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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

November 13, 2013

The Honorable Edward J.B. Calvo
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
***Hagåtña,* Guam 96910**

OFFICE OF THE GOVERNOR
CENTRAL FILES
J. Dela Rosa
RECEIVED BY
TIME 11:28 a.m. DATE 11/15/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 35-32(COR), 74-32(LS), 75-32(LS), 91-32(COR), 94-32(COR), 98-32(LS), 99-32(LS), 108-32(COR), 112-32(COR), 116-32(COR), 133-32(COR), 134-32(COR), 140-32(COR), 141-32(COR), 143-32(COR), 145-32(LS), 150-32(COR), 153-32(COR), 154-32(COR), 156-32(COR), 157-32(COR), 158-32(COR), 160-32(COR), 161-32(COR), 162-32(LS), 165-32(COR), 170-32(LS), 176-32(COR), 189-32(COR), 193-32(COR), 194-32(COR), 195-32(COR), 196-32(COR), 200-32(COR), 205-32(COR), 210-32(COR), 211-32(COR) and 217-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on November 12, 2013.

Sincerely,

Tina Rose Muña Barnes
Legislative Secretary

Enclosures (38)

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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 157-32 (COR), "AN ACT TO ADD A NEW § 5404 TO ARTICLE 8, CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT THAT ARE THE PROPERTY OF THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM (PAG)",** was on the 12th day of November 2013, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 15th day of Nov., 2013, at 11:28 o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 157-32 (COR)
As substituted by the Author;
and amended on the Floor.

Introduced by: T. C. Ada
R. J. Respicio
B. J.F. Cruz
V. Anthony Ada
FRANK B. AGUON, JR.
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW § 5404 TO ARTICLE 8, CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT THAT ARE THE PROPERTY OF THE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM (PAG).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Port Authority of Guam procures supplies and equipment using revenues generated from rates and tariffs charged to its customers/ratepayers, and *not* from

the government of Guam General Fund. When these supplies and equipment become excess or surplus, the disposal thereof is conducted in accordance with Guam Procurement law and regulations. *I Liheslaturan Guåhan* further finds that an objective of the government of Guam supply management program is to obtain a fair return of value upon disposal of surplus or excess supplies and equipment.

I Liheslaturan Guåhan further finds that net proceeds from the disposal of surplus supplies and equipment are credited to the General Fund, in accordance with Guam Procurement law *unless* otherwise exempted. It is the intent of *I Liheslaturan Guåhan* to credit the net proceeds from the disposal of PAG surplus supplies and equipment back to PAG for the purpose of supplementing its operations and maintenance budget.

Section 2. A new §5404 is hereby *added* to Article 8, Chapter 5 of Title 5, Guam Code Annotated, to read as follows:

"**§ 5404. Disposal of Excess Supplies and Surplus Equipment by the Port Authority of Guam.** Notwithstanding the provisions of §5403 (Allocation of Proceeds from Sale or Disposal of Surplus Supplies), when the Port Authority of Guam engages in disposing of excess or surplus supplies and equipment that were purchased with funds generated from rates, tariffs, or other sources of the Port Authority of Guam and *not* from the General Fund, ninety percent (90%) of the total proceeds from the sale, lease or disposal *shall* revert to the Port Authority of Guam and the remaining ten percent (10%) of the total proceeds *shall* be deposited into the Guam Procurement Advisory Council Support Fund, and *shall* be administered in accordance with §5906 of this Chapter. The Port Authority of Guam *shall not* transfer, sell, trade-in, or otherwise dispose of supplies and equipment owned by the Port Authority of Guam without the authorization of the Port Authority's Board of Directors."

Section 3. Effective Date. This Act *shall* become effective upon enactment.

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