



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

03 OCT 2006

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 359(LS), "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2007, MAKING OTHER APPROPRIATIONS, AND ENACTING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS" which I signed into law on September 30, 2006, as Public Law 28-150.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Muga' lahen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

Office of the Speaker

MARK FORBES

Date: OCT 3, 2006

Time: 4:57 PM

Rec'd by: ESP

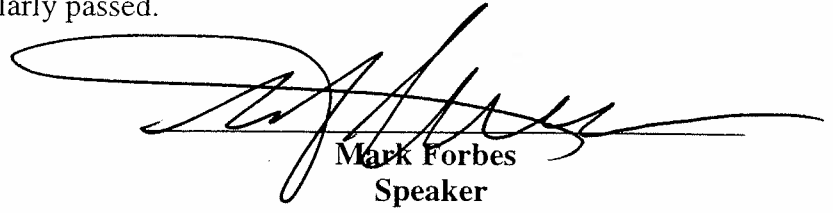
Print Name: ESP

28 06 1095

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 **Bill No. 359(LS)**, "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2007, MAKING OTHER APPROPRIATIONS, AND ENACTING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS," as amended, was on the 29th day of September, 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'lahen Guåhan* this 29 day of Sept, 2006, at 11:11 o'clock a.M.



Michele Duenas
Assistant Staff Officer
Maga'lahi's Office

APPROVED 
FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: 30 SEPT 2006

Public Law No. 28-150



FILE COPY

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

September 29, 2006



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

Dear *Maga'lahi* Camacho:

Transmitted herewith is Bill No. 359(LS), which was passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on September 29, 2006.

Sincerely,

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

Enclosure (1)

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 9/29/06

VOTING SHEET

10:23⁰

Amended

Bill No. 359(L5)

Resolution No. _____

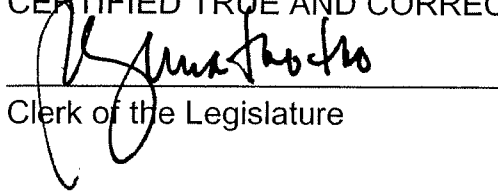
Question: _____

| 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. II | | ✓ | | | |

TOTAL

10 4 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

PL 28-150

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

Bill No. 359 (LS)

As amended in the
Committee of the Whole.

Introduced by:

Committee on Finance,
Taxation and Commerce

**AN ACT MAKING APPROPRIATIONS FOR THE
OPERATIONS OF THE EXECUTIVE,
LEGISLATIVE AND JUDICIAL BRANCHES OF
THE GOVERNMENT OF GUAM FOR THE
FISCAL YEAR ENDING SEPTEMBER 30, 2007,
MAKING OTHER APPROPRIATIONS, AND
ENACTING MISCELLANEOUS AND
ADMINISTRATIVE PROVISIONS.**

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

2 **CHAPTER I**

3 **SHORT TITLE**

4 **Section 1. Legislative Findings and Intent.** *I Mina'Bente Ocho*
5 *Na Liheslaturan Guåhan* finds it necessary for the Committee on Finance,
6 Taxation and Commerce to introduce the "*General Appropriations Act of*
7 *2007*", which is identical to *I Maga'lahren Guåhan's* original budget
8 submitted to *I Liheslaturan Guåhan* and previously introduced as Bill No.
9 266(EC).

10 *I Liheslaturan Guåhan* unanimously passed an amended version of
11 Bill No. 266(EC) that addresses the operational requirements for education;

1 establishes the estimated government of Guam revenues for the fiscal year
2 ending September 30, 2007; appropriates funds addressing the government
3 of Guam's continuing debt service; authorizes *I Maga'lahaen Guåhan* to
4 refinance the 1993 General Obligations Bond and earmarks proceeds for
5 capital expenses and improvements of the Guam Public School System and
6 the University of Guam; and establishes miscellaneous educational
7 provisions focused on the management of educational resources and assuring
8 accountability in the use of public resources and funds. Bill No. 266(EC) as
9 passed is now known as the "Educational Appropriations Act of 2007".

10 *I Liheslaturan Guåhan* further states that the "*General Appropriations*
11 *Act of 2007*" is a vehicle that collectively addresses the general
12 appropriation requirements of the government of Guam for Fiscal Year
13 2007.

14 **Section 2. Short Title.** This Act, together with any other
15 appropriations act for Fiscal Year 2007, shall collectively be known as the
16 "*General Appropriations Act of 2007*". The Administrative and
17 Miscellaneous provisions of any other appropriations act for Fiscal Year
18 2007 shall govern this Act *unless* otherwise specified herein. *Except* as
19 otherwise provided herein, the appropriations made by this Act shall be
20 available to pay for obligations incurred on or after October 1, 2006, but *no*
21 *later than* September 30, 2007. *If* any appropriation of this Act is found to
22 violate federal law, all other portions shall remain valid.

1 (e) **Medicines for the Community Health Centers.** The sum of
2 Three Hundred Thousand Dollars (**\$300,000**) is appropriated from the
3 General Fund for Fiscal Year 2007 to the Department of Public Health and
4 Social Services' Community Health Centers for the purchase of medicines.

5 (f) **Catastrophic Illness Program.** The sum of One Hundred
6 Thousand Dollars (**\$100,000**) is appropriated from the General Fund for
7 Fiscal Year 2007 to the Department of Public Health and Social Services for
8 the *sole* purpose of funding the Catastrophic Illness Program.

9 (g) **Enhanced Allotment Plan.** The sum of Four Hundred Forty-
10 seven Thousand Three Hundred Thirty-six Dollars (**\$447,336**) is
11 appropriated from the General Fund to the Department of Public Health and
12 Social Services for the Enhanced Allotment Plan (Medicaid Part D) for
13 Fiscal Year 2007.

14 (h) **Foster Homes.** The sum of One Hundred Sixty-five Thousand
15 Three Hundred Seventy-five Dollars (**\$165,375**) is appropriated from the
16 General Fund to the Department of Public Health and Social Services for
17 payments of stipends and fees for Foster Home care for Fiscal Year 2007.

18 **Section 2. Special Funds Appropriations for Operations.** The
19 following appropriations totaling Seven Million Two Hundred Ninety-three
20 Thousand Two Hundred Fifty-two Dollars (**\$7,293,252**) are made to the
21 Department of Public Health and Social Services for Fiscal Year 2007 from
22 the following Special Funds:

23 (a) **Healthy Futures Fund Appropriation.** Notwithstanding
24 §26603(d), Chapter 26 of Title 11, Guam Code Annotated, the sum of Six
25 Million Seven Hundred Ninety-five Thousand Five Hundred Forty-two
26 Dollars (**\$6,795,542**) is appropriated from the Healthy Futures Fund to the
27 Department of Public Health and Social Services for its operations in Fiscal

1 Year 2007. This appropriation includes such sums as are necessary for the
2 Community Health Centers' operations, education, treatment and prevention
3 programs. This appropriation shall also be used to revise the Public
4 Assistance Program Tables, including the Basic Needs Standard Table and
5 the Standard Utility and Shelter Allowances Table, used to compute the
6 amounts of public assistance and amounts from public welfare programs
7 paid to program participants.

8 **(b) Environmental Health Fund Appropriation.** The sum of
9 Four Hundred Ninety-seven Thousand Seven Hundred Ten Dollars
10 **(\$497,710)** is appropriated from the Environmental Health Fund to the
11 Department of Public Health and Social Services for its operations in Fiscal
12 Year 2007. The unexpended balance of the Environmental Health Fund as
13 of September 30, 2006 shall be available to the Department of Public Health
14 and Social Services Division of Environmental Health during Fiscal Year
15 2007.

16 **Section 3. Federal Matching Funds.** The sum of Twenty-two
17 Million Three Hundred Forty-six Thousand Six Hundred Sixty Dollars
18 **(\$22,346,660)** is authorized from Federal Matching Grants-in-Aid to the
19 Department of Public Health and Social Services for its operations in Fiscal
20 Year 2007.

21 **Section 4. MIP and Medicaid Carry-Over Authorization.** The
22 unexpended balance of appropriations from the General Fund to the
23 Department of Public Health and Social Services for MIP and Medicaid
24 Programs for Fiscal Year 2006 shall *not* revert to the General Fund, but shall
25 be carried over into Fiscal Year 2007 to be expended in accordance with the
26 original purposes of said appropriations. The Director of DPHSS shall
27 submit a report to the Speaker of *I Liheslaturan Guåhan* regarding the

1 allocation, demographics and expenditures associated with the
2 appropriations contained herein *no later than* thirty (30) days after the close
3 of each quarter and post the same on DPHSS's website. Payments for MIP
4 and Medicaid vendors shall be made by the Department of Administration
5 on a first in – first out basis.

1 against the appropriations in this Subsection and post the same on the
2 Department's website.

3 (b) The sum of Six Hundred Thousand Dollars (**\$600,000**) is appropriated
4 from the General Fund to the Department of Mental Health and Substance
5 Abuse for Fiscal Year 2007 to fund the outsourcing of services providing
6 drug and alcohol detoxification, rehabilitation, and prevention services,
7 *provided* that the awarding of such funds be consistent with Title 48 USC
8 §1421b(p) for services to adolescent, adult female and adult male patients.

1 the Guam Memorial Hospital Authority Pharmaceuticals Fund for Fiscal
2 Year 2007.

3 **Section 3. Guam Memorial Hospital Authority Operations**
4 **Appropriation.** The sum of Three Million Six Hundred Thirty-nine
5 Thousand Nine Hundred Seventy-seven Dollars (**\$3,639,977**) is appropriated
6 from the General Fund to the Guam Memorial Hospital Authority for its
7 operations in Fiscal Year 2007.

8 The unexpended balance of the appropriation made to the Guam
9 Memorial Hospital Authority in Section 25, Part III, Chapter II of Public
10 Law 28-68 in the amount of Seven Million Eight Hundred Thousand Dollars
11 (\$7,800,000) against Fiscal Year 2007 revenues shall continue to be
12 available for expenditures in Fiscal Year 2007 for the same purposes in said
13 appropriation.

14 **Section 4. Acknowledgement of Compact Impact Subsidy and**
15 **USDOJ Funds.** *I Liheslaturan Guåhan* gratefully acknowledges *I*
16 *Maga'lahaen Guåhan's* generous dedication of Eight Million One Hundred
17 Thousand Dollars (\$8,100,000) in Compact Impact Funds and USDOJ funds
18 to the needs of the Guam Memorial Hospital and designates the same
19 supplement to the subsidies and assistance given herein.

20 **Section 5. Remediation of Poor Collection Rates.** Within
21 ninety (90) days of the effective date of this Act, the Administrator of the
22 Guam Memorial Hospital Authority shall transmit to *I Maga'lahaen Guåhan*
23 and the Speaker of *I Liheslaturan Guåhan* a plan for remediation of the poor
24 collection rates experienced by the Authority. Said plan shall address such
25 items as self-paying and non-paying customers, methods to improve
26 collections from MIP, unfavorable settlement rates with insurance providers
27 and poor reimbursement rates from Medicare.

1 **Section 6. Management Reform.** §80106(i) of Title 10 GCA is
2 hereby *amended* to read as follows:

3 “(i) The Board shall, in accordance with all relevant
4 procurement laws, contract with a professional management
5 firm with at least five (5) years demonstrated experience in
6 hospital management in the United States, to manage the
7 hospital facility and all of its functions. The management firm
8 shall exercise, on the Board’s behalf, all of the executive
9 authority granted to the Board by the laws of Guam, provided
10 that the Board shall retain its rulemaking authority and shall
11 monitor the firm’s performance of the contract. The contract
12 shall be for a period of five (5) years. *If* the contract is
13 terminated or becomes invalid for any reason, *all* authority shall
14 revert to the Board, which shall appoint an interim manager
15 until a new contractor is selected. The Board shall determine
16 the firm’s compensation, which shall be paid from the Hospital
17 Operations Fund.

18 (1) The management firm shall:

- 19 (aa) manage the Guam Memorial Hospital Authority in
20 accordance with the laws of Guam;
- 21 (bb) provide periodic reports to the Board on the
22 operations and functioning of the hospital;
- 23 (cc) recommend changes in the law to improve the
24 hospital’s functioning and create a written plan to
25 achieve JCAHO accreditation for the hospital,
26 within five (5) years, with said plan to include

1 benchmarks by which to measure progress towards
2 this goal; and

3 (dd) provide training to hospital staff as shall be
4 specified in the contract.”

5 **Section 7.** The Board shall enter into the contract required by the
6 previous Section *no later than* one hundred eighty (180) days after the
7 enactment hereof.

8 **Section 8. Alternative Reform.** If the Board of Trustees of GMHA
9 determines that alternative management reform would be in the best interest
10 of the Hospital, including, *but not limited to*, partnership with another
11 hospital, or any alternative to the method mandated by Section 6 of this Part,
12 the Board of Trustees shall so inform *I Maga'lahaen Guåhan* and *I*
13 *Liheslaturan Guåhan*, in writing, within ninety (90) days of the effective
14 date hereof. Section 6 of this Part shall then be suspended, *provided* that
15 said written notification shall include, at a minimum, a detailed description
16 of the management reform alternative selected and a timeline for its
17 implementation.

18 **Section 9.** If the Board has complied with neither §6 nor §8 of this
19 Part by April 1, 2007, it shall nevertheless provide the alternative
20 management reform required by §8 and said report to *I Maga'lahaen Guåhan*
21 and *I Liheslaturan Guåhan*.

22 **Section 10. Comprehensive Cancer Therapy Center Initiative.**

23 **(a) Comprehensive Cancer Therapy Center.** The Administrator of
24 the Guam Memorial Hospital Authority (GMHA) shall provide a plan of
25 action, within six (6) months of the enactment hereof, to *I Liheslatura*, *I*
26 *Maga'Lahi* and the Board of Trustees, for the development and construction
27 of a comprehensive Cancer Therapy Center, to provide radiation therapy or

1 treatment and medical oncology for the treatment of cancer patients. Said
2 plan of action shall:

3 (1) incorporate timelines, funding requirements, and
4 administrative options for the operations of the Cancer Therapy
5 Center;

6 (2) compare and contrast the costs and benefits of the
7 Cancer Therapy Center operating under full GMHA
8 management, fully privatized ownership, and public-private
9 partnership; and

10 (3) include provisions for the care of indigent patients under
11 the Medically Indigent Program (MIP) and Medicaid Program.

12 **(b) Radiation Therapy or Treatment Machine.** The sum of Two
13 Million Dollars (\$2,000,000) is hereby appropriated from Fiscal Year 2008
14 Revenues to the Guam Memorial Hospital Authority to purchase a Radiation
15 Therapy Machine. The Guam Memorial Hospital Authority may enter into a
16 contract or a public-private partnership agreement for the operation of the
17 Radiation Therapy Machine. Said contract or public-private partnership
18 agreement shall provide for the care of indigent patients under the Medically
19 Indigent Program (MIP) and Medicaid Program.

1 for Fiscal Year 2007 for equipment, supplies, utilities, miscellaneous
2 expenses, contractual services, and capital outlay. This appropriation shall
3 *not* lapse and shall apply to all operations of the Agency.

4 (e) **Guam Environmental Trust Fund.** The sum of One Hundred
5 Ninety-one Thousand Eight Hundred Twelve Dollars (**\$191,812**) is
6 appropriated from the Guam Environmental Trust Fund (Title 10 GCA,
7 Chapter 45, §45200) for Fiscal Year 2007 to the Guam Environmental
8 Protection Agency for contractual services, equipment, miscellaneous
9 expenses and capital outlay.

10 (f) **Water Research and Development Fund.** The sum of
11 Seventy-nine Thousand Five Hundred Eighteen Dollars (**\$79,518**) is
12 appropriated from the Water Research and Development Fund (Title 10
13 GCA Chapter 46, §46116) to the Guam Environmental Protection Agency
14 for Fiscal Year 2007 for contractual services, supplies, equipment,
15 miscellaneous expenses and capital outlay.

16 (g) **Water Protection Fund.** The sum of Fifty-four Thousand
17 Two Hundred Forty-two Dollars (**\$54,242**) is appropriated from the Water
18 Protection Fund (P.L. 25-152, GEPA Soil Erosion and Sedimentation
19 Control Regulations, §10108(G)) to the Guam Environmental Protection
20 Agency, for Fiscal Year 2007, for contractual services, equipment, supplies
21 and capital outlay.

22 (h) **Transfer Exemption.** The funds appropriated in Section 1 of
23 Part V of Chapter II hereof are *not* subject to *I Maga'lahaen Guåhan's*
24 transfer authority.

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CHAPTER III

PART I – GUAM POLICE DEPARTMENT

Section 1. Guam Police Department. (a) The sum of Twenty-two Million Three Hundred Forty-six Thousand Nine Hundred Eighty-six Dollars (**\$22,346,986**) is appropriated from the General Fund to the Guam Police Department for its operations in Fiscal Year 2007 and for the implementation of Public Law 23-115, relative to permitting Guam Police Department officers to use their personal vehicles for official purposes.

(b) The sum of Three Hundred Seventy Thousand Eighty-four Dollars (**\$370,084**) is appropriated from the Police Services Fund to the Guam Police Department for its operations in Fiscal Year 2007.

(c) The sum of Five Hundred Forty-six Thousand Nine Hundred Eighteen Dollars (**\$546,918**) is authorized from Federal Matching Grants-in-Aid to the Guam Police Department for its operations in Fiscal Year 2007.

Section 2. Temporary Employment of Retired Guam Police Officers. The Guam Police Department may hire retired Guam Police Officers when a critical need arises as a result of military activation of police officers. The retired officer shall fill such a vacated position and shall be terminated when the incumbent returns from military service. Retired officers may be hired *only* in the ranks of Sergeant I and below, only at Step I, and shall *not* be entitled to sick and annual leave. Officers hired under this Section shall first meet requirements, *except* for written examinations, for the position for which they are being considered and the Chief of Police shall certify that every retiree hired is fit for duty. Notwithstanding Title 4 G.C.A. §8121(a), retired officers temporarily hired pursuant to this Section may continue to receive their retirement benefits.

- 1 (i) Department of Agriculture (Guam Plant Inspection and Permit
2 Fund - \$44,507) (Federal Matching Grants-In-Aid - \$560,565).
- 3 (j) Department of Land Management (Land Survey Revolving Fund -
4 \$950,000) (FY 2005 Land Survey Revolving Fund Unreserved
5 Fund Balance - \$682,580).
- 6 (k) Department of Parks and Recreation (Public Recreation Services
7 Fund - \$154,717).
- 8 (l) Guam Council on the Arts and Humanities Agency (Tourist
9 Attraction Fund - \$50,000) (Federal Matching Grants-In-Aid -
10 \$237,600).
- 11 (m) Department of *Chamorro* Affairs (Tourist Attraction Fund -
12 \$54,099).
- 13 ~~(n) Guam Election Commission (Federal Matching Grants-In-Aid -~~
14 ~~\$700,000).~~
- 15 (o) Commission on Decolonization.
- 16 (p) Guam Ancestral Lands Commission.
- 17 (q) *Chamorro* Land Trust Commission (*Chamorro* Land Trust
18 Operations Fund - \$492,266).
- 19 (r) Office of *I Maga'lahaen Guåhan*.
- 20 (s) Office of *I Segundo Na Maga'lahaen Guåhan*.
- 21 (t) Guam State Clearinghouse.
- 22 (u) Office of Veteran's Affairs.
- 23 (v) Medical Referral Office.
- 24 (w) Guam Board of Accountancy.
- 25 (x) Guam Contractors License Board (Guam Contractors License
26 Board Fund - \$334,901).

1 (y) Board of Professional Engineers, Architects and Land Surveyors
2 (Professional Engineers, Architects and Land Surveyors Board
3 Fund - \$201,825).

4 **Section 2. Executive Branch Appropriations from other**
5 **Sources.** (a) Notwithstanding any other provision of law, the sum of One
6 Million Five Hundred Twenty-two Thousand One Hundred Forty-two
7 Dollars (**\$1,522,142**) is appropriated from the excess funds of the GTA
8 Privatization Proceeds Fund Cushion Account, which was transferred to the
9 Interim Transition Coordinating Committee Fund, to *I Maga'lahaen Guåhan*
10 for Executive Branch FY 2007 operations, including personnel costs.

11 (b) Notwithstanding any other provision of law, the sum of One
12 Million Eight Hundred Thirteen Thousand Sixty-eight Dollars (**\$1,813,068**),
13 from the balance of the cash received from the Rural Telephone Bank (RTB)
14 Stock Redemption (Interim Transition Coordinating Committee Fund) held
15 by the government of Guam, is appropriated to *I Maga'lahaen Guahan* for
16 Executive Branch FY 2007 operations, including personnel costs.

17 (c) Notwithstanding any other provision of law, the sum of Three
18 Million Seven Hundred Ten Thousand Five Hundred Seven Dollars
19 (**\$3,710,507**) from the balances in dormant or inactive funds and accounts,
20 as reported by the Office of the Public Auditor in OPA Report No. 06-03, is
21 hereby transferred to the General Fund and is hereby appropriated from the
22 General Fund to *I Maga'lahaen Guåhan* for Executive Branch FY 2007
23 operations, including personnel costs. Upon such transfer, the said dormant
24 funds and accounts shall be closed and all further receipts from such funds
25 shall be deposited in the General Fund. The Director of Administration shall
26 report to *I Maga'lahaen Guåhan* and *I Liheslaturan Guåhan* on the final
27 closure of said funds and the amounts transferred to the General Fund.

1 (d) Notwithstanding any other provision of law, the debt service
2 savings of approximately Eight Million Dollars (\$8,000,000) realized from
3 the 1993 General Obligation Bond Refinancing is hereby appropriated from
4 the Territorial Education Facilities Fund to *I Maga'lahaen Guåhan* for the
5 Fiscal Year 2007 operations of the Executive Branch.

6 **Section 3. Continuing Appropriation.** *I Maga'lahaen Guåhan* is
7 authorized to expend up to Twenty-five Million Dollars (\$25,000,000) of the
8 balance of prior years' appropriations for Executive Branch departments and
9 agencies for operations in Fiscal Year 2007, *except* for those appropriations
10 otherwise continued pursuant to this Act. The authority to expend the said
11 Twenty-five Million Dollars (\$25,000,000) is deemed continued for Fiscal
12 Year 2007 *only*. *I Maga'lahaen Guåhan* shall identify such unexpended and
13 unencumbered appropriations that continue into Fiscal Year 2007 and report
14 such continued appropriations and the expenditures therefrom to the Speaker
15 of *I Liheslaturan Guåhan*.

16 **Section 4. Transfer Authority of I Maga'lahaen Guåhan.** *I*
17 *Maga'lahaen Guåhan* is authorized to transfer funds between Fiscal Year
18 2007 General Fund Executive Branch appropriations, but shall *not* transfer
19 appropriations made to the Department of Law, the Mayors Council, the
20 University of Guam, the Guam Community College, the Guam Public
21 School System and the Guam Public School System Operations Fund.

22 **Section 5. Special Fund Transfer.** *I Maga'lahaen Guåhan* is
23 authorized to transfer to the General Fund any cash available from any
24 Special Fund or Revolving Fund to fund the appropriations authorized in this
25 Act, provided that such authority shall *not* extend to Trust Funds; the
26 Historic Preservation Trust Fund; the Tourist Attraction Fund; the Customs,
27 Agriculture and Quarantine Inspection Services Fund; the Healthy Futures

1 Fund; the Wildlife Conservation Fund; Special Funds under the purview of
2 the Guam Environmental Protection Agency; and funds under the purview
3 and administration of *I Liheslaturan Guåhan*, the Judiciary, the Guam
4 Memorial Hospital Authority, the Guam Public School System and those
5 departments and agencies exempted in this Act from the Governor's transfer
6 authority.

7 All cash from Special Funds or Revolving Funds transferred to cover
8 the appropriations authorized by this Act shall be reimbursed to the Special
9 or Revolving Fund from which it was transferred promptly as cash becomes
10 available.

11 *I Maga'lahaen Guåhan* shall submit a report to the Speaker of *I*
12 *Liheslaturan Guåhan* on the fifth (5th) day of every month on all transfers
13 made pursuant to this Section. Said report shall include detailed information
14 on the amount of such transfers and identify the fund from which the
15 transfers were made and the purposes of the transfers.

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CHAPTER IV

PART II – MISCELLANEOUS APPROPRIATIONS

Section 1. Retirees' Supplemental Annuity Benefits and for

other Costs. (a) The sum of Twelve Million Eight Hundred Seventy Thousand Eight Hundred Six Dollars (**\$12,870,806**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2007 for direct payment to those employees who retired *prior* to October 1, 1995, or their survivors, for the continuing provision of Four Thousand Two Hundred Thirty-eight Dollars (**\$4,238**) per year in supplemental annuity benefits, consisting of the sums of One Thousand Two Hundred Dollars (**\$1,200**), One Thousand Five Hundred Dollars (**\$1,500**), Seven Hundred Dollars (**\$700**), and Eight Hundred Thirty-eight Dollars (**\$838**) in annual benefits formerly contained in various General Appropriation Acts.

(b) No person eligible for the Retiree Supplemental Annuity Benefits provided for in Subsection (a) of this Section shall receive said benefit if his regular annual retirement annuity, *excluding* survivor benefits, and excluding the supplemental benefits authorized hereby is *greater than* Forty Thousand Dollars (**\$40,000**). Persons eligible for Retiree Supplemental Annuity Benefits shall receive *only* an amount of such benefits up to the total aggregate sum of Forty Thousand Dollars (**\$40,000**) in combined retirement annuities and supplemental retirement annuities and *not more*.

(c) The Director of Administration shall disburse to the retirees, or their survivors, the supplemental annuity benefits provided for in Subsection (a) of this Section. The Government of Guam Retirement Fund shall

1 provide the necessary information for disbursement to the retirees, or their
2 survivors, to the Director of Administration.

3 (d) Deposits made to the Supplemental Annuity Benefits Special
4 Fund shall *not* be commingled with the General Fund and shall continue to
5 be kept in a separate bank account which shall continue to be administered
6 by the Director of Administration. This Special Fund shall *not* be subject to
7 *I Magsalahen Guahan's* transfer authority.

8 (e) For October 1, 2006 to September 30, 2007, the Guam Power
9 Authority, the A. B. Won Pat International Airport Authority, Guam, the
10 Guam Economic Development and Commerce Authority, the Guam
11 Housing Corporation, the Government of Guam Retirement Fund, the Jose
12 D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and
13 the Guam Visitors Bureau shall remit to the Department of Administration
14 an amount equal to the number of eligible employees who are retired from
15 that entity multiplied by the amounts listed in Subsection (a) hereof. The
16 remittance shall be made in two (2) equal installments on or before October
17 10, 2006, and April 15, 2007, respectively. Once remitted, this amount shall
18 *not* be subject to *I Magsalahi's* transfer authority.

19 (f) The sum of Seven Million Eight Hundred Ninety-seven
20 Thousand Fifty Dollars (**\$7,897,050**) is appropriated from the General Fund
21 to the Government of Guam Retirement Fund for the payment of the
22 following two (2) items of benefits of current retirees from October 1, 2006
23 to September 30, 2007:

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

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

4 (g) For October 1, 2006 to September 30, 2007, the Guam Power
5 Authority, the A. B. Won Pat International Airport Authority, Guam, the
6 Guam Economic Development and Commerce Authority, the Guam
7 Housing Corporation, the Government of Guam Retirement Fund, the Jose
8 D. Leon Guerrero Commercial Port, the Guam Waterworks Authority and
9 the Guam Visitors Bureau shall remit to the Government of Guam
10 Retirement Fund their shares of payments for medical, dental and life
11 insurance payments for their respective retirees. The remittance shall be due
12 in two (2) equal installments on or before October 10, 2006, and on or
13 before April 1, 2007, respectively.

14 The autonomous agencies' share of payments for medical, dental and
15 life insurance authorized herein are *ex gratia* payments and are for Fiscal
16 Year 2007 *only*. Future medical, dental and life insurance payments made
17 after October 1, 2007 may be addressed by future legislation.

18 (h) (1) For October 1, 2006 through September 30, 2007, the sum
19 of Three Hundred Eighty-seven Thousand Eight Hundred Ninety-five
20 Dollars (\$387,895) is appropriated from the General Fund to the
21 Government of Guam Retirement Fund to defray the cost of Medicare
22 premiums for Government of Guam Retirees and their survivors who are
23 eligible to receive Social Security income benefits and are required under the
24 Government of Guam group health insurance program to pay such premiums
25 in order to continue to participate in such health insurance program (to
26 continue existing programs contained in the monthly payments).

1 (2) The sum of One Hundred Eighty-six Thousand Five
2 Hundred Fifty Dollars (**\$186,550**) is appropriated from the General Fund to
3 the Government of Guam Retirement Fund to fund the Fiscal Year 2006
4 shortfall for Medicare premium reimbursements.

5 (3) The sum of Thirty-five Thousand Dollars (**\$35,000**) is
6 appropriated from the General Fund to the Government of Guam Retirement
7 Fund to fund the Fiscal Year 2005 shortfall of Medicare premium
8 reimbursements.

9 (i) For Fiscal Year 2007, the sum of One Hundred Thirty-four
10 Thousand Three Hundred Seventy-five Dollars (**\$134,375**) is appropriated
11 from the General Fund to the Government of Guam Retirement Fund for *I*
12 *Maga'lahi* and *I Segundu Na Maga'lahi/I Segundu Na Maga'haga* pensions.

13 (j) For Fiscal Year 2007, the sum of Five Hundred Thousand Two
14 Hundred Twenty-four Dollars (**\$500,224**) is appropriated from the General
15 Fund to the Government of Guam Retirement Fund for retirement annuities
16 for former Guam Superior Court Judges and Guam Supreme Court Justices.

17 (k) The Board of Trustees shall promulgate, maintain and, *if*
18 necessary, amend administrative procedures to ensure the proper
19 submission, receipt and accounting of all sums remitted in conformance with
20 Subsections (f) and (h) hereof.

21 **Section 2. Survivor Supplemental Annuity Additions.** Title 4
22 GCA §8135(d)(6) is *amended* to read:

23 “(6) the prospective payment of supplemental benefits
24 for the period of October 1, 2006, through September 30, 2007,
25 for survivors of those employees who retired *prior* to October
26 1, 1995, to be paid in the following manner:

- 1 (i) Four Thousand Two Hundred Thirty-eight Dollars
2 (\$4,238.00) in Retiree Supplemental Annuity
3 Benefits, known as the sum of One Thousand Two
4 Hundred Dollars (\$1,200.00), One Thousand five
5 Hundred Dollars (\$1,500.00), Seven Hundred
6 Dollars (\$700.00), and Eight Hundred Thirty-eight
7 Dollars (\$838.00) in annual benefits formerly
8 contained in various General Appropriation Acts.
- 9 (ii) *No* persons eligible for Retiree supplemental
10 Annuity Benefits provided for in Paragraph (6) of
11 this Section shall receive such benefit *if* their
12 regular annual retirement annuity *prior* to the
13 supplemental amounts herein is more than Forty
14 Thousand Dollars (\$40,000.00). Persons eligible
15 for Retiree Supplemental Annuity Benefits shall
16 *only* receive an amount of such benefits up to the
17 total aggregate sum of Forty Thousand dollars
18 (\$40,000.00) in combined retirement annuities and
19 supplemental retirement annuities and not more.”

20 **Section 3. Disability Supplemental Annuity Additions.** Title 4
21 GCA §8129(g) is *amended* to read:

22 “(g) Any disability retirement annuitant who commenced
23 receiving a disability retirement annuity *prior* to October 1,
24 1995, and who is entitled to disability retirement benefits under
25 this Chapter shall receive, during the period commencing on
26 October 1, 2006, and ending on September 30, 2007,

1 prospective non-cumulative supplemental annuity benefits as
2 follows:

3 (1) Four Thousand Two Hundred Thirty-eight
4 Dollars (\$4,238.00) in Retiree Supplemental
5 Annuity Benefits, known as the sum of One
6 Thousand Two Hundred Dollars
7 (\$1,200.00), One Thousand Five Hundred
8 Dollars (\$1,500.00), Seven Hundred Dollars
9 (\$700.00), and Eight Hundred Thirty-eight
10 Dollars (\$838.00) in *annual* benefits
11 formerly contained in various General
12 Appropriation Acts.

13 (2) *No* persons eligible for Retiree
14 Supplemental Annuity Benefits provided for
15 in Paragraph (g) of this Section shall receive
16 such benefit *if* their regular annual
17 retirement annuity, *excluding* survivor
18 benefits, *prior* to the supplemental amounts
19 herein is more than Forty Thousand Dollars
20 (\$40,000.00). Persons eligible for Retiree
21 Supplemental Annuity Benefits shall *only*
22 receive an amount of such benefits up to the
23 total aggregate sum of Forty Thousand
24 Dollars (\$40,000.00) in combined retirement
25 annuities and supplemental retirement
26 annuities and *not more.*”

1 **Section 4. Retirees Supplemental Annuity Additions.** Title 4
2 GCA §8122(d)(6), is hereby *amended* to read:

3 “(6) Any retirement annuitant who commenced
4 receiving a retirement annuity *prior* to October 1, 1995, and
5 who is entitled to retirement benefits under this Chapter, shall
6 receive, during the period commencing on October 1, 2006, and
7 ending on September 30, 2007, prospective, non-cumulative
8 supplemental annuity benefits as follows:

9 (i) Four Thousand Two Hundred Thirty-eight
10 Dollars (\$4,238.00) in Retiree Supplemental
11 Annuity Benefits, known as the sum of One
12 Thousand Two Hundred Dollars
13 (\$1,200.00), One Thousand Five Hundred
14 Dollars (\$1,500.00), Seven Hundred Dollars
15 (\$700.00), and Eight Hundred Thirty-eight
16 Dollars (\$838.00) in annual benefits
17 formerly contained in various General
18 Appropriation Acts.

19 (ii) *No* persons eligible for Retiree
20 Supplemental Annuity Benefits provided for
21 in Paragraph (6) of this Section shall receive
22 such benefit *if* their regular annual
23 retirement annuity *prior* to the supplemental
24 amounts herein, but *excluding* survivor
25 benefits, is more than Forty Thousand
26 Dollars (\$40,000.00). Persons eligible for
27 Retiree Supplemental Annuity Benefits shall

1 *only* receive an amount of such benefits up
2 to the total aggregate sum of Forty
3 Thousand Dollars (\$40,000.00) in combined
4 retirement annuities and supplemental
5 retirement annuities and *not more.*”

6 **Section 5. Appropriation for Cost of Living Allowance**
7 **(COLA).** (a) *I Maga’lahen Guåhan* is authorized to give a “Cost of Living
8 Allowance” (COLA) of One Thousand One Hundred Dollars (\$1,100) per
9 annuitant of the Government of Guam Retirement Fund who is receiving an
10 annuity as of September 30, 2006.

11 (b) The sum of Seven Million Dollars (**\$7,000,000**) is appropriated
12 from the General Fund to the Department of Administration for Government
13 of Guam retirees’ Cost of Living Allowance to be paid in Fiscal Year 2007.

14 **Section 6. Street Light Fund.** (a) The sum of Three Million Nine
15 Hundred Twelve Thousand Nine Hundred Twenty-seven Dollars
16 (**\$3,912,927**) is appropriated from the Street Light Fund to the Department
17 of Public Works for payment to the Guam Power Authority for the
18 installation and operation of public streetlights in Fiscal Year 2007.

19 (b) The Director of DPW shall submit a quarterly report of the
20 expenditures from the appropriation herein to the Speaker of *I Liheslaturan*
21 *Guåhan* and post the same on the Department’s website.

22 **Section 7. Worker’s Compensation Fund.** (a) The sum of Nine
23 Hundred Thirty Thousand Dollars (**\$930,000**) is appropriated from the
24 General Fund to the Department of Labor for the Worker’s Compensation
25 Fund for Fiscal Year 2007. This appropriation shall be used for worker’s
26 compensation payments for the purposes set forth in Title 22 G.C.A. §9144
27 to pay worker’s compensation claims made by employees of the government

1 of Guam, including outstanding prior years' obligations and future
2 obligations.

3 (b) The appropriation made in this Section may be used to pay for
4 medical, surgical, and other treatment; nurses; hospital services; medical
5 travel and per diem costs; medicine; crutches; and apparatus required by the
6 claimant for such period as the nature of the injury, or the process of
7 recovery, may require.

8 (c) The appropriation made in this Section shall *not* be expended
9 for disability compensation payments for FTE's funded by this Act.

10 (d) The Director of Labor is authorized to spend *up to* Forty
11 Thousand Dollars (\$40,000) from this appropriation to pay for legal services
12 for worker's compensation hearings for Fiscal Year 2007.

13 **Section 8. Government Claims Fund.** (a) The sum of One
14 Hundred Thousand Five Hundred Ninety-eight Dollars (**\$100,598**) is
15 appropriated from the General Fund to the Department of Administration for
16 the Government Claims Fund for payment of eligible and approved
17 Government Claims for Fiscal Year 2007.

18 (b) The Director of the Department of Administration shall, *no*
19 *later than* thirty (30) days after the close of each quarter of Fiscal Year 2007,
20 submit to the Speaker of *I Liheslaturan Guåhan* a report containing a full
21 disclosure of all expenditures of this appropriation and post the same on the
22 Department's website.

23 **Section 9. Residential Treatment Fund.** (a) The sum of One
24 Million Four Hundred Seventy-eight Thousand Six Hundred Twenty-six
25 Dollars (**\$1,478,626**) is appropriated from the General Fund to the
26 Department of Administration ("DOA") in Fiscal Year 2007 to pay
27 authorized expenses for persons under the jurisdiction of the Superior Court

1 of Guam who require residential care because of physical, mental or
2 emotional disabilities or severe emotional disturbance. All such persons and
3 their escorts referred off Guam for treatment and care shall submit to the
4 Director of Administration supporting documents to justify reimbursement
5 of their authorized travel expenses.

6 (b) The Director of Administration shall submit a report to *I*
7 *Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* a report
8 containing a full disclosure of all expenditures of this appropriation *no later*
9 *than* thirty (30) days after the close of each quarter of the fiscal year and post
10 the same on the DOA website.

11 **Section 10. Government of Guam's General Purpose Financial**
12 **Statement and Single Audit Report.** The sum of Three Hundred Four
13 Thousand One Hundred Ten Dollars (**\$304,110**) is appropriated from the
14 General Fund to the Department of Administration for the Fiscal Year 2006
15 Audit of the Government of Guam's General Purpose Financial Statement
16 and the Single Audit Report. The Office of the Public Auditor shall
17 administer said funds and shall oversee the annual audit.

18 **Section 11. Guam Territorial Band.** The sum of Twenty-five
19 Thousand Dollars (**\$25,000**) is appropriated from the Tourist Attraction
20 Fund to the Guam Council on the Arts and Humanities for the Guam
21 Territorial Band in Fiscal Year 2007.

22 **Section 12. Appropriations to the Judiciary.** (a) The sum of
23 Twenty Million One Hundred Seventy-two Thousand Eight Hundred Thirty-
24 eight Dollars (**\$20,172,838**) is appropriated from the General Fund to the
25 Judiciary for its operations in Fiscal Year 2007.

1 (b) The sum of Three Hundred Eleven Thousand Nine Hundred
2 Twenty-six Dollars (**\$311,926**) is authorized from Federal Matching Grants-
3 in-Aid to the Judiciary to spend for its operations in Fiscal Year 2007.

4 **Section 13. Court-Appointed Attorney Fees.** The sum of Seven
5 Hundred Thousand Dollars (**\$700,000**) is appropriated from the General
6 Fund for Fiscal Year 2007 to the Judiciary, for the *sole* purpose of paying
7 court-appointed attorney fees related to the legal defense of indigent people.
8 Such funds shall be deposited into the Judicial Client Services Fund account,
9 as created by Title 7 G.C.A. Division One, Chapter 9.6, and shall *not* be
10 subject to any transfer authority.

11 **Section 14. Adult and Juvenile Drug Courts.** The sum of Five
12 Hundred Sixteen Thousand Two Hundred Fifty-four Dollars (**\$516,254**) is
13 appropriated from the General Fund to the Judiciary for the operational costs
14 of the Adult and Juvenile Drug Courts for Fiscal Year 2007.

15 **Section 15. Family Visitation Center.** Notwithstanding any other
16 provision of law, the sum of One Hundred Forty Thousand Dollars
17 (**\$140,000**) is appropriated from the Safe Streets Fund, for Fiscal Year 2007,
18 to the Judiciary to pay for contractual services for the operation of the
19 Family Visitation Center, *provided*, that the court first complies with Title
20 16 GCA §18125 (c) and (d) and Title 7 GCA §9211 (b).

21 **Section 16. I Liheslaturan Guåhan Operations.** The sum of Six
22 Million Eight Hundred Thirty-three Thousand Five Hundred Forty-six
23 Dollars (**\$6,833,546**) is appropriated from the General Fund to *I*
24 *Liheslaturan Guåhan* for its operations, including personnel services.

25 **Section 17. Appropriation to the Office of Finance and Budget.**
26 The sum of Five Hundred Five Thousand Six Hundred Thirty-four Dollars
27 (**\$505,634**) is appropriated from the General Fund to *I Liheslaturan Guåhan*,

1 specifically for the operations of the Office of Finance and Budget (OFB)
2 including personnel services.

3 **Section 18. Appropriations to the Guam Visitors Bureau.** The
4 sum of Fourteen Million Nine Hundred Eighty-seven Thousand Seven
5 Hundred Twenty-seven Dollars (**\$14,987,727**) is hereby appropriated from
6 the Tourist Attraction Fund (TAF) to the Guam Visitors Bureau (GVB) for
7 the following, which includes Operations and Personnel Services, for the
8 period October 1, 2006 through September 30, 2007:

9 **(a) General Appropriations**

| | | |
|----|----------------------------------|-------------|
| 10 | (1) General Administration | |
| 11 | (A) Personnel | \$1,498,196 |
| 12 | (B) Printing, Admin | \$14,400 |
| 13 | (C) Equipment Rental | \$66,000 |
| 14 | (D) Building Maintenance | \$80,373 |
| 15 | (E) Warehouse Storage | \$30,000 |
| 16 | (F) Postal Service | \$10,000 |
| 17 | (G) Legal Fees | \$50,000 |
| 18 | (H) Janitorial Services | \$15,000 |
| 19 | (I) Computer Maintenance | \$20,000 |
| 20 | (J) Travel Promotional Souvenirs | \$15,000 |
| 21 | (K) Security Systems | \$1,300 |
| 22 | (L) Garbage Collection | \$6,000 |
| 23 | (M) Supplies and Materials | \$10,000 |
| 24 | (N) Staff Development Fund | \$2,500 |
| 25 | (O) Dues and Assessment | \$39,595 |
| 26 | (P) Utilities | \$118,363 |
| 27 | (Q) Capital Outlay | \$20,000 |

| | | |
|----|----------------------------------------|---------------------|
| 1 | (R) Audit Fees | \$18,000 |
| 2 | General Administration Subtotal | \$2,014,727 |
| 3 | (2) Marketing | |
| 4 | (A) Japan | \$6,800,000 |
| 5 | (B) Korea | \$1,325,000 |
| 6 | (C) Hong Kong | \$175,000 |
| 7 | (D) China | \$75,000 |
| 8 | (E) Taiwan | \$350,000 |
| 9 | (F) Philippines | \$100,000 |
| 10 | (G) Pacific | \$75,000 |
| 11 | (H) North America/Armed Forces | \$275,000 |
| 12 | (I) Australia/Europe | \$75,000 |
| 13 | Marketing Subtotal | \$9,250,000 |
| 14 | (3) Printing / Promotional | \$500,000 |
| 15 | (4) Research | \$373,000 |
| 16 | (5) Cultural Heritage | \$400,000 |
| 17 | (6) Community Development | \$155,000 |
| 18 | (A) VIEC | \$25,000 |
| 19 | (B) GCC Lodging Mgmt./ProStart | \$20,000 |
| 20 | (7) Sports Tourism | \$500,000 |
| 21 | (8) Tourist Industry Relations | \$350,000 |
| 22 | General Appropriations Total | \$13,587,727 |

23 (b) **Special Projects.** The sum of One Million Four Hundred
24 Thousand Dollars (\$1,400,000) is for the following special projects:

1 (1) The sum of Three Hundred Thousand Dollars
2 (\$300,000) for the Tumon and Agana Beach
3 Cleaning and Maintenance project.

4 (A) The contract for the Tumon and Agana
5 Beach Cleaning and Maintenance project shall
6 require the contractor to acquire the following
7 permits before the government releases any funds
8 to it pursuant to said contract, from these agencies:
9 401 Water Quality Permit and Solid Waste Permit
10 from the Guam Environmental Protection Agency;
11 a Historic Preservation Permit from the Historic
12 Preservation Office, Department of Parks and
13 Recreation; a Clearing and Grading Permit from
14 the Department of Public Works; a Seashore
15 Clearance Permit from the Guam Seashore
16 Protection Commission; and a Marine Preserve
17 Permit, from the Department of Agriculture.

18 (2) The sum of Four Hundred Thousand Dollars
19 (\$400,000) for the Tumon Landscaping
20 Maintenance project.

21 (3) The sum of Three Hundred Fifty Thousand Dollars
22 (\$350,000) for the Islandwide Roadways
23 Beautification project.

24 (4) The sum of One Hundred Thousand Dollars (\$100,000)
25 for the Tumon Holiday Illumination project.

- 1 (5) The sum of Fifty Thousand Dollars (\$50,000) for the
2 planning and design of the proposed Guam Museum.
- 3 (6) The sum of One Hundred Thousand Dollars (\$100,000)
4 for the operations of *Gef Pa'go*.
- 5 (7) The sum of One Hundred Thousand Dollars (\$100,000)
6 for the operations of *Pa'a Taotao Tano*.

7 **(c) Guam Visitors Bureau Transfer Authority.** The Guam
8 Visitors Bureau Board of Directors may exercise *limited* transfer authority
9 over the appropriation in Subsection (a) hereof as follows: 1) Transfers may
10 be made between items of appropriation listed in Subsection (a)(1),
11 “General Administration”, with the exception noted in Subsection (c)(2); 2)
12 *No* transfers shall be made into or out of the Personnel Services category; 3)
13 Transfers may be made between items listed under Subsection (a)(2)
14 “Marketing”.

15 **(d) GVB Administrative Provisions.**

- 16 (1) The appropriations made in Subsections (a) and (b)
17 hereof shall *not* be expended for any other purpose *except*
18 as authorized in Subsection (c).
- 19 (2) *No* transfer is authorized from the appropriations made in
20 this Section other than those authorized by Subsection
21 (c).
- 22 (3) Unless otherwise authorized by this Act, the
23 appropriations from the Tourist Attraction Fund (TAF)
24 contained herein shall be used *solely* for the purposes
25 described herein and shall *not* be subject to any transfer
26 authority by *I Maga'lahen Guåhan*.

1 (4) GVB shall use its marketing and promotions budget to
2 promote Guam as a wholesome family-oriented
3 destination offering activities that emphasize the natural
4 and cultural aspects of Guam.

5 **Section 19. Mayors Council of Guam Operations.** (a) The sum
6 of Seven Million Five Hundred Fifty-six Thousand One Hundred Twelve
7 Dollars (**\$7,556,112**) is appropriated from the General Fund to the Mayors'
8 Council of Guam for personnel services, operations and utilities for Fiscal
9 Year 2007.

10 **(b) Village Streets Maintenance and Beautification.** The sum of
11 One Million Five Hundred Thousand Dollars (**\$1,500,000**) is appropriated
12 from the General Fund to the Mayors Council of Guam for Fiscal Year 2007
13 for the maintenance and beautification of village secondary and tertiary
14 roads and other operational requirements. Such funds shall *not* be subject to
15 any transfer authority of *I Maga'lahren*

16 *Guåhan*. The Fund shall be divided among the Village Mayors as
17 follows:

18 (1) Each Mayor shall receive the sum of Twenty Thousand
19 Dollars (**\$20,000**); and

20 (2) The remaining balance of the fund shall be distributed to
21 each Mayor on a *pro rata* basis based on the total local
22 road mileage in each village as a percentage of the total
23 local road mileage in the 1998 Local Road Inventory of
24 the Department of Public Works.

25 (c) The sum of Three Hundred Eighty Thousand Dollars
26 (**\$380,000**) is appropriated from the General Fund to the Mayors Council of
27 Guam, for Fiscal Year 2007, to be expended, in accordance with plans

1 approved by the Village Municipal Planning Council and filed with the
2 Director of Administration, on public safety and social education programs
3 that enforce alcohol regulations, reduce underage drinking, support traffic
4 safety, reduce drug-related violence and abuse and to support government of
5 Guam substance abuse prevention programs.

6 (d) With the written approval of the Municipal Planning Councils,
7 Village Mayors are authorized to apply additional funds derived from
8 private contributions, donations, and fundraising to supplement their village
9 projects or programs, including any programs funded from local, federal, or
10 special funds. Each Mayor shall submit a report to the Speaker of *I*
11 *Liheslaturan Guåhan*, the President of the Mayors Council and the Public
12 Auditor on the fifth (5th) day of the first (1st) month of every fiscal quarter
13 (October 5th, January 5th, April 5th, July 5th) regarding the receipts,
14 expenditures, and applications of these funds. Such report shall be posted on
15 the website of the Mayors Council of Guam.

16 (e) The appropriation in Subsection (a) hereof shall provide for the
17 rental of office space for the Mayors of Inarajan and Piti.

18 **Section 20. Island-wide Village Beautification Projects.** (a) The
19 sum of Seven Hundred Twenty-seven Thousand Three Hundred Eighty-five
20 Dollars (**\$727,385**) is appropriated from the Tourist Attraction Fund to the
21 Guam Visitors Bureau to fund the Mayors Council of Guam island-wide
22 village beautification projects. For purposes of this Section, beautification
23 projects shall include: 1) the maintenance and cleaning of the public
24 restrooms at the following parks: the Talofofa Beach Park; Inarajan Pool;
25 Malesso Pier Park; Fort Soledad Park; Nimitz Beach Park; Tanguisson
26 Beach Park; Padre Palomo Beach Park; and Tagachang Beach Park as
27 provided for by a Memorandum of Understanding between each appropriate

1 village Mayor and the Department of Parks and Recreation; 2) the
2 maintenance and upkeep of each village's main roads; and 3) the planting
3 and maintenance of each village's official flower and other flowering plants,
4 shrubs and trees alongside each village's main roads, public restrooms and
5 recreational facilities. Each village's mayor may contract for the services
6 necessary to carry out the intent of this Section subject to the Guam
7 Procurement Law, Title 5 G.C.A. Chapter 5.

8 The Guam Visitors' Bureau shall *not* release any funds from this
9 appropriation to the Mayors' Council until project plans are reviewed and
10 approved by the Council and the GVB Board.

11 (b) The sum of Thirty-five Thousand Dollars (\$35,000) from the
12 appropriation in Subsection (a) hereof shall be available to the Guam
13 Visitors Bureau for administrative support and coordination regarding its
14 obligations under this Section.

15 **Section 21. Appropriation to Office of the Public Auditor.** (a)
16 The sum of One Million One Hundred Two Thousand Seven Hundred
17 Thirty-one Dollars (**\$1,102,731**) is appropriated from the General Fund to
18 the Office of the Public Auditor for its operations, including personnel costs,
19 for Fiscal Year 2007.

20 (b) The sum of One Hundred Thirty-four Thousand Fourteen
21 Dollars (**\$134,014**) is appropriated from the General Fund to the Office of
22 the Public Auditor to fund its Procurement Appeals Division for Fiscal Year
23 2007.

24 **Section 22. Public Defender Services Corporation.** The sum of
25 Two Million Eight Hundred Seventy-five Thousand Four Hundred Eighteen
26 Dollars (**\$2,875,418**) is appropriated from the General Fund to the Public
27 Defender Services Corporation for its operations in Fiscal Year 2007.

1 **Section 23. Department of Agriculture – Animal Shelter.** The
2 sum of Fifty Thousand Dollars (**\$50,000**) is appropriated from the General
3 Fund to the Department of Agriculture to fund a contract to manage and
4 operate the Yigo Animal Shelter.

5 **Section 24.** The sum of Fifty Thousand Dollars (**\$50,000**) is
6 appropriated to the Office of the Mayor, District of Yigo, for the repair and
7 renovation of the Yigo Baseball Field; and the sum of Fifty Thousand
8 Dollars (**\$50,000**) is appropriated to the Office of the Mayor, District of
9 Agat, for the repair of the Agat Basketball Court and the Agat Tennis Court.
10 All amounts are appropriated from the General Fund, and the appropriation
11 to the *I Lehislaturan Guåhan* as detailed in Section 16, Part II Chapter IV
12 shall be reduced by \$100,000.

13 **Section 25. Training of Government Accountants.** The
14 Department of Administration's Fiscal Year 2007 appropriation shall
15 include the sum of Twenty-five Thousand Dollars (\$25,000) to fund the
16 training and continuing education of government public accountants with an
17 emphasis on performance based budgeting.

18 **Section 26. Youth Runaway and Homeless Program.** *I*
19 *Maga'laken Guåhan* shall transfer the sum of One Hundred Fifty Thousand
20 Dollars (\$150,000) from the funds appropriated in Section 2(d), Part I of this
21 Chapter to the Department of Youth Affairs (DYA) to fund programs
22 contracted out to non-governmental organizations for youths who are
23 runaways, homeless, or victims of abuse.

24 **Section 27. Prior Years Power Billings.** Of the amount
25 appropriated in Section 1, Part I of Chapter IV, the sum of Seven Hundred
26 Thousand Dollars (\$700,000) is appropriated to the Department of Public

1 Works for the payment of prior years street light billings to the Guam Power
2 Authority.

3 **Section 28. Appropriations made to the Office of *I Segundu Na***
4 ***Maga'lahaen Guåhan* and the Guam State Clearing House.** From the
5 sums appropriated from the General Fund pursuant to Section 1 of Chapter
6 IV, Part I of this Act, *I Maga'lahaen Guåhan* shall expend the sum of One
7 Million Four Hundred Sixty Thousand Nine Hundred Seventy-eight Dollars
8 (\$1,460,978) as follows:

9 (a) The Sum of One Million One Hundred Thirty-five
10 Thousand Nine Hundred Seventy-eight Dollars
11 (\$1,135,978) shall be used for the operations of the Office
12 of *I Segundu Na Maga'lahaen Guåhan*, of which one
13 quarter, or the sum of Two Hundred Eighty-three
14 Thousand Nine Hundred Ninety-five Dollars (\$283,995)
15 shall be released for the period beginning October 1, 2006
16 to December 31, 2006;

17 (b) The Sum of Three Hundred Twenty-five Thousand Dollars
18 (\$325,000) shall be used for the operations of the Guam
19 State Clearinghouse, of which one quarter, or the sum of
20 Eighty-one Thousand Two Hundred-fifty Dollars
21 (\$81,250) shall be released for the period beginning
22 October 1, 2006 to December 31, 2006.

1 (f) This Section shall *not* be used to transfer employees acting in
2 the best interest of the government who report or expose bad business
3 practices, illegal activities, or unofficial conduct by public officials.

4 **Section 2. Retirement Option for Government of Guam**
5 **Employees Upon the Complete Remittance of Individual Retirement**
6 **Fund Contributions.** Members of the Government of Guam Retirement
7 Fund who meet the minimum eligibility requirements for retirement shall be
8 granted the opportunity to retire upon the complete remittance of his
9 outstanding individual retirement fund contributions to the Fund. Such
10 contributions shall include the employee and employer retirement fund
11 contributions. Any and all fees, interest at actuarial rates, and penalties
12 associated with the requirements set forth by the Government of Guam
13 Retirement Fund shall be paid by the Government.

14 This Section does *not* restrict the continuing remittance of existing
15 retirement fund contributions as required by law or as set forth by the
16 Government of Guam Retirement Fund. By the fifteenth (15th) day of each
17 month, *I Maga'lahañ Guåhan* shall provide a detailed report to the Speaker
18 of *I Liheslaturan Guåhan* on the remittances and number of retirements for
19 the prior month pursuant to this Section. Nothing herein shall be construed
20 to abrogate any of the provisions of Public Law 28-38.

21 **Section 3. Government of Guam Retirement Fund Rate of**
22 **Contribution.** In accordance with §8137(e) of Article 1, Chapter 8 of Title
23 4 of the Guam Code Annotated, in each fiscal year beginning with Fiscal
24 Year 2007 and continuing through Fiscal Year 2011, the government's rate
25 of contribution to the Government of Guam Retirement Fund shall annually
26 increase by *no less than* 0.84% in order to reach the contribution rate of 26%
27 or the actuarial recommended contribution rate.

1 **Section 4. Staffing Pattern Reporting.**

2 **(a) Staffing Pattern.** Beginning October 1, 2006, and continuing
3 for each month thereafter, each agency or department head in the Executive
4 Branch of the government of Guam, the Chairperson of the Judicial Council
5 and the Chairperson of the Board of Trustees of the Public Defender Service
6 Corporation shall submit to the Speaker of *I Liheslaturan Guåhan* a current
7 staffing pattern, in the format of the Executive Branch FY 2007 Budget Call,
8 as of the previous month's ending, of employees funded by that
9 instrumentality. Such staffing pattern shall include, *at a minimum*, the name
10 of the employee, position title, salary, increment costs and benefit costs for
11 each employee, as well as the funding source for the salary and benefits of
12 each employee, and shall be posted on the agency website.

13 **(b) Electronic Data.** In addition to the document required by
14 Subsection (a) of this Section, reports shall be submitted in electronic format
15 (including, but *not limited to*, diskettes, CD, and/or email) to the Speaker of *I*
16 *Liheslaturan Guåhan*.

17 **Section 5. Revenue Tracking Report.** The Director of the
18 Bureau of Budget and Management Research, in collaboration with the
19 Director of Revenue and Taxation and the Director of Administration shall
20 determine, *no later than thirty (30) days after* the close of each month of
21 Fiscal Year 2007, the revenue tracking for the balance of the fiscal year,
22 based upon the actual collections of the preceding month and prepare a
23 comparative statement of the "actual" and "projected" revenues. Such
24 information shall be compiled in a Report, certified by each of the
25 aforementioned Directors and submitted to the Speaker of *I Liheslaturan*
26 *Guåhan no later than thirty (30) days after* the close of each month of the
27 fiscal year.

1 **Section 6. Contracts Exceeding Funds Restriction.** No agency
2 shall contract to spend, or enter into an agreement to spend, any money in
3 *excess* of the amount allotted to the agency by BBMR. Any contract or
4 agreement in violation of this provision shall be void.

5 Any agency head or certifying officer who knowingly contracts to
6 spend, or enters into an agreement to spend, any money in *excess* of the
7 amount allotted by BBMR to the agency for the contract or agreement shall
8 be guilty of a misdemeanor.

9 **Section 7. Limited-Term Appointment Moratorium.** For Fiscal
10 Year 2007, notwithstanding §4102 of Title 4 of the Guam Code Annotated,
11 or any other provision of law, *no* person may be employed on a temporary or
12 limited-term basis by an instrumentality of the government of Guam, *except*
13 for the following:

- 14 (a) Certified persons in the Guam Public School System as
15 identified in Subsection (12) of §715 of Chapter 7 of Title 1 of
16 the Guam Code Annotated;
- 17 (b) Attorneys at the Department of Law (within staffing pattern
18 funding levels);
- 19 (c) Nurses and doctors (within staffing pattern funding levels);
- 20 (d) Temporary survey workers employed by the Department of
21 Labor and the Bureau of Statistics and Plans for the purpose of
22 conducting employment surveys (within staffing pattern
23 funding levels);
- 24 (e) Licensed healthcare professionals and other ancillary service
25 personnel employed at the Guam Memorial Hospital Authority,
26 the Department of Mental Health and Substance Abuse, and the

1 Department of Public Health and Social Services (all within
2 staffing pattern funding levels);

3 (f) Academic personnel positions at the University of Guam and
4 the Guam Community College (within their appropriated
5 funding levels);

6 (g) Substitute school bus drivers;

7 (h) Persons filling temporary vacancies created by the call to active
8 military duty of employees who are members of the reserve
9 components of the Department of Defense and the Department
10 of Transportation including, *but not limited to*, the United States
11 Army, United States Navy, United States Marine Corps, United
12 States Air Force, the Army National Guard, the Air National
13 Guard, and the United States Coast Guard;

14 (i) Federally-funded positions (matching and up to 100%); and

15 (j) Temporary Solid Waste Technicians employed by the Division
16 of Solid Waste Management of the Department of Public
17 Works for the purpose of collecting residential solid waste.

18 **Section 8. Restrictions on Executive Branch Hiring of**
19 **Unclassified Employees.** *No* government funds of any kind or description
20 may be expended on the employment or hiring of unclassified employees in
21 the Executive Branch of the government of Guam, *except* for the following:

22 (a) Certified persons in the Guam Public School System as
23 identified in Subsection (12) of §715 of Chapter 7 of Title 1 of
24 the Guam Code Annotated;

- 1 (b) Academic personnel positions at the University of Guam and
2 the Guam Community College;
- 3 (c) Nurses, doctors, licensed health professionals and ancillary
4 health employees necessary for clinical purposes at the
5 Department of Public Health and Social Services, the
6 Department of Mental Health and Substance Abuse, the Office
7 of the Chief Medical Examiner, the Guam Memorial Hospital
8 Authority, the Guam Police Department, and the Department of
9 Integrated Services for Individuals with Disabilities;
- 10 (d) Department of Labor Survey Workers;
- 11 (e) Systems and Programming Administrator, Junior Systems
12 Programmer, Senior Programmer Analyst, Junior Application
13 Analyst, Junior Programmer Analyst and Junior Application
14 Programmer at the Department of Revenue and Taxation;
- 15 (f) Federally-funded positions (matching and up to 100%); and
- 16 (g) Persons filling temporary vacancies created by the call to active
17 military duty of employees who are members of the reserve
18 components of the Department of Defense and the Department
19 of Transportation including, *but not limited to*, the United States
20 Army, United States Navy, United States Marine Corps, United
21 States Air Force, the Army National Guard, the Air National
22 Guard, and the United States Coast Guard.

23 This Section does *not* apply to employees of the Office of *I*
24 *Maga'lahaen Guåhan*, the Office of *I Segundu Na Maga'lahaen Guåhan* and
25 the Guam State Clearing House and department or agency heads, deputies
26 and a private secretary.

1 **Section 9. Independent Contractors.** The Office of *I Maga'lahi*,
2 the Office of *I Segundu Na Maga'lalen Guåhan* and the Guam State
3 Clearing House may enter into agreements with independent contactors
4 pursuant to Guam procurement laws.

5 **Section 10. Monthly Reports of Medical Referral Offices.** Each
6 of the Guam Medical Referral Offices funded by this Act shall provide
7 monthly reports on its activities and expenditures. Each report shall include,
8 *but not be limited to*, the following:

- 9 (a) number of referred patients served;
- 10 (b) number of patient escorts or accompanying family members
11 served;
- 12 (c) average cost per patient referral incurred by the respective
13 office during that month;
- 14 (d) actual office expenditures for the month, including fuel
15 costs; and
- 16 (e) outline of services provided during the month.

17 The monthly reports required by this Section shall be submitted to *I*
18 *Maga'lalen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, and the Office
19 of the Public Auditor within thirty (30) days after the close of each month of
20 the fiscal year, and shall be posted on the offices' website.

21 **Section 11. Amendment of Item (1) of Subsection (b) of §4117 of**
22 **Chapter 4 of Title 5 Guam Code Annotated.** Item (1) of Subsection (b) of
23 §4117 of Chapter 4 of Title 5, Guam Code Annotated, is *amended* to read:

24 “Equipment, such as loader trucks, tractors, trailers,
25 automobiles or other vehicles; machinery; reference books; filing
26 cabinets, typewriters, computers, microcomputers and printers,
27 facsimile machines, adding and calculating machines, other business

1 machines and office equipment; and tools, implements and
2 instruments which may be used continuously without material change
3 in physical condition and having a useful life of one (1) year or longer
4 and cost *not less than* Five Thousand Dollars (\$5,000.00);”

5 **Section 12. Environmental Health Fund.** The Department of
6 Public Health and Social Services (DPHSS) is authorized to expend up to
7 the level of revenues deposited in the Environmental Health Fund for the
8 operations of the Environmental Health Division of the DPHSS in Fiscal
9 Year 2007. In addition, the Controlled Substance Diversion Fund is to be
10 maintained as a Special Fund for the Division of Environmental Health to
11 support its efforts to implement activities and/or services related to the
12 monitoring of dispensing of controlled substances. The unexpended balance
13 of the Environmental Health Fund and the Controlled Substance Diversion
14 Fund for Fiscal Year 2006 shall *not* revert back but shall be carried over into
15 Fiscal Year 2007. Funds appropriated hereunder shall *not* be subject to the
16 transfer authority of *I Maga’lahen Guåhan*.

17 **Section 13. Volunteers and Donations for Skinner Plaza, Plaza**
18 **De Espana and Guam Congress Building.** Notwithstanding any provision
19 of law to the contrary, the Executive Director or Acting Executive Director
20 of *I Liheslaturan Guåhan* is authorized to receive donations, inclusive, but
21 *not* restricted to, donations of goods, materials and services, for the purpose
22 of maintaining and improving Skinner Plaza, the Plaza De Espana, and the
23 Guam Congress Building (otherwise known as the Old Legislative
24 Building).

25 **Section 14. Contracts.** (a) *Except* for positions filled in
26 accordance with the merit system at the University of Guam, the Guam
27 Community College, the Guam Public School System, the Judiciary of

1 Guam, the Department of Law, the Guam Police Department, *I Liheslaturan*
2 *Guåhan*, and licensed health professionals at the Guam Memorial Hospital,
3 the Department of Public Health and Social Services and the Department of
4 Mental Health and Substance Abuse, positions in the classified and
5 unclassified service shall *not* be filled pursuant to a contractual arrangement.

6 (b) Pursuant to the procurement law, government of Guam
7 departments and agencies may enter into agreements with independent
8 contractors, provided that *no* agency may contract for services customarily
9 provided by employees in the classified service *except* as permitted by the
10 enabling legislation of the agency.

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

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

1 **Section 15. Temporary Employment of Retired Corrections**
2 **Officers.** Notwithstanding §8121(a) of Chapter 8 of Title 4 of the Guam
3 Code Annotated, the Department of Corrections may hire retired Guam
4 Corrections Officers when a critical need arises. Retired corrections officers
5 hired under this Section may receive their retirement annuity while
6 employed on this temporary basis. Officers may *only* be hired under this
7 Section to fill positions left vacant because of military activation of
8 corrections officers filling those positions and shall be terminated when the
9 incumbent returns from military service. Retired officers may be hired *only*
10 in the ranks of Corrections Officers Supervisor I and at Step I only, and shall
11 *not* be entitled to sick and annual leave. Officers hired under this Section
12 shall first pass requirements, e.g. no criminal conviction, for the position for
13 which they are being considered *except* for written examinations, and the
14 Director of Corrections shall certify that every retiree hired is fit for duty.

15 **Section 16. Transfer Authorization for the Department of**
16 **Public Health and Social Services.** The Director of Public Health and
17 Social Services may transfer funds between appropriations made in this Act
18 for the Department of Public Health and Social Services. The Director of
19 Public Health and Social Services shall submit notification of such intent to
20 transfer funds *no later than* fifteen (15) working days *prior* to the effective
21 date of such transfer to the Speaker of *I Liheslaturan Guåhan*.

22 **Section 17. Pledge of Revenues.** The effective date of §1513(d) of
23 Article 5 of Chapter 1 of Division 1 of Title 5 Guam Code Annotated is
24 Fiscal Year 2008.

25 **Section 18. Medicare Prior Year Reimbursements.** Medicare
26 Prior Year reimbursements (FY 2005 and FY 2006) from appropriations

1 made in this Act shall be paid in a lump sum by the Government of Guam
2 Retirement Fund.

3 **Section 19. Continuing Appropriation for the Judiciary of**
4 **Guam.** The appropriations made to the Judiciary of Guam pursuant to §§25,
5 26, 27, 28 and 29 of Chapter III of Public Law 28-68 shall continue until all
6 sums appropriated therein are expended.

7 **Section 20. Transfer Authority of the Judiciary of Guam.** The
8 Unified Judiciary of Guam is authorized to transfer funds between Fiscal
9 Year 2007 Judicial Branch appropriations.

10 **Section 21. Continuing Appropriation for *I Liheslaturan***
11 ***Guåhan.*** The unexpended balance of funds appropriated to *I Liheslaturan*
12 *Guåhan* for Fiscal Year 2006 is available to *I Liheslaturan Guåhan* for
13 expenditures in Fiscal Year 2007.

14 **Section 22. Continuing Appropriation for the Office of Finance**
15 **and Budget.** The unexpended balance of funds appropriated to *I*
16 *Liheslaturan Guåhan* for the Office of Finance and Budget for Fiscal Year
17 2006 is available to *I Liheslaturan Guåhan* and the Office of Finance and
18 Budget for expenditures in Fiscal Year 2007.

19 **Section 23. Continuing Appropriation for Mayors Council of**
20 **Guam.** The appropriation made to the Mayors Council of Guam pursuant to
21 §32 of Chapter III of Public Law 28-68 shall continue until all sums
22 appropriated therein are expended.

23 **Section 24. Corrections Officers – Hazardous Pay Amendment.**
24 §6222(b) of Article 2 of Chapter 6 of Title 4 Guam Code Annotated is
25 *amended* to read:

1 “(b) Any marshal, probation officer, or alternative sentencing
2 officer of the Judiciary is eligible to receive hazardous pay for any
3 duty considered to be under hazardous conditions as specified by the
4 Superior Court of Guam’s Personnel Rules and Regulations, provided
5 that “hazardous conditions” shall *not* include the customary, ordinary,
6 or routine duties of marshals, probation officers and alternative
7 sentencing officers, except for the following:

8 (1) providing security for a Justice, Judge or Referee
9 so long as such Justice, Judge or Referee and the
10 Administrator of the Courts certify that such duty
11 exposed the employee to potentially dangerous
12 circumstances;

13 (2) providing security at a Family Visitation Center;
14 or

15 (3) performing work-related duties involving exigent
16 circumstances resulting in (A) imminent danger of
17 bodily injury to the employee or others; or (B)
18 exposure to potentially dangerous circumstances.

19 The existence of such circumstances must be
20 certified by the Marshal of the Courts and the
21 Administrator of the Courts as to Marshals or by
22 the Chief Probation Officer and the Administrator
23 of the Courts as to Probation Officers and
24 Alternative Sentencing Officers.”

25 **Section 25. GFD Promotions Carry-Over Authorization.** The
26 appropriation made in §22, Part II, Chapter II of Public Law 28-68 shall

1 continue into Fiscal Year 2007 for the purpose of funding the promotions of
2 the Guam Fire Department's uniformed personnel.

3 **Section 26. Continuing Appropriation for the Guam Police**
4 **Department.** The appropriation made to the Guam Police Department
5 pursuant to §12(a), (b) and (c) of Chapter IV of Public Law 27-106 for the
6 personnel, supplies and equipment costs associated with the recruitment and
7 hiring of sixty-eight (68) recruits shall continue until all sums appropriated
8 therein are expended.

9 **Section 27. Deappropriation of Funds Amendment.** Section 3 of
10 Chapter V of Public Law 28-68 is hereby *amended* to read:

11 **“Section 3. Deappropriation of Funds.** Failure to comply
12 with reporting requirements as mandated in this Act, after the forty-
13 fifth (45th) day from the original report due date, shall result in the
14 automatic deappropriation of funds of five percent (5%) of the
15 appropriations made to the non-compliant entity for EACH
16 requirement not met. This Section shall *not* apply when the island is
17 declared to be in Condition of Readiness One or when *I Maga'lahi*
18 has declared a state of emergency. The Public Auditor shall certify the
19 deappropriation and report it to *I Maga'lahen Guåhan* and the
20 Speaker of *I Liheslaturan Guåhan*. The Bureau of Budget and
21 Management Research shall adjust the appropriation/allotment to
22 effectuate any deappropriation and submit a report of such
23 deappropriation(s) along with copies of the appropriation/allotment
24 modification to the Speaker of *I Liheslaturan Guåhan*. This Section
25 shall become effective on July 1, 2006, the beginning of the fourth
26 quarter of Fiscal Year 2006.”

1 **Section 28. Restoration of Funds Previously Deappropriated.**

2 To prevent interruption in the administrative business of the government and
3 critical public services, funds deappropriated in accordance to Section 3 of
4 Chapter V of Public Law 28-68 prior to July 1, 2006 are hereby restored to
5 the respective agencies to which they were originally appropriated. The
6 Director of the Bureau of Budget and Management Research shall
7 immediately effectuate the restoration of funds to said agencies.

8 **Section 29. Health Care Service Provider.**

9 **(a) Offset Against Gross Receipts Taxes for Past Due**
10 **MIP Billings.** (1) A health care service provider that renders services
11 and products to recipients of the Medically Indigent Program shall be
12 entitled to an offset equal to the value of services provided against the
13 total Gross Receipts Taxes the provider owes for any given month.
14 The value for services, equipment and prescriptions shall be the
15 Medically Indigent Program rates for the actual amount of any and all
16 clean claims that are filed and approved by the government.

17 (2) Non-payment of clean claims owed for health care,
18 medical services or supplies which remain unpaid by the
19 government for a period of over ninety (90) days from the due
20 date as invoiced shall qualify health care service providers with
21 the Gross Receipts Tax incentives provided herein.

22 (3) Any unused offset against total Gross Receipts
23 Taxes owed for any given month *not* used in the current tax
24 period may be carried over into subsequent tax periods until
25 such offset is exhausted.

26 (4) The total offset against total Gross Receipts Taxes
27 owed for any given month pursuant to this Act shall *not* exceed

1 the actual dollar amount of that expenditure on the service,
2 equipment, supplies and prescription by a health care service
3 provider.

4 (5) The government shall *not* be obligated to make
5 payments to vendors for services in which an offset against
6 total Gross Receipts Taxes owed for any given month has been
7 exercised.

8 (6) Any health care service provider that renders
9 services and products entitled to an offset against Gross
10 Receipts Taxes owed must “participate” and provide services to
11 recipients of the Medically Indigent Program in order to qualify
12 for any offsets against the total Gross Receipts Taxes owed for
13 any given month. The term “participate” in this Subsection is
14 defined as meeting a ten percent (10%) quota of the cumulative
15 number of patients or clients serviced in a given month who are
16 recipients of the Medically Indigent Program.

17 (7) “*Health Care Service Provider*”, for the purpose of
18 this Act, shall mean any business providing medical equipment
19 or supplies; pharmaceutical health care services and products;
20 medical health care services; dental health care services;
21 behavioral health care services; and allied health care services,
22 including a clinic, hospital, specialized health care facility,
23 licensed practitioner, hospital, health care provider or business
24 that is licensed under the laws of Guam and recognized by the
25 Medically Indigent Program in providing medical and health
26 care assistance, products or services to recipients of the
27 Medically Indigent Program.

1 **(b) Reimbursements.** The Department of Revenue and
2 Taxation shall be reimbursed for all reductions in GRT collections as
3 a result of Gross Receipts Tax offsets. The Department of Revenue
4 and Taxation shall assess the DPHSS or other government agency
5 responsible for the amount of the tax offset taken by the vendor.

6 **(c) Coordination.** In order to avoid double
7 compensation to vendors, the Director of Revenue and Taxation shall
8 immediately notify the Department of Administration and the
9 respective department or agency when a health care service provider
10 files for an offset to Gross Receipts Taxes owed because of the non-
11 payment of Medically Indigent Program approved claims.

12 **(d) Administrative Rules and Regulations.** The Director of
13 Revenue and Taxation shall, pursuant to the Administrative
14 Adjudication Law, enact rules and regulations to implement this
15 Section within ninety (90) days after enactment hereof.

16 **Section 30. Locum Tenens Exemption during the Absence of the**
17 **Chief Medical Examiner.** The Office of the Chief Medical Examiner is
18 exempt from the government of Guam Procurement Law for securing the
19 professional services of a qualified medical examiner during the absence of
20 the Chief Medical Examiner from his duties.

21 **Section 31. Real Property Tax Moratorium on Returned**
22 **Federal Excess Lands to Original Owners Continuation.** Section 75 of
23 Chapter IV of Public Law 28-68 is hereby *amended* to read:

24 **“Section 75. Real Property Tax Moratorium on Returned**
25 **Federal Excess Lands to Original Owners.** (a) A moratorium on
26 the payment of real property taxes shall be in effect until and
27 throughout tax year 2007, on the estates of the original land owners on