FILE COPY

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

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

This is to certify that **Bill No. 385 (LS), "AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF THE ATTORNEY GENERAL FOR PURPOSES OF INITIATING ALL APPROPRIATE LEGAL ACTIONS NECESSARY FOR THE RECOVERY OF COMPACT IMPACT REIMBURSEMENTS FROM THE FEDERAL GOVERNMENT; AND TO *ADD* A NEW SUBSECTION (f) TO §1512.2 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE AUTHORIZATION TO ENTER INTO A LOAN FOR THE LANDFILL COSTS,"** was on the 30th day of December, 2008, duly and regularly passed.

Judith T. Won Pat, Ed. D.
Speaker

Attested:

Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 30th day of DEC, 2008, at 7:20 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 385 (LS)
As amended on the Floor.

Introduced by: Frank F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
Ray Tenorio
Judith T. Won Pat, Ed.D
Dr. David L.G. Shimizu
v. c. pangelinan
Tina Rose Muña Barnes
Judith P. Guthertz, DPA
R. J. Respicio
B. J.F. Cruz
A. B. Palacios, Sr.

AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF THE ATTORNEY GENERAL FOR PURPOSES OF INITIATING ALL APPROPRIATE LEGAL ACTIONS NECESSARY FOR THE RECOVERY OF COMPACT IMPACT REIMBURSEMENTS FROM THE FEDERAL GOVERNMENT; AND TO *ADD* A NEW SUBSECTION (f) TO §1512.2 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE AUTHORIZATION TO ENTER INTO A LOAN FOR THE LANDFILL COSTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that under the Compacts of Free Association between the Freely Associated

States (FAS) of Micronesia and the U.S. Government, costs incurred by local governments for health care, education and other costs incurred by FAS citizens are calculated by local governments and reimbursed by the U.S. Government. *I Liheslaturan Guåhan* further finds that despite numerous administrative attempts to recoup such amounts Guam continues to be owed in *excess* of Four Hundred Million Dollars ($400,000,000) in reimbursement costs attributed to the presence of FAS citizens utilizing public services. Therefore, it is the intent of *I Liheslaturan Guahan* to pursue any and all legal actions necessary to compel reimbursements owed to the government of Guam for costs incurred relative to the Compacts of Free Association.

Section 2. Appropriation to the Office of the Attorney General of Guam. The sum of Two Hundred Thousand Dollars ($200,000) is appropriated from the FY 2009 Guam Highway Fund revenues to the Office of the Attorney General of Guam for the specific use of initiating any and all necessary legal actions necessary for the recovery of Compact Impact reimbursements due to the government of Guam from the U.S. Government. This appropriation *may* include the hiring of personnel, procurement of professional services and any other reasonable costs necessary to successfully pursue this mandate. For this particular purpose, the Office of the Attorney General of Guam is *exempted* from the restriction on the hiring of limited term appointments and unclassified employees. The funds appropriated herein shall be available for expenditure by the Office of the Attorney General of Guam until fully expended.

Section 3. Reporting Requirement. The Office of the Attorney General of Guam *shall* submit *monthly* status reports to *I Liheslaturan Guåhan* reporting all expenditures associated with this Act, as well as, detailing the progress made in achieving this Mandate.

Section 4. A new Subsection (f) is hereby *added* to §1512.2 of Title 5 of the Guam Code Annotated, to read as follows:

"(f) Notwithstanding any substantive *or* procedural provision of Chapter 6 of Title 5 of the Guam Code Annotated, the government of Guam hereby waives immunity from any suit *or* action in contract on the Loan, but *does not* waive sovereign immunity as to the personal liability of elected *or* appointed officials and employees of the government of Guam."