



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 8/17/98
Time: 11:15
Rec'd by: [Signature]
Print Name: Laurie

Refer to
Legislative Secretary
AUG 14 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>8:45am</u>
Date	<u>8/18/98</u>

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 668 (COR), "AN ACT TO ADD §22425(t) TO ARTICLE 4, CHAPTER 22, DIVISION 2, PART I OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING *IMAGA'LAHEN GUAHAN* TO BORROW FUNDS FROM ANY LENDING INSTITUTION, INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY", which I have signed into law today as **Public Law No. 24-243**.

This legislation authorizes the Governor to obtain loans for \$7 Million, of which \$1 Million is to be used to build a new Northern Precinct in Dededo for the Guam Police Department (GPD) on land that the Air Force will give for this purpose, and located between the War Dog Cemetery and Ypaopao Estates within the Mogfog area. The remaining \$6 Million is to be used to construct a crime laboratory located on the premises of the University of Guam, across from the current Science Building. This crime lab would be used both by the GPD and the University.

The fees collected by the GPD are to pay the \$7 Million loan first, then \$100,000 has been committed from the Superior Court of Guam to make up the difference if the fund containing the fees is inadequate. The Superior Court has obligated itself to pay the GPD \$100,000 per year, in any event, and if the annual \$100,000 is not needed for payment of the \$7 Million loan, this money is to be used for crime fighting equipment and training.

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The Superior Court of Guam Building is the collateral for this extra financing.

The legislation also authorizes the GPD to promulgate rules and regulations to increase its current fees and charges, provided that the most utilized services shall not be charged in excess of amounts specified in the legislation. For example, the cost of a police clearance, which is now \$5, shall not be higher than \$10; the cost of a traffic accident report shall not be higher than \$20.

The authorization to borrow the \$7 Million is contained within a Subsection of §22425 of Title 5, Guam Code Annotated. §22425 authorized the Governor to borrow funds up to the amount of \$175 Million for General Obligation purposes and this financing was entered into. This separate loan for the crime lab should have been given its own code section, as one might wonder if the \$7 Million must be contained within the overall \$175 Million previously authorized in Subsection (a) of §22425.

§22425 of Title 5, Guam Code Annotated, is separated out for the previously issued \$175 General Obligation Bond; §22430 is separated out for Education bonds; and §22440 for capital projects on Tumon. The reason to codify each bond issue is for ready reference now and in the future, as in the past the citation for the authorization for various government financing has been hard to locate without codification, even though the legislation is temporary and "expires" when the loans or bonds are paid off

Very truly yours,



Carl T. C. Gutierrez
I Maga'láhen Guáhan
Governor of Guam

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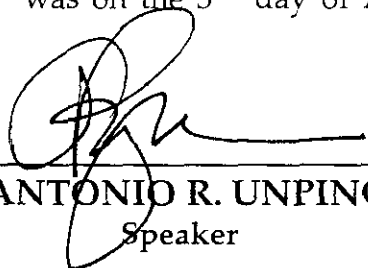
Attachment: copy attached for signed bill
 original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

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


This is to certify that Substitute Bill No. 668 (COR), "AN ACT TO ADD §22425(t) TO ARTICLE 4, CHAPTER 22, DIVISION 2, PART 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING I MAGA'LAHEN GUAHAN TO BORROW FUNDS FROM ANY LENDING INSTITUTION, INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT, AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY," was on the 3rd day of August, 1998, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker


Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this 6th day of August, 1998,
at 3:35 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: 8-14-98

Public Law No. 24-243

MINA'BENTE KUÁTTRO NA LIHESLATURAN GUÁHAN
1998 (SECOND) Regular Session

Bill No. 668 (COR)

As substituted by the Committee
on Finance and Taxation and as
amended on the Floor.

Introduced by:

A. C. Blaz
Mark Forbes
J. M.S. Brown
A. C. Lamorena, V
C. A. Leon Guerrero
L. F. Kasperbauer
T. C. Ada
F. B. Aguon, Jr.
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
L. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO ADD §22425(t) TO ARTICLE 4, CHAPTER
22, DIVISION 2, PART 1 OF TITLE 5 OF THE GUAM
CODE ANNOTATED, RELATIVE TO AUTHORIZING
I MAGA'LAHEN GUAHAN TO BORROW FUNDS
FROM ANY LENDING INSTITUTION, INCLUDING,
BUT NOT LIMITED TO, THE DEPARTMENT OF
AGRICULTURE, RURAL DEVELOPMENT, GENERAL
OBLIGATION LOANS FOR THE PURPOSE OF**

FUNDING THE COST OF DESIGN, PLANS AND
CONSTRUCTION OF THE DEDEDO PRECINCT AND
THE CRIME LAB OF THE GUAM POLICE
DEPARTMENT, AND TO APPROPRIATE SUCH
FUNDS ACCORDINGLY.

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

2 **Section 1. Legislative Findings and Intent.** (a) *I Liheslaturan Guåhan*
3 finds that, pursuant to the Fiscal Year 1997 Crime Report compiled by the Guam
4 Police Department ("GPD"), the incidences of crime committed on Guam
5 continues to climb, with "drug-related" and violent crimes leading the increase.

6 Further, *I Liheslaturan Guåhan* finds that at least thirty-five percent (35%) of
7 the Island population reside in the municipalities of Dededo and Yigo.

8 Additionally, *I Liheslaturan Guåhan* finds that the highest incidences of
9 crime committed occur in the municipalities of Dededo and Yigo, concluding
10 that there is a definite and distinct connection between the size of the population
11 within a specific location and the incidences of crime committed.

12 Because of the great distance from the northern part of the Island to the
13 GPD's central precinct in Hågatñå, the daily traffic congestion on the main
14 highway, Marine Drive, and the highly dangerous and inadequate Route No. 15,
15 more popularly known as the "Back Road to Anderson," *I Liheslaturan Guåhan*
16 finds that the development of a *Koban*-type police presence in the northern part
17 of the Island must be considered highly inadequate and inappropriate because of
18 the size of the population residing in Dededo and Yigo and the lag time for
19 response from the central precinct in Hågatñå.

1 Additionally, *I Liheslaturan Guåhan* finds that the distance between the
2 northern part of the Island and the central precinct in Hågatñå makes it
3 mandatory that, together with the development of a northern precinct, a holding
4 facility must be included together with the state of the art technology and
5 amenities of a modern police precinct facility so as to eliminate the need to
6 commute to the central precinct to deliver and hold arrestees.

7 GPD has located a five (5) acres property presently owned by the U.S. Air
8 Force and are in negotiation for the lease of this land for the construction of its
9 northern precinct. The property map for the land has been received by the
10 Department of Land Management (“DLM”) from the Air Force and DLM has
11 completed its initial reconnaissance survey of the area situated between the War
12 Dog Cemetery and Ypaopao Estate within the Mogfog area. DLM will be
13 completing their survey of the property soon. The Guam Environmental
14 Protection Agency has been alerted to coordinate any environmental assessment
15 needed for the planned development. Finally, an architect and engineering firm
16 who did the original design work for the northern precinct has been retained.

17 It is therefore the intent of *I Liheslaturan Guåhan* to appropriate sufficient
18 funds necessary to plan, design and construct the northern precinct for GPD by
19 authorizing *I Maga’lahen Guahan* to borrow the funds needed from any lending
20 institutions, including the Department of Agriculture, Rural Development.

21 It was indicated by GPD that borrowing the funds for the cost of design,
22 plans and construction of the northern precinct and the crime lab is feasible
23 because they have discussed this borrowing arrangement with the Presiding
24 Judge of the Superior Court of Guam. GPD has indicated that the possibility of
25 using the Superior Court of Guam Building Fund as a source for the repayment

1 of this loan is feasible because the Presiding Judge of the Superior Court of Guam
2 agreed to commit One Hundred Thousand Dollars (\$100,000.00) annually for
3 crime fighting equipment and training, or use this amount to supplement the
4 needed amount for the repayment of the loans authorized by this Act. Finally, as
5 recommended by GPD, the Police Services Fund should be amended and
6 increased to be used as an additional source of revenue to be used for the
7 repayment of this loan.

8 (b) *I Liheslaturan Guåhan* further finds that with the growing population
9 and the ever increasing criminal activities committed on Island every year, a
10 *Crime Lab* with the latest state of the art technology and amenities is needed to be
11 developed for GPD to be able to perform its duties, responsibilities and mission
12 statement.

13 Functions and activities of this new crime lab will include:

14 (1) toxicology capable of analyzing biological samples for the
15 presence of drugs, poisons and other toxins;

16 (2) forensic Biology/DNA involved in the identification and
17 genetic marker typing of physiological fluids, such as blood, semen, saliva,
18 urine and feces (Genetic marker typing may encompass both conventional
19 serological techniques and DNA analysis.);

20 (3) arson analysis capability involving timely analysis of fire debris
21 for the presence of ignitable liquids using modern instruments and
22 techniques;

23 (4) firearms and toolmarks analysis capability involving the
24 association of markings produced by the interaction of tools and contacting
25 surfaces, including the identification of bullets and cartridge casings fired

1 from a gun, associating pry marks with a suspect screwdriver, identifying a
2 bolt cutter as having produced the markings on the cut end of a padlock
3 (The process of identification may involve a visual comparison of test
4 marks made by the suspect tool or gun using a comparison microscope
5 capable of viewing two (2) objects as if they were side by side.);

6 (5) trace evidence capability involving examination of small
7 particle evidence, for example hairs, fibers, paint particles, glass, etc., which
8 may be used to show elements of a crime and to associate victims and
9 suspects to each other or to crime scenes;

10 (6) forensic alcohol analysis capability involving analysis of
11 biological fluids and breath for the presence of alcohol and other volatiles
12 (The breath instruments are used for DUI cases and are maintained by the
13 forensic alcohol section.);

14 (7) crime scene investigation capability involving crime scene
15 teams on call twenty-four (24) hours a day to respond to crime scenes
16 located throughout the Island (These teams have the capability of
17 providing specialized equipment, alternate light sources, dust print lifter,
18 etc., and superior expertise in the areas of identification and collection of
19 evidence and crime scene reconstruction (blood splatter interpretation).);

20 (8) clandestine lab investigation capability involving a clandestine
21 lab response team on call twenty-four (24) hours a day, seven (7) days a
22 week to respond to suspected clandestine laboratory scenes throughout the
23 Island (They identify, collect, preserve and analyze evidence. The teams
24 must be properly trained to identify chemical hazards.); and

25 (9) mortuary facility and lab for coroner's cases.

1 *I Liheslaturan Guåhan* further finds that, because of the ever increasing
2 incidences of drug-related violent crime throughout the Island, especially the
3 epidemic level incidences of crime have reached within the northern and central
4 part of the Island, the need for the development of a state of the art crime lab is
5 urgent.

6 The GPD has located a site for the proposed crime lab which contain
7 approximately one (1) acre out of a ten (10) acres piece of property situated
8 immediately across the Science Building at the University of Guam campus in
9 Mangilao. GPD has selected this site and has negotiated with the University of
10 Guam the use of the one (1) acre out of the ten (10) acres property because of its
11 proximity to the University campus. Locating the crime lab within the
12 University campus is ideal because it can make use of the research resources,
13 facilities and expertise the University of Guam possesses.

14 GPD has indicated that this location is very suitable because it is centrally
15 located and also because of its proximity to the University campus.

16 **Section 2.** Section 22425(t) is hereby *added* to Article 4, Chapter 22,
17 Division 2, Part 1 of Title 5 of the Guam Code Annotated to read as follows:

18 **“(t) Authorization of Issuance of General Obligation Loans for**
19 **the Dededo Precinct and Crime Lab of the Guam Police Department.**

20 *I Maga’lahen Guahan* is authorized to borrow one (1) or more general
21 obligation loans of the government of Guam in the aggregate principal
22 amount not to exceed Seven Million Dollars (\$7,000,000) to undertake the
23 cost of the design, plans and construction of the Dededo Police Precinct at a
24 cost not to exceed One Million Dollars (\$1,000,000.00), and the cost of the
25 design, plans and construction of the Crime Lab at a cost not to exceed Six

1 Million Dollars (\$6,000,000), and paying expenses incurred in connection
2 with the issuance and closing of such loans; provided, however, that the
3 incurring of the loans shall *not* cause a violation of the debt limitations
4 provision of Title 48 USC §1423a (§11 of the Organic Act of Guam).

5 **(1) Terms and Conditions Determined by Certificate.** The
6 terms and conditions of the loans shall be determined by *I Maga'lahaen*
7 *Guahan* by the execution of a certificate authorizing the incurring of
8 the loans upon the incurring of the loans; provided, however, that
9 such terms and conditions shall be consistent with this Subsection,
10 and that the loans shall mature not later than December 31, 2013 and
11 shall bear interest at such rates as shall result in a yield to the lending
12 institutions not exceeding nine (9%) percent per annum.

13 **(2) Valid and Binding General Obligation.** Any loan
14 or loans authorized by this Section shall constitute the valid and
15 binding general obligation of the government of Guam. The
16 government of Guam pledges its full faith and credit for the punctual
17 payment of both principal of and interest on the loans. There shall be
18 collected annually in the same manner and at the same time as
19 government revenue for other purposes is collected, such sum as is
20 required to pay the principal of and interest on the loans. All officers
21 charged by law with any duty in the collection of the revenues of the
22 government shall do every lawful thing necessary to collect such
23 sum. The validity of any such loans shall not be affected by the
24 validity or regularity of any proceedings for the implementation of
25 the capital projects funded by the loans.

1 **(3) Appropriations from the General Fund.** There are
2 hereby appropriated from the General Fund such sums as will equal
3 in each year the amount of money necessary to pay the principal and
4 interest of such loans.

5 **(4) Additional Parity Loans.** Nothing in this Section shall
6 be construed to prevent the government of Guam from issuing, after
7 appropriate enabling legislation, other obligations of the government
8 secured by the general obligation of the government on a parity with
9 the loans authorized by this Subsection.

10 **(5) Waiver of Immunity.** Notwithstanding any substantive
11 or procedural provision of Chapter 6 of Title 5 of the Guam Code
12 Annotated, the government of Guam waives immunity from any suit
13 or action in contract on the loans, but does not waive sovereign
14 immunity as to the personal liability of elected officials and
15 employees of the government of Guam.

16 **(6) No Personal Liability.** No employee or elected
17 official of the government of Guam shall be individually or
18 personally liable for the payment of any amounts due on any loans
19 granted under this Subsection, or for any other liability arising in
20 connection with the loans; provided, however, that nothing in this
21 Subsection shall relieve any employee or elected official from the
22 performance of any ministerial duty required by law.

23 **(7) Guam Police Department Loan Fund.** There is hereby
24 created, separate and apart from other funds of the government of
25 Guam, a fund known as the '*Guam Police Department Loan Fund*'

1 ('GPD Loan Fund'). The GPD Loan Fund shall *not* be commingled
2 with either the General Fund or any other fund of the government of
3 Guam. The GPD Loan Fund shall be held in an account or accounts
4 at a Guam financial institution or institutions separate and apart from
5 all other accounts or funds of the government of Guam. Annually,
6 on or before the date payments of the principal and interest on the
7 loan or loans are to become due, the Director of the Department of
8 Administration shall transfer from the GPD Police Services Fund and
9 deposit in the GPD Loan Fund the amounts necessary for the
10 complete payment of the principal and interest then due. In the
11 event the funds transferred from the GPD Police Services Fund is
12 found to be insufficient, the Superior Court of Guam shall transfer
13 from the Superior Court of Guam Building Fund and deposit in the
14 GPD Loan Fund One Hundred Thousand Dollars (\$100,000.00)
15 annually, on or before the date payments of the principal and interest
16 on the loan or loans are to become due, to supplement the amounts
17 necessary for the complete payment of the principal and interest then
18 due. If the funds transferred from the GPD Police Services Fund is
19 sufficient for the complete payment of the principal and interest on
20 the loan or loans, then the One Hundred Thousand Dollars
21 (\$100,000.00) transferred from the Superior Court of Guam shall be
22 expended by GPD on cost of crime fighting equipment and training.
23 All transfers of revenues from the GPD Police Services Fund and the
24 Superior Court of Guam and received by or on behalf of the Guam
25 Police Department shall be deposited in the GPD Loan Fund and

1 shall be accounted for and used periodically only for the following
2 purpose:

3 (i) on the dates on which monies are remitted from the
4 General Fund to any lending institution for the purpose of
5 paying the principal and interest due on the loans authorized in
6 this Subsection of this Section, there shall be transferred from
7 the GPD Loan Fund to the General Fund amounts equal to, but
8 not in excess of, the amounts remitted from the General Fund
9 for such purposes."

10 **Section 3. Rules and Regulations.** Thirty (30) days after the
11 enactment of this Act into law, GPD is hereby authorized to develop and
12 promulgate rules and regulations pursuant to the Administrative Adjudication
13 Law relative to any changes, amendments and/or increases thereto to the
14 administrative fees currently being charged the general public, provided that any
15 increases on fees and charges *shall not exceed* the following limitations:

- 16 (a) Police Clearance each request \$10.00;
17 (b) Government of Guam ID Card
18 Annual Renewal Required \$20.00;
19 (c) Traffic Accident Report each request \$20.00;
20 (d) Non-Concealed Firearm ID
21 Annual Renewal Required \$30.00;
22 (e) Concealed Firearm ID
23 Annual Renewal Required \$60.00;
24 (f) Annual Gun Dealer, Shooting Gallery,
25 Manufacturer, Wholesaler, Retailer and

1	Repairer Registration	\$600.00;
2	(g) Firearm Registration	
3	Tri-Annual Renewal Required	\$40.00;
4	(h) Temporary Firearm ID Card	
5	For Private Security	\$50.00;
6	(i) Police Blotter each page	\$0.05;
7	(j) Filing Training Record for Private	
8	Security Officers	\$100.00;
9	(k) Approving of Certified Trainers for	
10	Firearm	\$500.00; and
11	(l) Special Use Permit for Highway	\$50.00.

24-243



INA'BENTE KUATTRO NA LIHES TURAN GUAHAN

Office of the Vice Speaker

ANTHONY C. BLAZ

Chairman,
Finance & Taxation

July 13, 1998 ✓

Chairman,
Ethics & Standards

The Honorable Speaker Antonio R. Unpingco
Mina'Bente Kuattro na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guahan 96910

Vice-Chairman,
Committee on Rules

Member,
Judiciary, Public Safety &
Consumer Protection

Dear Mr. Speaker:

Member,
Natural Resources

The Committee on Finance and Taxation, to which was referred **Bill No. 668** "An Act to amend §22425, Chapter 22, Article 4, Division 2 of Title 5 Guam Code Annotated (GCA) by adding a new subsection (t) to authorize the governor to borrow from any lending institution, including but not limited to the Department of Agriculture, Rural Development, general obligation loans for the purpose of funding the cost of design, plans and construction of the Dededo precinct and the crime lab of the Guam Police Department and to appropriate such funds accordingly", herein reports back with the recommendation **TO DO PASS Substitute Bill No. 668.**

Member,
Tourism, Economic
Development, & Cultural
Affairs

Member,
Transportation,
Telecommunications &
Micronesian Affairs

Member,
Guam Finance
Commission

Votes of the committee members are as follows:

Member,
Commission on Self
Determination

To Pass

Not to Pass

To Place in Inactive File

Abstain

Off-Island

Not Available

A copy of the committee's report and other pertinent documents are enclosed for your reference and information.

ANTHONY C. BLAZ

attachments

155 HESLER ST. HAGAT'ÑA, GUAM 96910

Tel: 472-3557/58/60 Fax: 472-3560 email: tonyblaz@ite.net tonyblaz@kuentos.guam.net

COMMITTEE ON FINANCE & TAXATION

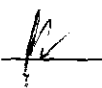



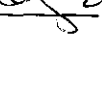
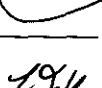




MINA'BENTE KUATTRO NA LIHESLATURAN GUÅHAN

155 Hesler Street, Hagåtña, Guam 96910

Chairman: Vice Speaker Anthony C. Blaz Vice Chairman: Senator Mark Forbes
 Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

Bill No. 668 "An Act to amend §22425, Chapter 22, Article 4, Division 2 of Title 5 Guam Code Annotated (GCA) by adding a new subsection (t) to authorize the governor to borrow from any lending institution, including but not limited to the Department of Agriculture, Rural Development, general obligation loans for the purpose of funding the cost of design, plans and construction of the Dededo precinct and the crime lab of the Guam Police Department and to appropriate such funds accordingly".

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Sen. Anthony C. Blaz <i>Chairman</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Forbes <i>Vice-Chairman</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spkr. Antonio R. Unpingco <i>Ex-Officio Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Thomas C. Ada <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne M.S. Brown <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Charfauros <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Eduardo J. Cruz <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Felix P. Camacho <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. William B.S.M. Flores <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Lawrence F. Kasperbauer <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alberto A.C. Lamorena, V <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Carlotta A. Leon Guerrero <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. John C. Salas <i>Member</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Francis E. Santos <i>Member</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Committee on Finance & Taxation
Vice Speaker Anthony C. Blaz, Chairman

Committee Report on
Bill No. 668(COR)
(As substituted by the Committee)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

COMMITTEE REPORT



Committee on Finance & Taxation

Vice Speaker Anthony C. Blaz, Chairman

Committee Report on

Bill No. 668(COR)

(As substituted by the Committee on finance and Taxation)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

I. OVERVIEW:

The Committee on Finance and Taxation held a public hearing on Wednesday, July 8, 1998 at 2:00 p. m. in the I Liheslaturan Guåhan Public Hearing Room to hear public testimony on Bill 668 (COR). Pursuant to the requirements of Public Law 24-109, a reminder memorandum was sent on Monday, June 22, 1998. Additionally, a

Public Hearing Notice was announced and published on Thursday, July 7, 1998 issues of the Pacific Daily News.

II. COMMITTEE MEMBERS PRESENT:

The hearing was called to order by the Chairman of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz.

Other members of the Committee on Finance and Taxation present were:

Senator Edwardo J. Cruz, Member

Senator Lawrence F. Kasperbauer, Member

Other Senators present were:

Senator Francisco P. Camacho

Senator Frank B. Aguon

Providing Public Testimony on the Bill:

Ronald J. Dervish, GPD, Deputy Chief (Written/Oral)

Dr. Ronald L. McNinch, Jr., UoG CBPA (Written/Oral)

R. A. Fejeran, GPD, (Oral)

Fred Sablan, GPD, (Oral)

J. G. Baleto, GPD, (Oral)

III. BACKGROUND ON BILL 668:

Findings of Necessity and Declaration of Purposes.

(a) I Liheslaturan Guåhan finds that, pursuant to the fiscal year 1997 Crime Report compiled by the Guam Police Department (GPD), the incidences of crime committed on

Guam continues to climb with “drug” related and violent crimes leading the increase.

Further, I Liheslaturan Guåhan finds that at least thirty percent (30%) of the island population reside in the municipalities of Dededo and Yigo.

Additionally, I Liheslaturan Guåhan finds that the highest incidences of crime committed occur in the municipalities of Dededo and Yigo concluding that there is a definite and distinct connection between the size of the population within a specific location and the incidences of crime committed.

Because of the great distance from the northern part of the island to the GPD’s central precinct in Hågatñå, the daily traffic congestion on the main highway, Marine Drive and the highly dangerous and inadequate Route 15 more popularly known as the “Back Road to Anderson”, I Liheslaturan Guåhan finds that the development of a *Koban* type police presence in the northern part of the island must be considered highly inadequate and inappropriate because of the size of the population residing in Dededo and Yigo and the lag time for response from the central precinct in Hågatñå.

Additionally, I Liheslaturan Guåhan finds that the distance between the northern part of the island and the central precinct in Hågatñå makes it mandatory that, together with the development of a northern precinct, a holding facility must be included together with the state of the art technology and amenities of a modern police precinct facility so as to eliminate

the need to commute to the central precinct, to deliver and hold arrestees.

The GPD has located a five (5) acres property presently owned by the U. S. Air Force and are in negotiation for the lease of this land for the construction of its northern precinct. The property map for the land has been received by the Department of Land Management (DLM) from the Air Force and DLM has completed its initial reconnaissance survey of the area situated between the War Dog Cemetery and Ypaopao Estate within the Mogfog area. DLM will be completing their survey of the property soon. The Guam Environmental Protection Agency has been alerted to coordinate any environmental assessment needed for the planned development. Finally, an architect and engineering firm who did the original design work for the northern precinct has been retained.

It is therefore the intent of I Liheslaturan Guåhan to appropriate sufficient funds necessary to plan, design and construct the northern precinct for the Guam Police Department by authorizing the Governor of Guam to borrow the funds needed from any lending institutions including the Department of Agriculture, Rural Development.

It was indicated by GPD that borrowing the funds for the cost of design, plans and construction of the northern precinct and the crime lab is feasible because they have discussed this borrowing arrangement with the Presiding Judge of the Superior Court of Guam. GPD has indicated that the

possibility of using the Superior Court of Guam Building Fund as a source for the repayment of this loan is feasible because the Presiding Judge of the Superior Court of Guam agreed to commit One Hundred Thousand Dollars (\$100,000.00) annually for crime fighting equipment and training or use this amount to supplement the needed amount for the repayment of the loans authorized by this Act. Finally, as recommended by GPD, the Police Services Fund should be amended and increased to be used as an additional source of revenue to be used for the repayment of this loan.

(b) I Liheslaturan Guåhan further finds that with the growing population and the ever increasing criminal activities committed on island every year, a *Crime Lab* with the latest state of the art technology and amenities is needed to be developed for GPD to be able to perform its duties, responsibilities and mission statement.

Functions and activities of this new crime lab will include:

(1) Toxicology capable of analyzing biological samples for the presence of drugs, poisons and other toxins.

(2) Forensic Biology/DNA involved in the identification and genetic marker typing of physiological fluids such as blood, semen, saliva, urine and feces. Genetic marker typing may encompass both conventional serological techniques and DNA analysis.

Arson analysis capability, involving timely analysis of fire debris for the presence of ignitable liquids using modern instruments and techniques.

(4) Firearms and Toolmarks analysis capability involving the association of markings produced by the interaction of tools and contacting surfaces including the identification of bullets and cartridge casings fired from a gun, associating pry marks with a suspect screwdriver, identifying a bolt cutter as having produced the markings on the cut end of a padlock. The process of identification may involve a visual comparison of test marks made by the suspect tool or gun using a comparison microscope capable of viewing two objects as if they were side by side.

(5) Trace Evidence capability involving examination of small particle evidence, for example, hairs, fibers, paint particles, glass etc., which may be used to show elements of a crime and to associate victims and suspects to each other or to crime scenes.

(6) Forensic Alcohol Analysis capability involving analysis of biological fluids and breath for the presence of alcohol and other volatiles. The breath instruments are used for DUI cases and are maintained by the forensic alcohol section.

(7) Crime Scene Investigation capability involving crime scene teams on call 24 hours a day to respond to crime scenes located throughout the island.

These teams have the capability of providing specialized equipment (alternate light sources, dust print lifter, etc.) and superior expertise in the areas of identification and collection of evidence and crime scene reconstruction (blood splatter interpretation).

(8) Clandestine Lab Investigation capability involving a clandestine lab response teams on call 24 hours a day, seven days a week to respond to suspected clandestine laboratory scenes throughout the island. They identify, collect, preserve and analyze evidence. The teams must be properly trained to identify chemical hazards.

I Liheslaturan Guåhan further finds that, because of the ever increasing incidences of drug related violent crime throughout the island especially the epidemic level incidences of crime have reached within the northern and central part of the island, the need for the development of a state of the art crime lab is urgent.

The GPD has located a site for the proposed crime lab which contain approximately one (1) acre out of a ten (10) acres piece of property situated immediately across the Science Building at the University of Guam campus in Mangilao. GPD has selected this site and have negotiated with the University of Guam the use of the one (1) acre out of the ten (10) acres property because of its proximity to the university campus. Locating the crime lab within the university campus is ideal

because it can make use of the research resources, facilities and expertise the University of Guam possesses.

GPD has indicated that this location is very suitable because it is centrally located and also because of its proximity to the university campus.

SUMMARY OF TESTIMONIES:

FAVORABLE:

Mr. Ronald J. Dervish, GPD Deputy Chief, opened the testimony on Bill 668 by submitting his written testimony for the record. He then went to summarize the operation of the Guam Police Department and its Capital Improvement Project plans which included building a Northern Police Precinct to be located between Dededo and Yigo. He indicated that these two municipalities contained at least 35% of the island population or about 60,000 people out of an island population of about 160,000. The Deputy Chief indicated that they have located a five (5) acres of Air Force property and at that point of securing title of this property for the Northern Police Precinct which is situated in the Mogfog area along Route 1, northeast of Dededo and southwest of Yigo between YpaoYpao estate and the old War Dog Cemetery.

For the Crime Lab facility, GPD had negotiated with the University of Guam to use one acre of its property immediately across the Science building.

Dr. Ronald McNinch, Jr. submitted both a written and oral testimony supporting Bill 668 to build GPD's crime lab in its campus. The justification supporting such partnership is the accessibility of

research and other professional expertise that the crime lab can easily tap into and the ability of the University of Guam to access more federal funds for research and crime study. Finally, University of Guam intends to include in its degree curriculum Criminology and Criminal Justice.

The Deputy Chief indicated that revenues to be used for the repayment of the proposed loan will be obtained through the collection of its Administrative Fees Fund and a commitment from the Presiding Judge of the Superior Court of Guam to allocate as much as needed for the repayment of the loan from its Superior Court Building Fund. I Liheslaturan Guåhan is currently reviewing a proposal to increase misdemeanor and felony convictions fines as part of GPD's efforts to identify and secure additional revenues for the repayment of this loan.

Additionally, GPD has recommended that the firearm registration which is currently done once at time of purchase be changed and mandate a re-registration of all firearms every three (3) years or annually and charge a higher registration fee because of the enormous administrative cost associated in monitoring the presence of firearms on island. One other advantage in re-registration of firearms every three years or annually is associated with crime prevention by updating the ownership of firearms in the community so that GPD can easily and more effectively identify firearms used in the commission of crime. The added revenue can be earmarked towards the repayment of this bond or loan.

All other written and oral testimonies submitted supported the enactment of Bill 668(COR) as introduced.

REPAYABILITY: MONTHLY EQUAL INSTALLMENTS OF \$55,355.55 OR ANNUAL EQUAL INSTALLMENTS OF \$482,373.13 FOR \$7,000,000.00 @ 5% INTEREST PER ANNUM FOR FIFTEEN (15) YEARS IS CONSIDERED FEASIBLE.

ALTERNATIVELY, MONTHLY EQUAL INSTALLMENTS OF \$68,931.77 OR ANNUAL EQUAL INSTALLMENTS OF \$493,546.56 FOR \$7,000,000.00 @ 8.5% INTEREST PER ANNUM FOR FIFTEEN (15) YEARS IS ALSO CONSIDERED FEASIBLE.

Currently, the Police Services Fund, as of April 30, 1998 is reported by the Department of Administration to have a balance for the seven (7) months of fiscal year 1998 of \$443,706.00. Monthly average of approximately \$63,387.00 is being collected. If certain amount of increase of GPD's fees is allowed, the Police Services Fund will be able to generate enough revenues to insure repayment of this loan. With the commitment from the Superior Court of \$100,000.00 annually, sufficient revenue is adequate to insure repayment of this loan.

UNFAVORABLE:

No one testified against Bill 668.

COMMITTEE RECOMMENDATION:

The Committee, having conducted a sufficient hearing, does hereby recommend to the Legislature **TO DO PASS**, as substituted by the Committee, **Bill 668(COR)- "AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE**

DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY. AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."



Committee on Finance & Taxation

Vice Speaker Anthony C. Blaz, Chairman

**Committee Report on
Bill No. 668(COR)**

(As substituted by the Committee)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

SIGN-IN SHEET



Committee on Finance & Taxation
Vice Speaker Anthony C. Blaz, Chairman

Committee Report on
Bill No. 668(COR)
(As substituted by the Committee)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

TESTIMONIES

SPECIAL PROJECTS UPDATE

(6/10/98)

NORTHERN PRECINCT

5/10/98
Land Management received a map from the Air Force and has completed an initial "recon" survey of the area situated between the War Dog Cemetery and Ypsopao Estates. Their crews are locating the needed monument markers to actually complete the survey. As of yet, they have not scheduled the actual survey and are doing the marker searches when they have spare time. With only two crews working it may take some time but their supervisor assures me it should be within the next few weeks. If I don't hear from them by 17 Jun 98, I'll obtain the necessary maps and clearance from the Air Force and locate the markers myself.

Guam EPA, Hazardous Waste Section, has been apprised of the project and are ready to start their EPA assessment when the land is surveyed. They will also assist in obtaining the necessary clearing permit after the property is leased.

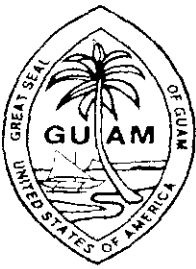
Public Works' Heavy Equipment section will be ready to clear the property as soon as the proper permits are obtained.

HNC Architects has submitted a lump sum break down of services. Their fee will be \$37,000 and will include a site and topographical survey, soils investigation, review of existing drawings and specifications, ensuring conformance to building codes and standards, site layout and design, and preparation of all bid documents. They relate that DPW often goes straight to them as a sole source provider because of the design work they have done for GovGuam in the past; they also have the original building designs of the Northern Precinct drawn several years ago. *A decision should be made soon about their services.

Once we actually have the property surveyed, it shouldn't take too long for completion.


JAMES S. HIATT
Special Projects Coordinator

\$200 - \$600 m



CARL T.C.
GUTIERREZ
Governor of Guam

MADELEINE Z.
BORDALLO
Lieutenant Governor

Guam Police Department

Government of Guam

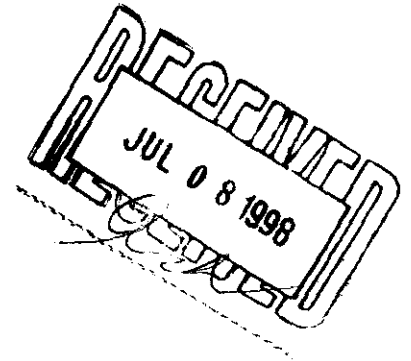
Bldg. No. 233, Central Avenue, Tiyán, Guam 96913
Tel: (671) 475-8473 (Switchboard) • (671) 475-8509/8512/8514
Fax: (671) 472-4036



J. M.
MARQUES
Chief of Police

Senator Anthony C Blaz
Vice-Speaker
155 Hesler St.
Hangatna, Guam 96910

JUL 08 1998



Attn: Mr. Jesus L. Perez

Dear Senator Blaz:

I apologize for not responding sooner to your proposed legislation for construction of our Northern Precinct and Crime Laboratory. I have been off-island and just return today.

I would like to make the following comments regarding the legislation.

Although Chief Marques has spoken to Judge Lamorena regarding financial assistance to this department, Judge Lamorena indicated that the Superior Court would be willing to give this department \$100,000 per year to assist in training and equipment purchase. This will certainly help defray some of the building loan payment, but will not be sufficient for our needs.

We would suggest that legislation should authorize the use of our Administrative Fees Fund, as created by the GPD Enabling Act, to use as collateral for the construction loan.

Further we would like to suggest that our administrative fees be increased to provide additional funds to assist in the repayment of our loan. I have enclosed a fee schedule for our administrative services with proposed fee hikes. Additionally, we would suggest the firearms registration be increased to once every (3) three years rather than one time registration. This will not only increase our fees, but will assist in regulating weapons on the island.

Senators Carlotta A. Leon Guerrero and John C. Salas have introduced legislation that would assess all misdemeanor and felony convictions \$100.00 and \$250.00 respectively. This money would go into a special GPD fund for training and equipment. It is believed that this fund could furnish \$40,000-\$50,000 per month. We would like to use these monies as well for collateral of our loan.

Finally, I believe that the bill should increase the amounts for construction to \$1 million dollars for the Northern Precinct and \$5 million dollars for the Crime Laboratory. We of course hope to

Drug Free Guam Para Todos

Letter to Senator Anthony C. Blaz

Subject: Legislation for construction of Northern Precinct and Crime Laboratory

Page 2

spend less on these projects, but this we need to anticipate any cost over runs should they occur.

Thank you for your efforts to assist this department. I look forward to working with you on these projects.

A handwritten signature in black ink, appearing to read "Ronald J. Dervish", with a stylized flourish at the end.

RONALD J. DERVISH



CARL T.C.
GUTIERREZ
Governor of Guam

MADELEINE Z.
BORDALLO
Lieutenant Governor

Guam Police Department

Government of Guam

Bldg. No. 233, Central Avenue, Tiyan, Guam 96913
Tel: (671) 475-8473 (Switchboard) • (671) 475-8509/8512/8514
Fax: (671) 472-4036



J.M.
MARQUES
Chief of Police

JUL 09 1998

The Honorable Anthony C. Blaz
Vice-Speaker
24th Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Blaz:

Thank you for opportunity to testify on behalf of bill 668 on Wednesday, July 8, 1998.

As a result of the discussion pertaining to this bill, I would like to make the following suggestions.

The new Crime Laboratory should include a mortuary with facilities for conducting autopsies, and that the authorized loan amount should be increased to \$7 million dollars to cover the additional expense involved.

The authorized loan amount for the Northern Precinct should be increased to \$1 million dollars.

Administrative fees currently charged by GPD in accordance with Public Law 24-23 be increased as recommended on the attached rate schedule and that administrative fees be used to repay the construction loan.

Special assessments as indicated in proposed legislation by Senator Carlotta Leon Guerrero be designated to help repay the construction loan. I have attached a draft of that proposed legislation.

Once again, I would like to thank you for your continued support of the Guam Police Department and I look forward to working with you on this legislation.


RONALD J. DERVISH

Drug Free Guam Para Todos



Guam Police Department
 RECORDS AND IDENTIFICATION SECTION
 Tiyan, Guam

PUBLIC ANNOUNCEMENT

Effective THURSDAY, AUGUST 1st, 1996, the Guam Police Department will be charging fees for services listed below:

Police Clearance	\$10.00 \$5.00
Government of Guam Identification Card	\$15.00 \$10.00
(New, Copy, Replacement)	
Traffic Accident Report	\$10.00
Non-Concealed Firearm Identification Card	\$20.00 \$15.00
(New, Renewal, Copy)	
Concealed Firearm Identification Card	\$35.00 \$30.00
(New, Renewal, Copy)	
Annual Gun Dealer, Shooting Gallery, Manufacturer, Wholesaler, Retailer and Repairer Registration	\$300.00

Firearm Registration	\$25.00 \$20.00
(New, Renewal, Copy, Transfer)	
Temporary Firearm Identification Card for Private Security	\$30.00 \$25.00
Police Blotter	\$0.02 a page
Filing Training Record for Private Security Officers	\$50.00
Approving of Certified Trainers for Firearms ..	\$500.00
Special Use Permit for Highway	\$25.00

GUAM POLICE DEPARTMENT

Crime Laboratory Section

The Guam Police Department Crime Laboratory is the only U.S. police forensic laboratory in the Pacific Basin region, outside of Hawaii. The Laboratory supports the investigation and prosecution of crimes through the collection, preservation and scientific analysis of physical evidence.

The Laboratory examines evidence free-of-charge for local and federal law enforcement entities in Guam and for law enforcement entities in the Commonwealth of the Northern Marianas, the Republic of Belau, and the Federated States of Micronesia. Laboratory personnel provide expert witness testimony in court regarding the results of the forensic examinations. Forensic services are provided by five distinct units of the Crime Laboratory.

1. Crime Scene Investigation Unit

•*Forensic Services and Capabilities:*

- At-scene field investigation and crime scene processing, 24 hours a day, 7 days a week
- Documentation of crime scenes and evidence by still and/or video photography and sketches
- Identification, collection and preservation of physical evidence
- Crime scene reconstruction; blood spatter pattern interpretation
- Composite sketching of suspects based on victim and/or witness interviews

•*Equipment and Capital Outlay:*

- 35 mm cameras and accessories
- Instant print cameras
- Video camcorder
- Video cassette recorder and monitor
- Crime scene processing kits
- Mobile crime laboratory van
- Omniprint 1000 alternate light source
- Polilight alternate light source

2. Photo Laboratory Unit

•*Forensic Services and Capabilities:*

- Black-and-white film development and printing/enlarging
- Color film development and printing/enlarging
- Maintenance of photo negative files and mugshot file

•*Equipment and Capital Outlay:*

- Color film processor and printer
- MP-4 camera system
- Dark room film processor and enlarger
- Automated mugshot system

3. Fingerprint Identification Unit

- *Forensic Services and Capabilities:*

- Processing of crime scene evidentiary materials by chemical and physical means and by alternate light source for the detection and development of latent fingerprints and palm prints
- Use of automated fingerprint identification system for tenprint and latent print database entries and comparison
- Comparison of latent prints with known prints of suspects and/or victims
- Identification of unknown dead or aliases through tenprint-to-tenprint comparisons
- Preparation of photographic chart of identified latent print and matching tenprint for court hearing presentation
- Provide guidance and assistance to law enforcement agencies in various matters of fingerprint identification.

- *Equipment and Capital Outlay:*

- Automated Fingerprint Identification System (AFIS) - Two (2) independent workstations capable of both tenprint and latent print entry and processing.
- Livescan (inkless, remote capture of known fingerprints from arrestees and firearms applicants and electronically transferred to AFIS) . One livescan is located at the GPD Records & ID Section, the other is slated for the arrestee booking site.
- Fingerprint camera
- Fingerprint imaging system

4. Firearms and Tool Mark Analysis Unit

- *Forensic Services and Capabilities:*

- Participation in at-scene investigations of firearm related crime scenes
- Conducts crime scene reconstruction, as needed
- Examination of all types of evidential firearms (pistols, revolvers, shotguns, etc.) and other firearm-related evidence (i.e., bullets, cartridge cases, shotshells)
- Use of DRUGFIRE, a forensic firearms computer database identification system, for the comparison of evidential cartridge cases and bullets and their subsequent comparison to a reference library of knowns or to the database entries of unsolved cases
- Function check of all submitted evidential firearms
- Side-by-side comparison of crime scene evidence and test fire exemplars of ammunition components (i.e., bullet, cartridge cases, shotshells)
- Determination of muzzle-to-garment distance
- Restoration of obliterated and altered serial numbers (firearms, motor vehicle numbers)
- Examination and identification of toolmarked items

- *Equipment and Capital Outlay:*

- DRUGFIRE, a firearms computer database identification system
- Comparison microscope and photographic accessories
- Armorers' tools and measuring projector
- Bullet recovery tanks

5. Criminalistic Unit

A. Drug Identification

•*Forensic Services and Capabilities:*

- Examination and identification of evidential controlled substances and pharmaceutical drugs using chemical, physical and instrumental means
- Provide guidance and assistance to law enforcement agencies and prosecutors in the various matters of drug analysis
- Provide training in drug evidence handling and preservation to law enforcement agencies

•*Equipment and Capital Outlay:*

- Gas Chromatograph / Mass Spectrometer (GCMS) - Two (2)
- Fourier Transform Infrared (FTIR) Spectrometer
- Analytical scales and other weighing devices
- Stereo microscope, microscope, centrifuge
- Fume hoods, refrigerators, work benches, safety cabinet
- Chemical extraction and sampling devices

B. Serology

•*Forensic Services and Capabilities:*

- Analysis of body fluids/stains recovered as evidence in violent crimes (i.e., homicides, rape, assaults, hit-and-run, robbery)
- Identification of blood, semen, saliva, and other body fluids using conventional serology procedures
- Assembly and distribution of the GPD Sexual Assault Kits to medical examination facilities
- Identification of physiological fluids from non-human sources (i.e., deer, swine, bovine, etc.)
- Examination and identification of deer hairs

•*Forensic Services and Capabilities:*

- Microscope, stereoscope, refrigerators, and freezers
- Alternate light sources
- Incubators, clinical centrifuges, orbital shakers, vortex

C. Toxicology

•*Forensic Services and Capabilities:*

- Examination and analysis of biological samples (i.e., blood, urine, various body tissues) for the presence of drugs, poisons, or other toxins
- Screening of blood and urine samples for commonly used/abused drugs and their metabolites and subsequent confirmation by GCMS

•*Equipment and Capital Outlay:*

- Enzyme-multiplied immunoassay technique (EMIT) urine drug screening instrument
- Shared use of the two GCMS and the FTIR with Drug Identification sub-unit
- Radioimmunoassay instrument
- Incubators, clinical centrifuges, orbital shakers, vortex
- Refrigerators and freezers
- Analytical scales and other weighing devices
- Fume hoods, work benches
- Chemical extraction and sampling devices

F. Trace Analysis (limited service)

- Trace analysis of fire debris, residues and other evidence from suspected arson and bombing/explosion cases
- Physical matching of crime scene evidence and recovered items from victim, suspect or other crime scenes (i.e., damaged car reflector lens from hit-and-run suspect vehicle to those fragments recovered from crime scene)

•*Equipment and Capital Outlay:*

- Shared use of the two GCMS and the FTIR/microscope attachment with Drug Identification sub-unit
- Fume hood, work benches
- Chemical extraction and sampling devices
- High Performance Liquid Chromatography (HPLC)
- Photography equipment to document physical matching

E. DNA Analysis - (proposed new service area)

Future services will incorporate the DNA profiling of crime scene body fluids (i.e., blood, semen, saliva, cord blood, hair root, other nucleated body tissues) using the polymerase chain reaction (PCR) and short tandem repeat (STR) systems. Results of analysis will be compared to known blood/saliva submitted victims and/or suspects.

Also planned is participation in the FBI National DNA Index System (NDIS), a national database of casework and convicted offender samples.

Federal funds from the Edward Byrne Memorial Grant have been used to acquire laboratory work benches, DNA extraction, amplification, and electrophoretic equipment.

Other Significant Equipment and Capital Outlay:

- Computer systems and assorted peripherals (i.e., printers, UPS, etc.)
- Multi-media, overhead and slide projectors and projection screens
- FY 98 planned purchase of Forensic Laboratory Information Management System (FLIMS)

Combining Balance Sheet
 Special Revenue Funds
 April 30, 1998
 (with comparative totals for September 30, 1997)

	Police Services Fund	Board of Accountancy Fund	Public Transit Fund	Dutch Emulation Fund	Rainy Day Fund	1998 (Memorandum Only)	1997 (Memorandum Only)
Assets							
Current Assets							
Cash & equivalents	\$0	\$0	\$0	\$0	\$0	\$27,622,492	\$27,622,492
Investments	0	0	0	0	0	0	17,019,003
Tax receivables, net	0	0	0	0	0	0	11,730,200
Interfund receivables	443,706	30,713	28,766	0	0	49,096,003	51,869,879
A/R (Federal agencies)	0	0	0	0	0	22,703,845	13,887,239
Other receivables, net	0	0	0	0	0	19,187,061	18,964,448
Inventories	0	0	0	0	0	6,196,170	8,907,720
Prepayments	0	0	0	0	0	0	0
Deposits & other assets	0	0	0	0	0	0	0
Total Current Assets	443,706	30,713	28,766	0	0	162,778,679	159,021,667
Amount to be provided for retirement of debt	0	0	0	0	0	0	0
Amount available in debt service funds	0	0	0	0	0	0	0
Restricted Assets	0	0	0	0	0	0	0
Long-Term Assets							
Support assets	0	0	0	0	0	0	0
Capital assets	0	0	0	0	0	0	0
Buildings & improvements	0	0	0	0	0	0	0
Plant in service	0	0	0	0	0	0	0
Gross long-term assets	0	0	0	0	0	0	0
Less accumulated depreciation	0	0	0	0	0	0	0
Long-term assets, net of depreciation	0	0	0	0	0	0	0
Construction in progress	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total Long-Term Assets	0	0	0	0	0	0	0
Total Assets	\$443,706	\$30,713	\$28,766	\$0	\$0	\$162,778,679	\$159,021,667

Combining Balance Sheet

Special Revenue Funds

April 30, 1998

(with comparative totals for September 30, 1997)

	Police Services Fund	Board of Accountancy Fund	Public Transit Fund	Deitch Emission Fund	Rainy Day Fund	1998 (Memorandum Only)	1997 (Memorandum Only)
Liabilities							
Current Liabilities							
Cash overdraft	\$0	\$0	\$0	\$0	\$0	\$102,248	\$1,740,240
Current portion of debt & related interest	0	0	0	0	0	0	0
Accounts payable	0	0	0	0	0	0	0
Accrued payroll & other	0	0	0	0	0	0	0
Interfund payables	0	0	0	0	0	0	0
ARF federal agencies	0	0	0	0	0	0	0
Deferred revenue	0	0	0	0	0	0	0
Estimated tax refunds	0	0	0	0	0	0	0
Deposits & liabilities	0	0	0	0	0	0	0
Total Current Liabilities	0	0	0	0	0	0	0
Deferred Liabilities							
Vacation leave accrual	0	0	0	0	0	0	0
Contracts & leases	0	0	0	0	0	0	0
Notes payable & bonds payable	0	0	0	0	0	0	0
Accrued unfunded retirement costs	0	0	0	0	0	0	0
Total Deferred Liabilities	0	0	0	0	0	0	0
Total Liabilities	0	0	0	0	0	0	0
Fund Equity (Deficit)							
Contributed capital:							
Government of Guam	0	0	0	0	0	0	0
Federal Government	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Retained earnings:							
Restricted	0	0	0	0	0	0	0
Unrestricted	0	0	0	0	0	0	0
Fund Balance:							
Reserved for:							
Debt service	0	0	0	0	0	0	0
Related assets	0	0	0	0	0	0	0
Encumbrances	0	0	0	0	0	0	0
Continuing appropriations	0	0	0	0	0	0	0
Unreserved	443,706	443,706	20,706	20,706	0	0	0
Total Fund Equity (Deficit)	443,706	443,706	20,706	20,706	0	0	0
Total Liabilities and Fund Equity	\$443,706	\$443,706	\$26,766	\$26,766	\$0	\$152,778,679	\$150,021,667

**Combining Statement of Revenues, Expenditures
and Changes in Fund Balance
Special Revenue Funds
For Seven Months Ended April 30, 1998**
(with comparative totals for September 30, 1997)

	Police Services Fund	Board of Accountancy Fund	Public Transit Fund	Deficit Elimination Fund	Rainy Day Fund	1998 (Memorandum Only)	1997 (Memorandum Only)
Revenues							
Taxes	\$0	\$0	\$0	\$0	\$0	\$41,022,203	\$55,017,373
Licenses, fees & permits	244,780	15,075	0	0	0	8,947,333	10,247,819
Use of money & property	0	0	0	0	0	1,724,877	2,987,786
Federal contributions	0	0	0	0	0	78,884,187	86,554,299
Other	0	0	0	0	0	4,300,268	13,185,952
Total Revenues	244,780	15,075	0	0	0	129,948,865	177,953,229
Expenditures							
General government	0	21,331	0	0	0	8,487,487	4,818,010
Protection of life & property	0	0	0	0	0	9,842,216	13,702,101
Public health	0	0	0	0	0	5,300,782	7,749,339
Community services	0	0	0	0	0	18,852,860	13,811,818
Recreation	0	0	0	0	0	2,182,880	2,982,500
Individual & collective rights	0	0	0	0	0	18,792,417	6,509,408
Transportation	0	0	0	0	0	9,267,381	19,814,831
Education	0	0	0	0	0	18,155,384	10,714,322
Protection of environment & resources	0	0	0	0	0	3,154,759	4,212,639
Economic development	0	0	0	0	0	3,545,882	7,884,893
Transfers to persons	0	0	0	0	0	18,850,086	64,084,975
Capital projects	0	0	0	0	0	0	0
Interest	0	0	0	0	0	28,214	125,192
Principal	0	0	0	0	0	0	0
Total Expenditures	0	21,331	0	0	0	115,331,127	155,088,825
Total Revenue Over (Under) Expenditures	244,780	(6,256)	0	0	0	14,617,738	22,203,404
Other Sources (Uses)							
Addition to long-term debt	0	0	0	0	0	0	0
Transfers in	0	0	0	0	0	0	0
Transfers out	0	0	0	0	0	0	0
Other sources	0	0	0	0	0	54,951,928	75,212,107
Other uses	0	0	0	0	0	(66,743,085)	(95,284,417)
Other financing uses - early extinguishment of debt	0	0	0	0	0	0	0
Total Sources (Uses)	0	0	0	0	0	(11,791,157)	(20,097,026)
Excess (Deficiency) of Revenues and Other Sources Over Expenditures and Other Uses	244,780	(6,256)	0	0	0	2,826,581	2,166,378
Beginning Fund Balance (Deficit)	108,925	30,930	26,700	0	0	61,854,684	59,688,308
Equity Transfers In	0	0	0	0	0	0	0
Equity Transfers Out	0	0	0	0	0	0	0
Ending Fund Balance (Deficit)	\$443,706	\$30,674	\$26,766	\$0	\$0	\$64,681,265	\$81,854,884



Committee on Finance & Taxation
Vice Speaker Anthony C. Blaz, Chairman

Committee Report on
Bill No. 668(COR)
(As substituted by the Committee)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

NOTICE OF PUBLIC HEARING

**MINA'BENTE KUÁTTRO NA LIHESLATURAN GUÁHAN
COMMITTEE ON FINANCE & TAXATION
VICE SPEAKER ANTHONY C. BLAZ, CHAIRMAN**

PUBLIC HEARING

**JULY 8, 1998 - 2:00 PM
LEGISLATIVE PUBLIC HEARING ROOM**

AGENDA

CONFIRMATION HEARINGS:

- Mr. Johnny C. Reyes, Acting Member, Guam Real Estate Commission
- Mr. Joseph R. Ada, Acting Member, Board of Equalization

PUBLIC HEARING:

**BILL NO. 614 (J. C. Salas, E. Cruz, L. Kasperbauer)
AN ACT TO AMEND P.L. 24-071, TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL ADDITIONAL PORTIONS OF AN ABANDONED PRE-WAR BULL-CART TRAIL IN TALOFOFO TO THE OWNERS OF THE PROPERTY WHICH THE TRAIL ABUTS.**

**BILL NO. 664 (A. C. Blaz)
AN ACT TO APPROPRIATE EIGHTY THOUSAND DOLLARS (\$80,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR COMPLETION OF RENOVATION AND REPAIRS OF HAGÁTÑA MAYOR'S OFFICE.**

**BILL 665 (A. C. Blaz)
AN ACT TO REPROGRAM AND APPROPRIATE THE RESIDUAL AND EXCESS FUNDS LEFT OVER FROM OTHER CAPITAL IMPROVEMENT PROJECTS, INCLUDING BUT NOT LIMITED TO THE INFRASTRUCTURE DEVELOPMENT BOND, FOR USE TO PLAN, DESIGN, EXPAND AND RECONSTRUCT ROUTE 15, MORE POPULARLY KNOWN AS THE "BACK ROAD TO ANDERSEN".**

**BILL NO. 667 (A. C. Blaz, Fx P. Camacho, M. Forbes, A. Lamorena V, C. Leon Guerrero)
AN ACT TO ESTABLISH THE VILLAGE NATURE, WATER AND RECREATIONAL THEME PARK DEVELOPMENT PROGRAM AND PILOT PROJECT IN THE MUNICIPALITY OF BARRIGADA AND APPROPRIATE FUNDS TO THE DEPARTMENTS OF LAND MANAGEMENT AND PUBLIC WORKS TO CARRY OUT THE INITIAL PHASE OF THE PROJECT.**

**BILL NO. 668 (A. C. Blaz, M. Forbes, A. Lamorena V, J.M.S. Brown, C. Leon Guerrero)
AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (F) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS, AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY.**

**BILL NO. 685 (A. C. Blaz)
AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PARKS AND RECREATION'S OFF-ISLAND TRAVEL FUND TO SUBSIDIZE THE COST AIR TRAVEL FOR THE BABE RUTH AND THE BAMBINOS LITTLE LEAGUE.**

**BILL NO. 686 (A. C. Blaz, V. C. Pangelinan, A. R. Unpingco)
AN ACT TO APPROPRIATE FROM THE VETERAN'S BONUS FUND TO THE NATIONAL ASSOCIATION FOR UNIFORMED SERVICES (NAUS) FOR THE COST TO REPAIR THE VANDALIZED NAUS MEMORIAL AT ASAN POINT DEDICATED TO THE FIGHTING MEN OF THE UNIFORMED SERVICES WHO GAVE THE SUPREME SACRIFICE FOR THE DEFENSE OF THEIR COUNTRY AND THE RECAPTURE OF GUAM DURING WWII.**

**BILL NO. 687 (A. C. Blaz)
AN ACT TO CLEARLY IDENTIFY THE SOURCE OF FUNDS APPROPRIATED TO THE SUPERIOR COURT OF GUAM IN PUBLIC LAW NUMBER 24-139.**

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NOTICE OF

PUBLIC HEARING

The Committee on Natural Resources will be conducting a Public Hearing on Thursday, July 9, 1998 at 10:00 a.m. at the Legislative Public Hearing Room, 155 Hesler Street, Hagatna on:

BILL 652 - An act to establish the Guam Hydrologic Survey as a permanent program to be administered by the Water and Energy Research Institute of the Western Pacific University of Guam :

Confirmation of Miriam Gallet
Member, Board of Directors
Guam Environmental Protection Agency.
ADA Coordinator:
Mrs. Toni Gumataotao at 472-3450/51
The public is invited to attend.

Daily News, Tuesday, July 7, 1998



NOTICE OF PUBLIC HEARING

Committee on Finance & Taxation
Vice Speaker Anthony C. Blaz, Chariman
MINA' BENTE KUATRO NA LIHESLATURAN GUAHAN
155 HESLER ST. HAGATNA, GUAM 96910

Wednesday, July 8, 1998

LIHESLATURAN GUAHAN, PUBLIC HEARING ROOM

10:00 AM: Roundtable Meeting
Bill No. 547: AN ACT TO AMEND TITLES 7, 9, AND 19 OF THE GUAM CODE ANNOTATED (GCA) RELATIVE TO THE ENACTMENT OF THE "ERICA'S LAW OR THE FAMILY VIOLENCE ACT OF 1998".

1:30 PM: Public Hearing
CONFIRMATION HEARINGS:
Mr. Johnny C. Reyes, Acting Member, Guam Real Estate Commission
Mr. Joseph R. Ada, Acting member, Board of Equalization

Bill No. 614: AN ACT TO AMEND P.L. 24-071, TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL ADDITIONAL PORTIONS OF AN ABANDONED PRE-WAR BULL-CART TRAIL IN TALOFOTO TO THE OWNERS OF THE PROPERTY WHICH THE TRAIL ABUTS.

Bill No. 665: AN ACT TO REPROGRAM AND APPROPRIATE THE RESIDUAL AND EXCESS FUNDS LEFT OVER FROM OTHER CAPITAL IMPROVEMENT PROJECTS, INCLUDING BUT NOT LIMITED TO THE INFRASTRUCTURE DEVELOPMENT BOND, FOR USE TO PLAN, DESIGN, EXPAND AND RECONSTRUCT ROUTE 15, MORE POPULARLY KNOWN AS THE "BACK ROAD TO ANDERSEN".

Bill No. 664: AN ACT TO APPROPRIATE EIGHTY THOUSAND DOLLARS (\$80,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR COMPLETION OF RENOVATION AND REPAIRS OF HAGATNA MAYOR'S OFFICE.

Bill No. 667: AN ACT TO ESTABLISH THE VILLAGENATURE, WATER AND RECREATIONAL THEME PARK DEVELOPMENT PROGRAM AND PILOT PROJECT IN THE MUNICIPALITY OF BARRIGADA AND APPROPRIATE FUNDS TO THE DEPARTMENTS OF LAND MANAGEMENT AND PUBLIC WORKS TO CARRY OUT THE INITIAL PHASE OF THE PROJECT.

Bill No. 668: AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (T) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY.

Bill No. 685: AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PARKS AND RECREATION OFF-ISLAND SPORTS TRAVEL FUND TO SUBSIDIZE THE COST OF THE AIR TRAVEL FOR THE BABE RUTH AND THE BAMBINO'S LITTLE LEAGUE.

Bill No. 686: AN ACT TO APPROPRIATE FROM THE VETERAN'S BONUS FUND TO THE NATIONAL ASSOCIATION FOR UNIFORMED SERVICES (NAUS) FOR THE COST TO REPAIR THE VANDALIZED NAUS MEMORIAL AT ASAN POINT DEDICATED TO THE FIGHTING MEN OF THE UNIFORMED SERVICES WHO GAVE THE SUPREME SACRIFICE FOR THE DEFENSE OF THEIR COUNTRY AND THE RECAPTURE OF GUAM DURING WWII.

BILL 687: AN ACT TO CLEARLY IDENTIFY A SOURCE OF FUNDS APPROPRIATED TO THE SUPERIOR COURT OF GUAM IN P.L. 24-139.

The Public is invited to Attend and present written and/or oral testimony.
Contact the Office of Vice-Speaker Anthony C. Blaz at 472-355758/60

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Pacific Daily News, Thursday, July 2, 1998, 54

**NOTICE OF PUBLIC HEARING**

Committee on Finance & Taxation
 Vice Speaker Anthony C. Blaz, Chariman
 MINA' BENTE KUATRO NA LIHESLATURAN GUÅHAN
 155 HESLER ST. HAGATÑA, GUAM 96910

Wednesday, July 8, 1998

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The Public is invited to attend and present written and/or oral testimony.
 Contact the Office of Vice-Speaker Anthony C. Blaz at 472-3557/58/60

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Committee on Finance & Taxation

Vice Speaker Anthony C. Blaz, Chairman

Committee Report on

Bill No. 668(COR)

(As substituted by the Committee)

"AN ACT TO AMEND §22425, CHAPTER 22, ARTICLE 4, DIVISION 2 OF TITLE 5 GUAM CODE ANNOTATED (GCA) BY ADDING A NEW SUBSECTION (t) TO AUTHORIZE THE GOVERNOR TO BORROW FROM ANY LENDING INSTITUTION, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, GENERAL OBLIGATION LOANS FOR THE PURPOSE OF FUNDING THE COST OF DESIGN, PLANS AND CONSTRUCTION OF THE DEDEDO PRECINCT AND THE CRIME LAB OF THE GUAM POLICE DEPARTMENT AND TO APPROPRIATE SUCH FUNDS ACCORDINGLY."

FISCAL NOTE



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Ron McNinch, Ph.D.
Chair, Public Administration and Legal Studies

15 July 1998

The Honorable Antonio Blaz, Chair
Committee on Finance and Taxation

Written Testimony in Support of a New Crime Lab for GPD

Dear Senator Blaz,

I greatly appreciate the opportunity to offer testimony in support of Bill ⁶⁶⁸~~642~~, which seeks to establish a modern crime laboratory located on the campus of the University of Guam. This facility is a major step forward in our effort to fight crime on our island.

There are a large number of advantages that this new facility will offer:

- 1) Evidence processing, including the support of interdicting and intercepting drugs, will be greatly enhanced. This will improve both the detection of drug labs and the handling of criminal evidence for prosecuting criminals. This is fighting crime.
- 2) This facility will allow local law enforcement officers to receive advanced technical training in evidence collection and processing. This helps to fight crime.
- 3) This new crime lab is a partnership between several agencies, including the University of Guam and GPD, and the region. With a state of the art facility located on-campus, our ability to obtain federal educational funding will be greatly enhanced. Also, the close proximity to the university allows a great integration of on-site expertise. This concentrates the effort to fight crime.

I greatly appreciate the opportunity to provide your committee with input on this matter. On behalf of the Public Administration and Legal Studies Department, I would like to offer my full endorsement of this effort to make crime a better place by fighting crime.

Best Regards,

MCL**MARTIN
CRISTOBAL
LAGUAÑA****ARCHITECTURE
PLANNING
INTERIORS**Suite 202
615 Harmon Loop
Dededo, Guam 96912

Tel: (671) 632-6251/52

Fax: (671) 632-6253

e-mail: mcl@ite.net

June 5, 1998

New GPD Crime Laboratory Building

The proposed Crime Laboratory Building is a 24,000 to 26,000 sf concrete fully secured structure complete with required site improvements to isolate and secure the facilities.

The crime lab project will house the administrative, chemistry, finger prints, firearms, crime scene sections of this important arm of GPD as well as classrooms and mini lab and conference area for training and educational purposes.

The facility will be fully air conditioned with emergency power generation to insure chemicals, evidence and the operating environment of the laboratory is maintained at all times.

The latest technology involving DNA profiling, automated finger print identification, firearm examination and testing and crime scene evidence development preservation will be enhanced and provided in this facility.

Based on the square footage required for the facility and the site improvements the preliminary cost are broken down as follows:

A.	Building	
	26,000SF x \$175.00 =	\$4,550,000.00
	• Not Including Equipment & Furnishings	
B.	Site Improvements =	<u>\$682,000.00</u>
	• Parking Area	
	• Fencing, Security	
	• Infrastructure	
	• Landscaping	
	• Clearing, Grading	
C.	Total	\$5,232,000.00
D.	Design Fees	\$418,500.00
	• Engineering	
	• Architecture	
	• Soil Investigation	
	• Surveys	
E.	Total Development Cost	<u>\$5,650,500.00</u>

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Project	Costs
1. Reconstruction of Route 1 from Polaris Point Intersection to Route 2A (Commissary Junction near Naval Station)	\$6.0 Million
2. Reconstruction of Route 2A from Commissary Junction to Namu River in Agat	\$4.0 Million
3. Design and Reconstruction of of three (3) land highway including side-walks on Route 30 (Camp Watkins Road) from its intersection with Route 1 (Marine Drive) to Guam Memorial Hospital including Farenholt Avenue and land acquisition required for the project	\$10.0 Million
4. Design and Construction of Harmon Access Road including Land Acquisition (Road from Harmon Strip connecting to Route 16 at the Harmon Loop Intersection)	\$3.0 Million
5. Land Acquisition for the Agat-Umatac Project and for unacquired land on Route 1, land acquisition of unacquired Route 6 property, land acquisition Macheche Road, Bello Road, and Alegeta St.	\$4.0 Million
6. Resurfacing of approximately 5 miles of Route 4 through Merizo including spot repair, minor drainage improvements and safety treatments as needed	\$3.0 Million
7. Design and construction of San Ramon Hill roadway network	\$2.0 Million

encompassing Route 7, Senator Gibson Road, and Esperanza Street, including installation of underground drainage with sidewalks, spot repair as necessary, widening and installation of anti-skid wearing course

8. A sidewalk 6 feet in width on the South side of San Vitores Road from John F. Kennedy High School to the traffic circle \$0.5 Million

9. Planning, design and initial construction of bike/jogging paths islandwide. \$1.0 Million

GRAND TOTAL \$33.5 Million

All segments of the road system listed above shall be designed to include an adjacent paved path for pedestrians, bikes and joggers and a paved shoulder to allow for emergency stops by motor vehicles. When limited by space, the design may include a paved shoulder for combined use by pedestrians, bikes and joggers and for emergency stops by motor vehicles.

SOURCE: GC §6128 enacted by P.L. 19-2:1, renumbered §6130 by Compiler in 19th G.L. Session Laws. R/R by P.L. 21-110:1.

§1505. Authority to Create Debt for Capital Improvement Projects. (a) The Governor of Guam is authorized to create a debt or debts of the government of Guam in aggregate principal amount not to exceed Twenty Million Dollars (\$20,000,000) for a maximum term of twenty (20) years for the purpose of implementing Capital Improvement Projects enumerated in subsection (e) of this section; provided, however, that the terms and conditions of the debt or debts shall be approved by the Legislature by statute.

(b) Such debt or debts may be created by a loan or other agreement executed by the Governor containing such terms as are consistent with this Section.

(c) Any debt or debts authorized by this Section shall constitute the valid and legally binding limited obligation of the government of Guam payable from and secured by a pledge of the revenues derived

from the Infrastructure Improvement Fund. The validity of any such debt or debts shall not be affected by the validity or regularity of any proceedings for the implementation of Capital Improvement Projects funded by the debt or debts.

(d) All or any part of the revenues constituting the infrastructure improvement fund created pursuant to 5 GCA §22422 may be pledged to secure the repayment of any debt or debts created under this section and pay costs incurred in the creation of such debts. Any pledge made to secure the debt or debts shall be valid and binding from the time the pledge is made. The revenues pledged and thereafter received by the government or by any trustee, depository, or custodian shall be deposited in a separate account and shall be immediately subject to the lien of such pledge without physical delivery thereof or further act, and the lien of such pledge shall be valid binding against all parties having claims of any kind in tort, contract or otherwise, against the government, such trustee, depository, or custodian, irrespective of whether the parties have notice thereof. The indenture by which such pledges are created may not be recorded. All revenues pledged are hereby continuously appropriated for the purpose for which they have been pledged. All Capital Improvement Projects to be funded from the provisions of this section must be reviewed and approved by the Governor prior to their implementation.

(e) The Capital Improvement Projects to be funded from the implementation of this section are:

- (1) Tumon Bay sewage reversal project and the completion of San Vitores Road (including land acquisition) \$6,500,000
- (2) Umatac-Merizo nonskid surface 500,000
- (3) Merizo Pier expansion project 300,000
- (4) Inarajan boat launching ramp 250,000
- (5) Merizo-Inarajan road design 300,000
- (6) Umatac seawall 60,000
- (7) Agat Umatac highway completion 2,000,000
- (8) Umatac - Merizo widening design 300,000
- (9) Inarajan to Talofoto highway design 400,000
- (10) Talofoto to Yona highway design 400,000
- (11) Merizo flood control 350,000
- (12) Route 15 (back road to Andersen) design 600,000

- (13) GHURA 82 (elderly housing) 800,000
- (14) Astumbo Subdivision infrastructure 3,300,000
- (15) Public Market 1,000,000

SOURCE: GC §6130 enacted by P.L. 19-5:144; subsections (a), (d) and (3) as amended by P.L. 19-18:1.

§1506. Sister City Programs. (a) The Governor of Guam, on behalf of the government of Guam, is hereby authorized to enter into Sister City relationships between the territory of Guam and any city outside of Guam, provided, however, that any such relationship shall be approved by the Legislature by resolution.

(b) Expenses by the government of Guam for such programs shall be paid out of the contingent funds appropriated for the Governor of Guam in the case of any expenditure incurred by the Executive Branch and out of the contingent funds appropriated for the Speaker of the Legislature in the case of expenditures incurred by the Guam Legislature.

SOURCE: GC §5050 added by P.L. 13-6:5.

COMMENT: The Legislature does not have the power to regulate the Executive Branch by resolution. See Attorney General's Opinion PCF #85-1031. See also INS v. Chada, 103 S.Ct. 2754 (1983).

§1507. Annual Report. Each head of a department, independent agency, board, or commission shall submit a detailed report by no later than December 31 of each year, unless otherwise provided by law, to the Governor and Legislature on the operation of his department, independent agency, board, or commission during the fiscal year concluded on the preceding September 30, and projecting the goals and objectives of the department, independent agency, board or commissions developed for the program budget report. Any department, independent agency, board or commission may issue such additional reports on its findings and recommendations as its operations require.

SOURCE: GC §5150 added by P.L. 14-15:1; amended by P.L. 16-60:1.

COMMENT: Amendment made to reflect change in the government's fiscal year to correspond to the federal government's fiscal year, as required by §30 of the Organic Act.

§1508. Water System Revenue Bonds. (a) **Authorization of Issuance of Water System Revenue Debt.** The Governor of Guam is authorized to create a debt or debts of the government of Guam in aggregate principal amount not to exceed Fifty-Three Million Dollars

underwriting, legal and accounting fees and charges, fees paid to banks or other financial institutions providing credit enhancement, costs of credit ratings, fees and charges for execution, transportation and safekeeping of bonds and other costs, charges and fees in connection with the issuance, sale and delivery of the bonds.

(j) **No personal liability.** No employee or elected official of the government of Guam shall be individually or personally liable for the payment of any amounts due on any bonds issued under this Section, or for any other liability arising in connection with the bonds; **provided**, however, that nothing in this Section shall relieve any employee or elected official from the performance of any ministerial duty required by law.

(k) **Legislative approval.** No bonds may be issued under this Section without specific prior approval of the Legislature.

SOURCE: Added as §22431 by P.L. 22-24:8 (8/31/93).

NOTE: Section 9 of P.L. 22-24 gives the following implementation provisions:

Section 8 [§22424] of this Act shall take effect upon completion of the triennial property tax valuation now underway and a determination that the debt capacity of the government of Guam as limited under Section 11 of the Organic Act of Guam has increased by enough to allow issuance of the bonds for the Northern High School prior to issuance of the bonds for the capitol building.

§22425. **General obligation bonds for certain capital projects, including certain educational facilities projects.** (a) **Authorization of issuance of general obligation bonds for capital projects.** The Governor of Guam is authorized to issue one (1) or more series of general obligation bonds of the government of Guam in an aggregate principal amount not to exceed One Hundred Seventy-Five Million Dollars (\$175,000,000) to undertake the capital projects enumerated in subsection (m) of this Section, and paying expenses incurred in connection with the issuance of such bonds; **provided**, however, that the issuance of the bonds shall not 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.** The terms and conditions of the bonds shall be as determined by the Governor by the

execution of a certificate authorizing the issuance of the bonds upon or 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 December 1, 2023 and shall bear interest at such rates and be sold for such price or prices as shall result in a yield to the bondholders not exceeding ten percent (10%) per annum. The certificate of the Governor shall separately designate the amount of each maturity of bonds issued for each of the capital projects enumerated in subsection (m) of this Section, but shall also permit reallocation and redesignation of such bonds.

(c) **Valid and binding general obligation.** Any bonds authorized by this Section shall constitute the valid and binding general obligations of the government of Guam. The government of Guam pledges its full faith and credit for the punctual payment of both principal of and interest on the bonds. There shall be collected annually in the same manner and at the same time as government revenue for other purposes is collected, such sum as is required to pay the principal of and interest on the bonds. All officers charged by law with any duty in the collection of the revenues of the government shall do every lawful thing necessary to collect such sum. The validity of any such bonds shall not be affected by the validity or regularity of any proceedings for the implementation of the capital projects funded by the bonds.

(d) **Appropriations from the General Fund.** There are hereby appropriated from the General Fund such sums as will equal in each year the amount of money necessary to pay the principal and interest on such bonds.

(e) **Additional parity bonds.** Nothing in this Section shall be construed to prevent the government of Guam from issuing, after appropriate enabling legislation, other obligations of the government secured by the general obligation of the government on a parity with the bonds authorized by this Section.

(f) **Waiver of immunity.** Notwithstanding any substantive or procedural provision of Chapter 6 of Title 5, Guam Code Annotated, the government of Guam waives immunity from any suit or action in contract on

execution, transportation and safekeeping of bonds and other costs, charges and fees in connection with the issuance, sale and delivery of the bonds. The fees charged by the Guam Economic Development Authority for this bond issuance shall be waived.

(f) **No personal liability.** No employee or elected official of the government of Guam shall be individually or personally liable for the payment of any amounts due on any bonds issued under this Section, or for any other liability arising in connection with the bonds; provided, however, that nothing in this Section shall relieve any employee or elected official from the performance of any ministerial duty required by law.

(k) **University of Guam Bond Fund.** There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the "University of Guam Bond Fund" (the *UOG Bond Fund*). The UOG Bond Fund shall not be commingled with either the *General Fund*, the Current Fund of the University of Guam, or any other fund of the government of Guam. The UOG Bond Fund shall be held in an account or accounts at a Guam financial institution or institutions separate and apart from all other accounts and funds of the government of Guam. All tuition revenues received by or on behalf of the University of Guam shall be deposited in the UOG Bond Fund and shall be accounted for and used periodically only for the following purposes and in the following order

(1) On the dates on which monies are remitted from the General Fund to any trustee, co-trustee or paying agent for the bonds for the purpose of either paying the principal of and interest on the bonds designated as having been issued for the capital project set out in subsection (m) item (5) or accumulating the amounts necessary to pay the principal of or interest on such bonds, there shall be transferred from the UOG Bond Fund to the General Fund amounts equal to, but not in excess of, the amounts remitted from the General Fund for such purposes, and in the event that the amount so transferred on any such date is insufficient to fully reimburse the amount so remitted, the amount of the insufficiency shall be transferred as soon thereafter as it becomes available in the UOG Bond Fund, together with interest

the bonds, but does not waive sovereign immunity as to the personal liability of elected officials and employees of the government of Guam.

(g) **Form of bonds; covenants; appointment of fiduciaries.** The technical form and language of the bonds, including provisions for execution, exchange, transfer, registration, paying agency, lost or mutilated bonds, negotiability, cancellation and other terms or conditions not inconsistent with this Section, including covenants relating to the collection of revenues, shall be as specified in the certificate executed by the Governor authorizing the issuance of the bonds. The certificate may appoint one (1) or more trustees, co-trustees or other fiduciaries authorized to receive and hold in trust the proceeds of the bonds and monies relating thereto, to protect the rights of bondholders and to perform such other duties as may be specified in the certificate. The Governor is also authorized to execute, on behalf of the government of Guam, any appropriate agreements, certificates or other instruments relating to the bonds and the sale of the bonds.

(h) **Authorization for credit enhancement.** The Governor is authorized to enter into such contracts or agreements with such banks, insurance companies or other financial institutions as he determines necessary or desirable to improve the security and marketability of the bonds issued under this Section. Such contracts or agreements may contain an obligation to reimburse, with interest, any such banks, insurance companies or other financial institutions for advances used to pay principal of or interest on the bonds. Any such reimbursement obligation shall be a general obligation of the government of Guam, and any such advance, if necessary, shall be treated as creating a reimbursement obligation issued to refund the bonds.

(i) **Use of proceeds from the sale of the bonds.** Proceeds from the sale of the bonds shall be used solely to implement and equip the capital projects enumerated in subsection (m) of this Section, to establish necessary reserves, and to pay expenses relating to the authorization, sale and issuance of the bonds, including, without limitation, printing costs, costs of reproducing documents, bonds insurance premiums, underwriting, legal and accounting fees and charges, fees paid to banks or other financial institutions providing credit enhancement, costs of credit ratings, fees and charges for

from such remittance date to such date of transfer at a rate equal to the yield on the bonds.

(2) On the dates on which monies are transferred to the General Fund pursuant to paragraph (1) of this subsection (k) of this Section, if such transfer is sufficient to fully reimburse the General Fund (with interest, if required), the balance remaining in the UOG Bond Fund shall be transferred to the Current Fund of the University of Guam to be utilized only to implement the Physical Master Plan of the University. Such tuition revenue collections shall not be pledged to the payment of amounts due on the bonds, and this subsection (k) may be amended at any time by subsequent act of the Legislature. Nothing in this Section shall be construed to prevent the government of Guam from issuing, after appropriate enabling legislation, for the benefit of the University of Guam, other general obligations of the government secured by such tuition revenues on a parity with the bonds authorized by this Section. In addition, nothing in this Section shall be construed to prevent the University of Guam from issuing, after appropriate enabling legislation, revenue bonds or general obligations of the University of Guam secured by such tuition revenues on a parity with the bonds authorized by this Section.

(l) Territorial Educational Facilities Fund. There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the *Territorial Education Facilities Fund* (the *TEF Fund*). The TEF Fund shall not be commingled with the General Fund or any other fund of the government of Guam. The TEF Fund shall be held in an account or accounts at a Guam financial institution or institutions separate and apart from all other accounts and funds of the government of Guam. All real property tax revenues received by or on behalf of the government of Guam pursuant to §24103, Title 11, Guam Code Annotated, shall be deposited in the TEF Fund and shall be accounted for and used periodically only for the following purposes and in the following order

(1) On the dates on which monies are remitted from the General Fund to any trustee, co-trustee or paying agent for the bonds for the purpose of either paying the principal of and interest on the

bonds designated as having been issued for the capital projects enumerated in items (1), (2), (3), (4), (6) and (7) of subsection (m) of this Section or accumulating the amounts necessary to pay the principal of or interest on such bonds, there shall be transferred from the TEF Fund to the General Fund amounts equal to, but not in excess of, the amounts remitted from the General Fund for such purposes, and in the event that the amount so transferred on any such date is insufficient to fully reimburse the amount so remitted, the amount of the insufficiency shall be transferred as soon thereafter as it becomes available in the TEF Fund, together with interest from such remittance date to such date of transfer at a rate equal to the yield on the bonds.

(2) On the dates on which monies are transferred to the General Fund pursuant to paragraph (1) of this subsection (l) of this Section, if such transfer is sufficient to fully reimburse the General Fund (with interest, if required), the balance remaining in the TEF Fund shall remain in the TEF Fund and shall only be appropriated by the Legislature for the purpose of constructing, refurbishing, replacing and funding educational facilities.

Such tax collections shall not be pledged to the payment of amounts due on the bonds, and this subsection (l) may be amended at any time by subsequent act of the Legislature. Nothing in this Section shall be construed to prevent the government of Guam from issuing, after appropriate enabling legislation, for the benefit of the government of Guam other general obligations or revenue obligations of the government secured by such real estate tax revenues on a parity with the bonds authorized by this Section.

(m) The capital projects to be implemented and equipped with the proceeds of the bonds authorized by this Section are as follows

Capital Projects	Allocated amounts
(1) High school located in Santa Rita, Guam,	\$76,000,000,
(2) Elementary school located in Tamuning, Guam,	\$15,000,000,
(3) Elementary school, located in Astumbo, Dededo, Guam,	\$15,000,000,

- (4) Elementary school located in Asan, Guam, \$15,000,000,
- (5) Buildings at the University of Guam as follows:
College of Arts and Sciences Building;
renovation and addition to the Health Science
Building; Plant Maintenance Building; Building
II for the College of Agriculture and Life
Sciences; College of Business and Public
Administration Building; Fine Arts Building;
and the Student Center, \$28,000,000,
- (6) For the purchase of equipment and furniture
and the relocation expenses for students during
construction of projects set out in items (1), (2),
(3) and (4) of this subsection (m), including
temporary classrooms, \$ 3,000,000,
- (7) To the extent of any bond proceeds not
required for the projects listed in items
(1) through (6) of this sub-section (m), any
remaining balance may be applied to the
costs of repairing or reconstructing the
Inarajan Elementary School, or of other
projects approved by subsequent legislation.

(n) In utilizing the bond proceeds authorized by projects set out in items (2), (3) and (4) of subsection (m) of this Section, in order to optimize funds and not replicate services, a standard and uniform design for all elementary schools, shall be employed in their construction, unless the topography and size of the land for such a school prevents the use of such a standard and uniform design. Such standard and uniform designs shall be as energy efficient as is practical, and shall conform to island styles.

(o) The elementary schools described in items (2), (3) and (4) of subsection (m) of this Section and whose construction is to be funded by this Act shall include a minimum of five (5) "Head Start" classrooms at each school.

SOURCE: Added as §14430 by P.L. 22-19:2 (6/18/93).

§22426. Conflict of Interest. (a) Notwithstanding any provision of law to the contrary whenever an Authority of the government sells bonds at a private sale, no person standing in a fiduciary relationship with the Authority shall purchase any of the bonds.

(b) As used in this Section, "person" means a natural person, corporation, partnership, trust or the employer of a natural person.

(c) If the provisions of this Section are violated then the sale of the bonds to the violating person shall be deemed null and void ab initio.

(d) Bonds unsold at bona fide public offerings can be held by the underwriters at the bona fide public offering prices, less the underwriter's discount.