEPARTMENT OF LAW	GENERAL FUND	\$85,789	\$14,322
GUAM POLICE DEPARTMENT	GENERAL FUND	\$147,448	\$55,764
CORRECTIONS	GENERAL FUND	\$244,523	\$34,586
DEPARTMENT OF AGRICULTURE	GENERAL FUND	\$38,330	\$6,094
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	GENERAL FUND	\$39,843	\$8,075
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	HEALTHY FUTURES FUND	\$183,106	\$13,560
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	ENVIRONMENTAL HEALTH FUND	\$15,818	\$0
GUAM PUBLIC LIBRARY	GENERAL FUND	\$21,115	\$4,418
DEPARTMENT OF YOUTH AFFAIRS	GENERAL FUND	\$61,869	\$10,513
DEPARTMENT OF YOUTH AFFAIRS	HEALTHY FUTURES FUND	\$12,943	\$762
GUAM ENVIRONMENTAL PROTECTION AGENCY	AIR POLLUTION CONTROL FUND	\$6,355	\$762
GUAM ENVIRONMENTAL PROTECTION AGENCY	GUAM ENVIRONMENTAL TRUST FUND	\$10,918	\$0
GUAM ENVIRONMENTAL PROTECTION AGENCY	WATER RESEARCH & DEVELOPMENT FUND	\$2,096	\$153
GUAM ENVIRONMENTAL PROTECTION AGENCY	WATER PROTECTION FUND	\$0	\$152
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	GENERAL FUND	\$69,708	\$13,560
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	HEALTHY FUTURES FUND	\$101,804	\$5,942
DEPARTMENT OF LABOR / AHRD	GENERAL FUND	\$13,006	\$2,895
DEPARTMENT OF LABOR / AHRD	MANPOWER DEVELOPMENT FUND	\$25,095	\$1,219
DEPARTMENT OF PARKS AND RECREATION	GENERAL FUND	\$55,480	\$10,665
DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES	GENERAL FUND	\$7,369	\$1,828
MAYOR'S COUNCIL	GENERAL FUND	\$128,591	\$31,234
DEPARTMENT OF LAND MANAGEMENT	LAND SURVEY REVOLVING FUND	\$135,317	\$7,466
CHIEF MEDICAL EXAMINER - ADMIN	GENERAL FUND	\$4,077	\$457
CUSTOMS AND QUARANTINE AGENCY	CUSTOMS, AGRICULTURE, AND QUARANTINE INSPECTION SERVICES FUND	\$324,560	\$22,549
DEPARTMENT OF CHAMORRO AFFAIRS	GENERAL FUND	\$10,881	\$2,133
DEPARTMENT OF MILITARY AFFAIRS	GENERAL FUND	\$0	\$305
GUAM FIRE DEPARTMENT	GENERAL FUND	\$278,376	\$41,594
GUAM FIRE DEPARTMENT	ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	\$36,760	\$2,895
PBS GUAM	GENERAL FUND	\$11,776	\$1,524
GUAM COMMISSION FOR EDUCATOR CERTIFICATION (GCEC)	GENERAL FUND	\$4,426	\$457
OFFICE OF THE PUBLIC AUDITOR	GENERAL FUND	\$13,895	\$2,438
CHAMORRO LAND TRUST COMMISSION	CHAMORRO LAND TRUST OPERATIONS FUND	\$26,116	\$1,676
GUAM REGIONAL TRANSIT AUTHORITY	GUAM HIGHWAY FUND	\$27,045	\$1,067
	GRAND TOTAL	\$3,096,917	\$415,793

**APPENDIX II
FY 2012 APPROPRIATIONS FOR POWER AND WATER COSTS**

AGENCY CODE	AGENCY DESCRIPTION	FUND CODE	FUND SOURCE	POWER	WATER
209	ANCESTRAL LANDS COMMISSION	100	GENERAL FUND	\$4,700	\$600
282	VETERAN'S AFFAIRS OFFICE	100	GENERAL FUND	\$11,000	\$1,032
06	DEPARTMENT OF ADMINISTRATION	100	GENERAL FUND	\$265,000	\$33,000
10	DEPARTMENT OF PUBLIC WORKS	208	GUAM HIGHWAY FUND	\$1,099,729	\$206,486
12	GUAM POLICE DEPARTMENT	100	GENERAL FUND	\$165,297	\$42,315
13	CORRECTIONS	100	GENERAL FUND	\$160,225	\$118,140
16	DEPARTMENT OF AGRICULTURE	100	GENERAL FUND	\$110,000	\$33,000
16	DEPARTMENT OF AGRICULTURE	608	GUAM PLANT INSPECTION & PERMIT FUND	\$32,000	\$3,500
17	DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	100	GENERAL FUND	\$503,110	\$34,666
18	GUAM PUBLIC LIBRARY	100	GENERAL FUND	\$128,980	\$6,000
20	DEPARTMENT OF YOUTH AFFAIRS	100	GENERAL FUND	\$36,275	\$26,118
20	DEPARTMENT OF YOUTH AFFAIRS	602	HEALTHY FUTURES FUND	\$20,000	\$0
22	GUAM ENVIRONMENTAL PROTECTION AGENCY	245	GUAM ENVIRONMENTAL TRUST FUND	\$41,406	\$11,387
22	GUAM ENVIRONMENTAL PROTECTION AGENCY	265	AIR POLLUTION CONTROL FUND	\$20,000	\$0
22	GUAM ENVIRONMENTAL PROTECTION AGENCY	283	WATER PROTECTION FUND	\$10,000	\$0
22	GUAM ENVIRONMENTAL PROTECTION AGENCY	300	WATER RESEARCH & DEVELOPMENT FUND	\$10,000	\$0
23	DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	100	GENERAL FUND	\$600,000	\$25,000
25	DEPARTMENT OF PARKS AND RECREATION	208	GUAM HIGHWAY FUND	\$295,717	\$444,111
28	MAYORS' COUNCIL	100	GENERAL FUND	\$0	\$159,266
28	MAYORS' COUNCIL	208	GUAM HIGHWAY FUND	\$766,013	\$0
37	DEPARTMENT OF MILITARY AFFAIRS	100	GENERAL FUND	\$296,432	\$6,111

**APPENDIX II
FY 2012 APPROPRIATIONS FOR POWER AND WATER COSTS**

AGENCY CODE	AGENCY DESCRIPTION	FUND CODE	FUND SOURCE	POWER	WATER
42	GUAM FIRE DEPARTMENT	100	GENERAL FUND	\$352,906	\$76,763
42	GUAM FIRE DEPARTMENT	281	ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	\$4,300	\$730
63	PBS GUAM	100	GENERAL FUND	\$65,000	\$0
1002	CONTRACTORS LICENSE BOARD	213	GUAM CONTRACTORS LICENSE BOARD FUND	\$15,000	\$0
1003	PEALS BOARD	215	P.E.A.L.S. FUND	\$5,700	\$0
9901	COURT ADMINISTRATIVE SERVICES	100	GENERAL FUND	\$1,046,236	\$37,733
9960	GUAM LEGISLATURE	100	GENERAL FUND	\$198,177	\$8,599
9973	UOG - GENERAL OPERATIONS	100	GENERAL FUND	\$4,024,457	\$121,423
9975	CHAMORRO LAND TRUST COMMISSION	624	CHAMORRO LAND TRUST OPERATIONS FUND	\$21,750	\$0
9980	PUBLIC DEFENDER SERVICE CORPORATION	100	GENERAL FUND	\$48,000	\$0
9981	GUAM COMMUNITY COLLEGE	100	GENERAL FUND	\$1,264,336	\$39,872
0600MSC_10	PUBLIC STREETLIGHTS APPROPRIATIONS (DOA)	202	STREET LIGHT FUND	\$3,473,531	\$0
0600MSC_10	PUBLIC STREETLIGHTS APPROPRIATIONS (DOA)	206	TOURIST ATTRACTION FUND	\$212,482	\$0
0600MSC_10	PUBLIC STREETLIGHTS APPROPRIATIONS (DOA)	208	GUAM HIGHWAY FUND	\$2,323,190	\$0
1000MSC_03	SOLID WASTE DIVISION	416	SOLID WASTE OPERATIONS FUND	\$120,000	\$80,000
	Grand Total			\$17,750,949	\$1,515,852

APPENDIX III
FY 2012 EXECUTIVE BRANCH FUNDED VACANCIES – ALL FUND SOURCES
DOES NOT INCLUDE: GEC, AG, OPA, COURTS, MAYORS', LEGISLATURE, UOG, GCC, PDSC, AND DOE

AGENCY CODE	AGENCY	FUND CODE	FUND SOURCE	AMOUNT
0206	COMMISSION ON DECOLONIZATION	100	GENERAL FUND	\$132,926
0282	VETERAN'S AFFAIRS OFFICE	100	GENERAL FUND	\$31,092
08	DEPARTMENT OF REVENUE & TAXATION	100	GENERAL FUND	\$81,030
08	DEPARTMENT OF REVENUE & TAXATION	100	GENERAL FUND	\$118,292
08	DEPARTMENT OF REVENUE & TAXATION	603	TAX COLLECTION ENHANCEMENT FUND	\$190,931
1003	PEALS BOARD	215	P.E.A.L.S. FUND	\$113,903
16	DEPARTMENT OF AGRICULTURE	100	GENERAL FUND	\$18,874
24	DEPARTMENT OF LABOR / AHRD	232	MANPOWER DEVELOPMENT FUND	\$70,874
26	DISID	100	GENERAL FUND	\$22,556
29	DEPARTMENT OF LAND MANAGEMENT	222	LAND SURVEY REVOLVING FUND	\$79,622
29	DEPARTMENT OF LAND MANAGEMENT	222	LAND SURVEY REVOLVING FUND	\$29,708
32	CUSTOMS AND QUARANTINE AGENCY	209	CUSTOMS, AGRICULTURE, AND QUARANTINE INSPECTION SERVICES FUND	\$109,563
9975	CHAMORRO LAND TRUST COMMISSION	624	CHAMORRO LAND TRUST OPERATIONS FUND	\$42,490
9977	GUAM REGIONAL TRANSIT AUTHORITY	208	GUAM HIGHWAY FUND	\$101,972
	Grand Total			\$1,143,833

**APPENDIX IV
FY 2012 EXECUTIVE BRANCH – APPROPRIATIONS FOR DRUG TESTING**

AGENCY CODE	AGENCY	FUND CODE	FUND SOURCE	TOTAL
04	BUREAU OF BUDGET AND MANAGEMENT RESEARCH	632	INDIRECT COST FUND	\$150
06	DEPARTMENT OF ADMINISTRATION	100	GENERAL FUND	\$375
08	DEPARTMENT OF REVENUE AND TAXATION	100	GENERAL FUND	\$1,500
10	DEPARTMENT OF PUBLIC WORKS	208	GUAM HIGHWAY FUND	\$5,813
10	DEPARTMENT OF PUBLIC WORKS	235	DPW BUILDING & DESIGN FUND	\$1,875
1003	P.E.A.L.S.	215	PEALS	\$40
11	DEPARTMENT OF LAW/OFFICE OF THE ATTORNEY GENERAL	100	GENERAL FUND	\$2,288
17	DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES	600	ENVIRONMENTAL HEALTH FUND	\$75
17	DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES	100	GENERAL FUND	\$600
18	GUAM PUBLIC LIBRARY SYSTEMS	100	GENERAL FUND	\$200
20	DEPARTMENT OF YOUTH AFFAIRS	100	GENERAL FUND	\$225
24	DEPARTMENT OF LABOR	100	GENERAL FUND	\$150
24	DEPARTMENT OF LABOR	232	MANPOWER DEVELOPMENT FUND	\$397
42	GUAM FIRE DEPARTMENT	281	ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	\$1,225
42	GUAM FIRE DEPARTMENT	100	GENERAL FUND	\$5,145
	Grand Total			\$20,346



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TALOFOFO VILLAGE FACILITIES REPAIR/REHABILITATION ASSESSMENT REPORT:

GYMNASIUM

PROJECTED COST

A	TECHNICAL SERVICES - ARCHITECTURAL/ENGINEERING SPECS & DESIGN	\$	14,179.00
8	PERMITS/GOV'T FEES	\$	6,750.00
	SUB-TOTAL - TECHNICAL SERVICES & FEES:	\$	20,929.00
1	60% OF THE EXISTING EXTERIOR BUTLER TIN SIDINGS REQUIRES REPLACEMENT OR REPAIR.	\$	50,000.00
2	VENT FAN TO BE INSTALLED IN RESTROOM, TWO (2) REQUIRED.	\$	300.00
3	4 BLOWER VENTS ARE DAMAGE, REQUIRES REPLACEMENT	\$	1,500.00
4	EXISTING PUBLIC ANNOUNCEMENT SYSTEM EQUIPMENTS ARE BADLY DAMAGE, REQUIRES REPLACEMENT	\$	2,500.00
5	FIRE ALARM SYSTEM NEEDS REPAIR OR REPLACEMENT	\$	8,000.00
6	ROOF HAVE LEAKS AND REQUIRES REPAIRS	\$	5,000.00
7	REPAIR OR REPLACE FIVE (5) DAMAGE METAL RAIN GUARD ON ROLLUP WINDOWS	\$	1,750.00
8	INSTALL AIR CONDITIONING FOR OFFICE (10' X 10'), 8,000 BTU.	\$	800.00
9	THREE (3) EXIT SIGNS DAMAGE, REQUIRE REPLACEMENT.	\$	300.00
10	TWO (2) DRINKING FOUNTAINS DAMAGE, REQUIRE REPLACEMENT.	\$	1,500.00
11	ELECTRICAL SYSTEM REQUIRES CHECKING, REWIRING AND REPLACEMENT OF DAMAGE FIXTURES.	\$	9,500.00
12	BASKETBALL COURT FLOOR SURFACE IS BADLY DAMAGE AND REQUIRES RESURFACING AND RESTRIPPING.	\$	24,000.00
13	REPLACED RUSTY ELECTRICAL METER BOX	\$	1,750.00
14	PROVIDE SECURITY BARS ON TWEVELE (12) VENTILATION WINDOWS (SIZE 2' X 9'-4")	\$	3,500.00
15	REPLACED TWEVELE (12) MISSING ALUM. LOUVERS.	\$	7,500.00
16	PAINTING REQUIRED	\$	10,000.00
	SUB-TOTAL - PROJECT IMPROVEMENTS:	\$	127,900.00
	GRAND-TOTAL - PROJECT IMPROVEMENTS:	\$	148,829.00

EXHIBIT "A"

Civil Engineering - Construction Management - Project Management - Quality Control - Planning - Design