I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 1 (10-S)
As amended in the Committee of the Whole.

Speaker Antonio R. Unpingco Legislative Session Hall
September 13, 2018

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator ADA	√					
Senator AGUON	√					
Senator CASTRO	√					
Senator ESPALDON	√					
Senator ESTEVES	√					
Senator LEE	√					
Senator MORRISON				√		√
Senator MUÑA	√					
Senator NELSON					√	√
Senator RODRIGUEZ	√					
Senator SAN AGUSTIN	√					
Senator SAN NICOLAS		√				
Acting Speaker TERLAJE	√					
Senator TORRES					√	√

TOTAL:	10	1		1	2	3
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

Passed FA No. 1
Date: 9/13/18 Time: 9:21am

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

COMMITTEE OF THE WHOLE

FLOOR AMENDMENT

Bill No. 1 (10-S)

TCA

Senator Proposing Amendment

LINE 10 PAGE 1

To amend Section 2 of Bill No. 1 (10-S):

"Section 2. Typhoon Mangkhut Emergency Appropriation and Authorization. Notwithstanding any other provisions of law or this Act, ~~*I Maga'låhen Guåhan* is authorized to utilize any part of portion, not to exceed One Million Dollars ($1,000,000), of General Fund of the Government of Guam,~~ the sum of up to One Million Five Hundred Thousand Dollars ($1,500,000) is appropriated from the unappropriated surplus in Fiscal Year 2018 Healthy Futures Fund (HFF) revenues and up to Five Hundred Thousand Dollars ($500,000) is appropriated from the unexpended and unencumbered Guam Highway Fund revenues in Fiscal Year 2018 for expenses related to civil defense, public safety or health emergencies resulting from Typhoon Mangkhut. The appropriation contained herein shall be used for typhoon-related non-regular expenditures incurred on or after September 8, 2018.

~~Notwithstanding the Guam Procurement Law, expedited procurement is authorized to purchase any necessary goods, materials, and services funded for in this Section 2; *provided* that at least three (3) informal price quotations are solicited and that procurement must be awarded to the firm with the best offer as determined by evaluating cost and delivery time.~~ Emergency procurement of any necessary goods, materials, and services funded for in this Section 2 shall be executed pursuant to § 5215, Chapter 5, Title 5 GCA."

Commented [c1]: 9/13/18 FA3,a-fba-to further amend-FAILED "to reduce the amount of the healthy futures funds to 1 million dollars and then $400,000 would originate from the unexpended and unencumbered balance of the recycling revolving fund in fiscal year 2018
- my amendment once again is to reduce the sum from the healthy futures funds which mean what we all recognize it's much needed by gmh as well as Public Health to 1 million dollars and then an additional phrase of up to four hundred thousand dollars appropriated from the unexpended and unencumbered we recycling we evolving fund revenues in fiscal year 2018.
AYES5 NAYS:6 EA/OUT:3

Date: 9/13/18 **Floor Amendment No.** 3

AMENDMENT PASSED: ✓ Votes For: 8 Votes Against: 3/3 Failed: ___ Withdrawn: ___

APPROVED AS TO FORM PASSED ___ **Concur (*initial*)** PBL

AUTHOR OF AMENDMENT Chairperson

___Committee Staff ___Clerk Staff

Passed FA No. 2
Date: 9/13/18 Time: 9:48 PM

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (TENTH) Special Session
COMMITTEE OF THE WHOLE
FLOOR AMENDMENT

Bill No. 1 (10-S)

TCA
Senator Proposing Amendment

LINE 11 PAGE 2

To amend Section 3 of Bill No. 1 (10-S):

"Section 3. ~~*I Maga'låhi* is authorized to transfer any cash available in all special funds of the Executive Branch to the General Fund to fund the appropriation authorized in Section 2 of this Act.~~Section 1(j)(1), Chapter V of Public Law 34-42 is hereby *amended* to read:

"(1) **Appropriation.** The sum of ~~Nineteen Million Three Hundred Twelve Thousand Two Hundred Seven~~ Eighteen Million Eight Hundred Twelve Thousand Two Hundred Seven Dollars (**$~~19,312,207~~18,812,207**) is appropriated to the Department of Public Works (DPW) for its operations for Fiscal Year 2018. This sum is composed of ~~Ten Million Five Hundred Ninety-six Thousand Six Hundred Thirty-three~~ Ten Million Ninety-six Thousand Six Hundred Thirty-three Dollars (**$~~10,596,633~~10,096,633**) from the Guam Highway Fund, Five Hundred Seventy-two Thousand Four Hundred Sixty-eight Dollars (**$572,468**) from the Guam Highway Fund Balance, and Eight Million One Hundred Forty-three Thousand One Hundred Six Dollars (**$8,143,106**) from the Territorial Educational Facilities Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GUAM HIGHWAY FUND	~~$10,596,633~~10,096,633
GUAM HIGHWAY FUND BALANCE	$572,468
TERRITORIAL EDUCATIONAL FACILITIES FUND	$8,143,106
TOTAL	**~~$19,312,207~~18,812,207"**

Date: 9/13/18 **Floor Amendment No.** 4

AMENDMENT PASSED: ✓ Votes For: 10 Votes Against: 1/3 Failed: ____ Withdrawn: ____

APPROVED AS TO FORM PASSED ____ **Concur (*initial*)** PBL
AUTHOR OF AMENDMENT Chairperson

____Committee Staff ____Clerk Staff

Passed FA No. 3
Date: 9/13/18 Time: 9:48 p.m

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

COMMITTEE OF THE WHOLE

FLOOR AMENDMENT

Bill No. 1 (10-S)

TCA

Senator Proposing Amendment

LINE 14 PAGE 2

To amend Section 4 of Bill No. 1 (10-S):

"**Section 4. Reversion**. Any appropriation authorized under this Act that has not been encumbered ~~or expended~~ within ~~sixty (60)~~ thirty (30) days of enactment of this Act shall revert back to the ~~General Fund~~ originating Fund."

Date: 9/13/18 **Floor Amendment No.** 5

AMENDMENT PASSED: ✓ Votes For: 10 Votes Against: 1/3 Failed: ____ Withdrawn: ____

APPROVED AS TO FORM PASSED _____ **Concur (*initial*)** PBL.

AUTHOR OF AMENDMENT Chairperson

____Committee Staff ____Clerk Staff

Passed FA No. 4
Date: 9/13/18 Time: 9:50 pm

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

COMMITTEE OF THE WHOLE

FLOOR AMENDMENT

Bill No. 1 (10-S)

TCA

Senator Proposing Amendment

LINE 3 PAGE 4

To delete Section 8 of Bill No. 1 (10-S):

"~~**Section 8.** Contracts entered into pursuant to this Act shall not exceed a term of thirty (30) days.~~"

Date: 9/13/18 **Floor Amendment No.** 6

AMENDMENT PASSED: ✓ Votes For:_____ Votes Against: _____ Failed:_____ Withdrawn:_____

APPROVED AS TO FORM PASSED _____ **Concur (*initial*)** _____

AUTHOR OF AMENDMENT Chairperson

_____Committee Staff _____Clerk Staff

N/O

Passed FA No. 5
Date: 9/13/18 Time: 9:52 pm

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

COMMITTEE OF THE WHOLE

FLOOR AMENDMENT

Bill No. 1 (10-S)

FBE

Senator Proposing Amendment

LINE 18 PAGE 3 through LINE 2 PAGE 4

To delete Section 7 of Bill No. 1 (10-S):

"~~**Section 7. Expenses Beyond Emergency Appropriation.** Any additional funding necessary for the recovery of Typhoon Mangkhut shall require *I Maga'låhen Guåhan* to submit a detailed assessment of projected expenses to the Speaker of *I Liheslaturan Guåhan* for appropriation by *I Liheslaturan Guåhan.*~~"

Date: 9/13/18 **Floor Amendment No.** 7

AMENDMENT PASSED: ✓ Votes For: _____ Votes Against: _____ Failed: _____ Withdrawn: _____

APPROVED AS TO FORM PASSED F.B.E. **Concur (*initial*)** PBL

AUTHOR OF AMENDMENT Chairperson

_____Committee Staff _____Clerk Staff

N/V

Passed FA No. 6
Date: 9/13/18 Time: 9:56 pm

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (TENTH) Special Session

COMMITTEE OF THE WHOLE

FLOOR AMENDMENT

Bill No. 1 (10-S)

rbl

Senator Proposing Amendment

LINE 3 PAGE 2

To amend Section 2 of Bill No. 1 (10-S):

"for expenses for civil defense, public safety or health emergencies, or farmers' crop damages pursuant to Chapter 64A of Title 5 Guam Code Annotated resulting from Typhoon Mangkhut. The appropriation contained herein shall be used for typhoon-related non-regular expenditures incurred on or after September 8, 2018."

Date: 9/13/18 **Floor Amendment No.** 8

AMENDMENT PASSED: √ Votes For: 10 Votes Against: 1/3 Failed: _____ Withdrawn: _____

APPROVED AS TO FORM PASSED _____ **Concur (*initial*)** _____

AUTHOR OF AMENDMENT Chairperson

_____Committee Staff _____Clerk Staff

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (~~SECOND~~) ~~Regular~~ Session
TENTH SPECIAL

Bill No. 1(10-S) ~~34~~

Introduced by:

COMMITTEE ON RULES
By request of *I Maga'Låhen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

AN ACT TO APPROPRIATE FUNDS FOR EMERGENCY EXPENDITURES RESULTING FROM TYPHOON MANGKHUT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Typhoon Mangkhut struck Guam on Monday, September 10, 2018, with devastating winds and rain. It is the intent of *I Liheslaturan Guåhan* to immediately address this emergency situation that has caused widespread and severe disruption and property damage, and which threatens the lives, health, safety, and welfare of the people of Guam, by providing relief in the form of emergency funding to be utilized to secure services and procure materials as necessary to return stability and safety to the island.

Section 2. Typhoon Mangkhut Emergency Appropriation and Authorization. Notwithstanding any other provisions of law or this Act, *I*

S.B. 10 9/13/18

Maga'låhen Guåhan is authorized to utilize any part or portion, not to *exceed* One Million Dollars ($1,000,000.00), of the General Fund of the Government of Guam, for expenses for civil defense, public safety or health emergencies resulting from Typhoon Mangkhut. The appropriation contained herein shall be used for typhoon-related non-regular expenditures incurred on or after September 8, 2018.

Notwithstanding the Guam Procurement Law, expedited procurement is authorized to purchase any necessary goods, materials, and services funded for in this Section 2; *provided* that at least three (3) informal price quotations are solicited and that procurement must be awarded to the firm with the best offer as determined by evaluating cost and delivery time.

Section 3. *I Maga'låhi* is authorized to transfer any cash available in all special funds of the Executive Branch to the General Fund to fund the appropriation authorized in Section 2 of this Act.

Section 4. Reversion. Any appropriation authorized under this Act that has not been encumbered or expended within sixty (60) days of enactment of this Act shall revert back to the General Fund.

Section 5. Reporting Requirement. *I Maga'låhen Guåhan* shall prepare a detailed report on all transfers, expenditures and reimbursements by all and any agency or department, and the Mayors' Council of Guam, directly related to Typhoon Mangkhut or the funds appropriated herein. All reports required herein

shall be submitted to the Speaker of *I Liheslaturan Guåhan* within five (5) days of transfer, expenditure or reimbursement. A closeout report of the expenditures of the funds appropriated herein shall be filed within sixty (60) days of the enactment of this Act.

Section 6. FEMA Reimbursement. Reimbursement of any funds expended under this Act from federal sources, including the Federal Emergency Management Authority ("FEMA"), and other sources, including insurance policies, shall be reimbursed to the source from which the funds originated, to the extent that Federal laws permit.

The Administrator of Guam Homeland Security and Civil Defense (GHS/OCD) shall maintain detailed accounting records pertaining to the expenditures under this Act.

Within thirty (30) days from the receipt of the initial reimbursement from FEMA, and thirty (30) days after each subsequent reimbursement form FEMA, the Administrator of GHS/OCD submit a detailed report of such expenditures and reimbursements authorized under this Act to the Speaker of *I Liheslaturan Guåhan.*

Section 7. Expenses Beyond Emergency Appropriation. Any additional funding necessary for the recovery of Typhoon Mangkhut shall require *I*

Maga'låhen Guåhan to submit a detailed assessment of projected expenses to the Speaker of *I Liheslaturan Guåhan* for appropriation by *I Liheslaturan Guåhan.*

Section 8. Contracts entered into pursuant to this Act shall not exceed a term of thirty (30) days.

Section 9. Severability. *If* any provision of this Act 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 Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.