

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

Bill No. 323-34 (COR)

As amended by the Committee on Appropriations and Adjudication; substituted on the Floor; and further amended in the Committee of the Whole.

Introduced by:

B. J.F. Cruz

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2019, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

CHAPTER I

GENERAL PROVISIONS

Section 1. Short Title. This Act *shall* be known as the “**General Appropriations Act of 2019.**” *Except* as otherwise provided by this Act, the appropriations made by this Act *shall* be available to pay for Fiscal Year 2019 obligations incurred on or after October 1, 2018 but *not later than* September 30, 2019. If any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Business Privilege ~~and Real Property Tax~~ Increases. Notwithstanding any other provision of law, rule, or regulation, beginning on October 1, 2018, the business privilege tax rate *shall* be five percent (5%).

Section 3. Real Property Tax Increase. 11 GCA § 24103 is amended to

read:

“§ 24103. Levy.

(a) There is hereby levied on all land property in Guam a yearly tax at the rate of seven seventy-seconds percent (7/72%) of the value thereof and seven eighteenths percent (7/18%) of the value of the improvements thereon. Such tax shall be assessed and collected in the manner prescribed in this Chapter. All proceeds derived by the government under any provision of this Chapter shall be deposited in the Territorial Educational Facilities Fund.

(b) In addition to the levy in Subsection (a), there is hereby levied on improvements on all land property in Guam with a value of One Million Dollars (\$1,000,000) a yearly tax at the rate of seven eighteenths percent (7/18%) of the value thereon. Such tax shall be assessed and collected in the manner prescribed in this Chapter. All proceeds derived by the government under any provision of this Chapter shall be deposited in the Territorial Educational Facilities Fund.” ~~Notwithstanding any other provision of law, rule, or regulation, beginning on October 1, 2018, the levy on the value of the improvements as defined in § 24105, Chapter 24, Title 11 GCA on land shall be seven ninths percent (7/9%).~~

~~“() Hotel Occupancy Tax. § 30101(a) of Chapter 30, Title 11, Guam Code Annotated, is hereby amended to read:~~

~~§ 30101. Imposition.~~

~~(a) Notwithstanding any law, rule, or regulation, a tax is hereby levied and imposed which shall be assessed and collected monthly, against transient occupants of a room or rooms in a hotel, lodging house, and bed and breakfast, or similar facility located in Guam according to the following schedule:~~

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~~(1) from September 1, 1993 through March 31, 1995,~~

~~the rate shall be ten percent (10%) of the rental price charged or paid per occupancy per day;~~

~~(2) from April 1, 1995 and thereafter until September~~

~~30, 2018 the rate shall be eleven percent (11%) of the rental price charged or paid per occupancy per day; and~~

~~(3) the rate for a registered bed and breakfast shall be~~

~~four percent (4%) of the rental charged or paid per occupancy per day from October 1, 2018 until October 1, 2019 the rate shall be~~

~~thirteen fifteen percent (135%) of the rental price charged or paid per occupancy per day; and~~

~~(4) the rate for a bed and breakfast shall be four percent~~

~~(4%) of the rental charged or paid per occupancy per day.~~

~~() Effective Date and Sunset. Notwithstanding any~~

~~other provision of law, rule, or regulation, the provisions adopted in Section 2 of this Act shall only be in effect from October 1, 2018 to~~

~~October 1, 2019, at which point the rates levied prior to the enactment of this section shall automatically be in effect.^{b)}~~

Section 43.(x) Increase of Tobacco Tax Increase. Subsections (a), (b), and (c) of § 26603, **Article 6**, Chapter 26, Title 11, ~~of the~~ Guam Code Annotated, are hereby amended to read:

“§ 26603. Rates.

The following rates shall apply in computing, assessing, and collecting the tobacco tax:

(a)- Cigarettes. A tax at the rate of ~~Fifteen~~ Twenty Dollars (\$~~15~~20.00) per one hundred (100) cigarettes to be prorated in accordance with the number of cigarettes contained in the individual package taxed.

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1 revenue estimates for Fiscal Year 2019 as the basis for the appropriations contained
2 in this Act.

3 **I. GENERAL FUND REVENUES AMOUNT**

4	TOTAL GENERAL FUND REVENUE	\$766,232,068
5	PROVISION FOR TAX REFUND PAYMENTS	(\$125,000,000)
6	TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	
7		\$641,232,068

8 A. TAXES

9	Income Tax	
10	Individual (<i>not</i> including the Additional Child Tax Credit)	\$66,411,501
11	Corporate	\$83,723,858
12	Withholding Taxes, Interest, and Penalties	\$223,751,011
13	Provision for Tax Refund Payments (net of the Additional Child Tax	
14	Credit)	(\$125,000,000)
15	TOTAL INCOME TAXES	\$248,886,370
16	Business Privilege Tax	\$311,528,514
17	Business Privilege Tax (GMHA Pharmaceuticals Fund)	(\$19,283,615)
18	Tax Credit (Rehabilitation and Improvements – Harmon Industrial Park	
19	Roadway)	(\$250,000)
20	Other Taxes	\$3,102,098
21	TOTAL TAXES	\$543,983,367

22 B. FEDERAL SOURCES

23	Federal Income Tax Collection – Section 30 Funds	\$68,603,100
24	Immigration and Passport Fees	\$2,006,165
25	TOTAL FEDERAL SOURCES	\$70,609,265

26 C. USE OF MONEY AND PROPERTY \$190,944

27 D. LICENSES, FEES, AND PERMITS

1	Licenses, Fees, and Permits	\$5,743,159
2	Licenses, Fees, and Permits (Better Public Service Fund)	(\$574,316)
3	TOTAL LICENSES, FEES, AND PERMITS	\$5,168,843
4	E. DEPARTMENT CHARGES	\$1,171,718
5	TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	
6		\$621,124,137
7	II. SPECIAL FUND REVENUES AMOUNT	
8	A. Air Pollution Control Special Fund	\$230,673
9	B. Banking and Insurance Enforcement Fund	\$474,403
10	C. Better Public Service Fund	\$1,564,374
11	D. Chamorro Land Trust Operations Fund	\$1,027,963
12	E. Department of Corrections Inmate Revolving Fund	\$1,495,582
13	F. Customs, Agriculture, and Quarantine Inspection Services Fund	\$14,378,999
14	G. Enhanced 911 Emergency Reporting System Fund	\$2,245,507
15	H. Environmental Health Fund	\$1,400,306
16	I. Fire, Life, and Medical Emergency Fund	\$734,262
17	J. GMHA Pharmaceuticals Fund	\$19,283,615
18	K. Guam Ancestral Lands Commission Survey, Infrastructure, and Development	
19	Fund	\$290,599
20	L. Guam Board of Accountancy Fund	\$789,780
21	M. Guam Contractors License Board Fund	\$780,670
22	N. Guam Environmental Trust Fund	\$409,266
23	O. Guam Highway Fund	\$24,255,118
24	Guam Highway Fund (Better Public Service Fund)	(\$990,058)
25	Guam Highway Fund (Public Transit Fund)	(\$456,392)
26	Total Guam Highway Fund	\$22,808,668
27	P. Guam Invasive Species Inspection Fee Fund	\$463,478

1	Q.	Guam Museum Fund	\$968,836
2	R.	Guam Plant Inspection and Permit Fund	\$99,491
3	S.	Health Professional Licensing Office Revolving Fund	\$256,382
4	T.	Healthy Futures Fund	\$32,070,921 \$41,419,667
5	U.	Host Community Fund	\$300,000
6	V.	Indirect Cost Fund	\$1,554,578
7	W.	Land Survey Revolving Fund	\$3,276,567
8	X.	Limited Gaming Fund	\$1,657,618
9	Y.	Manpower Development Fund	\$1,355,554
10	Z.	Office of Vital Statistics Revolving Fund	\$254,505
11	AA.	Pesticide Management Fund	\$133,038
12	AB.	Police Patrol Vehicle and Equipment Revolving Fund	\$320,037
13	AC.	Police Services Fund	\$1,001,803
14	AD.	Professional Engineers, Architects, and Land Surveyors Board Fund	
15			\$312,818
16	AE.	Public Recreation Services Fund	\$174,907
17	AF.	Public School Library Resources Fund	\$978,236
18	AG.	Public Transit Fund	\$456,392
19	AH.	Rabies Prevention Fund	\$43,076
20	AI.	Recycling Revolving Fund	\$2,895,965
21	AJ.	Safe Streets Fund	\$260,211
22	AK.	Sanitary Inspection Revolving Fund	\$137,280
23	AL.	School Lunch/Child Nutritional Meal Reimbursement Fund Federal Sources	
24		(100% Federal Grant)/Cash Collections	\$12,504,000
25	AM.	Section 2718 Fund	\$1,100,000
26	AN.	Solid Waste Operations Fund	\$19,834,344
27		Solid Waste Operations Fund (Host Community Fund)	(\$300,000)

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1	Total Solid Waste Operations Fund	\$19,534,344
2	AO. Street Light Fund	\$4,357,090
3	AP. Tax Collection Enhancement Fund	\$975,577
4	AQ. Territorial Educational Facilities Fund	\$3853,301 820,107 860
5	AR. Tourist Attraction Fund	\$44,746,562
6	AS. Water Protection Fund	\$61,844
7	AT. Water Research and Development Fund	\$67,811
8	AU. Supplemental Appropriations Revenue (SAR) Fund:	\$26,450,067
9	\$26,750,067	
10	AU. Supplemental Appropriations Revenue (SAR) Fund.	\$26,750,067
11	\$18,538,178	
12	AU. Supplemental Appropriations Revenue (SAR) Fund.	\$18,180,077
13	\$18,480,075 \$20,631,698:	
14	TOTAL SPECIAL FUND REVENUE	\$254,054,448 \$2686,363 515,516 137
15	III. FEDERAL MATCHING GRANTS-IN-AID	
16	Federal Grants-in-Aid Requiring Local Match:	
17	A. Guam Community College	\$1,074,537
18	B. Guam Council on the Arts and Humanities Agency	\$294,000
19	C. Guam Police Department	\$683,377
20	D. Department of Integrated Services for Individuals with Disabilities	
21		\$1,901,606
22	E. Department of Labor	\$47,000
23	F. Office of the Attorney General	\$4,013,648
24	G. Department of Military Affairs	\$2,306,518
25	H. Department of Public Health and Social Services	\$63,085,325
26	I. University of Guam	\$4,518,681
27	TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	\$77,924,685

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1	IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
2	TOTAL GENERAL FUND REVENUE	\$746,124,137
3	PROVISION FOR TAX REFUNDS	(\$125,000,000)
4	TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	
5		\$621,124,137
6	TOTAL SPECIAL FUND REVENUE	\$254,054,448 \$268,515,137 Formatted: No underline
7	TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE	\$77,924,685
8	GRAND TOTAL	\$953,103,270 \$967,563,967 Formatted: No underline

9 **Section ~~654~~. Authorization to Pay and Prioritize the Payment of Tax**
10 **Refunds.** *I Maga'låhen Guåhan shall prioritize tax refunds for tax year 2018 and*
11 *prior years A-Status Returns no less than One Hundred Twenty-five Million Dollars*
12 *(\$125,000,000).*

13 **Section ~~765~~. Revenue Collections in Excess of Quarterly Collections.**

14 (a) For Fiscal Year 2019, the Director of the Bureau of Budget and
15 Management Research (BBMR) *shall* create a General Fund twelve (12) month
16 revenue budget based on the revenue estimates in Section ~~453~~ of this Chapter,
17 relative to statistical weighing of historical collections by month, by collection
18 category in the General Fund Combined Comparative Statement of Revenues report.
19 The report *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I*
20 *Liheslaturan Guåhan* within thirty (30) days upon the enactment of this Act.

21 (b) For Fiscal Year 2019, the Director of the Department of Administration
22 (DOA) *shall* report to the Speaker of *I Liheslatura* and the Office of Finance and
23 Budget (OFB) the amount of quarterly revenue collections pursuant to Subsection
24 (a) of this Section on the twentieth (20th) day after the end of each quarter.

25 **Section ~~876~~. Additional Child Tax Credit (ACTC) Reimbursements.**

26 (a) *No less than* ninety percent (90%) of all ACTC reimbursements
27 received by the government of Guam *shall* be deposited directly into the Income Tax

1 Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA and applied to
2 “A” Status Returns. Interest earned in the Fund may be used to hire seasonal
3 employees to assist with income tax processing.

4 (b) *No more than* ten percent (10%) of all ACTC reimbursements received
5 by the government of Guam *shall* be deposited into the General Fund, and such funds
6 may be expended for vacancies and overtime for the Department of Revenue and
7 Taxation (DRT) Income Tax Processing and Income Tax Enforcement Divisions
8 and the Motor Vehicle Division for driver’s license and vehicle registration issuance.

9 **Section 987. Debt Service Continuing Appropriations.** The following are
10 continuing appropriations for debt service requirements:

11 **A. GENERAL OBLIGATION BOND, SERIES 2009 A** **\$5,544,600^{1/}**

12 (To finance certain expenses affecting the General Fund deficit; P.L. 29-113,
13 as amended by P.L. 30-7; due FY 2040 as final year)

14 ^{1/}**General Fund**

15 **B. GUAM DEPARTMENT OF EDUCATION, SERIES 2010A CERTIFICATES**
16 **OF PARTICIPATION (JOHN F. KENNEDY HIGH SCHOOL PROJECT)**

17 **\$6,699,900^{2/}**

18 (P.L. 30-178; Chapter 58A of Title 5 GCA)

19 ^{2/}**General Fund (\$5,131,900) and Territorial Educational Facilities Fund**
20 **(\$1,568,000)**

21 **C. LIMITED OBLIGATION (LO) HOTEL OCCUPANCY TAX (HOT)**
22 **REVENUE BONDS, SERIES 2011A** **\$6,994,750^{3/}**

23 (Refunding of LO Infrastructure Improvement Bonds, 1997 Series A, to
24 acquire, construct, or equip a new Guam Museum and projects that benefit the
25 tourism industry)

26 ^{3/}**Tourist Attraction Fund**

27 **D. BUSINESS PRIVILEGE TAX BONDS, SERIES 2011A** **\$16,351,388^{4/}**

- 1 (To finance unpaid income tax refunds for 2010; prior year obligations;
2 COLA)
3 ^{4/}**General Fund**
- 4 **E. BUSINESS PRIVILEGE TAX BONDS, SERIES 2012B \$7,507,320^{5/}**
5 (To finance unpaid income tax refunds for 2011; health insurance premiums
6 for FY 2012; GMHA & GDOE retirement contribution payments to GGRF;
7 rehabilitation of school facilities)
8 ^{5/}**General Fund**
- 9 **F. GENERAL OBLIGATION BOND BUSINESS PRIVILEGE TAX 2013**
10 **SERIES C \$2,764,088^{6/}**
11 (For education capital projects; due FY 2019 as final year; P.L. 29-19, P.L.
12 29-21, and P.L. 31-276; net of UOG bond payment obligation of \$2,027,787)
13 ^{6/}**General Fund**
- 14 **G. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2013A**
15 **CERTIFICATES OF PARTICIPATION (OKKODO HIGH SCHOOL**
16 **PROJECT) \$3,588,960^{7/}**
17 (Chapter 58B of Title 5 GCA; § 50103, Chapter 50, Title 12 GCA; and Title
18 13 GCA; due FY 2030 as final year; to include additional rent [Insurance and
19 Maintenance to be reimbursed by the GDOE])
20 ^{7/}**General Fund (P&I: \$2,938,960) and Territorial Educational Facilities**
21 **Fund (Insurance & Maintenance: \$650,000)**
- 22 **H. LIMITED OBLIGATION BONDS BUSINESS PRIVILEGE TAX 2015**
23 **SERIES D \$21,906,550^{8/}**
24 (Refunding of GOB, 2007 Series A, and a portion of GOB, 2009 Series A;
25 final maturity FY 2040)
26 ^{8/}**General Fund**

1	I. LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2016A	
2		\$16,904,500^{9/}
3	(Refunding of LO [Section 30] Bonds, Series 2009A; refinancing of Series	
4	2013B Guam Education Financing Foundation II, Inc. Certificates of	
5	Participation [Okkodo High School Expansion Project]; financing certain	
6	working capital costs of the Guam Memorial Hospital Authority, including	
7	the refinancing of an outstanding loan from the Bank of Guam)	
8	^{9/} General Fund	
9	GRAND TOTAL	\$88,262,056

1 TERRITORIAL EDUCATIONAL FACILITIES FUND ~~\$29,317,361~~ ~~\$13,797,608~~

2 \$13,797,608

3 **TOTAL**

\$229,754,991

4 **Section 2. Guam Academy Charter Schools.** Notwithstanding any other

5 provision of law, pursuant to § 12116(e), Chapter 12, Title 17 GCA, the Department
6 of Administration (DOA) is hereby authorized and directed to deduct, in proportion
7 to the ratio of cash received from the total Fiscal Year 2019 General and Special
8 Fund appropriations in Section 1 of this Part of this Chapter to the GDOE, Six
9 Thousand Eighty-eight Dollars (\$6,088) per enrollee of the Academy Charter
10 Schools chartered by the Guam Academy Charter Schools Council *not to exceed five*
11 ~~hundred~~ ~~six hundred twenty (500,620)~~ students for the iLearn Academy Charter
12 School, seven hundred forty (740) students for the Guåhan Academy Charter School,
13 and three hundred fifty (350) students for the Science Is Fun and Awesome Academy
14 Charter School from the total Fiscal Year 2019 General and Special Fund
15 appropriations in Section 1 of this Part of this Chapter to GDOE based on the actual
16 enrollment at the time multiplied by the per pupil cost as established by this Section.
17 Each Academy Charter School *shall* submit a monthly invoice to DOA which *shall*
18 be remitted to GDOE. Upon receipt of remitted invoice, GDOE *shall* verify accuracy
19 of the invoice and report its findings within ten (10) days of receipt of said invoice
20 by the GDOE prior to the release of funds. If GDOE fails to report its findings, the
21 invoiced amount received by DOA *shall* be automatically transmitted to each
22 Academy Charter School.

23 **Section 3. Simon Sanchez Procurement.** The sum of *up to* One Million
24 Dollars (**\$1,000,000**) *shall* be allocated from the General Fund appropriation in
25 Section 1 of this Part of this Chapter for the procurement of an Owner's Agent
26 Engineer (OAE), architectural and engineering (A&E) services, and other related
27 services for the construction of a new Simon Sanchez High School pursuant to §

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1 58D105, Chapter 58D, Title 5 GCA for Fiscal Year 2019. The sums un~~al~~lotted,
2 unencumbered, or unexpended by June 30, 2019 may be expended for the operations
3 of the GDOE in Fiscal Year 2019.

4 **Section 4. Chamoru Studies Division.** *Up to* the sum of Four Hundred One
5 Thousand Two Hundred Seven Dollars (~~\$401,207~~) *shall* be allocated from the Fiscal
6 Year 2019 General Fund appropriation in Section 1 of this Part of this Chapter for
7 the *Chamoru* Studies Division administered by GDOE for Fiscal Year 2019.

8 Funds allocated in this Section are to be expended for personnel salaries and
9 benefits, contractual services, professional development and training, supplies and
10 materials, and equipment for the support and the implementation of the Content
11 Standards and Performance Indicators for the course syllabi for the emphasis of
12 fluency and for the promotion of the proficiency skills in the areas of listening,
13 speaking, reading, and writing in the *Chamoru* language.

14 **Section 5. Limited Gaming Fund.** The sum of Five Hundred Twenty~~nine~~
15 ~~four~~ Thousand ~~Four—Nine~~ Hundred ~~Seventy-three~~Thirteen Dollars
16 (~~\$529~~524,473~~913~~) *shall* be allocated from the Limited Gaming Fund appropriation
17 in Section 1 of this Part of this Chapter pursuant to § 5204(d)(3), Chapter 5, Title 11
18 GCA for Fiscal Year 2019.

19 **Section 6. GDOE Miscellaneous Healthy Futures Fund Allocations.**

20 (a) Interscholastic Sports Fund. The sum of Six Hundred Twelve Thousand
21 Dollars (~~\$612,000~~) *shall* be allocated from the Healthy Futures Fund appropriation
22 in Section 1 of this Part of this Chapter for the Interscholastic Sports Fund
23 administered by GDOE to be expended pursuant to § 7108, Chapter 7, Title 17 GCA
24 for Fiscal Year 2019. The allocations made herein *shall* be available to fund sports
25 programs, to include the payment of head coaches, assistant coaches, league fees,
26 busing services, and other expenses normally associated with interscholastic sports.

1 (b) Health and Physical Education Activities. The sum of Two Hundred
2 Seventy-nine Thousand Seven Hundred Fifty-four Dollars (**\$279,754**) *shall* be
3 allocated from the Healthy Futures Fund appropriation in Section 1 of this Part of
4 this Chapter for GDOE Health and Physical Education programs, intramural sports,
5 and similar activities in Fiscal Year 2019.

6 **Section 7. Textbooks and Collateral Materials.** For Fiscal Year 2019, the
7 following are appropriations to GDOE for the purchase or development and
8 production of textbooks and instructional materials related to specific content areas
9 in accordance with the following terms and conditions:

10 (a) Notwithstanding any other provision of law, the sum of One
11 Million Five Hundred Thousand Dollars (**\$1,500,000**) is appropriated from
12 the General Fund from Fiscal Year 2020 revenues for Fiscal Year 2019 to
13 GDOE for the purchase or development and production of textbooks and
14 instructional materials related to specific content areas. The Superintendent of
15 GDOE may, if necessary, through agreements with textbook vendors, defer
16 payment for said materials until after October 1, 2019 but *no later than*
17 December 31, 2019 with the full faith and credit of the government of Guam.

18 (b) The Superintendent of GDOE *shall* order materials funded by
19 this Section for Fiscal Year 2019 *no later than* March 1, 2019. The Bureau of
20 Budget and Management Research *shall* release such allotments as are
21 necessary to ensure that said materials are ordered by March 1, 2019. The
22 Superintendent of GDOE *shall* receive said materials and distribute them to
23 schools *no later than* thirty (30) days before the start of the school calendar
24 established pursuant to § 4111, Chapter 4, Title 17 GCA. All funds
25 appropriated for said materials *shall not* be used for any other purpose.

26 (c) On the first (1st) day of each fiscal quarter, the Superintendent
27 of GDOE *shall* provide to *I Maga'låhen Guåhan* and the Speaker of *I*

1 *Lihe slaturan Guåhan* and post on the GDOE website, a detailed report
2 regarding all receipts, purchase orders, and expenditures for textbooks and
3 instructional materials. Said report *shall* be accompanied by the certified list
4 of textbooks approved by the Guam Education Board and a list or copies of
5 all purchase orders issued related to this Section. The report *shall* summarize:

6 (1) purchases by allotment account number, unit cost, and the
7 total cost of textbooks or instructional materials charged against an
8 appropriation account, the vendor, quantity, title, copyright date, and
9 ISBN of textbooks or instructional materials ordered, the allocation of
10 such books by school and grade, and whether books are for teachers or
11 students;

12 (2) instructional materials adopted in accordance with § 4104,
13 Chapter 4, Title 17 GCA; and

14 (3) other information that may be useful or that is requested
15 by *I Lihe slaturan Guåhan* regarding the funds appropriated and
16 authorized herein.

17 **Section 8. First Generation Trust Fund Initiative.** Notwithstanding any
18 other provision of law, tThe sum of One Hundred Thousand Dollars (**\$100,000**) *shall*
19 be allocated from the Territorial Educational Facilities Fund appropriation in Section
20 1 to GDOE for transfer and deposit into the First Generation Trust Fund created
21 pursuant to Article 2, Chapter 14, Division 3, Title 17 GCA for Fiscal Year 2019.

22 **Section 9. JROTC Fund.** The GDOE is hereby authorized to expend funds
23 from the JROTC Fund for the *sole* purpose of expenditures related to the operations
24 of the JROTC program for Fiscal Year 2019.

25 **Section 10. Summer School Fund.** Pursuant to § 6119, Article 1, Chapter 6,
26 Division 2, Title 17 GCA which established the Summer School Fund, such sums as

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1 are necessary to fund the operations of the 2019 Summer School Program are hereby
2 appropriated to GDOE.

3 The Superintendent of GDOE *shall* submit a detailed report to *I Maga'låhen*
4 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* regarding the receipt and
5 expenditure of said funds *no later than* thirty (30) days after the close of summer
6 school and post the same on the GDOE website. Such report *shall* include the
7 following:

- 8 (a) total revenues received, including identification of each revenue
9 source;
- 10 (b) total expenditures and encumbrance by object classification and
11 by school; and
- 12 (c) the fund balance.

13 **Section 11. Website Posting.** The Superintendent of GDOE *shall* submit to
14 the Speaker of *I Liheslaturan Guåhan* and post and maintain on the GDOE website:

- 15 (a) all payments for prior year obligations to be paid by current
16 appropriations when authorized, including the funding source to be used, by
17 month;
- 18 (b) salary adjustments by position, effective date of adjustment, and
19 the funding source for each, by month;
- 20 (c) mandated cash disbursement schedules; and
- 21 (d) number of FTEs, costs, and funding sources by school and
22 division, by month.

23 **Section 12. Reports.** The Superintendent of GDOE *shall* electronically
24 report the following to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
25 *Guåhan*:

1 (a) Within fifteen (15) days after the start of Fiscal Year 2019, the
2 Superintendent of GDOE *shall* provide a copy of the GG-1 or contract of employees
3 hired for School Year 2018-2019.

4 (b) Thirty (30) days after the start of Fiscal Year 2019 and monthly
5 thereafter, the Superintendent of GDOE *shall* provide a copy of the GG-1 or contract
6 of each employee hired to fill any vacancy or new position.

7 **Section 13. Utilities Reduction Incentive.** Each school principal of GDOE
8 is encouraged to practice energy conservation within their respective schools. Any
9 school whose principal and staff is able to reduce annual utility consumption by at
10 least fifteen percent (15%) of the school's prior annual billing measured each quarter
11 for each utility type *shall* have that dollar value of savings transferred from the utility
12 pool to their respective school to supplement the needs of that school and *shall* be
13 available to be spent to support school activities for students and staff. The savings
14 *shall* be available to the school within thirty (30) days of the close of each quarter.

15 **Section 14. Cost Savings Incentive.** The Superintendent of the GDOE is
16 encouraged to implement a Cost Savings Plan to include, but *not* be limited to,
17 consolidation of programs and entities, maximizing on student-teacher ratios, and
18 practicing energy conservation. If the Superintendent is able to implement any cost
19 savings within the GDOE authorized appropriations level, the Superintendent *shall*
20 have that dollar value of savings available for the payment of prior year obligations
21 and the purchase of supplies and materials.

22 **Section 15. Local Funds Reimbursement.** Funds appropriated to the
23 GDOE in accordance with the appropriations to the GDOE in this Act *shall not* be
24 used to pay for federally-funded program activities and expenditures, unless such
25 payment is specifically authorized by Guam statute or unless such payment is made
26 pursuant to grants that require that local expenditures be made prior to receiving
27 federal reimbursement. The Superintendent of GDOE *shall* submit a quarterly report

1 within thirty (30) days after each quarter to the Speaker of *I Liheslaturan Guåhan*, *I*
2 *Maga'låhen Guåhan*, and the Office of Public Accountability, in a Microsoft Excel
3 file and written report, of all local funds expended in Fiscal Year 2019 for federally-
4 funded programs. The report *shall* contain the details of such expenditures by object
5 class, the number of FTEs working in said programs, the amounts reimbursed by
6 federal funds, and the amounts that *have not* or *will not* be reimbursed by federal
7 funds. Said report *shall* cite the authority to expend local funds for federal programs,
8 *shall* name the certifying office, and *shall* give the date of every expenditure.

9 **Section 16. Exemption from BBMR Allotment Release Control.** § 1303,
10 Article 3, Chapter 1, Title 5 GCA *shall not* apply to the appropriations and
11 allocations to the GDOE in this Act. The GDOE may draw against their respective
12 appropriations as needed to meet their obligations in accordance with a drawdown
13 schedule that the GDOE *shall* submit to the Director of Administration and the
14 Speaker of *I Liheslaturan Guåhan* *no later than* October 31, 2018. Such drawdown
15 schedule *shall* be detailed by fund.

16 Within ten (10) days after the end of every quarter, the Superintendent of
17 Education *shall* report to the Speaker of *I Liheslaturan Guåhan* a written report
18 detailing the amount of cash received by the Guam Department of Education
19 provided by the Department of Administration for the preceding quarter, compared
20 to the quarterly drawdown schedule identified in this Section for Fiscal Year 2019
21 detailed by fund.

22 **Section 17. Budgetary Transfer Authority for GDOE.** The Superintendent
23 of GDOE may transfer funds from the appropriations made to GDOE among object
24 categories. If a surplus in funding exists within the appropriation for increments and
25 promotions and reclassifications, such amount may be used to support the payment
26 of prior year obligations.

1 (a) The sum of Three Million Two Hundred Eighty-seven Thousand Five
2 Hundred Twenty-four Dollars (\$3,287,524) is appropriated from the General Fund
3 to the UOG for Fiscal Year 2019 for student scholarships, financial assistance
4 programs, and program administration.

5 (b) The appropriation in this Section is for: Merit Awards, Student Loans,
6 the Nursing Training Program, Jesus U. Torres Professional and Technical Awards,
7 the Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab
8 Graduate Assistance Programs, Early High School Admission Programs, the Pedro
9 “Doc” Sanchez Scholarship, and the administration of all student financial assistance
10 programs for Fiscal Year 2019. The President of the UOG *shall* allocate this
11 appropriation in order to fund said student scholarships, financial assistance
12 programs, and program administration. *No more than* ten percent (10%) of the total
13 appropriation in this Section *shall* be used for the administration of these programs.
14 The President of the UOG *shall* post on the UOG website all reports mandated by
15 this Act and existing law regarding the Dr. Antonio C. Yamashita Educator Corps,
16 the student scholarships, and financial assistance programs.

17 **Section 4. Appropriations for Aquaculture Development and Training**
18 **Center.** The sum of One Hundred Fourteen Thousand Four Hundred Two Dollars
19 (\$114,402) is appropriated from the General Fund to the UOG for Fiscal Year 2019
20 for the *sole* purpose of funding the continued operations of the Aquaculture
21 Development and Training Center, and the acquisition of additional real estate for
22 expansion. Said funds *shall not* be transferred or used for any other purpose.

23 **Section 5. Appropriations for WERI’s Guam Hydrologic Survey.** The
24 sum of One Hundred Sixty-six Thousand Eight Hundred Sixty-six Dollars
25 (\$166,866) is appropriated from the General Fund to the UOG for Fiscal Year 2019
26 for the *sole* purpose of funding the Guam Hydrologic Survey (GHS) administered
27 by the Water and Environmental Research Institute of the Western Pacific (WERI).

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1 WERI *shall* continue to administer the GHS for those purposes previously
2 established by Guam law. Such funds *shall not* be transferred or used for any other
3 purpose.

4 **Section 6. Appropriations for WERI's Comprehensive Water Resource**
5 **Monitoring Program.** The sum of One Hundred Forty-two Thousand One Hundred
6 Forty-three Dollars (**\$142,143**) is appropriated from the General Fund to the UOG
7 for Fiscal Year 2019 to fund the Water and Environmental Research Institute of the
8 Western Pacific (WERI) for Fiscal Year 2019.

9 Such funds identified in this Section *shall* be used for the *sole* purpose of
10 matching the federal funding for the Comprehensive Water Resource Monitoring
11 Program. WERI *shall* continue to administer the Comprehensive Water Resource
12 Monitoring Program for those purposes previously established by Guam law. Such
13 funds *shall not* be transferred or used for any other purpose.

14 **Section 7. Appropriations to the University of Guam for the Northern**
15 **and Southern Soil and Water Conservation Districts (SWCD) Program.** The
16 sum of One Hundred Thirty-six Thousand Four Hundred Forty-two Dollars
17 (**\$136,442**) is appropriated from the General Fund to the UOG for the operations and
18 activities of the Northern and Southern Soil and Water Conservation Districts
19 (SWCD) Program for Fiscal Year 2019 and *shall* be equally divided between the
20 SWCDs. Such sums appropriated in this Section are authorized for use as the local
21 matching requirement for Federal Grants-in-Aid.

22 Expenditures from this appropriation *shall* be made upon the approval of the
23 District Directors with the consent of the SWCD Board and *shall not* require further
24 approval by the UOG or any other government entity. Such funds *shall not* be
25 transferred or used for any other purpose.

26 **Section 8. Appropriations to the UOG for KPRG (Public Radio).** The
27 sum of One Hundred Fourteen Thousand One Hundred Seventy Dollars (**\$114,170**)

1 is appropriated from the General Fund to the UOG for the KPRG Fiscal Year 2019
2 operations. The President of the UOG *shall* disburse the funds to KPRG. The sum
3 of One Hundred Fourteen Thousand One Hundred Seventy Dollars (**\$114,170**)
4 appropriated in this Section is authorized for use as a local matching requirement for
5 Federal Grants-in-Aid.

6 *No later than thirty (30) days* after the close of each fiscal quarter, the General
7 Manager of KPRG *shall* submit to the President of the UOG and post on KPRG's
8 website all reports mandated by this Act.

9 **Section 9. Appropriations to the Guampedia Foundation.** The sum of
10 Two Hundred Thousand Dollars (**\$200,000**) is appropriated from the Tourist
11 Attraction Fund to the UOG for the Fiscal Year 2019 operations of the Guampedia
12 Foundation. The sum of Two Hundred Thousand Dollars (**\$200,000**) appropriated
13 in this Section is authorized for use as a local matching requirement for Federal
14 Grants-in-Aid.

15 **Section 10. UOG Capital Improvements Fund Continuing**
16 **Appropriations.** The sum of Five Hundred Thousand Dollars (**\$500,000**) is
17 appropriated from the Territorial Educational Facilities Fund to the UOG Capital
18 Improvements Fund for Fiscal Year 2019 for the purpose of paying for the debt
19 service pursuant to § 16132, Chapter 16, Title 17 GCA.

20 **Section 11. UOG Capital Improvements Fund Appropriations.** The sum
21 of Eight Hundred Seventy-four Thousand Fifty-six Dollars (**\$874,056**) is
22 appropriated from the Territorial Educational Facilities Fund to the UOG Capital
23 Improvements Fund for Fiscal Year 2019 for the purpose of paying rental payments
24 due under the lease-back agreement pursuant to Public Law 31-229:18, as repealed
25 and reenacted by Public Law 31-277.

26 **Section 12. Guam Cancer Trust Fund.** Notwithstanding- 11 GCA § 26603
27 (e)(1)any other provision of law, the Guam Cancer Trust Fund fund balance

1 available as of September 30, 2018 is authorized to be expended for the
2 administration of the Guam Cancer Trust Fund for Fiscal Year 2019. The
3 expenditures authorized in this Section *shall* be used to fund cancer screening,
4 treatment, educational outreach programs, and support services. Any grant to
5 organizations pursuant to § 26603(e)(2), Article 6, Chapter 26, Title 11 GCA, *shall*
6 *only* be used by such organizations for direct services to individuals for cancer
7 screening, treatment, and support services. Notwithstanding any other provision of
8 law, *no more than* five percent (5%) of the funds authorized in this Section *shall* be
9 expended for the purposes of administration of the Guam Cancer Trust Fund, to
10 include accounting and reporting of the revenues and expenditures of the Fund. The
11 President of the UOG *shall* submit a monthly report of all expenditures of the Fund
12 to the Speaker of *I Liheslaturan Guåhan*.

13 **Section 13. First Generation Trust Fund Initiative.** Notwithstanding any
14 other provision of law, the sum of Two Hundred Fifty Thousand Dollars (**\$250,000**)
15 is appropriated from the Territorial Educational Facilities Fund to the UOG for
16 transfer and deposit to the First Generation Trust Fund created pursuant to Article 2,
17 Chapter 14, Division 3, Title 17 GCA, for the *sole* purpose of supporting the First
18 Generation Trust Fund Initiative for Fiscal Year 2019.

19 **Section 14. Program Revenue and Expenditure Report.** *No later than*
20 thirty (30) days after the end of each fiscal quarter, the President of the UOG *shall*
21 post on the UOG website and submit to *I Maga'låhen Guåhan* and the Speaker of *I*
22 *Liheslaturan Guåhan* in a Microsoft Excel file and written report, quarterly program
23 revenue and expenditure reports for the Aquaculture Development and Training
24 Center, the WERI Guam Hydrologic Survey, the WERI Comprehensive Water
25 Resource Monitoring Program, the Northern and Southern Soil and Water
26 Conservation Districts Programs, and KPRG. Said reports *shall* be in the format of

1 basic financial statements or such format as may be prescribed by *I Liheslaturan*
2 *Guåhan*.

3 **Section 15. Program Annual Reports.** The President of the UOG *shall* post
4 on the UOG's website and *shall* submit to *I Maga'låhen Guåhan* and the Speaker of
5 *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, annual reports
6 for the Aquaculture Development and Training Center, the WERI Guam Hydrologic
7 Survey, the WERI Comprehensive Water Resource Monitoring Program, the
8 Northern and Southern Soil and Water Conservation Districts Programs, and KPRG.
9 At a minimum, said reports *shall* include: program mission statements, objectives,
10 sources of revenue, expenditures by budget classification, number of employees, and
11 contracts; and *shall* describe program accomplishments in the fiscal year reported.

12 **Section 16. Scholarships, Financial Assistance, and Other Reports.** Sixty
13 (60) days after the end of Fiscal Year 2019, the President of the UOG *shall* submit
14 to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft
15 Excel file and written report and post on the UOG's website, a report of expenditures
16 from appropriations made in this Act for student scholarships, student financial
17 assistance, and the Dr. Antonio C. Yamashita Educator Corps. Said report *shall*
18 include each program's name, the number of scholarships or loans issued by each
19 program, the names of the recipients awarded by each program, the university or
20 college each award recipient is attending by each program, the date the scholarship
21 or loan was awarded by each program, the anticipated date of cohort graduation by
22 each program, the total amount of awards or loans, the total amount of loans repaid
23 to date by each program, the balance of the outstanding awards or loans by each
24 program, the amount of collections to date for outstanding loans and repayments due
25 by each program, the number of awards for each field of study by each program, and
26 the number of recipients working to complete their academic and financial
27 obligations by each program.

1 **Section 17. Transfer Authority for the UOG.** Appropriations for the
2 operations of the UOG, contained in Section 2 of this Part of this Chapter, may be
3 transferred by the President of UOG out of operations and into the appropriation for
4 statutorily mandated scholarship programs, exclusive of administrative costs,
5 contained in Section 3 of this Part of this Chapter.

6 **Section 18. Reporting Requirements.** The University of Guam *shall* submit
7 the drawdown schedule submitted to the Department of Administration pursuant to
8 § 1303.1, Article 3, Chapter 1, Title 5 GCA, *no later than* October 31, 2018. Within
9 ten (10) days after the end of every quarter, the President of the University of Guam
10 *shall* submit to the Speaker of *I Liheslaturan Guåhan* a written report detailing the
11 amount of cash received by the University of Guam provided by the Department of
12 Administration for the preceding quarter, compared to the quarterly drawdown
13 schedule submitted pursuant to § 1303.1, Article 3, Chapter 1, Title 5 GCA for Fiscal
14 Year 2019 detailed by fund.

1 (\$24,154) is appropriated from the Tourist Attraction Fund to the GCC for Fiscal
2 Year 2019 for the Lodging Management Program/ProStart Program.

3 (d) Appropriations to the GCC Apprenticeship Program. The sum of One
4 Hundred Eighty-six Thousand Nine Hundred Eighteen Dollars (\$186,918) is
5 appropriated from the General Fund, and Nine Hundred Forty-eight Thousand Eight
6 Hundred Eighty-eight Dollars (\$948,888) is appropriated from the Manpower
7 Development Fund to the GCC for the GCC Apprenticeship Program for Fiscal Year
8 2019. In addition to the authorization contained in § 7120, Chapter 7, Title 22 GCA,
9 this appropriation herein *shall* be available and authorized to be used by the GCC to
10 fund the operations of other programs at GCC, as approved by the Board and
11 Administration of the College, after all the Apprenticeship Program requirements
12 and obligations have been fully funded.

13 (e) Federal Matching Grants-in-Aid. The sum of One Million Seventy-four
14 Thousand Five Hundred Thirty-five Dollars (\$1,074,535) is authorized from Federal
15 Matching Grants-in-Aid to the GCC for its operations in Fiscal Year 2019.

16 **Section 3. GCC Capital Improvements Fund Appropriations.** The sum
17 of Two Hundred Thousand Four Hundred Dollars (\$200,400) is appropriated from
18 the Territorial Educational Facilities Fund to the GCC Capital Improvements Fund
19 in Fiscal Year 2019 for the purpose of paying rental payments due under the lease-
20 back agreement, pursuant to Section 22 of P.L. 31-229.

21 **Section 4. First Generation Trust Fund Initiative.** Notwithstanding any
22 other provision of law, the sum of Two Hundred Thousand Dollars (\$200,000) is
23 hereby appropriated from the Territorial Educational Facilities Fund to GCC for
24 transfer and deposit into the First Generation Trust Fund created pursuant to Article
25 2, Chapter 14, Division 3, Title 17 GCA, for the *sole* purpose of supporting the First
26 Generation Trust Fund Initiative in Fiscal Year 2019.

1 **Section 5. Reports.** The President of the GCC *shall* submit quarterly
2 reports to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a
3 Microsoft Excel file and written report, thirty (30) days after the end of each fiscal
4 quarter, and post said report on the GCC website. Said reports *shall* include, but are
5 *not* limited to, the number of participants in each GCC program, the amounts
6 expended from appropriations in this Act by object classification, a description of
7 each program, the academic courses offered, and the requirements for participation
8 in each program.

9 **Section 6. Reporting Requirements.** The Guam Community College *shall*
10 submit the drawdown schedule submitted to the Department of Administration
11 pursuant to § 1303.1, Article 3, Chapter 1, Title 5 GCA, *no later than* October 31,
12 2018. Within ten (10) days after the end of every quarter, the President of the Guam
13 Community College *shall* submit to the Speaker of *I Liheslaturan Guåhan* a written
14 report detailing the amount of cash received by the Guam Community College
15 provided by the Department of Administration for the preceding quarter, compared
16 to the quarterly drawdown schedule submitted pursuant to § 1303.1, Article 3,
17 Chapter 1, Title 5 GCA for Fiscal Year 2019 detailed by fund.

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CHAPTER III

HEALTH

PART I – GUAM MEMORIAL HOSPITAL AUTHORITY

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* to provide a lump sum appropriation to the Guam Memorial Hospital Authority (GMHA). The funds *shall* be expended in accordance with the budget request submitted to *I Liheslaturan Guåhan* and the spending priorities as stipulated by GMHA Board of Trustees and GMHA’s management.

Section 2. GMHA Pharmaceuticals Fund Appropriation. Pursuant to §§ 26208 and 26208.1, Article 2, Chapter 26, Title 11 GCA, the sum of Nineteen Million Two Hundred Eighty-three Thousand Six Hundred Fifteen Dollars (\$19,283,615) is appropriated from the GMHA Pharmaceuticals Fund to GMHA for Fiscal Year 2019. Notwithstanding §§ 26208.2 and 26208.3, Article 2, Chapter 26, Title 11 GCA, *I Maga’låhen Guåhan* is authorized to determine that one hundred percent (100%) of the appropriation in this Section can be expended for GMHA operations in FY 2019 as a direct subsidy through the issuance of an Executive Order *not later than* September 1, 2018 stating such determination.

Section 3. GMHA Healthy Futures Fund Appropriation. Pursuant to Notwithstanding § 26603(d)(3), Article 6, Chapter 26, Title 11 GCA, the sum of ~~Four Million Seven Hundred Sixty-three Thousand Six Dollars (\$4,763,006)~~ Fourteen Million One Hundred Eleven Thousand Seven Hundred Fifty-two Dollars (\$14,111,752) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2019 of which Eleven Million Dollars (\$11,000,000) is allocated for the Labor and Delivery Ward renovations for Fiscal Year 2019, and Three Million One Hundred Eleven Thousand Seven Hundred Fifty-two Dollars (\$3,111,752) is allocated for operational expenses.

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1 **Section 4. GMHA General Fund Appropriation.** The sum of ~~Five-Six~~
2 Million ~~Nine-Five~~ Hundred Fifty-three Thousand Three Hundred Seventy-nine
3 Dollars (~~\$65,953,553,379~~) is appropriated from the General Fund to the GMHA for
4 Fiscal Year 2019 operational expenses.

5 ~~Section 5. GMHA Labor and Delivery Ward Renovation Funding. The~~
6 ~~sum of up to Six Hundred Thousand Dollars (\$600,000) is appropriated from the~~
7 ~~General Fund to the GMHA to pay for principal, interest, and debt service reserve~~
8 ~~deposits for the GMHA Labor and Delivery Ward renovations for Fiscal Year 2019.~~
9 ~~Any funds not required for the purposes herein shall be expended for GMHA~~
10 ~~operational expenses in Fiscal Year 2019.~~

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1 **CHAPTER III**

2 **HEALTH**

3 **PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**

4 **Section 1. Appropriation.** The sum of Sixty-two Million Five Hundred
5 Forty-seven Thousand Ninety-nine Dollars (**\$62,547,099**) is appropriated to the
6 Department of Public Health and Social Services (DPHSS) for its operations for
7 Fiscal Year 2019. This sum is composed of Fifty-five Million Six Hundred Eighty-
8 three Thousand One Hundred Eight Dollars (**\$55,683,108**) from the General Fund
9 and Six Million Eight Hundred Sixty-three Thousand Nine Hundred Ninety Dollars
10 (**\$6,863,990**) from the Healthy Futures Fund, the Environmental Health Fund, the
11 Health Professional Licensing Office Revolving Fund, the Office of Vital Statistics
12 Revolving Fund, and the Sanitary Inspection Revolving Fund.

13 The sum of *up to* Sixty-three Million Eighty-five Thousand Three Hundred
14 Twenty-five Dollars (**\$63,085,325**) appropriated from the General Fund in this
15 Section is authorized as the local matching requirement for Federal Grants-in-Aid.

16 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

17	GENERAL FUND	\$55,683,108
18	ENVIRONMENTAL HEALTH FUND	\$1,400,306
19	HEALTHY FUTURES FUND	\$4,815,518
20	HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND	
21		\$256,382
22	OFFICE OF VITAL STATISTICS REVOLVING FUND	\$254,505
23	SANITARY INSPECTION REVOLVING FUND	\$137,280
24	TOTAL	\$62,547,099

25 For information purposes only:

26	FEDERAL MATCHING GRANTS-IN-AID	\$63,085,325
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27 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

1	PERSONNEL OBJECT CATEGORIES (111-113)	\$10, 884,957,648,367
2	OPERATIONS OBJECT CATEGORIES (220-290)	\$50,418,822
3	UTILITIES OBJECT CATEGORIES (361-363)	\$1,158,162
4	CAPITAL OUTLAY (450)	\$85,466
5	TOTAL	<u>\$62,547,099</u>62,619,818

6 Environmental Health Fund - \$946,044 (111-113); \$454,262 (220-290); \$0 (361-363); \$0 (450); Healthy Futures Fund - \$3,832,130 (111-
7 113); \$983,388 (220-290); \$0 (361-363); \$0 (450); Health Professional Licensing Office Revolving Fund - \$47,993 (111-113); \$208,389
8 (220-290); \$0 (361-363); \$0 (450); Office of Vital Statistics Revolving Fund - \$60,586 (111-113); \$193,919 (220-290); \$0 (361-363); \$0
9 (450); Sanitary Inspection Revolving Fund - \$57,345 (111-113); \$44,469 (220-290); \$0 (361-363); \$35,466 (450)

10 **Section 2. Medically Indigent Program (MIP) Appropriations.**

11 (a) The sum of Thirteen Million Nine Hundred Thirty-nine Thousand One
12 Hundred Twenty-nine Dollars (**\$13,939,129**) shall be allocated from the General
13 Fund appropriation in Section 1 of this Part of this Chapter to the Medically Indigent
14 Program Payment Revolving Fund (MIPPR) for the MIP for Fiscal Year 2019. *No*
15 *more than* fifteen percent (15%) of the appropriations from local fund sources in this
16 Section is authorized to pay for the Fiscal Year 2018 obligations of the MIP.

17 (b) The sum of Eight Hundred Thousand Dollars (**\$800,000**) from the
18 General Fund and the sum of Two Hundred Thousand Dollars (**\$200,000**) from the
19 Healthy Futures Fund shall be allocated from the appropriations in Section 1 of this
20 Part of this Chapter to the MIPPR for the MIP to fund cancer screening, treatment,
21 educational outreach programs, and support services for Fiscal Year 2019.

22 **Section 3. Medicaid Program.** The sum of Thirteen Million One Hundred
23 Fifty-two Thousand Seven Hundred Ten Dollars (**\$13,152,710**) shall be allocated
24 and authorized from the General Fund appropriation in Section 1 of this Part of this
25 Chapter as the local matching requirement for the Medicaid Program. The sum of
26 Fifteen Million Six Hundred Forty-nine Thousand Eight Hundred Fourteen Dollars

1 (\$15,649,814) is authorized from Federal Matching Grants-in-Aid to DPHSS for
2 said purpose for Fiscal Year 2019.

3 *No more than* thirty percent (30%) of the appropriation from local fund
4 sources in this Section is authorized to pay for the Fiscal Year 2018 obligations of
5 the Medicaid Program. The funds allocated and authorized in this Section are *not*
6 subject to *I Maga'lâhen Guâhan*'s transfer authority.

7 **Section 4. Children's Health Insurance Program (CHIP).** The sum of
8 Two Million Ninety-four Thousand Eight Hundred Seventy Dollars (\$2,094,870)
9 *shall* be allocated and authorized from the General Fund appropriation in Section 1
10 of this Part of this Chapter as the local matching requirement for the Children's
11 Health Insurance Program, and Twenty-two Million Five Hundred Fifty Thousand
12 Six Hundred Sixty Dollars (\$22,550,660) is authorized from Federal Matching
13 Grants-in-Aid to DPHSS for said purpose for Fiscal Year 2019.

14 **Section 5. Program Authorizations.** The sum of Five Hundred Forty-three
15 Thousand Seven Hundred Ninety-four Dollars (\$543,794) *shall* be allocated and
16 authorized from the General Fund appropriation in Section 1 of this Part of this
17 Chapter as the local matching requirement for the programs of the Division of Senior
18 Citizens, and Two Million Nine Hundred Twelve Thousand Twenty-nine Dollars
19 (\$2,912,029) is authorized from Federal Matching Grants-in-Aid to DPHSS for the
20 operations of the Division of Senior Citizen programs, to include the State Office of
21 Aging, Support Services, Congregate Meals, Home-Delivered Meals, Preventive
22 Health, Medication Management, and the National Family Caregiver Support
23 Program for Fiscal Year 2019.

24 **Section 6. Public Assistance Program Payments.** Up to the sum of Three
25 Million Eight Hundred Four Thousand Two Hundred Thirty-six Dollars
26 (\$3,804,236) *shall* be allocated and authorized from the General Fund appropriation
27 in Section 1 of this Part of this Chapter to DPHSS as the local matching requirement

1 for Federal Matching Grants-in-Aid for public assistance program payments and
2 administration for Fiscal Year 2019. Four Million Two Hundred Eight Thousand
3 Two Hundred Eleven Dollars (\$4,208,211) is authorized from the Federal Matching
4 Grants-in-Aid.

5 **Section 7. Medicines and Vacant Positions for DPHSS Community**
6 **Health Centers.** The sum of Three Hundred Seventy-nine Thousand Two Hundred
7 Twenty-six Dollars (\$379,226) shall be allocated from the Healthy Futures Fund
8 appropriation in Section 1 of this Part of this Chapter to DPHSS Community Health
9 Centers for Fiscal Year 2019.

10 **Section 8. Enhanced Allotment Plan.** The sum of Seven Hundred Forty-
11 three Thousand One Hundred Twenty-four Dollars (\$743,124) shall be allocated and
12 authorized from the General Fund appropriation in Section 1 of this Part of this
13 Chapter as the local matching requirement for the Enhanced Allotment Plan
14 (Medicaid Part D) Program, and Eight Hundred Ninety-six Thousand Three
15 Hundred Twenty-nine Dollars (\$896,329) is authorized from Federal Matching
16 Grants-in-Aid to DPHSS for said purpose for Fiscal Year 2019.

17 **Section 9. DPHSS Continuing Appropriation Authorization for MIP**
18 **and Medicaid.** The unexpended balance of appropriations from the General Fund
19 and Special Funds to DPHSS for MIP and Medicaid in Fiscal Year 2018 shall not
20 revert to the General Fund and shall be available until fully expended for the original
21 purposes of said appropriations. The Director of DPHSS shall submit a report to the
22 Speaker of *I Liheslaturan Guåhan* regarding the allocation, demographics, and
23 expenditures of the appropriations contained herein no later than thirty (30) days
24 after the end of each quarter and post the same on the DPHSS website. The Director
25 of Administration shall pay MIP and Medicaid vendors on a first-in, first-out basis.

26 **Section 10. Appropriation to the Guam Cancer Registry.** Pursuant
27 ~~to~~ Notwithstanding 11 GCA § 26603(d)(4), Article 6, Chapter 26, Title 11 GCA, the

1 sum of Three Hundred Twenty Thousand Seven Hundred Nine Dollars (**\$320,709**)
2 is appropriated from the Healthy Futures Fund to DPHSS to maintain the Guam
3 Cancer Registry, pursuant to § 3201.1, Article 2, Chapter 3, Title 10 GCA in Fiscal
4 Year 2019. The DPHSS *shall* provide funding to the University of Guam (UOG) for
5 services, supplies, and/or materials in executing the Memorandum of Agreement
6 between the UOG and DPHSS regarding the collection of data and the maintenance
7 of the Guam Cancer Registry. Any funds pursuant to this Section *not* expended in
8 Fiscal Year 2019 *shall* revert to the Guam Cancer Trust Fund.

9 **Section 11. Prompt Payment of MIP Patient Claims Generated at the**
10 **Guam Memorial Hospital Authority.** The DPHSS *shall* process all MIP patient
11 claims generated by the Guam Memorial Hospital Authority *no later than* forty-five
12 (45) days from receipt of said claim as required by § 9902, Article 9, Chapter 9, Title
13 10 GCA.

14 **Section 12. Appropriations for Insurance Premiums for Foster**
15 **Children.** The sum of Five Hundred Forty-nine Thousand Dollars (**\$549,000**) is
16 appropriated from the General Fund to DPHSS for the purpose of paying the
17 premiums for health insurance. The DPHSS Bureau of Social Services
18 Administration *shall* be the subscriber for foster children covered under Public Law
19 32-189 and *shall* remit payments to the Department of Administration or to the
20 insurance provider for the purpose of paying premiums.

21 **Section 13. Guam Board of Medical Examiners.** The sum of Two Hundred
22 Fifty-six Thousand Three Hundred Eighty-two Dollars (**\$256,382**) *shall* be allocated
23 from the Health Professional Licensing Office Revolving Fund appropriation in
24 Section 1 of this Part of this Chapter to DPHSS for the purposes pursuant to Article
25 2, Chapter 12, Title 10 GCA in Fiscal Year 2019.

26 **Section 14. Office of Vital Statistics.** The sum of Two Hundred Fifty-four
27 Thousand Five Hundred Five Dollars (**\$254,505**) *shall* be allocated from the Office

- 1 of Vital Statistics Revolving Fund appropriation in Section 1 of this Part of this
- 2 Chapter to DPHSS for the purposes pursuant to § 3227.1, Article 2, Chapter 3, Title
- 3 10 GCA in Fiscal Year 2019.

CHAPTER III

HEALTH

PART III – GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER

Section 1. Appropriation. Notwithstanding any other provision of law, the sum of Nineteen Million Five Hundred Forty-eight Thousand Seventy-five Dollars (**\$19,548,075**) is appropriated from the Healthy Futures Fund to the Guam Behavioral Health and Wellness Center (GBHWC) for its operations for Fiscal Year 2019.

SUMMARY OF APPROPRIATION FUNDING SOURCE

HEALTHY FUTURES FUND	\$19,548,075
TOTAL	\$19,548,075

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	\$0
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SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	\$12,915,870
OPERATIONS OBJECT CATEGORIES (220-290)	\$5,742,205
UTILITIES OBJECT CATEGORIES (361-363)	\$890,000
CAPITAL OUTLAY (450)	\$0
TOTAL	\$19,548,075

Section 2. GBHWC – Detoxification and Rehabilitation Services. The sum of Four Hundred Thirty-seven Thousand Four Hundred Twenty-nine Dollars (**\$437,429**) is appropriated from the General Fund, and One Million Ninety-five Thousand Three Hundred Thirty-three Dollars (**\$1,095,333**) is appropriated from the Healthy Futures Fund to GBHWC for Fiscal Year 2019 to fund drug and alcohol detoxification, rehabilitation, and prevention services programs, which may be contracted out to non-governmental organizations ~~for drug and alcohol~~

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1 ~~detoxification, rehabilitation, and prevention services~~; provided, that the expenditure
2 of such funds *shall* comply with 48 USC § 1421b(p).

3 **Section 3. Focus on Life Suicide Prevention Program.** The sum of Eighty-six
4 Thousand Dollars (**\$86,000**) is appropriated from the General Fund to GBHWC for
5 Fiscal Year 2019 to fund the Focus on Life Suicide Prevention Program.

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CHAPTER III

HEALTH

**PART IV – DEPARTMENT OF INTEGRATED SERVICES FOR
INDIVIDUALS WITH DISABILITIES**

Section 1. Appropriation. The sum of Nine Hundred Nineteen Thousand Eighty-one Dollars (**\$919,081**) is appropriated to the Department of Integrated Services for Individuals with Disabilities (DISID) for its operations for Fiscal Year 2019. This sum is composed of Three Hundred Sixty-four Thousand Six Hundred Twenty-five Dollars (**\$364,625**) from the General Fund and Five Hundred Fifty-four Thousand Four Hundred Fifty-six Dollars (**\$554,456**) from the Healthy Futures Fund.

The sum of One Million Nine Hundred One Thousand Six Hundred Six Dollars (**\$1,901,606**) of General Fund appropriations in this Section is authorized as the local matching requirement for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	\$364,625
HEALTHY FUTURES FUND	\$554,456
TOTAL	\$919,081

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	\$1,901,606
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SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	\$364,625
OPERATIONS OBJECT CATEGORIES (220-290)	\$548,456
UTILITIES OBJECT CATEGORIES (361-363)	\$6,000
CAPITAL OUTLAY (450)	\$0
TOTAL	\$919,081

Healthy Futures Fund - \$0 (111-113); \$548,456 (220-290); \$6,000 (361-363); \$0 (450)

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CHAPTER IV
UNIFIED JUDICIARY

Section 1. Appropriation. The amounts specified in this Section are appropriated from the General Fund to the Unified Judiciary for its operations in Fiscal Year 2019.

It is the intent of *I Liheslaturan Guåhan* that external funds available to branches, agencies, and departments *shall* be taken into consideration to determine the current appropriation level needed. *I Liheslatura* further intends to maximize the use of these funds and that material external funds received *shall* be used to maximize services and programs of the branches, agencies, and departments through pursuit of indirect cost reimbursements to reduce the local funding where applicable.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	\$30,515,917
SAFE STREETS FUND	\$156,127
TOTAL	\$30,672,044

Section 2. Attorney Fees for Indigent Defense. The sum of One Million One Hundred Ninety-three Thousand Two Hundred Eighty-four Dollars (**\$1,193,284**) *shall* be allocated from the General Fund appropriation in Section 1 of this Chapter to the Unified Judiciary for any expenses incurred related to indigent clients for Fiscal Year 2019. Said funds *shall* be deposited in the Judicial Client Services Fund account, as created by Chapter 9.6 of Title 7 GCA, and *shall not* be subject to any transfer authority.

Section 3. Drug and Therapeutic Courts. The sum of up to One Million Four Hundred Thirty-six Thousand Five Hundred Thirty-two Dollars (**\$1,436,532**) *shall* be allocated from the General Fund appropriation in Section 1 of this Chapter to the Unified Judiciary for the operations of the Adult and Juvenile Drug Courts,

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1 the Mental Health Court, and other therapeutic court program(s) approved by the
2 Judicial Council for Fiscal Year 2019.

3 **Section 4. Family Visitation Center.** The sum of One Hundred Fifty-six
4 Thousand One Hundred Twenty-seven Dollars (**\$156,127**) *shall* be allocated from
5 the Safe Streets Fund appropriation in Section 1 of this Chapter to the Unified
6 Judiciary for Fiscal Year 2019 to pay for contractual services for the operations of
7 the Family Visitation Center; provided, that the Unified Judiciary must comply with
8 § 18125(c) and (d) of Article 1, Chapter 18, Title 16 GCA.

9 **Section 5. Electronic Monitoring Program.** Such sums as deemed
10 necessary by the Unified Judiciary may be allocated from the General Fund
11 appropriation in Section 1 of this Chapter to the Unified Judiciary to implement an
12 Electronic Monitoring Program for Guam's pretrial and criminal offender
13 populations in Fiscal Year 2019.

14 **Section 6. Transfer Authority of the Unified Judiciary.** The Unified
15 Judiciary is authorized to transfer funds in Fiscal Year 2019 from the appropriations
16 in Section 1 of this Chapter to fund the divisions and/or programs identified in
17 Sections 2, 3, 4, and 5 of this Chapter.

18 **Section 7. Judicial Building Fund Fiscal Year 2019 Budget.** The Unified
19 Judiciary *shall* report its Judicial Building Fund Fiscal Year 2019 Budget to *I*
20 *Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel
21 file and written report on or before May 1 of Fiscal Year 2019 and post the same on
22 its website.

23 **Section 8. Judicial Building Fund Revenues and Expenditures**
24 **Reporting.** The Unified Judiciary *shall* report all revenues and expenditures for the
25 Judicial Building Fund to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
26 *Guåhan* in a Microsoft Excel file and written report on a quarterly basis and post the

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1 same on its website. Each quarterly report *shall* be due *no later than* thirty (30) days
2 after the end of each quarter.

3 **Section 9. Unified Judiciary Authorization to Fund Any Operational**

4 **Shortfall.** The Unified Judiciary is authorized to fund any operational shortfall for
5 Fiscal Year 2019 from any fund sources under its control, excluding funds held in
6 trust. Transfers from the Judicial Building Fund must be consistent with the
7 covenants and provisions of the loan documents between the Unified Judiciary and
8 its lender.

9 **Section 10. Continuing Appropriation.** Notwithstanding any other

10 provision of law, the allotted but unexpended balance of funds appropriated to
11 Unified Judiciary of Guam for Fiscal Year 2018 and prior *shall not* lapse and *shall*
12 continue to be available until fully expended.

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CHAPTER V
EXECUTIVE BRANCH

Section 1. Authorization. The amounts specified in Subsections (a) through (ii) are hereby authorized out of the General Fund, Special Funds, and Federal Matching Grants-in-Aid specified for the agencies, departments, and offices in each Subsection for Executive Branch operations in Fiscal Year 2019.

1 (a) OFFICE OF I MAGA'LAHEN GUÅHAN

2 (1) Appropriation. The sum of ~~Seven Million Three Hundred Twelve~~
~~Thousand Seven Hundred Three Dollars~~, Six Million Three Hundred Twenty-
~~three~~ Thousand Seven Hundred Thirty-four Dollars (~~\$7,312,703~~ 6,323,734) is
 5 appropriated to the Office of *I Maga'låhen Guåhan* (Governor of Guam) for its
 6 operations for Fiscal Year 2019. This sum is composed of ~~Seven Million Twelve~~
~~Thousand Seven Hundred Thirty-one Dollars~~, ~~Six~~ One Million ~~Twenty-three~~ Five
~~Hundred Nine~~ Hundred ~~Thousand Seven~~ Four ~~Hundred Twenty-one~~ Hundred ~~Sixty-two~~
 9 Dollars (~~\$7,012,731~~ 1,509,421 ~~6,023,762~~) from the General Fund, ~~Four Million~~
~~Five Hundred Fourteen Thousand Three Hundred Forty-one Dollars~~
 11 (~~\$4,514,341~~) from the Supplemental Appropriations Revenue Fund, and Two
 12 Hundred Ninety-nine Thousand Nine Hundred Seventy-two Dollars ~~Eight~~
~~Hundred Ninety-one Thousand Seven Hundred Fifty-four Dollars~~ (~~\$299,972~~
 13 ~~891,754~~) from the Indirect Cost Fund.

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15 SUMMARY OF APPROPRIATION FUNDING SOURCE

16 GENERAL FUND	\$7,012,731 <u>\$6,023,762</u> \$1,509,421
17 SUPPLEMENTAL APPROPRIATIONS REVENUE FUND	\$4,514,341
18 INDIRECT COST FUND	\$299,972
19 TOTAL	\$7,312,703 <u>\$6,323,734</u>

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20 For information purposes only:

21 FEDERAL MATCHING GRANTS-IN-AID

22 SUMMARY OF BASE OPERATIONAL APPROPRIATION

23 PERSONNEL OBJECT CATEGORIES (111-113)	\$56,326 <u>\$15,995</u> 9
24 OPERATIONS OBJECT CATEGORIES (220-290)	\$538,569
25 UTILITIES OBJECT CATEGORIES (361-363)	\$458,175
26 CAPITAL OUTLAY (450)	\$
27 TOTAL	\$6,323,734 <u>\$7,312,703</u>

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1 Indirect Cost Fund - \$259,422 (111-113); \$40,550 (220-290); \$0 (361-363); \$0 (450); SAR Fund - \$4,514,341 (111-113) \$0 (220-
2 290); \$0 (361-363); \$0 (450)

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3 (2) No more than twenty-five percent (25%) of the appropriation in
4 Personnel Object Categories (111-113) in Subsection (a)(1) shall be expended
5 before January 1, 2019. No more than twenty-five percent (25%) of the total
6 appropriation in Subsection (a)(1) shall be expended before January 1, 2019.
7 No appropriations or funds shall be transferred to the Office of *I Maga'låhen*
8 *Guåhan* for its operations from any other fund sources appropriated in this
9 Act during Fiscal Year 2019.

10 (3) Continuing Appropriations Authorized. Notwithstanding any
11 other provision of law, the unexpended balance of funds appropriated to the
12 Office of *I Maga'låhen Guåhan* for Fiscal Year 2018 *shall not lapse and shall*
13 *continue to be available until fully expended.*

14 ~~“(4) Four and eight-tenths percent of the SAR Fund Four (4) and~~
15 ~~eight-tenths percent (8/10s%) is appropriated from the of the SAR Fund in~~
16 ~~Chapter I, Section 43 (II)(AU) is appropriated to the Office of *I Maga'låhen*~~
17 ~~*Guåhan* for its operations for FY 2019 up to the sum of Nine Hundred Eighty-~~
18 ~~eight Thousand Nine Hundred Sixty-nine Dollars (\$988,969) up to Nine~~
19 ~~Hundred Eighty eight Thousand Nine Hundred Sixty nine Dollars~~
20 ~~(\$988,969).”~~

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1 (b) COMMISSION ON DECOLONIZATION (COD)

2 (1) Appropriation. The sum of Three Hundred Forty Thousand Eight
3 Hundred Forty-eight Dollars (**\$340,848**) is appropriated from the General
4 Fund to the Commission on Decolonization (COD) for its operations in Fiscal
5 Year 2019.

6 SUMMARY OF APPROPRIATION FUNDING SOURCE

7 GENERAL FUND \$340,848

8 **TOTAL \$340,848**

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID \$0

11 SUMMARY OF BASE OPERATIONAL APPROPRIATION

12 PERSONNEL OBJECT CATEGORIES (111-113) \$160,340

13 OPERATIONS OBJECT CATEGORIES (220-290) \$180,000

14 UTILITIES OBJECT CATEGORIES (361-363) \$508

15 CAPITAL OUTLAY (450) \$0

16 **TOTAL \$340,848**

17 (2) Public Information Program. The sum of *not less than* One
18 Hundred Eighty Thousand Dollars (**\$180,000**) *shall* be allocated from the
19 General Fund appropriation in Subsection (b)(1) for the *sole* purpose of
20 conducting an extensive public education and information program by the
21 COD and the Free Association, Independence, and Statehood Task Forces
22 pursuant to § 2109, Chapter 21, Title 1 GCA. No funds allocated herein shall
23 be expended for personnel or travel. The funds allocated in this Subsection
24 *shall* be distributed as follows: Sixty Thousand Dollars (\$60,000) to each Task
25 Force in Fiscal Year 2019. Notwithstanding Chapter 5, Title 5 GCA or any
26 other law, these funds *shall* be expended exclusively as advised by the Task
27 Forces and approved by vote of the COD. A complete record of procurement

1 and expenditures *shall* be published on the COD's website within thirty (30)
2 days after the end of each quarter.

1 (c) **GUAM ANCESTRAL LANDS COMMISSION (GALC)**

2 (1) Appropriation. The sum of Three Hundred Eighty Thousand
3 Sixty-one Dollars (**\$380,061**) is appropriated to the Guam Ancestral Lands
4 Commission (GALC) for its operations for Fiscal Year 2019. This sum is
5 composed of Eighty-nine Thousand Four Hundred Sixty-two Dollars
6 (**\$89,462**) from the General Fund and Two Hundred Ninety Thousand Five
7 Hundred Ninety-nine Dollars (**\$290,599**) from the Guam Ancestral Lands
8 Commission Survey, Infrastructure, and Development Fund.

9 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

10	GENERAL FUND	\$89,462
11	GUAM ANCESTRAL LANDS COMMISSION SURVEY, INFRASTRUCTURE,	
12	AND DEVELOPMENT FUND	\$290,599
13	TOTAL	\$380,061

14 For information purposes only:

15	FEDERAL MATCHING GRANTS-IN-AID	\$0
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16 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

17	PERSONNEL OBJECT CATEGORIES (111-113)	\$59,181
18	OPERATIONS OBJECT CATEGORIES (220-290)	\$320,880
19	UTILITIES OBJECT CATEGORIES (361-363)	\$0
20	CAPITAL OUTLAY (450)	\$0
21	TOTAL	\$380,061

22 Guam Ancestral Lands Commission Survey, Infrastructure, and Development Fund - \$0 (111-113); \$290,599 (220-290); \$0 (361-
23 363); \$0 (450)

1 (d) **GUAM OFFICE OF VETERANS AFFAIRS (OVA)**

2 (1) Appropriation. The sum of Four Hundred Nine Thousand Nine
3 Hundred Thirty Dollars (\$409,930) is appropriated from the General Fund to
4 the Office of Veterans Affairs (OVA) for its operations for Fiscal Year 2019.

5 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

6 GENERAL FUND	\$409,930
7 TOTAL	\$409,930

8 For information purposes only:

9 FEDERAL MATCHING GRANTS-IN-AID	\$0
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10 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

11 PERSONNEL OBJECT CATEGORIES (111-113)	\$326,681
12 OPERATIONS OBJECT CATEGORIES (220-290)	\$55,249
13 UTILITIES OBJECT CATEGORIES (361-363)	\$28,000
14 CAPITAL OUTLAY (450)	\$0
15 TOTAL	\$409,930

16 ~~“(2)~~ Transfer of Funds. *I Maga'låhen Guåhan* is hereby authorized
17 to transfer funds from the Fiscal Year 2019 appropriations set forth in the
18 Office of *I Maga'låhen Guåhan*, as provided in Subsection (a)(1) of this ~~;~~
19 ~~Section 1, Section Chapter V of this Act,~~ to the Guam Office of Veterans
20 Affairs in an amount *not to exceed* Three Hundred Thousand Dollars
21 (\$300,000) for operational requirements. ~~”~~

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1 (e) **BUREAU OF BUDGET AND MANAGEMENT RESEARCH**
2 **(BBMR)**

3 (1) Appropriation. The sum of One Million Three Hundred Ninety-
4 six Thousand Forty-six Dollars (**\$1,396,046**) is appropriated to the Bureau of
5 Budget and Management Research (BBMR) for its operations for Fiscal Year
6 2019. This sum is composed of One Million One Hundred Twelve Thousand
7 Five Hundred Seventy-four Dollars (**\$1,112,574**) from the General Fund and
8 Two Hundred Eighty-three Thousand Four Hundred Seventy-two Dollars
9 (**\$283,472**) from the Indirect Cost Fund.

10 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

11	GENERAL FUND	\$1,112,574
12	INDIRECT COST FUND	\$283,472
13	TOTAL	\$1,396,046

14 For information purposes only:

15	FEDERAL MATCHING GRANTS-IN-AID	\$0
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16 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

17	PERSONNEL OBJECT CATEGORIES (111-113)	\$1,353,559
18	OPERATIONS OBJECT CATEGORIES (220-290)	\$31,487
19	UTILITIES OBJECT CATEGORIES (361-363)	\$11,000
20	CAPITAL OUTLAY (450)	\$0
21	TOTAL	\$1,396,046

22 Indirect Cost Fund - \$241,454 (111-113); \$31,018 (220-290); \$11,000 (361-363); \$0 (450)

1 (f) CIVIL SERVICE COMMISSION (CSC)

2 (1) Appropriation. The sum of Nine Hundred Thirty-three Thousand
3 One Hundred Sixty-nine Dollars (**\$933,169**) is appropriated from the General
4 Fund to the Civil Service Commission (CSC) for its operations for Fiscal Year
5 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 GENERAL FUND \$933,169

8 **TOTAL \$933,169**

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID \$0

11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113) \$648,456

13 OPERATIONS OBJECT CATEGORIES (220-290) \$271,837

14 UTILITIES OBJECT CATEGORIES (361-363) \$12,876

15 CAPITAL OUTLAY (450) \$0

16 **TOTAL \$933,169**

17 (2) Administrative Law Judge. The sum of One Hundred Thirteen
18 Thousand Seven Hundred Fifty Dollars (**\$113,750**) may be allocated from the
19 General Fund Appropriation in Subsection (f)(1) for the purpose of employing
20 or contracting a full-time or part-time Administrative Law Judge (ALJ) to
21 assist CSC with adjudicatory responsibilities or to retain a private attorney or
22 attorneys to serve as an ALJ on a case-by-case basis pursuant to Subsection
23 (c) of § 4405, Article 4, Chapter 4, Title 4 GCA.

(g) DEPARTMENT OF ADMINISTRATION (DOA)

(1) Appropriation. The sum of Seven Million Six Hundred Ninety-six Thousand Four Hundred Two Dollars (**\$7,696,402**) is appropriated to the Department of Administration (DOA) for its operations for Fiscal Year 2019.

This sum is composed of ~~Six~~ One Million Six Hundred ~~Forty-two~~ Sixty-four Thousand ~~Three~~ Four Hundred ~~Eighty-nine~~ Thirty-six Dollars (~~\$1,664,436,642,389~~) from the General Fund, Four Million Nine Hundred Seventy-seven Thousand Nine Hundred Fifty-three Dollars (\$4,977,953) from the Supplemental Appropriations Revenue Fund, and One Million Fifty-four Thousand Thirteen Dollars (**\$1,054,013**) from the Indirect Cost Fund and the Limited Gaming Fund.

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SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	\$6,642,389 \$1,664,436
SUPPLEMENTAL APPROPRIATIONS REVENUE FUND	\$4,977,953
INDIRECT COST FUND	\$971,134
LIMITED GAMING FUND	\$82,879
TOTAL	\$7,696,402

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	\$0
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SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	\$6,919,316
OPERATIONS OBJECT CATEGORIES (220-290)	\$595,886
UTILITIES OBJECT CATEGORIES (361-363)	\$181,200
CAPITAL OUTLAY (450)	\$0
TOTAL	\$7,696,402

Indirect Cost Fund - \$914,523 (111-113); \$0 (220-290); \$56,611 (361-363); \$0 (450); Limited Gaming Fund - \$82,879 (111-113); \$0 (220-290); \$0 (361-363); \$0 (450); SAR Fund - \$4,977,953 (111-113) \$0 (220-290); \$0 (361-363); \$0 (450)

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1 (2) Limited Gaming Fund. The sum of Eighty-two Thousand Eight
2 Hundred Seventy-nine Dollars (**\$82,879**) *shall* be allocated from the Limited
3 Gaming Fund appropriation in Subsection (g)(1) pursuant to § 5204(b),
4 Article 2, Chapter 5, Title 11 GCA for Fiscal Year 2019. This allocation is *not*
5 subject to transfer or use for any other purpose.

6 (3) Support of Child in Custody. The sum of Nine Hundred Forty-
7 six Thousand Nine Hundred Sixty-nine Dollars (**\$946,969**) is appropriated
8 from the General Fund to DOA for Fiscal Year 2019 for the *sole* purpose of
9 paying orders of the court pursuant to § 5116, Chapter 5, Title 19 GCA.

10 (4) Residential Treatment Fund. The sum of Two Million Three
11 Hundred Thousand Dollars (**\$2,300,000**) is appropriated from the General
12 Fund to DOA for Fiscal Year 2019 to pay for the expenses of persons under
13 the jurisdiction of the Superior Court of Guam who require residential care
14 because of physical, mental, or emotional disabilities or severe emotional
15 disturbances.

16 All such persons and their escorts referred off-Guam for treatment and
17 care *shall* submit to the Director of DOA appropriate documentation to justify
18 and receive reimbursement of their travel expenses.

19 The Director of DOA *shall* submit reports in a Microsoft Excel file and
20 written report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan*
21 *Guåhan* describing all expenditures made pursuant to this appropriation *no*
22 *later than* thirty (30) days after the end of each quarter and post the same on
23 the DOA website.

24 (5) Government Claims Fund. The sum of Two Hundred Fifty
25 Thousand Dollars (**\$250,000**) is appropriated from the General Fund to DOA
26 for the Government of Guam Claims Fund for payment of approved
27 government claims in Fiscal Year 2019.

1 The Director of DOA *shall, no later than thirty (30) days* after the close
2 of each quarter, submit a report to the Speaker of *I Liheslaturan Guåhan* in a
3 Microsoft Excel file and written report describing expenditures made pursuant
4 to this appropriation and post the same on the DOA website.

5 (6) Government of Guam's General Purpose Financial Statement
6 and Single Audit Report. The sum of Four Hundred One Thousand Dollars
7 (**\$401,000**) is appropriated from the General Fund to DOA for the Fiscal Year
8 2018 Audit of the Government of Guam's General Purpose Financial
9 Statement and Single Audit Report in Fiscal Year 2019. The Public Auditor
10 *shall* administer said funds and *shall* oversee the annual audit.

11 (7) Single Audit Report on the Tourist Attraction Fund. The sum of
12 Twenty Thousand Five Hundred Dollars (**\$20,500**) is appropriated from the
13 Tourist Attraction Fund to DOA for the Fiscal Year 2018 Audit of the
14 Government of Guam's Tourist Attraction Fund Financial Statement and
15 Single Audit Report in Fiscal Year 2019. The Public Auditor *shall* administer
16 said funds and *shall* oversee the annual audit.

17 (8) Single Audit Report on the Guam Highway Fund. The sum of
18 Eighteen Thousand Five Hundred Dollars (**\$18,500**) is appropriated from the
19 Guam Highway Fund to DOA for the Fiscal Year 2018 Audit of the
20 Government of Guam's Highway Fund Financial Statement and Single Audit
21 Report in Fiscal Year 2019. The Public Auditor *shall* administer said funds
22 and *shall* oversee the annual audit.

23 (9) Public Streetlights Appropriation. The sum of Four Million
24 Three Hundred Fifty-seven Thousand Ninety Dollars (**\$4,357,090**) is
25 appropriated from the Streetlight Fund and Eight Hundred Thirty-seven
26 Thousand Seven Hundred Sixty-three Dollars (**\$837,763**) is appropriated from

1 the Guam Highway Fund to DOA to pay the Guam Power Authority for the
2 operation of public streetlights in Fiscal Year 2019.

3 ~~“(10) Funding for Membership to WICHE. The sum of Seventy-six~~
4 ~~Thousand Five Hundred Dollars (\$76,500) shall be allocated from the DOA~~
5 ~~Fiscal Year 2019 appropriations to fund Guam’s proportionate share of its~~
6 ~~annual dues to the Western Interstate Commission for Higher Education~~
7 ~~(WICHE) for School Year 2018-2019.”~~

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(h) DEPARTMENT OF REVENUE AND TAXATION (DRT)

(1) Appropriation. The sum of Eleven Million Four Hundred Fifty Thousand Two Hundred Thirty-three Dollars (**\$11,450,233**) is appropriated to the Department of Revenue and Taxation (DRT) for its operations for Fiscal Year 2019. This sum is composed of ~~Eight Two Million Four Two Hundred Thirty five~~Forty-eight Thousand ~~Eight Hundred Seventy nine~~Ninety-eight Dollars ~~(\$2,248,098) (\$8,435,879)~~ from the General Fund, ~~Six Million One hundred Eight-seven Thousand Seven Hundred Eight-one Dollars (\$6,187,781)~~ from the Supplemental Appropriations Revenue Fund, and Three Million Fourteen Thousand Three Hundred Fifty-four Dollars (**\$3,014,354**) from the Banking and Insurance Enforcement Fund, the Better Public Service Fund, and the Tax Collection Enhancement Fund.

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SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	\$8,435,879 \$2,248,098
SUPPLEMENTAL APPROPRIATIONS REVENUE FUND	\$6,187,781
BANKING AND INSURANCE ENFORCEMENT FUND	\$474,400
BETTER PUBLIC SERVICE FUND	\$1,564,374
TAX COLLECTION ENHANCEMENT FUND	\$975,577
TOTAL	\$11,450,233

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	\$0
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SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	\$7,696,040
OPERATIONS OBJECT CATEGORIES (220-290)	\$3,629,193
UTILITIES OBJECT CATEGORIES (361-363)	\$125,000
CAPITAL OUTLAY (450)	\$0
TOTAL	\$11,450,233

1 Banking and Insurance Enforcement Fund - \$0 (111-113); \$474,403 (220-290); \$0 (361-363); \$0(450); Better Public Service Fund - \$0 (111-
2 113); \$1,564,374 (220-290); \$0 (361-363); \$0 (450); Tax Collection Enhancement Fund - \$490,443 (111-113); \$360,134 (220-290); \$125,000
3 (361-363); \$0 (450); SAR Fund - \$6,187,781 (111-113) \$0 (220-290); \$0 (361-363); \$0 (450)

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4 (2) Banking and Insurance Enforcement Fund. The sum of Four
5 Hundred Seventy-four Thousand Four Hundred Three Dollars (**\$474,403**)
6 *shall* be allocated from the Banking and Insurance Enforcement Fund
7 appropriation in Subsection (h)(1) for the purpose of enforcement within the
8 purview of the Office of Commissioner of Banking and Insurance and the
9 Banking and Insurance Board pursuant to § 103120, Chapter 103, Title 11
10 GCA in Fiscal Year 2019.

1 (i) **BUREAU OF STATISTICS AND PLANS (BSP)**

2 (1) Appropriation. The sum of One Million One Hundred Thirty-
3 seven Thousand Seven Hundred Ninety-five Dollars (**\$1,137,795**), is
4 appropriated from the General Fund to the Bureau of Statistics and Plans
5 (BSP) for its operations for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 GENERAL FUND	\$1,137,795
8 TOTAL	\$1,137,795

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID	\$0
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11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113)	\$1,074,925
13 OPERATIONS OBJECT CATEGORIES (220-290)	\$56,870
14 UTILITIES OBJECT CATEGORIES (361-363)	\$6,000
15 CAPITAL OUTLAY (450)	\$0
16 TOTAL	\$1,137,795

17 (2) Business and Economic Statistics Program. The sum of Four
18 Hundred Thirty-three Thousand Two Hundred Ninety-two Dollars (**\$433,292**)
19 shall be allocated from the appropriation in Subsection (i)(1) for the sole
20 purpose of funding the Business and Economic Statistics Program in Fiscal
21 Year 2019. Notwithstanding any other provision of law and this Act, *I*
22 *Maga'låhen Guåhan* and the Bureau of Budget and Management Research
23 shall not be authorized to transfer the allocation in this Subsection (i)(2) to
24 any other division within the Bureau of Statistics and Plans, or any other
25 department or agency of the government of Guam.

1 (j) DEPARTMENT OF PUBLIC WORKS (DPW)

2 (1) Appropriation. Notwithstanding any other provision of law, the
3 sum of Sixteen Million Eight Hundred Fifty-three Thousand Six Hundred
4 Forty-three Dollars (**\$16,853,643**) is appropriated to the Department of Public
5 Works (DPW) for its operations for Fiscal Year 2019. This sum is composed
6 of Nine Million Five Hundred Sixty-six Thousand Three Hundred Eighty-nine
7 Dollars (**\$9,566,389**) from the Guam Highway Fund and Seven Million Two
8 Hundred Eighty-seven Thousand Two Hundred Fifty-four Dollars
9 (**\$7,287,254**) from the Territorial Educational Facilities Fund.

10 SUMMARY OF APPROPRIATION FUNDING SOURCE

11	GUAM HIGHWAY FUND	\$9,566,389
12	TERRITORIAL EDUCATIONAL FACILITIES FUND	\$7,287,254
13	TOTAL	\$16,853,643

14 For information purposes only:

15	FEDERAL MATCHING GRANTS-IN-AID	\$0
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16 SUMMARY OF BASE OPERATIONAL APPROPRIATION

17	PERSONNEL OBJECT CATEGORIES (111-113)	\$13,753,474
18	OPERATIONS OBJECT CATEGORIES (220-290)	\$1,773,429
19	UTILITIES OBJECT CATEGORIES (361-363)	\$866,740
20	CAPITAL OUTLAY (450)	\$460,000
21	TOTAL	\$16,853,643

22 Guam Highway Fund - \$6,932,034 (111-113); \$1,313,015 (220-290); \$861,340 (361-363); \$460,000 (450); Territorial Educational Facilities
23 Fund - \$6,821,440 (111-113); \$460,414 (220-290); \$5,400 (361-363); \$0 (450)

24 (2) Village Streets and Roads Resurfacing and Repairs. The sum of
25 Two Million Nine Hundred Eighty Thousand Seven Hundred Three Dollars
26 (**\$2,980,703**) is appropriated from the Guam Highway Fund to DPW for the
27 purpose of funding village streets and roads resurfacing and repairs in Fiscal

1 Year 2019. The sums appropriated in the section shall not be subject to I
2 Maga'låhen Guåhan's transfer authority.

3 **(3) Additional Village Streets and Roads Resurfacing and**
4 **Repairs.** The balance of the Guam Highway Fund as of September 30, 2018
5 shall be appropriated for the purpose of funding additional village streets and
6 roads resurfacing and repairs. The Department of Public Works shall submit
7 a monthly status report as to all village streets repairs undertaken in FY2019.

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1 (k) **GUAM CONTRACTORS LICENSE BOARD (CLB)**

2 (1) Appropriation. The sum of Seven Hundred Eighty Thousand Six
3 Hundred Seventy Dollars (**\$780,670**) is appropriated from the Contractors
4 License Board Fund to the Guam Contractors License Board (CLB) for its
5 operations for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7	GUAM CONTRACTORS LICENSE BOARD FUND	\$780,670
8	TOTAL	\$780,670

9 For information purposes only:

10	FEDERAL MATCHING GRANTS-IN-AID	\$0
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11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12	PERSONNEL OBJECT CATEGORIES (111-113)	\$449,741
13	OPERATIONS OBJECT CATEGORIES (220-290)	\$296,929
14	UTILITIES OBJECT CATEGORIES (361-363)	\$34,000
15	CAPITAL OUTLAY (450)	\$0
16	TOTAL	\$780,670

17 (2) Guam Building Code Council. *No more than* the sum of Ninety-
18 seven Thousand Seventy-four Dollars (**\$97,074**) *shall* be allocated from the
19 appropriation in Subsection (k)(1) for the Guam Building Code Council
20 (GBCC) for Fiscal Year 2019, and funds *shall* be further allocated as follows:

21	Object Class 220	\$8,000
22	Object Class 230	\$67,279
23	Object Class 240	\$15,795
24	Object Class 290	\$6,000
25	Total	\$97,074

26 These funds may be re-categorized at the discretion and request of the
27 GBCC into whichever object class where necessary.

1 **(I) GUAM BOARD OF REGISTRATION FOR PROFESSIONAL**
2 **ENGINEERS, ARCHITECTS, AND LAND SURVEYORS (PEALS)**

3 (1) Appropriation. The sum of Three Hundred Twelve Thousand
4 Eight Hundred Eighteen Dollars (**\$312,818**) is appropriated from the PEALS
5 Fund to the Guam Board of Registration for Professional Engineers,
6 Architects and Land Surveyors (PEALS) for its operations for Fiscal Year
7 2019.

8 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

9 PEALS FUND	\$312,818
10 TOTAL	\$312,818

11 For information purposes only:

12 FEDERAL MATCHING GRANTS-IN-AID	\$0
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13 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

14 PERSONNEL OBJECT CATEGORIES (111-113)	\$202,777
15 OPERATIONS OBJECT CATEGORIES (220-290)	\$107,541
16 UTILITIES OBJECT CATEGORIES (361-363)	\$2,500
17 CAPITAL OUTLAY (450)	\$0
18 TOTAL	\$312,818

1 **(m) GUAM POLICE DEPARTMENT (GPD)**

2 (1) Appropriation. Notwithstanding any other provision of law, the
3 sum of Thirty-four Million One Hundred Twenty-eight Thousand Seven
4 Hundred One Dollars (**\$34,128,701**) is appropriated to the Guam Police
5 Department (GPD) for its operations for Fiscal Year 2019. This sum is
6 composed of Twenty-five Million Seven Hundred Eighty-six Thousand Two
7 Hundred Twenty-two Dollars (**\$25,786,222**) from the General Fund and Eight
8 Million Three Hundred Forty-two Thousand Four Hundred Seventy-nine
9 Dollars (**\$8,342,479**) from the Police Patrol Vehicle and Equipment
10 Revolving Fund, the Police Services Fund, the Guam Highway Fund, and the
11 Tourist Attraction Fund.

12 The sum of Six Hundred Eighty-three Thousand Three Hundred
13 Seventy-two Dollars (**\$683,372**) appropriated from the General Fund or
14 Special Funds in this Subsection is authorized as the local matching
15 requirement for Federal Grants-in-Aid for Fiscal Year 2019.

16 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

17 GENERAL FUND	\$25,786,222
18 GUAM HIGHWAY FUND	\$1,196,817
19 POLICE PATROL VEHICLE AND EQUIPMENT REVOLVING	
20 FUND	\$320,037
21 POLICE SERVICES FUND	\$1,001,803
22 TOURIST ATTRACTION FUND	\$5,823,822
23 TOTAL	\$34,128,701

24 For information purposes only:

25 FEDERAL MATCHING GRANTS-IN-AID	\$683,372
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26 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

27 PERSONNEL OBJECT CATEGORIES (111-113)	\$29,511,441
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1	OPERATIONS OBJECT CATEGORIES (220-290)	\$3,457,146
2	UTILITIES OBJECT CATEGORIES (361-363)	\$1,160,114
3	CAPITAL OUTLAY (450)	\$0
4	TOTAL	\$34,128,701

5 Guam Highway Fund - \$1,196,817 (111-113); \$0 (220-290); \$0 (361-363); \$0 (450); Police Patrol Vehicle and Equipment Revolving Fund
6 - \$0 (111-113); \$320,037 (220-290); \$0 (361-363); \$0 (450); Police Services Fund - \$169,550 (111-113); \$832,253 (220-290); \$0 (361-363);
7 \$0 (450); Tourist Attraction Fund - \$2,358,852 (111-113); \$2,304,856 (220-290); \$1,160,114 (361-363); \$0 (450)

8 (2) Police Patrol Vehicle and Equipment Revolving Fund. The sum
9 of Three Hundred Twenty Thousand Thirty-seven Dollars (**\$320,037**) shall be
10 allocated from the Police Patrol Vehicle and Equipment Revolving Fund
11 appropriation in Subsection (m)(1) for the purpose of acquiring vehicles and
12 requisite associated equipment, and to support the repair and maintenance
13 needs for vehicles of the Guam Police Department pursuant to § 77135,
14 Article 1, Chapter 77, Title 10 GCA in Fiscal Year 2019.

15 (3) Cost-Sharing Initiative Related to the Criminal Justice
16 Information System (CJIS) Integration Report. The sum of Eighty-nine
17 Thousand Seven Hundred Thirty Dollars (**\$89,730**) is appropriated from the
18 General Fund to the GPD to pay the Unified Judiciary for the GPD share of
19 twenty-five percent (25%) of the total annual cost of message switch
20 maintenance and National Law Enforcement Telecommunications System
21 (NLETS) membership totaling Three Hundred Fifty-eight Thousand Nine
22 Hundred Twenty Dollars (**\$358,920**) pursuant to the Multi-Agency
23 Agreement to Facilitate a Cost Sharing Initiative of May 2013 entered into by
24 the Chief of Police, the Director of Corrections, the Attorney General of
25 Guam, and the Administrator of the Courts, and other associated costs for
26 Fiscal Year 2019.

1 (n) DEPARTMENT OF CORRECTIONS (DOC)

2 (1) Appropriation. The sum of Twenty-six Million Two Hundred
3 Forty-eight Thousand Eight Hundred Sixteen Dollars (\$26,248,816) is
4 appropriated to the Department of Corrections (DOC) for its operations for
5 Fiscal Year 2019. This sum is composed of Twenty-four Million Six Hundred
6 Forty-nine Thousand One Hundred Fifty Dollars (\$24,649,150) from the
7 General Fund and One Million Five Hundred Ninety-nine Thousand Six
8 Hundred Sixty-six Dollars (\$1,599,666) from the Department of Corrections
9 Inmate Revolving Fund and the Safe Streets Fund.

10 SUMMARY OF APPROPRIATION FUNDING SOURCE

11 GENERAL FUND	\$24,649,150
12 DEPARTMENT OF CORRECTIONS INMATE REVOLVING FUND	\$1,495,582
13 SAFE STREETS FUND	\$104,084
14 TOTAL	\$26,248,816

15 For information purposes only:

16 FEDERAL MATCHING GRANTS-IN-AID	\$0
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17 SUMMARY OF BASE OPERATIONAL APPROPRIATION

18 PERSONNEL OBJECT CATEGORIES (111-113)	\$17,435,666
19 OPERATIONS OBJECT CATEGORIES (220-290)	\$6,753,448
20 UTILITIES OBJECT CATEGORIES (361-363)	\$2,012,211
21 CAPITAL OUTLAY (450)	\$47,491
22 TOTAL	\$26,248,816

23 Department of Corrections Inmate Revolving Fund - \$0 (111-113); \$1,495,582 (220-290); \$0 (361-363); \$0 (450); Safe Streets Fund - \$0
24 (111-113); \$104,084 (220-290); \$0 (361-363); \$0 (450)

25 (2) Cost of Care and Custody for Prisoners Confined in Federal
26 Facilities. The sum of Five Hundred One Thousand Dollars (\$501,000) is
27 appropriated from the General Fund to DOC for the payment of Fiscal Year

1 2019 obligations for prisoners confined in federal facilities of the Federal
2 Bureau of Prisons.

3 (3) Cost-Sharing Initiative Related to the Criminal Justice
4 Information System (CJIS) Integration Report. The sum of Eighty-nine
5 Thousand Seven Hundred Thirty Dollars (**\$89,730**) is appropriated from the
6 General Fund to the DOC to pay the Unified Judiciary for the DOC share of
7 twenty-five percent (25%) of the total annual cost of message switch
8 maintenance and National Law Enforcement Telecommunications System
9 (NLETS) membership totaling Three Hundred Fifty-eight Thousand Nine
10 Hundred Twenty Dollars (**\$358,920**) pursuant to the Multi-Agency
11 Agreement to Facilitate a Cost Sharing Initiative of May 2013 entered into by
12 the Chief of Police, the Director of Corrections, the Attorney General of
13 Guam, and the Administrator of the Courts, and other associated costs for
14 Fiscal Year 2019.

1 (o) **DEPARTMENT OF AGRICULTURE (AGR)**

2 (1) Appropriation. Notwithstanding any other provision of law, the
3 sum of Four Million Twenty-five Thousand Three Hundred Twenty-three
4 Dollars (**\$4,025,323**) is appropriated to the Department of Agriculture (AGR)
5 for its operations for Fiscal Year 2019. This sum is composed of Two Million
6 Nine Hundred Eighty-seven Thousand Four Hundred Ten Dollars
7 (**\$2,987,410**) from the General Fund and One Million Thirty-seven Thousand
8 Nine Hundred Thirteen Dollars (**\$1,037,913**) from the Guam Invasive Species
9 Inspection Fee Fund, the Guam Plant Inspection and Permit Fund, the Rabies
10 Prevention Fund, and the Tourist Attraction Fund.

11 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

12	GENERAL FUND	\$2,987,410
13	GUAM INVASIVE SPECIES INSPECTION FEE FUND	\$463,478
14	GUAM PLANT INSPECTION AND PERMIT FUND	\$99,491
15	RABIES PREVENTION FUND	\$43,076
16	TOURIST ATTRACTION FUND	\$431,868
17	TOTAL	\$4,025,323

18 For information purposes only:

19	FEDERAL MATCHING GRANTS-IN-AID	\$0
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20 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

21	PERSONNEL OBJECT CATEGORIES (111-113)	\$3,155,955
22	OPERATIONS OBJECT CATEGORIES (220-290)	\$686,509
23	UTILITIES OBJECT CATEGORIES (361-363)	\$182,859
24	CAPITAL OUTLAY (450)	\$0
25	TOTAL	\$4,025,323

1 Guam Invasive Species Inspection Fee Fund - \$170,537 (111-113); \$292,941 (220-290); \$0 (361-363); \$0 (450); Guam Plant Inspection and
2 Permit Fund - \$0 (111-113); \$34,891 (220-290); \$64,600 (361-363); \$0 (450); Rabies Prevention Fund \$0 (111-113); \$43,076 (220-290); \$0
3 (361-363); \$0 (450); Tourist Attraction Fund \$286,416 (111-113); \$27,193 (220-290); \$118,259 (361-363); \$0 (450)

4 (2) Animal Shelter. The sum of One Hundred Fifty Thousand
5 Dollars (**\$150,000**) is appropriated from the General Fund to AGR for Fiscal
6 Year 2019 for the operations of the Guam Animals in Need animal shelter in
7 Yigo, Guam.

8 (3) Rabies Prevention Funding. The sum of Forty-three Thousand
9 Seventy-six Dollars (**\$43,076**) *shall* be allocated from the Rabies Prevention
10 Fund appropriation in Subsection (o)(1) for use pursuant to § 34307, Article
11 3, Chapter 34, Title 10 GCA in Fiscal Year 2019.

12 (4) Conservation Officers. The sum of Six Hundred Twenty-two
13 Thousand Thirty-nine Dollars (**\$622,039**) *shall* be allocated for the purpose of
14 personnel and the sum of One Hundred Eighteen Thousand Four Hundred
15 Eight Dollars (**\$118,408**) *shall* be allocated for operational and equipment
16 costs from the Fiscal Year 2019 General Fund appropriation in Subsection
17 (o)(1) for the Conservation Officers in Fiscal Year 2019.

1 **(p) GUAM PUBLIC LIBRARY SYSTEM (GPLS)**

2 (1) Appropriation. The sum of One Million Two Hundred Seventeen
3 Thousand Nine Hundred Dollars (**\$1,217,900**) is appropriated from the
4 Territorial Educational Facilities Fund to the Guam Public Library System
5 (GPLS) for its operations for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 TERRITORIAL EDUCATIONAL FACILITIES FUND	\$1,217,900
8 TOTAL	\$1,217,900

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID	\$0
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11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113)	\$949,703
13 OPERATIONS OBJECT CATEGORIES (220-290)	\$109,995
14 UTILITIES OBJECT CATEGORIES (361-363)	\$158,202
15 CAPITAL OUTLAY (450)	\$0
16 TOTAL	\$1,217,900

1 (q) **DEPARTMENT OF YOUTH AFFAIRS (DYA)**

2 (1) Appropriation. The sum of Five Million Four Hundred Thirty-
3 two Thousand Seven Hundred Thirty-two Dollars (**\$5,432,732**) is
4 appropriated to the Department of Youth Affairs (DYA) for its operations for
5 Fiscal Year 2019. This sum is composed of Five Million Three Hundred Fifty
6 Thousand Six Hundred Sixty-one Dollars (**\$5,350,661**) from the General Fund
7 and Eighty-two Thousand Seventy Dollars (**\$82,070**) from the Healthy
8 Futures Fund.

9 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

10 GENERAL FUND	\$5,350,661
11 HEALTHY FUTURES FUND	\$82,070
12 TOTAL	\$5,432,732

13 For information purposes only:

14 FEDERAL MATCHING GRANTS-IN-AID	\$0
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15 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

16 PERSONNEL OBJECT CATEGORIES (111-113)	\$4,845,855
17 OPERATIONS OBJECT CATEGORIES (220-290)	\$375,992
18 UTILITIES OBJECT CATEGORIES (361-363)	\$210,885
19 CAPITAL OUTLAY (450)	\$0
20 TOTAL	\$5,432,732

21 Healthy Futures Fund - \$82,070 (111-113); \$0 (220-290); \$0 (361-363); \$0 (450)

22 (2) Youth Programs Appropriation. The sum of Three Hundred
23 Thirty-two Thousand One Hundred Fifty Dollars (**\$332,150**) is appropriated
24 from the General Fund to DYA for Fiscal Year 2019 to fund programs
25 contracted out to non-governmental organizations for services to youths who
26 are runaways, homeless, or victims of abuse.

1 (3) Authorization to Pay Prior Year Hazardous Pay.

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2 Notwithstanding any other provision of law, the Department of Youth Affairs

3 may use up to Thirty-~~n~~ine Thousand Dollars (\$39,000) of the sum

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4 appropriated to it in the Fiscal Year 2018 Appropriations Act for the payment

5 of hazardous pay accrued in Fiscal Year 2016.

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1 (r) **GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)**

2 (1) Appropriation. The sum of Nine Hundred Two Thousand Six
3 Hundred Thirty-three Dollars (**\$902,633**) is appropriated to the Guam
4 Environmental Protection Agency (GEPA) for its operations for Fiscal Year
5 2019. This sum is composed of Two Hundred Thirty Thousand Six Hundred
6 Seventy-three Dollars (**\$230,673**) from the Air Pollution Control Fund, Four
7 Hundred Nine Thousand Two Hundred Sixty-six Dollars (**\$409,266**) from the
8 Guam Environmental Trust Fund, One Hundred Thirty-three Thousand
9 Thirty-eight Dollars (**\$133,038**) from the Pesticide Management Fund, Sixty-
10 one Thousand Eight Hundred Forty-four Dollars (**\$61,844**) from the Water
11 Protection Fund, and Sixty-seven Thousand Eight Hundred Eleven Dollars
12 (**\$67,811**) from the Water Research and Development Fund.

13 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

14 AIR POLLUTION CONTROL FUND	\$230,673
15 GUAM ENVIRONMENTAL TRUST FUND	\$409,266
16 PESTICIDE MANAGEMENT FUND	\$133,038
17 WATER PROTECTION FUND	\$61,844
18 WATER RESEARCH AND DEVELOPMENT FUND	\$67,811
19 TOTAL	\$902,633

20 For information purposes only:

21 FEDERAL MATCHING GRANTS-IN-AID	\$0
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22 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

23 PERSONNEL OBJECT CATEGORIES (111-113)	\$589,434
24 OPERATIONS OBJECT CATEGORIES (220-290)	\$253,199
25 UTILITIES OBJECT CATEGORIES (361-363)	\$60,000
26 CAPITAL OUTLAY (450)	\$0
27 TOTAL	\$902,633

1 Air Pollution Control Fund - \$200,025 (111-113); \$25,648 (220-290); \$5,000 (361-363); \$0 (450); Guam Environmental Trust Fund -
2 \$166,959 (111-113); \$187,307 (220-290); \$55,000 (361-363); \$0 (450); Pesticide Management Fund - \$127,702 (111-113); \$5,336 (220-
3 290); \$0 (361-363); \$0 (450); Water Protection Fund - \$40,444 (111-113); \$21,400 (220-290); \$0 (361-363); \$0 (450); Water Research and
4 Development Fund - \$54,303 (111-113); \$13,508 (220-290); \$0 (361-363); \$0 (450)

5 (2) Closure, Monitoring, and Opening of the Island's Landfills. The
6 sum of Two Hundred Two Thousand Nine Hundred Ninety-two Dollars
7 (**\$202,992**) is appropriated from the Solid Waste Operations Fund to the
8 GEPA for Fiscal Year 2019. The allocation recognizes the duties and
9 responsibilities of the Agency related to the closure, monitoring, and opening
10 of the island's landfills. This allocation is *not* subject to transfer or use for any
11 other purpose.

12 (3) Beach Monitoring. The sum of One Hundred Eight Thousand
13 Two Hundred Eighty-nine Dollars (**\$108,289**) is appropriated from the
14 Tourist Attraction Fund to the GEPA for the *sole* purpose of beach monitoring
15 and tasks performed by the Agency related to the monitoring of the island's
16 beaches and any other tourist infrastructure to ensure that the island's beaches
17 are safe for recreational and commercial use for Fiscal Year 2019. The
18 allocation is *not* subject to transfer or use for any other purpose.

19 (4) Pesticide Management Fund. The sum of One Hundred Thirty-
20 three Thousand Thirty-eight Dollars (**\$133,038**) *shall* be allocated from the
21 Pesticide Management Fund appropriation in Subsection (r)(1) to the GEPA
22 for use pursuant to § 50119, Chapter 50, Title 10 GCA for Fiscal Year 2019.

23 (5) Recycling Revolving Fund. The sum of Two Million Eight
24 Hundred Ninety-five Thousand Nine Hundred Sixty-five Dollars
25 (**\$2,895,965**) is appropriated from the Recycling Revolving Fund to the GEPA
26 for the *sole* purpose pursuant to Article 3, Chapter 51, Title 10 GCA for Fiscal
27 Year 2019.

1 (s) **DEPARTMENT OF LABOR (DOL)**

2 (1) Appropriation. The sum of Two Million Ninety-three Thousand
3 Nine Hundred Eighteen Dollars (**\$2,093,918**) is appropriated to the
4 Department of Labor (DOL) for its operations for Fiscal Year 2019. This sum
5 is composed of One Million Six Hundred Eighty-seven Thousand Two
6 Hundred Fifty-two Dollars (**\$1,687,252**) from the General Fund and Four
7 Hundred Six Thousand Six Hundred Sixty-six Dollars (**\$406,666**) from the
8 Manpower Development Fund.

9 The sum of Forty-seven Thousand Dollars (**\$47,000**) appropriated from
10 the General Fund or Special Funds in this Subsection is authorized as the local
11 matching requirement for Federal Grants-in-Aid.

12 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

13 GENERAL FUND	\$1,687,252
14 MANPOWER DEVELOPMENT FUND	\$406,666
15 TOTAL	\$2,093,918

16 For information purposes only:

17 FEDERAL MATCHING GRANTS-IN-AID	\$47,000
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18 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

19 PERSONNEL OBJECT CATEGORIES (111-113)	\$1,515,863
20 OPERATIONS OBJECT CATEGORIES (220-290)	\$553,055
21 UTILITIES OBJECT CATEGORIES (361-363)	\$25,000
22 CAPITAL OUTLAY (450)	\$0
23 TOTAL	\$2,093,918

24 Manpower Development Fund - \$173,096 (111-113); \$233,570 (220-290); \$0 (361-363); \$0 (450)

25 (2) Appropriation to the Worker's Compensation Fund. The sum of
26 Six Hundred Ninety-eight Thousand Five Hundred Ninety-three Dollars
27 (**\$698,593**) is appropriated from the General Fund to the DOL for the

1 Government of Guam Special Fund for Worker's Compensation payments in
2 Fiscal Year 2019 pursuant to Chapter 9 of Title 22 GCA, including obligations
3 incurred in past years and in the future.

4 The appropriation in this Subsection (s)(2) may be used to pay for
5 medical, surgical, and other treatment; nurses; hospital services; medical
6 travel and per diem costs; medicine; crutches; and equipment required by a
7 claimant for such period as her/his injury and the recovery therefrom may
8 require during each corresponding fiscal year. The appropriation in this
9 Subsection (s)(2) *shall not* be expended for disability compensation payments
10 for FTEs funded by this Act. The Director of DOL may use *no more than*
11 Forty Thousand Dollars (**\$40,000**) from the appropriation in this Subsection
12 (s)(2) to pay for legal services for Worker's Compensation hearings during
13 each corresponding fiscal year.

1 (t) **DEPARTMENT OF PARKS AND RECREATION (DPR)**

2 (1) Appropriation. The sum of Three Million Four Hundred Sixty-
3 two Thousand Three Hundred One Dollars (**\$3,462,301**) is appropriated to the
4 Department of Parks and Recreation (DPR) for Fiscal Year 2019. This sum is
5 composed of Five Hundred Twenty-four Thousand Nine Hundred Thirteen
6 Dollars (**\$524,913**) from the Limited Gaming Fund, One Hundred Seventy-
7 four Thousand Nine Hundred Seven Dollars (**\$174,907**) from the Public
8 Recreation Services Fund, and Two Million Seven Hundred Sixty-two
9 Thousand Four Hundred Eighty-one Dollars (**\$2,762,481**) from the Tourist
10 Attraction Fund.

11 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

12 LIMITED GAMING FUND	\$524,913
13 PUBLIC RECREATION SERVICES FUND	\$174,907
14 TOURIST ATTRACTION FUND	\$2,762,481
15 TOTAL	\$3,462,301

16 For information purposes only:

17 FEDERAL MATCHING GRANTS-IN-AID	\$0
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18 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

19 PERSONNEL OBJECT CATEGORIES (111-113)	\$2,433,320
20 OPERATIONS OBJECT CATEGORIES (220-290)	\$733,120
21 UTILITIES OBJECT CATEGORIES (361-363)	\$295,861
22 CAPITAL OUTLAY (450)	\$0
23 TOTAL	\$3,462,301

24 Limited Gaming Fund - \$0 (111-113); \$524,913 (220-290); \$0 (361-363); \$0 (450); Public Recreation Services Fund - \$0 (111-113); \$74,907
25 (220-290); \$100,000 (361-363); \$0 (450); Tourist Attraction Fund - \$2,433,320 (111-113); \$133,300 (220-290); \$195,861 (361-363); \$0
26 (450)

1 (2) Limited Gaming Fund. The sum of Five Hundred Twenty-four
2 Thousand Nine Hundred Thirteen Dollars (**\$524,913**) shall be allocated from
3 the Limited Gaming Fund appropriation in Subsection (t)(1) to DPR pursuant
4 to § 5204(d)(2), Chapter 5, Title 11 GCA for Fiscal Year 2019.

5 (3) Maintenance and Repair of Public Restrooms and Pool Facilities.
6 The sum of Five Hundred Forty-nine Thousand Three Hundred Seventy-seven
7 Dollars (**\$549,377**) is appropriated from the Tourist Attraction Fund to DPR
8 for the maintenance and repair of restroom facilities in public parks island-
9 wide and the maintenance of the Northern Region Pool and Complex and the
10 *Hagåtña* Pool facilities for Fiscal Year 2019.

11 *No later than* thirty (30) days after the end of every fiscal quarter, the
12 Director of DPR shall submit a quarterly report to the Public Auditor and the
13 Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel file and written report
14 of the expenditures from the appropriation in this Subsection (t)(3) and post
15 the same on the Department's website.

16 ~~(4)~~ Guam Historic Resources Division. The sum of Three Hundred
17 Ninety-four Thousand Eight Hundred Sixty-eight Dollars (**\$394,868**) shall be
18 allocated from the Tourist Attraction Fund appropriation in Subsection (t)(1)
19 to DPR for the Guam Historic Resources Division of DPR for Fiscal Year
20 2019.

21 Funds allocated in this Subsection (t)(4) shall be expended exclusively
22 for historic preservation positions and projects as advised by the Guam State
23 Historic Preservation Officer and approved by the DPR Director.
24 Notwithstanding any other provision of law and this Act, *I Maga'låhen*
25 *Guåhan* and the Bureau of Budget and Management Research shall not be
26 authorized to transfer the allocations in this Subsection (t)(4) to any other

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1 division within the Department of Parks and Recreation or any other
2 department or agency of the government of Guam.”
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1 (u) **DEPARTMENT OF LAND MANAGEMENT (DLM)**

2 (1) Appropriation. The sum of Three Million Two Hundred Seventy-
3 six Thousand Five Hundred Sixty-seven Dollars (**\$3,276,567**) is appropriated
4 from the Land Survey Revolving Fund to the Department of Land
5 Management (DLM) for its operations for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 LAND SURVEY REVOLVING FUND \$3,276,567

8 **TOTAL \$3,276,567**

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID \$0

11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113) \$2,614,598

13 OPERATIONS OBJECT CATEGORIES (220-290) \$643,629

14 UTILITIES OBJECT CATEGORIES (361-363) \$18,340

15 CAPITAL OUTLAY (450) \$0

16 **TOTAL \$3,276,567**

1 (v) **OFFICE OF THE CHIEF MEDICAL EXAMINER (CME)**

2 (1) Appropriation. The sum of Four Hundred Thirty-one Thousand
3 One Hundred Sixty Dollars (**\$431,160**) is appropriated from the General Fund
4 to the Office of the Chief Medical Examiner (CME) for its operations for
5 Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 GENERAL FUND \$431,160

8 **TOTAL \$431,160**

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID \$0

11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113) \$374,588

13 OPERATIONS OBJECT CATEGORIES (220-290) \$53,485

14 UTILITIES OBJECT CATEGORIES (361-363) \$3,087

15 CAPITAL OUTLAY (450) \$0

16 **TOTAL \$431,160**

1 (w) **CUSTOMS AND QUARANTINE AGENCY (CQA)**

2 (1) Appropriation. The sum of Fourteen Million Three Hundred
3 Seventy-eight Thousand Nine Hundred Ninety-nine Dollars (**\$14,378,999**) is
4 appropriated from the Customs, Agriculture and Quarantine Inspection
5 Services Fund to the Customs and Quarantine Agency (CQA) for its
6 operations for Fiscal Year 2019.

7 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

8	CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES	
9	FUND	\$14,378,999
10	TOTAL	\$14,378,999

11 For information purposes only:

12	FEDERAL MATCHING GRANTS-IN-AID	\$0
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13 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

14	PERSONNEL OBJECT CATEGORIES (111-113)	\$10,621,157
15	OPERATIONS OBJECT CATEGORIES (220-290)	\$3,671,342
16	UTILITIES OBJECT CATEGORIES (361-363)	\$86,500
17	CAPITAL OUTLAY (450)	\$0
18	TOTAL	\$14,378,999

1 (x) **DEPARTMENT OF CHAMORRO AFFAIRS (DCA)**

2 (1) Appropriation. The sum of Two Million Two Hundred Eighty-
3 three Thousand Five Hundred Twenty-six Dollars (**\$2,283,526**) is
4 appropriated to the Department of *Chamorro* Affairs (DCA) for its operations
5 for Fiscal Year 2019. This sum is composed of One Million Three Hundred
6 Fourteen Thousand Six Hundred Ninety Dollars (**\$1,314,690**) from the
7 Tourist Attraction Fund and Nine Hundred Sixty-eight Thousand Eight
8 Hundred Thirty-six Dollars (**\$968,836**) from the Guam Museum Fund.

9 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

10	TOURIST ATTRACTION FUND	\$1,314,690
11	GUAM MUSEUM FUND	\$968,836
12	TOTAL	\$2,283,526

13 For information purposes only:

14	FEDERAL MATCHING GRANTS-IN-AID	\$0
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15 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

16	PERSONNEL OBJECT CATEGORIES (111-113)	\$618,128
17	OPERATIONS OBJECT CATEGORIES (220-290)	\$1,425,398
18	UTILITIES OBJECT CATEGORIES (361-363)	\$240,000
19	CAPITAL OUTLAY (450)	\$0
20	TOTAL	\$2,283,526

21 Guam Museum Fund - \$0 (111-113); \$728,836 (220-290); \$240,000 (361-363); \$0 (450); Tourist Attraction Fund - \$618,128 (111-113);

22 \$696,562 (220-290); \$0 (361-363); \$0 (450)

1 (y) **DEPARTMENT OF MILITARY AFFAIRS (DMA)**

2 (1) Appropriation. The sum of Seven Hundred Sixty-four Thousand
3 One Hundred Seventy-eight Dollars (**\$764,178**) is appropriated from the
4 General Fund to the Department of Military Affairs (DMA) for its operations
5 for Fiscal Year 2019.

6 The sum of Two Million Three Hundred Six Thousand Five Hundred
7 Eighteen Dollars (**\$2,306,518**) appropriated from the General Fund is
8 authorized as the local matching requirement for Federal Matching Grants-in-
9 Aid.

10 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

11 GENERAL FUND \$764,178

12 **TOTAL \$764,178**

13 For information purposes only:

14 FEDERAL MATCHING GRANTS-IN-AID \$2,306,518

15 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

16 PERSONNEL OBJECT CATEGORIES (111-113) \$293,848

17 OPERATIONS OBJECT CATEGORIES (220-290) \$118,033

18 UTILITIES OBJECT CATEGORIES (361-363) \$344,047

19 CAPITAL OUTLAY (450) \$8,250

20 **TOTAL \$764,178**

1 **(z) GUAM COUNCIL ON THE ARTS AND HUMANITIES**
2 **AGENCY (CAHA)**

3 (1) Appropriation. The sum of Three Hundred Twenty Thousand
4 Seven Hundred Fifty-three Dollars (**\$320,753**) is appropriated to the Guam
5 Council on the Arts and Humanities Agency (CAHA) for its operations for
6 Fiscal Year 2019. This sum is composed of One Hundred Fifty-eight
7 Thousand Five Hundred Ten Dollars (**\$158,510**) from the General Fund and
8 One Hundred Sixty-two Thousand Two Hundred Forty-three Dollars
9 (**\$162,243**) from the Tourist Attraction Fund.

10 The sum of Two Hundred Ninety-four Thousand Dollars (**\$294,000**)
11 appropriated from the General Fund and Special Fund in this Subsection is
12 authorized as the local matching requirement for Federal Matching Grants-in-
13 Aid.

14 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

15	GENERAL FUND	\$158,510
16	TOURIST ATTRACTION FUND	\$162,243
17	TOTAL	\$320,753

18 For information purposes only:

19	FEDERAL MATCHING GRANTS-IN-AID	\$294,000
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20 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

21	PERSONNEL OBJECT CATEGORIES (111-113)	\$228,787
22	OPERATIONS OBJECT CATEGORIES (220-290)	\$90,166
23	UTILITIES OBJECT CATEGORIES (361-363)	\$1,800
24	CAPITAL OUTLAY (450)	\$0
25	TOTAL	\$320,753

26 Tourist Attraction Fund - \$70,277 (111-113); \$90,166 (220-290); \$1,800 (361-363); \$0 (450)

1 (2) Guam Territorial Band. The sum of Forty Thousand Dollars
2 (\$40,000) is appropriated from the Tourist Attraction Fund to the CAHA for
3 the Guam Territorial Band for Fiscal Year 2019.

1 (aa) **GUAM FIRE DEPARTMENT (GFD)**

2 (1) Appropriation. Notwithstanding any other provision of law, the
3 sum of Thirty-two Million Two Hundred ~~Ninety-three~~ Thirty-one Thousand
4 ~~Five~~ Four Hundred ~~Twenty-three~~ Seventy-four Dollars (~~\$3230,23193,574423~~)
5 is appropriated to the Guam Fire Department (GFD) for its operations for
6 Fiscal Year 2019. This sum is composed of Twenty-~~eightsix~~ Million Four
7 Hundred ~~Eighty-six~~ Twenty-four Thousand ~~Five-Seven~~ Hundred Eighty
8 Thirty-one Dollars (~~\$28,424,731~~ \$26,486,580) from the General Fund and
9 Three Million Eight Hundred Six Thousand Eight Hundred Forty-three
10 Dollars (~~\$3,806,843~~) from the Enhanced 911 Emergency Reporting System
11 Fund, the Fire, Life, and Medical Emergency (F.L.A.M.E.) Fund, and the
12 Tourist Attraction Fund.

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13 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

14 GENERAL FUND	\$26,486,580 \$28,424,731
15 ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	\$2,245,507
16 F.L.A.M.E.	\$734,262
17 TOURIST ATTRACTION FUND	\$827,074
18 TOTAL	\$30,293,423 \$32,231,574

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19 For information purposes only:

20 FEDERAL MATCHING GRANTS-IN-AID	\$0
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21 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

22 PERSONNEL OBJECT CATEGORIES (111-113)	\$27,793,822 \$29,731,971
23 OPERATIONS OBJECT CATEGORIES (220-290)	\$1,806,160
24 UTILITIES OBJECT CATEGORIES (361-363)	\$637,441
25 CAPITAL OUTLAY (450)	\$56,000
26 TOTAL	\$30,293,423 \$32,231,574

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- 1 Enhanced 911 Emergency Reporting System Fund - \$1,307,242 (111-113); \$775,175 (220-290); \$163,090 (361-363); \$0 (450);
- 2 F.L.A.M.E. - \$678,262 (111-113); \$0 (220-290); \$0 (361-363); \$56,000 (450); Tourist Attraction Fund - \$0 (111-113); \$352,723
- 3 (220-290); \$474,351 (361-363); \$0 (450)

1 **(bb) GUAM EDUCATIONAL TELECOMMUNICATIONS**
2 **CORPORATION (GETC)**

3 (1) Appropriation. Notwithstanding any other provision of law, the
4 sum of Five Hundred Sixty-nine Thousand Eight Hundred Fourteen Dollars
5 (**\$569,814**) is appropriated from the Territorial Educational Facilities Fund to
6 the Guam Educational Telecommunications Corporation (PBS Guam) for its
7 operations for Fiscal Year 2019.

8 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

9 TERRITORIAL EDUCATIONAL FACILITIES FUND	\$569,814
10 TOTAL	\$569,814

11 For information purposes only:

12 FEDERAL MATCHING GRANTS-IN-AID	\$0
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13 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

14 PERSONNEL OBJECT CATEGORIES (111-113)	\$464,957
15 OPERATIONS OBJECT CATEGORIES (220-290)	\$29,857
16 UTILITIES OBJECT CATEGORIES (361-363)	\$75,000
17 CAPITAL OUTLAY (450)	\$0
18 TOTAL	\$569,814

1 (cc) **CHAMORRO LAND TRUST COMMISSION (CLTC)**

2 (1) Appropriation. The sum of One Million Twenty-seven Thousand
3 Nine Hundred Sixty-three Dollars (**\$1,027,963**) is appropriated from the
4 *Chamorro* Land Trust Operations Fund to the *Chamorro* Land Trust
5 Commission (CLTC) for its operations for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7	CHAMORRO LAND TRUST OPERATIONS FUND	\$1,027,963
8	TOTAL	\$1,027,963

9 For information purposes only:

10	FEDERAL MATCHING GRANTS-IN-AID	\$0
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11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12	PERSONNEL OBJECT CATEGORIES (111-113)	\$677,921
13	OPERATIONS OBJECT CATEGORIES (220-290)	\$350,042
14	UTILITIES OBJECT CATEGORIES (361-363)	\$0
15	CAPITAL OUTLAY (450)	\$0
16	TOTAL	\$1,027,963

17 (2) Appropriation of Chamorro Land Trust Survey and
18 Infrastructure Fund Balance. The sum of Thirty-four Thousand Seven
19 Hundred Twenty-five Dollars (**\$34,725**) is hereby appropriated from the
20 unappropriated fund balance of the Chamorro Land Trust Commission Survey
21 and Infrastructure Fund to the CLTC to be expended pursuant to § 75124(b),
22 Chapter 75, Title 21 GCA.

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1 **(dd) GUAM REGIONAL TRANSIT AUTHORITY (GRTA)**

2 (1) Appropriation. The sum of Three Million Two Hundred Twenty-
3 one Thousand One Hundred Eighty-eight Dollars (**\$3,221,188**) is
4 appropriated to the Guam Regional Transit Authority (GRTA) for its
5 operations for Fiscal Year 2019. This sum is composed of Two Million Seven
6 Hundred Sixty-four Thousand Seven Hundred Ninety-six Dollars
7 (**\$2,764,796**) from the Guam Highway Fund and Four Hundred Fifty-six
8 Thousand Three Hundred Ninety-two Dollars (**\$456,392**) from the Public
9 Transit Fund.

10 **SUMMARY OF APPROPRIATIONS FUNDING SOURCE**

11	GUAM HIGHWAY FUND	\$2,764,796
12	PUBLIC TRANSIT FUND	\$456,392
13	TOTAL	\$3,221,188

14 For information purposes only:

15	FEDERAL MATCHING GRANTS-IN-AID	\$0
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16 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

17	PERSONNEL OBJECT CATEGORIES (111-113)	\$549,350
18	OPERATIONS OBJECT CATEGORIES (220-290)	\$2,665,838
19	UTILITIES OBJECT CATEGORIES (361-363)	\$6,000
20	CAPITAL OUTLAY (450)	\$0
21	TOTAL	\$3,221,188

22 Guam Highway Fund- \$549,350 (111-113); \$2,209,446 (220-290); \$6,000 (361-363); \$0 (450); Public Transit Fund - \$0 (111-
23 113); \$456,392 (220-290); \$0 (361-363); \$0 (450)

1 **(ee) GUAM ELECTION COMMISSION (GEC)**

2 (1) Appropriation. The sum of One Million Three Hundred Ninety-
3 nine Thousand Four Hundred Fourteen Dollars (**\$1,399,414**) is appropriated
4 from the General Fund to the Guam Election Commission for its operations
5 for Fiscal Year 2019.

6 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

7 GENERAL FUND \$1,399,414

8 **TOTAL \$1,399,414**

9 For information purposes only:

10 FEDERAL MATCHING GRANTS-IN-AID \$0

11 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

12 PERSONNEL OBJECT CATEGORIES (111-113) \$891,354

13 OPERATIONS OBJECT CATEGORIES (220-290) \$508,060

14 UTILITIES OBJECT CATEGORIES (361-363) \$0

15 CAPITAL OUTLAY (450) \$0

16 **TOTAL \$1,399,414**

1 **(gg) HAGÁŃA RESTORATION AND REDEVELOPMENT**

2 **AUTHORITY (HRRA)**

3 (1) Appropriation. The sum of One Hundred Thirty-two Thousand
4 Three Hundred Fifty-seven Dollars (**\$132,357**) is appropriated from the
5 Tourist Attraction Fund to the *Hagátña* Restoration and Redevelopment
6 Authority for its operations for Fiscal Year 2019.

7 **SUMMARY OF APPROPRIATIONS FUNDING SOURCE**

8 TOURIST ATTRACTION FUND	\$132,357
9 TOTAL	\$132,357

10 For information purposes only:

11 FEDERAL MATCHING GRANTS-IN-AID	\$0
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12 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

13 PERSONNEL OBJECT CATEGORIES (111-113)	\$91,731
14 OPERATIONS OBJECT CATEGORIES (220-290)	\$40,626
15 UTILITIES OBJECT CATEGORIES (361-363)	\$0
16 CAPITAL OUTLAY (450)	\$0
17 TOTAL	\$132,357

18 (2) Restrictions on Transfers to HRRA. *Except* as provided in
19 Subsection (gg)(1), no appropriations or funds shall be transferred to the
20 HRRA for its operations from any other fund sources appropriated in this Act
21 during Fiscal Year 2019.

1 **(hh) I KUMISION I FINO' CHAMORU YAN I FINA'NA'GUEN**
2 **HISTORIA YAN I LINA'LA' TAOTAO TANO' (KUMISION)**

3 (1) Appropriation. The sum of Two Hundred Two Thousand Two
4 Hundred Dollars (**\$202,200**) is appropriated from the Tourist Attraction Fund
5 to the Department of Administration for *I Kumision* for its operations for
6 Fiscal Year 2019.

7 **SUMMARY OF APPROPRIATIONS FUNDING SOURCE**

8 TOURIST ATTRACTION FUND	\$202,200
9 TOTAL	\$202,200

10 For information purposes only:

11 FEDERAL MATCHING GRANTS-IN-AID	\$0
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2 **(ii) OFFICE OF TECHNOLOGY (OTECH)**

3 (1) Appropriation. The sum of Three Million One Hundred Thirty-
4 nine Thousand Four Hundred Thirty-four Dollars (**\$3,139,434**) is
5 appropriated from the General Fund to the Department of Administration for
6 the Office of Technology for its operations for Fiscal Year 2019.

7 **SUMMARY OF APPROPRIATIONS FUNDING SOURCE**

8 GENERAL FUND	\$3,139,434
9 TOTAL	\$3,139,434

10 For information purposes only:

11 FEDERAL MATCHING GRANTS-IN-AID	\$0
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12 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

13 PERSONNEL OBJECT CATEGORIES (111-113)	\$1,129,718
14 OPERATIONS OBJECT CATEGORIES (220-290)	\$1,732,488
15 UTILITIES OBJECT CATEGORIES (361-363)	\$277,228
16 CAPITAL OUTLAY (450)	\$0
17 TOTAL	\$3,139,434

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CHAPTER VI
LEGISLATIVE BRANCH

Section 1. Appropriation. The sum of ~~Seven Million Six Hundred Forty six Thousand Nine Hundred Eight Dollars~~ Six Million Five Hundred Forty-two Thousand Three Hundred Fifty-four Dollars (~~\$7,646,908~~ **\$6,542,354**) is appropriated from the General Fund to *I Liheslaturan Guåhan* for its operations for Fiscal Year 2019.

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~~“(a) Five and four-tenths of the SAR Fund of the SAR Fund in Chapter I, Section 43 (II)(AU) is appropriated to I Liheslaturan Guåhan for its operations for FY 2019 up to the sum of One Million One Hundred Four Thousand Five Hundred Fifty-four Dollars (\$1,104,554), up to One Million One Hundred Four Thousand Five Hundred Fifty four Dollars (\$1,104,554).”~~

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Section 2. Appropriations to the Office of Finance and Budget. The sum of ~~Four Hundred Twenty Thousand Dollars~~ Three Hundred Sixty-one Thousand Nine Hundred Dollars (~~\$420,000~~ **\$361,900**) is appropriated from the General Fund to *I Liheslaturan Guåhan* for the Office of Finance and Budget for its operations for Fiscal Year 2019.

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~~“(a) Twenty-eight hundredths of the SAR Fund of the SAR Fund in Chapter I, Section 43 (II)(AU) is appropriated to the Office of Finance and Budget for its operations for FY 2019 up to the sum of Fifty-eight Thousand One Hundred Dollars (\$58,100), up to Fifty eight Thousand One Hundred Dollars (\$58,100).”~~

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Section 3. Continuing Appropriations Authorized. Notwithstanding any other provision of law, the allotted but unexpended balance of funds appropriated to *I Liheslaturan Guåhan* and the Office of Finance and Budget for Fiscal Year 2018 and prior *shall not* lapse and *shall* continue to be available until fully expended.

CHAPTER VII

LEGAL SERVICES

PART I – OFFICE OF THE ATTORNEY GENERAL

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* that the Office of the Attorney General (OAG) expends its funds in accordance with the appropriation in Section 2 of this Part of this Chapter.

Section 2. Appropriation. The sum of Fourteen Million Seven Hundred Thirty-nine Thousand Sixty-three Dollars (**\$14,739,063**) is appropriated from the General Fund to OAG for Fiscal Year 2019.

The sum of Two Million Sixty-seven Thousand Six Hundred Thirty-seven Dollars (**\$2,067,637**) appropriated from the General Fund to OAG in this Section is authorized as the local matching requirement for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	\$14,739,063
TOTAL	\$14,739,063

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	\$4,013,648
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~~**SUMMARY OF BASE OPERATIONAL APPROPRIATION**~~

PERSONNEL OBJECT CATEGORIES (111-113)	\$13,016,170
OPERATIONS OBJECT CATEGORIES (220-290)	\$1,705,900
UTILITIES OBJECT CATEGORIES (361-363)	\$17,099
CAPITAL OUTLAY (450)	\$0

TOTAL	\$14,739,063
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Section 3. Cost-Sharing Initiative Related to the Criminal Justice Information System (CJIS) Integration Project. The OAG shall pay the Unified Judiciary the sum of Eighty-nine Thousand Seven Hundred Thirty Dollars (**\$89,730**) from the General Fund appropriation in Section 2 for OAG’s share of twenty-five

1 percent (25%) of the total annual cost of message switch maintenance and National
2 Law Enforcement Telecommunications System (NLETS) membership totaling
3 Three Hundred Fifty-eight Thousand Nine Hundred Twenty Dollars (\$358,920)
4 pursuant to the Multi-Agency Agreement to Facilitate a Cost-Sharing Initiative of
5 May 2013 entered into by the Chief of the Guam Police Department, the Director of
6 the Department of Corrections, the Attorney General of Guam, and the
7 Administrator of the Courts, and other associated costs for Fiscal Year 2019.

8 **Section 4.** Notwithstanding any other provision of law, for Fiscal Year
9 2019, the Attorney General in pursuit of the public interest is authorized to use *up to*
10 five percent (5%) of the FY 2019 appropriation to procure consultants and expert
11 witnesses on a sole-source basis as necessary to pursue all federal litigation for or
12 against Guam.

13 **Section 5. Tax Collection.** The sum of Three Hundred Thousand Dollars
14 (\$300,000) is appropriated from the Supplemental Appropriations Revenue (SAR)
15 Fund to OAG for the purpose of assisting the Department of Revenue and Taxation
16 in the collection of taxes.²²

17 **Section 6.** Notwithstanding any other provision of law, the OAG is
18 authorized to use funds within the following accounts for its Fiscal Year 2019
19 general operations: the Notary Fund, the Consumer Protection Fund, the
20 Victim/Witness Housing/Travel Fund, and the Office of the Attorney General
21 Operations Fund. Any unexpended funds from these accounts will revert ~~back to~~
22 their intended uses on September 30, 2019.²²

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1 **CHAPTER VIII**

2 **MAYORS COUNCIL OF GUAM**

3 **Section 1. Appropriation.** Notwithstanding any other provision of law, the
4 sum of Ten Million One Hundred Seven Thousand Nine Hundred Seventy-two
5 Dollars (**\$10,107,972**) is appropriated to the Mayors Council of Guam (MCOG) for
6 its operations, including personnel services, for Fiscal Year 2019. This sum is
7 composed of Two Million Six Hundred Seventy-eight Thousand Seventy Dollars
8 (**\$2,678,070**) from the General Fund and Seven Million Four Hundred Twenty-nine
9 Thousand Nine Hundred Two Dollars (**\$7,429,902**) from the Guam Highway Fund,
10 the Limited Gaming Fund, and the Tourist Attraction Fund.

11 *No more than Eight Million Three Hundred Eighty-six Thousand Eighty-three*
12 *Dollars (**\$8,386,083**) shall be expended for Personnel Object Categories (111*
13 *through 115).*

14 **SUMMARY OF APPROPRIATION FUNDING SOURCE**

15	GENERAL FUND	\$2,678,070
16	GUAM HIGHWAY FUND	\$5,443,701
17	LIMITED GAMING FUND	\$524,913
18	TOURIST ATTRACTION FUND	\$1,461,288
19	TOTAL	\$10,107,972

20 **SUMMARY OF BASE OPERATIONAL APPROPRIATION**

21	PERSONNEL OBJECT CATEGORIES (111-115)	\$8,386,083
22	OPERATIONS OBJECT CATEGORIES (220-290)	\$622,689
23	UTILITIES OBJECT CATEGORIES (361-363)	\$1,099,200
24	CAPITAL OUTLAY (450)	\$0
25	TOTAL	\$10,107,972

1 Guam Highway Fund - \$5,443,701 (111-113); \$0 (220-290); \$0 (361-363); \$0 (450); Tourist Attraction Fund - \$362,088 (111-
2 113); \$0 (220-290); \$1,099,200 (361-363); \$0 (450); Limited Gaming Fund - \$0 (111-113); \$524,913 (220-290); \$0 (361-363); \$0
3 (450)

4 **Section 2. Limited Gaming Fund.** The sum of Five Hundred Twenty-four
5 Thousand Nine Hundred Thirteen Dollars (**\$524,913**) *shall* be allocated from the
6 Fiscal Year 2019 Limited Gaming Fund appropriation in Section 1 of this Chapter
7 to the MCOG pursuant to § 5204(d)(1), Chapter 5, Title 11 GCA. This allocation is
8 *not* subject to transfer or use for any other purpose for Fiscal Year 2019.

9 **Section 3. Streets Maintenance and Beautification.** The sum of Nine
10 Hundred Thirty-two Thousand Four Hundred Twenty-three Dollars (**\$932,423**) is
11 appropriated from the Tourist Attraction Fund to the MCOG for Fiscal Year 2019
12 for the maintenance and beautification of non-routed public roads and for the
13 operations of the Mayors' offices, but *not* for travel.

14 Said funds *shall not* be subject to any transfer authority of *I Maga'låhen*
15 *Guåhan* and *shall* be divided among the village Mayors as follows:

16 (a) each Mayor *shall* receive the sum of Twenty Thousand Dollars
17 (**\$20,000**) during Fiscal Year 2019; and

18 (b) the remaining balance of the fund *shall* be distributed to each Mayor
19 *pro rata* based on the total road mileage of their respective village as a percentage
20 of Guam's total road mileage in the most current report of the Guam Roads
21 Pavement Inventory of the Department of Public Works during Fiscal Year 2019.

22 An expenditure report *shall* be filed quarterly with *I Liheslaturan Guåhan*
23 inclusive of the specified road that was maintained or improved.

24 **Section 4. Island-Wide Village Beautification Projects.**

25 (a) The sum of Four Hundred Twenty-three Thousand Eight Hundred
26 Twenty-nine Dollars (**\$423,829**) is appropriated from the Tourist Attraction Fund to
27 the MCOG for Island-Wide Village Beautification Projects in Fiscal Year 2019.

1 (b) During Fiscal Year 2019, the Island-Wide Village Beautification
2 Projects include:

3 (1) the maintenance and repair of village recreational facilities under
4 the jurisdiction of the Mayor;

5 (2) the maintenance and repair of main roads in each village; and

6 (3) the planting and maintenance of the village official flower in
7 each village, and other flowering plants, shrubs, and trees adjacent to the
8 village's main roads, public restrooms, and recreational facilities. A Mayor
9 may contract with a private entity to provide the services authorized by this
10 Section subject to the Guam Procurement Law in Chapter 5 of Title 5 GCA.

11 (c) An Island-Wide Village Beautification Projects expenditure report
12 *shall* be filed quarterly with *I Liheslaturan Guåhan*.

13 **Section 5. Grounds Maintenance for Schools.** Subject to approval and
14 scheduling of public school principals, the Mayors are responsible for regular
15 grounds maintenance of Guam Department of Education school grounds in their
16 respective districts where grounds maintenance is *not* already subject to an existing
17 contract for a minimum of twice a month during a regular school calendar year.
18 Subject to approval of and scheduling by public school principals, a Mayor may
19 contract with a private entity or assign to another Mayor the services authorized by
20 this Section.

21 The sum of Four Hundred Thirty-three Thousand Seven Hundred Sixty-one
22 Dollars (**\$433,761**) is appropriated from the Territorial Educational Facilities Fund
23 to the MCOG Revolving Fund for the grounds maintenance of specified schools of
24 the Department of Education in Fiscal Year 2019.

25 **Section 6. Public Safety and Social Education Programs.** The sum of
26 Three Hundred Seventy-five Thousand One Hundred Seventy-four Dollars
27 (**\$375,174**) is appropriated from the Territorial Educational Facilities Fund to the

1 MCOG with each village to receive Fifteen Thousand Dollars (**\$15,000**) for Fiscal
2 Year 2019.

3 After each municipality receives Fifteen Thousand Dollars (**\$15,000**), any
4 remaining funds are to be expended in accordance with plans approved by the
5 MCOG or the respective village municipal planning council and filed with the
6 Director of Administration to fund public safety and social education programs that
7 enforce alcohol regulations, reduce underage drinking, support traffic safety, reduce
8 drug-related violence and abuse, to support government of Guam substance abuse
9 prevention programs, and to support organized sports programs in the community.

10 A Public Safety and Social Education Programs expenditure report *shall* be
11 filed quarterly with *I Liheslaturan Guåhan*.

12 **Section 7. Host Community Premiums Appropriation.** The sum of Three
13 Hundred Thousand Dollars (**\$300,000**) is appropriated from the Host Community
14 Fund to the Municipal Planning Council Fund of the villages of *Ordot* and *Inarajan*,
15 pursuant to Article 4, Chapter 51, Title 10 GCA, for Fiscal Year 2019.

16 **Section 8. Restriction on Use of General or Special Funds for Travel.**
17 Any General or Special Funds appropriated in this Chapter *shall not* be expended
18 for off-island travel or per diem expenses by any Mayor, Vice Mayor, or any MCOG
19 employees and/or officials.

20 **Section 9. Continuing Appropriation.** Notwithstanding any other
21 provision of law, the allotted but unexpended balance of funds appropriated to the
22 MCOG for Fiscal Year 2018 and prior *shall not* lapse and *shall* continue to be
23 available until fully expended.

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1 **CHAPTER X**

2 **GUAM VISITORS BUREAU**

3 **Section 1. Appropriation.** The sum of Twenty-two Million Three Hundred
4 Thirty-five Thousand Two Hundred Sixteen Dollars (\$22,335,216) is appropriated
5 from the Tourist Attraction Fund (TAF) to the Guam Visitors Bureau (GVB) for its
6 operations in Fiscal Year 2019. These appropriations *shall* be expended in
7 accordance with the allocations outlined in this Section.

8 **SUMMARY OF APPROPRIATIONS**

9	(1) GENERAL ADMINISTRATION	\$3,600,000
10	(2) MARKETING	\$14,500,216
11	(3) SPORTS & EVENTS	\$850,000
12	(4) RESEARCH	\$600,000
13	(5) CULTURAL, HERITAGE & COMMUNITY OUTREACH	\$750,000
14	(6) VISITOR SAFETY & SATISFACTION	\$950,000
15	(7) DESTINATION DEVELOPMENT	\$1,085,000
16	TOTAL	\$22,335,216

17 **Section 2. GVB Rainy Day Fund.** Notwithstanding any other provision of
18 law, the sum of ~~Two Hundred Thousand~~ up to Six Hundred Fifty Thousand Dollars
19 (\$~~200,000~~650,000) may be allocated by the GVB Board of Directors from the
20 Tourist Attraction Fund appropriation in Section 1 of this Chapter ~~to the GVB~~ for
21 deposit in the GVB Rainy Day Fund for the purposes cited in Article 3, Chapter 9,
22 Title 12 GCA in Fiscal Year 2019.

23 **Section 3. Authority to Allocate to Organizations.** For Fiscal Year 2019,
24 the Board of Directors of the Guam Visitors Bureau may allocate *not more than* the
25 sums appropriated or allocated in Fiscal Year 2018 from the appropriation in Section
26 1 of this Chapter, to any or all of the following organizations:

- 27 (a) *På'å Taotao Tåno'*;

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- 1 (b) Historic *Inalåhan* Foundation;
- 2 (c) Pacific War Museum Foundation;
- 3 (d) *Håya* Cultural Preservation Foundation;
- 4 (e) Guam International Film Festival;
- 5 (f) *Humåtak* Foundation
- 6 (g) *Åmot Taotao Tåno*';
- 7 (h) *Huråo* Academy, Inc.;
- 8 (i) *Inetnon Gefpa'go* Cultural Arts Program, Inc.;
- 9 (j) Humanities *Guåhan*;
- 10 (k) Guam Symphony Society;
- 11 (l) Guam Unique Merchandise and Arts (GUMA);
- 12 (m) *Duk Duk* Goose, Inc.;
- 13 (n) *Ayuda* Foundation;
- 14 (o) Traditions Affirming our Seafaring Ancestry (TASA);
- 15 (p) Traditions About Seafaring Islands (TASI);
- 16 (q) *Guåfi*, Inc.;
- 17 (r) University of Guam Press;
- 18 (s) *Ulitao*; or
- 19 (t) Micronesian Conservation Trust.

20 **Section 4. Authority to Transfer.** For Fiscal Year 2019, the Board of
21 Directors of the Guam Visitors Bureau may transfer funds from the appropriations
22 made to GVB in Section 1 of this Chapter, *except* that no funds shall be transferred
23 into General Administration.

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CHAPTER XI

MISCELLANEOUS APPROPRIATIONS

Section 1. Appropriations to Retirees for Supplemental Annuity

Benefits and for Other Costs.

(a) The sum of Seven Million Seven Hundred Nineteen Thousand Dollars (\$7,719,000) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2019 for direct payments to government of Guam retirees who retired prior to October 1, 1995, or their survivors, for the continuing payment 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 authorized by various General Appropriation Acts.

(b) No retiree who is eligible for retiree supplemental annuity benefits provided for in Subsection (a) shall receive said benefits if her or his annual retirement annuity, excluding survivor benefits and excluding the supplemental benefits authorized herein, is greater than Forty Thousand Dollars (\$40,000). No retiree who is eligible for retiree supplemental annuity benefits shall receive *more than* the sum of Forty Thousand Dollars (\$40,000) in combined retirement annuities and supplemental annuity benefits in any one (1) fiscal year.

(c) The Director of DOA shall coordinate with the Director of the Government of Guam Retirement Fund (GGRF) and shall disburse to the retirees or their survivors the supplemental annuity benefits provided for in Subsection (a) of this Section. The GGRF shall provide the Director of DOA with the information needed to affect disbursement. To realize savings associated with the cost of preparing separate checks and mailing separate checks for the supplemental annuity for retirees, the Director of DOA may enter into a Memorandum of Understanding

1 (MOU) with the GGRF in which the Director of DOA remits the supplemental
2 annuity payments to the GGRF for disbursement to the retirees at the same time the
3 regular annuity check is issued or by including the supplemental annuity in the
4 regular annuity check issued by the GGRF.

5 (d) Funds held in the Supplemental Annuity Benefits Special Fund shall
6 not be commingled with the General Fund or any other fund, shall be held in a
7 separate bank account which shall continue to be administered by the Director of
8 DOA, and shall not be subject to I Maga'låhen Guåhan's transfer authority.

9 (e) For Fiscal Year 2019, the Guam Power Authority, the A.B. Won Pat
10 International Airport Authority, the Guam Economic Development Authority, the
11 Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose D.
12 Leon Guerrero Commercial Port, the Guam Waterworks Authority, and the Guam
13 Visitors Bureau shall remit to DOA an amount equal to the number of retirees
14 eligible pursuant to Subsection (a) of this Section who have retired from that entity
15 multiplied by Four Thousand Two Hundred Thirty-eight Dollars (\$4,238). Said
16 remittances shall be paid in two (2) equal installments on or before October 10, 2018
17 and on or before April 15, 2019, respectively. Said remittances shall not be subject
18 to I Maga'låhen Guåhan's transfer authority.

19 (f) For Fiscal Year 2019, the Guam Power Authority, the A.B. Won Pat
20 International Airport Authority, the Guam Economic Development Authority, the
21 Guam Housing Corporation, the Government of Guam Retirement Fund, the Jose D.
22 Leon Guerrero Commercial Port, the Guam Waterworks Authority, and the Guam
23 Visitors Bureau shall remit to the GGRF payments for medical, dental, and life
24 insurance benefits for retirees who have retired from those respective agencies. Said
25 remittance shall be paid in two (2) equal installments on or before October 10, 2018
26 and on or before April 15, 2019, respectively, for Fiscal Year 2019. The agencies'

1 remittances for medical, dental, and life insurance benefits mandated herein are *ex*
2 *gratia* payments and are for Fiscal Year 2019.

3 (g) The sum of Three Million Four Hundred Thousand Dollars
4 (\$3,400,000) is appropriated from the General Fund to the GGRF to pay the cost of
5 Medicare premiums, inclusive of premiums for Medicare Parts B and D, for
6 government of Guam retirees and their survivors domiciled on Guam who are
7 eligible to receive Social Security income benefits, and who are eligible to enroll in
8 the Government of Guam Group Health Insurance Program. No government of
9 Guam retiree or their survivor shall be required to enroll in the Government of Guam
10 Health Insurance Program in order to receive the reimbursement. For those
11 government of Guam retired employees and their survivors who do participate in the
12 Government of Guam Group Health Insurance Program and are enrolled in Medicare
13 Parts A and B, and elect either Class I or Class II coverage, reimbursement *shall*
14 *only* be made to those who opt for the Retiree Supplemental Plan.

15 (h) The sum of Two Hundred Ninety-eight Thousand Dollars (\$298,000)
16 is appropriated from the General Fund to the GGRF for *I Maga'lâhi and I Segundu*
17 *na Maga'lâhi/I Segundu na Maga'hâga* pensions.

18 (i) The sum of Three Hundred Thirty-six Thousand Dollars (\$336,000) is
19 appropriated from the General Fund to the GGRF for retirement annuities for former
20 judges and justices of the Superior Court and Supreme Court of Guam.

21 (j) The GGRF Board of Trustees *shall* enact and if necessary, amend
22 administrative regulations that establish procedures to ensure the proper submission,
23 receipt, and accounting of all sums remitted pursuant to Subsections (e) and (f) of
24 this Section.

25 **Section 2. Survivor Supplemental Annuity Additions.** § 8135(d)(6),
26 Article 1, Chapter 8, Title 4 GCA is hereby *amended* to read:

1 “(6) the prospective payment of supplemental benefits for the period
2 of ~~October 1, 2017 through September 30, 2018~~, ~~October 1, 2018 through~~
3 September 30, 2019 for survivors of those employees who retired prior to
4 October 1, 1995, to be paid in the following manner:

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5 (A) Four Thousand Two Hundred Thirty-eight Dollars
6 (\$4,238) in retiree supplemental annuity benefits, known as the sum of
7 One Thousand Two Hundred Dollars (\$1,200), One Thousand Five
8 Hundred Dollars (\$1,500), Seven Hundred Dollars (\$700), and Eight
9 Hundred Thirty-eight Dollars (\$838) in annual benefits formerly
10 contained in various General Appropriations Acts.

11 (B) No person eligible for retiree supplemental annuity
12 benefits provided for in this Subsection shall receive such benefits if
13 her/his regular annual retirement annuity, exclusive of the supplemental
14 amounts authorized hereby, exceeds Forty Thousand Dollars (\$40,000).
15 No persons eligible for retiree supplemental annuity benefits shall
16 receive more than the sum of Forty Thousand Dollars (\$40,000) in
17 combined retirement annuities and supplemental retirement annuities.

18 (C) Any retiree or survivor eligible to receive the
19 supplemental annuity may waive their supplemental annuity payment
20 authorized herein by the filing of a notarized affidavit waiving such
21 payment with the Retirement Fund.”

22 **Section 3. Disability Supplemental Annuity Additions. § 8129(g).**
23 Article 1, Chapter 8, Title 4 GCA is hereby *amended* to read:

24 “(g) Any disability retirement annuitant who commenced receiving a
25 disability retirement annuity prior to October 1, 1995 and who is entitled to
26 disability retirement benefits under this Chapter shall receive during the
27 period commencing on ~~October 1, 2017 through September 30, 2018~~, ~~October~~

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1 1, 2018 through September 30, 2019, prospective non-cumulative
2 supplemental annuity benefits as follows:

3 (1) Four Thousand Two Hundred Thirty-eight Dollars
4 (\$4,238) in retiree supplemental annuity benefits, known as the sum of
5 One Thousand Two Hundred Dollars (\$1,200), One Thousand Five
6 Hundred Dollars (\$1,500), Seven Hundred Dollars (\$700), and Eight
7 Hundred Thirty-eight Dollars (\$838) in annual benefits formerly
8 contained in various General Appropriation Acts.

9 (2) No persons eligible for retiree supplemental annuity
10 benefits provided for in this Subsection shall receive such benefit if
11 their regular annual retirement annuity, excluding survivor benefits,
12 prior to the supplemental amounts herein exceeds Forty Thousand
13 Dollars (\$40,000). No persons eligible for retiree supplemental annuity
14 benefits shall receive more than the sum of Forty Thousand Dollars
15 (\$40,000) in combined retirement annuities and supplemental
16 retirement annuities.

17 (3) Any disability retirement annuitant eligible to receive the
18 supplemental annuity may waive their supplemental annuity payment
19 authorized herein by the filing of a notarized affidavit waiving such
20 payment with the Retirement Fund.”

21 **Section 4. Retirees Supplemental Annuity Additions. § 8122(d)(6).**

22 Article 1, Chapter 8, Title 4 GCA is hereby amended to read as follows:

23 “(6) Any retirement annuitant who commenced receiving a retirement
24 annuity prior to October 1, 1995 and who is entitled to retirement benefits
25 under this Chapter shall receive during the period commencing on ~~October 1,~~
26 ~~2017 through September 30, 2018,~~ October 1, 2018 through September 30,
27 2019, prospective, non-cumulative supplemental annuity benefits as follows:

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1 (A) Four Thousand Two Hundred Thirty-eight Dollars
2 (\$4,238) in retiree supplemental annuity benefits, known as the sum of
3 One Thousand Two Hundred Dollars (\$1,200), One Thousand Five
4 Hundred Dollars (\$1,500), Seven Hundred Dollars (\$700), and Eight
5 Hundred Thirty-eight Dollars (\$838) in annual benefits formerly
6 contained in various General Appropriation Acts.

7 (B) No retiree who is eligible for retiree supplemental annuity
8 benefits provided for in this Subsection shall receive such benefit if
9 her/his regular annual retirement annuity, excluding the supplemental
10 amounts authorized herein and survivor benefits, exceeds Forty
11 Thousand Dollars (\$40,000). A retiree who is eligible for retiree
12 supplemental annuity benefits shall receive no more than Forty
13 Thousand Dollars (\$40,000) in combined retirement annuities and
14 supplemental retirement annuities.

15 (C) Any retiree or survivor eligible to receive the
16 supplemental annuity may waive their supplemental annuity payment
17 authorized herein by the filing of a notarized affidavit waiving such
18 payment with the Retirement Fund.”

19 **Section 5. Appropriation for Cost of Living Allowance (COLA).**

20 (a) *I Maga'låhen Guåhan* shall provide by a single lump sum payment a
21 Cost of Living Allowance (COLA) of Two Thousand Dollars (\$2,000) to each
22 retiree of the GGRF who is retired as of September 30, 2018, or her/his survivor, *no*
23 *later than* November 1, 2018. The sum of Fourteen Million One Hundred Four
24 Thousand Dollars (\$14,104,000) is appropriated from the General Fund to the DOA
25 to pay said COLA.

26 (b) The Guam Power Authority, the A.B. Won Pat International Airport
27 Authority, the Guam Economic Development Authority, the Guam Housing

1 Corporation, the Government of Guam Retirement Fund, the Jose D. Leon Guerrero
2 Commercial Port, the Guam Waterworks Authority, and the Guam Visitors Bureau
3 shall pay a COLA in a single payment of Two Thousand Dollars (\$2,000) to every
4 Government of Guam Retirement Fund retiree who retired from each respective
5 forementioned agency as of September 30, 2018, or her/his survivor, no later than
6 November 1, 2018 for Fiscal Year 2019.

7 (c) Each agency mentioned in Subsection (b) shall reimburse the General
8 Fund for any COLA paid by the General Fund in Fiscal Year 2019 to retirees who
9 have retired from that agency and their survivors, no later than December 31, 2018.

10 (d) Any retiree or survivor eligible to receive the COLA may waive their
11 payment authorized herein by filing a notarized affidavit waiving such payment with
12 the entity responsible for the Retirement Fund.

13 (e) If a retiree is both a Defined Benefit and a Defined Contribution retiree,
14 her or his survivor shall only be entitled to a single COLA payment.

15 **Section 6. Retiree Medical, Dental, and Life Insurance Expenses**
16 **Appropriated to the Government of Guam Retirement Fund (GGRF).** The sum
17 of Thirty-two Million Forty-four Thousand Seven Hundred Forty-one Dollars
18 (\$32,044,741) is appropriated from the General Fund, and One Million One Hundred
19 Thousand Dollars (\$1,100,000) is appropriated from the Section 2718 Fund to the
20 GGRF to pay for retiree group medical and dental insurance premiums and life
21 insurance subsidy, including retiree group medical and dental insurance premiums
22 and coverage and life insurance subsidy for Judiciary of Guam retirees to continue
23 existing programs currently contained in the semi-monthly payments.

24 **Section 7. Appropriations for the Tiyan Lease.** The following sums are
25 hereby appropriated from the Territorial Educational Facilities Fund to the
26 Department of Administration for the Guam Department of Education (GDOE) lease
27 of Tiyan facilities:

1 (a) Tiyan High School – Four Million One Hundred Seventy Thousand
2 One Hundred Fifty-five Dollars and Ninety-seven Cents (\$4,170,155.97) for base
3 rent and Eight Hundred Twenty-nine Thousand Eight Hundred Forty-four Dollars
4 and Three Cents (\$829,844.03) for insurance and maintenance;

5 (b) GDOE Office Building – Two Hundred Eighty-two Thousand Three
6 Hundred Sixty-one Dollars and Forty-two Cents (\$282,361.42) for base rent and
7 Seventy-three Thousand Two Hundred Eleven Dollars and Twenty-eight Cents
8 (\$73,211.28) for insurance and maintenance;

9 (c) GDOE Warehouse I – Seventy-nine Thousand Six Hundred Twelve
10 Dollars and Seventy-three Cents (\$79,612.73) for base rent and Twenty-three
11 Thousand One Hundred Fifty-four Dollars and Forty-one Cents (\$23,154.41) for
12 insurance and maintenance;

13 (d) Tiyan High School Gymnasium – Four Hundred Seventy-three
14 Thousand Twenty-six Dollars and Twenty Cents (\$473,026.20) for base rent and
15 One Hundred Three Thousand One Hundred Ninety-two Dollars and Forty-one
16 Cents (\$103,192.41) for insurance and maintenance;

17 (e) New GDOE Office Building – Two Million Three Hundred Forty-four
18 Thousand Five Hundred Thirteen Dollars and Seventy-one Cents (\$2,344,513.71)
19 for base rent and Four Hundred Ninety-six Thousand Four Hundred Seventy-eight
20 Dollars and Thirty-five Cents (\$496,478.35) for insurance and maintenance;

21 (f) New GDOE Warehouse II – One Hundred Thirty-four Thousand One
22 Hundred Twenty Dollars and Twenty-one Cents (\$134,120.21) for base rent and
23 Thirty-eight Thousand Five Hundred Twelve Dollars and Eighty-eight Cents
24 (\$38,512.88) for insurance and maintenance;

25 (g) GDOE Warehouse I Mezzanine – Fifty-two Thousand Eight Hundred
26 Thirty-five Dollars and Twenty-three Cents (\$52,835.23) for base rent and Fifteen

1 Thousand One Hundred Seventy-one Dollars and Seventy-four Cents (\$15,171.74)

2 for insurance and maintenance:

3 (h) Lot for New GDOE Office and Warehouse II – Forty-four Thousand
4 Six Hundred Sixty-six Dollars and Sixty-three Cents (\$44,666.63) for base rent; and

5 (i) *Tiyan 3* Building and Facilities – Seven Hundred Seventy-one
6 Thousand One Dollars and Eighty-seven Cents (\$771,001.87) for base rent and One
7 Hundred Eighty-two Thousand Sixty-eight Dollars and Twenty-seven Cents
8 (\$182,068.27) for insurance and maintenance.

9 **Section 8. Real Property Tax Valuation.** The sum of Two Million Five
10 Hundred Thousand Dollars (\$2,500,000) is hereby appropriated from the
11 Supplemental Appropriations Revenue Fund to fund the Real Property Tax
12 Valuation pursuant to 11 GCA § 24306.

13 **Section 9. Guam Retirement Security Plan.** The sum of Five Hundred
14 Thousand Dollars (\$500,000) is hereby appropriated from the General Fund to fund
15 the Guam Retirement Security Plan established by Public Law 33-186.

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CHAPTER XII

MISCELLANEOUS PROVISIONS

Section 1. Retirement Option for Government of Guam Employees. A

member of the Government of Guam Retirement Fund (GGRF) who is eligible for retirement may retire upon the complete remittance of his outstanding individual contributions to the Fund, including the employee and employer retirement contributions. Any and all fees, interest at actuarial rates, and penalties required by the GGRF shall be paid by the government.

This Section shall not restrict the continuing remittance of existing GGRF contributions as required by law or by the GGRF. By the fifteenth (15th) day of each month, the Director of the GGRF shall provide a detailed report to the Speaker of *Liheslaturan Guåhan* regarding said remittances and the number of retirements pursuant to this Section during the previous month. Nothing herein shall be construed to abrogate any provision of § 8137(h), Article 1, Chapter 8, Title 4, GCA.

Section 2. Temporary Employment of Retired Corrections Officers.

The Department of Corrections (DOC) may hire retired Guam corrections officers if a critical need arises because of military activation of corrections officers or absence due to a long-term disability status which has been certified by a medical doctor. Retired corrections officers hired under this Section may receive their retirement annuity while employed on this temporary basis. The DOC may exercise this hiring authority provided it does not exceed its budget for filling these positions. Positions shall be terminated when the incumbent returns from military service. Retired corrections officers may be hired only in the ranks of Corrections Officers Supervisor I and below, only at Step I, and shall not receive sick and annual leave. Officers hired under this Section shall meet the requirements for the position in question except for written examinations. The Director of DOC shall certify that every retiree hired is fit for duty. Notwithstanding § 8121(a), Article 1, Chapter 8,

1 Title 4 GCA, retirees hired temporarily pursuant to this Section may continue to
2 receive retirement benefits. Any employee hired under this Section shall only be
3 eligible to enroll in the Government of Guam Health Insurance Program as an active
4 employee. The DOC Director shall report to I Liheslaturan Guåhan on July 1, 2019
5 and again thirty (30) days after the end of the fiscal year, the number of retired
6 officers hired pursuant to this Section, the positions filled, the length of employment,
7 the cost of said hiring, and the nature of the critical need that was filled.

8 **Section 3. Temporary Employment of Retired Guam Police Officers.**

9 The Guam Police Department (GPD) may hire retired Guam police officers if a
10 critical need arises because of military activation of police officers or absence due
11 to a long-term disability status which has been certified by a medical doctor. The
12 GPD may exercise this hiring authority provided its authorized budget for personnel
13 is not exceeded. The retiree hired shall fill such a vacant position and shall be
14 terminated when the incumbent returns from military service. Retired officers may
15 be hired only at the ranks of Sergeant I and below, only at Step I, and shall not
16 receive sick and annual leave. Officers hired under this Section shall first meet the
17 requirements for the position in question, expect for written examinations, and the
18 Chief of Police of GPD shall certify that every retiree hired is fit for duty.
19 Notwithstanding § 8121(a), Article 1, Chapter 8, Title 4 GCA, retirees hired
20 temporarily pursuant to this Section may continue to receive retirement benefits. The
21 GPD may pay for Civilian Volunteer Police Reserve stipends to a Police Reserve
22 Officer to provide temporary services of a regular police officer. Any employee
23 hired under this Section shall only be eligible to enroll in the Government of Guam
24 Health Insurance Program as an active employee. The Chief of Police shall report to
25 I Liheslaturan Guåhan on July 1, 2019 and again thirty (30) days after the end of the
26 fiscal year, the number of retired officers hired pursuant to this Section, the positions

1 filled, the length of employment, the cost of said hiring, and the nature of the critical
2 need that was filled.

3 **Section 4. Temporary Employment of Retired Guam Firefighters.** The
4 Guam Fire Department (GFD) may hire retired GFD firefighters if a critical need
5 arises because of military activation of GFD firefighters or absence due to a long-
6 term disability status which has been certified by a medical doctor. The GFD may
7 exercise this hiring authority provided its authorized budget for personnel is *not*
8 exceeded. The retirees hired *shall* fill such a vacant position and *shall* be terminated
9 when the incumbent returns from military service. Retired firefighters may be hired
10 only at the ranks of Fire Specialist and below, only at Step I, and *shall not* receive
11 sick and annual leave. Retired firefighters hired under this Section *shall* meet the
12 requirements for the position in question, *except* for written examinations, and the
13 Fire Chief of GFD *shall* certify that every retiree hired is fit for duty.
14 Notwithstanding § 8121(a), Article 1, Chapter 8, Title 4 GCA, retirees hired
15 temporarily pursuant to this Section may continue to receive retirement benefits.
16 Any employee hired under this Section *shall only* be eligible to enroll in the
17 Government of Guam Health Insurance Program as an active employee. The Fire
18 Chief of GFD *shall* report to *I Liheslaturan Guåhan* on July 1, 2019 and again thirty
19 (30) days after the end of the fiscal year, of the number of retired firefighters hired
20 pursuant to this Section, the positions filled, the length of employment, the cost of
21 said hiring, and the nature of the critical need that was filled.

22 **Section 5. Temporary Employment of Retired Customs and**
23 **Quarantine Officers.** The Customs and Quarantine Agency (CQA) may hire retired
24 customs and quarantine officers if a critical need arises as a result of military
25 activation of customs officers or absence due to a long-term disability status which
26 has been certified by a medical doctor. The CQA may exercise this hiring authority
27 provided its authorized budget for personnel is *not* exceeded. The retired officer

1 shall fill such a vacant position and shall be terminated when the incumbent returns
2 from military service. Retired officers may be hired only in the ranks of Customs
3 Officer III and below, only at Step I, and shall not receive sick and annual leave.
4 Retirees hired pursuant to this Section shall meet the requirements for the position
5 in question, except for written examinations, and the Director of the CQA shall
6 certify that every retiree hired is fit for duty. The requirements of Chapter 51 of Title
7 17 GCA are waived for employment pursuant hereto, except for § 51104(b)(4).
8 Notwithstanding § 8121(a), Article 1, Chapter 8, Title 4 GCA, retirees hired
9 temporarily pursuant to this Section may continue to receive retirement benefits.
10 Any employee hired under this Section may continue to receive retirement benefits.
11 Any employee hired under this Section shall only be eligible to enroll in the
12 Government of Guam Health Insurance Program as an active employee. The
13 Director of CQA shall report to I Liheslaturan Guåhan on July 1, 2019 and again
14 thirty (30) days after the end of the fiscal year, the number of retired officers hired
15 pursuant to this Section, the positions filled, the length of employment, the cost of
16 said hiring, and the nature of the critical need that was filled.

17 **Section 6. Temporary Employment or Retired Department of Revenue**
18 **and Taxation Employees.** The Department of Revenue and Taxation (DRT) may
19 hire retired employees of the DRT when a critical need arises or in the absence of a
20 DRT employee due to a long-term disability status which has been certified by a
21 medical doctor. The DRT may exercise this hiring authority in the areas of tax
22 collection, taxpayer assistance, tax investigation, auditing, and tax processing
23 provided its authorized budget for personnel is not exceeded. Said retirees shall be
24 hired at Step I for the position in question, and shall not receive sick and annual
25 leave. Notwithstanding § 8121(a), Article 1, Chapter 8, Title 4 GCA, retirees hired
26 temporarily pursuant to this Section may continue to receive retirement benefits.
27 Any employee hired under this Section shall only be eligible to enroll in the

1 Government of Guam Health Insurance Program as an active employee. The DRT
2 Director shall report to I Liheslaturan Guåhan on July 1, 2019 and again thirty (30)
3 days after the end of the fiscal year, the number of retired employees hired pursuant
4 to this Section, the positions filled, the length of employment, the cost of said hiring,
5 and the nature of the critical need that was filled.

6 **Section 7. -Temporary Employment of Retired Government of Guam**

7 **Social Workers.** The Department of Public Health and Social Services (DPHSS)
8 may hire retired social workers of the government of Guam if a critical need arises.
9 DPHSS may exercise this hiring authority for social workers in the Child Protective
10 Service, provided its authorized budget for personnel is *not exceeded*. Said retirees
11 shall be hired at a minimum of Step 1~~4~~ for the position in question, and shall not
12 receive sick and annual leave. Notwithstanding § 8121(a) of Article 1, Chapter 8,
13 Title 4 GCA, retirees hired temporarily pursuant to this Section may continue to
14 receive retirement benefits. Any employee hired under this Section shall only be
15 eligible to enroll in the Government of Guam Health Insurance Program as an active
16 employee. The Director of DPHSS shall report to I Liheslaturan Guåhan on July 1,
17 2019 and again thirty (30) days after the end of the fiscal year, of the number of
18 retired employees hired pursuant to this Section, the positions filled, the length of
19 employment, the cost of said hiring, and the nature of the critical need that was filled.

20 **Section 8. Government of Guam Health Insurance Program**
21 **Enrollment for Employment Pursuant to § 8121(a), Chapter 8, Title 4 GCA.**
22 Any employee hired pursuant to § 8121(a), Article 1, Chapter 8, Title 4 GCA, shall
23 only be eligible to enroll in the Government of Guam Health Insurance Program as
24 an active employee.

25 **Section 9. Locum Tenens Exemption During the Absence of the Chief**
26 **Medical Examiner.** The Office of the Chief Medical Examiner is exempt from the
27 government of Guam procurement law in contracting for the professional services

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1 of a qualified medical examiner to be provided when the Chief Medical Examiner is
2 absent from work.

3 **Section 10. Advance Payments for Medical Services.** In order to expedite
4 acceptance of Medically Indigent Program (MIP) clients by facilities in California,
5 Hawaii, or Manila for medical treatment approved by the MIP, the Director of Public
6 Health and Social Services may advance payments for said medical treatment and
7 may establish escrow accounts for immediate and advance payment of medical
8 treatment at those Joint Commission Accredited hospitals determined by the
9 Director to be best able to service Medically Indigent Program clients.

10 **Section 11. Transfer of Employees.**

11 (a) Notwithstanding any other provision of law and in recognition of
12 personnel shortages in certain areas, I Maga'låhen Guåhan is authorized to transfer
13 employees during Fiscal Year 2019 within or between any line department or agency
14 of the government of Guam, except that:

15 (1) this Section shall not apply to any employee of the Legislative or
16 Judicial Branches or any employee within the Mayors Council of Guam and
17 village mayors' offices;

18 (2) the transfer of an employee shall not result in a loss of pay or
19 salary;

20 (3) no employee shall be transferred if the employee has filed a
21 viable grievance with the Civil Service Commission for harassment, unless
22 the employee consents to such transfer;

23 (4) notwithstanding any other provision of law or regulation, no
24 employee of an autonomous agency may be transferred to a line department
25 or agency;

26 (5) I Maga'låhen Guåhan shall transfer the funding authorized for
27 that employee's position from the transferor agency to the transferee agency.

1 including GMHA, DPHSS, and GBHWC, unless the transfer is from a line
2 agency to an autonomous agency;

3 (6) this Section shall not be used to transfer employees acting in
4 good faith who report or expose bad business practices, illegal activities, or
5 inappropriate conduct by public officials;

6 (7) no employee occupying a classified position created by statute
7 within an agency shall be transferred out of an agency nor shall such employee
8 and position be transferred out of such agency. Any employee whose
9 classified position is created by statute within a specific department or agency
10 and has been transferred out of such agency or whose classified position has
11 been transferred out of such agency shall be immediately transferred back to
12 such agency; and

13 (8) no employee who has filed a whistleblower complaint as
14 provided for in statute shall be transferred unless the employee consents to
15 such transfer.

16 (b) I Maga'låhen Guåhan shall submit a report to the Speaker of I
17 Liheslaturan Guåhan of the transfer of each employee pursuant to this authorization
18 with the name and position of the employee being transferred, the line department
19 or agency the employee is being transferred from, the line department or agency the
20 employee is being transferred to, the time duration of the transfer, and whether the
21 transfer is permanent, by the twentieth (20th) day after each month of the fiscal year.

22 **Section 12. Restrictions on Hiring of Unclassified Employees. Unless**
23 **otherwise authorized by this Chapter, No government funds of any kind or**
24 **description may be expended for the employment or hiring of unclassified**
25 **employees in the Executive Branch of the government of Guam, except for the**
26 **following:**

1 (a) certified persons at the Guam Department of Education as identified in
2 § 715(l), Chapter 7, Title 1 GCA;

3 (b) any academic teaching positions at the University of Guam and the
4 Guam Community College;

5 (c) nurses, doctors, licensed health professionals, and ancillary health
6 employees necessary for clinical purposes at the Department of Public Health and
7 Social Services, the Guam Behavioral Health and Wellness Center, the Office of the
8 Chief Medical Examiner, the Guam Memorial Hospital Authority, the Guam Police
9 Department, and the Department of Integrated Services for Individuals with
10 Disabilities;

11 (d) Department of Labor Survey Workers;

12 (e) Systems and Programming Administrator, Junior Systems
13 Programmer, Senior Programmer Analyst, Junior Application Analyst, Junior
14 Programmer Analyst, and Junior Application Programmer; and positions dealing
15 with reporting, tax audits, tax investigations, tax collections, and processing of taxes
16 at the Department of Revenue and Taxation;

17 (f) federally-funded positions (matching and up to 100%);

18 (g) persons filling temporary vacancies created by the call to active military
19 duty of employees who are members of the reserve components of the Department
20 of Defense and the Department of Transportation, including, but *not* limited to, the
21 United States Army, United States Navy, United States Marine Corps, United States
22 Air Force, the Guam Army National Guard, the Guam Air National Guard, and the
23 United States Coast Guard, or created by absence due to a long-term disability status
24 which has been certified by a medical doctor. Departments may exercise this hiring
25 authority provided its authorized budget for personnel is *not* exceeded;

1 (h) positions within the Office of *I Maga'låhen Guåhan*, the Office of *I*
2 *Segundu na Maga'låhen Guåhan* and the Guam State Clearinghouse, and department
3 or agency heads, and private secretaries;

4 (i) positions within the Mayors Council of Guam;

5 (j) positions within the Guam Election Commission;

6 (k) limited-term, part-time substitute teachers of the Guam Department of
7 Education;

8 (l) all persons employed pursuant to this Section, effective October 1,
9 2018, shall meet the minimum Knowledge, Abilities, and Skills (KAS) associated
10 with such position;

11 (m) professional engineers required to fill Chief Engineer positions;

12 (n) positions within the Business Office of the Guam Memorial Hospital
13 Authority (GMHA) which shall consist of certified coders and billers;

14 (o) Victim Advocates within the Office of the Attorney General;

15 (p) the Executive Director and staff positions of *I Kumision i Fino'*
16 *CHamoru yan i Fina'nå'guen i Historia yan Lina'la' i Taotao Tåno'* (the Commission
17 on *CHamoru* Language and the Teaching of the History and Culture of the
18 Indigenous People of Guam);

19 (q) Child Protective Service social workers at the Department of Public
20 Health and Social Services; and

21 (r) ~~limited-term~~ Labor Law Enforcement Specialists, ~~Employment~~
22 ~~Development Workers and Customer Service Representatives.~~

23 **Section 13. Board and Commission Stipends.** Any compensation or
24 stipend owed to a board or commission member for attending a regular or special
25 meeting in Fiscal Year 2019 shall be paid from appropriations in this Act by the
26 department or agency responsible for the administrative support and operations of
27 such board or commission. Except for Commissioners of the Civil Service

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1 Commission, any board member who has served on a board continuously for ten
2 (10) years or more may receive a stipend totaling *no more than* Two Hundred Fifty
3 Dollars (\$250) per month for meetings attended; however, board and commission
4 members may elect to *not* receive said compensation. *I Maga'låhen Guåhan* may,
5 by Executive Order, waive the payment of meeting stipends owed to any board or
6 commission member.

7 **Section 14. Contracts.** Positions in the classified and unclassified service
8 *shall not* be filled pursuant to a contractual arrangement *except* as provided in this
9 Section for Fiscal Year 2019.

10 (a) Subject to Chapter 5 of Title 5 GCA, government of Guam departments
11 and agencies may contract with independent contractors; provided, that no agency
12 may contract for services customarily provided by employees in the classified
13 service, *except* as provided by law.

14 (b) Government of Guam departments and agencies that *do not* customarily
15 obtain professional services, such as licensed health professionals, licensed
16 architects, licensed engineers, legal services, actuarial services, and auditing services
17 through an employee in the classified service in that department or agency may
18 contract to obtain such services.

19 (c) The Office of the Attorney General, the Public Defender Service
20 Corporation, and the Alternate Public Defender are authorized to contract with
21 attorneys as independent contractors to provide services in areas in which it is
22 impracticable or impossible for the office to proceed. Such contracts *shall* be in
23 accordance with the procurement laws of Guam. No such independent contractor
24 hired pursuant to this Section may receive from the government of Guam any
25 remuneration in any form other than in payment for the position into which such
26 person is hired. The Office of the Attorney General, the Executive Director of the
27 Public Defender Service Corporation, and the Executive Director of the Alternate

1 Public Defender shall file a copy of every such contract with the Chief Procurement
2 Officer and the Director of Administration together with a written certification
3 stating why it is impracticable to handle the matter within the office as otherwise
4 constituted.

5 (d) This Section shall not apply to the Guam Department of Education; the
6 University of Guam; the Guam Community College; the Unified Judiciary when
7 filling positions of justices and judges pro tem, law clerks, and legal interns; the
8 Department of Revenue and Taxation when filling the position of legal counsel; I
9 Lihselaturan Guåhan; the Guam Memorial Hospital Authority; and the Department
10 of Public Health and Social Services and the Guam Behavioral Health and Wellness
11 Center when filling positions of licensed health professionals.

12 (e) Any instrumentality of the government of Guam that fills any classified
13 or unclassified positions by contractual arrangement in accordance with this Section
14 shall file a copy of every such contract with the Chief Procurement Officer together
15 with a written certification stating why it is impracticable to handle the matter within
16 the instrumentality as otherwise constituted.

17 **Section 15. Program Reporting Requirements for Employment,**
18 **Employment Placement, and Job Training Programs at the Guam Community**
19 **College, the University of Guam, and the Guam Department of Labor.**

20 (a) The President of the University of Guam, the President of the Guam
21 Community College, and the Director of the Guam Department of Labor shall
22 transmit a report to I Maga'låhen Guåhan and the Speaker of I Lihselaturan Guåhan
23 no later than June 30 of each year of the actual number of programs completed
24 and/or certificates issued for each employment, employment placement, and job
25 training program; and employment data for said program completer for the two (2)
26 years following completion of their respective programs, to include salary levels, job
27 location, or whether the job is in the same field as the program.

1 **(b)** The report mandated in Subsection (a) shall also be posted on each
2 agency's respective website.

3 **Section 16. Authorization for Legal Services for the Department of**
4 **Public Works, the Guam Building Code Council, the Contractors License**
5 **Board, and the PEALS Board.** The Department of Public Works (DPW), the Guam
6 Board of Professional Engineers, Architects, and Land Surveyors (PEALS), the
7 Contractors License Board (CLB), and the Guam Building Code Council (GBCC)
8 may enter into a Memorandum of Understanding (MOU) to jointly fund an Assistant
9 Attorney General to specifically provide legal services to DPW, GBCC, CLB, and
10 the PEALS Board only.

11 **Section 17. Consolidated Revenue and Expenditure Reporting**
12 **Requirement.** Notwithstanding § 4109(c)(3), Chapter 4, Title 5 GCA, § 4105(f),
13 Chapter 4, Title 5 GCA, and § 13109(a)(1), Chapter 13, Title 2 GCA, relative to
14 General Fund revenue reporting, the Director of the Bureau of Budget and
15 Management Research, in collaboration with the Director of Revenue and Taxation
16 and the Director of Administration, shall prepare a monthly Consolidated Revenue
17 and Expenditure Report (CRER) which shall report and recognize revenues on a
18 cash basis with the exception of Section 30 revenues, which shall be reported as
19 collected in full in October of each year; and shall for each month, identify and note
20 any and all non-recurring revenues by General Fund revenue category, by month
21 collected, and by amount; and shall compare the budgeted and actual departmental
22 program appropriations with expenditures and encumbrances. The Director of the
23 Bureau of Budget and Management Research, the Director of Administration, and
24 the Director of Revenue and Taxation shall certify said reports, which shall be
25 transmitted to I Maga'låhen Guåhan and the Speaker of I Liheslaturan Guåhan no
26 later than twenty (20) days after the end of each month. The reports shall include,
27 at a minimum, the following components relative to General Fund revenues:

1 (a) comparison of revenues for the preceding month contrasted with the
2 same month for the prior fiscal year;

3 (b) comparison of year-to-date revenues for the preceding month
4 contrasted with the same period for the prior fiscal year;

5 (c) comparison of adopted revenues allocated for the preceding month
6 contrasted with the actual revenues collected for the month;

7 (d) comparison of quarterly adopted revenues allocated for the preceding
8 quarter contrasted with actual quarterly revenues collected;

9 (e) comparison of year-to-date adopted revenues contrasted with actual
10 year-to-date revenues collected; and

11 (f) comparison of adopted revenues for the fiscal year contrasted with
12 actual year-to-date revenues collected plus the remaining projected revenues to be
13 collected for the remainder of the fiscal year.

14 **Section 18.** A new Section 6 is hereby *added* to Part I, Chapter III of Public
15 Law 34-42 to read:

16 **“Section 6. Appropriation to the GMHA.** The sum of Five Million
17 Dollars (\$5,000,000) is appropriated from the General Fund Tax Amnesty
18 Program proceeds received in Fiscal Year 2018 to the Guam Memorial
19 Hospital Authority Stabilization Fund for its operations in Fiscal Year 2018
20 inclusive of correcting the deficiencies as identified in the Centers for
21 Medicare and Medicaid Services Survey of 2018.”

22 **Section 19. Amendment to Section 15 of Public Law 34-87 relative to the**
23 **GMHA Stabilization Fund.** A new § 80126 is *added* to Chapter 80, Title 10, Guam
24 Code Annotated, to read:

25 **“§ 80126. GMHA Stabilization Fund, Created.**

26 There is hereby created, separate and apart from other funds of the
27 government of Guam, a fund known as the “GMHA Stabilization Fund” (Fund). The

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1 Fund shall not be commingled with the General Fund, any current funds maintained
2 by the GMHA, or any other fund of the government of Guam. The Fund shall be
3 held in an account or accounts at a Guam financial institution or institutions separate
4 and apart from all other accounts and funds of the government of Guam. Those
5 revenues received by or on behalf of the government of Guam resulting from the
6 general sales tax, General Fund Tax Amnesty Proceeds received in Fiscal Year 2018
7 that are dedicated to the GMHA shall be deposited in the GMHA Stabilization Fund,
8 and shall be accounted for and used periodically only for the following purposes:

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9 (a) to correct the deficiencies identified in the Centers for Medicare
10 and Medicaid Services Survey of 2018; and, once those deficiencies are
11 corrected, the GMHA may use any remaining balances to address the
12 following items (b) and (c);

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13 (b) procurement of supplies, materials, equipment, and services
14 essential to patient care; and

15 (c) capital improvement projects.

16 **Section 20. General Fund Tax Amnesty Program Proceeds.**

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17 Notwithstanding any other provision of law, rule, or regulation, the sum of Three
18 Million Dollars (\$3,000,000) of the General Fund Tax Amnesty Program proceeds
19 received in Fiscal Year 2018 shall be appropriated to the Guam Retirement Fund for
20 Guam Memorial Hospital Authority's outstanding Fiscal Year 2018 retirement fund
21 contributions.

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22 **Section 21.** A new Section 20 is hereby *added* to Part I, Chapter II of Public
23 Law 342-42 to read:

24 **Section 20.-Appropriation to the Guam Department of Education**
25 **for Procurement of Engineering Services for Simon Sanchez High School**
26 **Procurement Construction Project.**

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1 (a) The sum of ~~One Million Five Hundred Thousand Dollars~~
2 ~~(\$1,500,000)~~ Three Million Dollars (\$3,000,000) is appropriated from the
3 General Fund Tax Amnesty Program proceeds received in Fiscal Year 2018
4 to the Guam Department of Education to contract the services ~~for the sole~~
5 ~~purpose of the procurement~~ of an Owner's Agent Engineer (OAE), to develop
6 and manage the solicitation for procurement of architectural and engineering
7 (A&E) services, to fund such A&E services, and ~~other~~ related services that
8 will serve as the basis of subsequent design and construction phases pursuant
9 to ~~§§ 52101 and 52102 of Chapter 52, Division 2, Title 11, Guam Code~~
10 ~~Annotated, for the construction~~ of a new Simon Sanchez High School. These
11 funds shall be used for the payment of said OAE, A&E, and related services.

12 (b) At a minimum, the desired procurement deliverable is a
13 Schematic Design Package which clearly indicates the improvements and
14 construction anticipated for the Simon Sanchez High School construction
15 project or provide sufficient information and alternatives so that a clear
16 direction for subsequent phases can be determined.

17 (c) Such funds appropriated to GDOE in this Act shall not be
18 transferred, used, or expended for any other purposes other than what is
19 specified in this Act.

20 (d) Within ~~sixty (60) one hundred eighty (180)~~ thirty (30) days of
21 enactment of this Act ~~the end of Fiscal Year 2018~~, the Superintendent of
22 Education or his designee shall report to *I Maga'låhen Guåhan* and the
23 Speaker of *I Liheslaturan Guåhan* on the status of the utilization of funds
24 made available in this Act for the construction of a new Simon Sanchez High
25 School, and shall subsequently provide a status report every ~~ninety (90)~~ thirty
26 (30) days thereafter until such funds are fully expended.

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1 Section 22. Electronic Monitoring Program. Notwithstanding any other
2 provision of law, the sum of Five Hundred Thousand Dollars (\$500,000) of the
3 General Fund Tax Amnesty Program proceeds received in Fiscal Year 2018 shall be
4 used by the Unified Judiciary to implement an Electronic Monitoring Program for
5 Guam's pretrial and criminal offender populations in Fiscal Year 2019.

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6 Section 23. -Notwithstanding any other provision of law, the sum of One
7 Hundred Thousand Dollars (\$100,000) of the General Fund Tax Amnesty Program
8 proceeds received in Fiscal Year 2018 shall be used by the Guam Police
9 Department for the sole purpose of paying allowances to members of the civilian
10 volunteer police reserve as authorized by 10 GCA § 66104.1.

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11 Section 24. -Notwithstanding any other provision of law, the sum of
12 Two Five Hundred Thousand Million Dollars (\$2,500,000) of the General Fund
13 Tax Amnesty Program proceeds received in Fiscal Year 2018 shall be used by the
14 Guam Fire Department, Department of Corrections (GFDDOC), in Fiscal Year 2019
15 for the sole purpose of recruitment into the GFD.

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16 Section 25. A new § 7716(u) is added to Chapter 7 of Title 17, Guam Code
17 Annotated, to read:

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18 “(u) Pursuant to its authority under 17 GCA §7116, the Guam
19 Department of Education (GDOE) shall may pursue its ability to enter into
20 one or more power purchase agreements to purchase solar energy from
21 qualified providers(s) that will be in the best financial interests of the
22 government of Guam within ninety (90) days of the enactment of this Act.
23 The Guam Department of Education shall submit a report on the status of
24 its progress to enter into said power purchase agreements to the Speaker of I
25 Liheslatura within thirty (30) days of enactment of this Act.”

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26 Section 26. Temporary Employment of Retired Attorneys.

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1 The Attorney General of Guam may hire retired government attorneys when
2 a critical need arises. The Attorney General may exercise this hiring authority in the
3 areas of tax collection and criminal prosecution, provided the authorized budget for
4 the personnel of the Office of the Attorney General is not exceeded. Said attorneys
5 shall be hired at a maximum salary of Attorney Level-IV, Step 1, and shall not
6 receive sick and annual leave. Notwithstanding § 8121(a), Article 1, Chapter 8, Title
7 4 GCA, retirees hired temporarily pursuant to this Section may continue to receive
8 retirement benefits. Any attorney hired under this Section shall only be eligible to
9 enroll in the Government of Guam Health Insurance Program as an active employee.
10 Such employment shall not close vacancies to qualified applicants. The Attorney
11 General shall report to I Liheslaturan Guåhan on July 1, 2019 and again thirty (30)
12 days after the end of the fiscal year, the number of retired attorneys hired pursuant
13 to this Section, the positions filled, the length of employment, the cost of said hiring,
14 and the nature of the critical need that was filled.

15 Section 27. False Claims and Whistleblower Act. A new Chapter 37 is
16 hereby added to Title 5, Guam Code Annotated, to read:

17 “CHAPTER 37

18 FALSE CLAIMS AND WHISTLEBLOWER ACT

19
20 Article 1. False Claims and Whistleblowing.

21 Article 2. Civil Actions for False Claims and Whistleblowing.

22 Article 3. False Claims and Whistleblowing Procedure.

23 Article 4. Civil Investigative Demands.

24
25 ARTICLE 1

26 FALSE CLAIMS AND WHISTLEBLOWING

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1 § 37101. Definitions.

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2 § 37102. Liability for Certain Acts.

3 § 37103. Whistleblower Awards to Individuals Who Report
4 Underpayments of Taxes Levied Under the Laws of Guam.

5 § 37104. Exemption from Disclosure.

6 § 37105. Severability.

7
8 § 37101. Definitions.

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9 As used in this Chapter, unless the context in which they are used
10 requires a different meaning, or unless a different definition is prescribed for
11 a particular provision:

12 (a) the term 'claim'

13 (1) means any request or demand, whether under a contract or
14 otherwise, for money or property and whether or not the government of
15 Guam has title to the money or property, that:

16 (A) is presented to an officer, employee, or agent of the
17 government of Guam; or

18 (B) is made to a contractor, grantee, or other recipient,
19 if the money or property is to be spent or used on the government
20 of Guam's behalf or to advance a government of Guam program
21 or interest, and if the government of Guam:

22 (i) provides or has provided any portion of the
23 money or property requested or demanded; or

24 (ii) will reimburse such contractor, grantee, or
25 other recipient for any portion of the money or property
26 which is requested or demanded; and

1 (2) does not include requests or demands for money or
2 property that the government of Guam has paid to an individual as
3 compensation for employment or as an income subsidy with no
4 restrictions on that individual's use of the money or property;

5 (b) the terms 'knowing' and 'knowingly'

6 (1) mean that a person, with respect to information:

7 (A) has actual knowledge of the information;

8 (B) acts in deliberate ignorance of the truth or falsity of
9 the information; or

10 (C) acts in reckless disregard of the truth or falsity of
11 the information; and

12 (2) require no proof of specific intent to defraud;

13 (c) the term 'material' means having a natural tendency to influence,
14 or be capable of influencing, the payment or receipt of money or property; and

15 (d) the term 'obligation' means an established duty, whether or not
16 fixed, arising from an express or implied contractual, grantor-grantee, or
17 licensor-licensee relationship, from a fee-based or similar relationship, from
18 statute or regulation, or from the retention of any overpayment.

19 **§ 37102. Liability for Certain Acts.**

20 (a) Subject to Subsection (b) of this Section, any person who:

21 (1) knowingly presents, or causes to be presented, a false or
22 fraudulent claim for payment or approval;

23 (2) knowingly makes, uses, or causes to be made or used, a
24 false record or statement material to a false or fraudulent claim;

25 (3) conspires to commit a violation of items (1), (2), (4), (5),
26 (6), or (7);

1 (4) has possession, custody, or control of property or money
2 used, or to be used, by the government of Guam and knowingly
3 delivers, or causes to be delivered, less than all of that money or
4 property;

5 (5) is authorized to make or deliver a document certifying
6 receipt of property used, or to be used, by the government of Guam and,
7 intending to defraud the government of Guam, makes or delivers the
8 receipt without completely knowing that the information on the receipt
9 is true;

10 (6) knowingly buys, or receives as a pledge of an obligation
11 or debt, public property from an officer or employee of the government
12 of Guam, who lawfully may not sell or pledge property; or

13 (7) knowingly makes, uses, or causes to be made or used, a
14 false record or statement material to an obligation to pay or transmit
15 money or property to the government of Guam, or knowingly conceals
16 or knowingly and improperly avoids or decreases an obligation to pay
17 or transmit money or property to the government of Guam,

18 is liable to the government of Guam for a civil penalty of not less
19 than Five Thousand Dollars (\$5,000) and not more than Ten Thousand
20 Dollars (\$10,000), plus three (3) times the amount of damages which
21 the government of Guam sustains because of the act of that person.

22 (b) Reduced Damages. If the court finds that:

23 (1) the person committing the violation of this Section
24 furnished officials of Guam responsible for investigating false claims
25 violations with all information known to such person about the
26 violation within thirty (30) days after the date on which the defendant
27 first obtained the information;

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1 (2) such person fully cooperated with any government of
2 Guam investigation of such violation; and

3 (3) at the time such person furnished the government of Guam
4 with the information about the violation, no criminal prosecution, civil
5 action, or administrative action had commenced under this title with
6 respect to such violation, and the person did not have actual knowledge
7 of the existence of an investigation into such violation,

8 the court may assess not less than two (2) times the amount of
9 damages which the government sustains because of the act of that
10 person.

11 (c) Costs of Civil Actions. A person violating this Chapter shall also
12 be liable to the government of Guam for the costs of a civil action brought to
13 recover any such penalty or damages.

14 (d) Jurisdiction. The Unified Judiciary of Guam shall have
15 jurisdiction over such matters cited in this Chapter.

16 § 37103. Whistleblower Awards to Individuals Who Report
17 Underpayments of Taxes Levied Under the Laws of Guam.

18 (a) The Director of Revenue and Taxation, under regulations
19 prescribed by the Director, is authorized to pay, from the monies appropriated
20 to the Department of Revenue and Taxation in any fiscal year, such sums as
21 he deems necessary for:

22 (1) detecting underpayments of tax levied under the laws
23 enacted in Guam, or

24 (2) detecting and bringing to trial and punishment persons
25 guilty of violating the tax laws enacted in Guam or conniving at the
26 same, in cases where such expenses are not otherwise provided for by
27 law. Any amount payable under the preceding sentence shall be paid

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1 from the proceeds of amounts collected by reason of the information
2 provided, and any amount so collected shall be available for such
3 payments.

4 (b) Awards to Whistleblowers.

5 (1) If the Director proceeds with any administrative or judicial
6 action described in Subsection (a) based on information brought to the
7 Director's attention by an individual, such individual shall, subject to
8 Paragraph (2), receive as an award at least fifteen percent (15%), but
9 not more than thirty percent (30%), of the collected proceeds (including
10 penalties, interest, additions to tax, and additional amounts) resulting
11 from the action (including any related actions) or from any settlement
12 in response to such action. The determination of the amount of such
13 award by the Tax Enforcement Division of the Department of Revenue
14 and Taxation shall depend upon the extent to which the individual
15 substantially contributed to such action within the ranges as prescribed
16 in this Section.

17 (2) Award in Case of Less Substantial Contribution.

18 (A) In the event the action described in Paragraph (1) is
19 one which the Tax Enforcement Division determines to be based
20 principally on disclosures of specific allegations (other than
21 information provided by the individual described in Paragraph
22 (1)) resulting from a judicial or administrative hearing, from a
23 governmental report, hearing, audit, or investigation, or from the
24 news media, the Tax Enforcement Division may award such
25 sums as it considers appropriate, but in no case more than ten
26 percent (10%) of the collected proceeds (including penalties,
27 interest, additions to tax, and additional amounts) resulting from

1 the action (including any related actions) or from any settlement
2 in response to such action, taking into account the significance
3 of the individual's information and the role of such individual
4 and any legal representative of such individual in contributing to
5 such action.

6 (B) Nonapplication of Paragraph Where Individual is
7 Original Source of Information. Subparagraph (A) shall not
8 apply if the information resulting in the initiation of the action
9 described in Paragraph (1) was originally provided by the
10 individual described in Paragraph (1).

11 (3) Reduction in or Denial of Award. If the Tax Enforcement
12 Division determines that the claim for an award under Paragraph (1) or
13 (2) is brought by an individual who planned and initiated the actions
14 that led to the underpayment of tax or actions described in Subsection
15 (a)(2), then the Tax Enforcement Division may appropriately reduce
16 such award. If such individual is convicted of criminal conduct arising
17 from the role described in the preceding sentence, the Tax Enforcement
18 Division shall deny any award.

19 (4) Appeal of Award Determination. Any determination
20 regarding an award under Paragraph (1), (2), or (3) may, within thirty
21 (30) days of such determination, be appealed to the Unified Judiciary
22 of Guam (and the Unified Judiciary of Guam shall have jurisdiction
23 with respect to such matter).

24 (5) Application of this Subsection. This Subsection shall
25 apply with respect to any action:

26 (A) against any taxpayer, but in the case of any
27 individual, only if such individual's gross income exceeds Two

1 Hundred Thousand Dollars (\$200,000) for any taxable year
2 subject to such action, and

3 (B) if the tax, penalties, interest, additions to tax, and
4 additional amounts in dispute exceed Two Million Dollars
5 (\$2,000,000).

6 (6) Additional rules.

7 (A) No Contract Necessary. No contract with the
8 Department of Revenue and Taxation is necessary for any
9 individual to receive an award under this Subsection.

10 (B) Representation. Any individual described in
11 Paragraph (1) or (2) may be represented by counsel.

12 (C) Submission of Information. No award may be made
13 under this Subsection based on information submitted to the
14 Director unless such information is submitted under penalty of
15 perjury.

16 (7) If the government of Guam elects not to proceed with the
17 action pursuant to § 37203(c) of this Chapter, the Tax Enforcement
18 Division shall award not less than thirty percent (30%) of the collected
19 proceeds (including penalties, interest, additions to tax, and additional
20 amounts) resulting from the action (including any related actions) or
21 from any settlement in response to such action. Such person shall also
22 receive an amount for reasonable expenses which the court finds to
23 have been necessarily incurred, plus reasonable attorneys' fees and
24 costs. All such expenses, fees, and costs shall be awarded against the
25 defendant.

26 § 37104. Exemption from Disclosure.

1 brought in the name of the government. The action may be dismissed only if
2 the court and the Attorney General give written consent to the dismissal and
3 their reasons for consenting.

4 (b) A copy of the complaint and written disclosure of substantially
5 all material evidence and information the person possesses shall be served on
6 the government of Guam, to include the Attorney General's Office and the
7 Tax Commissioner, for violations of § 37103. The complaint shall be filed in
8 camera, shall remain under seal for at least sixty (60) days, and shall not be
9 served on the defendant until the court so orders. The government of Guam
10 may elect to intervene and proceed with the action within sixty (60) days after
11 it receives both the complaint and the material evidence and information.

12 (c) The government of Guam may, for good cause shown, move the
13 court for extensions of the time during which the complaint remains under
14 seal under Subsection (b). Any such motions may be supported by affidavits
15 or other submissions in camera. The defendant shall not be required to
16 respond to any complaint filed under this Section until twenty (20) days after
17 the complaint is unsealed and served upon the defendant.

18 (d) Before the expiration of the sixty (60)-day period or any
19 extensions obtained under Subsection (b), the government of Guam shall:

20 (1) proceed with the action, in which case the action shall be
21 conducted by the government of Guam; or

22 (2) notify the court that it declines to take over the action, in
23 which case the person bringing the action shall have the right to conduct
24 the action.

25 (e) When a person brings an action under this Subsection, no person
26 other than the government of Guam may intervene or bring a related action
27 based on the facts underlying the pending action.

1 **§ 37203. Right of the Parties to Qui Tam Actions.**

2 (a) If the government of Guam proceeds with the action, it shall have
3 the primary responsibility for prosecuting the action, shall not be bound by an
4 act of the person who had brought the action, and any such private party shall
5 withdraw from such action, while receiving compensation as provided under
6 this Chapter for any contributions made prior to withdrawal from such action.

7 (b) (1) The government of Guam may dismiss the action
8 notwithstanding the objections of the person initiating the action if the
9 person has been notified by the government of Guam of the filing of the
10 motion and the court has provided the person with an opportunity for a
11 hearing on the motion.

12 (2) The government of Guam may settle the action with the
13 defendant notwithstanding the objections of the person initiating the
14 action if the court determines, after a hearing, that the proposed
15 settlement is fair, adequate, and reasonable under all the circumstances.
16 Upon a showing of good cause, such hearing may be held in camera. If
17 any such settlement is achieved, the person initiating the action shall
18 have the same rights in such proceedings as such person would have
19 had pursuant to § 37103 if the action had continued.

20 (c) If the government of Guam elects not to proceed with the action,
21 the person who initiated the action shall have the right to conduct the action.
22 If the government of Guam so requests, it shall be served with copies of all
23 pleadings filed in the action and shall be supplied with copies of all deposition
24 transcripts (at the government of Guam's expense). When a person proceeds
25 with the action, the court, without limiting the status and rights of the person
26 initiating the action, shall not permit the government of Guam to intervene at
27 a later date.

1 (d) Whether or not the government of Guam proceeds with the
2 action, upon a showing by the government of Guam that certain actions of
3 discovery by the person initiating the action would interfere with the
4 government of Guam's investigation or prosecution of a criminal or civil
5 matter arising out of the same facts, the court may stay such discovery for a
6 period of not more than sixty (60) days. Such a showing shall be conducted
7 in camera. The court may extend the sixty (60)-day period upon a further
8 showing in camera that the government of Guam has pursued the criminal or
9 civil investigation or proceedings with reasonable diligence and any proposed
10 discovery in the civil action will interfere with the ongoing criminal or civil
11 investigation or proceedings.

12 (e) Notwithstanding § 37202, the government of Guam may elect to
13 pursue its claim through any alternate remedy available to the government of
14 Guam, including any administrative proceeding to determine a civil money
15 penalty. If any such alternate remedy is pursued in another proceeding, the
16 person initiating the action shall have the same rights in such proceeding as
17 such person would have had if the action had continued under this Section.
18 Any finding of fact or conclusion of law made in such other proceeding that
19 has become final shall be conclusive on all parties to an action under this
20 Section. For purposes of the preceding sentence, a finding or conclusion is
21 final if it has been finally determined on appeal to the appropriate court of
22 Guam, if all time for filing such an appeal with respect to the finding or
23 conclusion has expired, or if the finding or conclusion is not subject to judicial
24 review.

25 § 37204. Award to Qui Tam Plaintiff.

26 (a) Except as otherwise provided under § 37103, if the government
27 of Guam proceeds with an action brought by a person under § 37202, such

1 person shall, subject to the second sentence of this Subsection, receive at least
2 fifteen percent (15%), but not more than twenty-five percent (25%), of the
3 proceeds of the action or settlement of the claim, depending upon the extent
4 to which the person substantially contributed to the prosecution of the action.
5 Where the action is one which the court finds to be based primarily on
6 disclosures of specific information (other than information provided by the
7 person bringing the action) relating to allegations or transactions in a criminal,
8 civil, or administrative hearing, in a congressional, administrative, or
9 government of Guam report, hearing, audit, or investigation, or from the news
10 media, the court may award such sums as it considers appropriate, but in no
11 case more than ten percent (10%) of the proceeds, taking into account the
12 significance of the information and the role of the person bringing the action
13 in advancing the case to litigation. Any payment to a person under the first or
14 second sentence of this Subsection shall be made from the proceeds. Any such
15 person shall also receive an amount for reasonable expenses which the court
16 finds to have been necessarily incurred, plus reasonable attorneys' fees and
17 costs. All such expenses, fees, and costs shall be awarded against the
18 defendant.

19 (b) If the government of Guam does not proceed with an action
20 under this Section, the person bringing the action or settling the claim shall
21 receive an amount which the court decides is reasonable for collecting the
22 civil penalty and damages. The amount shall be not less than twenty-five
23 percent (25%) and not more than thirty percent (30%) of the proceeds of the
24 action or settlement and shall be paid out of such proceeds. Such person shall
25 also receive an amount for reasonable expenses which the court finds to have
26 been necessarily incurred, plus reasonable attorneys' fees and costs. All such
27 expenses, fees, and costs shall be awarded against the defendant.

1 (c) Whether or not the government of Guam proceeds with the
2 action, if the court finds that the action was brought by a person who planned
3 and initiated the violation of § 37102 upon which the action was brought, then
4 the court may, to the extent the court considers appropriate, reduce the share
5 of the proceeds of the action which the person would otherwise receive under
6 Subsection (a) or (b), taking into account the role of that person in advancing
7 the case to litigation and any relevant circumstances pertaining to the
8 violation. If the person bringing the action is convicted of criminal conduct
9 arising from his or her role in the violation of § 37102, that person shall be
10 dismissed from the civil action and shall not receive any share of the proceeds
11 of the action. Such dismissal shall not prejudice the right of the government
12 of Guam to continue the action, represented by the Attorney General.

13 (d) If the government of Guam does not proceed with the action and
14 the person bringing the action conducts the action, the court may award to the
15 defendant its reasonable attorneys' fees and expenses if the defendant prevails
16 in the action and the court finds that the claim of the person bringing the action
17 was clearly frivolous, clearly vexatious, or brought primarily for purposes of
18 harassment.

19 (e) Whether or not the government of Guam proceeds with an action
20 under § 37203(a), all civil penalties and fines awarded by the court, in excess
21 of the amount awarded by the court as provided in this Chapter to any private
22 individual(s) who bring a private enforcement action under this law, shall be
23 remitted to the Department of Revenue and Taxation for remittance to the
24 respective general fund or special fund to which such proceeds would be
25 credited less any actual expenses incurred by the Office of the Attorney
26 General pursuant to the investigation or arising from such action, which shall
27 be transferred to the Office of the Attorney General.

1 **§ 37205. Certain Actions Barred.**

2 (a) No court shall have jurisdiction over an action brought by a
3 former or present member of the armed forces under § 37202 against a
4 member of the armed forces arising out of such person's service in the armed
5 forces.

6 (b) In no event may a person bring an action under § 37202 which is
7 based upon allegations or transactions which are the subject of a civil suit or
8 an administrative civil money penalty proceeding in which the government of
9 Guam is already a party.

10 **§ 37206. Government of Guam Not Liable for Certain Expenses.**

11 The government of Guam is not liable for expenses which a person
12 incurs in bringing an action under this Article.

13 **§ 37207. Fees and Expenses to Prevailing Defendant.**

14 Only in civil actions brought under this Article by the government of
15 Guam, the following shall apply:

16 (a) (1) A court shall award to a prevailing party other than the
17 government of Guam fees and other expenses, in addition to any costs
18 awarded, incurred by that party in any civil action (other than cases
19 sounding in tort), including proceedings for judicial review of agency
20 action, brought by or against the government of Guam in the Unified
21 Judiciary of Guam, unless the court finds that the position of the
22 government of Guam was substantially justified or that special
23 circumstances make an award unjust.

24 (2) A party seeking an award of fees and other expenses shall,
25 within thirty (30) days of final judgment in the action, submit to the
26 court an application for fees and other expenses which shows that the
27 party is a prevailing party and is eligible to receive an award under this

1 Section, and the amount sought, including an itemized statement from
2 any attorney or expert witness representing or appearing in behalf of
3 the party stating the actual time expended and the rate at which fees and
4 other expenses were computed. The party shall also allege that the
5 position of the government of Guam was not substantially justified.
6 Whether or not the position of the government of Guam was
7 substantially justified shall be determined on the basis of the record
8 (including the record with respect to the action or failure to act by the
9 agency upon which the civil action is based) which is made in the civil
10 action for which fees and other expenses are sought.

11 (3) The court, in its discretion, may reduce the amount to be
12 awarded pursuant to this Subsection, or deny an award, to the extent
13 that the prevailing party during the course of the proceedings engaged
14 in conduct which unduly and unreasonably protracted the final
15 resolution of the matter in controversy.

16 (4) If, in a civil action brought by the government of Guam
17 under this Article, the demand by the government of Guam is
18 substantially in excess of the judgment finally obtained by the
19 government of Guam and is unreasonable when compared with such
20 judgment, under the facts and circumstances of the case, the court shall
21 award to the party the fees and other expenses related to defending
22 against the excessive demand, unless the party has committed a willful
23 violation of law or otherwise acted in bad faith, or special
24 circumstances make an award unjust. Fees and expenses awarded under
25 this Subparagraph shall be paid only as a consequence of appropriations
26 provided in advance.

27 (b) For the purposes of this Section:

1 (1) 'fees and other expenses' includes the reasonable expenses
2 of expert witnesses, the reasonable cost of any study, analysis,
3 engineering report, test, or project which is found by the court to be
4 necessary for the preparation of the party's case, and reasonable
5 attorney fees (the amount of fees awarded under this Subsection shall
6 be based upon prevailing market rates for the kind and quality of the
7 services furnished, except that no expert witness shall be compensated
8 at a rate in excess of the highest rate of compensation for expert
9 witnesses paid by the Government of Guam);

10 (2) 'government of Guam' includes any agency and any
11 official of the government of Guam acting in his or her official capacity;

12 (3) 'position of the government of Guam' means, in addition
13 to the position taken by the government of Guam in the civil action, the
14 action or failure to act by the agency upon which the civil action is
15 based; except that fees and expenses may not be awarded to a party for
16 any portion of the litigation in which the party has unreasonably
17 protracted the proceedings; and

18 (4) 'final judgment' means a judgment that is final and not
19 appealable, and includes an order of settlement.

20 (c) Fees and other expenses awarded under this Subsection to a party
21 shall be paid by any agency over which the party prevails from any funds
22 made available to the agency by appropriation or otherwise.

23 **§ 37208. Relief from Retaliatory Actions.**

24 (a) In General. Any employee, contractor, or agent shall be entitled
25 to all relief necessary to make that employee, contractor, or agent whole, if
26 that employee, contractor, or agent is discharged, demoted, suspended,
27 threatened, harassed, or in any other manner discriminated against in the terms

1 and conditions of employment because of lawful acts done by the employee,
2 contractor, agent or associated others in furtherance of an action under this
3 section or other efforts to stop one (1) or more violations of this Chapter.

4 (b) Relief. Relief under Subsection (a) shall include reinstatement
5 with the same seniority status that employee, contractor, or agent would have
6 had but for the discrimination, two (2) times the amount of back pay, interest
7 on the back pay, and compensation for any special damages sustained as a
8 result of the discrimination, including litigation costs and reasonable
9 attorneys' fees. An action under this Subsection may be brought in the Unified
10 Judiciary of Guam for the relief provided in this Subsection.

11 (c) Limitation on Bringing Civil Action. A civil action under this
12 Subsection may not be brought more than three (3) years after the date when
13 the retaliation occurred.

14 ARTICLE 3

15 FALSE CLAIMS AND WHISTLEBLOWING PROCEDURE

16
17 § 37301. Statute of Limitations for Civil Actions.

18 § 37302. Clarification or Addition of Detail to Claims in Which the
19 Government of Guam Intervenes.

20 § 37303. Government to Prove Elements of the Cause of Action.

21
22 **§ 37301. Statute of Limitations for Civil Actions.**

23 A civil action under Article 2 may not be brought more than ten (10)
24 years after the date on which the violation is committed.

25 **§ 37302. Clarification or Addition of Detail to Claims in Which the**
26 **Government of Guam Intervenes.**

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1 § 37404. Service Upon Legal Entities and Natural Persons.

2 § 37405. Proof of Service.

3 § 37406. Documentary Material.

4 § 37407. Interrogatories.

5 § 37408. Oral Examinations.

6 § 37409. Custodians of Documents, Answers, and Transcripts.

7 § 37410. Judicial Proceedings.

8 § 37411. Disclosure Exemption.

9 § 37412. Definitions.

10 **§ 37401. In General.**

11 (a) Issuance and Service. Whenever the Attorney General, or a
12 designee (for purposes of this Section), has reason to believe that any person
13 may be in possession, custody, or control of any documentary material or
14 information relevant to a false claims law investigation, the Attorney General,
15 or a designee, may, before commencing a civil proceeding under § 37201 or
16 other false claims law, or making an election under § 37202, issue in writing
17 and cause to be served upon such person, a civil investigative demand
18 requiring such person:

19 (1) to produce such documentary material for inspection and
20 copying;

21 (2) to answer in writing written interrogatories with respect to
22 such documentary material or information;

23 (3) to give oral testimony concerning such documentary
24 material or information; or

25 (4) to furnish any combination of such material, answers, or
26 testimony.

1 The Attorney General may delegate the authority to issue civil
2 investigative demands under this Subsection. Whenever a civil investigative
3 demand is an express demand for any product of discovery, the Attorney
4 General, the Deputy Attorney General, or an Assistant Attorney General shall
5 cause to be served, in any manner authorized by this Section, a copy of such
6 demand upon the person from whom the discovery was obtained and shall
7 notify the person to whom such demand is issued of the date on which such
8 copy was served. Any information obtained by the Attorney General or a
9 designee of the Attorney General under this Section may be shared with any
10 qui tam relator if the Attorney General or designee determine it is necessary
11 as part of any false claims act investigation.

12 (b) Contents and Deadlines.

13 (1) Each civil investigative demand issued under Subsection
14 (a) shall state the nature of the conduct constituting the alleged violation
15 of a false claims law which is under investigation, and the applicable
16 provision of law alleged to be violated.

17 (2) If such demand is for the production of documentary
18 material, the demand shall:

19 (A) describe each class of documentary material to be
20 produced with such definiteness and certainty as to permit such
21 material to be fairly identified;

22 (B) prescribe a return date for each such class which
23 will provide a reasonable period of time within which the
24 material so demanded may be assembled and made available for
25 inspection and copying; and

26 (C) identify the false claims law investigator to whom
27 such material shall be made available.

1 (3) If such demand is for answers to written interrogatories,
2 the demand shall:

3 (A) set forth with specificity the written interrogatories
4 to be answered;

5 (B) prescribe dates at which time answers to written
6 interrogatories shall be submitted; and

7 (C) identify the false claims law investigator to whom
8 such answers shall be submitted.

9 (4) If such demand is for the giving of oral testimony, the
10 demand shall:

11 (A) prescribe a date, time, and place at which oral
12 testimony shall be commenced;

13 (B) identify a false claims law investigator who shall
14 conduct the examination, and the custodian to whom the
15 transcript of such examination shall be submitted;

16 (C) specify that such attendance and testimony are
17 necessary to the conduct of the investigation;

18 (D) notify the person receiving the demand of the right
19 to be accompanied by an attorney and any other representative;
20 and

21 (E) describe the general purpose for which the demand
22 is being issued and the general nature of the testimony, including
23 the primary areas of inquiry, which will be taken pursuant to the
24 demand.

25 (5) Any civil investigative demand issued under this Section
26 which is an express demand for any product of discovery shall not be
27 returned or returnable until twenty (20) days after a copy of such

1 demand has been served upon the person from whom the discovery was
2 obtained.

3 (6) The date prescribed for the commencement of oral
4 testimony pursuant to a civil investigative demand issued under this
5 Section shall be a date which is not less than seven (7) days after the
6 date on which demand is received, unless the Attorney General or an
7 Assistant Attorney General designated by the Attorney General
8 determines that exceptional circumstances are present which warrant
9 the commencement of such testimony within a lesser period of time.

10 (7) The Attorney General shall not authorize the issuance
11 under this Section of more than one (1) civil investigative demand for
12 oral testimony by the same person unless the person requests otherwise
13 or unless the Attorney General, after investigation, notifies that person
14 in writing that an additional demand for oral testimony is necessary.

15 **§ 37402. Protected Material of Information.**

16 (a) In General. A civil investigative demand issued under § 37401
17 may not require the production of any documentary material, the submission
18 of any answers to written interrogatories, or the giving of any oral testimony
19 if such material, answers, or testimony would be protected from disclosure
20 under:

21 (1) the standards applicable to subpoenas or subpoenas *duces*
22 *tecum* issued by a court of the Unified Judiciary of Guam to aid in a
23 grand jury investigation; or

24 (2) the standards applicable to discovery requests under Guam
25 law, to the extent that the application of such standards to any such
26 demand is appropriate and consistent with the provisions and purposes
27 of this Article.

1 **(b) Effect on Other Orders, Rules, and Laws. Any such demand**
2 **which is an express demand for any product of discovery supersedes any**
3 **inconsistent order, rule, or provision of law (other than this Section)**
4 **preventing or restraining disclosure of such product of discovery to any**
5 **person. Disclosure of any product of discovery pursuant to any such express**
6 **demand does not constitute a waiver of any right or privilege which the person**
7 **making such disclosure may be entitled to invoke to resist discovery of trial**
8 **preparation materials.**

9 **§ 37403. Service; Jurisdiction.**

10 **Any civil investigative demand issued under § 37401 may be served by**
11 **a false claims law investigator, or by a law enforcement officer of the**
12 **government of Guam, at any place within the territorial jurisdiction of the**
13 **Unified Judiciary of Guam.**

14 **§ 37404. Service Upon Legal Entities and Natural Persons.**

15 **(a) Legal Entities. Service of any civil investigative demand issued**
16 **under § 37401 or of any petition filed under § 37410 may be made upon a**
17 **partnership, corporation, association, or other legal entity by:**

18 **(1) delivering an executed copy of such demand or petition to**
19 **any partner, executive officer, managing agent, or general agent of the**
20 **partnership, corporation, association, or entity, or to any agent**
21 **authorized by appointment or by law to receive service of process on**
22 **behalf of such partnership, corporation, association, or entity;**

23 **(2) delivering an executed copy of such demand or petition to**
24 **the principal office or place of business of the partnership, corporation,**
25 **association, or entity; or**

26 **(3) depositing an executed copy of such demand or petition in**
27 **the United States mails by registered or certified mail, with a return**

1 receipt requested, addressed to such partnership, corporation,
2 association, or entity at its principal office or place of business.

3 (b) Natural Persons. Service of any such demand or petition may be
4 made upon any natural person by:

5 (1) delivering an executed copy of such demand or petition to
6 the person; or

7 (2) depositing an executed copy of such demand or petition in
8 the United States mails by registered or certified mail, with a return
9 receipt requested, addressed to the person at the person's residence or
10 principal office or place of business.

11 **§ 37405. Proof of Service.**

12 A verified return by the individual serving any civil investigative
13 demand issued under § 37401 or any petition filed under § 37410 setting forth
14 the manner of such service shall be proof of such service. In the case of service
15 by registered or certified mail, such return shall be accompanied by the return
16 post office receipt of delivery of such demand.

17 **§ 37406. Documentary Material.**

18 (a) Sworn Certificates. The production of documentary material in
19 response to a civil investigative demand served under this Section shall be
20 made under a sworn certificate, in such form as the demand designates, by:

21 (1) in the case of a natural person, the person to whom the
22 demand is directed; or

23 (2) in the case of a person other than a natural person, a person
24 having knowledge of the facts and circumstances relating to such
25 production and authorized to act on behalf of such person.

26 The certificate shall state that all of the documentary material required
27 by the demand and in the possession, custody, or control of the person to

1 whom the demand is directed has been produced and made available to the
2 false claims law investigator identified in the demand.

3 (b) Production of Materials. Any person upon whom any civil
4 investigative demand for the production of documentary material has been
5 served under this Section shall make such material available for inspection
6 and copying to the false claims law investigator identified in such demand at
7 the principal place of business of such person, or at such other place as the
8 false claims law investigator and the person thereafter may agree and
9 prescribe in writing, or as the court may direct under § 37410(a). Such
10 material shall be made so available on the return date specified in such
11 demand, or on such later date as the false claims law investigator may
12 prescribe in writing. Such person may, upon written agreement between the
13 person and the false claims law investigator, substitute copies for originals of
14 all or any part of such material.

15 **§ 37407. Interrogatories.**

16 Each interrogatory in a civil investigative demand served under this
17 Section shall be answered separately and fully in writing under oath, and shall
18 be submitted under a sworn certificate, in such form as the demand designates,
19 by:

20 (a) in the case of a natural person, the person to whom the demand
21 is directed; or

22 (b) in the case of a person other than a natural person, the person or
23 persons responsible for answering each interrogatory.

24 If any interrogatory is objected to, the reasons for the objection shall be stated
25 in the certificate instead of an answer. The certificate shall state that all
26 information required by the demand and in the possession, custody, control,
27 or knowledge of the person to whom the demand is directed has been

1 submitted. To the extent that any information is not furnished, the information
2 shall be identified and reasons set forth with particularity regarding the
3 reasons why the information was not furnished.

4 **§ 37408. Oral Examinations.**

5 (a) Procedures. The examination of any person pursuant to a civil
6 investigative demand for oral testimony served under this Section shall be
7 taken before an officer authorized to administer oaths and affirmations by the
8 laws of Guam. The officer before whom the testimony is to be taken shall put
9 the witness on oath or affirmation and shall, personally or by someone acting
10 under the direction of the officer and in the officer's presence, record the
11 testimony of the witness. The testimony shall be taken stenographically and
12 shall be transcribed. When the testimony is fully transcribed, the officer
13 before whom the testimony is taken shall promptly transmit a copy of the
14 transcript of the testimony to the custodian. This Subsection shall not preclude
15 the taking of testimony by any means authorized by, and in a manner
16 consistent with, the laws of Guam.

17 (b) Persons Present. The false claims law investigator conducting the
18 examination shall exclude from the place where the examination is held all
19 persons except the person giving the testimony, the attorney for and any other
20 representative of the person giving the testimony, the attorney for the
21 government, any person who may be agreed upon by the attorney for the
22 government and the person giving the testimony, the officer before whom the
23 testimony is to be taken, and any stenographer taking such testimony.

24 (c) Transcript of Testimony. When the testimony is fully
25 transcribed, the false claims law investigator or the officer before whom the
26 testimony is taken shall afford the witness, who may be accompanied by
27 counsel, a reasonable opportunity to examine and read the transcript, unless

1 such examination and reading are waived by the witness. Any changes in form
2 or substance which the witness desires to make shall be entered and identified
3 upon the transcript by the officer or the false claims law investigator, with a
4 statement of the reasons given by the witness for making such changes. The
5 transcript shall then be signed by the witness, unless the witness in writing
6 waives the signing, is ill, cannot be found, or refuses to sign. If the transcript
7 is not signed by the witness within thirty (30) days after being afforded a
8 reasonable opportunity to examine it, the officer or the false claims law
9 investigator shall sign it and state on the record the fact of the waiver, illness,
10 absence of the witness, or the refusal to sign, together with the reasons, if any,
11 given therefor.

12 (d) Certification and Delivery to Custodian. The officer before
13 whom the testimony is taken shall certify on the transcript that the witness
14 was sworn by the officer and that the transcript is a true record of the
15 testimony given by the witness, and the officer or false claims law investigator
16 shall promptly deliver the transcript, or send the transcript by registered or
17 certified mail, to the custodian.

18 (e) Furnishing or Inspection of Transcript by Witness. Upon
19 payment of reasonable charges therefor, the false claims law investigator shall
20 furnish a copy of the transcript to the witness only, except that the Attorney
21 General, the Deputy Attorney General, or an Assistant Attorney General may,
22 for good cause, limit such witness to inspection of the official transcript of the
23 witness' testimony.

24 (f) Conduct of Oral Testimony.

25 (1) Any person compelled to appear for oral testimony under
26 a civil investigative demand issued under § 37401 may be
27 accompanied, represented, and advised by counsel. Counsel may advise

1 such person, in confidence, with respect to any question asked of such
2 person. Such person or counsel may object on the record to any
3 question, in whole or in part, and shall briefly state for the record the
4 reason for the objection. An objection may be made, received, and
5 entered upon the record when it is claimed that such person is entitled
6 to refuse to answer the question on the grounds of any constitutional or
7 other legal right or privilege, including the privilege against self-
8 incrimination. Such person may not otherwise object to or refuse to
9 answer any question, and may not directly or through counsel otherwise
10 interrupt the oral examination. If such person refuses to answer any
11 question, a petition may be filed in the Unified Judiciary of Guam under
12 § 4673837410(a) for an order compelling such person to answer such
13 question.

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14 (2) If such person refuses to answer any question on the
15 grounds of the privilege against self-incrimination, the testimony of
16 such person may be compelled, in a manner consistent with Guam law.

17 (g) Witness Fees and Allowances. Any person appearing for oral
18 testimony under a civil investigative demand issued under § 37401 shall be
19 entitled to the same fees and allowances which are paid to witnesses in the
20 Unified Judiciary of Guam.

21 **§ 37409. Custodians of Documents, Answers, and Transcripts.**

22 (a) Designation. The Attorney General shall designate a false claims
23 law investigator to serve as custodian of documentary material, answers to
24 interrogatories, and transcripts of oral testimony received under this Section,
25 and shall designate such additional false claims law investigators as the
26 Attorney General determines from time to time to be necessary to serve as
27 deputies to the custodian.

1 (b) Responsibility for Materials; Disclosure.

2 (1) A false claims law investigator who receives any
3 documentary material, answers to interrogatories, or transcripts of oral
4 testimony under this Section shall transmit them to the custodian. The
5 custodian shall take physical possession of such material, answers, or
6 transcripts and shall be responsible for the use made of them and for
7 the return of documentary material under Subsection (d).

8 (2) The custodian may cause the preparation of such copies of
9 such documentary material, answers to interrogatories, or transcripts of
10 oral testimony as may be required for official use by any false claims
11 law investigator, or other officer or employee of the Office of the
12 Attorney General. Such material, answers, and transcripts may be used
13 by any such authorized false claims law investigator or other officer or
14 employee in connection with the taking of oral testimony under this
15 Section.

16 (3) Except as otherwise provided in this Subsection, no
17 documentary material, answers to interrogatories, or transcripts of oral
18 testimony, or copies thereof, while in the possession of the custodian,
19 shall be available for examination by any individual other than a false
20 claims law investigator or other officer or employee of the Office of the
21 Attorney General authorized under Item (2). The prohibition in the
22 preceding sentence on the availability of material, answers, or
23 transcripts shall not apply if consent is given by the person who
24 produced such material, answers, or transcripts, or, in the case of any
25 product of discovery produced pursuant to an express demand for such
26 material, consent is given by the person from whom the discovery was
27 obtained. Nothing in this Subparagraph is intended to prevent

1 disclosure to *I Liheslaturan Guåhan*, including any committee or
2 subcommittee of *I Liheslaturan Guåhan*, or to any other agency of the
3 government of Guam for use by such agency in furtherance of its
4 statutory responsibilities.

5 (4) While in the possession of the custodian and under such
6 reasonable terms and conditions as the Attorney General *shall*
7 prescribe:

8 (A) documentary material and answers to
9 interrogatories *shall* be available for examination by the person
10 who produced such material or answers, or by a representative of
11 that person authorized by that person to examine such material
12 and answers; and

13 (B) transcripts of oral testimony *shall* be available for
14 examination by the person who produced such testimony, or by
15 a representative of that person authorized by that person to
16 examine such transcripts.

17 (c) Use of Material, Answers, or Transcripts in Other Proceedings.
18 Whenever any attorney of the Office of the Attorney General has been
19 designated to appear before any court, grand jury, or agency in any case or
20 proceeding, the custodian of any documentary material, answers to
21 interrogatories, or transcripts of oral testimony received under this Section
22 may deliver to such attorney such material, answers, or transcripts for official
23 use in connection with any such case or proceeding as such attorney
24 determines to be required. Upon the completion of any such case or
25 proceeding, such attorney *shall* return to the custodian any such material,
26 answers, or transcripts so delivered which have not passed into the control of

1 such court, grand jury, or agency through introduction into the record of such
2 case or proceeding.

3 (d) Conditions for Return of Material. If any documentary material
4 has been produced by any person in the course of any false claims law
5 investigation pursuant to a civil investigative demand under this Section, and

6 (1) any case or proceeding before the court or grand jury
7 arising out of such investigation, or any proceeding before any federal
8 agency involving such material, has been completed, or

9 (2) no case or proceeding in which such material may be used
10 has been commenced within a reasonable time after completion of the
11 examination and analysis of all documentary material and other
12 information assembled in the course of such investigation,

13 the custodian shall, upon written request of the person who
14 produced such material, return to such person any such material (other
15 than copies furnished to the false claims law investigator under §
16 37408(b) or made for the Office of the Attorney General under
17 Subsection (b)(2) which has not passed into the control of any court,
18 grand jury, or agency through introduction into the record of such case
19 or proceeding.

20 (e) Appointment of Successor Custodians. In the event of the death,
21 disability, or separation from service in the Office of the Attorney General of
22 the custodian of any documentary material, answers to interrogatories, or
23 transcripts of oral testimony produced pursuant to a civil investigative demand
24 under this Section, or in the event of the official relief of such custodian from
25 responsibility for the custody and control of such material, answers, or
26 transcripts, the Attorney General shall promptly:

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1 (1) designate another false claims law investigator to serve as
2 custodian of such material, answers, or transcripts; and

3 (2) transmit in writing to the person who produced such
4 material, answers, or testimony notice of the identity and address of the
5 successor so designated.

6 Any person who is designated to be a successor under this Paragraph shall
7 have, with regard to such material, answers, or transcripts, the same duties and
8 responsibilities as were imposed by this Section upon that person's
9 predecessor in office, except that the successor shall not be held responsible
10 for any default or dereliction which occurred before that designation.

11 **§ 37410. Judicial Proceedings.**

12 (a) Petition for Enforcement. Whenever any person fails to comply
13 with any civil investigative demand issued under § 37401, or whenever
14 satisfactory copying or reproduction of any material requested in such demand
15 cannot be done and such person refuses to surrender such material, the
16 Attorney General may file, in the Unified Judiciary of Guam, and serve upon
17 such person a petition for an order of such court for the enforcement of the
18 civil investigative demand.

19 (b) Petition to Modify or Set Aside Demand.

20 (1) Any person who has received a civil investigative demand
21 issued under § 37401 may file, in the Unified Judiciary of Guam, ~~is~~
22 found, or transacts business, ~~out?~~, and serve upon the false claims law
23 investigator identified in such demand a petition for an order of the
24 court to modify or set aside such demand. In the case of a petition
25 addressed to an express demand for any product of discovery, a petition
26 to modify or set aside such demand may be brought only in the Unified
27 Judiciary of Guam. Any petition under this item must be filed:

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1 (A) within twenty (20) days after the date of service of
2 the civil investigative demand, or at any time before the return
3 date specified in the demand, whichever date is earlier; or

4 (B) within such longer period as may be prescribed in
5 writing by any false claims law investigator identified in the
6 demand.

7 (2) The petition shall specify each ground upon which the
8 petitioner relies in seeking relief under Item (1), and may be based upon
9 any failure of the demand to comply with the provisions of this Section
10 or upon any constitutional or other legal right or privilege of such
11 person. During the pendency of the petition in the court, the court may
12 stay, as it deems proper, the running of the time allowed for compliance
13 with the demand, in whole or in part, except that the person filing the
14 petition shall comply with any portions of the demand not sought to be
15 modified or set aside.

16 (c) Petition to Modify or Set Aside Demand for Product of
17 Discovery.

18 (1) In the case of any civil investigative demand issued under
19 § 37401, which is an express demand for any product of discovery, the
20 person from whom such discovery was obtained may file, in the Unified
21 Judiciary of Guam, and serve upon any false claims law investigator
22 identified in the demand and upon the recipient of the demand, a
23 petition for an order of such court to modify or set aside those portions
24 of the demand requiring production of any such product of discovery.
25 Any petition under this Subparagraph must be filed:

1 (A) within twenty (20) days after the date of service of
2 the civil investigative demand, or at any time before the return
3 date specified in the demand, whichever date is earlier; or

4 (B) within such longer period as may be prescribed in
5 writing by any false claims law investigator identified in the
6 demand.

7 (2) The petition shall specify each ground upon which the
8 petitioner relies in seeking relief under Item (1), and may be based upon
9 any failure of the portions of the demand from which relief is sought to
10 comply with the provisions of this Section, or upon any constitutional
11 or other legal right or privilege of the petitioner. During the pendency
12 of the petition, the court may stay, as it deems proper, compliance with
13 the demand and the running of the time allowed for compliance with
14 the demand.

15 (d) Petition to Require Performance by Custodian of Duties. At any
16 time during which any custodian is in custody or control of any documentary
17 material or answers to interrogatories produced, or transcripts of oral
18 testimony given, by any person in compliance with any civil investigative
19 demand issued under § 37401, such person, and in the case of an express
20 demand for any product of discovery, the person from whom such discovery
21 was obtained, may file, in the Unified Judiciary of Guam, and serve upon such
22 custodian, a petition for an order of such court to require the performance by
23 the custodian of any duty imposed upon the custodian by this Section.

24 (e) Jurisdiction. Whenever any petition is filed in the Unified
25 Judiciary of Guam under this Section, such court shall have jurisdiction to
26 hear and determine the matter so presented, and to enter such order or orders
27 as may be required to carry out the provisions of this Section. Any final order

1 so entered shall be subject to appeal to the Supreme Court of Guam. Any
2 disobedience of any final order entered under this Section by any court shall
3 be punished as a contempt of the court.

4 (f) Applicability of Federal Rules of Civil Procedure. The Guam
5 Rules of Civil Procedure shall apply to any petition under this Subsection, to
6 the extent that such rules are not inconsistent with the provisions of this
7 Section.

8 **§ 37411. Disclosure Exemption.**

9 Any documentary material, answers to written interrogatories, or oral
10 testimony provided under any civil investigative demand issued under §
11 37401 shall be exempt from disclosure under Chapter 10 of Title 5, Guam
12 Code Annotated.

13 **§ 37412. Definitions.**

14 For purposes of this Article:

15 (a) the term ‘false claims law’ means this Chapter;

16 (b) the term ‘false claims law investigation’ means any inquiry
17 conducted by any false claims law investigator for the purpose of ascertaining
18 whether any person is or has been engaged in any violation of the false claims
19 law;

20 (c) the term ‘false claims law investigator’ means any attorney or
21 investigator employed by the Office of the Attorney General who is charged
22 with the duty of enforcing or carrying into effect any false claims law, or any
23 officer or employee of the government of Guam acting under the direction and
24 supervision of such attorney or investigator in connection with a false claims
25 law investigation;

1 (d) the term 'person' means any natural person, partnership,
2 corporation, association, or other legal entity, including any state or political
3 subdivision of a state;

4 (e) the term 'documentary material' includes the original or any
5 copy of any book, record, report, memorandum, paper, communication,
6 tabulation, chart, or other document, or data compilations stored in or
7 accessible through computer or other information retrieval systems, together
8 with instructions and all other materials necessary to use or interpret such data
9 compilations, and any product of discovery;

10 (f) the term 'custodian' means the custodian, or any deputy
11 custodian, designated by the Attorney General under § 37409(a);

12 (g) the term 'product of discovery' includes:

13 (1) the original or duplicate of any deposition, interrogatory,
14 document, thing, result of the inspection of land or other property,
15 examination, or admission, which is obtained by any method of
16 discovery in any judicial or administrative proceeding of an adversarial
17 nature;

18 (2) any digest, analysis, selection, compilation, or derivation
19 of any item listed in Item (1); and

20 (3) any index or other manner of access to any item listed in
21 Item (1); and

22 (h) the term 'official use' means any use that is consistent with the
23 law, and the regulations and policies of the Office of the Attorney General,
24 including use in connection with internal Office of the Attorney General
25 memoranda and reports; communications between the Office of the Attorney
26 General and a government of Guam agency, or a contractor of a government
27 of Guam agency, undertaken in furtherance of an Office of the Attorney

1 General investigation or prosecution of a case; interviews of any qui tam
2 relator or other witness; oral examinations; depositions; preparation for and
3 response to civil discovery requests; introduction into the record of a case or
4 proceeding; applications, motions, memoranda and briefs submitted to a court
5 or other tribunal; and communications with government investigators,
6 auditors, consultants and experts, the counsel of other parties, arbitrators and
7 mediators, concerning an investigation, case or proceeding.”

8 Section 27. § 50104 of Title 11, Guam Code Annotated, is hereby amended
9 to read:

10 “§ 50104. Revenues Reserved for Income Tax Refunds, Earned Income
11 Tax Credits and Child Tax Credits.

12 In accordance with the formula provided for in § 50103 of this Chapter,
13 the Director of Administration shall, as a ministerial duty, set aside all money
14 reserved for income tax refunds, and shall set aside earned income tax credits
15 and child tax credits from income tax receipts.”

16 Section 28. General Fund Tax Amnesty Program Proceeds.

17 Notwithstanding any other provision of law, rule, or regulation, the sum of
18 Four Million Dollars (\$4,000,000) of the General Fund Tax Amnesty Program
19 proceeds received in Fiscal Year 2018 shall be used by the Department of Public
20 Health and Social Services as local matching requirements for the Medicaid Program
21 Fiscal Year 2018 shortfall.

22 Section 29. The unexpended balance of the Fiscal Year 2018 appropriation
23 to the Guam Historic Resources Division of the Department of Parks and Recreation
24 from the Guam Visitors Bureau Cultural and Sports Ambassadors Fund shall not
25 lapse and shall continue to be available until fully expended.

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1 **Section 30.** All appropriation provisions in this Chapter, relative to General
2 Fund Tax Amnesty Program proceeds received in Fiscal Year 2018, *shall* be
3 effective upon enactment of this Act.

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CHAPTER XIII

ADMINISTRATIVE PROVISIONS

PART I – SPENDING CONTROLS ADMINISTRATIVE PROVISIONS

Section 1. Hiring Prohibited. Notwithstanding any other provision of law, rule or regulation, a prohibition on hiring *shall* take effect September 1, 2018 and *shall* remain in effect through December 31, 2018; and *shall* be applicable to all positions in the Executive, Legislative, and Judicial branches, to include all government of Guam departments and agencies, public corporations, bureaus, instrumentalities, entities, and sub-entities, *except* as provided for in this Section.

Beginning on September 1, 2018 through December 31, 2018, the Guam Fire Department, the Guam Police Department, the Department of Corrections, the Office of the Attorney General, the Office of Public Accountability, the Public Defender Service Corporation, the Customs and Quarantine Agency, the Department of Public Health and Social Services, the Guam Behavioral Health and Wellness Center, and the Department of Revenue and Taxation may fill positions vacated due *only* to retirement, termination, resignation, or death at or below the grade-step level of the vacated position. The Guam Department of Education is ~~are~~ authorized to hire teachers, the University of Guam is authorized to hire academic personnel, the Guam Community College is authorized to hire academic personnel, the Department of Public Works is authorized to hire Bus Drivers to fill vacant Bus Driver positions, the Customs and Quarantine Agency is authorized to hire Customs Officer I positions, and the Guam Election Commission is authorized to hire temporary positions, if funded, specifically related to the General Election held in November 2018. The Mayors Council of Guam (MCOG) is authorized to renew limited term employment of personnel required to operate the Adult Day Care and in-home and case management services as a result of the non-responsiveness of third parties to a recent RFP for Adult Day Care operations. In addition, Senior Center Operations

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1 personnel may be renewed to reflect the new grant year and job order pursuant to
2 the agreement between the Division of Senior Citizens, DPHSS, and the MCOG.

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3 **Section 2. Government-Funded Travel Prohibited.** Funds appropriated
4 by this Act shall not be expended for off-island travel or per diem expenses by
5 government employees and officials, except for:

6 (a) travel that is federally-funded;

7 (b) travel that is specifically required to administer or secure federal
8 grants;

9 (c) travel to promote tourism on Guam; provided, that such travel is
10 paid for by the Tourist Attraction Fund and is restricted to the GVB General
11 Manager or his designee, and appropriate GVB staff and cultural performers
12 as are identified by the Board of Directors as necessary to accomplish the goal
13 of the travel;

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14 (d) travel by law enforcement personnel conducting an official
15 investigation and law enforcement personnel providing escort services for
16 criminal suspects, detainees, and convicted felons being returned to Guam for
17 judicial proceedings or being transferred to off-island correctional facilities;

18 (e) travel by medical personnel providing escort services for patients
19 requiring off-island medical treatment and other escorts as specifically
20 authorized by the Department of Public Health and Social Services pursuant
21 to Guam law;

22 (f) travel necessary for the enforcement of court orders;

23 (g) travel under the Residential Treatment Fund; or

24 (h) travel required for witnesses testifying on behalf of, and
25 government attorneys representing the government or the people of Guam in
26 a criminal or civil case.

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1 **Section 3. Salary Increments Freeze.** Notwithstanding any other
2 provision of law, rule or regulation, there shall be a freeze on all salary increments,
3 promotions, reclassifications, merit bonuses, and any other upward pay adjustment,
4 which shall take effect October 1, 2018 and shall remain in effect through September
5 30, 2019; and shall be applicable to all positions in the Executive, Legislative, and
6 Judicial branches, to include all government of Guam departments and agencies,
7 public corporation, bureaus, instrumentalities, entities, and sub-entities. Upon the
8 lifting of such salary increments and merit bonus freeze, the payment of increments
9 or merit bonuses shall not be retroactively applied and shall only be prospectively
10 paid.

11 **Section 4. Funding of Unclassified Deputy Director and Similar Positions**
12 **Prohibited.** Notwithstanding any other provision of law, rule, regulation, pay scale,
13 or otherwise, beginning on October 1, 2018, Executive Branch departments and
14 agencies receiving appropriations in Part IV of Chapter II, Parts II, III and IV of
15 Chapter III, Chapter V, and Chapter X of this Act shall not be authorized to expend
16 any government funds for the purposes of employing unclassified positions with the
17 titles of Deputy Director, Deputy Administrator, Deputy General Manager, Assistant
18 General Manager, Deputy Executive Manager, Vice President, and Deputy Executive
19 Director.

20 **Section 5. Wireless Communications Restrictions.**

21 (a) No government of Guam funds, regardless of source and including
22 funds expended by autonomous agencies, shall be expended for the use of cellular
23 telephones, cellular telephone services, and other wireless telephone services, unless
24 the government of Guam will be reimbursed from federal funds or other grants. This
25 Section shall not apply to I Maga'låhen Guåhan; I Segundu na Maga'låhen Guåhan;
26 the Speaker of I Liheslaturan Guåhan; the Chief Justice of the Supreme Court of
27 Guam; the Presiding Judge of the Superior Court of Guam; official use of the Crisis

1 Hotline Program of the Guam Behavioral Health and Wellness Center; law
2 enforcement officials; on-call attorneys of the Office of the Attorney General and
3 the Office of the Public Defender Service Corporation; on-call health professionals
4 of the Guam Memorial Hospital Authority, the Guam Behavioral Health and
5 Wellness Center, and the Department of Public Health and Social Services; village
6 Mayors and Vice Mayors; Guam Fire Department and EMS officials; on-call
7 emergency management personnel; the Chief Medical Examiner; and the Guam
8 Election Commission. The restrictions in this Section shall not apply to wireless
9 internet services, stationary (non-mobile) wireless telephone, and wireless voice
10 over internet protocol (VOiP) services.

11 (b) No appointing authority, manager, supervisor, or public officer in any
12 branch of the government of Guam shall require or exert undue influence on any
13 classified or unclassified employee of any branch of the government of Guam to
14 maintain or utilize for employment-related duties, at such employee's personal
15 expense, any form of wireless and/or internet communications, phone, tablet, or
16 desktop or laptop computer. Nothing herein, however, shall be construed to prevent
17 an employer from calling an employee at a wireless phone/radio if the employee
18 designates such wireless phone/radio as a personal contact number. Nothing herein
19 shall be construed as to prevent an employee, voluntarily and on his own accord,
20 from using personal funds or resources for wireless telephone services. An employee
21 in violation of this Subsection (b) is subject to a fine not to exceed Fifty Dollars
22 (\$50.00) for the first violation, and One Hundred Dollars (\$100.00) for subsequent
23 violations.

24 **Section 6. Certification Pay Differential Suspended.** Notwithstanding
25 any other provision of law, rule, or regulation, the Certification Pay Differential
26 authorized pursuant to § 6235, Article 2, Chapter 6, Title 4 GCA shall be suspended,
27 and shall take effect October 1, 2018 and shall remain in effect through September

1 30, 2019. Upon the lifting of certification pay differential suspension, the payment
2 of certification pay differential shall not be retroactively applied and shall only be
3 prospectively paid.

4 **Section 7. Executive Branch Limitation on Expenditures.** Except for
5 Section 1(a), (g), and (h) of Chapter V, ~~and~~ notwithstanding the appropriations in
6 Chapters II, III, V, VII, ~~VIII~~, IX, and X of this Act, only twenty-five percent (25%)
7 of such appropriations shall be expended during the first quarter of Fiscal Year 2019,
8 with the exception of appropriations under Object Category 230 for continuing
9 contractual obligations.

10 **Section 8. Suspension of Renewals or Extensions of Qualifying**
11 **Certificates.** Notwithstanding any other provision of law, rule, or regulation, there
12 shall be a suspension of all renewals and/or extensions of Qualifying Certificates.
13 The Guam Economic Development Authority shall not issue, approve, or grant any
14 renewals or extensions of any Qualifying Certificates. Nothing herein shall affect
15 the consideration of new first-time applications for a Qualifying Certificate that are
16 duly submitted pursuant to applicable Guam laws and regulations. Notwithstanding
17 any other provision of law, rule, or regulation, any new first-time applications for
18 Qualifying Certificates shall first be approved by I Liheslaturan Guåhan prior to the
19 approval by I Maga'låhen Guåhan.

20 **Section 9. Restriction on the Home Use of Government of Guam**
21 **Vehicles.** Except as expressly permitted by § 1103(c), Chapter 1, Title 4 GCA, or
22 any other law, no government of Guam owned, leased, or rented vehicles may be
23 driven home by an employee unless such employee is on call as an emergency first
24 responder.

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CHAPTER XIII

ADMINISTRATIVE PROVISIONS

PART II – GENERAL ADMINISTRATIVE PROVISIONS

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4 **Section 1. Authorization for Matching Requirements for Federal**
5 **Grants-In-Aid.** Notwithstanding any other provision of law, all departments are
6 authorized to expend funds appropriated in this Act for matching requirements of
7 federal grants for Fiscal Year 2019. *I Maga'låhen Guåhan* is authorized to transfer
8 from any appropriations from Section 1(a)(1) of Chapter V of this Act *not* restricted
9 from transfer authority to the Guam Homeland Security for matching funds for
10 federal grants.

11 **Section 2. Carryover of Local and Federal Matching Program Funds**
12 **for Grants.** The local and federal matching funds for programs with which
13 expiration dates extend beyond September 30, 2019 *shall not* lapse and may be
14 expended throughout the period of the grant award.

15 **Section 3. Government of Guam Retirement Fund Rate of**
16 **Contribution.** In accordance with § 8137(e), Article 1, Chapter 8, Title 4 GCA, the
17 government rate of contribution to the Government of Guam Retirement Fund *shall*
18 be twenty-six and fifty-six hundredths percent (26.56%).

19 **Section 4. Autonomous Agency Revenues and Expenditures Reported**
20 **to I Maga'låhen Guåhan and I Liheslaturan Guåhan.** Notwithstanding any other
21 provision of law, every autonomous and semi-autonomous agency or public
22 corporation of the government of Guam *shall* report all revenues and expenditures
23 for all funds under its purview and administration to *I Maga'låhen Guåhan* and the
24 Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel electronic file and a written
25 report on a monthly basis and post the same on its website. Each monthly report
26 *shall* be due *no later than* thirty (30) days after the end of each month.

1 **Section 5. Facilities Insurance Requirements.** Every department and
2 agency of the government of Guam through the Department of Administration shall
3 only expend such sums as necessary from the department's or agency's
4 appropriations for operations contained in this Act for insurance of government-
5 owned facilities built or repaired with FEMA grant funds where such insurance is
6 required by FEMA.

7 **Section 6. Reporting Requirements for Non-Profit Organizations.** All
8 non-profit organizations that receive funds pursuant to this Act shall maintain
9 financial records that accurately account for said funds and shall provide a budgetary
10 breakdown by object category to the department or agency that oversees the
11 appropriation. The non-profit organization shall be provided a copy of this Section
12 by the department or agency overseeing such appropriation, but this duty shall not
13 prevent any non-profit organization from carrying out its responsibilities under this
14 Section. The non-profit organization shall also provide to said department:

15 (a) a quarterly report describing its activities during the reporting
16 period and the results it achieved no later than twenty (20) days after the end
17 of each quarter;

18 (b) notification of all procurement of equipment and services of
19 Twenty-five Thousand Dollars (\$25,000) or more prior to awarding the
20 contract therefore;

21 (c) access to the overseeing department's or agency's duly
22 authorized representative and government of Guam auditors to appropriate
23 records for the purpose of audit and examination of books, documents, papers,
24 and records of funds expended under the appropriation;

25 (d) submission of a detailed inventory listing of each year's
26 purchases, as certified by its certifying officer; and

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1 (e) a final report to the overseeing department or agency for
2 submission to *I Liheslaturan Guðhan* containing a full disclosure of all
3 expenditures of funds appropriated by this Act *no later than* November 15,
4 2019, and the overseeing department or agency *shall* post the same on its
5 website.

6 Non-compliance with these reporting requirements will subject the
7 non-profit organization to a three percent (3%) reduction of its
8 appropriation(s) and the overseeing agency’s contract with the organization
9 *shall* so provide.

10 **Section 7. Fund Reversions.** Unless otherwise specified in this Act:

11 (a) General Fund Reversion. All unexpended or unencumbered
12 appropriations made from the General Fund by a GG1, purchase order, or contract
13 pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year
14 2019.

15 (b) Tourist Attraction Fund Reversion. All unexpended or unencumbered
16 appropriations made from the Tourist Attraction Fund by a GG1, purchase order, or
17 contract pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last
18 day of Fiscal Year 2019.

19 (c) Healthy Futures Fund Reversion. All unexpended or unencumbered
20 appropriations made from the Healthy Futures Fund by a GG1, purchase order, or
21 contract pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day
22 of Fiscal Year 2019.

23 (d) Territorial Educational Facilities Fund Reversion. All unexpended or
24 unencumbered appropriations made from the Territorial Educational Facilities Fund
25 by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the
26 Territorial Educational Facilities Fund on the last day of Fiscal Year 2019.

1 (e) Guam Highway Fund Reversion. All unexpended or unencumbered
2 appropriations made from the Guam Highway Fund by a GG1, purchase order, or
3 contract pursuant to this Act shall revert to the Guam Highway Fund on the last day
4 of Fiscal Year 2019.

5 **Section 8. General Fund Transfer Authority of *I Maga'låhen Guåhan*.**

6 Unless otherwise restricted or specifically allowed by this Act for Fiscal Year 2019,
7 *I Maga'låhen Guåhan* is authorized to transfer up to fifteen percent (15%) between
8 Fiscal Year 2019 General Fund Executive Branch appropriations as directed in this
9 Section. No transfer shall be authorized *unless* the Appropriations Allocation Report
10 required in Section 13 of this Chapter is submitted pursuant to that Section. Any
11 transfer between object categories and object groups or agencies after the submission
12 of the Appropriation Allocation Report in Section 13 of this Chapter shall be
13 required to be reported to the Speaker of *I Liheslaturan Guåhan* and the Office of
14 Finance and Budget five (5) working days after the transfer is made. Failure to
15 submit any reports by the required deadline in this Section shall result in a Two
16 Hundred Fifty Dollar (\$250.00) fine per missed deadline for the Director of the
17 Bureau of Budget and Management Research, which shall be deposited in the GDOE
18 Interscholastic Sports Fund. For the purposes of this Section, object groups are
19 defined as follows: Personnel Object Categories: 111 – 113; Operations Object
20 Categories: 220 – 290; Utilities Object Categories: 361 – 363; and Capital Outlay:
21 450.

22 Notwithstanding any other provision of law, no funds shall be transferred out
23 of the Guam Department of Education Operations Fund or the Fiscal Year 2019
24 General and Special Fund appropriations made to the Guam Department of
25 Education, the Unified Judiciary, *I Liheslaturan Guåhan*, the Office of Finance and
26 Budget, the Mayors Council of Guam, the Public Defender Service Corporation, the

1 Guam Ancestral Lands Commission, the *Chamorro* Land Trust Commission, the
2 Office of the Attorney General, and the Office of Public Accountability.

3 **Section 9. E-mail Addresses Paid for with Government of Guam Funds.**

4 The Office of *I Maga'låhen Guåhan* shall create a list of all e-mail addresses paid
5 for by any funds appropriated by this Act, and shall post said list on the respective
6 agency's or branch's website and the Office of *I Maga'låhen Guåhan*'s website.

7 **Section 10. Uniform Allowances.** Uniform allowances authorized in this
8 Act shall not be less than One Hundred Fifty Dollars (\$150.00) for the fiscal year
9 and shall be issued to the employees *no later than* the end of the first quarter of
10 Fiscal Year 2019.

11 **Section 11. Government Staffing Pattern.**

12 (a) Staffing Pattern. *No later than* thirty (30) days after the end of each
13 quarter of Fiscal Year 2019, every director, administrator, or head of a government
14 of Guam agency, excluding line agencies, shall submit to the Speaker of *I*
15 *Liheslaturan Guåhan* in a Microsoft Excel file and written report and post the same
16 on the agency website, a current staffing pattern in the format of the Executive
17 Branch Fiscal Year 2019 Budget Call as of the previous quarter's ending. The
18 agencies required to submit are all autonomous and semi-autonomous agencies,
19 public corporations, the Mayors Council of Guam, and the Unified Judiciary. Said
20 staffing pattern shall include, at a minimum, the name of every current employee
21 and his position title, most recent hire date, salary, increment costs and benefit costs,
22 the funding source for his/her salary and benefits, and the gross salary and benefits
23 paid for during the quarter.

24 (b) *No later than* thirty (30) days after the end of each quarter of Fiscal
25 Year 2019, the Director of the Department of Administration shall post the
26 government-wide line agency staffing pattern on the designated budget website in a
27 Microsoft Excel file and written report. The format of the report shall be the current

1 staffing pattern in the format of the Executive Branch Fiscal Year 2019 Budget Call
2 as of the previous quarter's ending. Said staffing pattern shall include, at a minimum,
3 the name of every current employee and his position title, most recent hire date,
4 salary, increment costs and benefit costs, the funding source for his/her salary and
5 benefits, and the gross salary and benefits paid for during the quarter.

6 **Section 12. Funding Source.** The following departments are authorized to
7 expend up to the level of revenues collected for their respective special revenue
8 funds for Fiscal Year 2019 and unexpended carryovers in revolving funds authorized
9 by law only for the purposes authorized by statute for those funds:

10 (a) Guam Police Department – Police Services Fund; and Police
11 Patrol Vehicle and Equipment Revolving Fund;

12 (b) Department of Corrections – Corrections Inmate Revolving
13 Fund;

14 (c) Customs and Quarantine Agency – Customs, Agriculture and
15 Quarantine Inspection Services Fund;

16 (d) Guam Environmental Protection Agency – Guam Environmental
17 Protection Agency Funds; Recycling Revolving Fund; Air Pollution Control
18 Special Fund; Guam Environmental Trust Fund; Pesticide Management Fund;
19 Water Protection Fund; and Water, Research and Development Fund;

20 (e) Department of Land Management – Land Survey Revolving
21 Fund;

22 (f) Department of Agriculture – Guam Plant Inspection and Permit
23 Fund; Guam Invasive Species Inspection Fee Fund; and Rabies Prevention
24 Fund;

25 (g) Board of Registration for Professional Engineers, Architects and
26 Land Surveyors – Professional Engineers, Architects and Land Surveyors
27 (PEALS) Board Fund;

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1 (h) Guam Fire Department –Enhanced 911 Emergency Reporting
2 System Fund; and Fire, Life and Medical Emergency Fund;

3 (i) Guam Regional Transit Authority – Guam Regional Transit
4 Authority Fund;

5 (j) Guam Contractors License Board – Guam Contractors License
6 Board Fund Collections;

7 (k) Department of Revenue and Taxation – Tax Collection
8 Enhancement Fund; Banking and Insurance Enforcement Fund; and
9 Alcoholic Beverage Compliance Fees and Fines Fund;

10 (l) Department of Public Health and Social Services – Guam
11 Environmental Health Fund; Health Professional Licensing Office Revolving
12 Fund; Office of Vital Statistics Revolving Fund; and Sanitary Inspection
13 Revolving Fund;

14 (m) Department of Parks and Recreation – Public Recreation
15 Services Fund;

16 (n) Guam Department of Education – Public Library Resources
17 Fund;

18 (o) Department of Labor and the Guam Community College –
19 Manpower Development Fund; and

20 (p) Office of the Attorney General – Victim/Witness Travel-
21 Housing Fund; Consumer Protection Fund; Criminal Injuries Compensation
22 Fund; and Notary Fund.

23 **Section 13. Appropriation Allocation Report.** The Director of the Bureau
24 of Budget and Management Research *shall* submit a written Appropriation
25 Allocation Report and a Microsoft Excel electronic file for all the departments and
26 agencies in Part IV of Chapter II, Parts II, III and IV of Chapter III, and Chapter V
27 of this Act, identifying the amount of the appropriations in Part IV of Chapter II.

1 Parts II, III and IV of Chapter III, and Chapter V of this Act, by AS400 account
2 number, by appropriation type, by appropriation year, by fund code, by agency code,
3 by division code, by program code, by object category, and by amount *no later than*
4 October 15, 2018, to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance
5 and Budget. Failure to submit any reports by the required deadline in this Section
6 *shall* result in a Two Hundred Fifty Dollar (\$250.00) fine per missed deadline for
7 the Director of the Bureau of Budget and Management Research, which *shall* be
8 deposited in the GDOE Interscholastic Sports Fund.

9 **Section 14. Government of Guam Health Insurance Program Reporting.**

10 (a) All health insurance carriers for the government of Guam *shall* submit
11 a monthly written report and corresponding Microsoft Excel file of said report to the
12 Department of Administration and the Office of Finance and Budget aggregating
13 the:

14 (1) Enrollees, both subscribers and dependents, by active employee
15 and retiree subscriber counts, by plan, by class, by groups, supported/paid by
16 the General Fund, detailed by agency/department; and enrollees, both
17 subscribers and dependents, by active employee and retiree subscriber counts,
18 by plan, by class, by groups, supported/paid by autonomous agencies of the
19 government of Guam, detailed by autonomous agency.

20 (2) Autonomous agencies within this Subsection *shall* include the
21 Guam Power Authority, the Guam Waterworks Authority, the Jose D. Leon
22 Guerrero Commercial Port, the A.B. Won Pat International Airport Authority,
23 the Guam Housing Corporation, the Guam Economic Development
24 Authority, the Government of Guam Retirement Fund, and the Guam Visitors
25 Bureau.

1 (3) This report and corresponding Microsoft Excel file shall be filed
2 with I Maga'låhen Guåhan and the Speaker of I Liheslaturan Guåhan no later
3 than twenty (20) days after the end of each month of Fiscal Year 2019.

4 (b) All health insurance carriers for the government of Guam shall file a
5 monthly written report detailing each individual health insurance premium payment
6 received by the government of Guam health insurance carrier from the government
7 of Guam, by date and by agency, to the Speaker of I Liheslaturan Guåhan no later
8 than twenty (20) days after the end of each month of Fiscal Year 2019.

9 **Section 15. Appropriations Reserve Report.** The Director of the Bureau of
10 Budget and Management Research shall submit a quarterly report within thirty (30)
11 days after each quarter to the Speaker of I Liheslaturan Guåhan in a Microsoft Excel
12 file and written report of the reserves held on any appropriations in this Act, detailed
13 by amount, by AS400 account number.

14 **Section 16. Quarterly Reports of Medical Referral Offices.** Each of the
15 Medical Referral Offices funded by this Act shall provide quarterly reports on its
16 activities and expenditures, to include, but not be limited to:

- 17 (a) number of referred patients served;
- 18 (b) number of patient escorts or accompanying family members served;
- 19 (c) average cost per patient referral incurred during that quarter;
- 20 (d) actual office expenditures for the quarter, including fuel costs; and
- 21 (e) a description of services provided during the quarter.

22 The quarterly reports required by this Section shall be submitted to I
23 Maga'låhen Guåhan and the Speaker of I Liheslaturan Guåhan thirty (30) days after
24 the end of each quarter of the fiscal year and shall be posted on the Offices' websites.

25 **Section 17. Audited Financial Statements Supplementary Information.**
26 The Public Auditor and the Director of Administration shall ensure that the Fiscal

1 Year 2018 audit of the government of Guam financial statements contains the
2 following supplementary information:

3 (a) a schedule of personnel count indicating the number of filled positions
4 by department, fund source, and amount expended as of September 30, 2018; and

5 (b) a combined schedule of expenditures, encumbrances, and continuing
6 appropriations by department, fund source, and object classification as of September
7 30, 2018.

8 **Section 18. Reporting Requirements for Travel.** All off-island
9 government travel that is publicly funded during Fiscal Year 2019 shall be reported
10 quarterly to the Speaker of I Liheslaturan Guåhan. This Section shall apply to all
11 governmental entities and shall include the traveler, ~~and~~ the source of funds, the
12 purpose of the travel, and the cost of the travel.

13 **Section 19. Guam Police Department (GPD) and Department of**
14 **Corrections (DOC) Overtime Reporting Requirements.** The GPD and DOC shall
15 submit a written report to the Speaker of I Liheslaturan Guåhan no later than twenty
16 (20) days after the end of each quarter in Fiscal Year 2019 which shall include the
17 amount of overtime owed to each employee at each respective agency, by fiscal year
18 in which such overtime was incurred, by division, by employee name, for the
19 previous quarter. Failure to submit said report no later than twenty (20) days after
20 the end of each quarter in Fiscal Year 2019 shall result in a fine of Two Hundred
21 Fifty Dollars (\$250.00) per missed deadline for either the Chief of Police or the
22 Director of the Department of Corrections, which shall be deposited in the GDOE
23 Interscholastic Sports Fund.

24 **Section 20. Severability.** If any provision of this Act or its application to any
25 person or circumstance is found to be invalid or contrary to law, such invalidity shall
26 not affect other provisions or applications of this Act that can be given effect without

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- 1 the invalid provision or application, and to this end the provisions of this Act are
- 2 severable.