

**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2013 (FIRST) Regular Session**

Bill No. 97-32 (CS)

Introduced by:

D.G. RODRIGUEZ, JR. ✓
T.R. MUNA-BARNES ✗

AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE GUAM/TERRITORIAL HIGHWAY FUND TO DESIGNATE AND PRIORITIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS, PURCHASE HEAVY EQUIPMENT NEEDED BY THE DEPARTMENT OF PUBLIC WORKS FOR FLOOD MITIGATION AND FUND THE DEPARTMENT OF REVENUE AND TAXATION'S TRANSACTION PROCESSING SYSTEM.

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that the Territorial Highway Fund (Guam Highway Fund) was recently audited and
4 that there are un-appropriated funds identified in the Balance Sheet that are
5 available for reprogramming for flood mitigation projects and road
6 repair/improvement projects throughout the island. There are specific areas in
7 Barrigada, Dededo, Ipan and Harmon that require immediate action. The projects
8 listed in Section 2 of this Act are areas that the Department of Public Works have
9 been made aware of their conditions and the work necessary to mitigate flooding
10 and other traffic safety related issues. *I Liheslaturan Guåhan* further finds that the
11 acquisition of heavy equipment for drainage improvement and emergency flood
12 mitigation are necessary tools for the Department of Public Works to carry out its
13 mandates and responsibilities to ensure proper maintenance of our roadways. *I*
14 *Liheslaturan Guåhan* is also aware of the need to fund the Department of Revenue

1 and Taxation’s Transaction Processing System as a means to upgrade and facilitate
2 certain functions within the Department of Revenue and Taxation.

3 **Section 2. Appropriation from the Guam Highway Fund.**

4 Notwithstanding any provision of law, the Sum of THREE MILLION NINE
5 HUNDRED THOUSAND DOLLARS (\$3,900,000) is hereby appropriated from
6 the un-appropriated fund balance of the Guam/Territorial Highway Fund to the
7 Department of Public Works and the Department of Revenue and Taxation as
8 follows:

9 **1. Flood Mitigation (DPW):**

- | | | |
|----|--|-----------|
| 10 | A.) Taitano Street, Harmon, | \$146,000 |
| 11 | installation of 680 lineal ft. | |
| 12 | inlet catch basin to Route 16 | |
| 13 | | |
| 14 | B.) Mitigation (flood) of residential unit at | \$215,000 |
| 15 | Lot 4, Blk 10, Municipality of Barrigada (Route 10), | |
| 16 | as best determined appropriate by Director, DPW | |
| 17 | | |
| 18 | C.) Lot 6-1, Blk 2, Municipality of Barrigada | \$300,000 |
| 19 | (Route 10) | |
| 20 | D.) For pavement and flood mitigation | \$300,000 |
| 21 | of the offsite Ironwood access road in | |
| 22 | Dededo | |
| 23 | | |
| 24 | E.) Various flood mitigation work in the village | \$150,000 |
| 25 | of Yigo | |

1	2. Acquisition of the following (DPW):	
2	Long reach excavator, with	\$200,000
3	maintenance agreement for flood mitigation	
4	3.) Road repair/improvement work (DPW)	\$2,189,000
5	with an emphasis on improving traffic safety in	
6	such areas as along Route 4 in Ipan adjacent to Jeff's Pirate's	
7	Cove and similar concerns island-wide	
8	4.) Funding for the Transaction Processing System	\$400,000
9	for the Department of Revenue and Taxation	
10	Total	\$3,900,000.00

11 **Section 3. Reporting Requirement.** The Department of Public Works and
12 the Department of Administration shall submit a status report on all capital projects
13 initially authorized prior to this Act, as provided pursuant to §1504 of 5 GCA and
14 §22427, Division 2, 5 GCA, as well as the status of capital projects and other
15 purposes authorized pursuant to this Act, to *I Maga'lahan Guåhan*, and the
16 *Speaker, I Liheslaturan Guåhan*.

17 **Section 4. Severability.** *If* any provision of this Act or its application to
18 any person or circumstance is found to be invalid or contrary to law, such
19 invalidity shall *not* affect other provisions or applications of this Act which can be
20 given effect without the invalid provisions or application, and to this end the
21 provisions of this Act are severable.

22 **Section 5. Effective Date.** This Act shall become immediately effective
23 upon enactment.