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*I MINA' TRENTA NA LIHESLATURAN GUAHAN*  
*2009 (FIRST) Regular Session*

Bill No. 292-30 (COR)

Introduced by

E.J.B. Calvo *SPC*

**AN ACT TO APPROPRIATE A PORTION OF THE  
FISCAL YEAR 2008 UNRESERVED FUND BALANCE OF  
THE TERRITORIAL EDUCATION FACILITIES FUND TO  
THE DEPARTMENT OF EDUCATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the audited financial statements of the Government of Guam for fiscal year  
4 ended September 30, 2008 indicates the Unreserved Fund Balance of the  
5 Territorial Educational Facilities Fund (TEFF) is \$7,401,972.

6 *I Liheslaturan Guåhan* further finds that the audit disclosed \$6,421,462 as  
7 "Due from other funds". In a letter from the DOA Deputy Director, dated  
8 September 10, 2009, it was stated that "...General Fund did reimburse TEFF up to  
9 the amount that was spent for the landfill to date." The Attachment to the letter  
10 (Attachment A.2) indicates the sum of \$3,805,000 transferred from the General  
11 Fund Account to the Territorial Educational Facilities Fund Account. This amount  
12 reduces the "Due from Other Funds" from \$6.4M to \$2.6M and as such, cash of up  
13 to at least \$3.8M should be immediately available.

14 *I Liheslaturan Guåhan* finds that of the \$7,401,972 Unreserved Fund  
15 Balance of the TEFF, there is \$4,870,337, net of the proposed appropriation of  
16 \$2,531,635 in Bill No. 235-30 (COR), is available for appropriation.

17 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide the following:

1           **Section 2. Appropriation to the Department of Education.**

2   Notwithstanding any other provision of law, the sum of Four Million Eight  
3   Hundred Seventy Thousand Three Hundred Thirty-Seven Dollars (\$4,870,337) is  
4   hereby appropriated from the FY2008 Unreserved Fund Balance of the Territorial  
5   Education Facilities Fund to the Department of Education for its operations.

6           **Section 3. Enactment and remittance of funds.** This act shall be effective  
7   immediately upon its passage. The Director of the Department of Administration  
8   shall remit the amount appropriated in this Act, to the Department of Education no  
9   later than five days from the enactment of this measure.

10          **Section 4. Financial Reporting.** The Superintendent of Education shall  
11   submit monthly reports to the Speaker of *I Liheslatura* on the expenditure of such  
12   funds.

13          **Section 5. Governor's Transfer Authority.** The appropriation made in this  
14   Act is **not** subject to the Governor's Transfer Authority.