



Office of the Governor of Guam

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Office of the Speaker

MARK FORBES

Date: 9/5/06

Time: 4:00 PM

Rec'd by: [Signature]

Print Name: [Signature]

05 SEP 2006

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturon Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 318(EC), "AN ACT TO AMEND SECTION 52101 OF CHAPTER 52, TITLE 11 OF THE GUAM CODE ANNOTATED," which I signed into law on August 25, 2006, as Public Law 28-147.

Sincerely,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Moya' Taher Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

Office of the Speaker
Date: 9/5/06
Time: 5pm
Rec'd by: [Signature]

28-06-1053

954

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: [Signature]
Print Name & Initial
Time: 2:50
Date: 9-7-06



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

FILE COPY

August 15, 2006


The Honorable Felix P. Camacho
I Maga'lahren Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Camacho:

Transmitted herewith is Substitute Bill No. 318(LS), which was passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on August 15, 2006.

Sincerely,




EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosure (1)

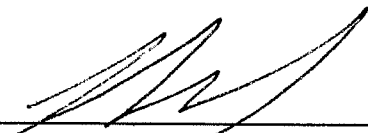
I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 318 (LS), "AN ACT TO AMEND SECTION 52101 OF CHAPTER 52, TITLE 11 OF THE GUAM CODE ANNOTATED," was on the 15th day of August, 2006, duly and regularly passed.


Mark Forbes
Speaker

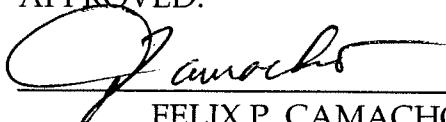
Attested:


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 15 day of Aug., 2006, at 5:30 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 25 August 2006

Public Law No. 28-147

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 318 (LS)

As substituted and
amended on the Floor.

Introduced by:

Mark Forbes
F. B. Aguon, Jr.
J. M.S. Brown
Edward J.B. Calvo
B. J. F. Cruz
Mike Cruz
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
A. B. Palacios, Sr.
R. J. Respicio
Ray Tenorio
J. T. Won Pat
A. R. Unpingco

**AN ACT TO *AMEND* SECTION 52101 OF CHAPTER 52,
TITLE 11 OF THE GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §52101 of Chapter 52, Title 11 of the Guam Code Annotated is
amended to read:

“Chapter 52

**§52101. Creation of the Guam Public School System
Operations Fund.** There is hereby created, separate and apart from
other funds of the government of Guam, a fund known as the ‘Guam
Public School System Operations Fund’. This Fund shall *not* be
commingled with the General Fund and shall be kept in a separate bank

1 account to be in the name of the Guam Public School System (GPSS).
2 Eighty-three point two percent (83.2%) of all withholding taxes,
3 interest and penalties collected in Guam, regardless of when such
4 withholding taxes, interest or penalties should originally have been
5 collected, shall be deposited in the Guam Public School System
6 Operations Fund and shall be appropriated by *I Liheslaturan Guåhan* to
7 cover the operational expenses of the Guam Public School System and
8 any use associated with the Guam Public School System, as determined
9 in the Guam Public School System budget in accordance with Title 10
10 GCA Chapter 3, by the Guam Education Policy Board or the laws of
11 Guam. This appropriation, as detailed in this Section, shall total One
12 Hundred Sixty Million Fourteen Thousand Three Hundred Sixty-Two
13 Dollars (\$160,014,362.00). Should the funding source identified herein
14 fail to produce at least One Hundred Sixty Million Fourteen Thousand
15 Three Hundred Sixty-Two Dollars (\$160,014,362.00), the Director of
16 Administration shall release any other cash available from the General
17 Fund sources or any sources *not* otherwise restricted in order to ensure
18 that the Guam Public School System receives the detailed appropriated
19 amount as described herein. The Superintendent of Education shall
20 conduct public hearings at the public schools prior to the submission of
21 the budget to the Guam Education Policy Board in order to address
22 each school's individual budgetary requirements. The Director of
23 Administration shall deposit, on the last day of each month, a sum equal
24 to eighty-three point two percent (83.2%) of all withholding taxes,
25 interest and penalties collected for that month in the Guam Public
26 School System Operations Fund, as described herein, *except* that the
27 Department of Administration for the first (1st) month of Fiscal Year

1 2006, on October 7, 2005, shall make a deposit reflective of eighty
2 three point two percent (83.2%) of the prior month's collections for
3 withholding taxes, interest and penalties. This amount shall be
4 computed against all collections made for the prior month for
5 withholding taxes, interest and penalties, regardless of when such
6 collections should originally have been acquired by the Treasurer of
7 Guam. The Director of Administration shall, on the first (1st) day of
8 each month, transfer to the Guam Public School System all funds held
9 in the Guam Public School System Operations Fund, *except* that for the
10 first (1st) month of Fiscal Year 2006, on October 15, 2005, the Director
11 of Administration shall transfer all funds contained in the Guam Public
12 School System Operations Fund to the Guam Public School System.
13 Nothing herein shall be construed as preventing *I Liheslaturan Guåhan*
14 from making additional appropriations to the Guam Public School
15 System. *I Maga'lahaen Guåhan's* transfer authority shall *not* apply to
16 this or any other appropriation to the Guam Public School System,
17 *except* that *I Maga'lahaen Guåhan* may transfer funds into the Guam
18 Public School System to the extent permitted by law. The eighty-three
19 point two percent (83.2%) rate as described and used in this Section
20 shall be increased to one hundred percent (100%) for the months of
21 August and September of 2006."

22 **Section 2.** For a period of two (2) months following the effective date of
23 this Act, the Speaker of *I Liheslaturan Guåhan* is authorized to expend such funds
24 as are available from his office budget in order to assist public schools in Guam
25 with the purchase of necessary maintenance supplies and services, provided that
26 such expenditures shall be made *only* for supplies and services provided directly to
27 individual public schools.



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes


August 15, 2006

To: *Liheslaturan Guahan*

From: Speaker

Subject: Emergency Declaration

Pursuant to Title 2 GAC., Section 2103, I hereby certify that emergency conditions exist which constitute a danger to the public health and safety with respect to Bill No. 318, "An Act To Amend Section 52101. Of Chapter 52, Title 11 GCA", and that the requirement of a public hearing thereon is waived.


MARK FORBES

6

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN
2006 (SECOND) Regular Session

Date: 8/15/06

VOTING SHEET

5 Bill No. 318 (15)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F,	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14 0 0 0 0

CERTIFIED TRUE AND CORRECT:

J. Sanborn
 Clerk of the Legislature

14 yes

* 3 Passes = No vote
 EA = Excused Absence

Jmf
8/15/06

Zmf
8/15/06

G
8/15/06

Emergency measure

**TWENTY-EIGHTH GUAM LEGISLATURE
2006 (SECOND) Regular Session**

Bill No. 318 (LS)

space As substituted on the floor *and*
Introduced by: *amended.*

Mark Forbes

**AN ACT TO AMEND SECTION 52101. OF CHAPTER
52, Title 11GCA.**

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

2 **Section 1.** §52101 of Chapter 52, Title 11 of the Guam Code Annotated is
3 amended to read:

4 **“Chapter 52**

5 **§52101. Creation of the Guam Public School System**

6 **Operations Fund.** There is hereby created, separate and apart from
7 other funds of the government of Guam, a fund known as the ‘Guam
8 Public School System Operations Fund’. This fund shall *not* be
9 commingled with the General Fund and shall be kept in a separate bank
10 account to be in the name of the Guam Public School System (GPSS).
11 Eighty-three point two percent (83.2%) of all withholding taxes,
12 interest and penalties collected in Guam, regardless of when such
13 withholding taxes, interest or penalties should originally have been
14 collected, shall be deposited in the Guam Public School System
15 Operations Fund and shall be appropriated by *I Liheslaturan Guåhan* to
16 cover the operational expenses of the Guam Public School System and
17 any use associated with the Guam Public School System, as determined

1 in the Guam Public School System budget in accordance with 10 GCA
2 Chapter 3, by the Guam Education Policy Board or the laws of Guam.
3 This appropriation, as detailed in this section, shall total one hundred
4 and sixty million fourteen thousand three hundred and sixty two dollars
5 (\$160,014,362). Should the funding source identified herein fail to
6 produce at least one hundred and sixty million fourteen thousand three
7 hundred and sixty-two dollars (\$160,014,362) the director of
8 Administration shall release any other cash available from General
9 Fund sources or any sources not otherwise restricted in order to ensure
10 that the Guam Public School System receives the detailed appropriated
11 amount as described herein. The Superintendent of Education shall
12 conduct public hearings at the public schools prior to the submission of
13 the budget to the Guam Education Policy Board in order to address
14 each school's individual budgetary requirements. The Director of
15 Administration shall deposit, on the last day of each month, a sum equal
16 to eighty-three point two percent (83.2%) of all withholding taxes,
17 interest and penalties collected for that month in the Guam Public
18 School System Operations Fund, as described herein, except that the
19 Department of Administration for the first (1st) month of Fiscal Year
20 2006, on October 7, 2005, shall make a deposit reflective of eighty
21 three point two percent (83.2%) of the prior month's collections for
22 withholding taxes, interest and penalties. This amount shall be
23 computed against all collections made for the prior month for
24 withholding taxes, interest and penalties, regardless of when such
25 collections should originally been acquired by the Treasurer of Guam.
26 The Director of Administration shall, on the first (1st) day of each
27 month, transfer to the Guam Public School System all funds held in the

1 Guam Public School System Operations Fund, *except* that for the first
2 (1st) month of Fiscal Year 2006, on October 15, 2005, the Director of
3 Administration shall transfer all funds contained in the Guam Public
4 School System Operations Fund to the Guam Public School System.
5 Nothing herein shall be construed as preventing *I Liheslaturan Guåhan*
6 from making additional appropriations to the Guam Public School
7 System. *I Maga'lahaen Guåhan's* transfer authority shall *not* apply to *of same*
8 this or any other appropriation to the Guam Public School System,
9 *except* that *I Maga'lahaen Guåhan* may transfer funds into the Guam
10 Public School System to the extent permitted by law. The eighty-three
11 point two percent (83.2%) rate as described and used in this section
12 shall be increased to one hundred percent (100%) for the months of
13 August and September of 2006."

md
FAA
1/1
14 **Section 2.** For a period of six (6) months following the effective date
15 of this ~~Act~~, the Executive Committee of *I Liheslaturan Guahan* is authorized ✓
16 to expend such funds as are deemed available from the operations budget
17 of *I Liheslaturan Guahan* in order to assist public schools in Guam with the
18 purchase of necessary maintenance supplies and services, provided that
19 such expenditures shall be made only for supplies and services provided
20 directly to individual public schools and further provided that no funds
21 may be expended from sums allocated to the operation of any office of any
22 senator without the initiation and consent of such senator.
23

I MINA'BENTE OCHO NA LIHESLATURAN GUAHAN

FLOOR AMENDMENTS/CHANGES
Bill No. 319 (LS)

p. 3, line 14 - 22

Speaker Mark Forbes
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

To amend Section 2 to read: "For a period of ~~six (6)~~ two (2) months following the effective date of this act, the ~~Executive Committee~~ Speaker of I Liheslaturan Guahan is authorized to expend such funds as are available from ~~the operations budget of I Liheslaturan Guahan~~ his office budget in order to assist public schools in Guam with the purchase of necessary maintenance supplies and services, provided that such expenditures shall be made only for supplies and services provided directly to individual public schools, ~~and further provided that no funds may be expended from sums allocated to the operation of any office of any senator without the initiation and consent of such senator.~~"

(Below only for Clerk of Legislature's use and processing)

Date 8/15/06

Floor Amendment No. 1 of a total of _____ changes on above Bill.

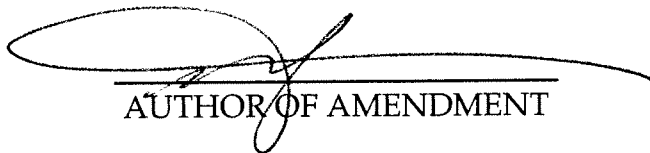
Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

Amendment Failed: _____

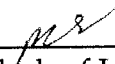
Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED



AUTHOR OF AMENDMENT

Concur (initial)



Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

Introduced

MAY 25 2006

TWENTY-EIGHTH GUAM LEGISLATURE
2006 (SECOND) Regular Session

Bill No. 318 (LS)

Introduced by:

Mark Forbes

AN ACT TO AMEND SECTION 52101. OF CHAPTER
52, Title 11GCA.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §52101 of Chapter 52, Title 11 of the Guam Code Annotated is
3 amended to read:

4 "Chapter 52

5 §52101. Creation of the Guam Public School System
6 Operations Fund. There is hereby created, separate and apart from
7 other funds of the government of Guam, a fund known as the 'Guam
8 Public School System Operations Fund'. This fund shall *not* be
9 commingled with the General Fund and shall be kept in a separate bank
10 account to be in the name of the Guam Public School System (GPSS).
11 Eighty-three point two percent (83.2%) of all withholding taxes,
12 interest and penalties collected in Guam, regardless of when such
13 withholding taxes, interest or penalties should originally have been
14 collected, shall be deposited in the Guam Public School System
15 Operations Fund and shall be appropriated by *I Liheslaturan Guåhan* to
16 cover the operational expenses of the Guam Public School System and
17 any use associated with the Guam Public School System, as determined

1 in the Guam Public School System budget in accordance with 10 GCA
2 Chapter 3, by the Guam Education Policy Board or the laws of Guam.
3 The Superintendent of Education shall conduct public hearings at the
4 public schools prior to the submission of the budget to the Guam
5 Education Policy Board in order to address each school's individual
6 budgetary requirements. The Director of Administration shall deposit,
7 on the last day of each month, a sum equal to eighty-three point two
8 percent (83.2%) of all withholding taxes, interest and penalties
9 collected for that month in the Guam Public School System Operations
10 Fund, as described herein, except that the Department of Administration
11 for the first (1st) month of Fiscal Year 2006, on October 7, 2005, shall
12 make a deposit reflective of eighty three point two percent (83.2%) of
13 the prior month's collections for withholding taxes, interest and
14 penalties. This amount shall be computed against all collections made
15 for the prior month for withholding taxes, interest and penalties,
16 regardless of when such collections should originally been acquired by
17 the Treasurer of Guam. The Director of Administration shall, on the
18 first (1st) day of each month, transfer to the Guam Public School
19 System all funds held in the Guam Public School System Operations
20 Fund, *except* that for the first (1st) month of Fiscal Year 2006, on
21 October 15, 2005, the Director of Administration shall transfer all funds
22 contained in the Guam Public School System Operations Fund to the
23 Guam Public School System. Nothing herein shall be construed as
24 preventing *I Liheslaturan Guåhan* from making additional
25 appropriations to the Guam Public School System. *I Maga'lahren*
26 *Guåhan's* transfer authority shall *not* apply to this or any other
27 appropriation to the Guam Public School System, *except* that *I*

1 *Maga'lahaen Guåhan* may transfer funds into the Guam Public School
2 System to the extent permitted by law. The eighty-three point two
3 percent (83.2%)rate as described and used in this section shall be
4 increased to one hundred percent (100%) for the months of May, June,
5 July, August and September, all of 2006."