I Mina'Trentai Dos Na Liheslaturan Received

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
415-32 (LS)	Committee on Rules, Federal, Foreign, & Micronesian Affairs, Human & Natural Resources, and Election Reform by request of I Maga'låhen Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO APPROPRIATE THE SUM OF FOUR MILLION DOLLARS FOR THE PAYMENT OF LAW ENFORCEMENT OVERTIME.	10/21/14 10:48 a.m.					**Fiscal Note Request 10/22/14**
	DATE PASSED	**TITLE**	**TRANSMITTED**		**DUE DATE**	**DATE SIGNED BY I MAGA'LAHEN GUAHAN**	**PUBLIC LAW NO.**	**NOTES**
	10/24/2014	AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSESS.	10/27/14		11/7/2014			

FILE COPY

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

October 27, 2014

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

Dear *Maga'lahi* Calvo:

Transmitted herewith is Substitute Bill No. 415-32 (LS), which was passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on October 24, 2014.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (1)

OFFICE OF THE GOVERNOR
CENTRAL FILES
RECEIVED BY
TIME 11:00 a.m. DATE 10/27/14

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 415-32 (LS), "AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSES,"** was on the 24th day of October, 2014, 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 27th day of Oct.,
2014, at 10:00 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
2014 (SECOND) Regular Session

Bill No. 415-32 (LS)
As substituted by the Committee on Appropriations,
Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation,
and Land; and amended in the Committee of the Whole.

Introduced by: Committee on Rules, Federal, Foreign, & Micronesian Affairs, Human & Natural Resources, and Election Reform
by request of *I Maga'lahen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Transfer to the Supplemental Appropriations Revenue (SAR) Fund.

(a) The sum of One Million Seven Hundred Thousand Dollars (**$1,700,000**) from the surplus balance of the 2007 General Obligation Bonds Series A *shall* be transferred to the Supplemental Appropriations Revenue (SAR) Fund upon the enactment of this Act.

(b) The sum of Four Million Dollars (**$4,000,000**) from the unappropriated, unallocated fund balance of the Tourist Attraction Fund (TAF) *shall* be transferred to the SAR Fund upon the enactment of this Act. The transfer in this Subsection (b) *shall* be considered an inter-fund borrowing and/or loan from the TAF to the SAR Fund and, notwithstanding the provisions in Chapters XIV and XV of Public Law 32-181, the amount of funds transferred from the TAF to the SAR Fund *shall* be repaid and/or transferred back to the TAF from the unexpended balance of the Classified Vacancies for Executive Branch Agencies and Departments Cost Pool Account and the Public Safety Vacancy Pool Cost Account to the Tourist Attraction Fund. The amount of funds transferred from the TAF to the SAR Fund *shall* be fully repaid and/or transferred back to the TAF from any sources derived within three (3) fiscal years from the date of transfer.

I Maga'lahen Guåhan and the Guam Visitors Bureau *shall* enter into a Memorandum of Agreement to establish a schedule of repayment to the Tourist Attraction Fund to restore Four Million Dollars (**$4,000,000**) to the balance of the Fund within three (3) fiscal years of the passage of this Act.

Section 2. Guam Police Department Unpaid FY 2014 Overtime.

(a) The sum of Two Million Seventy One Thousand One Hundred Eighty One Dollars (**$2,071,181**) is hereby appropriated from the SAR Fund to the Guam Police Department for the sole purpose of paying unpaid overtime incurred by the Department in Fiscal Year 2014, with the exception of the FY 2014 overtime incurred in FY 2014 by Guam Police Department employees assigned to *I Maga'lahen Guåhan's* Executive Security Detail in FY 2014. Any funds not expended for the sole purpose herein *shall* remain in the SAR Fund. This appropriation *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan.*

(b) Section 1 of Public Law 32-168, as amended by Section 2 of Public Law 32-170, is hereby further *amended* to read:

"**Section 1. Appropriation.** Notwithstanding any other provision of law, the sum of Four Hundred Thirty Nine Thousand One Hundred Eighty One Dollars (**$439,181**) is hereby appropriated from Fiscal Year 2014 General Fund revenues to the Guam Police Department for the purpose of paying prior years overtime incurred by the Department. The sum of Two Hundred Twenty Eight Thousand Eight Hundred Nineteen Dollars (**$228,819**) is hereby appropriated from Fiscal Year 2014 General Fund revenues to the Guam Police Department for the purpose of paying FY 2014 overtime incurred by the Department."

Section 3. Guam Police Department FY 2015 Overtime Prioritization and Appropriation.

(a) A new Section 1(m)(5) is hereby *added* to Chapter V of Public Law 32-181 to read:

"**(5)** The sum of *not less than* One Million Dollars (**$1,000,000**) *shall* be allocated from the General Fund appropriation in Subsection (m)(1) to the Guam Police Department for the sole purpose of paying FY 2015 overtime incurred by the Department. The appropriation and allocation in this Subsection (5) *shall not* be subject to *I Maga'lahen Guåhan's* transfer authority."

(b) The sum of One Million Five Hundred Thousand Dollars (**$1,500,000**) is hereby appropriated from the SAR Fund to the Guam Police Department for the sole purpose of paying FY 2015 overtime incurred by the Department. The appropriation in this Section 3(b) *shall not* be subject to *I Maga'lahen Guåhan's* transfer authority.

Section 4. Department of Corrections Unpaid Prior Years Overtime. The sum of One Million Dollars (**$1,000,000**) is hereby appropriated from the SAR Fund to the Department of Corrections for the sole purpose of paying unpaid overtime incurred by the Department in prior years. Any funds not expended for the sole purpose herein *shall* remain in the SAR Fund. This appropriation *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan.*

Section 5. Unified Judiciary of Guam Unpaid Prior Years Overtime. The sum of Four Hundred One Thousand Three Hundred Ten Dollars (**$401,310**) is hereby appropriated from the SAR Fund to the Unified Judiciary of Guam for the sole purpose of paying unpaid prior years law enforcement personnel overtime incurred by the Unified Judiciary of Guam. This appropriation *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan*, or any inter-fund borrowing or use for any other purpose. § 1303, Chapter 1, Article 3, Title 5 GCA *shall not* apply to the appropriation herein.

Section 6. Customs and Quarantine Agency Unpaid Prior Years Overtime. The sum of One Hundred Ten Thousand Dollars **($110,000)** is hereby appropriated from the SAR Fund to the Customs and Quarantine Agency for the sole purpose of paying unpaid prior years law enforcement personnel overtime incurred by the Customs and Quarantine Agency. This appropriation *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan*, or any inter-fund borrowing or use for any other purpose. § 1303, Chapter 1, Article 3, Title 5 GCA *shall not* apply to the appropriation herein.

Section 7. Section 3 of Chapter XIV of Public Law 32-181 is hereby *repealed.*

Section 8. § 22435(k)(2) of Article 4, Chapter 22 of Title 5, Guam Code Annotated, is hereby *amended* to read:

"(2) Twenty-nine Million Five Hundred Four Thousand Dollars ($29,504,000) to fund the capital expense items and capital improvement projects of the Department of Education needed to comply with the Every Child is Entitled to an Adequate Public Education Act as listed in Attachments A and A-1. Effective October 23, 2014, the Superintendent of Education is authorized to expend the remaining funds for facilities repair, and air conditioning and equipment repair and replacement for public schools."

Section 9. The sum of Six Hundred Thousand Dollars (**$600,000**) is hereby appropriated from the SAR Fund to the Guam Economic Development Authority for the Guam Football Association for the development of gymnasium and classroom sports facilities in the northern part of the island.

Funding *shall only* be disbursed as a matching grant of private funds secured by the Guam Football Association pursuant to Chapter 77, Article 3, Title 12 GCA. The Guam Football Association *shall* submit to the Guam Economic Development Authority evidence of matching grant funds secured prior to certification of funds for disbursement, project plan(s), and subsequent invoices for project(s) funded by said appropriation.

Section 10. Effective Date. This Act *shall* be effective upon enactment.

Section 11. Severability. *If* any provision of this Act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this Act which can be given effect without the invalid provision or application and to this end the provisions of this Act is severable.

COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com*
E-mail: *roryforguam@gmail.com* • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 21, 2014

Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 10/21/14
Time: 12:39pm
Received By:

2014 OCT 21 PM 12:45

MEMORANDUM

To: **Speaker Judith T. Won Pat, Ed.D.**

From: **Majority Leader Rory J. Respicio**

Subject: **Request for Waiver of Public Hearing for Bill No. 415-32 (LS)**

Håfa Adai Madam Speaker,

I hereby request for a waiver of the public hearing on the matter of **Bill No. 415-32 (LS) – "AN ACT TO APPROPRIATE THE SUM OF FOUR MILLION DOLLARS FOR THE PAYMENT OF LAW ENFORCEMENT OVERTIME. "**

As such, I respectfully request that a waiver of the public hearing requirement be made pursuant to law.

I look forward to your favorable response.

Si Yu'os ma'åse'!

OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR
COMMITTEE ON TOURISM, MUNICIPAL AFFAIRS, HOUSING AND RECREATION

COMMITTEE ON TAXATION, APPROPRIATIONS, PUBLIC DEBT, BANKING, INSURANCE, RETIREMENT AND LAND

COMMISSIONER
GUAM COMMISSION ON DECOLONIZATION

GUAM FIRST COMMISSION

VICE PRESIDENT
ASSOCIATION OF PACIFIC ISLAND LEGISLATURES (APIL)

BOARD MEMBER
PACIFIC RESOURCES FOR EDUCATION AND LEARNING (PREL)

LEGISLATIVE REPRESENTATIVE
PACIFIC ISLAND DEVELOPMENT BANK (PIDB)

FESTIVAL OF THE PACIFIC ARTS (FESTPAC)

2014 OCT 21 PM 12:45

October 21, 2014

MEMORANDUM

To: Honorable Rory Respicio
Chairperson, Committee on Rules

From: Speaker Judith T. Won Pat, Ed.D.

Subject: Waiver of Public Hearing-Bill 415-32(LS)

After carefully evaluating the request to waive the requirement of a public hearing on-Bill No. 415-32(LS) "**AN ACT TO APPROPRIATE THE SUM OF FOUR MILLION DOLLARS FOR THE PAYMENT OF LAW ENFORCEMENT OVERTIME.**"

I certify that Bill No. 415-32 (LS) meets one of the requirements set forth in §2103(a) of Title 2 Guam Code Annotated and the requirement for a public hearing is hereby waived.

Sincerely,

Judith T. Won Pat, Ed.D.

COMMITTEE ON RULES
Name
Date/Time: OCT 21 2014
12:43pm

cc: Clerk of the Legislature