



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 31 2002

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspal Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>9:06</u>
Date	<u>11/4/02</u>

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 416 (COR) "AN ACT TO AMEND § 2 OF P.L. NO. 26-116, § 1 OF P.L. NO. 26-127; § 3 OF P.L. NO. 26-127 AND § 4 OF P.L. NO. 26-127, TO REPEAL AND REENACT § 2 OF P.L. NO. 25-163, AND TO AMEND § 1203(k) OF TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROPRIATING FUNDS FOR THE ORDOT DUMP FIRE, FOR THE PURCHASE OF A NEW FIRE APPARATUS, FOR THE REPAIR OF PUBLIC SCHOOL BUSES AND FOR TYPHOON CHATA'AN RECOVERY EFFORTS," which was signed into law as **Public Law No. 26-153**.

This legislation, which was passed as an emergency measure without the benefit of public hearing, contains six different subjects. The subjects are: \$250,000 appropriation to respond to the fire at the Ordot Dump; \$50,000 appropriation for the purchase of a fire apparatus; \$150,000 appropriation for the repair of school buses; authorization to use Typhoon Chata'an funds for the period of the grant awards for permanent repairs; four sections relative to language and terms of the airport bond refinancing which was previously authorized; and an amendment requiring the outsourcing of the Medically Indigent Program on October 1, 2003.

The numerous non-germane riders to an emergency bill for funds to use for the Ordot Dump fire emergency caused a delay in the availability of the emergency funds due to the necessity of reviewing the non-germane and non-emergency riders attached. The \$250,000 for the Ordot Dump fire is not adequate in any event.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

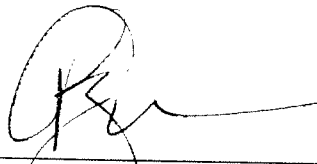
cc: The Honorable Antonio R. Unpingco
Speaker

0974

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session


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

This is to certify that Substitute Bill No. 416 (COR) "AN ACT TO AMEND § 2 OF P.L. NO. 26-116, § 1 OF P.L. NO. 26-127, § 3 OF P.L. NO. 26-127 AND § 4 OF P.L. NO. 26-127, TO REPEAL AND REENACT § 2 OF P.L. NO. 25-163, AND TO AMEND § 1203(k) OF TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROPRIATING FUNDS FOR THE ORDOT DUMP FIRE, FOR THE PURCHASE OF A NEW FIRE APPARATUS, FOR THE REPAIR OF PUBLIC SCHOOL BUSES AND FOR TYPHOON CHATA'AN RECOVERY EFFORTS," was on the 28th day of October, 2002, duly and regularly passed.



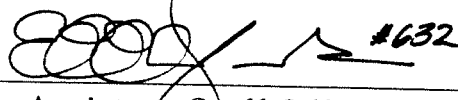
ANTONIO R. UNPINGCO
Speaker

Attested:



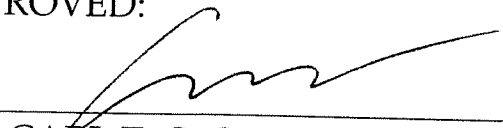
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 28TH day of OCTOBER, 2002,
at 10:00 o'clock P. .M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 10-31-02

Public Law No. 26-153

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 416 (COR)

As substituted by the Author
and amended in the Committee
of the Whole.

Introduced by:

K. S. Moylan
V. C. Pangelinan
A. R. Unpingco
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
A. L.G. Santos
J. T. Won Pat

AN ACT TO AMEND § 2 OF P.L. NO. 26-116, § 1 OF P.L. NO. 26-127, § 3 OF P.L. NO. 26-127 AND § 4 OF P.L. NO. 26-127, TO REPEAL AND REENACT § 2 OF P.L. NO. 25-163, AND TO AMEND § 1203(k) OF TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROPRIATING FUNDS FOR THE ORDOT DUMP FIRE, FOR THE PURCHASE OF A NEW FIRE APPARATUS, FOR THE REPAIR OF PUBLIC SCHOOL BUSES AND FOR TYPHOON CHATA'AN RECOVERY EFFORTS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Ordot Dump Fire Appropriation.**

3 (a) **Appropriation.** There is hereby appropriated from the
4 General Fund the sum of Two Hundred Fifty Thousand Dollars
5 (\$250,000.00) to the Department of Military Affairs, Office of Civil
6 Defense, for the purpose of funding the expenditures incurred as a
7 result of the fire at the Ordot Dump on October 25, 2002. The following
8 types of expenditure may be charged against appropriations made in
9 this Act:

10 (1) expenses incurred fighting, controlling and
11 extinguishing the fire;

12 (2) expenses incurred on emergency services for citizens
13 affected by the fire;

14 (3) expenses incurred for necessary evacuation of
15 residents and/or other displacement costs due to the health and
16 safety hazards posed by the fire; *and*

17 (4) expenses incurred for all air quality testing and
18 monitoring necessary for the duration of the emergency.

19 (b) **Authorization to Pay for Prior Expenses Incurred for Ordot**
20 **Dump Fire.** Notwithstanding any other provision of law, the
21 appropriations made in this Section may be used to cover the October
22 25, 2002 Ordot Dump Fire Emergency expenses, including expenses
23 incurred *prior* to the enactment date of this Act.

1 **(c) Reporting Requirement.** The Director of the Department
2 of Military Affairs shall submit a report, *no later than* thirty (30) days
3 after the enactment of this Act, of all expenditures from the
4 appropriations contained in this Act to the Speaker of *I Liheslaturan*
5 *Guåhan*.

6 **Section 2. Appropriation New Fire Apparatus.**

7 **(a) Legislative Findings and Intent.** *I Liheslaturan Guåhan*
8 finds that the Guam Housing and Urban Renewal Authority
9 (“GHURA”), as part of its Federal grants community projects, had
10 earmarked *approximately* Two Hundred Seventy-eight Thousand Dollars
11 (\$278,000.00) for the purchase of a new fire truck, as requested by the
12 Guam Fire Department (“GFD”) for the newly constructed Inarajan Fire
13 Station.

14 *However,* after issuing an Invitation for Bid for the “Design and
15 Specifications for Fire Apparatus,” and conducting all the necessary
16 procurement process, GHURA and GFD received bids that exceeded the
17 amount funded by GHURA for the equipment. GFD thoroughly
18 reviewed the “Design and Specifications for Fire Apparatus” to see if
19 amendments or deletions from the original specifications were possible
20 in order to reduce the cost of the equipment. GFD concluded that such
21 changes could *not* be made without compromising the safety of our men
22 and women in GFD, as it will *not* be able to meet the basic needs of GFD.

23 Therefore, it is the intent of *I Liheslaturan Guåhan* to supplement
24 the funds provided by GHURA to GFD in order to purchase the much

1 needed fire truck for the Inarajan Community. Such Federal funds
2 earmarked by GHURA will be reprogrammed for other community
3 projects and it will no longer be available to GFD *if* the existing problem
4 of the need for additional funds is *not* immediately remedied.

5 (b) **Appropriation.** The Sum of Fifty Thousand Dollars
6 (\$50,000.00) is hereby appropriated from the funds pursuant to 11
7 G.C.A. § 106119(k) and 11 G.C.A. § 127114(j) to the Guam Housing and
8 Urban Renewal Authority for the purchase of a fire apparatus for the
9 Guam Fire Department.

10 **Section 3. Appropriation for the Repair of School Buses.**

11 (a) **Legislative Findings and Intent.** *I Liheslaturan Guåhan*
12 recognizes the need to fund the *immediate* repair of school buses, as the
13 continued breakdown of buses has severely affected the school
14 attendance of students. Students frequently arrive late to their
15 designated schools because of a lack of functional buses to transport
16 them every morning. Although *I Maga'lahen Guåhan* has earmarked One
17 Million Two Hundred Thousand Dollars (\$1,200,000.00) from the
18 Compact-Impact Aid for the purchase of seventeen (17) new buses,
19 delivery of vehicles by the vendor will be two hundred ten (210) days
20 *after* the award of the bid, approximately May of 2003.

21 Meanwhile, approximately twenty-two (22) school buses need
22 minor to major repairs, which can be placed in service almost
23 immediately; *provided*, that funds are available for repairs. Therefore, it
24 is the intent of *I Liheslaturan Guåhan* to appropriate the necessary funds

1 in order to end the problem of students coming to school late because of
2 insufficient buses available.

3 (b) **Appropriation.** The Sum of One Hundred Fifty Thousand
4 Dollars (\$150,000.00) is hereby appropriated from the funds pursuant to
5 11 G.C.A. § 106119(k) and 11 G.C.A. § 127114(j) to the Department of
6 Public Works (“DPW”) to be *exclusively* used for the repairs of public
7 school buses.

8 **Section 4. Completion of Typhoon *Chata’an* Repairs.**

9 (a) **Legislative Findings and Intent.** *I Liheslaturan Guåhan*
10 finds that emergency temporary repairs related to the damages caused
11 by Typhoon *Chata’an* have been mostly completed. The recovery efforts
12 now must focus on permanent repairs. *However*, such repairs require a
13 longer period of time to complete, and consequently longer contract
14 periods than are currently provided for by law.

15 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide the
16 necessary means to successfully complete the Typhoon *Chata’an*
17 recovery efforts by allowing the expenditure of the appropriated funds
18 to last for more than the forty-five (45) day requirement on any projects
19 relating to permanent repairs.

20 (b) Section 2 of Public Law Number 26-116, as amended by
21 Public Law Numbers 26-117 and 26-122, is hereby further *amended* to
22 read as follows:

23 “Section 2. **Expenditure Authority.** Beginning on July 3,
24 2002 and for forty-five (45) days from the enactment of this Act, *I*

1 *Maga'lahaen Guåhan* may spend *up to* Five Million Dollars
2 (\$5,000,000) of the unexpended proceeds of the new money bonds
3 under Article 10 of Chapter 22 of Title 5 of the Guam Code
4 Annotated, currently slated for Phase II of the Tumon
5 Redevelopment Project, *up to* Eight Million Dollars (\$8,000,000)
6 from the unreserved fund balance of the Territorial Highway
7 Bond, *up to* One Million Eight Hundred Thousand Dollars
8 (\$1,800,000) from the unreserved fund balance of the Educational
9 Bond Fund, and, notwithstanding any other provision of law, a
10 sum *not* to exceed in aggregate Six Million Five Hundred
11 Thousand Dollars (\$6,500,000), from Special Funds of the
12 Executive Branch of the government of Guam, for Typhoon
13 *Chata'an* and Typhoon *Halong* recovery efforts.

14 To the greatest extent possible, typhoon-related
15 expenditures shall be those pre-approved by the Federal
16 Emergency Management Agency ('FEMA') for reimbursement to
17 the government of Guam, for the purpose of providing and
18 restoring damaged government services and infrastructure to the
19 People of Guam resulting from Typhoon *Chata'an* or Typhoon
20 *Halong* which serve to benefit and promote public health, safety,
21 sanitation and welfare, including, but *not* limited to, restoration of
22 roads and highways; restoration of power; restoration of water;
23 restoration of telephone; repair of schools to pre-typhoon
24 conditions, both private and public, with priority of spending to
25 public schools; repair of facilities belonging to non-profit

1 organizations to pre-typhoon conditions; repair of public
2 buildings; restoration of public parks; restoration of sports
3 facilities; interim public housing; repairing damage to government
4 property; overtime compensation for existing personnel needed to
5 perform emergency and restorative services; and classified
6 supervisory personnel overtime, including, but *not* limited to,
7 police, fire, public health and hospital, and for other services
8 consistent with the intent of this Act.

9 *I Maga'lahaen Guåhan* is further authorized to utilize the
10 funding from this Act as local matching requirements for Federal
11 funding awarded for Typhoon *Chata'an* related recovery efforts;
12 and notwithstanding any other provision herein, funds used as
13 matching requirements are hereby authorized for expenditure
14 through the period of the grant award.

15 All work to be performed on permanent repairs shall be
16 subject to the Guam Procurement Law."

17 **Section 5.** Section 1 of Public Law Number 26-127 is hereby *amended* to
18 read as follows:

19 **"Section 1. Legislative Findings and Intent.** When market
20 forces are prone to wild fluctuations, the ability to enter into financing
21 arrangements that allow a borrower to 'lock in' preferable rates is
22 viewed as advantageous. Due to tax restrictions, the bonds issued by
23 the Antonio B. Won Pat International Airport Authority, Guam
24 ('Authority') in 1993 cannot be refunded or refinanced with tax-exempt
25 bonds until the year 2003.

1 *However*, by issuing refunding bonds for such purpose originally
2 on a taxable basis and, when permitted under tax law, on a tax exempt
3 basis, and entering into an interest rate swap agreement pursuant to and
4 subject to the limitations set forth in the proposed Subsection (k) added
5 by § 2 hereof, the Authority will be able to lock in today's current low
6 interest rates. *If* this proposal becomes law now, the Authority can
7 achieve more than Fifteen Million Dollars (\$15,000,000) in debt service
8 savings."

9 **Section 6.** Section 1203(k) of Article 2, Chapter 1 of Title 12 of the
10 Guam Code Annotated is hereby *amended* to read as follows:

11 “(k) enter into any contracts in connection with, or incidental to,
12 the issuance of bonds, or the carrying of any investment or program of
13 investment or entering into or maintaining any agreement which
14 secures bonds, which the Authority determines to be necessary or
15 appropriate to place the obligation or investment of the Authority, as
16 represented by the bonds, investment, program of investment or
17 agreement and the contract or contracts, in whole or in part, on the
18 interest rate, currency, cash-flow, or other basis desired by the Authority
19 in furtherance of the purposes of this Chapter, including, without
20 limitation, contracts commonly known as interest rate swap agreements
21 or contracts providing for payments based on levels of, or changes in,
22 interest rates, or contracts to exchange cash flows or a series of
23 payments, or contracts, including, without limitation, interest rate floors
24 or caps, options, put or call to hedge payment, rate, spread, or similar
25 exposure with the parties, selected by the means, and containing the

1 payment, security, default, remedy, and other terms and conditions,
2 determined by the Authority, after giving due consideration for the
3 creditworthiness of the counterparties, where applicable, including any
4 rating by a nationally recognized rating agency or any other criteria as
5 may be appropriate; *provided*, that any amounts received by the
6 Authority pursuant to any such contract shall constitute Revenues and
7 that any obligation of the Authority under any such contract shall be
8 payable solely from, and secured solely by a pledge of, Revenues; and
9 provided further that for purposes of § 1206 of this Chapter, such
10 obligations shall constitute costs relating to the ownership, use and
11 operation of the Airport.

12 Such contracts may include contracts pursuant to which the
13 Authority receives an up-front payment in exchange for which the
14 Authority agrees to make payments based upon a fixed rate which is
15 greater than the fixed rate that the counterparty to such agreement
16 would require in order to agree to make payments based upon the
17 variable rate to be used to calculate the payments of such counterparty
18 pursuant to such agreement."

19 **Section 7.** Section 3 of Public Law Number 26-127 is hereby *amended* to
20 read as follows:

21 **"Section 3. Approval by GEDCA; Approval by *I Liheslaturan***
22 ***Guåhan.***

23 (a) Section 50103(k) of Title 12 of the Guam Code
24 Annotated provides that agencies and instrumentalities of the
25 government of Guam shall issue bonds and other obligations *only*

1 by means of and through the agency of the Guam Economic
2 Development and Commerce Authority ('GEDCA'). No issue of
3 bonds approved pursuant to Subsection (b) of this Section 3 shall
4 be sold until the board of directors of GEDCA has adopted a
5 resolution approving the sale of such issue.

6 (b) Pursuant to said § 50103(k), GEDCA shall *not* sell any
7 bonds without approval by *I Liheslaturan Guåhan* of the terms and
8 conditions of the issuance of the bonds. Pursuant to § 1208 of Title
9 12 of the Guam Code Annotated, no general revenue bonds, as
10 defined therein, may be issued by the Authority unless *I*
11 *Liheslaturan Guåhan* by statute approves the terms and conditions,
12 including terms and conditions related to the use of proceeds of
13 such bonds in accordance with Article 1 of Chapter 1 of Title 12 of
14 the Guam Code Annotated, of such bonds. *I Liheslaturan Guåhan*
15 hereby approves, in accordance with said § 50103(k) and said §
16 1208, the issuance, terms and conditions of bonds to be issued by
17 the Authority pursuant to and in accordance with and in all cases
18 subject to the requirements and limitations set forth in Article 2 of
19 Chapter 2 of Title 12 of the Guam Code Annotated for the purpose
20 of refunding or refinancing the 1993 Bonds, or any bonds issued to
21 refund or refinance the 1993 Bonds; *provided*, that such bonds meet
22 the requirements of Subsection (c) of this § 3. Such approval
23 applies to any and all such bonds, regardless of whether such
24 bonds are issued as bonds bearing interest at a fixed rate or bonds
25 bearing interest at a variable rate, and regardless of whether the

1 interest on such bonds is expected to be included in gross income
2 for Federal income tax purposes, or excluded from gross income
3 for Federal income tax purposes.

4 (c) The true interest cost, that is, the annual discount rate
5 which, when used to discount all payments of debt service, as
6 defined below, on an issue of bonds to the date of issuance of such
7 bonds, using a semiannual compounding interval, results in the
8 aggregate present value of such payments being equal to an
9 amount equal to the re-offering price to the public of such bonds
10 less fees to be paid for credit enhancement of such bonds from
11 proceeds thereof, on any bonds issued pursuant to the approval
12 granted in Subsection (b) of this § 3 shall *not* exceed 4.75% per
13 annum. For purposes of calculating true interest cost pursuant to
14 this Subsection (c) of this § 3, (i) the term "debt service" means the
15 scheduled principal of and interest on bonds plus fees to be paid,
16 other than from bond proceeds, for credit enhancement of such
17 bonds and for ongoing remarketing, auction or other similar
18 services in connection with such bonds and net amounts to be
19 paid or received under any financial contract entered into
20 pursuant to Subsection (k) of § 1203 of Title 12 of the Guam Code
21 Annotated, *and* (ii) to the extent that the Authority enters into a
22 financial contract pursuant to said Subsection (k) in connection
23 with the issuance of variable rate bonds to place the obligation of
24 the Authority, as represented by such bonds and such agreement,
25 on an approximately fixed rate basis, the interest rate on such

1 bonds and the interest rate used to calculate payments to be made
2 by the counterparty under said agreement shall be assumed to be
3 the same.”

4 **Section 8.** Section 4 of Public Law Number 26-127 is hereby *amended* to
5 read as follows:

6 **“Section 4.** Any counterparty to a financial contract entered into
7 by the Authority in connection with the issuance of bonds approved by
8 § 3 of this Act shall agree to provide insurance and/or collateral at the
9 times and in the amounts required by said contract to ensure payment
10 of its obligation under such financial contract. All legal documentation
11 and collateral documentation, the applicable forms published by the
12 International Swaps and Derivatives Association, Inc., and any
13 amendment to such documents in effect at time of issuance; *provided,*
14 that terms and conditions of such financial contract, shall be negotiated
15 by the Authority in accordance with Subsection (k) of § 1203 of Title 12
16 of the Guam Code Annotated.”

17 **Section 9.** Section 2 of Public Law Number 25-163 is hereby *repealed and*
18 *reenacted* to read as follows:

19 **“Section 2. Effective Date.** With the exception of 10 G.C.A. §
20 2916 (MIP Reimbursement Fee Schedules for Providers) which is
21 already in effect, the other sections of Article 9 of Title 10 of the Guam
22 Code Annotated, as set forth in § 1 of this Act, shall become effective on
23 October 1, 2003. The Director shall take all steps necessary to implement
24 Article 9 on October 1, 2003. No hospitalization, medical, dental or
25 behavioral health care services may be provided pursuant to this Article

1 *prior* to October 1, 2003. All eligible members of the Program on the last
2 day of September, 2003 shall continue to remain eligible until the
3 expiration of their previous eligibility.

4 Such members shall be able to renew their participation in the
5 Program, but shall be required to meet the new eligibility standards
6 established by this Article. All new applicants for the Program who
7 have *not* been determined eligible as of 11:59 p.m. on September 30, 2003
8 shall be required to meet the new eligibility standards established by
9 this Act.

10 Within sixty (60) days of enactment of this Act, the Director of the
11 Department of Public Health and Social Services ('DPH&SS') shall
12 notify all current Medically Indigent Program ('MIP') recipients and
13 providers of the new eligibility standards and Program benefits."

14 **Section 10. Severability.** *If* any provision of this Law or its
15 application to any person or circumstance is found to be invalid or contrary to
16 law, such invalidity shall *not* affect other provisions or applications of this
17 Law which can be given effect without the invalid provisions or application,
18 and to this end the provisions of this Law are severable.



MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

TWENTY-SIXTH GUAM LEGISLATURE

155 Hessler Place, Hagåtña, Guam 96910

2002 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina' Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2, Guam Code Annotated, §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the People and therefore waive the statutory requirements for a public hearing on Bill No. 416 (COR), "AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO COVER COSTS ASSOCIATED WITH THE ORDOT DUMP FIRE," which was introduced on this date, October 28, 2002, and therefore waive the statutory requirements for a public hearing on Bill No. 416 (COR).

Dated: October 28, 2002

ANTONIO R. UNPINGCO
Speaker and Presiding Officer

6

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 10/28/02

VOTING SHEET

5 Bill No. 416 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.					✓ EA
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

2nd Rdg
10/28/02
COR
10/28/02

3rd
10/28/02

e
10/28/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session**

Bill No. 416 (COR)
As substituted by the Author.

Introduced by:

- K. S. Moylan
- V. C. Pangelinan
- A. R. Unpingco
- J. F. Ada
- T. C. Ada
- F. B. Aguon, Jr.
- J. M.S. Brown
- E. B. Calvo
- F. P. Camacho
- M. C. Charfauros
- Mark Forbes
- L. F. Kasperbauer
- L. A. Leon Guerrero
- A. L.G. Santos
- J. T. Won Pat

AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO COVER COSTS ASSOCIATED WITH THE ORDOT DUMP FIRE, TO APPROPRIATE FIFTY THOUSAND DOLLARS FOR THE PURCHASE OF A NEW FIRE APPARATUS FOR THE GUAM FIRE DEPARTMENT TO BENEFIT THE VILLAGE OF INARAJAN, TO APPROPRIATE FUNDS FOR THE REPAIR OF PUBLIC SCHOOL BUSES, TO AMEND SECTION 2 OF PUBLIC LAW NUMBER 26-116, AS AMENDED BY PUBLIC LAW 26-117 AND FURTHER AMENDED BY PUBLIC LAW 26-122, RELATIVE TO THE TYPHOON CHATA'AN RECOVERY EFFORTS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Ordot Dump Fire Appropriation.

3 (a) **Appropriation.** There is hereby appropriated from the General
4 Fund the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) to the
5 Department of Military Affairs, Office of Civil Defense, for the purpose of
6 funding the expenditures incurred as a result of the fire at the Ordot Dump on
7 October 25, 2002. The following types of expenditure may be charged against
8 appropriations made in this Act:

9 (1) expenses incurred fighting, controlling and extinguishing
10 the fire;

11 (2) expenses incurred on emergency services for citizens
12 affected by the fire;

13 (3) expenses incurred for necessary evacuation of residents
14 and/or other displacement costs due to the health and safety hazards
15 posed by the fire; and

16 (4) expenses incurred for all air quality testing and monitoring
17 necessary for the duration of the emergency.

18 (b) **Authorization to Pay for Prior Expenses Incurred for Ordot**
19 **Dump Fire.** Notwithstanding any other provision of law, the
20 appropriations made in this Section may be used to cover ^{the 10/25/02} any Ordot Dump
21 fire emergency expenses ^{including expenses} incurred ~~prior to the enactment date of this Act.~~ ^{OK} ~~stat.~~

22 (c) **Reporting Requirement.** The Director of the Department of
23 Military Affairs shall submit a report, *no later than* thirty (30) days after the

SESSION FLOOR AMENDMENT FORM
Bill No. 416 (COR)

Senator Proposing Amendment: **SENATOR TOM ADA**

Proposed Amendment:

PAGE 2, BEGINNING ON LINE 20, CHANGE AS FOLLOWS:

“Notwithstanding any other provision of law, the appropriations made in this Section may be used to cover ~~any~~ the October 25, 2002 Ordot Dump Fire Emergency expenses ^{incurring expense} incurred ~~prior to the enactment date of this Act.~~ O/K

*do not delete.
"incurred.... Act"*

Date: 10/28, 2002; Floor Amendment No. 1 of a total of _____ Floor Amendments to Bill.

Votes For Amendment: _____

Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____

APPROVED AS TO FORM PASSED:

T. C. Ad
AUTHOR OF AMENDMENT

ms
CLERK OF THE LEGISLATURE

TEA FAO
1
2

[Handwritten signature]

return to normal of the ~~Ordot Dump~~ All expenditures from the appropriations contained in this Act to the Speaker of *I Liheslaturan Guåhan*.

Section 2. Appropriation for the purchase of a new fire apparatus for the Guam Fire Department to benefit the village of Inarajan.

(a) Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that the Guam Housing and Urban Renewal Authority ("GHURA"), as part of its federal grants community projects, had earmarked approximately Two Hundred Seventy-eight Thousand Dollars (\$278,000.00) for the purchase of a new fire truck, as requested by the Guam Fire Department ("GFD") for the newly constructed Inarajan Fire Station.

However, after issuing an Invitation for Bid, for the 'Design and Specifications for Fire Apparatus', and conducting all the necessary procurement process, GHURA and GFD received bids that exceeded the amount funded by GHURA for the equipment. GFD thoroughly reviewed the 'Design and Specifications for Fire Apparatus' to see if amendments or deletions from the original specifications were possible in order to reduce the cost of the equipment. GFD concluded that such changes could not be made without compromising the safety of our men and women in the fire department, as it will not be able to meet the basic needs of the Department.

Therefore, it is the intent of *I Liheslaturan Guahan* to supplement the funds provided by GHURA to GFD in order to purchase the much needed fire truck for the Inarajan Community. Such federal funds earmarked by GHURA will be reprogrammed for other community projects and it will no longer be available to GFD if the existing problem of the need for additional funds is not immediately remedied.

I MINA'BENTE SAIS NA LIHESLATURAN GUÁHAN

FLOOR AMENDMENTS/CHANGES

5 Bill No. 416

TCA

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p.3 line 1, delete "return to normal of the
Order of Day". insert "after the
enactment of this Act."

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

Date 10/28, 2002

Floor Amendment No. 2 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

R. C. Ad
AUTHOR OF AMENDMENT

Concur (initial)

Clerk of Legislature

Speaker

 Ass't. Amend. Clerk
 Engrossment Staff

1 **(b) Appropriation.** The Sum of Fifty Thousand Dollars (\$50,000.00)
2 is hereby appropriated from the funds pursuant to 11 G.C.A. §106119(k) and
3 11 G.C.A. §127114(j) to the Guam Housing and Urban Renewal Authority for
4 the purchase of a fire apparatus for the Guam Fire Department.”

Section 3. Appropriation for the Repair of School Buses.

(a) **Legislative Findings and Intent.** *I Liheslaturan Guåhan* recognizes the need to fund the immediate repair of school buses, as the continued breakdown of buses has severely affected the school attendance of students. Students frequently arrive late to their designated schools because of a lack of functional buses to transport them every morning. Although the Governor has earmarked One Million Two Hundred Thousand Dollars (\$1,200,000.00) from the Compact-Impact Aid for the purchase of seventeen (17) new buses, delivery of vehicles by the vendor will be two hundred ten (210) days after the award of the bid, approximately May of 2003.

5 Meanwhile, approximately twenty-two (22) school buses need minor to
6 major repairs, which can be placed in service almost immediately, provided
7 that funds are available for repairs. Therefore, it is the intent of *I Liheslaturan*
8 *Guåhan* to appropriate the necessary funds in order to end the problem of
9 students coming to school late because of insufficient buses available.

10 **(b) Appropriation.** The Sum of One Hundred Fifty Thousand
11 Dollars (\$150,000.00) is hereby appropriated from the funds pursuant to 11
12 G.C.A. §106119(k) and 11 G.C.A. §127114(j) to the Department of Public
13 Works to be exclusively used for the repairs of public school buses.

1 **Section 4. Amendment to Section 2 of Public law Number 26-116 as**
2 **amended and further amended by Public law Number 26-122.**

3 **(a) Legislative Findings and Intent.** *I Liheslaturan Guåhan*
4 finds that emergency temporary repairs related to the damages caused by
5 Typhoon *Chata'an* have been mostly completed. The recovery efforts now
6 must focus on permanent repairs. However, such repairs require a longer
7 period of time to complete, and consequently longer contract periods than are
8 currently provided for by law.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide the
10 necessary means to successfully complete the Typhoon *Chata'an* recovery
11 efforts by allowing the expenditure of the appropriated funds to last for more
12 than the forty-five-days requirement on any projects relating to permanent
13 repairs.

14 **(b) Amendment.** Section 2 of Public Law Number 26-116, as
15 amended by Public Law 26-117 and further amended by Public Law 26-122, is
16 hereby *amended* to read as follows:

17 **"Section 2. Expenditure Authority.** Beginning July 3,
18 2002 and for forty-five (45) days from the enactment of this Act, *I*
19 *Maga'lahaen Guåhan* may spend *up to* Five Million Dollars (\$5,000,000) of
20 the unexpended proceeds of the new money bonds under Article 10 of
21 Chapter 22 of Title 5 of the Guam Code Annotated, currently slated for
22 Phase II of the Tumon Redevelopment Project, *up to* Eight Million
23 Dollars (\$8,000,000) from the unreserved fund balance of the Territorial
24 Highway Bond, *up to* One Million Eight Hundred Thousand Dollars

1 (\$1,800,000) from the unreserved fund balance of the Educational Bond
2 Fund, and, notwithstanding any other provision of law, a sum *not* to
3 exceed in aggregate Six Million Five Hundred Thousand Dollars
4 (\$6,500,000), from Special Funds of the Executive Branch of the
5 government of Guam, for Typhoon *Chata'an* and Typhoon *Halong*
6 recovery efforts.

7 To the greatest extent possible, typhoon-related expenditures shall
8 be those pre-approved by the Federal Emergency Management Agency
9 ('FEMA') for reimbursement to the government of Guam, for the
10 purpose of providing and restoring damaged government services and
11 infrastructure to the People of Guam resulting from Typhoon *Chata'an*
12 or Typhoon *Halong* which serve to benefit and promote public health,
13 safety, sanitation and welfare, including, but *not* limited to, restoration
14 of roads and highways; restoration of power; restoration of water;
15 restoration of telephone; repair of schools to pre-typhoon conditions,
16 both private and public, with priority of spending to public schools;
17 repair of facilities belonging to non-profit organizations to pre-typhoon
18 conditions; repair of public buildings; restoration of public parks;
19 restoration of sports facilities; interim public housing; repairing damage
20 to government property; overtime compensation for existing personnel
21 needed to perform emergency and restorative services; and classified
22 supervisory personnel overtime, including, but *not* limited to, police,
23 fire, public health and hospital, and for other services consistent with
24 the intent of this Act.

1 I Maga'lahaen Guåhan is further authorized to utilize the funding
2 from this Act as local matching requirements for Federal funding
3 awarded for Typhoon Chata'an related recovery efforts; and
4 notwithstanding any other provision herein, funds used as matching
5 requirements are hereby authorized for expenditure through the period
6 of the grant award.

7 All work to be performed on permanent repairs shall be subject to
8 the Guam Procurement Law."

9 **Section 5.** Section 1 of Public Law Number 26-127 is hereby *amended* to
10 read as follows:

11 **"Section 1. Legislative Findings and Intent.** When market
12 forces are prone to wild fluctuations, the ability to enter into financing
13 arrangements that allow a borrower to "lock in" preferable rates is
14 viewed as advantageous. Due to tax restrictions, the bonds issued by
15 the Antonio B. Won Pat International Airport Authority, Guam (the
16 "Authority") in 1993 cannot be refunded or refinanced with tax-exempt
17 bonds until the year 2003.

18 *However,* by issuing ~~taxable~~ refunding bonds for such purpose
19 originally on a taxable basis and, when permitted under tax law,
20 ~~refinancing such bonds through the issuance of~~ on a tax exempt basis
21 ~~refunding bonds~~ and entering into an interest rate swap agreement
22 pursuant to and subject to the limitations set forth in the proposed
23 Subsection (k) added by § 2 hereof, the Authority will be able to lock in
24 today's current low interest rates. *If this proposal becomes law now, the*

1 Authority can achieve more than Fifteen Million Dollars (\$15,000,000) in
2 debt service savings.”

3 **Section 6.** Section 2 of Public Law Number 26-127 is hereby *amended* to
4 read as follows:

5 “(k) enter into any contracts in connection with, or incidental to,
6 the issuance of bonds, or the carrying of any investment or program of
7 investment or entering into or maintaining any agreement which
8 secures bonds, which the Authority determines to be necessary or
9 appropriate to place the obligation or investment of the Authority, as
10 represented by the bonds, investment, program of investment or
11 agreement and the contract or contracts, in whole or in part, on the
12 interest rate, currency, cash-flow, or other basis desired by the Authority
13 in furtherance of the purposes of this Chapter, including, without
14 limitation, contracts commonly known as interest rate swap agreements
15 or contracts providing for payments based on levels of, or changes in,
16 interest rates, or contracts to exchange cash flows or a series of
17 payments, or contracts, including, without limitation, interest rate floors
18 or caps, options, put or call to hedge payment, rate, spread, or similar
19 exposure with the parties, selected by the means, and containing the
20 payment, security, default, remedy, and other terms and conditions,
21 determined by the Authority, after giving due consideration for the
22 creditworthiness of the counterparties, where applicable, including any
23 rating by a nationally recognized rating agency or any other criteria as
24 may be appropriate; *provided*, that any amounts received by the
25 Authority pursuant to any such contract shall constitute Revenues and

1 that any obligation of the Authority under any such contract shall be
2 payable solely from, and secured solely by a pledge of, Revenues; and
3 provided further that for purposes of §1206 of this Chapter, such
4 obligations shall constitute costs relating to the ownership, use and
5 operation of the airport.

6 Such contracts may include contracts pursuant to ~~what~~ which the
7 Authority receives ~~on~~ an up-front payment in exchanges for which the
8 Authority agrees to make payments based upon a fixed rate which is
9 greater than the fixed rate that the counterparty to such agreement
10 would require in order to agree to make ~~prepayments~~ based upon a
11 ~~fixed rate which is greater than the fixed rate~~ that the counter party to
12 such agreement would require in order to agree to make payments
13 based upon the variable rate to be used to calculate the payments at of
14 such counterparty pursuant to such agreement."

15 **Section 7.** Section 3 of Public Law Number 26-127 is hereby *amended* to
16 read as follows:

17 "Section 3. ~~The refunding interest rate on the variables rate~~
18 ~~bonds Series 2003 Refunding Revenue Bonds shall be no greater than~~
19 ~~the true interest cost of four and seventy five hundredth percent~~
20 ~~(4.75%).~~ **Approval by GEDA; Approval by I Liheslaturan Guåhan.**

21 (a) Section 50103 (k), Title 12, Guam Code Annotated, provides
22 that agencies and instrumentalities of the government of Guam shall
23 issue bonds and other obligations only by means of and through the
24 agency of the Guam Economic Development Authority ("GEDA"). No
25 issue of bonds approved pursuant to subsection (b) of this Section 3

1 shall be sold until the board of directors of GEDA has adopted a
2 resolution approving the sale of such issue.

3 (b) Pursuant to said Section 50103 (k) GEDA shall not sell any
4 bonds without approval by I Liheslaturan Guåhan of the terms and
5 conditions of the issuance of the bonds. Pursuant to §1208 of Title 12,
6 Chapter 1, Article 2, Guam Code Annotated, no general revenue bonds
7 (as defined therein) may be issued by the Authority unless I Liheslaturan
8 Guåhan by statute approves the terms and conditions (including terms
9 and conditions related to the use of proceeds of such bonds in
10 accordance with Title 12, Chapter 1, Article 2, Guam Code Annotated) of
11 such bonds. I Liheslaturan Guåhan hereby approves, in accordance with
12 said Section 50103(k) and said §1208, the issuance, terms and conditions
13 of bonds to be issued by the Authority pursuant to and in accordance
14 with and in all cases subject to the requirements and limitations set forth
15 in Title 12, Chapter 1, Article 2, Guam Code Annotated for the purpose
16 of refunding or refinancing the 1993 Bonds or any bonds issued to
17 refund or refinance the 1993 Bonds; provided that such bonds meet the
18 requirements of subsection (c) of this Section 3. Such approval applies
19 to any and all such bonds regardless of whether such bonds are issued
20 as bonds bearing interest at a fixed rate or bonds bearing interest at a
21 variable rate and regardless of whether the interest on such bonds is
22 expected to be included in gross income for federal income tax purposes
23 or excluded from gross income for federal income tax purposes.

24 (c) The true interest cost (that is, the annual discount rate
25 which, when used to discount all payments of debt service (as defined

1 below) on an issue of bonds to the date of issuance of such bonds (using
2 a semiannual compounding interval), results in the aggregate present
3 value of such payments being equal to an amount equal to the re-
4 offering price to the public of such bonds less fees to be paid for credit
5 enhancement of such bonds from proceeds thereof) on any bonds issued
6 pursuant to the approval granted in subsection (b) of this Section 3 shall
7 not exceed 4.75% per annum. For purposes of calculating true interest
8 cost pursuant to this subsection (c) of this Section 3, (i) the term "debt
9 service" means the scheduled principal of and interest on bonds plus
10 fees to be paid (other than from bond proceeds) for credit enhancement
11 of such bonds and for ongoing remarketing, auction or other similar
12 services in connection with such bonds and net amounts to be paid or
13 received under any financial contract entered into pursuant to
14 subsection (k) of §1203 of Title 12, Chapter 1, Article 1, Guam Code
15 Annotated and (ii) to the extent that the Authority enters into a financial
16 contract pursuant to said subsection (k) in connection with the issuance
17 of variable rate bonds to place the obligation of the Authority, as
18 represented by such bonds and such agreement, on an approximately
19 fixed rate basis, the interest rate on such bonds and the interest rate used
20 to calculate payments to be made by the counterparty under said
21 agreement shall be assumed to be the same."

22 **Section 8.** Section 4 of Public Law Number 26-127 is hereby *amended* to
23 read as follows:

24 **"Section 4.** ~~The "swap dealer" selected by GEDA~~ Any
25 counterparty to a financial contract entered into by the Authority in

1 connection with the issuance of bonds approved by Section 3 of this Act
2 shall agree to provide any insurance and/or collateral at the times and
3 in the amounts required by said contract to ensure payments of its
4 obligation to pay the interest on the bonds due to the Authority under
5 such financial contract. All legal documentation and collateral
6 documentation shall conform to ISDA Master Swap Agreement the
7 applicable forms published by the International Swaps and Derivatives
8 Association, Inc. and any amendment to such documents in effect at
9 time of issuance; provided that terms and conditions of such financial
10 contract shall be negotiated by the Authority in accordance with
11 subsection (k) of §1203 of Title 12, Chapter 1, Article 1, Guam Code
12 Annotated..”

13 **Section 9. Severability.** *If* any provision of this Law or its
14 application to any person or circumstance is found to be invalid or contrary to
15 law, such invalidity shall *not* affect other provisions or applications of this
16 Law which can be given effect without the invalid provisions or application,
17 and to this end the provisions of this Law are severable.

I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

**FLOOR AMENDMENTS/CHANGES
Bill No. 416**

Senator Proposing Amendment: L.A. Leon Guerrero

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Add a new Section to Bill 416 to read as follows:

“Section _____. Section 2 of Public Law 25-163 is hereby repealed and reenacted to read as follows:

“Section 2. Effective Date. With the exception of 10 G.C.A. §2916 (MIP Reimbursement Fee Schedules for Providers) which is already in effect, the other sections of 10 GCA Article 9 set forth in Section 1 of this Act shall become effective on October 1, 2003. The Director shall take all steps necessary to implement Article 9 on October 1, 2003. No hospitalization, medical, dental or behavioral health care services may be provided pursuant to this Article prior to October 1, 2003. All eligible members of the Program on the last September, 2003 shall continue to remain eligible until the expiration of their previous eligibility.

Such members shall be able to renew their participation in the Program, but shall be required to meet the new eligibility standards established by this Article. All new applicants for the Program who have not been determined eligible as of 11:59 p.m. on September 30, 2003, shall be required to meet the new eligibility standards established by this Act. Within sixty (60) days of enactment of this Act, the Director of the Department of Public Health and Social Services (‘DPH&SS’) shall notify all current Medically Indigent Program (‘MIP’) recipients and providers of the new eligibility standards and Program benefits.”

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

Date: October 28, 2002

Floor Amendment No. 3 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____

Amendment Withdrawn: _____

[Signature]

APPROVED AS TO FORM PASSED

[Signature]

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

5 Bill No. 416

TCA

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 2, line 4, change "\$250,000.00" to read
"\$1,000,000.00"

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

Date 10/28, 2002

Floor Amendment No. 4 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)

ps
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

Incl
10/28/02


Emergency Measure
10/28/02

10/28/02

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 416 (MF)

Introduced by:

K. S. Moylan 

AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO COVER COSTS ASSOCIATED WITH THE ORDOT DUMP FIRE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Ordodump Fire Appropriation. There is hereby
3 appropriated from the General Fund the sum of Two Hundred Fifty
4 Thousand Dollars (\$250,000.00) to the Department of Military Affairs, Office
5 of Civil Defense, for the purpose of funding the expenditures incurred as a
6 result of the fire at the Ordodump on October 25, 2002. The following types
7 of expenditure may be charged against appropriations made in this Act:

8 (1) expenses incurred fighting, controlling and extinguishing
9 the fire;

10 (2) expenses incurred on emergency services for citizens
11 affected by the fire;

1 (3) expenses incurred for necessary evacuation of residents
2 and/or other displacement costs due to the health and safety hazards
3 posed by the fire; *and*

4 (4) expenses incurred for all air quality testing and monitoring
5 necessary for the duration of the emergency.

6 **Section 2. Authorization to Pay for Prior Expenses Incurred for Ordot**
7 **Dump Fire.** Notwithstanding any other provision of law, the
8 appropriations made in this Act may be used to cover any Ordot Dump fire
9 emergency expenses incurred *prior to* the enactment date of this Act.

10 **Section 3. Reporting Requirement.** The Director of the Department
11 of Military Affairs shall submit a report, *no later than* thirty (30) days after the
12 return to normal of the Ordot Dump, all expenditures from the appropriations
13 contained in this Act to the Speaker of *I Liheslaturan Guåhan*.



MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

TWENTY-SIXTH GUAM LEGISLATURE

155 Hessler Place, Hagåtña, Guam 96910

2002 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2, Guam Code Annotated, §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health, safety and welfare of the People and therefore waive the statutory requirements for a public hearing on Bill No. 416 (COR), "AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO COVER COSTS ASSOCIATED WITH THE ORDOT DUMP FIRE," which was introduced on this date, October 28, 2002, and therefore waive the statutory requirements for a public hearing on Bill No. 416 (COR).

Dated: October 28, 2002


A handwritten signature in black ink, appearing to read "A. Unpingco", is written over a horizontal line. Below the line, the name and title are printed in bold.

ANTONIO R. UNPINGCO
Speaker and Presiding Officer

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 416 (AM)

Introduced by:

K. S. Moylan 

**AN ACT TO APPROPRIATE THE SUM OF TWO
HUNDRED FIFTY THOUSAND DOLLARS
(\$250,000) TO COVER COSTS ASSOCIATED WITH
THE ORDOT DUMP FIRE.**

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

2 **Section 1. Ordot Dump Fire Appropriation.** There is hereby
3 appropriated from the General Fund the sum of Two Hundred Fifty
4 Thousand Dollars (\$250,000.00) to the Department of Military Affairs, Office
5 of Civil Defense, for the purpose of funding the expenditures incurred as a
6 result of the fire at the Ordod Dump on October 25, 2002. The following types
7 of expenditure may be charged against appropriations made in this Act:

8 (1) expenses incurred fighting, controlling and extinguishing
9 the fire;

10 (2) expenses incurred on emergency services for citizens
11 affected by the fire;

1 (3) expenses incurred for necessary evacuation of residents
2 and/or other displacement costs due to the health and safety hazards
3 posed by the fire; *and*

4 (4) expenses incurred for all air quality testing and monitoring
5 necessary for the duration of the emergency.

6 **Section 2. Authorization to Pay for Prior Expenses Incurred for Ordot**
7 **Dump Fire.** Notwithstanding any other provision of law, the
8 appropriations made in this Act may be used to cover any Ordot Dump fire
9 emergency expenses incurred *prior to* the enactment date of this Act.

10 **Section 3. Reporting Requirement.** The Director of the Department
11 of Military Affairs shall submit a report, *no later than* thirty (30) days after the
12 return to normal of the Ordot Dump, all expenditures from the appropriations
13 contained in this Act to the Speaker of *I Liheslaturan Guåhan*.