

1 **Section 2. Estimated Revenues for Fiscal Year 2012 and Fiscal Year 2013.** /
 2 *Liheslaturan Guåhan*, the Guam Legislature, adopts the following revenue estimates for
 3 Fiscal Year 2012 and Fiscal Year 2013 as the basis for the appropriations contained in
 4 this Act.

	<u>FY 2012</u>	<u>FY 2013</u>
5		
6	I. GENERAL FUND REVENUES	
7	A. TAXES	
8	Income Tax	
9	Corporate	\$111,802,336
10	Individual	\$81,651,368
11	Withholding Taxes, Interest and	
12	Penalties	\$209,256,708
13	Provision for Tax Refund Payments	(\$105,000,000)
14	TOTAL INCOME TAXES	\$297,710,412
15	Business Privilege Tax	\$212,900,178
16	GMHA Pharmaceutical Fund	
17	(§26208 of 11 GCA)	(\$8,516,007)
18	Other Taxes	<u>\$3,529,781</u>
19	TOTAL TAXES	\$505,624,364
20	B. FEDERAL SOURCES	
21	Federal Income Tax Collection;	
22	(Section 30 Funds); Immigrant Fees	\$56,037,150
		\$56,477,823

	<u>FY 2012</u>	<u>FY 2013</u>
1		
2	Overpayment Reconciliation (3 of 4)	(\$5,808,295)
3	Overpayment Reconciliation (4 of 4)	(\$5,808,295)
4	TOTAL FEDERAL SOURCES	\$50,228,855
5	C. USE OF MONEY AND PROPERTY	\$672,804
6	D. LICENSES, FEES AND PERMITS	
7	Licenses, Fees and Permits	\$5,547,355
8	Licenses, Fees and Permits (Better Public	
9	Service Fund)	
10	(Ch. 161 of 11 GCA)	(\$547,542)
11	TOTAL LICENSES, FEES	
12	AND PERMITS	\$4,999,813
13	E. DEPARTMENT CHARGES	\$1,850,178
14	TOTAL GENERAL FUND REVENUE	\$563,376,014
15	2% GENERAL FUND RESERVE	
16	(Appropriations Cap of 98% of General Fund	
17	Revenue; §22436, Ch. 22 of Title 5 GCA)	(\$11,267,520)
18	TOTAL GENERAL FUND REVENUE	\$575,456,371
19	AVAILABLE FOR APPROPRIATION	\$552,108,494
20	II. SPECIAL FUND REVENUES	
21	A. Air Pollution Control Special Fund	\$192,537
22	B. Better Public Service Fund	1,433,949

		<u>FY 2012</u>	<u>FY 2013</u>
1			
2	C. Chamorro Land Trust Operations Fund	737,643	975,413
3	D. Corrections Revolving Fund	915,203	855,661
4	E. Customs, Agriculture and Quarantine		
5	Inspection Services Fund	7,936,699	8,080,536
6	F. DPW Building and Design Fund	504,712	504,712
7	G. Enhanced 911 Emergency Reporting		
8	System Fund	1,608,278	1,593,214
9	H. Environmental Health Fund	685,386	689,850
10	I. Fire, Life and Medical Emergency Fund	77,473	77,473
11	J. Guam Board of Accountancy Fund	408,100	408,100
12	K. Guam Contractors License Board Fund	853,910	862,580
13	L. Guam Environmental Trust Fund	291,353	289,449
14	M. Guam Highway Fund (GHF)		
15	Guam Highway Fund	18,403,593	18,568,641
16	(a) GHF (Better Public Service Fund;		
17	Ch. 161 of 11 GCA)	(875,205)	(882,885)
18	(b) GHF (Guam Regional Transit Authority		
19	Fund; §26503 of 11 GCA)	(375,606)	(370,653)
20	(c) GHF (UOG Capital Improvement		
21	Fund, §26503 of 11 GCA and		
22	§16132, Ch. 16 of 17 GCA)	(500,000)	(500,000)

		<u>FY 2012</u>	<u>FY 2013</u>
1			
2	Total Guam Highway Fund	16,652,782	16,815,103
3	N. GMHA Pharmaceuticals Fund	8,516,007	8,731,319
4	O. Guam Plant Inspection & Permit Fund	83,817	85,083
5	P. Guam Regional Transit Authority Fund		
6	(Public Transit Fund per §26503,		
7	Ch. 26 of 11 GCA)	375,606	370,653
8	Q. Healthy Futures Fund	14,219,231	13,879,262
9	(a) UOG Cancer Trust Fund (P.L.		
10	30-80, Ch. 26 of 11 GCA)	(1,692,161)	(1,692,161)
11	(b) GMHA (P.L. 30-80, Ch. 26		
12	of 11 GCA)	(1,353,729)	(1,353,729)
13	(c) Guam Cancer Registry (P.L. 30-80,		
14	Ch. 26 of 11 GCA)	(112,811)	(112,811)
15	(d) GMHA line of credit (P.L. 30-166,		
16	§26603(d), Ch. 26 of 11 GCA)	(1,000,000)	(1,000,000)
17	Total Healthy Futures Fund	10,060,530	9,720,561
18	R. Indirect Cost Fund	1,826,894	1,787,017
19	S. Land Survey Revolving Fund	2,885,837	3,106,697
20	T. Manpower Development Fund	1,840,640	1,797,531
21	U. Police Services Fund	526,419	547,309

	<u>FY 2012</u>	<u>FY 2013</u>
1		
2	V. Professional Engineers, Architects and	
3	Land Surveyors Board Fund	271,885
4	W. Public Library Resources Fund	664,765
5	X. Public Recreation Services Fund	192,763
6	Y. Safe Streets Fund	241,000
7	Z. School Lunch/Child Nutritional	
8	Meal Reimbursement Fund	8,175,000
9	AA. Solid Waste Operations Fund	22,496,162
10	AB. Street Light Fund	3,454,887
11	AC. Tax Collection Enhancement Fund	679,059
12	AD. Territorial Education Facilities Fund	19,697,988
13	AE. Tourist Attraction Fund	20,354,269
14	AF. Water Protection Fund	69,355
15	AG. Water Research and Development Fund	70,002
16	TOTAL SPECIAL FUND REVENUE	\$135,291,175
17	1/ Adopted revenues not fully appropriated	
18	III. FEDERAL MATCHING GRANTS-	
19	IN-AID REVENUES	
20	Federal Grants-In-Aid Requiring Local Match:	
21	A. Agriculture	\$216,550
22	B. Guam Community College	1,471,408
23	C. Guam Council on the Arts and	
24	Humanities Agency	307,500

	<u>FY 2012</u>	<u>FY 2013</u>	
1			
2	D. Guam Fire	102,000	102,000
3	E. Guam Police	726,136	726,136
4	F. Integrated Services for Individuals		
5	with Disabilities	2,052,208	2,052,208
6	G. Labor	42,100	42,100
7	H. Office of the Attorney General	10,399,408	10,399,408
8	I. Mental Health and Substance Abuse	225,862	225,862
9	J. Military Affairs	1,547,700	1,547,700
10	K. Public Health and Social Services	25,114,090	25,114,090
11	L. University of Guam	<u>2,943,706</u>	<u>2,943,706</u>
12	TOTAL FEDERAL MATCHING		
13	GRANTS-IN-AID REVENUE	\$45,148,668	\$45,148,668
14	REVENUE SUMMARY:		
15	TOTAL GENERAL FUND REVENUE	\$552,108,494	\$563,947,244
16	TOTAL SPECIAL FUND REVENUE	\$132,106,654	\$135,291,175
17	TOTAL FEDERAL MATCHING		
18	GRANTS IN-AID REVENUE	<u>\$45,148,668</u>	<u>\$45,148,668</u>
19	GRAND TOTAL	\$729,363,816	\$744,387,087

20 **Section 3. Debt Service Continuing Appropriations for Fiscal Year 2012 and Fiscal**
21 **Year 2013.** The following are continuing appropriations for debt service requirements:

	<u>FY 2012</u>	<u>FY 2013</u>
1		
2	A. GENERAL OBLIGATION BONDS,	
3	SERIES 1993 A	
4	(For education capital projects; Real Property	
5	Taxes pledged; due FY 2018 as final year; P.L.	
6	29-19 and P.L. 29-21, net of UOG Bond	
7	Payment Obligation \$2,027,488) [\$2,808,214] 1/	[\$3,556,483] 1/
8	1/ Debt service payment schedule restructure;	
9	not part of adopted revenues	
10	B. LIMITED OBLIGATION HIGHWAY	
11	REFUNDING BOND 2001 SERIES A	
12	(P.L. No. 24-70; due FY 2012 as the final year;	
13	source of payment from Liquid Fuel Taxes) [\$6,024,425] 2/	\$0 2/
14	2/ L.O. Highway Bond 2001A Bond Reserve and	
15	Bond Funds; not part of adopted revenues.	
16	Debt service matures in FY 2012	
17	C. LIMITED OBLIGATION (SECTION 30)	
18	BONDS SERIES A, 2001	
19	(SECTION 30 FUNDS)	
20	(Water System Revenue Bond; P.L. 26-58,	
21	amended by P.L. 26-59; Section 30 fund	
22	pledged; due FY 2012 as final year) \$9,825,631 3/	\$0 3/
23	3/ Section 30 Funds (General Fund)	

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FY 2012

FY 2013

D. 2002 SHORT TERM FINANCING

(SECTION 30 FUNDS)

(Line of Credit; P.L. 26-84 amended by
P.L. 26-122 and P.L. 26-130; due FY 2012
as the final year; source of payment

Section 30 Funds) \$ 1,281,818 4/ \$ 1,722,976 4/

4/ Section 30 Funds (General Fund)

E. LIMITED OBLIGATION

INFRASTRUCTURE

IMPROVEMENT BONDS,

1997 SERIES A (TAF)

(Tumon Redevelopment; payment
from the Tourist Attraction Fund,
pursuant to P.L. 24-111)

\$4,765,778 5/ \$4,766,875 5/

5/ Tourist Attraction Fund

F. 2008 SHORT TERM FINANCING

(Line of Credit; P.L. 29-69 amended by P.L.
29-82 and P.L. 29-87; due FY 2012 as the
final year; source of payment General Fund,

secondary Section 30 Funds) \$ 3,470,840 6/ \$0 6/

6/General Fund

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FY 2012

FY 2013

**G. GENERAL OBLIGATION BONDS,
SERIES 2007 A**

(Partial refunding of GOB, 1993 Series A,
funding capital projects and certain
obligations of the Government of Guam;
due FY 2037 as final year; P.L. 29-19,
and P.L. 29-21)

[\$7,874,700] 7/

[\$7,874,700] 7/

7/ Debt service payment schedule restructure;
not part of adopted revenues

**H. LIMITED OBLIGATION (SECTION 30)
BONDS, SERIES 2009A**

(To finance cost for the new landfill
and the closure of Ordot Dump; P.L.
30-1 amended by P.L. 30-7; Due FY
2035 as final year)

\$ 7,135,019 8/

\$15,672,706 8/

8/ Solid Waste Operations Fund

**I. GENERAL OBLIGATION BONDS,
2009 SERIES A**

(To finance certain expense affecting
General Fund Deficit; P.L. 29-113
amended by P.L. 30-7; Due FY
2040 as final year)

[\$21,534,019] 9/

[\$21,462,494] 9/

9/ Debt service payment schedule restructure; not part of adopted revenues

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FY 2012

FY 2013

**J. SERIES 2010A CERTIFICATES OF
PARTICIPATION (JFK) GUAM DOE**

(P.L. 30-178; 5 GCA, Chapter 58A) \$ 2,780,433 10/ \$5,131,738 10/
10/ Section 30 Funds (General Fund)

K. DEPARTMENT OF LAND MANAGEMENT

(DLM Land Resources Public Facility

Loan pursuant to P.L.29-135) [\$ 96,882] 11/ [\$ 96,882] 11/

11/ DLM Building Construction Fund; not part of adopted revenues

GRAND TOTAL **\$29,259,519** **\$27,294,295**

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	I. EXECUTIVE DIRECTION				
4	A. Office of I Maga'lahen				
5	Guåhan and I Segundu				
6	Na Maga'lahen Guåhan				
7	FY 2012	\$6,307,189	\$369,928 1/		\$6,677,117
8	FY 2013	\$6,616,560	\$369,928 1/		\$6,986,488
9	B. Bureau of Budget and				
10	Management Research				
11	FY 2012	\$1,090,867	450,073 1/		1,540,940
12	FY 2013	\$1,139,330	450,073 1/		1,589,403
13	C. Bureau of Statistics				
14	and Plans				
15	FY 2012	1,222,034			1,222,034
16	FY 2013	1,276,324			1,276,324
17	D. Military Affairs				
18	FY 2012	673,834		\$1,547,700	2,221,534
19	FY 2013	703,770		\$1,547,700	2,251,470
20	E. Veterans Affairs				
21	FY 2012	410,451			410,451
22	FY 2013	428,686			428,686
23					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
1					
2					
3	F. Civil Service				
4	Commission				
5	FY 2012	841,780			841,780
6	FY 2013	879,177			879,177
7	G. Guam Election				
8	Commission				
9	FY 2012	908,223			908,223
10	FY 2013	948,572			948,572
11	H. Commission on				
12	Decolonization				
13	FY 2012	243,972			243,972
14	FY 2013	254,811			254,811
15	TOTAL EXECUTIVE				
16	DIRECTION				
17	FY 2012	\$11,698,350	\$820,001	\$1,547,700	\$14,066,051
18	FY 2013	\$12,247,230	\$820,001	\$1,547,700	\$14,614,931
19	II. PUBLIC SAFETY				
20	A. Guam Police				
21	FY 2012	26,246,220	526,419 2/	726,136	27,498,775
22	FY 2013	27,412,229	547,309 2/	726,136	28,685,674
23					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	B. Guam Fire				
4	FY 2012	30,529,982	1,685,751 3/	102,000	32,317,733
5	FY 2013	31,886,300	1,670,687 3/	102,000	33,658,987
6	C. Corrections				
7	FY 2012	15,931,112	1,011,203 4/		16,942,315
8	FY 2013	17,638,864	951,661 4/		18,590,525
9	D. Youth Affairs				
10	FY 2012	4,079,726	352,771 5/		4,432,497
11	FY 2013	4,613,742			4,613,742
12	E. Chief Medical				
13	Examiner				
14	FY 2012	411,806			411,806
15	FY 2013	430,101			430,101
16	TOTAL PUBLIC				
17	SAFETY				
18	FY 2012	\$77,198,846	\$3,576,144	\$828,136	\$81,603,126
19	FY 2013	\$81,981,236	\$3,169,657	\$828,136	\$85,979,029
20					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	III. HOMELAND SECURITY				
4	A. Customs and				
5	Quarantine				
6	FY 2012		7,936,699 6/		7,936,699
7	FY 2013		8,080,536 6/		8,080,536
8	TOTAL HOMELAND				
9	SECURITY				
10	FY 2012	\$	\$7,936,699	\$	\$7,936,699
11	FY 2013	\$	\$8,080,536	\$	\$8,080,536
12	IV. HEALTH				
13	A. Integrated Services for Individuals				
14	with Disabilities				
15	FY 2012	1,340,403	513,881 5/	2,052,208	3,906,492
16	FY 2013	1,399,951	526,683 5/	2,052,208	3,978,842
17	B. Medical Referral				
18	Offices				
19	FY 2012	656,588			656,588
20	FY 2013	728,902			728,902
21					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	C. Mental Health and				
4	Substance Abuse				
5	FY 2012	13,538,652	3,049,328 5/	225,862	16,813,842
6	FY 2013	18,538,652	3,049,328 5/	225,862	21,813,842
7	D. Public Health and				
8	Social Services				
9	FY 2012	25,056,838	5,164,909 7/	10,219,050	40,440,797
10	FY 2013	26,723,996	5,169,373 7/	10,219,050	42,112,419
11	TOTAL HEALTH				
12	FY 2012	\$40,592,481	\$8,728,118	\$12,497,120	\$61,817,719
13	FY 2013	\$47,391,501	\$8,745,384	\$12,497,120	\$68,634,005
14	V. EDUCATION				
15	A. Guam Commission on				
16	Education Certification				
17	FY 2012	232,142			232,142
18	FY 2013	242,455			242,455
19	B. Guam Community				
20	College				
21	FY 2012	12,199,194		1,471,408	13,670,602
22	FY 2013	12,741,153		1,471,408	14,212,561
23					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	C. Guam Department				
4	of Education				
5	FY 2012	164,656,687	26,046,544 8/		190,703,231
6	FY 2013	171,618,919	26,137,753 8/		197,756,672
7	D. Guam Public Library				
8	FY 2012	1,437,639			1,437,639
9	FY 2013	1,501,507			1,501,507
10	E. PBS Guam				
11	FY 2012	623,596			623,596
12	FY 2013	651,300			651,300
13	F. University of Guam				
14	FY 2012	26,687,121		2,943,706	29,630,827
15	FY 2013	27,872,717		2,943,706	30,816,423
16	TOTAL EDUCATION				
17	FY 2012	\$205,836,379	\$26,046,544	\$4,415,114	\$236,298,037
18	FY 2013	\$214,628,051	\$26,137,753	\$4,415,114	\$245,180,918
19	VI. FINANCE AND				
20	ADMINISTRATION				
21	A. Administration				
22	FY 2012	8,712,559	916,893 1/		9,629,452
23	FY 2013	9,099,621	877,016 1/		9,976,637

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
1					
2					
3	TOTAL FINANCE AND				
4	ADMINISTRATION				
5	FY 2012	\$8,712,559	\$916,893	\$	\$9,629,452
6	FY 2013	\$9,099,621	\$877,016	\$	\$9,976,637
7	VII. NATURAL RESOURCES				
8	A. Agriculture				
9	FY 2012	2,884,414	83,817 9/	216,550	3,184,781
10	FY 2013	3,012,556	85,083 9/	216,550	3,314,189
11	B. Chamorro Land Trust				
12	Commission				
13	FY 2012		737,643 10/		737,643
14	FY 2013		975,413 10/		975,413
15	C. Guam Environmental				
16	Protection Agency				
17	FY 2012		632,696 11/		632,696
18	FY 2013		620,636 11/		620,636
19	D. Land Management				
20	FY 2012	867,160	2,885,837 12/		3,752,997
21	FY 2013	905,684	3,106,697 12/		4,012,381
22					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	E. Ancestral Lands				
4	Commission				
5	FY 2012	214,209			214,209
6	FY 2013	223,725			223,725
7	F. Parks and Recreation				
8	FY 2012	3,536,921	193,304 13/		3,730,225
9	FY 2013	3,694,052	192,763 13/		3,886,815
10	TOTAL NATURAL				
11	RESOURCES				
12	FY 2012	\$7,502,704	\$4,533,297	\$216,550	\$12,252,551
13	FY 2013	\$7,836,017	\$4,980,592	\$216,550	\$13,033,159
14	VIII. LABOR				
15	A. Contractors License				
16	Board				
17	FY 2012		853,910 14/		853,910
18	FY 2013		862,580 14/		862,580
19	B. Professional Engineers, Architects				
20	and Land Surveyors (PEALS) Board				
21	FY 2012		244,062 15/		244,062
22	FY 2013		271,885 15/		271,885

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
3	C. Labor				
4	FY 2012	1,427,355	552,192 16/	42,100	2,021,647
5	FY 2013	1,490,766	539,260 16/	42,100	2,072,126
6	TOTAL LABOR				
7	FY 2012	\$1,427,355	\$1,650,164	\$42,100	\$3,119,619
8	FY 2013	\$1,490,766	\$1,673,725	\$42,100	\$3,206,591
9	IX. TOURISM AND CULTURE				
10	A. Chamorro Affairs				
11	FY 2012	1,119,529			1,119,529
12	FY 2013	1,169,265			1,169,265
13	B. Guam Council on the Arts and				
14	Humanities Agency				
15	FY 2012	307,500		307,500	615,000
16	FY 2013	321,161		307,500	628,661
17	TOTAL TOURISM AND				
18	CULTURE				
19	FY 2012	\$1,427,029	\$	\$307,500	\$1,734,529
20	FY 2013	\$1,490,426	\$	\$307,500	\$1,797,926
21					

		General	Special	Federal Fund	Total
		Fund	Fund	Match	
1					
2					
3	X. TRANSPORTATION				
4	A. Public Works				
5	FY 2012	12,494,930	18,106,266	17/	30,601,196
6	FY 2013	13,050,027	18,283,096	17/	31,333,123
7	TOTAL				
8	TRANSPORTATION				
9	FY 2012	\$12,494,930	\$18,106,266	\$	\$30,601,196
10	FY 2013	\$13,050,027	\$18,283,096	\$	\$31,333,123
11	XI. REVENUE AND				
12	TAXATION				
13	A. Revenue & Taxation				
14	FY 2012	10,452,119	665,217	18/	11,117,336
15	FY 2013	10,916,462	679,059	18/	11,595,521
16	TOTAL REVENUE AND				
17	TAXATION				
18	FY 2012	\$10,452,119	\$665,217	\$	\$11,117,336
19	FY 2013	\$10,916,462	\$679,059	\$	\$11,595,521
20	GRAND TOTAL				
21	FY 2012	\$377,342,752	\$72,979,343	\$19,854,220	\$470,176,315
22	FY 2013	\$400,131,337	\$73,446,819	\$19,854,220	\$493,432,376
23					

1 **NOTES:**

2 1/ **Indirect Cost Fund**

3 2/ **Police Services Fund**

4 3/ **FY 2012 - Enhanced 911 Emergency Reporting System Fund (\$1,608,278) and Fire, Life**
5 **and Medical Emergency Fund (\$77,473)**

6 **FY 2013 - Enhanced 911 Emergency Reporting System Fund (\$1,593,214) and Fire, Life**
7 **and Medical Emergency Fund (\$77,473)**

8 4/ **FY 2012 - Corrections Revolving Fund (\$915,203) and Safe Streets Fund (\$96,000)**

9 **FY 2013 - Corrections Revolving Fund (\$855,661) and Safe Streets Fund (\$96,000)**

10 5/ **Healthy Futures Fund**

11 6/ **Customs, Agriculture and Quarantine Inspection Services Fund**

12 7/ **FY 2012 - Environmental Health Fund (\$685,386); and Healthy Futures Fund**
13 **(\$4,479,523)**

14 **FY 2013 - Environmental Health Fund (\$689,850); and Healthy Futures Fund**
15 **(\$4,479,523)**

16 8/ **FY 2012 - Public School Library Resources Fund (\$652,440); School Lunch/Child**
17 **Nutritional Meal Reimbursement Fund (\$8,175,000) and Territorial**
18 **Education Facilities Fund (\$17,219,104)**

19 **FY 2013 - Public School Library Resources Fund (\$664,765); School Lunch/Child**
20 **Nutritional Meal Reimbursement Fund (\$8,175,000) and Territorial**
21 **Education Facilities Fund (\$17,297,988)**

22 9/ **Guam Plant Inspection and Permit Fund**

23 10/ **Chamorro Land Trust Operations Fund**

24 11/ **FY 2012 - Air Pollution Control Special Fund (\$192,537); Guam Environmental Trust**
25 **Fund (\$291,353); Water Research and Development Fund (\$77,134) and**
26 **Water Protection Fund (\$71,672)**

- 1 **FY 2013 - Air Pollution Control Special Fund (\$191,830); Guam Environmental Trust**
2 **Fund (\$289,449); Water Research and Development Fund (\$70,002) and**
3 **Water Protection Fund (\$69,355)**
- 4 **12/ Land Survey Revolving Fund**
- 5 **13/ Public Recreation Services Fund**
- 6 **14/ Guam Contractors License Board Fund**
- 7 **15/ Professional Engineers, Architects and Land Surveyors Board Fund**
- 8 **16/ Manpower Development Fund**
- 9 **17/ FY 2012 - DPW Building and Design Fund (\$504,712); Guam Highway Fund**
10 **(\$11,154,928) and Solid Waste Operations Fund (\$6,446,626)**
- 11 **FY 2013 - DPW Building and Design Fund (\$504,712); Guam Highway Fund**
12 **(\$11,154,928) and Solid Waste Operations Fund (\$6,623,456)**
- 13 **18/ FY 2012 - Tax Collection Enhancement Fund**
- 14 **FY 2013 - Tax Collection Enhancement Fund**

1 of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator
2 Corps and funds for the administration of said program pursuant to Chapter 18 of Title 17
3 of the Guam Code Annotated and § 15107, Chapter 15 of Title 17 of the Guam Code
4 Annotated, as *amended*.

5 The President of the University of Guam *shall* post on the University of Guam's
6 website all reports mandated by this Act regarding the Dr. Antonio C. Yamashita
7 Educator Corps.

8 **Section 2. University of Guam for Aquaculture Development and**
9 **Training Center.** The sum of One Hundred Twenty Five Thousand Two Hundred Fifty
10 Four Dollars (**\$125,254**) is appropriated from the General Fund to the University of
11 Guam for Fiscal Year 2012, and the sum of One Hundred Thirty Thousand Eight
12 Hundred Nineteen Dollars (**\$130,819**) is appropriated from the General Fund to the
13 University of Guam Fiscal Year 2013, for the *sole* purpose of funding the continued
14 operations of the Aquaculture Development and Training Center. Said funds *shall* not be
15 transferred or used for any other purpose.

16 **Section 3. University of Guam for WERI's Guam Hydrologic Survey.**
17 The sum of One Hundred Eighty Two Thousand Six Hundred Ninety Four Dollars
18 (**\$182,694**) is appropriated from the General Fund to the University of Guam for Fiscal
19 Year 2012, and the sum of One Hundred Ninety Thousand Eight Hundred Ten Dollars
20 (**\$190,810**) is appropriated from the General Fund to the University of Guam for Fiscal
21 Year 2013, for the sole purpose of funding the Guam Hydrologic Survey (GHS)
22 administered by the Water and Environmental Research Institute of the Western Pacific
23 (WERI). WERI *shall* continue to administer the GHS for those purposes previously

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

3 **Section 4. University of Guam for WERI's Comprehensive Water**
4 **Resource 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 the
6 University of Guam for Fiscal Year 2012, and the sum of One Hundred Sixty Two
7 Thousand Five Hundred Forty Dollars (**\$162,540**) is appropriated from the General Fund
8 to the University of Guam for Fiscal Year 2013, to fund the Water and Environmental
9 Research Institute of the Western Pacific (WERI). Such funds *shall* be used for the *sole*
10 purpose of matching the Federal funding for the Comprehensive Water Resource
11 Monitoring Program. WERI *shall* continue to administer the Comprehensive Water
12 Resource Monitoring Program for those purposes previously established by Guam law.
13 Such funds shall *not* be transferred *or* used for any other purpose.

14 **Section 5. University of Guam for the Northern and Southern Soil and**
15 **Water Conservation District Program.** The sum of One Hundred Forty Nine
16 Thousand Three Hundred Eighty Four Dollars (**\$149,384**) is appropriated from the
17 General Fund to the University of Guam for Fiscal Year 2012, and the sum of One
18 Hundred Fifty Six Thousand Twenty One Dollars (**\$156,021**) is appropriated from the
19 General Fund to the University of Guam for Fiscal Year 2013 for operations and
20 activities of the Northern and Southern Soil and Water Conservation District (SWCD)
21 Program and *shall* be equally divided between the Northern and Southern Soil
22 Conservation Districts. Expenditures from this appropriation *shall* be made upon the
23 approval of the District Directors, with the consent of the SWCD Board and *shall not*

1 require further approval by the University of Guam *or* any other government entity. This
2 appropriation is *not* subject to transfer *or* use for any other purpose.

3 **Section 6. University of Guam for KPRG (Public Radio).** The sum of
4 Eighty Nine Thousand Four Hundred Sixty Seven Dollars (**\$89,467**) is appropriated from
5 the General Fund to the University of Guam for the KPRG (Public Radio) for Fiscal Year
6 2012, and the sum of Ninety Three Thousand Four Hundred Forty Two Dollars (**\$93,442**)
7 is appropriated from the General Fund to the University of Guam for the KPRG (Public
8 Radio) for Fiscal Year 2013 operations. The President of the University of Guam *shall*
9 disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal
10 quarter of Fiscal Year 2012 and Fiscal Year 2013, the General Manager of KPRG *shall*
11 submit to the President of the University of Guam, and post on KPRG's website, all
12 reports mandated by this Act.

13 **Section 7. Guam Community College Licensed Practical Nursing and**
14 **Vocational Guidance Programs.** The sum of Seven Hundred Five Thousand Fifty
15 Eight Dollars (**\$705,058**) is appropriated from the General Fund to the Guam Community
16 College for Fiscal Year 2012, and the sum of Seven Hundred Thirty Six Thousand Three
17 Hundred Eighty One Dollars (**\$736,381**) is appropriated from the General Fund to the
18 Guam Community College for Fiscal Year 2013, to support the operations of the
19 Licensed Practical Nursing Program and Vocational Guidance Program.

20 **Section 8. Guam Community College Lodging Management Program /**
21 **ProStart Program.** For each Fiscal Year 2012 and 2013, the sum of Twenty Four
22 Thousand One Hundred Fifty Four Dollars (**\$24,154**) is appropriated from the Tourist

1 Attraction Fund to the Guam Community College for the Lodging Management Program
2 / ProStart Program.

3 **Section 9. Guam Community College Apprenticeship Program.** The sum
4 of One Million Two Hundred Eighty Eight Thousand Four Hundred Forty Eight Dollars
5 **(\$1,288,448)** is appropriated from the Manpower Development Fund to the Guam
6 Community College for Fiscal Year 2012, and the sum of One Million Two Hundred
7 Fifty Eight Thousand Two Hundred Seventy One Dollars **(\$1,258,271)** is appropriated
8 from the Manpower Development Fund to the Guam Community College for Fiscal Year
9 2013, for the Guam Community College Apprenticeship Program. In addition to the
10 authorization continued in § 7120, Chapter 7 of Title 22 of the Guam Code Annotated,
11 the appropriations herein shall be available and authorized to be used by the Guam
12 Community College to fund the operations of other programs at the College, as approved
13 by the Board and Administration of the College.

14 **Section 10. Guam Department of Education Interscholastic Sports Fund.**

15 **(a)** For each Fiscal Year 2012 and 2013, the sum of Five Hundred Twenty
16 Thousand Dollars **(\$520,000)** is appropriated from the Healthy Futures Fund to the
17 Interscholastic Sports Fund administered by the Guam Department of Education to be
18 expended pursuant to § 7108 of Title 17 of the Guam Code Annotated. Appropriations
19 made herein *shall* be available to fund the Outrigger Canoe, Rugby, and other sports
20 programs, to include the payment of head coaches, assistant coaches, league fees and
21 other expenses normally associated with a sport interscholastic program.

22 **(b)** For each Fiscal Year 2012 and 2013, the sum of Ninety Two Thousand
23 Dollars **(\$92,000)** is appropriated from the Healthy Futures Fund to the Interscholastic

1 Sports Fund administered by the Guam Department of Education for busing services for
2 interscholastic sports programs.

3 **Section 11. Guam Department of Education for Health and Physical**
4 **Education Activities.** For each Fiscal Year 2012 and 2013, the sum of Two Hundred
5 Seventy Nine Thousand Seven Hundred Fifty Four Dollars (**\$279,754**) is appropriated
6 from the Healthy Futures Fund to the Guam Department of Education for Health and
7 Physical Education programs, intramural sports, and similar activities.

8 **Section 12. Guam Department of Education Promissory Note**
9 **Appropriation.** For each Fiscal Year 2012 and 2013, the sum of Two Million Four
10 Hundred Thousand Dollars (**\$2,400,000**) is appropriated from the Territorial Education
11 Facilities Fund to the Guam Department of Education to pay the Guam Power Authority
12 for the Guam Department of Education Promissory Note (the agreement between the
13 GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the
14 “installation payment agreement for past due electrical service”).

15 **Section 13. Department of Mental Health and Substance Abuse for**
16 **Detoxification, Rehabilitation and Prevention Services.** The sum of Eight Hundred
17 Thirty Nine Thousand Forty Dollars (**\$839,040**) is appropriated from the General Fund to
18 the Department of Mental Health and Substance Abuse for Fiscal Year 2012, and the sum
19 of Eight Hundred Seventy Six Thousand Three Hundred Fifteen Dollars (**\$876,315**) is
20 appropriated from the General Fund to the Department of Mental Health and Substance
21 Abuse for Fiscal Year 2013, for outsourcing of drug and alcohol detoxification,
22 rehabilitation, and prevention services, *provided* that the expenditure of such funds shall
23 comply with §1421b (p) of Title 48 of the United States Code.

1 **Section 14. Guam Environmental Protection Agency Beach Monitoring.** For
2 each Fiscal Year 2012 and 2013, the sum of One Hundred Thousand Dollars (**\$100,000**)
3 is appropriated from the Tourist Attraction Fund to the Guam Environmental Protection
4 Agency for the *sole* purpose of beach monitoring. This appropriation is *not* subject to
5 transfer or use for any other purpose.

6 **Section 15. Retirees' Supplemental Annuity Benefits and Other Costs.**

7 **(a)** The sum of Eleven Million Six Hundred Ninety Six Thousand Three
8 Hundred Three Dollars (**\$11,696,303**) is appropriated from the General Fund to the
9 Supplemental Annuity Benefits Special Fund for Fiscal Year 2012, and the sum of
10 Twelve Million Two Hundred Fifteen Thousand Nine Hundred Twenty Dollars
11 (**\$12,215,920**) is appropriated from the General Fund to the Supplemental Annuity
12 Benefits Special Fund for Fiscal Year 2013, for direct payments to government of Guam
13 retirees who retired *prior* to October 1, 1995, or their survivors, for the continuing
14 payment of Four Thousand Two Hundred Thirty Eight Dollars (\$4,238) per year in
15 supplemental annuity benefits, consisting of the sums of One Thousand Two Hundred
16 Dollars (\$1,200), One Thousand Five Hundred Dollars (\$1,500), Seven Hundred Dollars
17 (\$700), and Eight Hundred Thirty Eight Dollars (\$838) in annual benefits authorized by
18 various General Appropriation Acts.

19 **(b)** *No* retiree who is eligible for Retiree Supplemental Annuity Benefits
20 provided for in Subsection (a) hereof *shall* receive said Benefits *if* his annual retirement
21 annuity, *excluding* survivor benefits and excluding the Supplemental benefits authorized
22 herein, is *greater than* Forty Thousand Dollars (\$40,000). No retiree who is eligible for
23 Retiree Supplemental Annuity Benefits *shall* receive *more than* the sum of Forty

1 Thousand Dollars (\$40,000) in combined retirement annuities and Supplemental Annuity
2 Benefits in any one Fiscal Year.

3 (c) The Director of Administration *shall* disburse to the retirees *or* their
4 survivors, the supplemental annuity benefits provided for in Subsection (a) of this
5 Section. The Government of Guam Retirement Fund *shall* provide the Director of
6 Administration with the information he needs to effect disbursement.

7 (d) Funds held in the Supplemental Annuity Benefits Special Fund *shall not* be
8 commingled with the General Fund *or* any other fund, *shall* be held in a separate bank
9 account that *shall* continue to be administered by the Director of Administration and *shall*
10 *not* be subject to *I Maga'lahaen Guåhan's* transfer authority.

11 (e) For each Fiscal Year 2012 and 2013, the Guam Power Authority, the A.B.
12 Won Pat International Airport Authority, the Guam Economic Development Authority,
13 the Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose D.
14 Leon Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors
15 Bureau *shall* pay retirees eligible pursuant to subsection (a) hereof who have retired from
16 that entity the sum of Four Thousand Two Hundred Thirty Eight Dollars (\$4,238).

17 (f) The sum of Twenty Seven Million Six Hundred Forty Two Thousand Two
18 Hundred Sixty Seven Dollars (**\$27,642,267**) is appropriated from the General Fund to the
19 Government of Guam Retirement Fund for Fiscal Year 2012, and the sum of Twenty
20 Eight Million Eight Hundred Seventy Thousand Two Hundred Ninety Seven Dollars
21 (**\$28,870,297**) is appropriated from the General Fund to the Government of Guam
22 Retirement Fund for Fiscal Year 2013, to pay the following two (2) items for current
23 retirees:

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

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

6 **(g)** For each Fiscal Year 2012 and 2013, the Guam Power Authority, the A.B.
7 Won Pat International Airport Authority, the Guam Economic Development Authority,
8 the Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose D.
9 Leon Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors
10 Bureau *shall* remit to the Government of Guam Retirement Fund payments for medical,
11 dental, and life insurance payments for retirees who have retired from those respective
12 agencies. Said remittances *shall* be paid in two (2) equal installments on *or* before
13 October 10, 2011 and April 1, 2012 for Fiscal Year 2012, and on *or* before October 10,
14 2012 and April 1, 2013 for Fiscal Year 2013, respectively. The agencies' remittances for
15 medical, dental and life insurance mandated herein are *ex gratia* payments only, for
16 Fiscal Years 2012 and 2013.

17 **(h)** The sum of Nine Hundred Eighty Seven Thousand Dollars (**\$987,000**) is
18 appropriated from the General Fund to the Government of Guam Retirement Fund for
19 Fiscal Year 2012, and the sum of One Million Thirty Thousand Eight Hundred Forty
20 Eight Dollars (**\$1,030,848**) is appropriated from the General Fund to the Government of
21 Guam Retirement Fund for Fiscal Year 2013, to pay the cost of Medicare premiums for
22 Government of Guam retirees and their survivors who are eligible to receive Social

1 Security income benefits and who are required by the government of Guam Group Health
2 Insurance Program to pay said premiums to participate therein.

3 (i) The sum of Two Hundred Thirty Two Thousand Five Hundred Fifteen
4 Dollars (**\$232,515**) is appropriated from the General Fund to the Government of Guam
5 Retirement Fund for Fiscal Year 2012, and the sum of Two Hundred Forty Two
6 Thousand Eight Hundred Forty Five Dollars (**\$242,845**) is appropriated from the General
7 Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, for *I Maga'lahi*
8 and *I Segundu na Maga'lahi/I Segundu na Maga'haga* Pensions.

9 (j) The sum of Four Hundred Sixty Six Thousand Four Hundred Twenty Nine
10 Dollars (**\$466,429**) is appropriated from the General Fund to the Government of Guam
11 Retirement Fund for Fiscal Year 2012, and the sum of Four Hundred Eighty Seven
12 Thousand One Hundred Fifty Dollars (**\$487,150**) is appropriated from the General Fund
13 to the Government of Guam Retirement Fund for Fiscal Year 2013, for retirement
14 annuities for former judges and justices of the Superior Court and Supreme Court of
15 Guam.

16 (k) The Government of Guam Retirement Fund Board of Trustees *shall* enact
17 and, *if necessary*, amend administrative regulations that establish procedures to ensure the
18 proper submission, receipt and accounting of all sums remitted pursuant to Subsections
19 (e) and (g) hereof.

20 **Section 16. Survivor Supplemental Annuity Additions.** §8135(d)(6) of
21 Title 4 of the Guam Code Annotated is *amended* to read:

22 “(6) the prospective payment of supplemental benefits for the period of
23 [~~October 1, 2010, through September 30, 2011~~] October 1, 2011, through

1 September 30, 2012 for Fiscal Year 2012, and October 1, 2012, through
2 September 30, 2013 for Fiscal Year 2013 for survivors of those employees who
3 retired *prior* to October 1, 1995, to be paid in the following manner:

4 (i) Four Thousand Two Hundred Thirty-eight Dollars (\$4,238.00) in
5 Retiree Supplemental Annuity Benefits, known as the sum of One
6 Thousand Two Hundred Dollars (\$1,200.00), One Thousand five
7 Hundred Dollars (\$1,500.00), Seven Hundred Dollars (\$700.00),
8 and Eight Hundred Thirty-eight Dollars (\$838.00) in annual
9 benefits formerly contained in various General Appropriation Acts.

10 (ii) *No* person eligible for Retiree Supplemental Annuity Benefits
11 provided for in this Section *shall* receive such benefits *if* his
12 regular annual retirement annuity *exclusive* of the supplemental
13 amounts authorized hereby exceeds Forty Thousand Dollars
14 (\$40,000.00). No persons eligible for Retiree Supplemental
15 Annuity Benefits *shall* receive more than the sum of Forty
16 Thousand Dollars (\$40,000.00) in combined retirement annuities
17 and supplemental retirement annuities.”

18 **Section 17. Disability Supplemental Annuity Additions.** §8129(g) of Title
19 4 of the Guam Code Annotated is *amended* to read:

20 “(g) Any disability retirement annuitant who commenced receiving a
21 disability retirement annuity *prior* to October 1, 1995, and who is entitled to
22 disability retirement benefits under this Chapter *shall* receive, during the period
23 commencing on [~~October 1, 2010, and ending on September 30, 2011~~] October 1,

1 2011, and ending on September 30, 2012 for Fiscal Year 2012, and October 1,
2 2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective non-
3 cumulative supplemental annuity benefits as follows:

4 (1) Four Thousand Two Hundred Thirty-eight Dollars
5 (\$4,238.00) in Retiree Supplemental Annuity Benefits,
6 known as the sum of One Thousand Two Hundred Dollars
7 (\$1,200.00), One Thousand Five Hundred Dollars
8 (\$1,500.00), Seven Hundred Dollars (\$700.00), and Eight
9 Hundred Thirty-eight Dollars (\$838.00) in *annual* benefits
10 formerly contained in various General Appropriation Acts.

11 (2) No persons eligible for Retiree Supplemental Annuity
12 Benefits provided for in Paragraph (g) of this Section *shall*
13 receive such benefit *if* their regular annual retirement
14 annuity, *excluding* survivor benefits, *prior* to the
15 supplemental amounts herein exceeds Forty Thousand
16 Dollars (\$40,000.00). No persons eligible for Retiree
17 Supplemental Annuity Benefits shall receive more than the
18 sum of Forty Thousand Dollars (\$40,000.00) in combined
19 retirement annuities and supplemental retirement
20 annuities.”

21 **Section 18. Retirees Supplemental Annuity Additions.** §8122(d)(6) of
22 Title 4 of the Guam Code Annotated, is hereby *amended* to read as follows:

1 “(6) Any retirement annuitant who commenced receiving a retirement
2 annuity *prior* to October 1, 1995, and who is entitled to retirement benefits under
3 this Chapter, shall receive, during the period commencing on [~~October 1, 2010,~~
4 ~~and ending on September 30, 2011]~~ October 1, 2011, and ending on September
5 30, 2012 for Fiscal Year 2012, and October 1, 2012, and ending on September 30,
6 2013 for Fiscal Year 2013, prospective, non-cumulative supplemental annuity
7 benefits as follows:

8 (i) Four Thousand Two Hundred Thirty-eight Dollars
9 (\$4,238.00) in Retiree Supplemental Annuity Benefits, known as
10 the sum of One Thousand Two Hundred Dollars (\$1,200.00), One
11 Thousand Five Hundred Dollars (\$1,500.00), Seven Hundred
12 Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars
13 (\$838.00) in annual benefits formerly contained in various General
14 Appropriation Acts.

15 (ii) *No* retiree who is eligible for Retiree Supplemental Annuity
16 Benefits provided for in this Section *shall* receive such benefit *if*
17 his regular annual retirement annuity, excluding the supplemental
18 amounts authorized herein and survivor benefits, exceeds Forty
19 Thousand Dollars (\$40,000.00). A retiree who is eligible for
20 Retiree Supplemental Annuity Benefits shall receive no more than
21 Forty Thousand Dollars (\$40,000.00) in combined retirement
22 annuities and supplemental retirement annuities.”

1 **Section 19. Cost of Living Allowance (COLA).** (a) *I Maga'lahaen Guåhan*
2 shall provide a “Cost of Living Allowance” (COLA) of One Thousand One Hundred
3 Dollars (\$1,100) to each Government of Guam Retirement Fund retiree, or his/her
4 survivor, who has retired as of September 30, 2011 for Fiscal Year 2012 and September
5 30, 2012 for Fiscal Year 2013 to be prorated monthly. The sum of Six Million Seven
6 Hundred Seventy Thousand Five Hundred Dollars (**\$6,770,500**) is appropriated from the
7 General Fund to the Department of Administration for Fiscal Year 2012, and the sum of
8 Seven Million Seventy One Thousand Two Hundred Eighty Five Dollars (**\$7,071,285**) is
9 appropriated from the General Fund to the Department of Administration for Fiscal Year
10 2013, to pay said COLA.

11 (b) The Guam Power Authority, A. B. Won Pat International Airport Authority,
12 the Guam Economic Development Authority, the Guam Housing Corporation, the
13 Government of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port, the
14 Guam Waterworks Authority and the Guam Visitors Bureau *shall* pay a “Cost of Living
15 Allowance” (COLA) of One Thousand One Hundred Dollars (\$1,100), from their
16 respective Funds, to each Government of Guam Retirement Fund retiree, or his/her
17 survivor, who have retired from that agency as of September 30, 2011 for Fiscal Year
18 2012 and September 30, 2012 for Fiscal Year 2013 to be prorated monthly.

19 **Section 20. Unified Judiciary for Court-Appointed Attorney Fees.** For
20 each Fiscal Year 2012 and 2013, the sum of Seven Hundred Forty Five Thousand Four
21 Hundred Thirty Three Dollars (**\$745,433**) is appropriated from the General Fund to the
22 Unified Judiciary for the *sole* purpose of paying court-appointed attorney fees arising
23 from the defense of indigent peoples. Said funds *shall* be deposited into the Judicial

1 Client Services Fund account, as created by Chapter 9.6, Division 1 of Title 7 of the
2 Guam Code Annotated and *shall not* be subject to any transfer authority. Any
3 unexpended funds appropriated herein *shall* be reverted to the General Fund at the end of
4 Fiscal Year 2012 and Fiscal Year 2013.

5 **Section 21. Unified Judiciary for Adult and Juvenile Drug Courts.** For
6 each Fiscal Year 2012 and 2013, the sum of Six Hundred Fifty One Thousand Two
7 Hundred Seventy Seven Dollars (**\$651,277**) is appropriated from the General Fund to the
8 Unified Judiciary for the operations of the Adult and Juvenile Drug Courts.

9 **Section 22. Unified Judiciary for Family Visitation Center.** For each Fiscal
10 Year 2012 and 2013, the sum of One Hundred Forty Five Thousand Dollars (**\$145,000**) is
11 appropriated from the Safe Streets Fund to the Unified Judiciary to pay for contractual
12 services for the operation of the Family Visitation Center, *provided*, that the Judiciary
13 must comply with §18125(c) and (d) of Title 16 of the Guam Code Annotated, and
14 §9211(b) of Title 7 of the Guam Code Annotated.

15 **Section 23. Public Streetlights.** The sum of Three Million Four Hundred
16 Seventy Three Thousand Five Hundred Thirty One Dollars (**\$3,473,531**) is appropriated
17 from the Street Light Fund and the sum of Two Million Five Hundred Thirty Five
18 Thousand Six Hundred Seventy Two Dollars (**\$2,535,672**) is appropriated from the
19 Guam Highway Fund to the Department of Public Works for Fiscal Year 2012, and the
20 sum of Three Million Four Hundred Fifty Four Thousand Eight Hundred Eighty Seven
21 Dollars (**\$3,454,887**) is appropriated from the Street Light Fund, and the sum of Two
22 Million Six Hundred Ninety Seven Thousand Nine Hundred Ninety Two Dollars
23 (**\$2,697,992**) is appropriated from the Guam Highway Fund to the Department of Public

1 Works for Fiscal Year 2013, to pay to the Guam Power Authority for the operation of
2 public streetlights.

3 **Section 24. Support of Child in Custody.** For each Fiscal Year 2012 and
4 2013, the sum of Six Hundred Forty Nine Thousand Nine Hundred Sixty Two Dollars
5 **(\$649,962)** is appropriated from the General Fund to the Department of Administration
6 for the *sole* purpose of paying orders of the court pursuant to §5116 of Title 19 of the
7 Guam Code Annotated.

8 **Section 25. Indirect Cost Fees Collected for Training and Continuing**
9 **Education.**

10 **(a)** For each Fiscal Year 2012 and 2013, the sum of Thirty Thousand Dollars
11 **(\$30,000)** is appropriated from the Indirect Cost Fund to the Department of
12 Administration (DOA) for training and continuing education of persons employed as
13 government accountants, and in related positions. Of the amounts appropriated in this
14 Subsection, the amount of Ten Thousand Dollars **(\$10,000)** shall be used for Department
15 of Administration's Division of Training and Development for its training equipment and
16 training facilities for each Fiscal Year 2012 and 2013.

17 **(b)** For each Fiscal Year 2012 and 2013, the sum of Thirty Thousand Dollars
18 **(\$30,000)** is appropriated from the Indirect Cost Fund to the Bureau of Budget and
19 Management Research for costs such as training, supplies and equipment associated with
20 negotiating and administering the government of Guam's indirect cost rate in Fiscal Year
21 2012 and Fiscal Year 2013.

22 **(c)** For each Fiscal Year 2012 and 2013, the sum of Thirty Thousand Dollars
23 **(\$30,000)** is appropriated from the Indirect Cost Fund to the Guam State Clearinghouse

1 for costs such as training, supplies and equipment associated with negotiating and
2 administering the government of Guam's indirect cost rate in Fiscal Year 2012 and Fiscal
3 Year 2013.

4 **Section 26. Guam Council on the Arts and Humanities Agency for the**
5 **Guam Territorial Band Society.** For each Fiscal Year 2012 and 2013, the sum of Fifty
6 Thousand Dollars **(\$50,000)** is appropriated from the Tourist Attraction Fund to the
7 Guam Council on the Arts and Humanities Agency for the Guam Territorial Band
8 Society.

9 **Section 27. University of Guam for Guampedia Foundation.** For each
10 Fiscal Year 2012 and 2013, the sum of One Hundred Forty Thousand Dollars **(\$140,000)**
11 is appropriated from the Tourist Attraction Fund to the University of Guam for the
12 operations of the Guampedia Foundation.

13 **Section 28. Department of Mental Health and Substance Abuse for the**
14 **Amended Permanent Injunction and Plan of Action.** Pursuant to Court Order No. CV
15 01-0041 CBM, the sum of Three Million Dollars **(\$3,000,000)** is hereby appropriated
16 from the General Fund to the Department of Mental Health and Substance Abuse for
17 Fiscal Year 2012, and the sum of One Million Two Hundred Fifty Thousand Dollars
18 **(\$1,250,000)** is hereby appropriated from the General Fund to the Department of Mental
19 Health and Substance Abuse for Fiscal Year 2013, for the payment of court ordered
20 deposits that are due in Fiscal Year 2012 and Fiscal Year 2013 in accordance with the
21 modified funding schedule, for the implementation of the Amended Permanent Injunction
22 and Plan of Action.

1 **Section 29. Mayors Council of Guam Streets Maintenance and**
2 **Beautification.** For each Fiscal Year 2012 and 2013, the sum of One Million Thirty Six
3 Thousand Twenty Six Dollars (**\$1,036,026**) is appropriated from the Tourist Attraction
4 Fund to the Mayors Council of Guam for the maintenance and beautification of village
5 secondary and tertiary roads, and for the operations of Mayors' offices, but *not* for
6 personnel costs. Said funds *shall not* be subject to any transfer authority of *I Maga'lahen*
7 *Guåhan* and *shall* be divided among the Village Mayors as follows:

8 (a) Each Mayor *shall* receive the sum of Twenty Thousand Dollars (**\$20,000**);

9 and

10 (b) The remaining balance of the fund *shall* be distributed to each Mayor *pro rata*
11 based on the total road mileage in his village as a percentage of Guam's total
12 road mileage in the 2006 Guam Roads Pavement Inventory of the Department
13 of Public Works.

14 **Section 30. Mayors Council of Guam Island-wide Village Beautification**

15 **Projects.** For each Fiscal Year 2012 and 2013, the sum of Four Hundred Seventy
16 Thousand Nine Hundred Twenty One Dollars (**\$470,921**) is appropriated from the Tourist
17 Attraction Fund to the Mayors Council of Guam for Island-wide Village Beautification
18 Projects to include:

19 (a) The maintenance and repair of the village's recreational facilities under
20 the jurisdiction of the Mayor; (b) the maintenance and repair of each village's main
21 roads; and (c) the planting and maintenance of each village's official flower and other
22 flowering plants, shrubs and trees adjacent to the village's main roads, public restrooms
23 and recreational facilities. A Mayor may contract with a private entity to provide the

1 services authorized by this Section subject to the Guam Procurement Law, Chapter 5 of
2 Title 5 of the Guam Code Annotated.

3 **Section 31. Mayors Council of Guam for Grounds Maintenance for Schools.**

4 Subject to approval and scheduling of the public school principals, the Mayors are
5 responsible for regular ground maintenance of Guam Department of Education school
6 grounds in their respective districts where ground maintenance is *not* already subject to
7 an existing contract for a minimum of twice a month during a regular school calendar
8 year. Subject to approval of scheduling with the public school principals, the Mayor may
9 contract with a private entity to provide the services authorized by this Section. For each
10 Fiscal Year 2012 and 2013, the sum of Four Hundred Forty Seven Thousand Eight
11 Hundred Sixty Three Dollars (**\$447,863**) is appropriated from the General Fund to the
12 Mayors Council of Guam for the grounds maintenance of Guam Department of
13 Education schools.

14 **Section 32. Mayors Council of Guam for Public Safety and Social Education**

15 **Programs.** For each Fiscal Year 2012 and 2013, the sum of Four Hundred Sixteen
16 Thousand Eight Hundred Sixty Dollars (**\$416,860**) is appropriated from the General Fund
17 to the Mayors Council of Guam for the public safety and social education programs.

18 **Section 33. Animal Shelter.** The sum of Ninety Eight Thousand Eighty Three

19 Dollars (**\$98,083**) is appropriated from the General Fund to the Department of
20 Agriculture for Fiscal Year 2012, and the sum of One Hundred Two Thousand Four
21 Hundred Forty One Dollars (**\$102,441**) is appropriated from the General Fund to the
22 Department of Agriculture for Fiscal Year 2013 for the operations of the Guam Animals
23 in Need (GAIN) animal shelter in *Yigo*, Guam.

1 **Section 34. Guam Department of Education Textbooks and Collateral**
2 **Materials.** The following are appropriations to the Guam Department of Education
3 (GDOE) for the purchase of textbooks, e-book readers and collateral materials, to include
4 software, sheet music and music books, in accordance with the following terms and
5 conditions:

6 (a) For each Fiscal Year 2012 and 2013, the sum of Two Million Dollars
7 (\$2,000,000) is appropriated from the General Fund from each Fiscal Year
8 2013 and 2014 revenues, respectively, to the GDOE for the purchase of
9 textbooks, e-book readers and related classroom instructional materials, to
10 include software, sheet music and music books. The Superintendent of
11 GDOE may, *if necessary*, through agreements with textbook vendors, defer
12 payment for said materials until after October 1, 2012, but *no later than*
13 December 31, 2012, with the full faith and credit of the Government of Guam.

14 (b) The Superintendent of GDOE *shall* order materials funded by this Section for
15 Fiscal Year 2012 and Fiscal Year 2013 *no later than* March 1, 2012 and
16 March 1, 2013, respectively. The Bureau of Budget and Management
17 Research *shall* release such allotments as are necessary to ensure that said
18 materials are ordered by March 1, 2012 and March 1, 2013. The
19 Superintendent of GDOE *shall* receive said materials and distribute them to
20 schools *no later than* thirty (30) days before the start of the school calendar
21 established pursuant to §4111 of Title 17 of the Guam Code Annotated. All
22 funds appropriated for said materials *shall not* be used for any other purpose.

1 (c) On the first (1st) day of each fiscal quarter of Fiscal Year 2012 and Fiscal Year
2 2013, the Superintendent of GDOE *shall* provide to *I Maga'lahañ Guåhan*
3 and the Speaker of *I Liheslaturan Guåhan*, and post on the GDOE website, a
4 detailed report regarding all receipts and expenditures for textbooks, e-book
5 readers and collateral classroom instructional materials, to include software,
6 sheet music and music books. Said report *shall* be accompanied by the
7 certified list of textbooks approved by the Guam Education Board (GEB) and
8 all purchase orders issued. The report *shall* summarize:

9 (1) purchases by allotment account number, unit cost and the total cost of
10 books charged against an appropriation account, the vendor, quantity,
11 title, copyright date and International Standard Book Number (ISBN)
12 of books ordered, the allocation of such books by school and grade,
13 whether books are for teachers or students, and whether books are
14 textbooks or e-books; and

15 (2) other information that may be useful *or* that is requested by *I*
16 *Liheslaturan Guåhan* regarding the funds appropriated and authorized
17 herein. Non-compliance with these reporting requirements by the
18 Superintendent of GDOE *shall* result in the sanctions and penalties
19 imposed by this Act.

20 **Section 35. Prior Years Cost of Care and Custody for Prisoners Confined**
21 **in Federal Facilities.** The sum of Two Million Six Hundred Seventy Six Thousand Four
22 Hundred Fifty Seven Dollars (**\$2,676,457**) is appropriated from the General Fund to the
23 Department of Corrections for Fiscal Year 2012 for the payment of prior and current year

1 obligations, and the sum of Six Hundred Ninety Six Thousand Dollars (**\$696,000**) is
2 appropriated from the General Fund to the Department of Corrections for Fiscal Year
3 2013, for the payment of current year obligations for prisoners confined in federal
4 facilities of the Federal Bureau of Prisons.

5 **Section 36. Oasis Empowerment Center for Women Alcohol Substance and**
6 **Homeless Program.** For each Fiscal Year 2012 and 2013, the sum of Fifty Thousand
7 Dollars (**\$50,000**) is appropriated from the General Fund to the Department of Mental
8 Health and Substance Abuse for the Oasis Empowerment Center for Women Alcohol
9 Substance and Homeless Program.

10 **Section 37. Guam Board of Accountancy.** For each Fiscal Year 2012 and
11 2013, the sum of Four Hundred Eight Thousand One Hundred Dollars (**\$408,100**) is
12 appropriated from the Guam Board of Accountancy Fund to the Guam Board of
13 Accountancy for its operations.

14 **Section 38. Medicines and Vacant Positions for the Community Health**
15 **Centers.** a) For each Fiscal Year 2012 and 2013, the sum of Seven Hundred Seventy
16 Three Thousand Two Hundred Seventy Three Dollars (**\$773,273**) is appropriated from
17 the Healthy Futures Fund to the Department of Public Health and Social Services
18 (DPHSS) for the purchase of medicines and to fund vacancies in the DPHSS Community
19 Health Centers.

20 b) For Fiscal Year 2013, the sum of One Million Dollars (**\$1,000,000**) is
21 appropriated from the General Fund to the Department of Public Health and Social
22 Services (DPHSS) for the purchase of medicines and to fund vacancies in the DPHSS
23 Community Health Centers.

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Section 39. Guam Cancer Trust Fund Appropriation to DPHSS. Pursuant to §26603(d)(2), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, for each Fiscal Year 2012 and 2013, the sum of One Million Two Hundred Sixty Nine Thousand One Hundred Twenty One Dollars (**\$1,269,121**) is appropriated from the Healthy Futures Fund to the Guam Cancer Trust Fund. Such sum is hereby appropriated from the Guam Cancer Trust Fund to the Department of Public Health and Social Services for cancer screening, treatment, and support services.

Section 40. Guam Cancer Trust Fund Appropriation to UOG. Pursuant to §26603(d)(2) and (e)(2), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, for each Fiscal Year 2012 and 2013, the sum of Four Hundred Twenty Three Thousand Forty Dollars (**\$423,040**) is appropriated from the Healthy Futures Fund to the Guam Cancer Trust Fund. Such sum is hereby appropriated from the Guam Cancer Trust Fund to the University of Guam.

Section 41. Department of Parks and Recreation Maintenance and Repair of Public Restrooms. For each Fiscal Year 2012 and 2013, the sum of Five Hundred Twenty Thousand One Hundred Sixty Six Dollars (**\$520,166**) is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation (DPR) for the maintenance and repair of restroom facilities in public parks island-wide. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

1 **Section 42. Department of Parks and Recreation for Maintenance of Pool**
2 **Facilities.** For each Fiscal Year 2012 and 2013, the sum of Three Hundred Forty Nine
3 Thousand Two Hundred Eleven Dollars (**\$349,211**) is appropriated from the Tourist
4 Attraction Fund to the Department of Parks and Recreation (DPR) for the maintenance
5 of pool facilities. These funds *shall* be used for the northern pool and the *Hagatña* pool.
6 *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR
7 *shall* submit a quarterly report of the expenditures from this appropriation to the Public
8 Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

9 **Section 43. Guam Environmental Protection Agency Landfill Costs.** For
10 each Fiscal Year 2012 and 2013, the sum of Two Hundred Thousand Dollars (**\$200,000**)
11 is appropriated from the Solid Waste Operations Fund to the Guam Environmental
12 Protection Agency for costs in the closure, monitoring and opening of the island's
13 landfills.

14 **Section 44. Department of Youth Affairs for Youth Programs.** The sum of
15 Three Hundred Forty Six Thousand Three Hundred Twenty Five Dollars (**\$346,325**) is
16 appropriated from the General Fund to the Department of Youth Affairs for Fiscal Year
17 2012, and the sum of Three Hundred Seventy One Thousand Seven Hundred Sixty One
18 Dollars (**\$371,761**) is appropriated from the General Fund to the Department of Youth
19 Affairs for Fiscal Year 2013, to fund programs contracted out to non-governmental
20 organizations for youths who are runaways, homeless, *or* victims of abuse.

21 **Section 45. Residential Treatment Fund.** For each Fiscal Year 2012 and
22 2013, the sum of One Million Two Hundred Thousand Dollars (**\$1,200,000**) is
23 appropriated from the General Fund to the Department of Administration (DOA) to pay

1 the expenses of persons under the jurisdiction of the Superior Court of Guam who require
2 residential care because of physical, mental *or* emotional disabilities *or* severe emotional
3 disturbances. All such persons and their escorts referred off Guam for treatment and care
4 *shall* submit to the Director of DOA appropriate documentation to justify and receive
5 reimbursement of their travel expenses. The Director of DOA *shall* submit reports to *I*
6 *Maga'lahaen Guåhan* and the Speaker of *I Liheslaturan Guåhan* describing all
7 expenditures made pursuant to this appropriation *no later than* thirty (30) days after the
8 end of each quarter of Fiscal Year 2012 and Fiscal Year 2013 and post the same on the
9 DOA website.

10 **Section 46. Medically Indigent Program (MIP) Appropriation.** The sum of
11 Fifteen Million Sixty Seven Thousand Five Hundred Fifty One Dollars (**\$15,067,551**) is
12 appropriated from the General Fund to the Medically Indigent Program Payment
13 Revolving Fund (MIPPR) for Fiscal Year 2012, and the sum of Fifteen Million Six
14 Hundred Forty Eight Thousand Eighty Seven Dollars (**\$15,648,087**) is appropriated from
15 the General Fund to the Medically Indigent Program Payment Revolving Fund (MIPPR)
16 for Fiscal Year 2013.

17 **Section 47. Medicaid Program.** For each Fiscal Year 2012 and 2013, the
18 sum of Twelve Million Four Hundred Sixty Nine Thousand Nine Hundred Fifty Three
19 Dollars (**\$12,469,953**) is appropriated from the General Fund to the Department of
20 Public Health and Social Services, for the local match requirement of the Medicaid
21 Program, and Fourteen Million Eight Hundred Ninety Five Thousand Forty Dollars
22 (**\$14,895,040**) is authorized from Federal Matching Grants-In-Aid to the Department of

1 Public Health and Social Services for Medicaid Program for each Fiscal Year 2012 and
2 2013.

3 **Section 48. Government Claims Fund.** For each Fiscal Year 2012 and 2013,
4 the sum of One Hundred Thousand Dollars (**\$100,000**) is appropriated from the General
5 Fund to the Department of Administration (DOA) Government Claims Fund for payment
6 of approved government claims. The Director of DOA shall, *no later than* thirty (30)
7 days after the close of each quarter of Fiscal Year 2012 and Fiscal Year 2013, submit to
8 the Speaker of *I Liheslaturan Guåhan* a report describing expenditures made pursuant to
9 the appropriations herein, and post the same on the DOA's website.

10 **Section 49. Government of Guam's Single Audit Reports.**

11 (a) For each Fiscal Year 2012 and 2013, the sum of Three Hundred Seventy
12 Seven Thousand Dollars (**\$377,000**) is appropriated from the General Fund to the
13 Department of Administration for the Government of Guam's General Purpose Financial
14 Statement and the Single Audit Reports for Fiscal Year 2011 and Fiscal Year 2012. The
15 Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

16 (b) For each Fiscal Year 2012 and 2013, the sum of Eighteen Thousand Dollars
17 (**\$18,000**) is appropriated from the Tourist Attraction Fund to the Department of
18 Administration for the Government of Guam's Tourist Attraction Fund Financial
19 Statement and Single Audit Reports for Fiscal Year 2011 and Fiscal Year 2012. The
20 Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

21 (c) For each Fiscal Year 2012 and 2013, the sum of Eighteen Thousand Dollars
22 (**\$18,000**) is appropriated from the Guam Highway Fund to the Department of
23 Administration for the Government of Guam's Highway Fund Financial Statement and

1 Single Audit Reports for Fiscal Year 2011 and Fiscal Year 2012. The Public Auditor
2 *shall* administer said funds and *shall* oversee the annual audit.

3 **Section 50. Department of Labor for Workers Compensation Fund.** The
4 sum of Seven Hundred Ninety Eight Thousand Five Hundred Ninety Three Dollars
5 **(\$798,593)** is appropriated from the General Fund to the Department of Labor for the
6 Workers Compensation Fund for Fiscal Year 2012, and the sum of Eight Hundred Thirty
7 Four Thousand Seventy One Dollars **(\$834,071)** is appropriated from the General Fund to
8 the Department of Labor for the Workers Compensation Fund for Fiscal Year 2013, for
9 the Workers Compensation payments pursuant to §9144 of Title 22 of the Guam Code
10 Annotated, including obligations incurred in past years and in the future. Said
11 appropriations may be used to pay for medical, surgical, and other treatment; nurses;
12 hospital services; medical travel and per diem costs; medicine; crutches; and equipment
13 required by a claimant for such period as his injury and the recovery there from may
14 require. Said appropriations *shall not* be expended for disability compensation payments
15 for Full-Time Equivalent (FTEs) funded by this Act. The Director of Labor may use *no*
16 *more than* Forty Thousand Dollars (\$40,000) from said appropriations to pay for legal
17 services for Workers Compensation hearings.

18 **Section 51. Section 1 of Public Law 28-38 as amended is hereby further**
19 ***amended to read as follows:***

20 **“Section 1.** Special Retirement Provisions for the Guam Department of
21 Education (GDOE) and Guam Memorial Hospital Authority (GMHA). On the
22 first day of the first month following the enactment hereof and on every first day
23 of every month thereafter, the Department of Administration (DOA) *shall*

1 compute and recognize interest owed for both the GDOE and GMHA retirement
2 liabilities to the Government of Guam Retirement Fund (GGRF) equal to
3 outstanding liability multiplied by the one twelfth (1/12) of the most recent
4 historical five (5) year average annual rate of return of the defined benefit
5 investment portfolio, inclusive of performance which yielded negative returns.
6 Liability payments made by the GDOE or GMHA *shall* be credited to the
7 respective liability balance prior to the next month's interest calculations. The
8 GGRF *shall not* be entitled to any additional interest for liabilities identified in
9 this Section beyond what the DOA calculates on the first day of each month. The
10 GGRF *shall* accept and approve for retirement any eligible employee of the
11 GDOE or the GMHA upon condition that the respective agency's employer and
12 employee contributions to the GGRF for the applicable fiscal year are current and
13 paid in full as provided in Section 13, Chapter VI of Public Law 27-106. If the
14 GDOE or GMHA fails to make current payments for the applicable fiscal year,
15 the GGRF *shall* cease processing applications from employees of that agency
16 until payment is made in full.

17 The GGRF and the DOA *shall* reconcile the annualized interest paid
18 during the current fiscal year upon release of the GGRF rate of return
19 performance report for Quarter ending September 30 for the same twelve (12)
20 month period. The GGRF *shall* invoice the DOA for any underpayment of
21 interest computed by subtracting actual interest payments from interest calculated
22 using the current fiscal year monthly principal balances outlined in Section 1 and
23 the twelve (12) month average rate of return for the same period.

1 On the first day of the first month following the enactment hereof and on
2 every first day of every month thereafter, with a grace period of *no more than* ten
3 (10) days, the Treasurer of Guam *shall* pay “interest only” payments for the
4 GDOE deficiency to the GGRF and the Treasurer of Guam *shall* pay “interest
5 only” payments for the GMHA deficiency to the GGRF on the first day of the
6 first month following the enactment hereof and on every first day of every month
7 thereafter. The GGRF *shall* accept and approve for retirement any eligible
8 employee of the GDOE or the GMHA upon the condition that the respective
9 agency’s employer and employee contributions to the GGRF for the applicable
10 fiscal year are current and paid in full as provided in Section 13, Chapter VI of
11 Public Law 27-106, including interest and penalties pursuant to § 8137 (c) of Title
12 4 of the Guam Code Annotated and interest at the actuarial rate determined in the
13 latest completed actuarial valuation prepared for the Board of Trustees by the
14 actuary appointed by the Board, which is seven and one-half (7.5%). If the
15 Treasurer of Guam fails to make current payments as required by this Section or if
16 GDOE or GMH fails to make current payments for the applicable fiscal year, the
17 GGRF *shall* cease processing applications from employees of that agency until
18 payment is made in full.”

19 For each Fiscal Year 2012 and 2013, the sum of Two Million Dollars
20 **(\$2,000,000)** is appropriated from the General Fund to DOA for “interest only”
21 payments for the GDOE and GMHA deficiency to the GGRF pursuant to this
22 Section. Any balance remaining from this appropriation shall revert to the
23 General Fund.

1 **Section 52. Guam Memorial Hospital Authority Appropriations.** The sum of
2 Twelve Million Five Hundred Seventy Six Thousand Nine Hundred Twenty Five Dollars
3 **(\$12,576,925)** is appropriated for FY 2012 as follows:

4 **(a)** The sum of Four Million Sixty Thousand Nine Hundred Eighteen Dollars
5 **(\$4,060,918)** is appropriated from the General Fund to the Guam Memorial
6 Hospital Authority to supplement its operations for Fiscal Year 2012.

7 **(b)** Pursuant to §§ 26208 and 26208.1 of Chapter 26, Division 2 of Title 11 of the
8 Guam Code Annotated, the sum of Eight Million Five Hundred Sixteen Thousand Seven
9 Dollars **(\$8,516,007)** is appropriated from the General Fund to the Guam Memorial
10 Hospital Authority Pharmaceuticals Fund for Fiscal Year 2012, and the sum of Eight
11 Million Seven Hundred Thirty One Thousand Three Hundred Nineteen Dollars
12 **(\$8,731,319)** is appropriated from the General Fund to the Guam Memorial Hospital
13 Authority Pharmaceuticals Fund for Fiscal Year 2013.

14 **Section 53. Better Public Services Fund Appropriation.** Pursuant to
15 §161101, Chapter 161 of Title 11 of the Guam Code Annotated, the following are
16 appropriated to the Department of Revenue and Taxation:

17 **(a)** The sum of Five Hundred Forty Seven Thousand Five Hundred Forty
18 Two Dollars **(\$547,542)** from the General Fund to the Better Public Services Fund for
19 Fiscal Year 2012 and the sum of Five Hundred Fifty One Thousand Sixty Four Dollars
20 **(\$551,064)** for Fiscal Year 2013.

21 **(b)** The sum of Eight Hundred Seventy Five Thousand Two Hundred Five
22 Dollars **(\$875,205)** from the Guam Highway Fund to the Better Public Services Fund for

1 Fiscal Year 2012 and the sum of Eight Hundred Eighty Two Thousand Eight Hundred
2 Eighty Five Dollars (**\$882,885**) for Fiscal Year 2013.

3 **Section 54. Guam Regional Transit Authority Fund Appropriation.**

4 a) Pursuant to §26503(b), Chapter 26 of Title 11, the sum of Three Hundred
5 Seventy Five Thousand Six Hundred Six Dollars (**\$375,606**) is appropriated for Fiscal
6 Year 2012 and the sum of Three Hundred Seventy Thousand Six Hundred Fifty Three
7 Dollars (**\$370,653**) for Fiscal Year 2013 from the Public Transit Fund to the Guam
8 Regional Transit Authority Fund for the operations of the Guam Regional Transit
9 Authority.

10 b) For each Fiscal Year 2012 and 2013, the sum of Two Million Nine
11 Hundred Forty Four Thousand One Hundred Eighty Two Dollars (**\$2,944,182**) is
12 appropriated from the Guam Highway Fund to the Guam Regional Transit Authority
13 Fund for the operations of the Guam Regional Transit Authority.

14 **Section 55. Guam Memorial Hospital Authority Appropriation.** For each
15 Fiscal Year 2012 and 2013, the sum of One Million Three Hundred Fifty Three Thousand
16 Seven Hundred Twenty Nine Dollars (**\$1,353,729**) is appropriated from the Healthy
17 Futures Fund to the Guam Memorial Hospital Authority pursuant to §22603(d)(3),
18 Article 6, Chapter 26 of Title 11 of the Guam Code Annotated.

19 **Section 56. Guam Cancer Registry.** Pursuant to §22603(d)(4), Article 6,
20 Chapter 26 of Title 11 of the Guam Code Annotated, for each Fiscal Year 2012 and 2013,
21 the sum of One Hundred Twelve Thousand Eight Hundred Eleven Dollars (**\$112,811**) is
22 appropriated from the Healthy Futures Fund to the Department of Public Health and

1 Social Services (DPHSS) to maintain the Guam Cancer Registry pursuant to §3201.1,
2 Article 2, Chapter 3 of Title 10 of the Guam Code Annotated.

3 **Section 57. Summer School Fund.** From the Summer School Fund established
4 pursuant to §6119 of Article 1, Chapter 6, Division 1 of Title 17 of the Guam Code
5 Annotated, such sums as are necessary to fund the operations of the Fiscal Year 2012 and
6 Fiscal Year 2013 Summer School Programs are appropriated to the Guam Department of
7 Education. The Superintendent of Education *shall* submit a detailed report to *I*
8 *Maga'lahaen Guåhan* and the Speaker of *I Liheslaturan Guåhan* regarding the receipt and
9 expenditure of said funds *no later than* thirty (30) days after the close of summer school
10 and post the same on the Guam Department of Education website. Such report *shall*
11 include the following:

- 12 (1) total revenues received, including identification of each revenue source;
- 13 (2) total expenditures and encumbrance by object classification and by school;
- 14 and
- 15 (3) the fund balance.

16 **Section 58. Guam Visitors Bureau Appropriation.** The sum of Three Million
17 Six Hundred Thirty One Thousand Nine Hundred Seventy Six Dollars (**\$3,631,976**) is
18 hereby appropriated from the General Fund to the Guam Visitors Bureau to supplement
19 its operations funding for Fiscal Year 2012.

20 **Section 59. DPW School Buses Appropriation.** For Fiscal Year 2013, the sum
21 of One Million Dollars (**\$1,000,000**) is hereby appropriated from the General Fund to the
22 Department of Public Works for the purchase of school buses.

1 **Section 60. GFD Ambulances and Advance Life Support Vehicles**

2 **Appropriation.** For Fiscal Year 2013, the sum of One Million Dollars (\$1,000,000) is
3 hereby appropriated from the General Fund to the Guam Fire Department for the
4 purchase of ambulances and Advance Life Support vehicles.

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1 annuity while employed on this temporary basis. Officers may *only* be hired under this
2 section only to fill positions left vacant because of military activation of corrections
3 officers filling those positions and *shall* be terminated when the incumbent returns from
4 military service. Retired officers may be hired *only* in the ranks of Corrections Officers
5 Supervisor I, at Step 1 only, and *shall not* receive sick and annual leave. Officers hired
6 under this section *shall* meet requirements for the position in question *except* for written
7 examinations and the Director of Corrections *shall* certify that every retiree hired is fit for
8 duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, a retiree hired
9 pursuant to this Section may continue to receive his annuity.

10 **Section 4. Temporary Employment of Retired Guam Police Officers.** The
11 Guam Police Department may hire retired Guam Police Officers *if* a critical need arises
12 because of military activation of police officers. The retiree hired *shall* fill such a vacant
13 position and shall be terminated when the incumbent returns from military service.
14 Retired officers may be hired only at the ranks of Sergeant I and below, only at Step 1,
15 and shall not receive sick and annual leave. Officers hired under this Section shall first
16 meet the requirements, except for written examinations, for the position in question and
17 the Chief of Police shall certify that every retiree hired is fit for duty. Notwithstanding
18 §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to
19 this Section hereto may continue to receive retirement benefits.

20 **Section 5. Temporary Employment of Retired Guam Fire Fighters.** The
21 Guam Fire Department (GFD) may hire retired GFD firefighters *if* a critical need arises
22 because of military activation of GFD firefighters. The retirees hired *shall* fill such a
23 vacant position and shall be terminated when the incumbent returns from military service.

1 Retired fire personnel may be hired only at the ranks of Fire Specialist and below, only at
2 Step 1, and shall not receive sick and annual leave. Retired firefighters hired under this
3 Section shall first meet the requirements, except for written examinations, for the position
4 in question and the Fire Chief shall certify that every retiree hired is fit for duty.
5 Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired
6 temporarily pursuant to this Section hereto may continue to receive retirement benefits.

7 **Section 6. Temporary Employment of Retired Customs and Quarantine**
8 **Officers.** The Customs and Quarantine Agency may hire retired Customs and
9 Quarantine Officers when a critical need arises as a result of military activation of
10 Customs officers *or* when vacancies cannot be filled within six (6) months because of the
11 lack of qualified applicants. The retired officer *shall* fill such a vacant position and *shall*
12 be terminated when the incumbent returns from military service *or* when a fully-qualified
13 applicant is available. Retired officers may be hired *only* in the ranks of Customs Officer
14 III and below, only at Step 1, and *shall* not receive sick and annual leave. Retirees hired
15 pursuant to this Section *shall* meet requirements for the position in question, *except* for
16 written examinations, and the Director of Customs *shall* certify that every retiree hired is
17 fit for duty. The requirements of Article 3, Chapter 32 of Title 17 of the Guam Code
18 Annotated, are waived for employment pursuant hereto *except* for §32304(b)(4).
19 Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired
20 temporarily pursuant hereto may continue to receive their retirement benefits.

21 **Section 7. Temporary Employment of Retired Department of Revenue and**
22 **Taxation Employees.** The Department of Revenue & Taxation may hire retired
23 employees of the Department of Revenue & Taxation when a critical need arises in the

1 areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax
2 Processing. Said retirees *shall* be hired at Step 1 for the position in question and *shall* not
3 receive sick and annual leave. Notwithstanding §8121(a), Chapter 8 of Title 4 of the
4 Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to
5 receive their retirement benefits.

6 **Section 8. Locum Tenens Exemption during the Absence of the Chief**
7 **Medical Examiner.** The Office of the Chief Medical Examiner is exempt from the
8 government of Guam Procurement Law in contracting for the professional services of a
9 qualified medical examiner to be provided when the Chief Medical Examiner is absent
10 from work.

11 **Section 9. Advance Payments for Medical Services.** In order to expedite
12 acceptance of Medically Indigent Program (MIP) clients by facilities in California,
13 Hawaii or Manila for medical treatment approved by the MIP, the Director of Public
14 Health and Social Services may advance payments for said medical treatment, and may
15 establish escrow accounts for immediate and advance payment of medical treatment at
16 those Joint Commission Accredited hospitals determined by the Director to be best able
17 to serve Medically Indigent Program clients.

18 **Section 10. Transfer of Employees.** Notwithstanding any other provision of
19 law, and in recognition of personnel shortages in certain areas, *I Maga'lahaen Guåhan* is
20 authorized to transfer employees within *or* between any department *or* agency of the
21 government of Guam, *except* that:

22 (a) This Section shall *not* apply to any employee of the Legislative *or* Judicial
23 Branches of government;

1 (b) The transfer of an employee shall *not* result in a loss of pay *or* salary;

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

5 (d) No employee of an autonomous agency may be transferred to a line
6 department *or* agency;

7 (e) *I Maga'lahi* shall transfer the funding authorized for that employee's
8 position from the transferor agency to the transferee agency, including the Guam
9 Memorial Hospital Authority, Department of Public Health and Social Services, and
10 Department of Mental Health and Substance Abuse, unless the transfer is from a line
11 agency to an autonomous agency; and

12 (f) This Section shall *not* be used to transfer employees acting in good faith
13 who report *or* expose bad business practices, illegal activities, *or* inappropriate conduct
14 by public officials.

15 **Section 11. Moratorium on Compensation for Boards and Commissions.**

16 Notwithstanding any other provision of law, rule, or regulation, except for the Civil
17 Service Commission, the Guam Education Policy Board, and the Consolidated
18 Commission on Utilities, a moratorium is hereby placed on the compensation of all
19 members of government boards and commissions for their attendance at hearings or
20 meetings, through the end of Fiscal Year 2012 and Fiscal Year 2013.

21 **Section 12. Contracts.** Positions in the classified and unclassified service
22 shall *not* be filled pursuant to a contractual arrangement, *except* as provided in this
23 Section for Fiscal Year 2012 and Fiscal Year 2013.

- 1 (a) Subject to Chapter 5 of Title 5 of the Guam Code Annotated,
2 government of Guam departments and agencies may contract with
3 independent contractors, provided that no agency may contract for
4 services customarily provided by employees in the classified service,
5 except as provided by law.
- 6 (b) Government of Guam departments and agencies that do not
7 customarily obtain professional services, such as licensed health
8 professionals, licensed architects, licensed engineers, legal services,
9 actuarial services and auditing services through an employee in the
10 classified service in that department or agency may contract to obtain
11 such services.
- 12 (c) The Office of the Attorney General and the Public Defender Service
13 Corporation are authorized to contract with attorneys as independent
14 contractors to provide services in areas in which it is impracticable or
15 impossible for the office to proceed. Such contracts *shall* be in
16 accordance with the procurement laws of Guam. No such independent
17 contractor hired pursuant to this Section may receive from the
18 government of Guam any remuneration in any form other than in
19 payment for the position into which such person is hired. The Office
20 of the Attorney General and the Executive Director of the Public
21 Defender Service Corporation *shall* file a copy of every such contract
22 with the Chief Procurement Officer and the Director of Administration

1 together with a written certification stating why it is impracticable to
2 handle the matter within the office as otherwise constituted.

3 (d) This Section *shall not* apply to the Guam Department of Education;
4 the University of Guam; the Guam Community College; the Unified
5 Judiciary when filling positions of justices and judges pro tem, law
6 clerks, and legal interns; the Department of Revenue and Taxation
7 when filling the position of legal counsel; *I Liheslaturan Guåhan*; the
8 Guam Memorial Hospital Authority; and the Department of Public
9 Health and Social Services and the Department of Mental Health and
10 Substance Abuse when filling positions of licensed health
11 professionals.

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

18 **Section 13. §4107(b), Chapter 4 of Title 5 of the Guam Code Annotated is**
19 **hereby amended to read:**

20 “(b) The Governor shall present the proposed biennial comprehensive program
21 and financial plan in a message to the Legislature not later than ~~January 31~~ April 8 prior
22 to such biennial fiscal years ~~each fiscal year~~. ~~If the Governor is in the first year of his~~
23 ~~first term or an additional non-consecutive term, then the message shall be presented not~~

1 ~~later than April 8 of that same year.~~ The message shall be accompanied by a budget
2 document which shall contain the Governor's recommended goals, plans and
3 appropriations. The budget document shall be furnished each member of the Legislature
4 and each department or agency of the Government. The budget document shall contain
5 the following information:

- 6 (1) The coordinated program goals and objectives that the Governor
7 recommends to guide the decisions on the proposed program plans and
8 budget appropriations;
- 9 (2) The program and budget recommendations of the Governor for the
10 succeeding biennial fiscal years;
- 11 (3) A summary of the ~~Territory~~ government of Guam's receipts in the last
12 biennial fiscal years, a revised estimate for the current fiscal year, and
13 an estimate for the succeeding biennial fiscal years;
- 14 (4) A summary of expenditures during the last fiscal year, those estimated
15 for the current fiscal year and those recommended by the Governor for
16 the succeeding biennial fiscal years;
- 17 (5) Drafts of appropriation bills and revenue measures; and
- 18 (6) Any additional information which will facilitate understanding of the
19 Governor's proposed program and financial plan by the Legislature
20 and the public."

21 **Section 14. Valuation of Property Subject to Real Property Taxation**

22 **a) §24102(f) of Article 1, Chapter 24, Division 2 of Title 11, Guam Code**

23 **Annotated, is hereby amended to read as follows:**

1 “(f) *Value, full cash value, fair market value, and cash value* means ~~ninety one~~
2 hundred percent (90% 100%) of the appraised value; *appraised value* means the
3 amount at which property would be taken in payment of a just debt from a solvent
4 debtor as determined by the last completed valuation conducted pursuant to
5 §24306, Title 11, Guam Code Annotated, as amended by the annual adjustments
6 mandated in this Chapter;”

7 **b) §24103 of Article 1, Chapter 24, Division 2 of Title 11, Guam Code**
8 **Annotated, is hereby amended to read as follows:**

9 “§ 24103. Levy.

10 There is hereby levied on all land property in Guam a yearly tax at the rate of
11 ~~seven-seventy seconds (7/72%)~~ 00.0875% of the value thereof and ~~seven-~~
12 ~~eighteenths percent (7/18%)~~ 00.3500% of the value of the improvements thereon.

13 Such tax shall be assessed and collected in the manner prescribed in this Chapter.

14 All proceeds derived by the government under any provision of this Chapter *shall*
15 be deposited in the Treasury of Guam to the credit of the General Fund.”

16 **Section 15. Strategic Planning for Military Deployment.** Pursuant to
17 the recent announcement coming from the Adjutant General of the Guam National
18 Guard, all departments and agencies are hereby directed to prepare and submit a
19 strategic plan to *I Maga'lahaen Guåhan* for the anticipated deployment of their
20 respective personnel.

1 *Liheslaturan Guåhan* on a monthly basis and post the same on its website. Each monthly
2 report *shall* be due *no later than* thirty (30) days after the end of each month.

3 **Section 5. Special Fund Transfer.** *I Maga'lahaen Guåhan* is authorized to
4 transfer to the General Fund any cash available from any appropriated Special Fund *or*
5 Revolving Fund to fund the appropriations authorized by this Act.

6 All cash from Special funds *or* Revolving funds transferred to cover the
7 appropriations authorized by this Act *shall* be promptly reimbursed to the Special *or*
8 Revolving Fund from which it was withdrawn as cash becomes available.

9 *I Maga'lahaen Guåhan shall* submit a report to the Speaker of *I Liheslaturan*
10 *Guåhan* on the fifth (5th) day of every month on all transfers made pursuant to this
11 Section. Said report *shall* enumerate the amount of each transfer, identify the funds to
12 and from which the transfer was made and state the purpose of each transfer.

13 **Section 6. Transfer Authority of I Maga'lahaen Guåhan.** *I Maga'lahaen*
14 *Guåhan* is authorized to transfer funds between Fiscal Year 2012 General Fund
15 Executive Branch appropriations, and within departments and agencies Special Fund
16 Executive Branch appropriations for Fiscal Year 2012; and between Fiscal Year 2013
17 General Fund Executive Branch appropriations, and within departments and agencies
18 Special Fund Executive Branch appropriations for Fiscal Year 2013. This section does
19 not apply to appropriations made to the Judiciary, *I Liheslaturan Guåhan*, and the Office
20 of Finance and Budget.

21 **Section 7. Independent Contractors.** The Office of *I Maga'lahaen*, the Office of *I*
22 *Segundu Na Maga'lahaen Guåhan* and the Guam State Clearinghouse may enter into
23 agreements with independent contractors pursuant to Guam procurement laws.

1 **Section 8. Facilities Insurance Requirements.** Every department and agency of
2 the government of Guam, as part of its appropriations for operations contained in this
3 Act, may expend such sums as necessary for facilities insurance requirements.

4 **Section 9. Reporting Requirements for Non-Profit Organizations.** All non-
5 profit organizations that receive funds pursuant to this Act *shall* maintain financial
6 records that accurately account for said funds and *shall* provide a budgetary breakdown
7 by object category to the department *or* agency that oversees the appropriation. The non-
8 profit organization *shall* also provide to said department:

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

12 (b) Notification of all procurement of equipment and services of Five
13 Thousand Dollars (\$5,000) *or* more prior to awarding the contract
14 therefor;

15 (c) Access to the overseeing department *or* agency's duly authorized
16 representative, and Government of Guam auditors, to appropriate records
17 for the purpose of audit and examination of books, documents, papers and
18 records of funds expended under the appropriation;

19 (d) Submission of a detailed inventory listing of each year's purchases,
20 as certified by its certifying officer; and

21 (e) A Final Report to the overseeing department *or* agency for
22 submission to *I Liheslaturan Guåhan* containing a full disclosure of all
23 expenditures of funds appropriated by this Act *no later than* November 15,

1 2012, for Fiscal Year 2012, and November 15, 2013, for Fiscal Year 2013.

2 The overseeing department *or* agency *shall* post the same on its website.

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

7 **Section 10.** *Unless* otherwise specified in this Act:

8 (a) **General Fund Reversion.** All unexpended *or* unencumbered
9 appropriations made from the General Fund pursuant to this Act *shall* revert to the
10 General Fund on the last day of Fiscal Year 2012 and Fiscal Year 2013.

11 (b) **Tourist Attraction Fund Reversion.** All unexpended *or*
12 unencumbered appropriations made from the Tourist Attraction Fund pursuant to
13 this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year
14 2012 and Fiscal Year 2013.

15 (c) **Healthy Futures Fund Reversion.** All unexpended *or*
16 unencumbered appropriations made from the Healthy Futures Fund pursuant to
17 this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year
18 2012 and Fiscal Year 2013.

19 **Section 11. Authorization for Payment of Prior Years' Obligations.**

20 Appropriations made in this Act may be expended for the payment of prior years'
21 obligations, provided it does not negatively impact the current operational needs of the
22 department *or* agency requesting such prior years' payment.

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Section 12. Funding Source. The following departments are authorized to expend up to the level of revenues collected for their respective special revenue funds for Fiscal Years 2012 and 2013:

- (a) Guam Police Department - Police Services Fund
- (b) Department of Corrections - Corrections Revolving Fund
- (c) Customs and Quarantine Agency - Customs, Agriculture and Quarantine Inspection Services Fund
- (d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund
- (e) Chamorro Land Trust Commission - Chamorro Land Trust Operations Fund
- (f) Department of Agriculture - Guam Plant Inspection and Permit Fund
- (g) Professional Engineers, Architects and Land Surveyors Board - Professional Engineers, Architects and Land Surveyors (PEALS) Board Fund
- (h) Department of Land Management - Land Survey Revolving Fund
- (i) Guam Fire Department - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

- 1 (j) Guam Regional Transit Authority - Guam Regional Transit
2 Authority Fund
- 3 (k) Department of Public Works - DPW Building and Design Fee
4 Account
- 5 (l) Guam Contractors License Board - Guam Contractors License
6 Board Fund Collections
- 7 (m) Department of Revenue and Taxation - Tax Collection
8 Enhancement Fund
- 9 (n) Department of Public Health and Social Services - Guam
10 Environmental Health Fund
- 11 (o) Department of Parks and Recreation - Public Recreation Services
12 Fund
- 13 (p) Guam Department of Education - Public Library Resources Fund
- 14 (q) Department of Labor and the Guam Community College -
15 Manpower Development Fund

16 **Section 15. Severability.** *If any provision of this Act or its application to any*
17 *person or circumstances is held invalid, the invalidity shall not affect other provisions or*
18 *applications of this Act which can be given effect without the invalid provision or*
19 *application, and to this end the provisions of this Act are severable.*

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CHAPTER VI

REVENUE ANTICIPATION FINANCING BOND

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

§ 1512.3. Authorization to Issue Bonds for Revenue Anticipation Financing.

(a) **Authorization of Issuance of Bonds.** *I Maga'lahaen Guåhan* is authorized to issue one or more series of bonds of the Government of Guam as provided in this Section, in an aggregate principal amount not to exceed the amount necessary to provide up to three hundred forty-four million Dollars \$344,000,000 for the payment of authorized expenses listed in Subsection (j) hereof, to capitalize and pay from bond proceeds interest on the bonds accruing or due in Fiscal Years 2012, 2013 and 2014, to fund any appropriate or necessary debt service reserves and to pay expenses incurred in connection with the issuance of such bonds not already included in an existing appropriation for or the regular budget of any Government agency or instrumentality or public corporation providing any service in connection with the issuance of such bonds; provided, however, that bonds may not be issued in an amount that would cause a violation of the debt limitation provisions of 48 USC 1423a (§ 11 of the Organic Act of Guam).

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

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

1 (c) **Valid and Binding Limited Obligations.** The certificate or
2 indenture pursuant to which the bonds authorized by this Section are issued *shall*
3 provide that the bonds constitute the valid and legally binding limited obligations
4 of the Government of Guam payable from the revenues as defined in the
5 certificate or indenture. The validity of any such bonds *shall not* be affected by
6 the validity or regularity of any proceedings for the payment of the costs and
7 expenses funded by such bonds. All officers charged by law with any duty in the
8 collection of the revenues of the Government from which debt service on the
9 bonds will be payable *shall* do every lawful thing necessary to collect such sum.
10 The validity of any such bonds *shall not* be affected by the validity *or* regularity
11 of any proceedings for the payment of the expenses paid *or* to be paid with the
12 proceeds of the bonds.

13 (d) **Pledge of Business Privilege Tax Revenues.** The certificate or
14 indenture pursuant to which the bonds authorized by this Section are issued *may*
15 provide that the tax revenues derived from the levy of up to three (3) percentage
16 points, out of the total number of percentage points levied from time to time, of
17 the business privilege tax levied pursuant to Article 2 of Chapter 26 of Title 11 of
18 the Guam Code Annotated, or any successor thereto, are pledged to secure the
19 repayment of any bonds issued under this Section and to pay costs incurred in the
20 issuance or administration of the bonds and any required reserves or related
21 expenses. Any such pledge made to secure the bonds shall be valid and binding
22 from the time the pledge is made. The revenues pledged and thereafter received
23 by the government of Guam or by any trustee, depository or custodian shall be
24 deposited in a separate account entitled the "GRO Revenue Fund" and shall be
25 immediately subject to the lien of such pledge without any physical delivery
26 thereof or further act, and the lien of such pledge shall be valid and binding
27 against all parties having claims of any kind in tort, contract or otherwise against
28 the government of Guam or such trustee, depository or custodian, irrespective of
29 whether the parties have notice thereof. The certificate or indenture by which such
30 pledge is created need not be recorded, that shall direct the distribution and
31 disbursement of revenues from the GRO Revenue Fund following their deposit

1 therein. All such taxes, to the extent so pledged, are hereby continuously
2 appropriated for such purpose. So long as any bonds issued pursuant to § 1512.3,
3 Title 5 Guam Code Annotated remain outstanding, the Government of Guam may
4 not reduce the rate of levy and collection of the pledged business privilege tax
5 below three percent (3%), nor may the government of Guam reduce the services,
6 products activities to which the pledged Business Privilege Tax applies, nor may
7 the government of Guam upwardly adjust any exceptions or exclusion to, or
8 otherwise impair, the pledged business privilege tax.

9 **(e) Additional Bonds.** This Section does not prohibit the
10 government of Guam from issuing, after appropriate enabling legislation, other
11 obligations of the government that are general obligations of the government. This
12 Section does not prohibit the government of Guam from issuing, after appropriate
13 enabling legislation, other obligations of the government that are secured by
14 pledged Business Privilege Tax revenues on a parity with or subordinate to the
15 bonds authorized by this Section on such terms as are provided by the certificate
16 or indenture or certificate pursuant to which the bonds are issued, *provided,*
17 *however,* that such certificate or indenture *shall* provide that the aggregate
18 principal amount of all bonds issued on a parity with the bonds authorized
19 pursuant to this Section with respect to pledged Business Privilege Tax revenues
20 does not exceed six hundred million Dollars (\$600,000,000). Notwithstanding
21 anything to the contrary in this Subsection (e), the certificate or indenture or
22 certificate pursuant to which the bonds are issued *shall* provide that such
23 limitation shall not apply to additional bonds issued for the sole purpose of
24 refunding outstanding bonds authorized under by this Section and paying costs of
25 issuance associated therewith.

26 **(f) Waiver of Immunity; Submission to Jurisdiction.** Notwithstanding
27 any substantive or procedural provision of Chapter 6 of Title 5, Guam Code
28 Annotated, the Government of Guam waives immunity from any suit or action in
29 contract on the bonds or any other agreement or facility entered into in connection
30 with the bonds, but does not waive immunity as to the personal liability of elected
31 officials and employees of the Government of Guam. Any such suit or action

1 shall be brought in the District Court of Guam or such other court as mutually
2 agreed upon.

3 (g) **No Personal Liability.** No employee or elected official of the
4 Government of Guam shall be individually or personally liable for the payment of
5 any amounts due on any bonds issued under this Section, or for any other liability
6 arising in connection with the bonds; *provided, however,* that nothing in this
7 Section shall relieve any employee or elected official from the performance of a
8 ministerial duty required by law.

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

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

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

6 (j) **Use of Proceeds from the Sale of the Bonds.** The proceeds from
7 the sale of the bonds *shall* be used and are hereby appropriated to (i) pay the
8 expenses described below in this Subsection in amounts not to exceed the
9 amounts specified for each such type of expense; (ii) fund capitalized interest
10 accruing or payable on the bonds for a period ending *not later than* October 1,
11 2014, (iii) establish any appropriate or necessary reserves; and (iv) pay expenses
12 relating to the authorization, sale and issuance of the bonds, including, without
13 limitation, printing costs, costs of reproducing documents, credit enhancement
14 fees, underwriting, legal, feasibility, financial advisory and accounting fees and
15 charges, fees paid to banks *or* other financial institutions providing credit
16 enhancement, costs of credit ratings and other costs, charges and fees in
17 connection with the issuance, sale and delivery of the bonds. The expenses
18 authorized to be paid with the proceeds of the bonds are as follows:

19 (1) in an amount not to exceed the amount required for the purpose of
20 refunding and restructuring of and/or interest payments accruing or
21 payable on the Government of Guam General Obligation Bonds,
22 1993 Series A, 2007 Series A and 2009 Series A due in Fiscal
23 Years 2012, 2013 and 2014; and

24 (2) in an amount not to exceed the balance of the three hundred forty-
25 four million dollars (\$344,000,000) authorized pursuant to this
26 Section, for the purpose of paying unpaid individual and corporate
27 income tax refunds from 2009 and earlier years.

28 (k) **Permitted Investments.** The bond proceeds and any revenues
29 pledged to secure the payment of the bonds are authorized to be, and shall only
30 be, invested in those investments permitted by the certificate or indenture
31 pursuant to which such bonds are issued. Permitted investments shall include

1 investment agreements, forward purchase agreements or similar structured
2 contracts as further described in the certificate *or* indenture authorizing the
3 issuance of the bonds.

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

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

9 (n) **Approval of Bonds.** *I Liheslaturan Guåhan*, pursuant to §50103
10 (k), Title 12 Guam Code Annotated, hereby approves the issuance and sale by the
11 Government of Guam of bonds for the purposes and in the principal amounts
12 authorized by §1512.3, Title 5 Guam Code Annotated; provided that the bonds are
13 issued and sold subject to the terms, conditions, requirements and limitations
14 mandated therein.

15 **Section 2. Deposit of Bond Proceeds to Pay Income Tax Refunds.** The portion of the
16 bond proceeds authorized by Title 5 GCA § 1512.3 that is mandated by Title 5 GCA §
17 1512.3 to pay income tax refunds *shall* be transferred immediately after receipt thereof by
18 the bond trustee into the Income Tax Reserve Fund.

19 **Section 3. Bond Proceeds Not Subject to Transfer Authority.** The proceeds of the
20 bonds authorized by Title 5 GCA § 1512.3 *shall not* be subject to any transfer authority
21 of *I Maga'lahaen Guåhan*.

22 **Section 4.** §§24102(f) and 24103 of Article 1 Chapter 24 Division 2 of Title 11 GCA are
23 hereby amended to read as follows:

24 “§24102. (f) *Value, full cash value, fair market value and cash value* mean one
25 hundred percent (100%) of the appraised value; appraised value means the
26 amount at which property would be taken in payment of a just debt from a solvent
27 debtor as determined by the last completed valuation conducted pursuant to Title
28 11 GCA §24306, as amended by the annual adjustments mandated by this
29 Chapter.”

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“§24103. Levy.

There is hereby levied on all land property in Guam a yearly tax at the rate of seven-eighths (0.0875%) of the value thereof and seven-twentieths percent (0.3500%) of the value of the improvements thereon. Such tax shall be assessed and collected in the manner prescribed in this Chapter. All proceeds derived by the government under any provision of this Chapter shall be deposited in the Treasury of Guam to the credit of the General Fund.”