

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
THIRTIETH GUAM LEGISLATURE
2010 (SECOND) REGULAR SESSION

2010 JUL 12 PM 1:53
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BILL NO. 439 -30 (COR)

Introduced by:

Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs

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

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 CHAPTER 1

3 GENERAL PROVISIONS

4 Section 1. Short Title. This Act shall be known as the "*General Appropriations 5 Act of 2011*".
5 Except as otherwise provided by this Act, the appropriations made by this 6 Act shall be available to pay
6 for obligations incurred on or after October 1, 2010 but no 7 later than September 30, 2011. If any
7 appropriation in this Act is found contrary to 8 federal law, all other portions of this Act shall remain
8 valid.

9 Section 2. Estimated Revenues for Fiscal Year 2011. *I Liheslaturan Guåhan*,
10 the Guam Legislature, adopts the following revenue estimates for Fiscal Year 2011 as the 11 basis for
11 the appropriations contained in this Act.

1	I. GENERAL FUND REVENUES	<u>AMOUNT</u>
2	A. TAXES	
3	Income Tax	
4	Corporate	\$131,345,614
5	Individual	\$77,270,035
6	Withholding Taxes, Interest and Penalties	\$228,013,440
7	Provision for Tax Refund	(\$115,387,201)
8	TOTAL INCOME TAXES	\$321,241,888
9	Business Privilege Tax	\$215,297,942
10	Other Taxes	<u>\$4,195,228</u>
11	TOTAL TAXES	\$540,735,058
12	B. FEDERAL SOURCES	\$48,559,907
13	Federal Income Tax Collection (Section 30 Funds);	
14	Immigration Fees	
15	C. USE OF MONEY AND PROPERTY	\$3,362,792
16	D. LICENSES, FEES AND PERMITS	
17	Licenses, Fees and Permits	\$6,842,028
18	Licenses, Fees and Permits (Better Public Service Fund)	(\$572,569)
19	TOTAL LICENSES, FEES AND PERMITS	\$6,269,459
20	E. DEPARTMENT CHARGES	\$1,884,384
21	TOTAL GENERAL FUND REVENUE	\$600,811,600
22	2% GENERAL FUND RESERVE	
23	(Appropriations Cap of 98% of General Fund Revenue;	

1	§22436, Chapter 22 of Title 5 GCA)	(\$14,323,976)
2	TOTAL GENERAL FUND REVENUE	
3	AVAILABLE FOR APPROPRIATION	\$586,487,624
4	II. SPECIAL FUND REVENUES	
5	A. Air Pollution Control Special Fund	\$280,795
6	B. Better Public Service Fund	1,585,109
7	C. Chamorro Land Trust Operations Fund	714,094
8	D. Corrections Revolving Fund	1,366,062
9	E. Customs, Agriculture and Quarantine Inspection	
10	Services Fund	8,770,722
11	F. Enhanced 911 Emergency Reporting System Fund	1,795,979
12	G. Environmental Health Fund	758,871
13	H. Fire, Life and Medical Emergency Fund	53,024
14	I. Guam Contractors License Board Fund	834,097
15	J. Guam Environmental Trust Fund	336,796
16	K. Guam Highway Fund	
17	Guam Highway Fund	20,966,074
18	Guam Highway Fund (Better Public Service Fund)	(1,012,540)
19	Guam Highway Fund (Guam Regional Transit	
20	Authority Fund)	(416,427)
21	Total Guam Highway Fund	19,537,107
22	L. Guam Plant Inspection and Permit Fund	116,119
23	M. Guam Regional Transit Authority Fund	416,427

1	N. Health and Human Services Fund	256,504
2	O. Healthy Futures Fund	11,276,420
3	P. Indirect Cost Fund	1,556,608
4	Q. Land Survey Revolving Fund	3,435,561
5	R. Manpower Development Fund	2,629,666
6	S. Police Services Fund	570,110
7	T. Professional Engineers, Architects and	
8	Land Surveyors Board Fund	244,309
9	U. Public Library Resources Fund	805,876
10	V. Public Recreation Services Fund	212,694
11	W. Safe Streets Fund	236,000
12	X. Solid Waste Operations Fund	6,500,000
13	Y. Street Light Fund	3,563,145
14	Z. Tax Collection Enhancement Fund	818,249
15	AA. Territorial Education Facilities Fund	22,401,128
16	AB. Tourist Attraction Fund	22,943,480
17	AC. Water Protection Fund	85,851
18	AD. Water Research and Development Fund	91,729
19	AE. Youth Tobacco Education and Prevention Fund	<u>191,096</u>
20	TOTAL SPECIAL FUND REVENUE	\$114,383,628
21	III. FEDERAL MATCHING GRANTS-IN-AID REVENUES	
22	Federal Grants-In-Aid Requiring Local Match:	
23	A. Agriculture	\$327,000

1	B. Guam Council on the Arts and Humanities Agency	288,700
2	C. Guam Police	761,100
3	D. Integrated Services for Individuals with Disabilities	2,992,651
4	E. Labor	41,400
5	F. Law	9,900,000
6	G. Military Affairs	1,547,700
7	H. Public Health and Social Services	28,951,935
8	I. University of Guam	<u>2,887,887</u>
9	TOTAL FEDERAL MATCHING GRANTS-IN-	
10	AID REVENUE	\$47,698,373
11	REVENUE SUMMARY:	
12	TOTAL GENERAL FUND REVENUE	\$586,487,624
13	TOTAL SPECIAL FUND REVENUE	\$114,383,628
14	TOTAL FEDERAL MATCHING GRANTS-IN-	
15	AID REVENUE	<u>\$47,698,373</u>
16	GRAND TOTAL	\$748,569,625

17 **Section 3. Debt Service Continuing Appropriation.** The following are
18 continuing appropriations for debt service requirements:

19	A. GENERAL OBLIGATION BONDS, SERIES 1993 A	
20	(For education capital projects; Real Property Taxes pledged;	
21	due FY 2018 as final year; P.L. 29-19 and P.L. 29-21, net	
22	of UOG Bond Payment Obligation \$2,027,384)	\$2,895,261 1/
23	1/ Territorial Education Facilities Fund	
24	B. LIMITED OBLIGATION HIGHWAY REFUNDING	

1	BOND 2001 SERIES A	
2	(P.L. No. 24-70; due FY 2012 as the final year;	
3	source of payment from Liquid Fuel Taxes)	\$6,027,225 2/
4	2/ Guam Highway Fund	
5	C. LIMITED OBLIGATION (SECTION 30) BONDS	
6	SERIES A, 2001 (SECTION 30 FUNDS)	
7	(Water System Revenue Bond; P.L. 26-58, amended	
8	by P.L. 26-59; Section 30 fund pledged; due FY 2012	
9	as final year)	\$9,825,275 3/
10	3/ Section 30 Funds (General Fund)	
11	D. 2002 SHORT TERM FINANCING (SECTION 30 FUNDS)	
12	(Line of Credit; P.L. 26-84 amended by P.L. 26-122	
13	and P.L. 26-130; due FY 2012 as the final year; source	
14	of payment Section 30 Funds)	\$ 1,281,818 4/
15	4/ Section 30 Funds (General Fund)	
16	E. LIMITED OBLIGATION INFRASTRUCTURE	
17	IMPROVEMENT BONDS, 1997 SERIES A (TAF)	
18	(Tumon Redevelopment; payment from the Tourist	
19	Attraction Fund, pursuant to P.L. 24-111)	\$4,778,016 5/
20	5/ Tourist Attraction Fund	
21	F. 2008 SHORT TERM FINANCING	
22	(Line of Credit; P.L. 29-69 amended by P.L. 29-82 &	
23	P.L. 29-87; due FY 2012 as the final year; source of	
24	payment General Fund, secondary Section 30 Funds)	\$ 4,202,213 6/

1	6/ General Fund	
2	G. GENERAL OBLIGATION BONDS, SERIES 2007 A	
3	(Partial refunding of GOB, 1993 Series A, funding capital	
4	projects and certain obligations of the Government of Guam;	
5	due FY 2037 as final year; P.L. 29-19, and P.L. 29-21)	\$ 7,874,700 7/
6	7/ Territorial Education Facilities Fund	
7	H. LIMITED OBLIGATION (SECTION 30) BONDS,	
8	SERIES 2009A	
9	(To finance cost for the new landfill and the closure of Ordot	
10	Dump; P.L. 30-1 amended by P.L. 30-7; Due FY 2035 as final	
11	year)	\$ 7,135,019 8/
12	8/ Section 30 Funds	
13	I. GENERAL OBLIGATION BONDS, 2009 SERIES A	
14	(To finance certain expense affecting General Fund	
15	Deficit; P.L. 29-113 amended by P.L. 30-7; Due FY	
16	2040 as final year)	<u>\$21,534,700</u> 9/
17	9/ General Fund	
18	GRAND TOTAL	\$65,554,227
19		

1 **CHAPTER II**

2 **APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS**

3 **Section 1. Executive Branch Appropriations.** Four Hundred Seventy Six
4 Million Four Hundred Eighty Seven Thousand Two Hundred Forty Dollars
5 **(\$476,487,240)** are appropriated for the operations of the Executive Branch for fiscal year
6 ending September 30, 2011. This sum is composed of Three Hundred Eighty Five
7 Million Four Hundred Thirty One Thousand Seven Hundred Twenty Six Dollars
8 **(\$385,431,726)** from the General Fund; Sixty Seven Million Five Hundred Ninety Four
9 Thousand Five Hundred Forty One Dollars **(\$67,594,541)** from Special Funds; and
10 Twenty Three Million Four Hundred Sixty Thousand Nine Hundred Seventy Three
11 Dollars **(\$23,460,973)** from Federal Matching Grants-in-Aid. The appropriation shall be
12 expended as follows:

13		General	Special	Federal Fund	Total
14		Fund	Fund	Match	
15	I. EXECUTIVE DIRECTION				
16	A. Office of I Maga’lahen				
17	Guâhan and I Segundu				
18	Na Maga’lahen Guâhan	\$6,172,686	\$438,869 1/		\$6,611,555
19	B. Bureau of Budget and				
20	Management Research	958,318	438,870 1/		1,397,188
21	C. Bureau of Statistics				
22	and Plans	1,184,281			1,184,281
23	D. Military Affairs	674,567		\$1,547,700	2,222,267

	General	Special	Federal Fund	Total
	Fund	Fund	Match	
1				
2				
3	E. Veterans Affairs	325,990		325,990
4	F. Civil Service			
5	Commission	604,089		604,089
6	G. Guam Election			
7	Commission	426,980		426,980
8	TOTAL EXECUTIVE			
9	DIRECTION	\$10,346,911	\$877,739	\$1,547,700
10	II. PUBLIC SAFETY			
11	A. Guam Police	28,997,737	570,110 2/	761,100
12	B. Guam Fire	30,032,819	1,642,509 3/	
13	C. Corrections	17,988,200	1,159,662 4/	
14	D. Youth Affairs	4,161,831	347,163 5/	
15	E. Chief Medical			
16	Examiner	402,295		402,295
17	TOTAL PUBLIC			
18	SAFETY	\$81,582,882	\$3,719,444	761,100
19	III. HOMELAND SECURITY			
20	A. Customs and			
21	Quarantine		8,770,722 6/	8,770,722
22	TOTAL HOMELAND			
23	SECURITY	\$	\$8,770,722	\$
24				

	General	Special	Federal Fund	Total
	Fund	Fund	Match	
3 IV. HEALTH				
4 A. Integrated Services for Individuals				
5 with Disabilities	1,325,810	513,881 5/	2,992,651	4,832,342
6 B. Medical Referral				
7 Offices	644,458			644,458
8 C. Mental Health and				
9 Substance Abuse	10,184,673	2,715,036 5/		12,899,709
10 D. Public Health and				
11 Social Services	18,177,727	8,715,715 7/	14,614,535	41,507,977
12 E. Guam Memorial				
13 Hospital Authority	12,173,027			12,173,027
14 TOTAL HEALTH	\$42,505,695	\$11,944,632	\$17,607,186	\$72,057,513
15 V. EDUCATION				
16 A. Guam Commission on Education				
17 Certification	230,698			230,698
18 B. Guam Community				
19 College	13,278,499			13,278,499
20 C. Guam Department				
21 of Education	168,698,766	13,504,092 8/		182,202,858
22 D. Guam Public Library	1,517,640			1,517,640

	General	Special	Federal Fund	Total
	Fund	Fund	Match	
1				
2				
3	E. Office of Education			
4	Suruhanu	218,198		218,198
5	F. PBS Guam			
		619,956		619,956
6	G. University of Guam			
	27,730,166		2,887,887	30,618,053
7	TOTAL EDUCATION	\$212,293,923	\$13,504,094	\$228,685,902
8	VI. FINANCE AND ADMINISTRATION			
9	A. Administration			
	8,096,138	438,869 1/		8,535,007
10	TOTAL FINANCE AND			
11	ADMINISTRATION			
	\$8,096,138	\$438,869	\$	\$8,535,007
12	VII. NATURAL RESOURCES			
13	A. Agriculture			
	2,731,310	116,119 9/	327,000	3,174,429
14	B. Chamorro Land Trust			
15	Commission			
		714,094 10/		714,094
16	C. Guam Environmental			
17	Protection Agency			
		795,171 11/		795,171
18	D. Land Management			
		3,435,561 12/		3,435,561
19	E. Ancestral Lands			
20	Commission			
	238,141			238,141
21	F. Parks and Recreation			
	3,945,419	1,025,913 13/		4,971,332
22	TOTAL NATURAL			
23	RESOURCES			
	\$6,914,870	\$6,086,858	\$327,000	\$13,328,728

	General	Special	Federal Fund	Total
	Fund	Fund	Match	
VIII. LABOR				
A. Contractor's License				
Board		630,202 14/		630,202
B. Licensing and Professional				
Labor Regulations				
(PeALS, etc.)		244,309 15/		244,309
C. Labor	1,202,358	788,900 16/	41,400	2,032,658
TOTAL LABOR	\$1,202,358	\$1,663,411	\$41,400	\$2,907,169
IX. TOURISM AND CULTURE				
A. Cultural Heritage and the Arts (Chamorro				
Affairs, etc.)	1,145,690			1,145,690
B. Guam Council on the Arts and Humanities				
Agency	288,700	50,000 17/	288,700	627,400
TOTAL TOURISM AND				
CULTURE	\$1,434,390	\$ 50,000	\$288,700	\$1,773,090
X. TRANSPORTATION				
A. Public Works	10,129,331	14,947,986 18/		25,077,317
B. Guam Regional Transit				
Authority	1,259,868	3,187,430 19/		4,447,298
TOTAL				
TRANSPORTATION	\$11,389,199	\$18,135,416	\$	\$29,524,615

1	General	Special	Federal Fund	Total
2	Fund	Fund	Match	
3	XI. REVENUE AND TAXATION			
4	A. Revenue & Taxation	9,665,360	2,403,358 20/	12,068,718
5	TOTAL REVENUE AND			
6	TAXATION	\$9,665,360	\$2,403,358	\$12,068,718
7	GRAND TOTAL	\$385,431,726	\$67,594,541	\$23,460,973 \$476,487,240

8 **NOTES:**

- 9 1/ **Indirect Cost Fund**
- 10 2/ **Police Services Fund**
- 11 3/ **Enhanced 911 Emergency Reporting System Fund (\$1,589,485) and Fire, Life and**
- 12 **Medical Emergency Fund (\$53,024)**
- 13 4/ **Corrections Revolving Fund (\$1,063,662) and Safe Streets Fund (\$96,000)**
- 14 5/ **Healthy Futures Fund**
- 15 6/ **Customs, Agriculture and Quarantine Inspection Services Fund**
- 16 7/ **Environmental Health Fund (\$758,871); Healthy Futures Fund (\$7,700,340); and**
- 17 **Health and Human Services Fund (\$256,504)**
- 18 8/ **Public Library Resources Fund (\$805,876); Territorial Education Facilities Fund**
- 19 **(\$11,631,167); and Tourist Attraction Fund (\$1,067,049)**
- 20 9/ **Guam Plant Inspection and Permit Fund**
- 21 10/ **Chamorro Land Trust Operations Fund**
- 22 11/ **Air Pollution Control Special Fund (\$280,795); Guam Environmental Trust Fund**
- 23 **(\$336,796); Water Protection Fund (\$85,851); and Water Research & Development**
- 24 **Fund (\$91,729)**
- 25 12/ **Land Survey Revolving Fund**

- 1 **13/ Public Recreation Services Fund (\$212,694); and Tourist Attraction Fund (\$813,219)**
- 2 **14/ Guam Contractors License Board Fund**
- 3 **15/ Professional Engineers, Architects and Land Surveyors Board Fund**
- 4 **16/ Manpower Development Fund**
- 5 **17/ Tourist Attraction Fund**
- 6 **18/ Guam Highway Fund (\$8,447,986) and Solid Waste Operations Fund (\$6,500,000)**
- 7 **19/ Guam Highway Fund (\$2,771,003) and Guam Regional Transit Authority Fund**
- 8 **(\$416,427)**
- 9 **20/ Better Public Service Fund (\$1,585,109) and Tax Collection Enhancement Fund**
- 10 **(\$818,249)**

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CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. University of Guam for Scholarships and Training Programs.

(a) Student Scholarships, Financial Assistance Programs and Program

Administration. The sum of Two Million Five Hundred Fifty Thousand Six Hundred Seventy Dollars (**\$2,550,670**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2011 for: Merit Awards, Student Loans, Nurse Training Programs, Professional and Technical Awards, Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Programs, Pedro "Doc" Sanchez Scholarship Programs, John F. Quan Memorial Scholarship Program and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration.

(b) Dr. Antonio C. Yamashita Educator Corps. The sum of One Million

Two Hundred Thirty Eight Thousand One Hundred Twenty Seven Dollars (**\$1,238,127**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2011. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps and funds for the administration of said program pursuant to Title 17 GCA Chapter 18 and §15107 of Title 17 of the Guam Code Annotated, as *amended*.

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

1 **Section 2. Appropriation for Aquaculture Development and Training**
2 **Center.** The sum of One Hundred Thirty One Thousand Eight Hundred Forty Six
3 Dollars (**\$131,846**) is appropriated from the General Fund to the University of Guam for
4 Fiscal Year 2011 for the *sole* purpose of funding the continued operations of the
5 Aquaculture Development and Training Center. Said funds *shall* not be transferred or
6 used for any other purpose.

7 **Section 3. Appropriation for WERI's Guam Hydrologic Survey.** The sum
8 of One Hundred Ninety Two Thousand Three Hundred Nine Dollars (**\$192,309**) is
9 appropriated from the General Fund to the University of Guam for Fiscal Year 2011 for
10 the sole purpose of funding the Guam Hydrologic Survey (GHS) administered by the
11 Water and Environmental Research Institute of the Western Pacific (WERI). WERI *shall*
12 continue to administer the GHS for those purposes previously established by Guam law.
13 Such funds shall *not* be transferred *or* used for any other purpose.

14 **Section 4. Appropriation for WERI's Comprehensive Water Resource**
15 **Monitoring Program.** The sum of One Hundred Sixty Three Thousand Eight Hundred
16 Seventeen Dollars (**\$163,817**) is appropriated from the General Fund to the University of
17 Guam for Fiscal Year 2011 to fund the Water and Environmental Research Institute of
18 the Western Pacific (WERI). Such funds *shall* be used for the *sole* purpose of matching
19 the Federal funding for the Comprehensive Water Resource Monitoring Program. WERI
20 *shall* continue to administer the Comprehensive Water Resource Monitoring Program for
21 those purposes previously established by Guam law. Such funds shall *not* be transferred
22 *or* used for any other purpose.

1 **Section 5. University of Guam for the Northern and Southern Soil and**
2 **Water Conservation District (SWCD) Program.** The sum of One Hundred Fifty
3 Seven Thousand Seven Hundred Twenty Dollars (**\$157,720**) is appropriated from the
4 General Fund to the University of Guam for operations and activities of the Northern and
5 Southern Soil and Water Conservation District (SWCD) Program for Fiscal Year 2011
6 and *shall* be equally divided between the Northern and Southern Soil Conservation
7 Districts. Expenditures from this appropriation *shall* be made upon the approval of the
8 District Directors, with the consent of the SWCD Board and *shall not* require further
9 approval by the University of Guam *or* any other government entity. This appropriation
10 is *not* subject to transfer *or* use for any other purpose.

11 **Section 6. University of Guam for KPRG (Public Radio).** The sum of
12 Ninety Four Thousand One Hundred Seventy Six Dollars (**\$94,176**) is appropriated from
13 the General Fund to the University of Guam for the KPRG (Public Radio) Fiscal Year
14 2011 operations. The President of the University of Guam *shall* disburse the funds to
15 KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of FY 2011,
16 the General Manager of KPRG *shall* submit to the President of the University of Guam,
17 and post on KPRG's website, all reports mandated by this Act.

18 **Section 7. University of Guam for the Guampedia Foundation.** The sum
19 of One Hundred Forty Thousand Dollars (**\$140,000**) is appropriated from the Tourist
20 Attraction Fund to the University of Guam for the operations of the Guampedia
21 Foundation. Notwithstanding the general provisions of §30107.1 of Title 11, Guam Code
22 Annotated, and this Act, this appropriation *shall* continue to be available until expended.

1 **Section 8. Guam Community College LPN and Vocational Guidance**
2 **Programs.** The sum of Six Hundred Forty Four Thousand Two Hundred Nine Dollars
3 **(\$644,209)** is appropriated from the General Fund to the Guam Community College for
4 Fiscal Year 2011 to support the operations of the Licensed Practical Nursing Program
5 and Vocational Guidance Program.

6 **Section 9. Guam Community College Lodging Management**
7 **Program/ProStart Program.** The sum of Twenty Four Thousand One Hundred Fifty
8 Four Dollars **(\$24,154)** is appropriated from the Tourist Attraction Fund to the Guam
9 Community College for Fiscal Year 2011 for the Lodging Management Program/ProStart
10 Program. Unexpended funds appropriated for the Guam Community College Lodging
11 Management Program/ProStart Program *shall* not lapse and *shall* remain available for use
12 in succeeding fiscal years until all said sums are expended.

13 **Section 10. Guam Community College Apprenticeship Program.** The sum
14 of One Million Eight Hundred Forty Thousand Seven Hundred Sixty Six Dollars
15 **(\$1,840,766)** is appropriated from the Manpower Development Fund to the Guam
16 Community College for the Guam Community College Apprenticeship Program for
17 Fiscal Year 2011. In addition to the authorization continued in §7120 of Chapter 7, Title
18 22, Guam Code Annotated, this appropriation herein shall be available and authorized to
19 be used by the Guam Community College to fund the operations of other programs at the
20 College, as approved by the Board and Administration of the College.

21 **Section 11. Department of Education Operations Fund Appropriation.**
22 Pursuant to §§52101 and 52102 of Chapter 52, Division 2 of Title 11 Guam Code
23 Annotated, the sum of One Hundred Sixty Eight Million Six Hundred Ninety Eight

1 Thousand Seven Hundred Sixty Six Dollars (**\$168,698,766**) is appropriated from the
2 General Fund, and the sum of Thirteen Million Five Hundred Four Thousand Ninety Two
3 Dollars (**\$13,504,092**) is appropriated from Special Funds as follows: the sum of Eight
4 Hundred Five Thousand Eight Hundred Seventy Six Dollars (**\$805,876**) is appropriated
5 from the Public Library Resources Fund; the sum of Eleven Million Six Hundred Thirty
6 One Thousand One Hundred Sixty Seven Dollars (**\$11,631,167**) is appropriated from the
7 Territorial Education Facilities Fund; and the sum of One Million Sixty Seven Thousand
8 Forty Nine Dollars (**\$1,067,049**) is appropriated from the Tourist Attraction Fund as
9 noted in Chapter II, Section 1, Part V (C) of this Act, are appropriated to the Department
10 of Education Operations Fund for Fiscal Year 2011. This appropriation shall be
11 expended in accordance with the cash disbursement schedules required by §52101(b).

12 **Section 12. Interscholastic Sports Fund.** (a) For Fiscal Year 2011, the sum
13 of Five Hundred Thousand Dollars (**\$500,000**) is appropriated from the General Fund to
14 the Interscholastic Sports Fund administered by the Guam Department of Education to be
15 expended pursuant to §7108, Title 17, Guam Code Annotated. Appropriations made
16 herein *shall* be available to fund the Outrigger Canoe, Rugby, and other sports programs,
17 to include the payment of head coaches, assistant coaches, league fees and other expenses
18 normally associated with a sport interscholastic program. (b) For Fiscal Year 2011, the
19 sum of Ninety Two Thousand (**\$92,000**) is appropriated from the General Fund to the
20 Interscholastic Sports Fund administered by the Guam Department of Education for
21 busing services for interscholastic sports programs.

22 **Section 13. Health and Physical Education Activities.** For Fiscal Year 2011,
23 the sum of Two Hundred Fifty Thousand Dollars (**\$250,000**) is appropriated from the

1 General Fund to the Guam Department of Education for Health and Physical Education
2 programs, intramural sports, and similar activities.

3 **Section 14. Summer School.** From the Summer School Fund established
4 pursuant to §6119 of Article 1 of Chapter 6 of Division 1 of Title 17 Guam Code
5 Annotated, such sums as are necessary to fund the operations of the 2011 Summer School
6 Program are appropriated to the Guam Department of Education. The Superintendent of
7 Education *shall* submit a detailed report to *I Maga'lahaen Guåhan* and the Speaker of *I*
8 *Liheslaturan Guåhan* regarding the receipt and expenditure of said funds *no later than*
9 thirty (30) days after the close of summer school and post the same on the Guam
10 Department of Education website. Such report *shall* include the following:

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

15 **Section 15. Medically Indigent Program (MIP).** The sum of Fifteen Million
16 Eight Hundred Twenty Two Thousand Nine Hundred Seven Dollars (**\$15,822,907**) is
17 appropriated from the General Fund for Fiscal Year 2011 to the Medically Indigent
18 Program Payment Revolving Fund (MIPPR) for the Medically Indigent Program (MIP).

19 **Section 16. Medicaid Program.** The sum of Fifteen Million Four Hundred
20 Fifty Four Thousand Six Hundred Forty Five Dollars (**\$15,454,645**) is appropriated from
21 the General Fund to the Department of Public Health and Social Services for Fiscal Year
22 2011 for the local match requirement of the Medicaid Program and Fourteen Million
23 Three Hundred Thirty Seven Thousand Four Hundred Dollars (**\$14,337,400**) is

1 authorized from Federal Matching Grants-In-Aid to the Department of Public Health and
2 Social Services for Medicaid Program for Fiscal Year 2011.

3 **Section 17. DMHSA – Detoxification & Rehabilitation Services.** The sum
4 of Eight Hundred Eighty Three Thousand Two Hundred Dollars (**\$883,200**) is
5 appropriated from the General Fund to the Department of Mental Health and Substance
6 Abuse for Fiscal Year 2011 for outsourcing of drug and alcohol detoxification,
7 rehabilitation, and prevention services, *provided* that the expenditure of such funds shall
8 comply with Title 48 USC §1421b(p).

9 **Section 18. DMHSA – Youth Tobacco Education and Prevention Fund.**
10 The sum of One Hundred Ninety One Thousand Ninety Six Dollars (**\$191,096**) is
11 appropriated from the interest earned on the Youth Tobacco Education and Prevention
12 Fund to the Department of Mental Health and Substance Abuse to be used pursuant to
13 §6505 of Chapter 6, Division 1 of Title 11 of the Guam Code Annotated for Fiscal Year
14 2011.

15 **Section 19. DMHSA – Amended Comprehensive Implementation Plan**
16 **(ACIP).** The sum of Five Million Dollars (**\$5,000,000**) is appropriated from the General
17 Fund to the Department of Mental Health and Substance Abuse in order to comply with
18 the Court-Ordered Amended Comprehensive Implementation Plan (Permanent
19 Injunction) for Fiscal Year 2011.

20 **Section 20. Guam Memorial Hospital Authority Pharmaceuticals Fund**
21 **Appropriation.** Pursuant to §§26208 and 26208.1 of Chapter 26, Division 2 of Title 11
22 Guam Code Annotated, the sum of Twelve Million One Hundred Seventy Three
23 Thousand Twenty Seven Dollars (**\$12,173,027**) as appropriated from the General Fund in

1 Chapter II, Section 1, Part IV (E) of this Act is appropriated to the Guam Memorial
2 Hospital Authority Pharmaceuticals Fund for Fiscal Year 2011.

3 **Section 21. Appropriations to Retirees' for Supplemental Annuity**
4 **Benefits and for Other Costs.**

5 (a) The sum of Eleven Million Three Hundred Seventy Five Thousand Dollars
6 (\$11,375,000) is appropriated from the General Fund to the Supplemental Annuity
7 Benefits Special Fund for Fiscal Year 2011 for direct payments to government of Guam
8 retirees who retired *prior* to October 1, 1995, or their survivors, for the continuing
9 payment of Four Thousand Two Hundred Thirty Eight Dollars (\$4,238) per year in
10 supplemental annuity benefits, consisting of the sums of One Thousand Two Hundred
11 Dollars (\$1,200), One Thousand Five Hundred Dollars (\$1,500), Seven Hundred Dollars
12 (\$700), and Eight Hundred Thirty Eight Dollars (\$838) in annual benefits authorized by
13 various General Appropriation Acts.

14 (b) *No* retiree who is eligible for Retiree Supplemental Annuity Benefits
15 provided for in Subsection (a) hereof *shall* receive said Benefits *if* his annual retirement
16 annuity, *excluding* survivor benefits and excluding the Supplemental benefits authorized
17 herein, is *greater than* Forty Thousand Dollars (\$40,000). No retiree who is eligible for
18 Retiree Supplemental Annuity Benefits *shall* receive *more than* the sum of Forty
19 Thousand Dollars (\$40,000) in combined retirement annuities and Supplemental Annuity
20 Benefits in any one Fiscal Year.

21 (c) The Director of Administration *shall* disburse to the retirees *or* their
22 survivors, the supplemental annuity benefits provided for in Subsection (a) of this

1 Section. The Government of Guam Retirement Fund *shall* provide the Director of
2 Administration with the information he needs to effect disbursement.

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

7 (e) For Fiscal Year 2011, the Guam Power Authority, the A.B. Won Pat
8 International Airport Authority, the Guam Economic Development Authority, the Guam
9 Housing Corporation, the Government of Guam Retirement Fund, the Jose D. Leon
10 Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors
11 Bureau *shall* remit to the Department of Administration an amount equal to the number
12 of retirees eligible pursuant to subsection (a) hereof who have retired from that entity
13 multiplied by Four Thousand Two Hundred Thirty Eight Dollars (\$4,238). Said
14 remittances *shall* be paid in two (2) equal installments on *or* before October 10, 2010,
15 and April 15, 2011, respectively. Said remittances *shall not* be subject to *I Maga'lahaen*
16 *Guåhan's* transfer authority.

17 (f) The sum of Nineteen Million Five Hundred Thousand Dollars (**\$19,500,000**)
18 is appropriated from the General Fund to the Government of Guam Retirement Fund to
19 pay the following two (2) items for current retirees for Fiscal Year 2011:

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

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

3 (g) For Fiscal Year 2011, the Guam Power Authority, the A.B. Won Pat
4 International Airport Authority, the Guam Economic Development Authority, the Guam
5 Housing Corporation, the Government of Guam Retirement Fund, the Jose D. Leon
6 Guerrero Commercial Port, the Guam Waterworks Authority and the Guam Visitors
7 Bureau *shall* remit to the Government of Guam Retirement Fund payments for medical,
8 dental, and life insurance payments for retirees who have retired from those respective
9 agencies. Said remittances *shall* be paid in two (2) equal installments on *or* before
10 October 10, 2010 and on *or* before April 1, 2011, respectively. The agencies' remittances
11 for medical, dental and life insurance mandated herein are *ex gratia* payments and are for
12 Fiscal Year 2011 *only*.

13 (h) For Fiscal Year 2011, the sum of One Million Two Thousand Dollars
14 **(\$1,002,000)** is appropriated from the General Fund to the Government of Guam
15 Retirement Fund to pay the cost of Medicare premiums for government of Guam retirees
16 and their survivors who are eligible to receive Social Security income benefits and who
17 are required by the government of Guam Group Health Insurance Program to pay said
18 premiums to participate therein.

19 (i) For Fiscal Year 2011, the sum of One Hundred Forty Five Thousand Dollars
20 **(\$145,000)** is appropriated from the General Fund to the Government of Guam
21 Retirement Fund for *I Maga'lahi* and *I Segundu na Maga'lahi/I Segundu na Maga'haga*
22 Pensions.

1 (j) For Fiscal Year 2011, the sum of Four Hundred Fifty Eight Thousand Four
2 Hundred Forty Eight Dollars (**\$458,448**) is appropriated from the General Fund to the
3 Government of Guam Retirement Fund for retirement annuities for former judges and
4 justices of the Superior Court and Supreme Court of Guam.

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

9 **Section 22. Survivor Supplemental Annuity Additions.** Title 4 GCA
10 §8135(d)(6) is *amended* to read:

11 “(6) the prospective payment of supplemental benefits for the period of
12 ~~[October 1, 2009, through September 30, 2010]~~ October 1, 2010, through
13 September 30, 2011, for survivors of those employees who retired *prior* to
14 October 1, 1995, to be paid in the following manner:

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

21 (ii) *No* person eligible for Retiree Supplemental Annuity Benefits
22 provided for in this Section *shall* receive such benefits *if* his
23 regular annual retirement annuity *exclusive* of the supplemental

1 amounts authorized hereby exceeds Forty Thousand Dollars
2 (\$40,000.00). No persons eligible for Retiree Supplemental
3 Annuity Benefits *shall* receive more than the sum of Forty
4 Thousand Dollars (\$40,000.00) in combined retirement annuities
5 and supplemental retirement annuities.”

6 **Section 23. Disability Supplemental Annuity Additions.** Title 4 GCA
7 §8129(g) is *amended* to read:

8 “(g) Any disability retirement annuitant who commenced receiving a
9 disability retirement annuity *prior* to October 1, 1995, and who is entitled to
10 disability retirement benefits under this Chapter *shall* receive, during the period
11 commencing on [~~October 1, 2009, and ending on September 30, 2010~~] October 1,
12 2010, and ending on September 30, 2011, prospective non-cumulative
13 supplemental annuity benefits as follows:

14 (1) Four Thousand Two Hundred Thirty-eight Dollars
15 (\$4,238.00) in Retiree Supplemental Annuity Benefits,
16 known as the sum of One Thousand Two Hundred Dollars
17 (\$1,200.00), One Thousand Five Hundred Dollars
18 (\$1,500.00), Seven Hundred Dollars (\$700.00), and Eight
19 Hundred Thirty-eight Dollars (\$838.00) in *annual* benefits
20 formerly contained in various General Appropriation Acts.

21 (2) *No* persons eligible for Retiree Supplemental Annuity
22 Benefits provided for in Paragraph (g) of this Section *shall*
23 receive such benefit *if* their regular annual retirement

1 annuity, *excluding* survivor benefits, *prior* to the
2 supplemental amounts herein exceeds Forty Thousand
3 Dollars (\$40,000.00). No persons eligible for Retiree
4 Supplemental Annuity Benefits shall receive more than the
5 sum of Forty Thousand Dollars (\$40,000.00) in combined
6 retirement annuities and supplemental retirement
7 annuities.”

8 **Section 24. Retirees Supplemental Annuity Additions.** Title 4 GCA
9 §8122(d)(6), is hereby *amended* to read as follows:

10 “(6) Any retirement annuitant who commenced receiving a retirement
11 annuity *prior* to October 1, 1995, and who is entitled to retirement benefits under
12 this Chapter, shall receive, during the period commencing on [~~October 1, 2009,~~
13 ~~and ending on September 30, 2010]~~ October 1, 2010, and ending on September
14 30, 2011, prospective, non-cumulative supplemental annuity benefits as follows:

15 (i) Four Thousand Two Hundred Thirty-eight Dollars
16 (\$4,238.00) in Retiree Supplemental Annuity Benefits, known as
17 the sum of One Thousand Two Hundred Dollars (\$1,200.00), One
18 Thousand Five Hundred Dollars (\$1,500.00), Seven Hundred
19 Dollars (\$700.00), and Eight Hundred Thirty-eight Dollars
20 (\$838.00) in annual benefits formerly contained in various General
21 Appropriation Acts.

22 (ii) *No* retiree who is eligible for Retiree Supplemental Annuity
23 Benefits provided for in this Section *shall* receive such benefit *if*

1 his regular annual retirement annuity, excluding the supplemental
2 amounts authorized herein and survivor benefits, exceeds Forty
3 Thousand Dollars (\$40,000.00). A retiree who is eligible for
4 Retiree Supplemental Annuity Benefits shall receive no more than
5 Forty Thousand Dollars (\$40,000.00) in combined retirement
6 annuities and supplemental retirement annuities.”

7 **Section 25. Appropriation for Cost of Living Allowance (COLA).** (a) *I*
8 *Maga'lahaen Guåhan* shall provide, by a single lump sum payment, a “Cost of Living
9 Allowance” (COLA) of One Thousand One Hundred Dollars (\$1,100) to each retiree of
10 the Government of Guam Retirement Fund who is retired as of September 30, 2010, or
11 his survivor. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred
12 Dollars (**\$6,770,500**) is appropriated from the General Fund to the Department of
13 Administration to pay said Cost of Living Allowance (COLA).

14 (b) The Guam Power Authority, A. B. Won Pat International Airport Authority,
15 the Guam Economic Development Authority, the Guam Housing Corporation, the
16 Government of Guam Retirement Fund, the Jose D. Leon Guerrero Commercial Port, the
17 Guam Waterworks Authority and the Guam Visitors Bureau *shall* pay a “Cost of Living
18 Allowance” (COLA) in a single payment of One Thousand One Hundred Dollars
19 (\$1,100) to every Government of Guam Retirement Fund retiree who retired from each
20 respective aforementioned agency as of September 30, 2010 or his survivor.

21 (c) Each agency mentioned in subsection (b) *shall* reimburse the General
22 Fund for any COLAs paid by the Fund in Fiscal Year 2011 to retirees who have retired
23 from that agency and their survivors.

1 **Section 26. Northern Satellite Court.** The sum of Seven Hundred Forty
2 Eight Thousand Two Hundred Seventy Seven Dollars (**\$748,277**) is appropriated from
3 the General Fund to the Unified Judiciary for the operations of the Northern Satellite
4 Court in Fiscal Year 2011.

5 **Section 27. Court-Appointed Attorney Fees.** The sum of Eight Hundred
6 Thousand Dollars (**\$800,000**) is appropriated from the General Fund for Fiscal Year 2011
7 to the Unified Judiciary, for the *sole* purpose of paying court-appointed attorney fees
8 arising from the defense of indigent peoples. Said funds *shall* be deposited into the
9 Judicial Client Services Fund account, as created by Title 7, Guam Code Annotated,
10 Division 1, Chapter 9.6, and *shall not* be subject to any transfer authority. Any
11 unexpended funds appropriated herein *shall* be reverted to the General Fund at the end of
12 Fiscal Year 2011.

13 **Section 28. Adult and Juvenile Drug Courts.** The sum of Six Hundred Fifty
14 Six Thousand Five Hundred Sixty Two Dollars (**\$656,562**) is appropriated from the
15 General Fund to the Unified Judiciary for the operations of the Adult and Juvenile Drug
16 Courts for Fiscal Year 2011.

17 **Section 29. Family Visitation Center.** The sum of One Hundred Forty
18 Thousand Dollars (**\$140,000**) is appropriated from the Safe Streets Fund, for Fiscal Year
19 2011, to the Unified Judiciary to pay for contractual services for the operation of the
20 Family Visitation Center, *provided*, that the Judiciary must comply with §18125 (c) and
21 (d), Title 16, Guam Code Annotated, and §9211 (b), Title 7, Guam Code Annotated.

22 **Section 30. Public Streetlights Appropriations.** The sum of Three Million
23 Five Hundred Sixty Three Thousand One Hundred Forty Five Dollars (**\$3,563,145**) is

1 appropriated from the Street Light Fund and the sum of One Million Seven Hundred
2 Seventy Two Thousand Eight Hundred Ninety Three Dollars (\$1,772,893) is
3 appropriated from the Guam Highway Fund to the Department of Public Works to pay to
4 the Guam Power Authority for the operation of public streetlights in Fiscal Year 2011.

5 **Section 31. Support of Child in Custody (Title 19 GCA §5116).** The sum
6 of Six Hundred Eighty Four Thousand One Hundred Seventy Dollars (\$684,170) is
7 appropriated from the General Fund for Fiscal Year 2011 to the Department of
8 Administration for the *sole* purpose of paying orders of the court pursuant to §5116, Title
9 19, Guam Code Annotated.

10 **Section 32. Residential Treatment Fund.** The sum of One Million Five
11 Hundred Twenty Seven Thousand Four Hundred Ninety Seven Dollars (\$1,527,497) is
12 appropriated from the General Fund to the Department of Administration (DOA) in
13 Fiscal Year 2011 to pay the expenses of persons under the jurisdiction of the Superior
14 Court of Guam who require residential care because of physical, mental *or* emotional
15 disabilities *or* severe emotional disturbances. All such persons and their escorts referred
16 off Guam for treatment and care *shall* submit to the Director of Administration
17 appropriate documentation to justify and receive reimbursement of their travel expenses.
18 The Director of Administration *shall* submit reports to *I Maga'lahaen Guåhan* and the
19 Speaker of *I Liheslaturan Guåhan* describing all expenditures made pursuant to this
20 appropriation *no later than* thirty (30) days after the end of each quarter of Fiscal Year
21 2011 and post the same on the DOA website.

22 **Section 33. Government Claims Fund.** The sum of One Hundred Thousand
23 Dollars (\$100,000) is appropriated from the General Fund to the Department of

1 Administration for the Government Claims Fund for payment of approved government
2 claims in Fiscal Year 2011. The Director of Administration shall, *no later than* thirty
3 (30) days after the close of each quarter of Fiscal Year 2011, submit to the Speaker of *I*
4 *Liheslaturan Guåhan* a report describing expenditures made pursuant to this
5 appropriation, and post the same on the Department's website.

6 **Section 34. Government of Guam's Single Audit Reports Appropriations.**

7 (a) The sum of Three Hundred Seventy Seven Thousand Dollars (**\$377,000**) is
8 appropriated from the General Fund to the Department of Administration for the Fiscal
9 Year 2010 Audit of the Government of Guam's General Purpose Financial Statement and
10 the Single Audit Report. The Public Auditor *shall* administer said funds and *shall*
11 oversee the annual audit.

12 (b) The sum of Eighteen Thousand Dollars (**\$18,000**) is appropriated from the
13 Tourist Attraction Fund to the Department of Administration for the Fiscal Year 2010
14 Audit of the Government of Guam's Tourist Attraction Fund Financial Statement and
15 Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee
16 the annual audit.

17 (c) The sum of Eighteen Thousand Dollars (**\$18,000**) is appropriated from the
18 Guam Highway Fund to the Department of Administration for the Fiscal Year 2010
19 Audit of the Government of Guam's Highway Fund Financial Statement and Single
20 Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the
21 annual audit.

22 **Section 35. Appropriations to Expend Indirect Cost Fees Collected for**
23 **Fiscal Year 2011 for Training and Continuing Education.**

1 **(a)** The sum of Sixty Thousand Dollars **(\$60,000)** is appropriated from the
2 Indirect Cost Fund to the Department of Administration for training and continuing
3 education of persons employed as government accountants, and in related positions for
4 Fiscal Year 2011. Of the amount appropriated in this Subsection, the amount of Twenty
5 Thousand Dollars **(\$20,000)** shall be used for the Department of Administration's
6 Division of Training and Development for its training equipment and training facilities.

7 **(b)** The sum of Sixty Thousand Dollars **(\$60,000)** is appropriated from the
8 Indirect Cost Fund to the Bureau of Budget and Management Research for training and
9 continuing education of persons employed as budget and management analysts, and in
10 related positions for Fiscal Year 2011.

11 **(c)** The sum of Sixty Thousand Dollars **(\$60,000)** is appropriated from the
12 Indirect Cost Fund to the Guam State Clearinghouse for training and continuing
13 education of persons employed at the Guam State Clearinghouse and to conduct other
14 related training government-wide for Fiscal Year 2011.

15 **(d)** The sum of Sixty Thousand Dollars **(\$60,000)** is appropriated from the
16 Indirect Cost Fund to the Office of Public Accountability for training and continuing
17 education of persons employed as government auditors, and in related positions for Fiscal
18 Year 2011.

19 **Section 36. Youth Program Appropriation.** The sum of Three Hundred
20 Seventy One Thousand Six Hundred Seventy Seven Dollars **(\$371,677)** is appropriated
21 from the General Fund for Fiscal Year 2011 to the Department of Youth Affairs (DYA)
22 to fund programs contracted out to non-governmental organizations for youths who are
23 runaways, homeless, *or* victims of abuse.

1 **Section 37. Appropriation to the Worker's Compensation Fund.** The sum
2 of Seven Hundred Ninety Eight Thousand Five Hundred Ninety Three Dollars
3 **(\$798,593)** is appropriated from the General Fund to the Department of Labor for the
4 Worker's Compensation Fund for Fiscal Year 2011 for Worker's Compensation
5 payments pursuant to §9144, Title 22, Guam Code Annotated, including obligations
6 incurred in past years and in the future. Said appropriation may be used to pay for
7 medical, surgical, and other treatment; nurses; hospital services; medical travel and per
8 diem costs; medicine; crutches; and equipment required by a claimant for such period as
9 his injury and the recovery there from may require. Said appropriation *shall not* be
10 expended for disability compensation payments for FTE's funded by this Act. The
11 Director of Labor may use *no more than* Forty Thousand Dollars (\$40,000) from said
12 appropriation to pay for legal services for Worker's Compensation hearings.

13 **Section 38. Guam Territorial Band.** The sum of Fifty Thousand Dollars
14 **(\$50,000)** of the Special Fund appropriation contained in Chapter II, Section 1, Part IX
15 (B) of this Act *shall* be used to fund the operations of the Guam Territorial Band in Fiscal
16 Year 2011.

17 **Section 39. Appropriation for Prior Years Cost and Current**
18 **Requirements of Care and Custody for Prisoners Confined in Federal Facilities.**

19 **(a)** In an effort to assist the government of Guam in reducing the outstanding
20 amount owed to the Department of Justice Bureau of Prisons which has been referred to
21 the Department of Treasury for collection, the sum of Two Million Six Hundred Ninety
22 Seven Thousand Six Hundred Dollars **(\$2,697,600)** is appropriated from the General
23 Fund and the sum of Three Hundred Two Thousand Four Hundred Dollars **(\$302,400)** is

1 appropriated from the Corrections Revolving Fund to the Department of Corrections for
2 Fiscal Year 2011 to provide for a monthly payment of Two Hundred Fifty Thousand
3 Dollars (**\$250,000**) for prior years cost of care and custody for Department of Correction
4 prisoners confined in federal facilities owed to the Department of Justice Bureau of
5 Prisons and referred to the Department of Treasury for collection.

6 (b) The sum of Seven Hundred Thousand Dollars (**\$700,000**) is appropriated
7 from the General Fund to the Department of Corrections for payment to the Department
8 of Justice Bureau of Prisons for costs associated with the care and custody of Department
9 of Correction prisoners confined in federal facilities for Fiscal Year 2011.

10 **Section 40. E911 Dispatchers & Administrator Positions.** The sum of Two
11 Hundred Six Thousand Four Hundred Ninety Four Dollars (**\$206,494**) is appropriated
12 from the Enhanced 911 Emergency Reporting System Fund to the Guam Fire Department
13 for Fiscal Year 2011 to fund positions of E911 Dispatchers and a E911 Administrator
14 critical to the operations of the Emergency “911” telephone communication system.

15 **Section 41. Guam Fire Department Firefighter Recruit Cycle.** The sum of
16 Six Hundred Thousand Dollars (**\$600,000**) is appropriated from the General Fund to the
17 Guam Fire Department to conduct a Firefighter Recruit Cycle in Fiscal Year 2011.

18 **Section 42. Streets Maintenance and Beautification.** The sum of One
19 Million Thirty Six Thousand Twenty Six Dollars (**\$1,036,026**) is appropriated from the
20 Tourist Attraction Fund to the Mayors Council of Guam for Fiscal Year 2011 for the
21 maintenance and beautification of village secondary and tertiary roads, and for the
22 operations of Mayors’ offices, but *not* for personnel costs. Said funds *shall not* be subject

1 to any transfer authority of *I Maga'lahaen Guåhan* and shall be divided among the Village
2 Mayors as follows:

3 (a) Each Mayor shall receive the sum of Twenty Thousand Dollars (\$20,000);
4 and

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

9 **Section 43. Island-wide Village Beautification Projects.** The sum of Four
10 Hundred Seventy Thousand Nine Hundred Twenty One Dollars Dollars (\$470,921) is
11 appropriated from the Tourist Attraction Fund to the Mayors Council of Guam for Island-
12 wide Village Beautification Projects to include:

13 (a) The maintenance and repair of the village's recreational facilities under the
14 jurisdiction of the Mayor; (b) the maintenance and repair of each village's
15 main roads; and (c) the planting and maintenance of each village's official
16 flower and other flowering plants, shrubs and trees adjacent to the village's
17 main roads, public restrooms and recreational facilities. A Mayor may
18 contract with a private entity to provide the services authorized by this Section
19 subject to the Guam Procurement Law, Chapter 5, Title 5, Guam Code
20 Annotated.

21 **Section 44. Guam Police Department Police Officer Trainee Cycle.** The
22 sum of Six Hundred Thousand Dollars (\$600,000) is appropriated from the General Fund

1 to the Guam Police Department to conduct a Police Officer Trainee Cycle in Fiscal Year
2 2011.

3 **Section 45. Implementation of the Government-wide Position**
4 **Classification, Compensation & Benefits Study.** (a) The sum of Thirteen Million
5 Nine Hundred Four Thousand Four Hundred Forty Dollars (**\$13,904,440**) is appropriated
6 from the General Fund to the Department of Administration for the purpose of
7 implementing the salary adjustments in Fiscal Year 2011 as recommended by the
8 comprehensive Government-wide Position, Classification, Compensation and Benefits
9 Study Plan, conducted by the Hay Group, Inc. pursuant to Section 13 of Public Law No.
10 29-52 and the Governor's Executive Order No. 2006-21. (b) All General Fund revenues
11 collected above the General Fund revenues adopted in this Act is hereby appropriated
12 from the General Fund to the Department of Administration for additional salary
13 adjustments as can be covered towards the goal of full implementation of the
14 Government-wide Position, Classification, Compensation and Benefits Study Plan.

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CHAPTER IV

MISCELLANEOUS PROVISIONS

Section 1. Retirement Option for Government of Guam Employees. A

member of the Government of Guam Retirement Fund who is eligible for retirement may retire upon the complete remittance of his outstanding individual contributions to the Fund, including the employee and employer retirement contributions. Any and all fees, interest at actuarial rates, and penalties required by the Government of Guam Retirement Fund *shall* be paid by the Government.

This Section *shall not* restrict the continuing remittance of existing Retirement Fund contributions as required by law *or* by the Government of Guam Retirement Fund. By the fifteenth (15th) day of each month, the Director of the Government of Guam Retirement Fund *shall* provide a detailed report to the Speaker of *I Liheslaturan Guåhan* regarding said remittances and the number of retirements pursuant to this Section during the previous month. Nothing herein *shall* be construed to abrogate any provision of Public Law 28-38.

Section 2. Volunteers and Donations for Skinner Plaza, Plaza De

Espana and Guam Congress Building. The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but *not* restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the Plaza De Espana, and the Guam Congress Building (also known as the Old Legislative Building).

Section 3. Temporary Employment of Retired Corrections Officers.

The Department of Corrections may hire retired Guam Corrections Officers *if* a critical

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

11 **Section 4. Temporary Employment of Retired Guam Police Officers.**

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

21 **Section 5. Temporary Employment of Retired Guam Fire Fighters.** The

22 Guam Fire Department (GFD) may hire retired GFD firefighters *if* a critical need arises
23 because of military activation of GFD firefighters. The retirees hired *shall* fill such a

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

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

22 **Section 7. Temporary Employment of Retired Department of Revenue**
23 **and Taxation Employees.** The Department of Revenue & Taxation may hire retired

1 employees of the Department of Revenue & Taxation when a critical need arises in the
2 areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax
3 Processing. Said retirees *shall* be hired at Step I for the position in question and *shall* not
4 receive sick and annual leave. Notwithstanding Title 4 GCA §8121(a), retirees hired
5 temporarily pursuant hereto may continue to 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 MIP clients by facilities in California, Hawaii or Manila for medical
13 treatment approved by the Medically Indigent Program, the Director of Public Health and
14 Social Services may advance payments for said medical treatment, and may establish
15 escrow accounts for immediate and advance payment of medical treatment at those Joint
16 Commission Accredited hospitals determined by the Director to be best able to serve
17 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'lahen 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 GMHA, DPHSS,
9 DMHSA, unless the transfer is from a line agency to an autonomous agency; and

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

13 **Section 11. Moratorium on Compensation for Boards and Commissions.**
14 Notwithstanding any other provision of law, rule, or regulation, except for the Civil
15 Service Commission, the Guam Education Policy Board, and the Consolidated
16 Commission on Utilities, a moratorium is hereby placed on the compensation of all
17 members of government boards and commissions for their attendance at hearings or
18 meetings, through the end of Fiscal Year 2011.

19 **Section 12. Contracts.** (a) *Except* for positions filled in accordance with the
20 merit system at the University of Guam, the Guam Community College, the Guam
21 Department of Education, the Unified Judiciary, the Department of Law, the Guam
22 Police Department, *I Liheslaturan Guåhan*, and licensed health professionals at the Guam
23 Memorial Hospital, the Department of Public Health and Social Services and the

1 Department of Mental Health and Substance Abuse, positions in the classified and
2 unclassified service *shall* not be filled pursuant to a contractual arrangement. The
3 Judiciary may hire judges and justices pro tem, law clerks and legal interns by contract.
4 The University of Guam, the Guam Department of Education and the Guam Community
5 College may hire retired faculty by contract.

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

10 (c) This Section *does not* prohibit the use of independent contracts to obtain
11 professional services, such as licensed health professionals, licensed architects, licensed
12 engineers, legal services, actuarial services and auditing services (to include the
13 Government of Guam Annual Financial Audit) by those agencies that *do not* customarily
14 obtain such services through an employee.

15 (d) The Attorney General may contract with attorneys as independent
16 contractors who can provide assistance in areas in which it is impracticable for the
17 Department of Law to proceed with its existing civil service attorneys such as anti-trust,
18 maritime and admiralty law, patent and copyright law, prosecution of white collar crime,
19 utilities regulation, the issuance of bonds, special tax issues, and complete civil litigation.
20 The Attorney General *shall* file a copy of every such contract with the Chief Procurement
21 Officer and the Director of Administration together with a written certification stating
22 why it was impracticable to handle the matter with the Department's civil service
23 attorneys and justifying the hiring of an independent contractor.

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CHAPTER V

ADMINISTRATIVE PROVISIONS

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

Section 2. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs whose expiration dates extend *beyond* September 30, 2011 *shall* not lapse and may be expended throughout the period of the grant award.

Section 3. Government of Guam Retirement Fund Rate of Contribution. In accordance with §8137(e) of Article 1, Chapter 8 of Title 4 of the Guam Code Annotated, the government rate of contribution to the Retirement Fund throughout Fiscal Year 2011 *shall* be twenty seven and forty six hundredths percent (27.46%).

Section 4. Autonomous Agency Revenues and Expenditures Reported to I Maga'lahañ Guåhan and I Liheslaturan Guåhan. Notwithstanding any other provision of law, every autonomous and semi-autonomous agency *or* public corporation in the government of Guam *shall* report all revenues and expenditures for all funds under its purview and administration to the *I Maga'lahañ Guåhan* and the Speaker of *I Liheslaturan Guåhan* on a monthly basis and post the same on its website. Each monthly report *shall* be due *no later than* ten (10) days after the end of each month.

Section 5. Revenue Tracking Report. The Director of the Bureau of Budget and Management Research, in collaboration with the Director of Revenue and

1 Taxation and the Director of Administration, *shall* determine, after the end of each month
2 of the fiscal year, the revenue tracking for the balance of the fiscal year, based upon the
3 actual collections of the preceding month, and prepare a statement comparing “actual”
4 and “projected” revenues. Said statement *shall* be certified as to its accuracy by each of
5 the aforementioned Directors, and submitted to the Speaker of *I Liheslaturan Guåhan* no
6 later than thirty (30) days after the end of each quarter of the fiscal year. Said statements
7 *shall* be posted quarterly on the Bureau of Budget and Management Research’s website.

8 **Section 6. Special Fund Transfer.** *I Maga’lahen Guåhan* is authorized to
9 transfer to the General Fund any cash available from any appropriated Special Fund *or*
10 Revolving Fund to fund the appropriations authorized by this Act.

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

14 *I Maga’lahen Guåhan shall* submit a report to the Speaker of *I Liheslaturan*
15 *Guåhan* on the fifth (5th) day of every month on all transfers made pursuant to this
16 Section. Said report *shall* enumerate the amount of each transfer, identify the funds to
17 and from which the transfer was made and state the purpose of each transfer.

18 **Section 7. Transfer Authority of I Maga’lahen Guåhan.** *I Maga’lahen*
19 *Guåhan* is authorized to transfer funds between Fiscal Year 2011 General Fund
20 Executive Branch appropriations, but *shall* not transfer appropriations made to the
21 Judiciary, *I Liheslaturan Guåhan*, and the Office of Finance and Budget.

22 **Section 8. Secondary and Tertiary Road Projects.** *I Maga’lahi*, after
23 consultation with the Village Mayors, may delete and add secondary and tertiary road

1 repair projects to the list in Part IV of Chapter II of Public Law 28-68, if such amendment
2 is necessitated by changes in cost estimates, availability of funds *or* critical needs,
3 provided that the repair of potholes on primary and secondary roads *shall* remain a high
4 priority and *shall* commence as soon as practicable.

5 **Section 9. Independent Contractors.** The Office of *I Maga'lahi*, the Office
6 of *I Segundu Na Maga'lahen Guåhan* and the Guam State Clearinghouse may enter into
7 agreements with independent contractors pursuant to Guam procurement laws.

8 **Section 10. Facilities Insurance Requirements.** Every department and
9 agency of the government of Guam, as part of its appropriations for operations contained
10 in this Act, may expend such sums as necessary for facilities insurance requirements.

11 **Section 11. Reporting Requirements for Non-Profit Organizations.** All
12 non-profit organizations that receive funds pursuant to this Act *shall* maintain financial
13 records that accurately account for said funds and *shall* provide a budgetary breakdown
14 by object category to the department *or* agency that oversees the appropriation. The non-
15 profit organization *shall* also provide to said department:

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

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

22 (c) Access to the overseeing department *or* agency's duly authorized
23 representative, and Government of Guam auditors, to appropriate records

1 for the purpose of audit and examination of books, documents, papers and
2 records of funds expended under the appropriation;

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

5 (e) A Final Report to the overseeing department *or* agency for
6 submission to *I Liheslaturan Guåhan* containing a full disclosure of all
7 expenditures of funds appropriated by this Act *no later than* November 15,
8 2011. The overseeing department *or* agency *shall* post the same on its
9 website.

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

14 **Section 12. Appropriations from the Guam Contractors License Board**
15 **Fund and Professional Engineers, Architects and Land Surveyors Board Fund to**
16 **revert to the General Fund for Fiscal Year 2011.** At the end of Fiscal Year 2011, any
17 unexpended *or* unencumbered appropriations to the Guam Contractors License Board
18 (GCLB) Fund and the Professional Engineers, Architects and Land Surveyors (PEALS)
19 Board Fund *shall* revert to the General Fund. Any revenues collected in excess of the
20 appropriations to these funds *shall* revert to the General Fund.

21 **Section 13.** *Unless* otherwise specified in this Act:

1 **(a) General Fund Reversion.** All unexpended *or* unencumbered
2 appropriations made from the General Fund pursuant to this Act *shall* revert to the
3 General Fund on the last day of Fiscal Year 2011;

4 **(b) Tourist Attraction Fund Reversion.** All unexpended *or*
5 unencumbered appropriations made from the Tourist Attraction Fund pursuant to
6 this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year
7 2010.

8 **(c) Healthy Futures Fund Reversion.** All unexpended *or*
9 unencumbered appropriations made from the Healthy Futures Fund pursuant to
10 this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year
11 2011.

12 **Section 14. Authorization for Payment of Prior Years' Obligations.**

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

16 **Section 15. Professional Engineers, Architects and Land Surveyors Board**

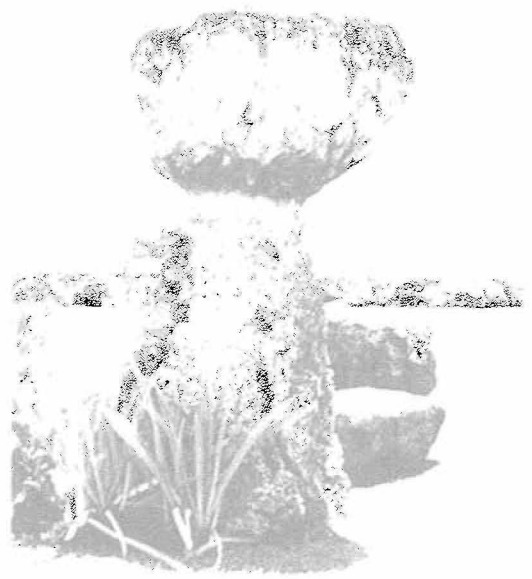
17 **Fund Collections.** The Professional Engineers, Architects and Land Surveyors Board is
18 authorized for its Fiscal Year 2011 operations to expend up to the level of revenues
19 collected for the Professional Engineers, Architects and Land Surveyors Board Fund in
20 Fiscal Year 2011.

21 **Section 16. Land Survey Revolving Fund (LSRF) Appropriation**

22 **Provision.** Notwithstanding §60602, Chapter 60 of Title 21 GCA, the appropriation
23 made from the Land Survey Revolving Fund to the Department of Land Management by

1 Section 1, Part VII (D) of Chapter II of this Act may be expended for the Department of
2 Land Management's operations in Fiscal Year 2011.

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





**The Fiscal Year 2011 Executive Budget Request
was prepared by the
Bureau of Budget & Management Research (BBMR)**

- Cover design by J.R. Manuel -

