



SEP 30 1997


The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 402 (COR), "AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND ("CDF") OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATIONS AND FOR OTHER REASONS.", which I have **signed** into law today as **Public Law No. 24-78**.

This legislation provides needed funds for the Tamuning Mayor's Office and also allows the Legislature to carryover unused funding from Fiscal Year 1997 for use in Fiscal Year 1998.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment

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

00456

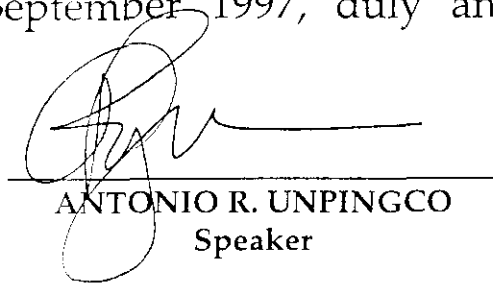
OFFICE	OF THE LEGISLATIVE SECRETARY
	ACKNOWLEDGMENT RECEIPT
RECEIVED BY:	<u>W. Hong Yu</u>
DATE:	<u>11:20 AM</u>
	<u>1 Oct 97</u>

OFFICE OF THE SPEAKER	ANTONIO R. UNPINGCO
DATE:	<u>10/01/97</u>
TITLE:	<u>Exec</u>
RECEIVED BY:	<u>[Signature]</u>
PRINT NAME:	<u>Christine</u>

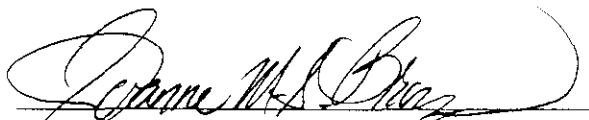
TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 402 (COR), "AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND ("CDF") OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATIONS AND FOR OTHER REASONS," was on the 30th day of September 1997, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker

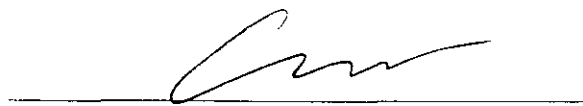
Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by the Governor this 30th day of September, 1997, at
3:10 o'clock P.M.


Assistant Staff Officer
Governor's Office

APPROVED:


CARL T. C. GUTIERREZ
Governor of Guam

Date: 9-30-97

Public Law No. 24-78

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 402 (COR)

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

Introduced by:

A. C. Blaz
T. C. Ada
F. B. Aguon, Jr.
E. Barrett-Anderson
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. 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 APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND ("CDF") OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATIONS AND FOR OTHER REASONS.

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

2 **Section 1. Legislative Findings and Intent.** The Guam Legislature
3 finds that the Mayors, as elected representatives of their respective
4 constituents in their municipalities, are often put to task to respond to every
5 conceivable demand, including the handling of stray animals, clearing of
6 trash, cutting of overgrown trees and removal of large and heavy junk
7 equipment.

8 The Guam Legislature finds that it is necessary to assist the Mayors of
9 the various municipalities by supplementing their operational budget.

10 **Section 2. Appropriation.** Thirty Thousand Dollars (\$30,000.00) is
11 appropriated from the General Fund to the Community Development Fund of
12 the Mayor of Tamuning.

13 **Section 3.** Section 19 of Public Law Number 23-128 is hereby amended
14 to read as follows:

15 **"Section 19.** Upon enactment of this Act, any and all
16 appropriation deemed effective for FY 1997, pursuant to 48 U.S.C. §1423
17 j(b) of the Organic Act of Guam, shall be hereby de-appropriated and
18 repealed. Any sum spent, used, or encumbered pursuant to the Organic
19 Act appropriation described in this Section on or after October 1, 1996,
20 shall be charged against the respective agency's, department's, or other
21 entity's FY 1997 budgeted appropriation as established in this Act.
22 Chapter III, Sections 30 and 31 of Public Law Number 23-128 are
23 exempted."

24 **Section 4.** A new Section 37 is hereby added to Chapter III of Public
25 Law Number 23-128 to read as follows:

1 “Section 37. Appropriations made pursuant to Chapter III,
2 Sections 30 and 31 shall continue until completely expended.”



12 Oct. 00 ~~456~~
456

2 4 T H G U A M L E G I S L A T U R E

Office of the Speaker

Senator **Antonio R. Unpingco**
Speaker

155 Hesler Street Agana, Guam - 96910
Phone: (671) 472-3455 / 56 / 57 • Fax: (671) 472-3400

October 01, 1997

Clerk: the signature

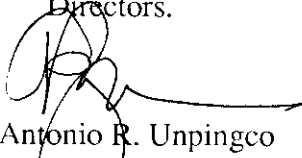
Memorandum

To: Legislative Secretary
From: Speaker
Subject: Communications

ACKN
Revd. _____ JPP
Time: 18 AM
Date: 10/03/97

I am referring to you the following communications received by my office from the Governor regarding:

- Public Law 24-78 "AN ACT TO APPROPRIATE THRITY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND ("CDF") OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATIONS AND FOR OTHER REASONS."
- Appointment of Wilton K. Wong as Acting Member, Guam Waterworks Authority Board of Directors.


Antonio R. Unpingco

attachments (2)

crd

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Revd. <u>Wilton K. Wong</u>
Time <u>11:20 AM</u>
Date <u>1 Oct 97</u>

74-24-78



TWENTY-FOURTH GUAM LEGISLATURE

Office of the Vice-Speaker

ANTHONY C. BLAZ

**LEGISLATIVE
COMMITTEE
MEMBERSHIP**

September 30, 1997

Chairman
Finance & Taxation

The Honorable Speaker Antonio R. Unpingco

Vice-Chairman

24th Guam Legislature

Rules,
Government Reform
& Federal Affairs

155 Hesler Street

Agana, Guam 96910

Education

Natural Resources

Dear Mr. Speaker:

Health &
Human Services

Tourism, Economic
Development & Cultural
Affairs

The Committee on Finance and Taxation now reports its findings on Bill No. 402, "An Act to Appropriate Thirty Thousand Dollars (\$30,000.00) to the Community Development Fund (CDF) of the Mayor of Tamuning to Supplement Its Operation and For Other Reasons," to the full Legislature with the recommendation TO DO PASS.

Judiciary,
Public Safety &
Consumer Protection

Transportation,
Telecommunications, &
Micronesian Affairs

MEMBERSHIP

Votes of the committee members are as follows:

Guam Finance
Commission

To Pass 8

Not To Pass _____

Inactive File _____

Abstained _____

Off-Island _____

Not Available _____

Commission on Self
Determination

Copies of the Committee Report and all pertinent documents are attached for your information.

Anthony C. Blaz

Attachments



TWENTY-FOURTH GUAM LEGISLATURE

Office of the Vice-Speaker

ANTHONY C. BLAZ

LEGISLATIVE
COMMITTEE
MEMBERSHIP

Chairman
Finance & Taxation

Vice-Chairman
Rules,
Government Reform
& Federal Affairs

Education

Natural Resources

Health &
Human Services

Tourism, Economic
Development & Cultural
Affairs

Judiciary,
Public Safety &
Consumer Protection

Transportation,
Telecommunications, &
Micronesian Affairs

MEMBERSHIP

Guam Finance
Commission

Commission on Self
Determination

September 30, 1997

To: Senator Mark Forbes, Vice Chairperson
Speaker Antonio R. Unpingco, Ex-Officio Member
Senator Elizabeth Barrett-Anderson, Member
Senator Joanne M.S. Brown, Member
Senator Edwardo J. Cruz, Member
Senator Lawrence F. Kasperbauer, Member
Senator Alberto A.C. Lamorena, V, Member
Senator Carlotta A. Leon Guerrero, Member
Senator John C. Salas, Member
Senator Thomas C. Ada, Member
Senator Mark C. Charfauros, Member
Senator William B.S.M. Flores, Member
Senator Francis E. Santos, Member

From: Vice Speaker Anthony C. Blaz, Chairperson
Committee on Finance and Taxation

Re: Voting Sheet on Bill No. 402



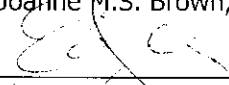
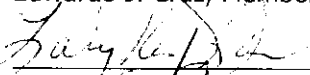
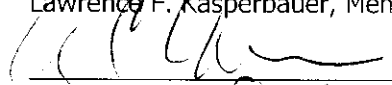
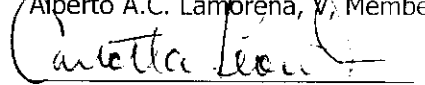
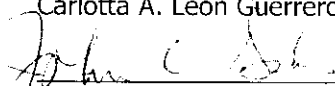
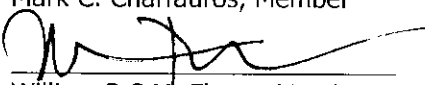
Transmitted herewith are the voting sheet and Committee Report on Bill No. 402 for your review and signature.

Your attention to this matter is greatly appreciated.

Anthony C. Blaz

Committee on Finance and Administration
 Voting Sheet on
 Bill No. 402

"AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND (CDF) OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATION AND FOR OTHER REASONS."

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Anthony C. Blaz, Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mark Forbes, Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Antonio R. Unpingco, Ex-Officio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elizabeth Barrett-Anderson, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne M.S. Brown, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edwardo J. Cruz, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Lawrence F. Kasperbauer, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Alberto A.C. Lamorena, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Carlotta A. Leon Guerrero, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John C. Salas, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas C. Ada, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark C. Charfauros, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 William B.S.M. Flores, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Francis E. Santos, Member	<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. 402

"AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND (CDF) OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATION AND FOR OTHER REASONS."

**Committee on Finance and Taxation
Report on Bill No. 402(COR)**

“AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND (CDF) OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATION AND FOR OTHER REASONS.”

PUBLIC NOTICE:

Pursuant to the requirements of the Standing Rules, notice of the Public Hearing on Bill No. 402 was published in the Pacific Daily News on September 28th, 1997.

PUBLIC HEARING:

The Committee on Finance and Taxation conducted a public hearing on Monday, September 29, 1997 in the Legislature’s Public Hearing Room to hear testimonies on Bill No. 402.

MEMBERS PRESENT:

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:

Senator Edwardo Cruz
Senator Lawrence Kasperbauer
Senator William B.S.M. Flores
Senator Elizabeth Barrett-Anderson

Other Senators present were:

Senator Frank B. Aguon, Jr.
Senator Carlotta Leon Guerrero
Senator Vicente C. Pangelinan
Senator Francis Santos

PROVIDING PUBLIC TESTIMONY ON THE BILL:

None

ATTACHMENTS TO THIS REPORT:

- Revised Agenda of Public Hearing.
- Introduced Bill 402
- Substitute Bill 402
- Fiscal Note
- Public Hearing Advertisement

BACKGROUND :

Bill 402 was originally for the appropriation of Thirty Thousand Dollars (\$30,000) to the Community Development Fund of the Mayor of Tamuning to supplement its operational budget for fiscal year 1998. The Mayor of Tamuning requested additional fund to operate his gymnasium and to supplement its operations for fiscal year 1998.

FINDINGS:

Public Law Number 23-128 provides that, notwithstanding expenditures, usage and encumbrances of funds as provided by the Organic Act of Guam to be based on the approved budget for Fiscal Year 1996, any expenditure, usage or encumbrance of funds made prior to the date of the Fiscal Year 1997 budget was approved and enacted into law, which was not accomplished until the Guam Legislature overrode the Governor's Veto in mid December 1997, expenditures, usage and encumbrances of funds shall be applied to the entire Fiscal Year 1997 approved budget. In other words, this provision made retroactive the application of the Fiscal Year 1997 budget to October 1, 1996.

Public Law Number 23-128 provided the appropriation for the Guam Legislature without the continuing appropriation provision. In other words, the Fiscal Year 1997 budget appropriation terminates on September 30, 1997 and any unexpended, unused or unencumbered funds reverts back to the General Fund.

Section 3 and 4 of the substituted Bill 402 amends Public Law 23-128 correcting the above two (2) FINDINGS.

COMMITTEE RECOMMENDATION:

The Committee, having conducted a sufficient hearing, does hereby recommend to the Legislature **to do pass Substitute Bill 402-** "AN ACT TO

APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND (CDF) OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATION AND FOR OTHER REASONS."

SENT BY:

9-30-97 11:01AM

BBMR-SEN. ANTHONY C. BLAZ: # 17 3

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 402 (COR) Date Received: 09/29/97

Amendatory Bill: No Date Reviewed: 09/29/97

Department/Agency Affected: Mayors' Council of Guam
Department/Agency Head: Francck J.C. Camacho, Executive Director
Total FY Appropriation to Date: \$6,800,000 (FY1998)

Bill Title (preamble): AN ACT TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) TO THE COMMUNITY DEVELOPMENT FUND (CDF) OF THE MAYOR OF TAMUNING TO SUPPLEMENT ITS OPERATION.

Change in Law: None.

Bill's Impact on Present Program Funding:

Increase X Decrease _____ Reallocation _____ No Change _____

Bill is for:
Operations: X Capital Improvement: _____ Other: _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

Program Category	General Fund	OTHER	TOTAL
Community Services	\$30,000	\$0	\$30,000

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND	\$30,000	\$0	\$0	\$0	\$0	\$30,000
OTHER -	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$30,000	\$0	\$0	\$0	\$0	\$30,000

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? Yes.

IF NO, ADDITIONAL AMOUNT REQUIRED: Yes.

AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND	\$0	\$0	\$0	\$0	\$0	\$0
OTHER -	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0

ANALYST: William P. Taltingfong DATE: 9/29/97

DIRECTOR: Joseph E. Rivera, Acting DATE: SEP 30 1997

FOOTNOTE: 1/ See attached comments.

Comments to Bill No. 402 (COR)

Bill No. 402 (COR) appropriates the sum of \$30,000 to the Community Development Fund of the Mayor of Tamuning to supplement its operations. Although no fiscal year was specified, it is perceived that the the appropriation is to supplement its operations for FY1998. The Mayors Council pursuant to P.L. 24-59 has budgeted the sum of \$320,644 for the Community Development Fund of the various municipalities. This amount is allocated equally in the amount of \$16,876 to each municipality. Thus, the Tamuning Mayor will receive \$16,876 for its FY1998 CDF operations. The proposed appropriation will increase only the Tamuning Mayor's allocation to \$46,876. This measure does not provide for the other eighteen (18) municipalities.

It should be noted that the Municipality of Tamuning will also receive \$35,926 in funding under its Municipal Planning Council Fund appropriation for FY1998. This appropriation also provides for the municipalities operations and for payment of stipends to MPC members.