

I Mina'trentai Sais Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
152-36 (COR)	Telo T. Taitague Sabina Flores Perez Joanne Brown	AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL ENABLING LEGISLATION OF SUCH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO OPA REPORT NO. 19-02.	6/16/21 1:00 p.m.						

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Bill No. 152-36 (COR)**

**Introduced by:**

Telo T. Taitague  
Sabina Flores Perez / SFP  
Joanne Brown

**AN ACT TO CLOSE INACTIVE GOVERNMENT OF  
GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL  
ENABLING LEGISLATION OF SUCH INACTIVE  
GOVERNMENT OF GUAM SPECIAL FUND  
ACCOUNTS, AS RECOMMENDED BY THE OFFICE OF  
PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO  
OPA REPORT NO. 19-02.**

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

**Section 1.** The Government of Guam Special Fund Accounts included in Exhibit A, attached hereto, shall hereby be closed, and the Public Laws and sections of the Guam Code Annotated contained in Sections 2 through 30 of the Act are hereby repealed. All revenue previously earmarked for these Special Fund Accounts shall continue to be collected and credited to the General Fund for appropriation by *I Liheslaturan Guåhan*. The Department of Administration shall be responsible for ensuring the timely administration and compliance of the provisions herein, and shall work with pertinent agencies and entities of the Government of Guam whose funds are herein affected.

1       **Section 2.** § 51106 of Chapter 51, Title 17, Guam Code Annotated, is  
2 hereby repealed:

3       ~~“§ 51106. POST Fund.~~

4       ~~(a) (1) The Commission may solicit, apply to or accept grants of money or~~  
5 ~~materials or property of any kind from the Federal government, the government of~~  
6 ~~Guam, any agency or political subdivision of the government of Guam or any~~  
7 ~~person and business upon the terms and conditions imposed by the grantor.~~

8       ~~(2) The Commission shall establish and collect fees for the services it~~  
9 ~~performs.~~

10       ~~(3) Notwithstanding any other provision of law, all funds received by the~~  
11 ~~Commission in accordance with this Chapter shall be deposited within five (5)~~  
12 ~~days of receipt with the Treasurer of Guam for credit to the “POST Fund” (Fund)~~  
13 ~~established pursuant to Subsection (b) of this Section.~~

14       ~~(4) Funds shall be used by the Commission to carry out its functions for~~  
15 ~~administration, operations, training costs of peace officers, management surveys,~~  
16 ~~research, management assistance, and other operating expenses and encumbrances~~  
17 ~~of the Commission in performing its duties and obligations as prescribed in this~~  
18 ~~Chapter.~~

19       ~~(5) The Executive Director shall be the Certifying Officer of the Fund.~~

20       ~~(b) There is hereby created, separate and apart from other funds of the~~  
21 ~~government of Guam, a fund to be known as the “POST Fund” (Fund).~~

22       ~~(1) The Fund shall not be commingled with the General Fund and shall be~~  
23 ~~kept in a separate account.~~

24       ~~(2) The Fund shall be under the control of the Commission and the Director~~  
25 ~~of Administration (Director).~~

26       ~~(3) The Director shall administer the Fund and release the necessary monies~~  
27 ~~upon request for expenditures by the Executive Director authorized by this Section.~~

1       ~~(4) The Fund shall not be used for any purposes other than those enumerated~~  
2 ~~or reasonably inferred herein or for purposes other than those relating to the~~  
3 ~~Commission.~~

4       ~~(5) In exercising its functions, the Commission shall endeavor to minimize~~  
5 ~~costs of administration so that a maximum of Funds will be expended exclusively~~  
6 ~~for the POST Commission for the purpose of providing training and other services~~  
7 ~~to law enforcement agencies.~~

8       ~~(6) The Director of Administration shall make a quarterly report to I~~  
9 ~~Maga'låhen Guåhan and I Liheslaturan Guåhan of the condition of, and activity~~  
10 ~~within the Fund.~~

11       ~~(c) (1) The POST Fund is hereby excluded from any transfer authority given~~  
12 ~~to I Maga'låhen Guåhan.~~

13       ~~(2) Any subsequent grant of authority to I Maga'låhen Guåhan to transfer~~  
14 ~~funds categorically or in general from I Liheslaturan Guåhan must specifically~~  
15 ~~identify the POST Fund as a source."~~

16       **Section 3.**   § 41601 of Chapter 41, Title 17, Guam Code Annotated, are  
17 hereby repealed:

18       **~~"§ 41601. Creation.~~**

19       ~~There is hereby created, separate and apart from other funds of the~~  
20 ~~government of Guam, a fund known as the Individuals with Disabilities Disaster~~  
21 ~~Recovery Fund ('FUND')."~~

22       **Section 4.**   § 41602 of Chapter 41, Title 17, Guam Code Annotated, are  
23 hereby repealed:

24       **§ 41602. Separate Fund and Bank Account.**

25       ~~"The Fund shall not be commingled with the General Fund and shall be kept~~  
26 ~~in a separate bank account. The Governor pursuant to any of his transfer authority~~  
27 ~~shall transfer no monies from the Fund."~~



1       **Section 5.** § 41603 of Chapter 41, Title 17, Guam Code Annotated, are  
2 hereby repealed:

3       ~~“§ 41603. Purpose and Expenditures.~~

4       ~~The Fund shall be expended to mitigate damages and losses of medical~~  
5 ~~equipment, medical supplies and medications to individuals with disabilities and~~  
6 ~~other patients under the care of a licensed physician.”~~

7       **Section 6.** § 41604 of Chapter 41, Title 17, Guam Code Annotated, are  
8 hereby repealed:

9       ~~“§ 41604. Same.~~

10       ~~The Director of the Department of Integrated Services for Individuals with~~  
11 ~~Disabilities (‘Director’) is hereby authorized to dispense funds from the~~  
12 ~~Individuals with Disabilities Disaster Recovery Fund pursuant to this Article.”~~

13       **Section 7.** § 41605 of Chapter 41, Title 17, Guam Code Annotated, are  
14 hereby repealed:

15       ~~“§ 41605. Administration.~~

16       ~~The Director shall account for and administer the Fund. The Director shall~~  
17 ~~keep all books, records, files and accounts for the Fund. The Director shall prepare~~  
18 ~~semi-annual reports relative to the Fund reflecting the transactions and financial~~  
19 ~~condition of the Fund, which semi-annual reports shall be transmitted to the~~  
20 ~~Governor and the Speaker of the Guam Legislature.”~~

21       **Section 8.** Public Law No. 20-210 is hereby repealed:

22       ~~“Section 1. Legislative findings. In order to provide low interest loans to~~  
23 ~~its qualified customers, the Guam Housing Corporation (the "Corporation") must~~  
24 ~~obtain low cost lending capital. The Corporation may acquire funds from private~~  
25 ~~sources or through the issuance of tax exempt bonds but these potential~~  
26 ~~sources of lending capital can only be obtained at market rates with the~~  
27 ~~resultant effect that the Corporation's loans to qualified new borrowers would have~~

1 to be at interest rates exceeding the rates at which the lending capital is  
2 borrowed. The need for low interest rate loans for middle and low income families  
3 would, thus, not be answered. Since housing costs have risen beyond the reach of  
4 most Guam residents, the only way to make housing more affordable without  
5 disrupting the real estate market is to make low interest mortgage financing  
6 available to low and moderate income families and individuals. A low interest  
7 government loan to the Corporation will make it possible for the Corporation to  
8 make low interest mortgage loans to its customers.

9 **Section 2. Authorization.** The Governor of Guam may lend to the  
10 Corporation from the Fiscal Year 1991 General Fund revenues, Three  
11 Million Dollars (\$3,000,000), which sum is hereby appropriated from such  
12 Fiscal Year revenues of the General Fund to the Department of  
13 Administration for such loan.

14 **Section 3. Purpose.** The sole purpose of the loan authorized in Section  
15 2 shall be to enable the Corporation to make low interest loans to its qualified  
16 borrowers. Such loans shall be for the purchase or construction of a home under  
17 the Corporation's lending programs as authorized in Chapter 4, Title 12, Guam  
18 Code Annotated.

19 **Section 4. the Terms and conditions.** The loan authorized in Section 2  
20 interest at the rate of four percent (4%) per annum and shall be repaid to the  
21 Guam Housing Corporation Revolving Loan Fund created in Section 8 hereof, in  
22 two hundred and forty (240) equal monthly payments of principal and  
23 interest, the first payment to commence one (1) year after the date of enactment  
24 hereof.

25 **Section 5. Loans to be made: rate of interest.** The loans to be made by  
26 the Corporation to its qualified moderate and low income families and  
27 individuals shall bear interest at the rate of six percent (6%) per annum. All other



1 terms and conditions shall be accordance with the Corporation's lending programs  
2 as authorized in Chapter 4, Title 12, Guam Code Annotated.

3 **Section 6. Event of Default.** If the Corporation fails to make any  
4 payment to the Guam Housing Corporation Revolving Loan Fund within ninety  
5 (90) days after the date such payment becomes due, the loan shall be  
6 considered in default. The Governor, in the event of default, shall declare the loan  
7 to be in default and shall exercise whatever authority and remedies are necessary to  
8 remedy said default. Such remedies shall include, but shall not be limited to,  
9 taking ownership of any or all mortgages made from the proceeds of the loan  
10 authorized herein.

11 **Section 7. Debt instruments and governing laws.** The debt  
12 instrument issued in connection with this Act shall be governed by and construed  
13 in accordance with the laws of Guam. The debt shall be evidenced by a promissory  
14 note and other necessary debt instruments to be prepared by the Attorney General  
15 and executed by the Governor on behalf of the government of Guam and the  
16 President and Chairman of the Board of Directors of the Corporation on behalf of  
17 the Corporation.

18 **Section 8. Guam Housing Corporation Revolving Loan Fund.** There is  
19 hereby created a Guam Housing Corporation Revolving Loan Fund (the  
20 "Fund") for the purpose of providing future loans to the Corporation. All  
21 payments of principal and interest made by and received from the Corporation as  
22 payment of the loan authorized by Section 2 of this Act shall be deposited in the  
23 Fund.

24 **Section 9. Against commingling.** Revenues and proceeds in the Fund  
25 shall not be commingled with any other funds of the government of Guam and  
26 shall not be used for any purpose other than those authorized and stated herein.

1       ~~Section 10. Interest.~~ Interest earned by the Fund, from whatever source,  
2 shall be retained by the Fund.

3       ~~Section 11. Fund maintenance and administration.~~ The Fund shall be  
4 maintained and administered by the Director of Administration.

5       ~~Section 12. Loans from Fund.~~ The Governor may, from time to time, enter  
6 into an agreement with the Corporation for additional loans from the Fund. Such  
7 loans shall be for the purpose of making loans under the Corporation's lending  
8 programs as allowed by Chapter 4, Title 12, Guam Code Annotated. Such loans  
9 shall bear interest at the rate of four percent (4%) per annum and shall be for  
10 periods not exceeding twenty (20) years. All principal and interest payments on  
11 loans made under this section shall be to the Fund. Loans made by the  
12 Corporation to its qualified moderate and low income borrowers from the proceeds  
13 of loans made to the Corporation hereunder shall bear interest at the rate of six  
14 percent (6%) per annum.

15       ~~Section 13.~~ Subsection (c) of § 4103 of Chapter 4, Title 12, Guam Code  
16 Annotated, is hereby repealed and re-enacted to read:

17       ~~"(c) To encourage and engage in low and moderate income housing~~  
18 ~~activities, including development of residential subdivision construction of housing~~  
19 ~~for rental or resale, and to make loans to any person for the purchase,~~  
20 ~~construction, improvement or repair of a home. All loans so made shall be of such~~  
21 ~~sound value or so secured as reasonably to assure repayment, taking into~~  
22 ~~consideration the policy of the Legislature that the lending powers of~~  
23 ~~the Guam Housing Corporation (the "Corporation") shall be administered~~  
24 ~~as a means of accomplishing the purposes stated in §4101 of this Chapter,~~  
25 ~~and shall bear interest at a rate to be determined by the Board of Directors~~  
26 ~~of the Corporation but not exceeding the Federal Housing Administration~~  
27 ~~rate.~~



1       ~~Loans should be made to the residents of Guam to enable them to purchase~~  
2 ~~or construct permanent homes which are typhoon resistant. All loans for the~~  
3 ~~purchase or construction of such homes shall not exceed Eighty Thousand Dollars~~  
4 ~~(\$80,000). An additional sum, not to exceed Fifty Thousand Dollars (\$50,000),~~  
5 ~~may be borrowed for the purchase of land upon which the building is to be~~  
6 ~~constructed. If the borrower already owns land upon which to construct a building,~~  
7 ~~the Fifty Thousand Dollars (\$50,000) to purchase land may be applied for purchase~~  
8 ~~or construction of a building. Loans shall be given only to residents who have been~~  
9 ~~unable to obtain conventional financing from commercial lending institutions,~~  
10 ~~including but not limited to banks and savings and loan associations. At least three~~  
11 ~~(3) written loan refusals from commercial lending institutions shall be presented~~  
12 ~~upon application for a Corporation loan.”~~

13       **Section 9.** Subsection (h) of Public Law No. 18-20 is hereby repealed:

14       ~~“h. A Program Development Fund Agreement between Guam Economic~~  
15 ~~Development Authority, the Underwriter, and the Trustee shall be prepared that will~~  
16 ~~include the following:~~

17       ~~1. An amount to be determined at closing for the Bonds, but in any event~~  
18 ~~no less than Four Million Five Hundred Thousand Dollars (\$4,500,000),~~  
19 ~~shall be established and held by the Trustee for the purpose of assisting in the~~  
20 ~~successful completion of the program;~~

21       ~~2. The Underwriter shall commit itself to assist in obtaining institutions to~~  
22 ~~participate in furnishing Alternate Security and, to the extent that Alternate~~  
23 ~~Security is obtained, the Underwriter shall receive a fee from amounts in the~~  
24 ~~Program Development Fund for such efforts;~~

25       ~~3. The Special Tax Counsel for the Underwriter shall, assist in the~~  
26 ~~obtaining of Alternate Security and shall review all documentation finally~~  
27 ~~prepared to obtain Alternate Security and Interim Construction Financing,~~

1 particularly with regard to continued compliance with applicable U.S. tax  
2 laws and regulations, to maintain the continued tax exempt status with the  
3 Bonds. This assistance will be provided throughout the term of the construction  
4 phase of the Project and will be offered, in addition, to developers for each Project;

5 4. All Trustee fees and expenses, Remarketing Agent fees and expenses,  
6 continuing actual expenses of the Economic Development Authority and all other  
7 necessary expenses associated with the Program shall be paid from the Program  
8 Development Fund and any excess funds on deposit may be available to fund  
9 certain infrastructure costs incurred by the Guam Economic Development  
10 Authority or the territory of Guam or any of its agencies which are directly  
11 related to a specific Project and are not otherwise directly funded from the  
12 proceeds of the funds;"

13 **Section 10.** § 60301 of Chapter 60, Title 5, Guam Code Annotated, is  
14 hereby repealed:

15 **~~"§ 60301. Farmer's and Fishermen's Small Loan Revolving Fund.~~**

16 There is hereby created the Farmer's and Fishermen's Small Loan Revolving Fund  
17 (the "Fund") to grant loans to farmers and fishermen of Guam. In granting such  
18 loans, the Director shall, subject to the Administrative Adjudication Law,  
19 promulgate all rules and regulations necessary for the operation of the Fund;  
20 provided, that loans granted under the Fund shall not exceed Fifty Thousand  
21 Dollars (\$50,000) per farmer or fishermen in either or both of the classes of loans  
22 in § 12010.1 below, and that interest charged on each loan shall not exceed four  
23 percent (4%) per annum."

24 **Section 11.** § 22422 of Chapter 22, Title 5, Guam Code Annotated, is  
25 hereby repealed:

26 **~~"§ 22422. Infrastructure Improvement Fund.~~**



1 ~~(a) There is created a fund known as the Infrastructure Improvement Fund~~  
2 ~~which shall be accounted for separate and apart from the General Fund and into~~  
3 ~~which shall be deposited such revenues as set forth in 11 GCA § 30108, Finance~~  
4 ~~and~~

5 ~~Taxation. The fund shall be appropriated to improve and develop the general~~  
6 ~~infrastructure of Guam including sewer and water systems, and primary and~~  
7 ~~secondary roadways including village streets. No further appropriation shall be~~  
8 ~~made of moneys in this Fund which have been pledged for the repaying of any~~  
9 ~~debts and such moneys maybe used for such pledge without further appropriation.~~

10 ~~(b) Notwithstanding any other provision of the law, the Infrastructure~~  
11 ~~Improvement Fund shall be under the legislative purview of the legislative~~  
12 ~~committee having oversight over the Tourist Attraction Fund.”~~

13 **Section 12.** § 67.414.1 of Chapter 67, Title 9, Guam Code Annotated, is  
14 hereby repealed:

15 **~~“§ 67.414.1. Drug Treatment and Enforcement Fund.~~**

16 ~~All fines collected by the Superior Court of Guam for violation of this Act~~  
17 ~~shall be placed in a special fund maintained by the Superior Court of Guam for the~~  
18 ~~sole use by Superior Court of Guam. Said fund shall be maintained separately by~~  
19 ~~the Superior Court of Guam from the General Fund to be called the “Drug~~  
20 ~~Treatment and Enforcement Fund.” Funds so placed shall be used exclusively for~~  
21 ~~the support of drug treatment, education and enforcement efforts.”~~

22 **Section 13.** Section 4 of Public Law 25-01 is hereby repealed:

23 **~~“Section 4. 1999 south Pacific Games Revolving Fund.~~** (a) ~~The sum of~~  
24 ~~One Million Five Hundred Thousand Dollars (\$1,500,000.00) is hereby~~  
25 ~~appropriated from the Tourist Attraction Fund to the 1999 South Pacific Games~~  
26 ~~Revolving Fund for the purposes of planning, conducting and hosting the 1999~~

~~South Pacific Games. The funds appropriated in this Section shall not be used to fund either administrative or contractual salaries.~~

~~(b) For the purposes of this Act, the Director of the Department of Administration shall cause to be established a fund to be known as the, "1999 South Pacific Games Revolving Fund."~~

~~(c) These funds shall be maintained separate and apart from any other funds of the government of Guam, and that independent records and accounts shall be maintained in connection therewith.~~

~~(d) It shall take a majority vote of the members of the '99 SPG Commission, at a duly posted meeting, to authorize the disbursement of funds from this account.~~

~~(e) Funds of the 1999 South Pacific Games Revolving Fund shall be used exclusively for the planning, operations and hosting of the 1999 South Pacific Games.~~

~~(f) All funds collected from fees levied shall be deposited in the 1999 South Pacific Games Revolving Fund.~~

~~(g) Upon completion of the Games, the Commission shall adopt a Resolution authorizing the disposition of equipment purchased for use during the Games. For Equipment to be disposed locally, first priority would be to dispose of the equipment, in the following order: to the Department of Education, Department of Parks and Recreation and to the Guam Private Schools.~~

~~(h) The Chairman and the Executive Director of the South Pacific Games Commission shall submit a monthly cash inflow and cash outflow report to the Speaker of *I Liheslaturan Guåhan* and within one hundred twenty (120) days upon the completion of the Games, the Chairman and Executive Director of the 1999 South Pacific Games Commission shall submit a complete report to the Speaker of *I Liheslaturan Guåhan* on the status of the Revolving Fund."~~



1       **Section 14.** § 3129 of Chapter 3, Title 5, Guam Code Annotated, is hereby  
2 repealed:

3       **~~“§ 3129. Komitea Para Tiyan.~~**

4       ~~(a) Legislative History. The Komitea Para Tiyan, as agent for the Governor~~  
5 ~~of Guam under Executive Order 95-02, and on behalf of the people of Guam, has~~  
6 ~~issued official notice to the United States Navy, to the Federal government and to~~  
7 ~~all other concerned individuals and authorities that the Komitea Para Tiyan shall~~  
8 ~~continue to assume the authority, duties and responsibilities as ‘caretaker’ of Naval~~  
9 ~~Air Station, Guam (“NAS”) during the interim period and until such time as all~~  
10 ~~requirements are successfully accomplished for the issuance of title to the~~  
11 ~~government of Guam to the property and parcels comprising NAS.~~

12       ~~(b) Personnel. The Komitea Para Tiyan may hire personnel to perform the~~  
13 ~~functions that are necessary for the effective performance of the responsibilities and~~  
14 ~~obligations of caretaker.~~

15       ~~(c) Komitea Para Tiyan Authorized to Charge Rents and Fees.~~

16 ~~The Komitea Para Tiyan is designated the responsibility of developing and~~  
17 ~~recommending the planning activities in the reuse of NAS or the various use or~~  
18 ~~potential uses of the facilities within NAS for the maximum benefit of the people of~~  
19 ~~Guam. The Komitea Para Tiyan is authorized to identify and adopt the types of~~  
20 ~~fees, charges and assessments for use of NAS facilities, and is exempt from the~~  
21 ~~provisions of the Administrative Adjudication Law. All money collected or~~  
22 ~~proceeds received from lease fees, service fees or rentals of equipment and facilities~~  
23 ~~within NAS, with the exception of those facilities and fees currently being~~  
24 ~~administered by the Department of Education, shall be promptly accounted for and~~  
25 ~~deposited into the ‘Komitea Para Tiyan Fund’ of the government of Guam. There is~~  
26 ~~created within the government of Guam, a ‘Komitea Para Tiyan Fund’ which is to~~  
27 ~~be maintained separate and apart from other funds. All money collected and~~

1 deposited into Komitea Para Tiyan Fund shall be used exclusively by the Komitea  
2 Para Tiyan, and the Komitea Para Tiyan is authorized to expend, as authorized and  
3 appropriated by I Liheslaturan Guåhan, such funds for the operations, maintenance  
4 of NAS grounds and facilities, and for the payment of utility expenses incurred by  
5 the common areas of Tiyan, but not for utility expenses incurred by any department  
6 or agency. For the purpose of this Section, 'common areas of Tiyan' are those areas  
7 within the confines of Naval Air Station ('NAS') that have not been allocated or  
8 designated for use by any agency or department of the government of Guam. The  
9 Director of the Department of Administration shall submit a quarterly financial  
10 statement detailing the status of the Komitea Para Tiyan Fund to the Speaker of I  
11 Liheslaturan Guåhan. Any amount remaining in the Komitea Para Tiyan Fund at the  
12 end of each fiscal year shall be transferred to the Tiyan Trust Fund as outlined in §  
13 68982 of Article 12 of Chapter 68, Division 2 of Title 21 of the Guam Code  
14 Annotated."

15       **Section 15.** Section 32 of Public Law 25-03 is hereby repealed:

16       ~~"Section 32. Firefighters Equipment Replacement Fund.~~ There is  
17 hereby created by this Section a Firefighters Equipment Replacement Fund to  
18 serve as a receiving account for all funds, whether local, Federal or donated,  
19 provided for the purposes of replacing essential fire fighting equipment for the  
20 Guam Fire Department. The sum of Six Hundred Thousand Dollars (\$600,000.00)  
21 is hereby appropriated from the General Fund for the puposes of replenishing  
22 essential fire fighting equipment. Said appropriation shall be deposited in the  
23 Firefighters Equipment Replacement Fund. Notwithstanding any other provision of  
24 law, these funds shall not be transferred or used for any purpose other than  
25 replacing essential fire fighting equipment. Such determination shall be made by  
26 the Clef of the Guam Fire Department."

27       **Section 16.** Sections 23 of Public Law 25-98 are hereby repealed:



1        **~~“Section 23. Creation of Overtime Fund.~~**

2        ~~(a) There is hereby created the Overtime Fund to be administered by I~~  
3 ~~Maga'lāhen Guåhan. This fund shall be used exclusively to pay for overtime~~  
4 ~~expenses incurred within Executive Branch agencies of the government of Guam~~  
5 ~~directly supported by the General Fund. The Overtime Fund shall not be used to~~  
6 ~~support overtime expenses incurred by autonomous agencies. Disbursements of the~~  
7 ~~Overtime Fund shall be as determined and authorized by I Maga'lāhen Guåhan.~~

8        ~~(b) There is hereby appropriated to the Overtime Fund from the General~~  
9 ~~Fund the sum of Two Million Two Hundred Seventy three Thousand Eight~~  
10 ~~Hundred Ninety two Dollars (\$2,273,892).~~

11        ~~(c) Except as provided for in this Section, no funds are appropriated from the~~  
12 ~~General Fund for the purpose of funding overtime expenses within the Executive~~  
13 ~~Branch.”~~

14        **Section 17.** Section 24 of Public Law 25-98 is hereby repealed:

15        **~~“Section 24. Creation of Off-Island Travel Fund.~~**

16        ~~(a) There is hereby created the 'Off Island Travel Fund' to be administered~~  
17 ~~by I Maga'lāhen Guåhan. This fund shall be used exclusively to pay for off Island~~  
18 ~~travel expenses incurred within Executive Branch agencies of the government of~~  
19 ~~Guam directly supported by the General Fund. The Off Island Travel Fund shall~~  
20 ~~not be used to support off Island travel expenses incurred by autonomous agencies.~~  
21 ~~Disbursements of the Off Island Travel Fund shall be as determined and authorized~~  
22 ~~by I Maga'lāhen Guåhan.~~

23        ~~(b) There is hereby appropriated to the Off Island Travel Fund from the~~  
24 ~~General Fund the sum of Two Hundred Eightynine Thousand Nine Hundred~~  
25 ~~Fourteen Dollars (\$289,914.00).~~

1       ~~(e) Except as provided for in this Section, no funds are appropriated from the~~  
2       ~~General Fund for the purpose of funding off Island travel expenses within the~~  
3       ~~Executive Branch.”~~

4       **Section 18.** Section 26 of Chapter V, Public Law 25-164 is hereby repealed:

5       ~~“Section 26. Utility Bank Fund.~~

6       ~~(a) Creation of Utility Bank Fund.~~

7       ~~There is hereby created a Special Fund, hereinafter called the "Utility Bank Fund,"~~  
8       ~~which shall be kept in an interest bearing account separate and apart from the other~~  
9       ~~accounts of the government of Guam. The funds in the Utility Bank Fund shall be~~  
10       ~~administered by the Department of Administration, and shall be used exclusively~~  
11       ~~for the payments of the government of Guam's utility bills. All interest generated~~  
12       ~~from the Utility Bank Fund shall be used to offset any future rate increase. The~~  
13       ~~Utility Bank Fund is exempted from the transfer authority of I Maga'lahaen Guåhan.~~  
14       ~~"Utility bills" as used in this Section shall include power, water, sewer and basic~~  
15       ~~telephone service.~~

16       ~~(b) Deposits to the Utility Bank Fund. Notwithstanding any other provision~~  
17       ~~of law, the Treasurer of Guam shall deposit in full, by the fifth (5th) day of each~~  
18       ~~month, one twelfth (1/12\*) of the funds appropriated by this Act from the General~~  
19       ~~Fund for the Utilities Object Category in "Attachment A" for Executive Branch~~  
20       ~~departments and agencies into the Utility Bank Fund. Funds appropriated by this~~  
21       ~~Act from the General Fund for the Utilities Object Category for the Superior Court~~  
22       ~~of Guam, the Supreme Court of Guam and the Public Defender Service~~  
23       ~~Corporation shall not be deposited into the Utility Bank Fund. After the deposit,~~  
24       ~~the funds shall be disbursed to the respective utility agencies on a prorated basis~~  
25       ~~based upon monthly billings. The Department of Administration shall, on a~~  
26       ~~quarterly basis, transmit a written report to I Maga'lahaen Guåhan and to the~~



1 ~~Speaker of the Legislature outlining the funds received and expended as~~  
2 ~~provided in this Section.”~~

3 **Section 19.** § 61416 of Chapter 61, Title 5, Guam Code Annotated, is hereby  
4 repealed:

5 **~~“§ 61416. Livestock Fund.~~**

6 ~~(a) There is hereby established a fund to be known as the Livestock Fund,~~  
7 ~~which shall be maintained separate and apart from any other funds of the~~  
8 ~~government of Guam, and independent records and accounts shall be maintained in~~  
9 ~~connection herewith. All license fees collected under this Article shall be deposited~~  
10 ~~into said Fund.~~

11 ~~(b) The Livestock Fund shall be used exclusively for the purpose of the~~  
12 ~~administration of this Article. Said Fund shall be examined and reported upon by~~  
13 ~~the Director of Administration as required by law.”~~

14 **Section 20.** § 18108 of Chapter 18, Title 10, Guam Code Annotated, is  
15 hereby repealed:

16 **~~“§ 18108. Revolving Fund.~~**

17 ~~There is hereby created, separate and apart from other funds of the government of~~  
18 ~~Guam, a fund known as the ‘Barbering and Cosmetology Revolving Fund.’ The~~  
19 ~~Fund shall not be commingled with any other fund and shall be deposited into a~~  
20 ~~separate account. All proceeds from fees and fines collected pursuant to this~~  
21 ~~Chapter shall be deposited to the Fund and it shall be expended upon legislative~~  
22 ~~appropriation solely in support of the functions of the Health Professional~~  
23 ~~Licensing Office of the Department of Public Health and Social Services. This~~  
24 ~~Fund shall receive all interest earned on the deposit of such revenues. Such funds~~  
25 ~~should be continuously appropriated and should be used by the Board for the~~  
26 ~~administration and enforcement of this Chapter, as provided in § 12229 of Article~~  
27 ~~2, Chapter 12 of Title 10 of the Guam Code Annotated.”~~

1       **Section 21.** Sections 33(b) and (e) of Chapter IV, Public Law 26-35 are  
2 hereby repealed:

3       ~~“(b) Healthcare System Privatization Fund of DPH&SS.~~

4       ~~The sum of Fifteen Million One Hundred Seventeen Thousand One Hundred~~  
5 ~~Seven Dollars (\$15,117,107) is hereby appropriated to the Healthcare System~~  
6 ~~Privatization Fund of DPH&SS for the implementation, monitoring and contract~~  
7 ~~payments of the Healthcare System Programs and the Healthcare System contract~~  
8 ~~for Fiscal Year 2002. The sum is composed of Nine Million Seven Hundred Eighty~~  
9 ~~Thousand Dollars (\$9,780,000) from the General Fund and Five Million Three~~  
10 ~~Hundred Thuty seven Thousand One Hundred Seven Dollars (\$5,337,107) from~~  
11 ~~Federal Grant in Aid, and shall only be used for services or other obligations of the~~  
12 ~~Healthcare System or its programs incurred during Fiscal Year 2002, and~~  
13 ~~subsequent to March 30, 2002.~~

14       ~~Notwithstanding any other provision of law or this Act, the Healthcare~~  
15 ~~System Privatization Fund shall be kept separate and apart from all other funds of~~  
16 ~~the government and shall not be subject to transfer by I Magi'lāhen Guåhan.~~

17       ~~Effective April 1, 2002, the Director of Administration shall deposit no less~~  
18 ~~than one sixth (1/6) of the annual appropriation set forth in this Subsection into the~~  
19 ~~Healthcare System Privatization Fund on the first day of each month of that Fiscal~~  
20 ~~Year.~~

21       ~~(e) Deposit into Healthcare System Privatization Fund.~~

22       ~~The Director of Administration shall deposit no less than one twelfth (1/12") of the~~  
23 ~~annual appropriation set forth in Subsections (c) and (d) into the Healthcare~~  
24 ~~System Privatization Fund on the first day of each month of that Fiscal Year.”~~

25       **Section 22.** § 85111 of Chapter 85, Title 5, Guam Code Annotated, is  
26 hereby repealed:



1       ~~“§ 85111. Off-Island Educational Training and Cultural Enhancement~~  
2 ~~Fund.~~

3       ~~Beginning on October 1, 2012, and for each year thereafter, Two Hundred~~  
4 ~~Thousand Dollars (\$200,000) is hereby appropriated from the Healthy Futures~~  
5 ~~Fund to the Guam Council on the Arts and Humanities Agency (CAHA) to be set~~  
6 ~~aside in the Treasury of Guam in a fund hereby established as the Off-Island~~  
7 ~~Educational Training and Cultural Enhancement Fund (the Fund). Youth and adult~~  
8 ~~chaperones who demonstrate a commitment to lifestyles without the use of alcohol,~~  
9       ~~tobacco and drugs shall be eligible and given preference in the awarding of~~  
10 ~~grants. The Fund shall be administered pursuant to Public Law 22-124, the Off~~  
11 ~~Island Educational Training and Cultural Enhancement Fund Rules and~~  
12 ~~Regulations. Such appropriation shall be set up in a separate account and shall not~~  
13 ~~be considered part of CAHA's annual budget. I Maga'lāhen Guåhan may transfer~~  
14 ~~funds as may be appropriate to supplement the Off-Island Educational Training~~  
15 ~~and Cultural Enhancement Fund. No portion of the Fund, including principal and~~  
16 ~~interest, shall be transferred to any other fund, or used, or appropriated, except as~~  
17 ~~provided for under this Article.”~~

18       **Section 23.** § 77124 of Chapter 77, Title 21, Guam Code Annotated, is  
19 hereby repealed:

20       ~~“§ 77124. Sports Fund for Off-Island Travel: Establishment:~~  
21 ~~Management.~~

22       ~~(a) There is established in the Treasury of Guam the Sports Fund for Off-~~  
23 ~~Island Travel (the Fund). Beginning on October 1, 2012, and for each year~~  
24 ~~thereafter Two Hundred Thousand Dollars (\$200,000) shall be annually~~  
25 ~~appropriated from the Healthy Futures Fund to the Sports Fund for Off-Island~~  
26 ~~Travel. The Fund shall be managed by the Director. The Department's certifying~~  
27 ~~officer shall be the certifying officer for the Fund. I Maga'lāhen Guåhan may~~

1 transfer funds as may be appropriate to supplement the Sports Fund for Off Island  
2 Travel. No portion of the Fund, including principal and interest, shall be  
3 transferred to any other fund, or used, or appropriated, except as provided for  
4 under this Article.

5 (b) The Fund is to be expended to provide grants for transportation expenses  
6 for off island travel by civilian sports organizations and individuals who engage in  
7 athletic competition. The Commission is authorized to accept on behalf of, and in  
8 the name of the government of Guam, from any government or agency thereof, or  
9 any person, natural or legal, advisory services, donations and gifts for the Sports  
10 Fund for Off Island Travel; provided, however, that any grant in aid or other form  
11 of assistance involving an obligation on the part of the Department or the  
12 government of Guam shall require the prior approval of I Maga'lahi (the  
13 Governor) and a determination by the Department's certifying officer of the  
14 availability of funds. Gifts and donations authorized shall be consistent with the  
15 PEACE Council's position on not receiving funds, promotional items or donations  
16 from alcohol and tobacco industries, and no beneficiaries will be sponsored by  
17 such industries.

18 (c) The grants shall be used for a maximum of fifty percent (50%) of  
19 transportation expenses of team members and coaches for competitions in sports  
20 events, such as regional, national and international tournaments.

21 (d) Youth organizations shall be given preference in the awarding of grants.

22 (e) The Commission shall administer the Fund pursuant to Chapter 5,  
23 Division 1 of Title 21 of the Guam Administrative Rules and Regulations for  
24 Sports Fund for Off Island Travel. The Director shall give adequate public notice  
25 as to the availability of funds for travel awards including application submission  
26 periods.



1       ~~(f) The Director of the Guam Council on the Arts and Humanities Agency~~  
2 ~~and the Director of the Department of Parks and Recreation shall work in~~  
3 ~~collaboration with the members of the Governor's Prevention and Early~~  
4 ~~Intervention Advisory Community Empowerment (P.E.A.C.E) Advisory Council,~~  
5 ~~such as the Guam Behavioral Health and Wellness Center and the Department of~~  
6 ~~Public Health and Social Services, to identify effective prevention and early~~  
7 ~~intervention programs and strategies that will directly benefit youth and adult~~  
8 ~~recipients of the Off Island Educational Training and Cultural Enhancement Fund~~  
9 ~~and the Sports Fund, and shall focus on the following:~~

10       ~~(1) to prevent/reduce alcohol, tobacco and drug use, including underage~~  
11 ~~drinking;~~

12       ~~(2) to promote alcohol free, tobacco free and drug free lifestyles; and~~

13       ~~(3) to reduce the harmful outcomes associated with alcohol, tobacco and~~  
14 ~~drug use.~~

15       ~~(4) At the very minimum, the program shall include a mentoring and~~  
16 ~~leadership program.~~

17       ~~(g) The Commission shall review all applications for awarding of the grants~~  
18 ~~and may impose conditions for expenditure. The Director shall then disburse the~~  
19 ~~grant to a representative of the organization prior to the departure of the grantees.~~

20       ~~(h) The representative of the recipient organization shall provide the~~  
21 ~~Director with an accurate accounting of the expenditure of all funds for air~~  
22 ~~transportation within thirty (30) days of returning to Guam. If the report is not~~  
23 ~~completed and filed within thirty (30) days or if there is a misuse of funds in the~~  
24 ~~opinion of the Commission, the organization shall not receive further grants from~~  
25 ~~the Fund, and shall reimburse the Fund in an amount determined by the~~  
26 ~~Commission.~~

1       ~~(i) The Director shall make an annual report to I Maga'lahi (the Governor)~~  
2       ~~and provide a courtesy copy to the Governor's PEACE Council and I Liheslatura~~  
3       ~~(the Legislature) on June 30<sup>th</sup> of each year, which shall include the information,~~  
4       ~~number of applications, number and amounts of grants actually made, information~~  
5       ~~on number of participants referred to prevention and early intervention programs~~  
6       ~~and activities, and other data concerning the management of the Fund.~~

7       ~~(j) Any person who willfully misuses a grant received under this Section~~  
8       ~~shall be guilty of a petty misdemeanor and subject to a fine not to exceed Five~~  
9       ~~Hundred Dollars (\$500)."~~

10       **Section 24.** Section 11 of Public Law No. 24-333 is hereby repealed:

11       ~~"Section 11. There is hereby created within the government of Guam the~~  
12       ~~Puntan Dos Amantes Park Capital Improvement Trust Fund ("Fund"). The fund~~  
13       ~~shall not be commingled with the General Fund and shall be kept in a separate~~  
14       ~~bank account. The Fund shall be under the control of the Director of~~  
15       ~~Administration, and expended exclusively for capital improvements to the Park,~~  
16       ~~subject to the approval of I Liheslaturan Guåhan."~~

17       **Section 25.** § 51107 of Chapter 51, Title 12, Guam Code Annotated, is  
18 hereby repealed:

19       ~~"§ 51107. Education Facilities Fund.~~

20       ~~There is hereby created an Education Facilities Fund (the 'Fund'). The Fund shall~~  
21       ~~be a special fund of the government of Guam and shall be used for the sole purpose~~  
22       ~~of constructing or renovating education facilities. Expenditures from the Fund shall~~  
23       ~~be by appropriation of I Liheslaturan Guåhan [Guam Legislature]. The Fund shall~~  
24       ~~initially be funded in an amount not to exceed Two Million Three Hundred~~  
25       ~~Thousand Dollars (\$2,300,000) at the time or times and to the extent that amount~~  
26       ~~constitutes revenues derived by the government under 48 U.S.C. §1421h (§30 of~~  
27       ~~the Organic Act of Guam) and previously deposited in a debt service fund with~~



1 ~~respect to prior bonds are made available by the refunding of such prior bonds~~  
2 ~~pursuant to this Chapter. Thereafter, the Fund shall be funded by appropriation of I~~  
3 ~~Liheslaturan Guåhan [Guam Legislature]. The Fund shall be managed by the~~  
4 ~~Guam Economic Development Authority. Investment income on the assets of the~~  
5 ~~Fund shall be deposited in the Fund.”~~

6 **Section 26.** § 4107 of Chapter 4, Title 17, Guam Code Annotated, is hereby  
7 repealed:

8 **~~“§ 4107. Lost and Damaged Textbooks.~~**

9 ~~There is hereby created a ‘Lost and Damaged Textbook Fund’ kept separate from~~  
10 ~~other funds of the government of Guam, to be administered by the Superintendent~~  
11 ~~of Education. All funds received by schools for lost or damaged textbooks shall be~~  
12 ~~deposited into the Lost and Damaged Textbook Fund and used to purchase new~~  
13 ~~textbooks and collateral classroom instructional materials.”~~

14 **Section 27.** § 51A602 of Chapter 51A, Title 10, Guam Code Annotated, is  
15 hereby repealed:

16 **~~“§ 51A602. Creation of Municipal Recycling Proceeds Fund for Each~~**  
17 **~~Village.~~**

18 ~~There is hereby established a Municipal Recycling Proceeds Fund for each~~  
19 ~~municipality which shall be maintained separate and apart from any other funds,~~  
20 ~~including the General Fund of the government of Guam, and independent records~~  
21 ~~and accounts shall be maintained in connection therewith.~~

22 ~~(a) The proceeds from the sale of recyclable materials collected, in~~  
23 ~~accordance with the Municipal Recycling Program, from each village shall be~~  
24 ~~deposited in the respective Municipal Recycling Proceeds Fund.~~

25 ~~(b) All revenue deposited in each Municipal Recycling Proceeds Fund shall~~  
26 ~~not be commingled with General Fund monies and shall be kept in a separate bank~~  
27 ~~account.~~



1       ~~(c) All proceeds from fees collected in accordance with § 51A703 of this~~  
2 ~~Chapter shall be deposited in the Municipal Recycling Proceeds Fund for the~~  
3 ~~respective village and used exclusively for the purposes authorized in § 51A704 of~~  
4 ~~this Chapter.~~

5       ~~(d) The Municipal Planning Council of each municipality shall administer~~  
6 ~~the Municipal Recycling Proceeds Fund for its municipality which shall be subject~~  
7 ~~to audits by the Public Auditor.”~~

8       **Section 28.** Section 3 of Public Law No. 27-35 is hereby repealed:

9       ~~“Section 3. Creation of "Community Advancement Fund".~~

10 ~~There is hereby created a special fund entitled "Community Advancement Fund",~~  
11 ~~separate and apart from the General Fund, which shall be maintained and~~  
12 ~~administered by the Department of Administration, and shall not be subject to any~~  
13 ~~transfer authority of I Maga'lahaen Guahan. Fifteen Million Three Hundred Ninety-~~  
14 ~~Eight Thousand Seven Hundred Sixty Three Dollars (\$15,398,763.00) is hereby~~  
15 ~~appropriated into the Community Advancement Fund from the General Fund.”~~

16       **Section 29.** § 22425(t)(7) of Chapter 22, Title 5, Guam Code Annotated, is  
17 hereby repealed:

18       ~~“(7) Guam Police Department Loan Fund. There is hereby created, separate~~  
19 ~~and apart from other funds of the government of Guam, a fund known as the~~  
20 ~~‘Guam Police Department Loan Fund’ (‘GPD Loan Fund’). The GPD Loan Fund~~  
21 ~~shall not be commingled with either the General Fund or any other fund of the~~  
22 ~~government of Guam. The GPD Loan Fund shall be held in an account or accounts~~  
23 ~~at a Guam financial institution or institutions separate and apart from all other~~  
24 ~~accounts or funds of the government of Guam. Annually, on or before the date~~  
25 ~~payments of the principal and interest on the loan or loans are to become due, the~~  
26 ~~Director of the Department of Administration shall transfer from the GPD Police~~  
27 ~~Services Fund and deposit in the GPD Loan Fund the amounts necessary for the~~

1 complete payment of the principal and interest then due. In the event the funds  
2 transferred from the GPD Police Services Fund is found to be insufficient, the  
3 Superior Court of Guam shall transfer from the Superior Court of Guam Building  
4 Fund and deposit in the GPD Loan Fund One Hundred Thousand Dollars  
5 (\$100,000.00) annually, on or before the date payments of the principal and  
6 interest on the loan or loans are to become due, to supplement the amounts  
7 necessary for the complete payment of the principal and interest then due. If the  
8 funds transferred from the GPD Police Services Fund is sufficient for the complete  
9 payment of the principal and interest on the loan or loans, then the One Hundred  
10 Thousand Dollars (\$100,000.00) transferred from the Superior Court of Guam  
11 shall be expended by GPD on cost of crime fighting equipment and training. All  
12 transfers of revenues from the GPD Police Services Fund and the Superior Court of  
13 Guam and received by or on behalf of the Guam Police Department shall be  
14 deposited in the GPD Loan Fund and shall be accounted for and used periodically  
15 only for the following purpose:

16 (A) on the dates on which monies are remitted from the General Fund to any  
17 lending institution for the purpose of paying the principal and interest due on the  
18 loans authorized in this Subsection of this Section, there shall be transferred from  
19 the GPD Loan Fund to the General Fund amounts equal to, but not in excess of, the  
20 amounts remitted from the General Fund for such purposes.”

21 **Section 30.** Sections 3 and 4 of Public Law 24-285 are hereby repealed:

22 “Section 3. Creation of Guam Police Department Special Assessments Fund.  
23 There is hereby created, separate and apart from all other funds of the government  
24 of Guam, the "Guam Police Department Special Assessments Fund" ("GPD  
25 Special Assessments Fund"). This Fund shall not be commingled with the General  
26 Fund and shall be kept in a separate bank account. The GPD Special Assessments  
27 Fund shall be used exclusively for the training of GPD personnel, or the purchase



or repair of equipment for use by GPD. The funds in the GPD Special Assessments Fund shall not be subject to I Maga'lahaen Guahan's transfer authority.

Section 4. The Superior Court Administrator shall transfer, on the first day of each month, all funds contained in the GPD Special Assessments Fund to the Treasurer of Guam."

Fund No.	Fund Name	GCA Citation or Public Law
107	POST FUND	17 GCA §51106
216	Individuals w/Disabilities Disaster Recovery Fund	17 GCA §41601-41605
234	Guam Housing Corporation Revolving Loan Fund	P.L. 20-210
238	Program Development Fund	P.L. 18-20:1(h)
243	Farmer's and Fishermen's Small Loan Revolving Fund	5 GCA § 60301
262	Autonomous Infrastructure Collection Fund	5 GCA § 22422
264	Drug Treatment and Enforcement Fund	9 GCA § 67.414.1
271	1999 SPG Revolving Fund	P.L. 25-01:4
274	Komitea Para Tiyan Fund	5 GCA § 3129
277	Firefighter Equipment Replacement Fund	P.L. 25-03:32
278	Off-Island Travel Fund	P.L. 25-98:24
280	Overtime Fund	P.L. 25-98:23
286	Utility Bank Fund	P.L. 25-164:V:26
287	Livestock Fund	5 GCA § 61416
290	Barbering and Cosmetology Fund	10 GCA § 18108
296	Healthcare Systems Privatization Fund	P.L. 26-35:IV:33(b) and (e)
305	CAHA OET & CEF Fund	5 GCA § 85111
308	Law Enforcement Grant Trust Fund	
309	Agana Fractional Lot Fund-ISF	
316	Off-Island Sports	21 GCA § 77124
331	Puntan Dos Amantes Park Trust Fund	P.L. 24-333:11
350	Construction Dededo Precinct/Crime Lab	5 GCA § 22425(t)
503	Education Facilities Fund	12GCA § 51107;
606	Lost and Damaged Textbooks	17 GCA § 4107
609	Municipal Recycling Proceeds Fund	10 GCA § 51A602
610	Community Advancement Fund	P.L. 27-035:3



612	Guam Police Department Loan Fund	5 GCA § 22425(t)(7)
613	GPD Special Assessments Fund	P.L. 24-285:3-4

**Section 31.** Notwithstanding any law, rule or regulation, the Law Enforcement Grant Trust Fund, Agana Fractional Lot Fund-ISF, and Construction Dededo Precinct/Crime Lab Fund shall be closed and their respective enabling laws are hereby repealed.

**Section 32. Effective Date.** The closure of the Government of Guam Special Fund Accounts described in Section 1 of this Act and the provisions contained herein shall be completed no later than sixty (60) days upon the enactment of this Act.

**Section 33. Reporting Requirements.** The Department of Administration shall be tasked with providing a comprehensive written report on the status and closure of the Special Fund Accounts highlighted herein no later than ninety (90) days upon the enactment of this Act, which shall be submitted to the Speaker of *I Liheslaturan Guåhan* and to *I Maga'hågan Guåhan*.

**Section 34. Severability.** *If* any provision of this Act or the application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.