I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (SECOND) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 323-34 (COR) As amended by the Committee on Appropriations and Adjudication; substituted on the Floor; amended and further amended in the Committee of the Whole.	**Speaker Antonio R. Unpingco Legislative Session Hall** **August 11, 2018**					
NAME	**Aye**	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**
Senator Thomas C. **ADA**	✓					
Senator FRANK B. **AGUON, JR.**		✓				
Senator William M. **CASTRO**		✓				
Speaker Benjamin J.F. **CRUZ**	✓					
Senator James V. **ESPALDON**	✓					
Senator Fernando Barcinas **ESTEVES**		✓				
Senator Régine Biscoe **LEE**		✓				
Senator Tommy **MORRISON**	✓					
Senator Louise B. **MUÑA**	✓					
Senator Telena Cruz **NELSON**	✓					
Senator Dennis G. **RODRIGUEZ, JR.**		✓				
Senator Joe S. **SAN AGUSTIN**	✓					
Senator Michael F.Q. **SAN NICOLAS**		✓				
Vice Speaker Therese M. **TERLAJE**		✓				
Senator Mary Camacho **TORRES**	✓					
TOTAL:	**8**	**7**				
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

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

Bill No. 323-34 (COR)
As amended by the Committee on Appropriations and Adjudication; substituted on the Floor; amended 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 Tax Increase. 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."

Section 4. Tobacco Tax Increase. Subsections (a), (b), and (c) of § 26603, Article 6, Chapter 26, Title 11, 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 Twenty Dollars ($20.00) per one hundred (100) cigarettes to be prorated in accordance with the number of cigarettes contained in the individual package taxed.

(b) Cigars. The tax rates for cigars *shall* be based on the following sizes:

(1) Mini Cigars: Fifty-three Cents ($0.53) Per Cigar. Mini Cigars are defined as cigars with a ring size of forty (40) or less, or a length of less than four and one-half inches (4.5”), regardless of ring size as specified by the manufacturer’s label.

(2) Standard Cigars: Fifty-eight Cents ($0.58) Per Cigar. Standard Cigars are defined as cigars with a ring size of more than forty (40), but less than sixty-four (64) as specified by the manufacturer’s label.

(3) Large Cigars: Sixty-six Cents ($0.66) Per Cigar. Large Cigars are defined as cigars with a ring size of more than sixty-four (64), or a length of more than eight inches (8”), regardless of the ring size as specified by the manufacturer’s label.

(4) Where no ring size or length is specified by the manufacturer’s label, the tax *shall* be Fifty-eight Cents ($0.58) per cigar. For purposes of this Section, ring size *shall* be defined as the usually accepted measure used by cigar manufacturers for determining the diameter of cigar at its widest point. A ring size of one (1) is equal to one sixty-fourth (1/64) of an inch.

(c) Other Tobacco Products. A tax at the rate of Fifty-three Dollars ($53.00) per pound for all other tobacco products to be prorated in accordance with the size of the package to be taxed.”

Section 5. Estimated Revenues for Fiscal Year 2019. Notwithstanding § 22436, Chapter 22, Title 5 GCA, *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2019 as the basis for the appropriations contained in this Act.

I. GENERAL FUND REVENUES AMOUNT

TOTAL GENERAL FUND REVENUE	**$766,232,068**
PROVISION FOR TAX REFUND PAYMENTS	**($125,000,000)**
TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$641,232,068**
A. TAXES	
Income Tax	
Individual (*not* including the Additional Child Tax Credit)	$66,411,501
Corporate	$83,723,858
Withholding Taxes, Interest, and Penalties	$223,751,011
Provision for Tax Refund Payments (net of the Additional Child Tax Credit)	($125,000,000)
TOTAL INCOME TAXES	$248,886,370
Business Privilege Tax	$311,528,514
Business Privilege Tax (GMHA Pharmaceuticals Fund)	($19,283,615)
Tax Credit (Rehabilitation and Improvements – Harmon Industrial Park Roadway)	($250,000)
Other Taxes	$3,102,098
TOTAL TAXES	**$543,983,367**
B. FEDERAL SOURCES	
Federal Income Tax Collection – Section 30 Funds	$78,000,000
Immigration and Passport Fees	$2,006,165
TOTAL FEDERAL SOURCES	**$70,609,265**
C. USE OF MONEY AND PROPERTY	$190,944
D. LICENSES, FEES, AND PERMITS	
Licenses, Fees, and Permits	$5,743,159
Licenses, Fees, and Permits (Better Public Service Fund)	($574,316)
TOTAL LICENSES, FEES, AND PERMITS	**$5,168,843**

	E.	DEPARTMENT CHARGES	$1,171,718
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION			**$621,124,137**
II.	**SPECIAL FUND REVENUES AMOUNT**		
	A.	Air Pollution Control Special Fund	$230,673
	B.	Banking and Insurance Enforcement Fund	$474,403
	C.	Better Public Service Fund	$1,564,374
	D.	Chamorro Land Trust Operations Fund	$1,027,963
	E.	Department of Corrections Inmate Revolving Fund	$1,495,582
	F.	Customs, Agriculture, and Quarantine Inspection Services Fund	$14,378,999
	G.	Enhanced 911 Emergency Reporting System Fund	$2,245,507
	H.	Environmental Health Fund	$1,400,306
	I.	Fire, Life, and Medical Emergency Fund	$734,262
	J.	GMHA Pharmaceuticals Fund	$19,283,615
	K.	Guam Ancestral Lands Commission Survey, Infrastructure, and Development Fund	$290,599
	L.	Guam Board of Accountancy Fund	$789,780
	M.	Guam Contractors License Board Fund	$780,670
	N.	Guam Environmental Trust Fund	$409,266
	O.	Guam Highway Fund	$24,255,118
		Guam Highway Fund (Better Public Service Fund)	($990,058)
		Guam Highway Fund (Public Transit Fund)	($456,392)
		Total Guam Highway Fund	$22,808,668
	P.	Guam Invasive Species Inspection Fee Fund	$463,478
	Q.	Guam Museum Fund	$968,836
	R.	Guam Plant Inspection and Permit Fund	$99,491
	S.	Health Professional Licensing Office Revolving Fund	$256,382

T.	Healthy Futures Fund	$41,419,667
U.	Host Community Fund	$300,000
V.	Indirect Cost Fund	$1,554,578
W.	Land Survey Revolving Fund	$3,276,567
X.	Limited Gaming Fund	$1,657,618
Y.	Manpower Development Fund	$1,355,554
Z.	Office of Vital Statistics Revolving Fund	$254,505
AA.	Pesticide Management Fund	$133,038
AB.	Police Patrol Vehicle and Equipment Revolving Fund	$320,037
AC.	Police Services Fund	$1,001,803
AD.	Professional Engineers, Architects, and Land Surveyors Board Fund	$312,818
AE.	Public Recreation Services Fund	$174,907
AF.	Public School Library Resources Fund	$978,236
AG.	Public Transit Fund	$456,392
AH.	Rabies Prevention Fund	$43,076
AI.	Recycling Revolving Fund	$2,895,965
AJ.	Safe Streets Fund	$260,211
AK.	Sanitary Inspection Revolving Fund	$137,280
AL.	School Lunch/Child Nutritional Meal Reimbursement Fund Federal Sources (100% Federal Grant)/Cash Collections	$12,504,000
AM.	Section 2718 Fund	$1,100,000
AN.	Solid Waste Operations Fund	$19,834,344
	Solid Waste Operations Fund (Host Community Fund)	($300,000)
	Total Solid Waste Operations Fund	$19,534,344
AO.	Street Light Fund	$4,357,090
AP.	Tax Collection Enhancement Fund	$975,577

AQ.	Territorial Educational Facilities Fund	$38,301,107
AR.	Tourist Attraction Fund	$44,746,562
AS.	Water Protection Fund	$61,844
AT.	Water Research and Development Fund	$67,811
TOTAL SPECIAL FUND REVENUE		**$268,515,139**
III.	**FEDERAL MATCHING GRANTS-IN-AID**	
	Federal Grants-in-Aid Requiring Local Match:	
A.	Guam Community College	$1,074,535
B.	Guam Council on the Arts and Humanities Agency	$294,000
C.	Guam Police Department	$683,372
D.	Department of Integrated Services for Individuals with Disabilities	$1,901,606
E.	Department of Labor	$47,000
F.	Office of the Attorney General	$4,013,648
G.	Department of Military Affairs	$2,306,518
H.	Department of Public Health and Social Services	$63,085,325
I.	University of Guam	$4,518,681
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES		**$77,924,685**
IV.	**REVENUE AVAILABLE FOR OPERATIONS SUMMARY:**	
TOTAL GENERAL FUND REVENUE		**$746,124,137**
PROVISION FOR TAX REFUNDS		**($125,000,000)**
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION		**$621,124,137**
TOTAL SPECIAL FUND REVENUE		**$268,515,139**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE		**$77,924,685**
GRAND TOTAL		**$967,563,961**

Section 6. Authorization to Pay and Prioritize the Payment of Tax Refunds. *I Maga'låhen Guåhan shall* prioritize tax refunds for tax year 2018 and prior years A-Status Returns *no less than* One Hundred Twenty-five Million Dollars ($**125,000,000**).

Section 7. Revenue Collections in Excess of Quarterly Collections.

(a) For Fiscal Year 2019, the Director of the Bureau of Budget and Management Research (BBMR) *shall* create a General Fund twelve (12) month revenue budget based on the revenue estimates in Section 5 of this Chapter, relative to statistical weighing of historical collections by month, by collection category in the General Fund Combined Comparative Statement of Revenues report. The report *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* within thirty (30) days upon the enactment of this Act.

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

Section 8. Additional Child Tax Credit (ACTC) Reimbursements.

(a) *No less than* ninety percent (90%) of all ACTC reimbursements received by the government of Guam *shall* be deposited directly into the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA and applied to "A" Status Returns. Interest earned in the Fund may be used to hire seasonal employees to assist with income tax processing.

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

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

A. GENERAL OBLIGATION BOND, SERIES 2009 A $5,544,600[1/]

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

[1/]General Fund

B. GUAM DEPARTMENT OF EDUCATION, SERIES 2010A CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY HIGH SCHOOL PROJECT) $6,699,900[2/]

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

[2/]General Fund ($5,131,900) and Territorial Educational Facilities Fund ($1,568,000)

C. LIMITED OBLIGATION (LO) HOTEL OCCUPANCY TAX (HOT) REVENUE BONDS, SERIES 2011A $6,994,750[3/]

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

[3/]Tourist Attraction Fund

D. BUSINESS PRIVILEGE TAX BONDS, SERIES 2011A $16,351,388[4/]

(To finance unpaid income tax refunds for 2010; prior year obligations; COLA)

[4/]General Fund

E. BUSINESS PRIVILEGE TAX BONDS, SERIES 2012B $7,507,320[5/]

(To finance unpaid income tax refunds for 2011; health insurance premiums for FY 2012; GMHA & GDOE retirement contribution payments to GGRF; rehabilitation of school facilities)

[5/]General Fund

F. GENERAL OBLIGATION BOND BUSINESS PRIVILEGE TAX 2013 SERIES C $2,764,088[6/]

(For education capital projects; due FY 2019 as final year; P.L. 29-19, P.L. 29-21, and P.L. 31-276; net of UOG bond payment obligation of $2,027,787)

[6/]General Fund

G. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2013A CERTIFICATES OF PARTICIPATION (OKKODO HIGH SCHOOL PROJECT) $3,588,960[7/]

(Chapter 58B of Title 5 GCA; § 50103, Chapter 50, Title 12 GCA; and Title 13 GCA; due FY 2030 as final year; to include additional rent [Insurance and Maintenance to be reimbursed by the GDOE])

[7/]General Fund (P&I: $2,938,960) and Territorial Educational Facilities Fund (Insurance & Maintenance: $650,000)

H. LIMITED OBLIGATION BONDS BUSINESS PRIVILEGE TAX 2015 SERIES D $21,906,550[8/]

(Refunding of GOB, 2007 Series A, and a portion of GOB, 2009 Series A; final maturity FY 2040)

[8/]General Fund

I. LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2016A $16,904,500[9/]

(Refunding of LO [Section 30] Bonds, Series 2009A; refinancing of Series 2013B Guam Education Financing Foundation II, Inc. Certificates of Participation [Okkodo High School Expansion Project]; financing certain working capital costs of the Guam Memorial Hospital Authority, including the refinancing of an outstanding loan from the Bank of Guam)

[9/]General Fund

GRAND TOTAL $88,262,056

CHAPTER II
EDUCATION
PART I – GUAM DEPARTMENT OF EDUCATION

Section 1. Appropriation. It is the intent of *I Liheslaturan Guåhan* to provide a lump sum appropriation to the Guam Department of Education (GDOE) for Fiscal Year 2019. Pursuant to §§ 52101 and 52102, Chapter 52, Division 2, Title 11 GCA, the sum of Two Hundred Thirty Million Three Hundred Sixty-eight Thousand Nine Hundred Forty-one Dollars ($**230,368,941**) is appropriated to the Guam Department of Education (GDOE) Operations Fund for Fiscal Year 2019. This sum is composed of Two Hundred One Million Six Hundred Seventy-two Thousand Four Thirty Dollars ($**201,672,430**) from the General Fund (including advanced appropriations from P.L. 34-42) and Twenty-eight Million Eight Hundred Seventy-eight Thousand Five Hundred Eleven Dollars ($**28,878,511**) from the Public School Library Resources Fund, the Territorial Educational Facilities Fund (including the continuing appropriation in P.L. 32-63, as amended by P.L. 32-120), the Healthy Futures Fund, the Limited Gaming Fund, and the School Lunch/Child Nutritional Meal Reimbursement Fund. This appropriation *shall* be expended in accordance with the cash disbursement schedules required by § 52101(b), Chapter 52, Title 11 GCA.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$201,672,430
HEALTHY FUTURES FUND	$891,754
LIMITED GAMING FUND	$524,913
PUBLIC SCHOOL LIBRARY RESOURCES FUND	$978,236
SCHOOL LUNCH/CHILD NUTRI. MEAL REIMB. FUND	$12,504,000
TERRITORIAL EDUCATIONAL FACILITIES FUND	$13,797,608
TOTAL	$230,368,941

Section 2. Guam Academy Charter Schools. Notwithstanding any other provision of law, pursuant to § 12116(e), Chapter 12, Title 17 GCA, the Department of Administration (DOA) is hereby authorized and directed to deduct, in proportion to the ratio of cash received from the total Fiscal Year 2019 General and Special Fund appropriations in Section 1 of this Part of this Chapter to the GDOE, Six Thousand Eighty-eight Dollars ($6,088) per enrollee of the Academy Charter Schools chartered by the Guam Academy Charter Schools Council *not to exceed* six hundred twenty (620) students for the iLearn Academy Charter School, seven hundred forty (740) students for the Guåhan Academy Charter School, and three hundred fifty (350) students for the Science Is Fun and Awesome Academy Charter School from the total Fiscal Year 2019 General and Special Fund appropriations in Section 1 of this Part of this Chapter to GDOE based on the actual enrollment at the time multiplied by the per pupil cost as established by this Section. Each Academy Charter School *shall* submit a monthly invoice to DOA which *shall* be remitted to GDOE. Upon receipt of remitted invoice, GDOE *shall* verify accuracy of the invoice and report its findings within ten (10) days of receipt of said invoice by the GDOE prior to the release of funds. If GDOE fails to report its findings, the invoiced amount received by DOA *shall* be automatically transmitted to each Academy Charter School.

Section 3. Simon Sanchez Procurement. The sum of *up to* One Million Dollars ($**1,000,000**) *shall* be allocated from the General Fund appropriation in Section 1 of this Part of this Chapter for the procurement of an Owner's Agent Engineer (OAE), architectural and engineering (A&E) services, and other related services for the construction of a new Simon Sanchez High School pursuant to § 58D105, Chapter 58D, Title 5 GCA for Fiscal Year 2019. The sums unalloted, unencumbered, or unexpended by June 30, 2019 may be expended for the operations of the GDOE in Fiscal Year 2019.

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

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

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

Section 6. GDOE Miscellaneous Healthy Futures Fund Allocations.

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

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

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

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

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

(c) On the first (1st) day of each fiscal quarter, the Superintendent of GDOE *shall* provide to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* and post on the GDOE website, a detailed report regarding all receipts, purchase orders, and expenditures for textbooks and instructional materials. Said report *shall* be accompanied by the certified list of textbooks approved by the Guam Education Board and a list or copies of all purchase orders issued related to this Section. The report *shall* summarize:

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

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

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

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

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

Section 10. Summer School Fund. Pursuant to § 6119, Article 1, Chapter 6, Division 2, Title 17 GCA which established the Summer School Fund, such sums as are necessary to fund the operations of the 2019 Summer School Program are hereby appropriated to GDOE.

The Superintendent of GDOE *shall* submit a detailed report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* regarding the receipt and expenditure of said funds *no later than* thirty (30) days after the close of summer

school and post the same on the GDOE website. Such report *shall* include the following:

(a) total revenues received, including identification of each revenue source;

(b) total expenditures and encumbrance by object classification and by school; and

(c) the fund balance.

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

(a) all payments for prior year obligations to be paid by current appropriations when authorized, including the funding source to be used, by month;

(b) salary adjustments by position, effective date of adjustment, and the funding source for each, by month;

(c) mandated cash disbursement schedules; and

(d) number of FTEs, costs, and funding sources by school and division, by month.

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

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

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

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

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

Section 15. Local Funds Reimbursement. Funds appropriated to the GDOE in accordance with the appropriations to the GDOE in this Act *shall not* be used to pay for federally-funded program activities and expenditures, unless such payment is specifically authorized by Guam statute or unless such payment is made pursuant to grants that require that local expenditures be made prior to receiving federal reimbursement. The Superintendent of GDOE *shall* submit a quarterly report within thirty (30) days after each quarter to the Speaker of *I Liheslaturan Guåhan*, *I Maga'låhen Guåhan*, and the Office of Public Accountability, in a Microsoft Excel file and written report, of all local funds expended in Fiscal Year 2019 for federally-funded programs. The report *shall* contain the details of such expenditures by object class, the number of FTEs working in said programs, the amounts reimbursed by federal funds, and the amounts that *have not* or *will not* be reimbursed by federal

funds. Said report *shall* cite the authority to expend local funds for federal programs, *shall* name the certifying office, and *shall* give the date of every expenditure.

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

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

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

CHAPTER II
EDUCATION
PART II – UNIVERSITY OF GUAM

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* to provide a lump sum appropriation to the University of Guam (UOG) for Fiscal Year 2019. The funds *shall* be expended in accordance with the budget request submitted and the priorities stipulated by the University of Guam Board of Regents.

It is also the intent of *I Liheslaturan Guåhan* that external funds available to 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 agencies through pursuit of indirect cost reimbursements to reduce the local funding where applicable.

Section 2. Appropriation. The amounts in the Subsections below are appropriated from the respective Funds and for the following purposes to UOG for Fiscal Year 2019.

(a) Appropriations for Operations. The sum of Twenty-seven Million Four Hundred Fifty-six Thousand Six Hundred Fifty-five Dollars ($**27,456,655**) is appropriated from the General Fund to the UOG for its operations in Fiscal Year 2019.

(b) Federal Matching Grants-in-Aid. The sum of Four Million Five Hundred Eighteen Thousand Six Hundred Eighty-one Dollars ($**4,518,681**) is authorized from the Fiscal Year 2019 General Fund or Special Funds to the UOG as the local matching requirement for Federal Matching Grants-in-Aid for its operations in Fiscal Year 2019.

Section 3. Appropriations to the UOG for Scholarships and Training Programs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 12. Guam Cancer Trust Fund. Notwithstanding 11 GCA § 26603 (e)(1), the Guam Cancer Trust Fund fund balance available as of September 30, 2018

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

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

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

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

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

Section 17. Transfer Authority for the UOG. Appropriations for the operations of the UOG, contained in Section 2 of this Part of this Chapter, may be

transferred by the President of UOG out of operations and into the appropriation for statutorily mandated scholarship programs, exclusive of administrative costs, contained in Section 3 of this Part of this Chapter.

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

CHAPTER II
EDUCATION
PART III – GUAM COMMUNITY COLLEGE

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* to provide a lump sum appropriation to the Guam Community College (GCC). The funds *shall* be expended in accordance with the budget request submitted and the priorities stipulated by the GCC Board of Trustees.

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

Section 2. Appropriation. The amounts in the Subsections below are appropriated from the following Funds and for the following purposes to the GCC for Fiscal Year 2019.

(a) General Fund Appropriations for Operations. The sum of Sixteen Million One Hundred Forty-nine Thousand Eight Hundred Seventy Dollars ($**16,149,870**) is appropriated from the General Fund to GCC for its operations in Fiscal Year 2019.

(b) Appropriations to the GCC Licensed Practical Nursing and Vocational Guidance Programs. The sum of Seven Hundred Sixty-three Thousand Two Hundred Seven Dollars ($**763,207**) is appropriated from the General Fund to the GCC for Fiscal Year 2019 to support the operations of the Licensed Practical Nursing Program and the Vocational Guidance Program.

(c) Appropriations to the GCC Lodging Management Program/ProStart Program. The sum of Twenty-four Thousand One Hundred Fifty-four Dollars

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

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

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

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

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

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

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

CHAPTER II
EDUCATION
PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

Section 1. Appropriation. The sum of Two Hundred Sixty-three Thousand Two Hundred Eleven Dollars ($**263,211**) is appropriated from the Territorial Educational Facilities Fund to the Guam Commission for Educator Certification (GCEC) for its operations in Fiscal Year 2019 to provide administrative support to the GCEC pursuant to Chapter 27 of Title 17 GCA, to the Guam Academy Charter Schools Council pursuant to § 12111(e), Chapter 12, Title 17 GCA, and to the Council on Post-Secondary Institution Certification pursuant to § 44104(e), Chapter 44, Title 17 GCA.

SUMMARY OF APPROPRIATION FUNDING SOURCE

TERRITORIAL EDUCATIONAL FACILITIES FUND	$263,211
TOTAL	**$263,211**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$212,611
OPERATIONS OBJECT CATEGORIES (220-290)	$45,800
UTILITIES OBJECT CATEGORIES (361-363)	$4,800
CAPITAL OUTLAY (450)	$0
TOTAL	**$263,211**

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. Notwithstanding § 26603(d)(3), Article 6, Chapter 26, Title 11 GCA, the sum of Nine Million Six Hundred Sixty-five Thousand One Hundred Twenty-nine Dollars ($**9,665,129**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2019.

Section 4. GMHA General Fund Appropriation. The sum of One Million Fifty-one Thousand Two Hundred Fifty-six Dollars ($**1,051,256**) is appropriated from the General Fund to the GMHA for Fiscal Year 2019 operational expenses.

Section 5. GMHA Labor and Delivery Ward Renovation Funding. The sum of up to Six Hundred Thousand Dollars ($600,000) is appropriated from the

General Fund to the GMHA to pay for principal, interest, and debt service reserve deposits for the GMHA Labor and Delivery Ward renovations for Fiscal Year 2019. Any funds *not* required for the purposes herein *shall* be expended for GMHA operational expenses in Fiscal Year 2019.

CHAPTER III

HEALTH

PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

Section 1. Appropriation. The sum of Sixty-two Million Five Hundred Forty-seven Thousand Ninety-nine Dollars ($**62,547,099**) is appropriated to the Department of Public Health and Social Services (DPHSS) for its operations for Fiscal Year 2019. This sum is composed of Fifty-one Million Two Hundred Thirty-six Thousand Four Hundred Eighty-six Dollars ($**51,236,486**) from the General Fund and Nine Million Two Hundred Sixty-two Thousand One Hundred Forty-one Dollars ($9,262,141) from the Healthy Futures Fund, the Environmental Health Fund, the Health Professional Licensing Office Revolving Fund, the Office of Vital Statistics Revolving Fund, and the Sanitary Inspection Revolving Fund.

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$**51,236,486**
ENVIRONMENTAL HEALTH FUND	$1,400,306
HEALTHY FUTURES FUND	$9,262,141
HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND	$256,382
OFFICE OF VITAL STATISTICS REVOLVING FUND	$254,505
SANITARY INSPECTION REVOLVING FUND	$137,280
TOTAL	**$62,547,099**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$63,085,325

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$10,884,648
OPERATIONS OBJECT CATEGORIES (220-290)	$50,418,822
UTILITIES OBJECT CATEGORIES (361-363)	$1,158,162
CAPITAL OUTLAY (450)	$85,466
TOTAL	**$62,547,099**

Environmental Health Fund - $946,044 (111-113); $454,262 (220-290); $0 (361-363); $0 (450); Healthy Futures Fund - $8,278,753 (111-113); $983,388 (220-290); $0 (361-363); $0 (450); Health Professional Licensing Office Revolving Fund - $47,993 (111-113); $208,389 (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 (450); Sanitary Inspection Revolving Fund - $57,345 (111-113); $44,469 (220-290); $0 (361-363); $35,466 (450)

Section 2. Medically Indigent Program (MIP) Appropriations.

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

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

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

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

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

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

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

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

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

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

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

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

Section 10. Appropriation to the Guam Cancer Registry. Notwithstanding 11 GCA § 26603(d)(4), the sum of Three Hundred Twenty

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

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

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

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

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

of Vital Statistics Revolving Fund appropriation in Section 1 of this Part of this Chapter to DPHSS for the purposes pursuant to § 3227.1, Article 2, Chapter 3, Title 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

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; provided, that the expenditure of such funds *shall* comply with 48 USC § 1421b(p).

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

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

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)

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,

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

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

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

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

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

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

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

Section 9. Unified Judiciary Authorization to Fund Any Operational Shortfall. The Unified Judiciary is authorized to fund any operational shortfall for Fiscal Year 2019 from any fund sources under its control, excluding funds held in trust. Transfers from the Judicial Building Fund must be consistent with the covenants and provisions of the loan documents between the Unified Judiciary and its lender.

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

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.

(a) OFFICE OF *I MAGA'LÅHEN GUÅHAN*

(1) Appropriation. The sum of Seven Million Three Hundred Twelve Thousand Seven Hundred Three Dollars ($**7,312,703**) is appropriated to the Office of *I Maga'låhen Guåhan* (Governor of Guam) for its operations for Fiscal Year 2019. This sum is composed of Seven Million Twelve Thousand Seven Hundred Thirty-one Dollars ($**7,012,731**) from the General Fund, and Two Hundred Ninety-nine Thousand Nine Hundred Seventy-two Dollars **($299,972**) from the Indirect Cost Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,012,731
INDIRECT COST FUND	$299,972
TOTAL	$7,312,703

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$6,315,959
OPERATIONS OBJECT CATEGORIES (220-290)	$538,569
UTILITIES OBJECT CATEGORIES (361-363)	$458,175
CAPITAL OUTLAY (450)	$0
TOTAL	**$7,312,703**

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

(2) No more than twenty-five percent (25%) of the appropriation in Personnel Object Categories (111-113) in Subsection (a)(1) shall be expended before January 1, 2019. No more than twenty-five percent (25%) of the total appropriation in Subsection (a)(1) shall be expended before January 1, 2019. No appropriations or funds shall be transferred to the Office of *I Maga'låhen*

Guåhan for its operations from any other fund sources appropriated in this Act during Fiscal Year 2019.

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

(b) COMMISSION ON DECOLONIZATION (COD)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$340,848
TOTAL	**$340,848**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$160,340
OPERATIONS OBJECT CATEGORIES (220-290)	$180,000
UTILITIES OBJECT CATEGORIES (361-363)	$508
CAPITAL OUTLAY (450)	$0
TOTAL	**$340,848**

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

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

(c) GUAM ANCESTRAL LANDS COMMISSION (GALC)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$89,462
GUAM ANCESTRAL LANDS COMMISSION SURVEY, INFRASTRUCTURE, AND DEVELOPMENT FUND	$290,599
TOTAL	**$380,061**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$59,181
OPERATIONS OBJECT CATEGORIES (220-290)	$320,880
UTILITIES OBJECT CATEGORIES (361-363)	$0
CAPITAL OUTLAY (450)	$0
TOTAL	**$380,061**

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

(d) GUAM OFFICE OF VETERANS AFFAIRS (OVA)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$409,930
TOTAL	**$409,930**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

(2) Transfer of Funds. *I Maga'låhen Guåhan* is hereby authorized to transfer funds from the Fiscal Year 2019 appropriations set forth in the Office of *I Maga'låhen Guåhan*, as provided in Subsection (a)(1) of this Section, to the Guam Office of Veterans Affairs in an amount *not to exceed* Three Hundred Thousand Dollars ($**300,000**) for operational requirements.

(e) BUREAU OF BUDGET AND MANAGEMENT RESEARCH (BBMR)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,112,574
INDIRECT COST FUND	$283,472
TOTAL	**$1,396,046**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

(f) CIVIL SERVICE COMMISSION (CSC)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$933,169
TOTAL	**$933,169**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$648,456
OPERATIONS OBJECT CATEGORIES (220-290)	$271,837
UTILITIES OBJECT CATEGORIES (361-363)	$12,876
CAPITAL OUTLAY (450)	$0
TOTAL	**$933,169**

(2) Administrative Law Judge. The sum of One Hundred Thirteen Thousand Seven Hundred Fifty Dollars ($**113,750**) may be allocated from the General Fund Appropriation in Subsection (f)(1) for the purpose of employing or contracting a full-time or part-time Administrative Law Judge (ALJ) to assist CSC with adjudicatory responsibilities or to retain a private attorney or attorneys to serve as an ALJ on a case-by-case basis pursuant to Subsection (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 ($**7,696,402**) is appropriated to the Department of Administration (DOA) for its operations for Fiscal Year 2019. This sum is composed of Six Million Six Hundred Forty-two Thousand Three Hundred Eighty-nine Dollars ($**6,642,389**) from the General Fund, and One Million Fifty-four Thousand Thirteen Dollars ($**1,054,013**) from the Indirect Cost Fund and the Limited Gaming Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$6,642,389
INDIRECT COST FUND	$971,134
LIMITED GAMING FUND	$82,879
TOTAL	**$7,696,402**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

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)

(2) Limited Gaming Fund. The sum of Eighty-two Thousand Eight Hundred Seventy-nine Dollars ($**82,879**) *shall* be allocated from the Limited Gaming Fund appropriation in Subsection (g)(1) pursuant to § 5204(b),

Article 2, Chapter 5, Title 11 GCA for Fiscal Year 2019. This allocation is *not* subject to transfer or use for any other purpose.

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

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

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

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

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

The Director of DOA *shall*, *no later than* thirty (30) days after the close of each quarter, submit a report to the Speaker of *I Liheslaturan Guåhan* in a

Microsoft Excel file and written report describing expenditures made pursuant to this appropriation and post the same on the DOA website.

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

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

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

(9) Public Streetlights Appropriation. The sum of Four Million Three Hundred Fifty-seven Thousand Ninety Dollars ($**4,357,090**) is appropriated from the Streetlight Fund and Eight Hundred Thirty-seven Thousand Seven Hundred Sixty-three Dollars ($**837,763**) is appropriated from the Guam Highway Fund to DOA to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2019.

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

(h) DEPARTMENT OF REVENUE AND TAXATION (DRT)

(1) Appropriation. The sum of Eleven Million Four Hundred Fifty Thousand Two Hundred Thirty-three Dollars ($**11,450,233**) is appropriated to the Department of Revenue and Taxation (DRT) for its operations for Fiscal Year 2019. This sum is composed of Eight Million Four Hundred Thirty-five Thousand Eight Hundred Seventy-nine Dollars ($**8,435,879**) from the General 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.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$8,435,879
BANKING AND INSURANCE ENFORCEMENT FUND	$474,403
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

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**

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

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

(i) BUREAU OF STATISTICS AND PLANS (BSP)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,137,795
TOTAL	**$1,137,795**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

(j) DEPARTMENT OF PUBLIC WORKS (DPW)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GUAM HIGHWAY FUND	$9,566,389
TERRITORIAL EDUCATIONAL FACILITIES FUND	$7,287,254
TOTAL	**$16,853,643**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

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

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

(k) GUAM CONTRACTORS LICENSE BOARD (CLB)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GUAM CONTRACTORS LICENSE BOARD FUND	$780,670
TOTAL	**$780,670**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

Object Class 220	$8,000
Object Class 230	$67,279
Object Class 240	$15,795
Object Class 290	$6,000
Total	**$97,074**

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

(l) GUAM BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS, ARCHITECTS, AND LAND SURVEYORS (PEALS)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

PEALS FUND	$312,818
TOTAL	**$312,818**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

(m) GUAM POLICE DEPARTMENT (GPD)

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$25,786,222
GUAM HIGHWAY FUND	$1,196,817
POLICE PATROL VEHICLE AND EQUIPMENT REVOLVING FUND	$320,037
POLICE SERVICES FUND	$1,001,803
TOURIST ATTRACTION FUND	$5,823,822
TOTAL	**$34,128,701**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$683,372

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$29,511,441

OPERATIONS OBJECT CATEGORIES (220-290)	$3,457,146
UTILITIES OBJECT CATEGORIES (361-363)	$1,160,114
CAPITAL OUTLAY (450)	$0
TOTAL	**$34,128,701**

Guam Highway Fund - $1,196,817 (111-113); $0 (220-290); $0 (361-363); $0 (450); Police Patrol Vehicle and Equipment Revolving Fund - $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); $0 (450); Tourist Attraction Fund - $2,358,852 (111-113); $2,304,856 (220-290); $1,160,114 (361-363); $0 (450)

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

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

(n) DEPARTMENT OF CORRECTIONS (DOC)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$24,649,150
DEPARTMENT OF CORRECTIONS INMATE REVOLVING FUND	$1,495,582
SAFE STREETS FUND	$104,084
TOTAL	**$26,248,816**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

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

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

(o) DEPARTMENT OF AGRICULTURE (AGR)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$2,987,410
GUAM INVASIVE SPECIES INSPECTION FEE FUND	$463,478
GUAM PLANT INSPECTION AND PERMIT FUND	$99,491
RABIES PREVENTION FUND	$43,076
TOURIST ATTRACTION FUND	$431,868
TOTAL	**$4,025,323**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

Guam Invasive Species Inspection Fee Fund - $170,537 (111-113); $292,941 (220-290); $0 (361-363); $0 (450); Guam Plant Inspection and 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 (361-363); $0 (450); Tourist Attraction Fund $286,416 (111-113); $27,193 (220-290); $118,259 (361-363); $0 (450)

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

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

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

(p) GUAM PUBLIC LIBRARY SYSTEM (GPLS)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

TERRITORIAL EDUCATIONAL FACILITIES FUND	$1,217,900
TOTAL	**$1,217,900**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

(q) DEPARTMENT OF YOUTH AFFAIRS (DYA)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$5,350,661
HEALTHY FUTURES FUND	$82,070
TOTAL	**$5,432,732**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

(3) Authorization to Pay Prior Year Hazardous Pay. Notwithstanding any other provision of law, the Department of Youth Affairs may use up to Thirty-nine Thousand Dollars ($**39,000**) of the sum appropriated to it in the Fiscal Year 2018 Appropriations Act for the payment of hazardous pay accrued in Fiscal Year 2016.

(r) GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

AIR POLLUTION CONTROL FUND	$230,673
GUAM ENVIRONMENTAL TRUST FUND	$409,266
PESTICIDE MANAGEMENT FUND	$133,038
WATER PROTECTION FUND	$61,844
WATER RESEARCH AND DEVELOPMENT FUND	$67,811
TOTAL	**$902,633**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

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

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

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

(s) DEPARTMENT OF LABOR (DOL)

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,687,252
MANPOWER DEVELOPMENT FUND	$406,666
TOTAL	**$2,093,918**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$47,000

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

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

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

(t) DEPARTMENT OF PARKS AND RECREATION (DPR)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

LIMITED GAMING FUND	$524,913
PUBLIC RECREATION SERVICES FUND	$174,907
TOURIST ATTRACTION FUND	$2,762,481
TOTAL	**$3,462,301**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

Limited Gaming Fund - $0 (111-113); $524,913 (220-290); $0 (361-363); $0 (450); Public Recreation Services Fund - $0 (111-113); $74,907 (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 (450)

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

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

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

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

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

division within the Department of Parks and Recreation or any other department or agency of the government of Guam.

(u) DEPARTMENT OF LAND MANAGEMENT (DLM)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

LAND SURVEY REVOLVING FUND	$3,276,567
TOTAL	**$3,276,567**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$2,614,598
OPERATIONS OBJECT CATEGORIES (220-290)	$643,629
UTILITIES OBJECT CATEGORIES (361-363)	$18,340
CAPITAL OUTLAY (450)	$0
TOTAL	**$3,276,567**

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$431,160
TOTAL	**$431,160**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$374,588
OPERATIONS OBJECT CATEGORIES (220-290)	$53,485
UTILITIES OBJECT CATEGORIES (361-363)	$3,087
CAPITAL OUTLAY (450)	$0
TOTAL	**$431,160**

(w) CUSTOMS AND QUARANTINE AGENCY (CQA)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES FUND	$14,378,999
TOTAL	**$14,378,999**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

TOURIST ATTRACTION FUND	$1,314,690
GUAM MUSEUM FUND	$968,836
TOTAL	**$2,283,526**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

Guam Museum Fund - $0 (111-113); $728,836 (220-290); $240,000 (361-363); $0 (450); Tourist Attraction Fund - $618,128 (111-113); $696,562 (220-290); $0 (361-363); $0 (450)

(y) DEPARTMENT OF MILITARY AFFAIRS (DMA)

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$764,178
TOTAL	**$764,178**

For information purposes only:

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

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$293,848
OPERATIONS OBJECT CATEGORIES (220-290)	$118,033
UTILITIES OBJECT CATEGORIES (361-363)	$344,047
CAPITAL OUTLAY (450)	$8,250
TOTAL	**$764,178**

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

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$158,510
TOURIST ATTRACTION FUND	$162,243
TOTAL	**$320,753**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$294,000

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

(aa) GUAM FIRE DEPARTMENT (GFD)

(1) Appropriation. Notwithstanding any other provision of law, the sum of Thirty-two Million Two Hundred Thirty-one Thousand Five Hundred Seventy-four Dollars ($**32,231,574**) is appropriated to the Guam Fire Department (GFD) for its operations for Fiscal Year 2019. This sum is composed of Twenty-eight Million Four Hundred Twenty-four Thousand Seven Hundred Thirty-one Dollars (**$28,424,731**) from the General Fund and Three Million Eight Hundred Six Thousand Eight Hundred Forty-three Dollars ($**3,806,843**) from the Enhanced 911 Emergency Reporting System Fund, the Fire, Life, and Medical Emergency (F.L.A.M.E.) Fund, and the Tourist Attraction Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$28,424,731
ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	$2,245,507
F.L.A.M.E.	$734,262
TOURIST ATTRACTION FUND	$827,074
TOTAL	**$32,231,574**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$29,731,973
OPERATIONS OBJECT CATEGORIES (220-290)	$1,806,160
UTILITIES OBJECT CATEGORIES (361-363)	$637,441
CAPITAL OUTLAY (450)	$56,000
TOTAL	**$32,231,574**

Enhanced 911 Emergency Reporting System Fund - $1,307,242 (111-113); $775,175 (220-290); $163,090 (361-363); $0 (450); 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 (220-290); $474,351 (361-363); $0 (450)

(bb) GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION (GETC)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

TERRITORIAL EDUCATIONAL FACILITIES FUND	$569,814
TOTAL	**$569,814**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

CHAMORRO LAND TRUST OPERATIONS FUND	$1,027,963
TOTAL	**$1,027,963**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

(dd) GUAM REGIONAL TRANSIT AUTHORITY (GRTA)

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

SUMMARY OF APPROPRIATIONS FUNDING SOURCE

GUAM HIGHWAY FUND	$2,764,796
PUBLIC TRANSIT FUND	$456,392
TOTAL	**$3,221,188**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

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

(ee) GUAM ELECTION COMMISSION (GEC)

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

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,399,414
TOTAL	**$1,399,414**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$891,354
OPERATIONS OBJECT CATEGORIES (220-290)	$508,060
UTILITIES OBJECT CATEGORIES (361-363)	$0
CAPITAL OUTLAY (450)	$0
TOTAL	**$1,399,414**

(ff) GUAM SOLID WASTE AUTHORITY (GSWA)

(1) Appropriation. The sum of Nineteen Million Three Hundred Thirty-one Thousand Three Hundred Fifty-two Dollars ($**19,331,352**) is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority for its operations for Fiscal Year 2019.

SUMMARY OF APPROPRIATIONS FUNDING SOURCE

SOLID WASTE OPERATIONS FUND	$19,331,352
TOTAL	**$19,331,352**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(gg) *HAGÅTÑA* RESTORATION AND REDEVELOPMENT AUTHORITY (HRRA)

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

SUMMARY OF APPROPRIATIONS FUNDING SOURCE

TOURIST ATTRACTION FUND	$132,357
TOTAL	**$132,357**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-113)	$91,731
OPERATIONS OBJECT CATEGORIES (220-290)	$40,626
UTILITIES OBJECT CATEGORIES (361-363)	$0
CAPITAL OUTLAY (450)	$0
TOTAL	**$132,357**

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

(hh) *I KUMISION I FINO' CHAMORU YAN I FINA'NÅ'GUEN HISTORIA YAN I LINA'LA' TAOTAO TÅNO' (KUMISION)*

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

SUMMARY OF APPROPRIATIONS FUNDING SOURCE	
TOURIST ATTRACTION FUND	$202,200
TOTAL	**$202,200**
For information purposes only:	
FEDERAL MATCHING GRANTS-IN-AID	$0

(ii) OFFICE OF TECHNOLOGY (OTECH)

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

SUMMARY OF APPROPRIATIONS FUNDING SOURCE

GENERAL FUND	$3,139,434
TOTAL	**$3,139,434**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

SUMMARY OF BASE OPERATIONAL APPROPRIATION

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

CHAPTER VI

LEGISLATIVE BRANCH

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

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

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

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 ($**89,730**) from the General Fund appropriation in Section 2 for OAG's share of twenty-five percent (25%) of the total annual cost of message switch maintenance and National Law Enforcement Telecommunications System (NLETS) membership totaling Three Hundred Fifty-eight Thousand Nine Hundred Twenty Dollars ($**358,920**) pursuant to the Multi-Agency Agreement to Facilitate a Cost-Sharing Initiative of May 2013 entered into by the Chief of the Guam Police Department, the Director of

the Department of Corrections, the Attorney General of Guam, and the Administrator of the Courts, and other associated costs for Fiscal Year 2019.

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

Section 5. Tax Collection. The sum of Three Hundred Thousand Dollars ($**300,000**) is appropriated from the General Fund to OAG for the purpose of assisting the Department of Revenue and Taxation in the collection of taxes.

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

CHAPTER VII

LEGAL SERVICES

PART II – PUBLIC DEFENDER SERVICE CORPORATION

Section 1. Appropriation. The sum of Four Million Three Hundred Forty-four Thousand One Hundred Seventy Dollars ($**4,344,170**) is appropriated from the General Fund to the Public Defender Service Corporation (PDSC) for its operations, including personnel services, for Fiscal Year 2019.

No more than Three Million Nine Hundred Sixty-six Thousand Ninety-two Dollars ($**3,966,092**) *shall* be expended for Personnel Object Categories (111 through 115).

SUMMARY OF BASE OPERATIONAL APPROPRIATION

PERSONNEL OBJECT CATEGORIES (111-115)	$3,966,092
OPERATIONS OBJECT CATEGORIES (220-290)	$378,078
UTILITIES OBJECT CATEGORIES (361-363)	$0
CAPITAL OUTLAY (450)	$0
TOTAL	**$4,344,170**

Section 2. Transfer Authority for the PDSC. The PDSC may transfer funds between appropriations made in Section 1; provided, that PDSC notify *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) working days before the transfer is made, and *except* that no funds shall be transferred to Personnel Object Categories (111 through 115).

CHAPTER VIII

MAYORS COUNCIL OF GUAM

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

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

SUMMARY OF APPROPRIATION FUNDING SOURCE	
GENERAL FUND	$2,678,070
GUAM HIGHWAY FUND	$5,443,701
LIMITED GAMING FUND	$524,913
TOURIST ATTRACTION FUND	$1,461,288
TOTAL	**$10,107,972**

SUMMARY OF BASE OPERATIONAL APPROPRIATION	
PERSONNEL OBJECT CATEGORIES (111-115)	$8,386,083
OPERATIONS OBJECT CATEGORIES (220-290)	$622,689
UTILITIES OBJECT CATEGORIES (361-363)	$1,099,200
CAPITAL OUTLAY (450)	$0
TOTAL	**$10,107,972**

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

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

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

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

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

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

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

Section 4. Island-Wide Village Beautification Projects.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS, AND PRACTICES

PART I – OFFICE OF PUBLIC ACCOUNTABILITY

Section 1. Appropriation. The sum of One Million Two Hundred Fifty-eight Thousand Three Hundred Sixty-five Dollars ($**1,258,365**) is appropriated from the General Fund to the Office of Public Accountability (OPA) for its operations for Fiscal Year 2019.

SUMMARY OF APPROPRIATION FUNDING SOURCE	
GENERAL FUND	$1,258,365
TOTAL	**$1,258,365**
For information purposes only:	
FEDERAL MATCHING GRANTS-IN-AID	$0
SUMMARY OF BASE OPERATIONAL APPROPRIATION	
PERSONNEL OBJECT CATEGORIES (111-113)	$1,157,112
OPERATIONS OBJECT CATEGORIES (220-290)	$97,328
UTILITIES OBJECT CATEGORIES (361-363)	$3,925
CAPITAL OUTLAY (450)	$0
TOTAL	**$1,258,365**

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS, AND PRACTICES

PART II – GUAM BOARD OF ACCOUNTANCY

Section 1. Appropriation. The sum of Seven Hundred Eighty-nine Thousand Seven Hundred Eighty Dollars ($**789,780**) is appropriated from the Guam Board of Accountancy Fund to the Guam Board of Accountancy (GBOA) for its operations in Fiscal Year 2019.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GUAM BOARD OF ACCOUNTANCY FUND	$789,780
TOTAL	**$789,780**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 2. Appropriation to the University of Guam Endowment Foundation, Inc. The sum of One Hundred Thousand Dollars ($**100,000**) is hereby appropriated from the unappropriated fund balance of the Guam Board of Accountancy Fund in Fiscal Year 2019 to the University of Guam Endowment Foundation, Inc. for the Guam Accountancy Endowment Fund created pursuant to Public Law 32-191 for the "Senator Herminia Dierking and John Phillips Visiting Accounting Professor and Lecturer Program" for Fiscal Year 2019.

CHAPTER X

GUAM VISITORS BUREAU

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

SUMMARY OF APPROPRIATIONS

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

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

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

(a) *På'å Taotao Tåno'*;

(b) Historic *Inalåhan* Foundation;

(c) Pacific War Museum Foundation;
(d) *Håya* Cultural Preservation Foundation;
(e) Guam International Film Festival;
(f) *Humåtak* Foundation
(g) *Åmot Taotao Tåno'*;
(h) *Huråo* Academy, Inc.;
(i) *Inetnon Gefpa'go* Cultural Arts Program, Inc.;
(j) Humanities *Guåhan*;
(k) Guam Symphony Society;
(l) Guam Unique Merchandise and Arts (GUMA);
(m) *Duk Duk* Goose, Inc.;
(n) *Ayuda* Foundation;
(o) Traditions Affirming our Seafaring Ancestry (TASA);
(p) Traditions About Seafaring Islands (TASI);
(q) *Guåfi*, Inc.;
(r) University of Guam Press;
(s) *Ulitao*; or
(t) Micronesian Conservation Trust.

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) Four Thousand Two Hundred Thirty-eight Dollars ($4,238) in retiree supplemental annuity benefits, known as the sum 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 formerly contained in various General Appropriations Acts.

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

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

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

"(g) Any disability retirement annuitant who commenced receiving a disability retirement annuity prior to October 1, 1995 and who is entitled to disability retirement benefits under this Chapter *shall* receive during the

period commencing on October 1, 2018 through September 30, 2019, prospective non-cumulative supplemental annuity benefits as follows:

(1) Four Thousand Two Hundred Thirty-eight Dollars ($4,238) in retiree supplemental annuity benefits, known as the sum 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 formerly contained in various General Appropriation Acts.

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

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

Section 4. Retirees Supplemental Annuity Additions. § 8122(d)(6), Article 1, Chapter 8, Title 4 GCA is hereby *amended* to read as follows:

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

(A) Four Thousand Two Hundred Thirty-eight Dollars ($4,238) in retiree supplemental annuity benefits, known as the sum 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 formerly contained in various General Appropriation Acts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thousand One Hundred Seventy-one Dollars and Seventy-four Cents ($**15,171.74**) for insurance and maintenance;

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

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

Section 8. Guam Retirement Security Plan. The sum of Five Hundred Thousand Dollars ($500,000) is hereby appropriated from the General Fund to fund the Guam Retirement Security Plan established by Public Law 33-186.

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 *I 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,

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

Section 3. Temporary Employment of Retired Guam Police Officers. The Guam Police Department (GPD) may hire retired Guam police officers if a critical need arises because of military activation of police officers or absence due to a long-term disability status which has been certified by a medical doctor. The GPD may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded. The retiree hired *shall* fill such a vacant position and *shall* be terminated when the incumbent returns from military service. Retired officers may be hired only at the ranks of Sergeant I and below, only at Step I, and *shall not* receive sick and annual leave. Officers hired under this Section *shall* first meet the requirements for the position in question, expect for written examinations, and the Chief of Police of GPD *shall* certify that every retiree hired is fit for duty. Notwithstanding § 8121(a), Article 1, Chapter 8, Title 4 GCA, retirees hired temporarily pursuant to this Section may continue to receive retirement benefits. The GPD may pay for Civilian Volunteer Police Reserve stipends to a Police Reserve Officer to provide temporary services of a regular police officer. Any employee hired under this Section *shall only* be eligible to enroll in the Government of Guam Health Insurance Program as an active employee. The Chief of Police *shall* report to *I Liheslaturan Guåhan* on July 1, 2019 and again thirty (30) days after the end of the fiscal year, the number of retired officers hired pursuant to this Section, the positions

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

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

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

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

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

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

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

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

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

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

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

Section 11. Transfer of Employees.

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

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

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

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

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

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

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

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

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

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

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

Section 12. Restrictions on Hiring of Unclassified Employees. Unless otherwise authorized by this Chapter, government funds of any kind or description may be expended for the employment or hiring of unclassified employees in the Executive Branch of the government of Guam, *except* for the following:

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

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

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

(d) Department of Labor Survey Workers;

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

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

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

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

(i) positions within the Mayors Council of Guam;

(j) positions within the Guam Election Commission;

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

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

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

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

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

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

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

(r) Labor Law Enforcement Specialists.

Section 13. Board and Commission Stipends. Any compensation or stipend owed to a board or commission member for attending a regular or special meeting in Fiscal Year 2019 *shall* be paid from appropriations in this Act by the department or agency responsible for the administrative support and operations of such board or commission. *Except* for Commissioners of the Civil Service Commission, any board member who has served on a board continuously for ten (10) years or more may receive a stipend totaling *no more than* Two Hundred Fifty Dollars ($250) per month for meetings attended; however, board and commission members may elect to *not* receive said compensation. *I Maga'låhen Guåhan* may,

by Executive Order, waive the payment of meeting stipends owed to any board or commission member.

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

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

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

(c) The Office of the Attorney General, the Public Defender Service Corporation, and the Alternate Public Defender are authorized to contract with attorneys as independent contractors to provide services in areas in which it is impracticable or impossible for the office to proceed. Such contracts *shall* be in accordance with the procurement laws of Guam. No such independent contractor hired pursuant to this Section may receive from the government of Guam any remuneration in any form other than in payment for the position into which such person is hired. The Office of the Attorney General, the Executive Director of the Public Defender Service Corporation, and the Executive Director of the Alternate Public Defender *shall* file a copy of every such contract with the Chief Procurement Officer and the Director of Administration together with a written certification stating why it is impracticable to handle the matter within the office as otherwise constituted.

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

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

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

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

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

Section 16. Authorization for Legal Services for the Department of Public Works, the Guam Building Code Council, the Contractors License

Board, and the PEALS Board. The Department of Public Works (DPW), the Guam Board of Professional Engineers, Architects, and Land Surveyors (PEALS), the Contractors License Board (CLB), and the Guam Building Code Council (GBCC) may enter into a Memorandum of Understanding (MOU) to jointly fund an Assistant Attorney General to specifically provide legal services to DPW, GBCC, CLB, and the PEALS Board only.

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

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

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

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

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

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

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

Section 18. A new § 7716(u) is *added* to Chapter 7 of Title 17, Guam Code Annotated, to read:

"(u) Pursuant to its authority under 17 GCA §7116, The Guam Department of Education *shall* submit a report on the status of its progress to enter into power purchase agreements to the Speaker of *I Liheslatura* within thirty (30) days of enactment of this Act."

Section 19. Temporary Employment of Retired Attorneys.

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

the end of the fiscal year, the number of retired attorneys hired pursuant to this Section, the positions filled, the length of employment, the cost of said hiring, and the nature of the critical need that was filled.

Section 20. False Claims and Whistleblower Act. A new Chapter 37 is hereby *added* to Title 5, Guam Code Annotated, to read:

"**CHAPTER 37**

FALSE CLAIMS AND WHISTLEBLOWER ACT

Article 1. False Claims and Whistleblowing.
Article 2. Civil Actions for False Claims and Whistleblowing.
Article 3. False Claims and Whistleblowing Procedure.
Article 4. Civil Investigative Demands.

ARTICLE 1

FALSE CLAIMS AND WHISTLEBLOWING

§ 37101. Definitions.
§ 37102. Liability for Certain Acts.
§ 37103. Whistleblower Awards to Individuals Who Report Underpayments of Taxes Levied Under the Laws of Guam.
§ 37104. Exemption from Disclosure.
§ 37105. Severability.

§ 37101. Definitions.

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

(a) the term 'claim'

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

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

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

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

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

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

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

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

(A) has actual knowledge of the information;

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

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

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

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

(d) the term 'obligation' means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or

licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment.

§ 37102. Liability for Certain Acts.

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

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

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

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

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

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

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

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

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

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

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

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

(3) at the time such person furnished the government of Guam with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this title with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation, the court may assess not less than two (2) times the amount of damages which the government sustains because of the act of that person.

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

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

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

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

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

(2) detecting and bringing to trial and punishment persons guilty of violating the tax laws enacted in Guam or conniving at the same, in cases where such expenses are not otherwise provided for by law. Any amount payable under the preceding sentence *shall* be paid from the proceeds of amounts collected by reason of the information provided, and any amount so collected *shall* be available for such payments.

(b) Awards to Whistleblowers.

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

(2) Award in Case of Less Substantial Contribution.

(A) In the event the action described in Paragraph (1) is one which the Tax Enforcement Division determines to be based principally on disclosures of specific allegations (other than information provided by the individual described in Paragraph (1)) resulting from a judicial or administrative hearing, from a governmental report, hearing, audit, or investigation, or from the news media, the Tax Enforcement Division may award such sums as it considers appropriate, but in no case more than ten percent (10%) of the collected proceeds (including penalties, interest, additions to tax, and additional amounts) resulting from the action (including any related actions) or from any settlement in response to such action, taking into account the significance of the individual's information and the role of such individual and any legal representative of such individual in contributing to such action.

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

(3) Reduction in or Denial of Award. If the Tax Enforcement Division determines that the claim for an award under Paragraph (1) or (2) is brought by an individual who planned and initiated the actions that led to the underpayment of tax or actions described in Subsection (a)(2), then the Tax Enforcement Division may appropriately reduce such award. If such individual is convicted of criminal conduct arising

from the role described in the preceding sentence, the Tax Enforcement Division *shall* deny any award.

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

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

(A) against any taxpayer, but in the case of any individual, only if such individual's gross income exceeds Two Hundred Thousand Dollars ($200,000) for any taxable year subject to such action, and

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

(6) Additional rules.

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

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

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

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

§ 37104. Exemption from Disclosure.

Any information furnished pursuant to §§ 37102(b) and 37103 *shall* be exempt from disclosure under Chapter 10 of Title 5, Guam Code Annotated.

§ 37105. Severability.

If any provision of this Chapter 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 Chapter which can be given effect without such invalid provision or application, and to this end the provisions of this Chapter are severable.

ARTICLE 2
CIVIL ACTIONS FOR FALSE CLAIMS AND WHISTLEBLOWING

§ 37201. Responsibilities of the Attorney General.
§ 37202. Actions by Private Persons.
§ 37203. Right of the Parties to Qui Tam Actions.
§ 37204. Award to Qui Tam Plaintiff.
§ 37205. Certain Actions Barred.
§ 37206. Government of Guam Not Liable for Certain Expenses.

§ 37207. Fees and Expenses to Prevailing Defendant.

§ 37208. Relief from Retaliatory Actions

§ 37201. Responsibilities of the Attorney General.

The Attorney General *shall* diligently investigate a violation under §§ 37102 and 37103. If the Attorney General finds that a person has violated or is violating §§ 37102 or 37103, the Attorney General may bring a civil action under this Section against the person.

§ 37202. Actions by Private Persons.

(a) A person may bring a civil action for a violation of §§ 37102 and 37103 for the person and for the government of Guam. The action *shall* be brought in the name of the government. The action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.

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

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

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

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

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

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

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

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

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

(2) The government of Guam may settle the action with the defendant notwithstanding the objections of the person initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, such hearing may be held in camera. If any such settlement is achieved, the person initiating the action *shall*

have the same rights in such proceedings as such person would have had pursuant to § 37103 if the action had continued.

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

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

(e) Notwithstanding § 37202, the government of Guam may elect to pursue its claim through any alternate remedy available to the government of Guam, including any administrative proceeding to determine a civil money penalty. If any such alternate remedy is pursued in another proceeding, the person initiating the action *shall* have the same rights in such proceeding as such person would have had if the action had continued under this Section.

Any finding of fact or conclusion of law made in such other proceeding that has become final *shall* be conclusive on all parties to an action under this Section. For purposes of the preceding sentence, a finding or conclusion is final if it has been finally determined on appeal to the appropriate court of Guam, if all time for filing such an appeal with respect to the finding or conclusion has expired, or if the finding or conclusion is not subject to judicial review.

§ 37204. Award to Qui Tam Plaintiff.

(a) Except as otherwise provided under § 37103, if the government of Guam proceeds with an action brought by a person under § 37202, such person *shall*, subject to the second sentence of this Subsection, receive at least fifteen percent (15%), but not more than twenty-five percent (25%), of the proceeds of the action or settlement of the claim, depending upon the extent to which the person substantially contributed to the prosecution of the action. Where the action is one which the court finds to be based primarily on disclosures of specific information (other than information provided by the person bringing the action) relating to allegations or transactions in a criminal, civil, or administrative hearing, in a congressional, administrative, or government of Guam report, hearing, audit, or investigation, or from the news media, the court may award such sums as it considers appropriate, but in no case more than ten percent (10%) of the proceeds, taking into account the significance of the information and the role of the person bringing the action in advancing the case to litigation. Any payment to a person under the first or second sentence of this Subsection *shall* be made from the proceeds. Any such person *shall* also receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorneys' fees and

costs. All such expenses, fees, and costs *shall* be awarded against the defendant.

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

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

(d) If the government of Guam does not proceed with the action and the person bringing the action conducts the action, the court may award to the defendant its reasonable attorneys' fees and expenses if the defendant prevails in the action and the court finds that the claim of the person bringing the action

was clearly frivolous, clearly vexatious, or brought primarily for purposes of harassment.

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

§ 37205. Certain Actions Barred.

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

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

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

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

§ 37207. Fees and Expenses to Prevailing Defendant.

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

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

(2) A party seeking an award of fees and other expenses *shall*, within thirty (30) days of final judgment in the action, submit to the court an application for fees and other expenses which shows that the party is a prevailing party and is eligible to receive an award under this Section, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses were computed. The party *shall* also allege that the position of the government of Guam was not substantially justified. Whether or not the position of the government of Guam was substantially justified *shall* be determined on the basis of the record (including the record with respect to the action or failure to act by the agency upon which the civil action is based) which is made in the civil action for which fees and other expenses are sought.

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

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

(b) For the purposes of this Section:

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

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

(3) 'position of the government of Guam' means, in addition to the position taken by the government of Guam in the civil action, the action or failure to act by the agency upon which the civil action is based; except that fees and expenses may not be awarded to a party for

any portion of the litigation in which the party has unreasonably protracted the proceedings; and

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

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

§ 37208. Relief from Retaliatory Actions.

(a) In General. Any employee, contractor, or agent *shall* be entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent or associated others in furtherance of an action under this section or other efforts to stop one (1) or more violations of this Chapter.

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

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

ARTICLE 3
FALSE CLAIMS AND WHISTLEBLOWING PROCEDURE

§ 37301. Statute of Limitations for Civil Actions.

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

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

§ 37301. Statute of Limitations for Civil Actions.

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

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

If the government of Guam elects to intervene and proceed with an action brought under § 37202, the government of Guam may file its own complaint or amend the complaint of a person who has brought an action under § 37202 to clarify or add detail to the claims in which the government of Guam is intervening and to add any additional claims with respect to which the government contends it is entitled to relief. For statute of limitations purposes, any such government of Guam pleading *shall* relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the government of Guam arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person.

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

(a) In any action brought under Article 2, the government of Guam *shall* be required to prove all essential elements of the cause of action, including damages, by a preponderance of the evidence.

(b) Notwithstanding any other provision of law, a final judgment rendered in favor of the government of Guam in any criminal proceeding charging fraud or false statements, whether upon a verdict after trial or upon

a plea of guilty or nolo contendere, *shall* estop the defendant from denying the essential elements of the offense in any action which involves the same transaction as in the criminal proceeding and which is brought under §§ 37201 or 37202.

ARTICLE 4

CIVIL INVESTIGATIVE DEMANDS

§ 37401. In General.

§ 37402. Protected Material of Information.

§ 37403. Service; Jurisdiction.

§ 37404. Service Upon Legal Entities and Natural Persons.

§ 37405. Proof of Service.

§ 37406. Documentary Material.

§ 37407. Interrogatories.

§ 37408. Oral Examinations.

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

§ 37410. Judicial Proceedings.

§ 37411. Disclosure Exemption.

§ 37412. Definitions.

§ 37401. In General.

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

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

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

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

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

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

(b) Contents and Deadlines.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Any civil investigative demand issued under this Section which is an express demand for any product of discovery *shall not* be returned or returnable until twenty (20) days after a copy of such demand has been served upon the person from whom the discovery was obtained.

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

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

§ 37402. Protected Material of Information.

(a) In General. A civil investigative demand issued under § 37401 may not require the production of any documentary material, the submission

of any answers to written interrogatories, or the giving of any oral testimony if such material, answers, or testimony would be protected from disclosure under:

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

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

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

§ 37403. Service; Jurisdiction.

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

§ 37404. Service Upon Legal Entities and Natural Persons.

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

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

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

(3) depositing an executed copy of such demand or petition in the United States mails by registered or certified mail, with a return receipt requested, addressed to such partnership, corporation, association, or entity at its principal office or place of business.

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

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

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

§ 37405. Proof of Service.

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

§ 37406. Documentary Material.

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

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

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

The certificate *shall* state that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the false claims law investigator identified in the demand.

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

§ 37407. Interrogatories.

Each interrogatory in a civil investigative demand served under this Section *shall* be answered separately and fully in writing under oath, and *shall*

be submitted under a sworn certificate, in such form as the demand designates, by:

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

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

If any interrogatory is objected to, the reasons for the objection *shall* be stated in the certificate instead of an answer. The certificate *shall* state that all information required by the demand and in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted. To the extent that any information is not furnished, the information *shall* be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

§ 37408. Oral Examinations.

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

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

(c) Transcript of Testimony. When the testimony is fully transcribed, the false claims law investigator or the officer before whom the testimony is taken *shall* afford the witness, who may be accompanied by counsel, a reasonable opportunity to examine and read the transcript, unless such examination and reading are waived by the witness. Any changes in form or substance which the witness desires to make *shall* be entered and identified upon the transcript by the officer or the false claims law investigator, with a statement of the reasons given by the witness for making such changes. The transcript *shall* then be signed by the witness, unless the witness in writing waives the signing, is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within thirty (30) days after being afforded a reasonable opportunity to examine it, the officer or the false claims law investigator *shall* sign it and state on the record the fact of the waiver, illness, absence of the witness, or the refusal to sign, together with the reasons, if any, given therefor.

(d) Certification and Delivery to Custodian. The officer before whom the testimony is taken *shall* certify on the transcript that the witness was sworn by the officer and that the transcript is a true record of the testimony given by the witness, and the officer or false claims law investigator

shall promptly deliver the transcript, or send the transcript by registered or certified mail, to the custodian.

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

(f) Conduct of Oral Testimony.

(1) Any person compelled to appear for oral testimony under a civil investigative demand issued under § 37401 may be accompanied, represented, and advised by counsel. Counsel may advise such person, in confidence, with respect to any question asked of such person. Such person or counsel may object on the record to any question, in whole or in part, and *shall* briefly state for the record the reason for the objection. An objection may be made, received, and entered upon the record when it is claimed that such person is entitled to refuse to answer the question on the grounds of any constitutional or other legal right or privilege, including the privilege against self-incrimination. Such person may not otherwise object to or refuse to answer any question, and may not directly or through counsel otherwise interrupt the oral examination. If such person refuses to answer any question, a petition may be filed in the Unified Judiciary of Guam under § 37410(a) for an order compelling such person to answer such question.

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

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

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

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

(b) Responsibility for Materials; Disclosure.

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

(2) The custodian may cause the preparation of such copies of such documentary material, answers to interrogatories, or transcripts of oral testimony as may be required for official use by any false claims law investigator, or other officer or employee of the Office of the Attorney General. Such material, answers, and transcripts may be used by any such authorized false claims law investigator or other officer or

employee in connection with the taking of oral testimony under this Section.

(3) Except as otherwise provided in this Subsection, no documentary material, answers to interrogatories, or transcripts of oral testimony, or copies thereof, while in the possession of the custodian, shall be available for examination by any individual other than a false claims law investigator or other officer or employee of the Office of the Attorney General authorized under Item (2). The prohibition in the preceding sentence on the availability of material, answers, or transcripts *shall not* apply if consent is given by the person who produced such material, answers, or transcripts, or, in the case of any product of discovery produced pursuant to an express demand for such material, consent is given by the person from whom the discovery was obtained. Nothing in this Subparagraph is intended to prevent disclosure to *I Liheslaturan Guåhan*, including any committee or subcommittee of *I Liheslaturan Guåhan*, or to any other agency of the government of Guam for use by such agency in furtherance of its statutory responsibilities.

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

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

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

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

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

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

(2) no case or proceeding in which such material may be used has been commenced within a reasonable time after completion of the examination and analysis of all documentary material and other information assembled in the course of such investigation, the custodian *shall*, upon written request of the person who produced such

material, return to such person any such material (other than copies furnished to the false claims law investigator under § 37408(b) or made for the Office of the Attorney General under Subsection (b)(2) which has not passed into the control of any court, grand jury, or agency through introduction into the record of such case or proceeding.

(e) Appointment of Successor Custodians. In the event of the death, disability, or separation from service in the Office of the Attorney General of the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony produced pursuant to a civil investigative demand under this Section, or in the event of the official relief of such custodian from responsibility for the custody and control of such material, answers, or transcripts, the Attorney General *shall* promptly:

(1) designate another false claims law investigator to serve as custodian of such material, answers, or transcripts; and

(2) transmit in writing to the person who produced such material, answers, or testimony notice of the identity and address of the successor so designated.

Any person who is designated to be a successor under this Paragraph *shall* have, with regard to such material, answers, or transcripts, the same duties and responsibilities as were imposed by this Section upon that person's predecessor in office, except that the successor *shall not* be held responsible for any default or dereliction which occurred before that designation.

§ 37410. Judicial Proceedings.

(a) Petition for Enforcement. Whenever any person fails to comply with any civil investigative demand issued under § 37401, or whenever satisfactory copying or reproduction of any material requested in such demand cannot be done and such person refuses to surrender such material, the

Attorney General may file, in the Unified Judiciary of Guam, and serve upon such person a petition for an order of such court for the enforcement of the civil investigative demand.

(b) Petition to Modify or Set Aside Demand.

(1) Any person who has received a civil investigative demand issued under § 37401 may file, in the Unified Judiciary of Guam, is found, or transacts business, and serve upon the false claims law investigator identified in such demand a petition for an order of the court to modify or set aside such demand. In the case of a petition addressed to an express demand for any product of discovery, a petition to modify or set aside such demand may be brought only in the Unified Judiciary of Guam. Any petition under this item must be filed:

(A) within twenty (20) days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier; or

(B) within such longer period as may be prescribed in writing by any false claims law investigator identified in the demand.

(2) The petition *shall* specify each ground upon which the petitioner relies in seeking relief under Item (1), and may be based upon any failure of the demand to comply with the provisions of this Section or upon any constitutional or other legal right or privilege of such person. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the demand, in whole or in part, except that the person filing the petition *shall* comply with any portions of the demand not sought to be modified or set aside.

(c) Petition to Modify or Set Aside Demand for Product of Discovery.

(1) In the case of any civil investigative demand issued under § 37401, which is an express demand for any product of discovery, the person from whom such discovery was obtained may file, in the Unified Judiciary of Guam, and serve upon any false claims law investigator identified in the demand and upon the recipient of the demand, a petition for an order of such court to modify or set aside those portions of the demand requiring production of any such product of discovery. Any petition under this Subparagraph must be filed:

(A) within twenty (20) days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier; or

(B) within such longer period as may be prescribed in writing by any false claims law investigator identified in the demand.

(2) The petition *shall* specify each ground upon which the petitioner relies in seeking relief under Item (1), and may be based upon any failure of the portions of the demand from which relief is sought to comply with the provisions of this Section, or upon any constitutional or other legal right or privilege of the petitioner. During the pendency of the petition, the court may stay, as it deems proper, compliance with the demand and the running of the time allowed for compliance with the demand.

(d) Petition to Require Performance by Custodian of Duties. At any time during which any custodian is in custody or control of any documentary material or answers to interrogatories produced, or transcripts of oral

testimony given, by any person in compliance with any civil investigative demand issued under § 37401, such person, and in the case of an express demand for any product of discovery, the person from whom such discovery was obtained, may file, in the Unified Judiciary of Guam, and serve upon such custodian, a petition for an order of such court to require the performance by the custodian of any duty imposed upon the custodian by this Section.

(e) Jurisdiction. Whenever any petition is filed in the Unified Judiciary of Guam under this Section, such court *shall* have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry out the provisions of this Section. Any final order so entered *shall* be subject to appeal to the Supreme Court of Guam. Any disobedience of any final order entered under this Section by any court *shall* be punished as a contempt of the court.

(f) Applicability of Federal Rules of Civil Procedure. The Guam Rules of Civil Procedure *shall* apply to any petition under this Subsection, to the extent that such rules are not inconsistent with the provisions of this Section.

§ 37411. Disclosure Exemption.

Any documentary material, answers to written interrogatories, or oral testimony provided under any civil investigative demand issued under § 37401 *shall* be exempt from disclosure under Chapter 10 of Title 5, Guam Code Annotated.

§ 37412. Definitions.

For purposes of this Article:

(a) the term ‘false claims law’ means this Chapter;

(b) the term ‘false claims law investigation’ means any inquiry conducted by any false claims law investigator for the purpose of ascertaining

whether any person is or has been engaged in any violation of the false claims law;

(c) the term 'false claims law investigator' means any attorney or investigator employed by the Office of the Attorney General who is charged with the duty of enforcing or carrying into effect any false claims law, or any officer or employee of the government of Guam acting under the direction and supervision of such attorney or investigator in connection with a false claims law investigation;

(d) the term 'person' means any natural person, partnership, corporation, association, or other legal entity, including any state or political subdivision of a state;

(e) the term 'documentary material' includes the original or any copy of any book, record, report, memorandum, paper, communication, tabulation, chart, or other document, or data compilations stored in or accessible through computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret such data compilations, and any product of discovery;

(f) the term 'custodian' means the custodian, or any deputy custodian, designated by the Attorney General under § 37409(a);

(g) the term 'product of discovery' includes:

(1) the original or duplicate of any deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission, which is obtained by any method of discovery in any judicial or administrative proceeding of an adversarial nature;

(2) any digest, analysis, selection, compilation, or derivation of any item listed in Item (1); and

(3) any index or other manner of access to any item listed in Item (1); and

(h) the term 'official use' means any use that is consistent with the law, and the regulations and policies of the Office of the Attorney General, including use in connection with internal Office of the Attorney General memoranda and reports; communications between the Office of the Attorney General and a government of Guam agency, or a contractor of a government of Guam agency, undertaken in furtherance of an Office of the Attorney General investigation or prosecution of a case; interviews of any qui tam relator or other witness; oral examinations; depositions; preparation for and response to civil discovery requests; introduction into the record of a case or proceeding; applications, motions, memoranda and briefs submitted to a court or other tribunal; and communications with government investigators, auditors, consultants and experts, the counsel of other parties, arbitrators and mediators, concerning an investigation, case or proceeding."

Section 21. § 50104 of Title 11, Guam Code Annotated, is hereby *amended* to read:

"**§ 50104. Revenues Reserved for Income Tax Refunds, Earned Income Tax Credits and Child Tax Credits.**

In accordance with the formula provided for in § 50103 of this Chapter, the Director of Administration *shall*, as a ministerial duty, set aside all money reserved for income tax refunds, and *shall* set aside earned income tax credits and child tax credits from income tax receipts."

Section 22. The unexpended balance of the Fiscal Year 2018 appropriation to the Guam Historic Resources Division of the Department of Parks and Recreation from the Guam Visitors Bureau Cultural and Sports Ambassadors Fund *shall not* lapse and *shall* continue to be available until fully expended.

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 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

personnel may be renewed to reflect the new grant year and job order pursuant to the agreement between the Division of Senior Citizens, DPHSS, and the MCOG.

Section 2. Government-Funded Travel Prohibited. Funds appropriated by this Act *shall not* be expended for off-island travel or per diem expenses by government employees and officials, *except* for:

(a) travel that is federally-funded;

(b) travel that is specifically required to administer or secure federal grants;

(c) travel to promote tourism on Guam; provided, that such travel is paid for by the Tourist Attraction Fund and is restricted to the GVB General Manager or his designee, and appropriate GVB staff and cultural performers as are identified by the Board of Directors as necessary to accomplish the goal of the travel;

(d) travel by law enforcement personnel conducting an official investigation and law enforcement personnel providing escort services for criminal suspects, detainees, and convicted felons being returned to Guam for judicial proceedings or being transferred to off-island correctional facilities;

(e) travel by medical personnel providing escort services for patients requiring off-island medical treatment and other escorts as specifically authorized by the Department of Public Health and Social Services pursuant to Guam law;

(f) travel necessary for the enforcement of court orders;

(g) travel under the Residential Treatment Fund; or

(h) travel required for witnesses testifying on behalf of, and government attorneys representing the government or the people of Guam in a criminal or civil case.

(i) travel to attend conferences and official meetings with national and regional government officials or national and regional organizations of which the entity is an official member.

Section 3. Salary Increments Freeze. Notwithstanding any other provision of law, rule or regulation, there *shall* be a freeze on all salary increments, promotions, reclassifications, merit bonuses, and any other upward pay adjustment, which *shall* take effect October 1, 2018 and *shall* remain in effect through September 30, 2019; and *shall* be applicable to all positions in the Executive, Legislative, and Judicial branches, to include all government of Guam departments and agencies, public corporation, bureaus, instrumentalities, entities, and sub-entities. Upon the lifting of such salary increments and merit bonus freeze, the payment of increments or merit bonuses *shall not* be retroactively applied and *shall only* be prospectively paid.

Section 4. Funding of Unclassified Deputy Director and Similar Positions Prohibited. Notwithstanding any other provision of law, rule, regulation, pay scale, or otherwise, beginning on January 7, 2019, Executive Branch departments and agencies receiving appropriations in Part IV of Chapter II, Parts II, III and IV of Chapter III, Chapter V, and Chapter X of this Act *shall not* be authorized to expend any government funds for the purposes of employing unclassified positions with the titles of Deputy Director, Deputy Administrator, Deputy General Manager, Assistant General Manager, Deputy Executive Manager, Vice President, and Deputy Executive Director.

Section 5. Wireless Communications Restrictions.

(a) No government of Guam funds, regardless of source and including funds expended by autonomous agencies, shall be expended for the use of cellular telephones, cellular telephone services, and other wireless telephone services, *unless* the government of Guam will be reimbursed from federal funds or other grants. This

Section *shall not* apply to *I Maga'låhen Guåhan*; *I Segundu na Maga'låhen Guåhan*; the Speaker of *I Liheslaturan Guåhan*; the Chief Justice of the Supreme Court of Guam; the Presiding Judge of the Superior Court of Guam; official use of the Crisis Hotline Program of the Guam Behavioral Health and Wellness Center; law enforcement officials; on-call attorneys of the Office of the Attorney General and the Office of the Public Defender Service Corporation; on-call health professionals of the Guam Memorial Hospital Authority, the Guam Behavioral Health and Wellness Center, and the Department of Public Health and Social Services; village Mayors and Vice Mayors; Guam Fire Department and EMS officials; on-call emergency management personnel; the Chief Medical Examiner; and the Guam Election Commission. The restrictions in this Section *shall not* apply to wireless internet services, stationary (non-mobile) wireless telephone, and wireless voice over internet protocol (VOiP) services.

(b) No appointing authority, manager, supervisor, or public officer in any branch of the government of Guam shall require or exert undue influence on any classified or unclassified employee of any branch of the government of Guam to maintain or utilize for employment-related duties, at such employee's personal expense, any form of wireless and/or internet communications, phone, tablet, or desktop or laptop computer. Nothing herein, *however*, shall be construed to prevent an employer from calling an employee at a wireless phone/radio if the employee designates such wireless phone/radio as a personal contact number. Nothing herein shall be construed as to prevent an employee, voluntarily and on his own accord, from using personal funds or resources for wireless telephone services. An employee in violation of this Subsection (b) is subject to a fine *not to exceed* Fifty Dollars ($50.00) for the first violation, and One Hundred Dollars ($100.00) for subsequent violations.

Section 6. Certification Pay Differential Suspended. Notwithstanding any other provision of law, rule, or regulation, the Certification Pay Differential authorized pursuant to § 6235, Article 2, Chapter 6, Title 4 GCA *shall* be suspended, and *shall* take effect October 1, 2018 and *shall* remain in effect through September 30, 2019. Upon the lifting of certification pay differential suspension, the payment of certification pay differential *shall not* be retroactively applied and *shall only* be prospectively paid.

Section 7. Executive Branch Limitation on Expenditures. Except for Section 1(a), (g), and (h) of Chapter V, notwithstanding the appropriations in Chapters II, III, V, VII, IX, and X of this Act, *only* twenty-five percent (25%) of such appropriations *shall* be expended during the first quarter of Fiscal Year 2019, with the *exception* of appropriations under Object Category 230 for continuing contractual obligations.

Section 8. Suspension of Renewals or Extensions of Qualifying Certificates. Notwithstanding any other provision of law, rule, or regulation, there *shall* be a suspension of all renewals and/or extensions of Qualifying Certificates. The Guam Economic Development Authority *shall not* issue, approve, or grant any renewals or extensions of any Qualifying Certificates. Nothing herein shall affect the consideration of new first-time applications for a Qualifying Certificate that are duly submitted pursuant to applicable Guam laws and regulations. Notwithstanding any other provision of law, rule, or regulation, any new first-time applications for Qualifying Certificates *shall* first be approved by *I Liheslaturan Guåhan* prior to the approval by *I Maga'låhen Guåhan.*

Section 9. Restriction on the Home Use of Government of Guam Vehicles. *Except* as expressly permitted by § 1103(c), Chapter 1, Title 4 GCA, or any other law, no government of Guam owned, leased, or rented vehicles may be

driven home by an employee *unless* such employee is on call as an emergency first responder.

CHAPTER XIII

ADMINISTRATIVE PROVISIONS

PART II – GENERAL ADMINISTRATIVE PROVISIONS

Section 1. Authorization for Matching Requirements for Federal Grants-In-Aid. Notwithstanding any other provision of law, all departments are authorized to expend funds appropriated in this Act for matching requirements of federal grants for Fiscal Year 2019. *I Maga'låhen Guåhan* is authorized to transfer from any appropriations from Section 1(a)(1) of Chapter V of this Act *not* restricted from transfer authority to the Guam Homeland Security for matching funds for federal grants.

Section 2. Carryover of Local and Federal Matching Program Funds for Grants. The local and federal matching funds for programs with which expiration dates extend beyond September 30, 2019 *shall not* lapse and may be expended throughout the period of the grant award.

Section 3. Government of Guam Retirement Fund Rate of Contribution. In accordance with § 8137(e), Article 1, Chapter 8, Title 4 GCA, the government rate of contribution to the Government of Guam Retirement Fund *shall* be twenty-six and fifty-six hundredths percent (26.56%).

Section 4. Autonomous Agency Revenues and Expenditures Reported to *I Maga'låhen Guåhan* and *I Liheslaturan Guåhan*. Notwithstanding any other provision of law, every autonomous and semi-autonomous agency or public corporation of the government of Guam *shall* report all revenues and expenditures for all funds under its purview and administration to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel electronic file and a written report on a monthly basis and post the same on its website. Each monthly report *shall* be due *no later than* thirty (30) days after the end of each month.

Section 5. Facilities Insurance Requirements. Every department and agency of the government of Guam through the Department of Administration *shall only* expend such sums as necessary from the department's or agency's appropriations for operations contained in this Act for insurance of government-owned facilities built or repaired with FEMA grant funds where such insurance is required by FEMA.

Section 6. Reporting Requirements for Non-Profit Organizations. All non-profit organizations that receive funds pursuant to this Act *shall* maintain financial records that accurately account for said funds and *shall* provide a budgetary breakdown by object category to the department or agency that oversees the appropriation. The non-profit organization *shall* be provided a copy of this Section by the department or agency overseeing such appropriation, but this duty *shall not* prevent any non-profit organization from carrying out its responsibilities under this Section. The non-profit organization *shall* also provide to said department:

(a) a quarterly report describing its activities during the reporting period and the results it achieved *no later than* twenty (20) days after the end of each quarter;

(b) notification of all procurement of equipment and services of Twenty-five Thousand Dollars ($25,000) or more prior to awarding the contract therefore;

(c) access to the overseeing department's or agency's duly authorized representative and government of Guam auditors to appropriate records for the purpose of audit and examination of books, documents, papers, and records of funds expended under the appropriation;

(d) submission of a detailed inventory listing of each year's purchases, as certified by its certifying officer; and

(e) a final report to the overseeing department or agency for submission to *I Liheslaturan Guåhan* containing a full disclosure of all expenditures of funds appropriated by this Act *no later than* November 15, 2019, and the overseeing department or agency *shall* post the same on its website.

Non-compliance with these reporting requirements will subject the non-profit organization to a three percent (3%) reduction of its appropriation(s) and the overseeing agency's contract with the organization *shall* so provide.

Section 7. Fund Reversions. Unless otherwise specified in this Act:

(a) General Fund Reversion. All unexpended or unencumbered appropriations made from the General Fund by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2019.

(b) Tourist Attraction Fund Reversion. All unexpended or unencumbered appropriations made from the Tourist Attraction Fund by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2019.

(c) Healthy Futures Fund Reversion. All unexpended or unencumbered appropriations made from the Healthy Futures Fund by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2019.

(d) Territorial Educational Facilities Fund Reversion. All unexpended or unencumbered appropriations made from the Territorial Educational Facilities Fund by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the Territorial Educational Facilities Fund on the last day of Fiscal Year 2019.

(e) Guam Highway Fund Reversion. All unexpended or unencumbered appropriations made from the Guam Highway Fund by a GG1, purchase order, or contract pursuant to this Act *shall* revert to the Guam Highway Fund on the last day of Fiscal Year 2019.

Section 8. General Fund Transfer Authority of *I Maga'låhen Guåhan*. Unless otherwise restricted or specifically allowed by this Act for Fiscal Year 2019, *I Maga'låhen Guåhan* is authorized to transfer up to fifteen percent (15%) between Fiscal Year 2019 General Fund Executive Branch appropriations as directed in this Section. No transfer shall be authorized *unless* the Appropriations Allocation Report required in Section 13 of this Chapter is submitted pursuant to that Section. Any transfer between object categories and object groups or agencies after the submission of the Appropriation Allocation Report in Section 13 of this Chapter *shall* be required to be reported to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget five (5) working days after the transfer is made. Failure to submit any reports by the required deadline in this Section *shall* result in a Two Hundred Fifty Dollar ($250.00) fine per missed deadline for the Director of the Bureau of Budget and Management Research, which *shall* be deposited in the GDOE Interscholastic Sports Fund. For the purposes of this Section, object groups are defined as follows: Personnel Object Categories: 111 – 113; Operations Object Categories: 220 – 290; Utilities Object Categories: 361 – 363; and Capital Outlay: 450.

Notwithstanding any other provision of law, no funds shall be transferred out of the Guam Department of Education Operations Fund or the Fiscal Year 2019 General and Special Fund appropriations made to the Guam Department of Education, the Unified Judiciary, *I Liheslaturan Guåhan*, the Office of Finance and Budget, the Mayors Council of Guam, the Public Defender Service Corporation, the

Guam Ancestral Lands Commission, the *Chamorro* Land Trust Commission, the Office of the Attorney General, and the Office of Public Accountability.

Section 9. E-mail Addresses Paid for with Government of Guam Funds. The Office of *I Maga'låhen Guåhan shall* create a list of all e-mail addresses paid for by any funds appropriated by this Act, and *shall* post said list on the respective agency's or branch's website and the Office of *I Maga'låhen Guåhan's* website.

Section 10. Uniform Allowances. Uniform allowances authorized in this Act *shall not* be less than One Hundred Fifty Dollars ($150.00) for the fiscal year and *shall* be issued to the employees *no later than* the end of the first quarter of Fiscal Year 2019.

Section 11. Government Staffing Pattern.

(a) Staffing Pattern. *No later than* thirty (30) days after the end of each quarter of Fiscal Year 2019, every director, administrator, or head of a government of Guam agency, excluding line agencies, *shall* submit to the Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel file and written report and post the same on the agency website, a current staffing pattern in the format of the Executive Branch Fiscal Year 2019 Budget Call as of the previous quarter's ending. The agencies required to submit are all autonomous and semi-autonomous agencies, public corporations, the Mayors Council of Guam, and the Unified Judiciary. Said staffing pattern *shall* include, at a minimum, the name of every current employee and his position title, most recent hire date, salary, increment costs and benefit costs, the funding source for his/her salary and benefits, and the gross salary and benefits paid for during the quarter.

(b) *No later than* thirty (30) days after the end of each quarter of Fiscal Year 2019, the Director of the Department of Administration *shall* post the government-wide line agency staffing pattern on the designated budget website in a Microsoft Excel file and written report. The format of the report *shall* be the current

staffing pattern in the format of the Executive Branch Fiscal Year 2019 Budget Call as of the previous quarter's ending. Said staffing pattern *shall* include, at a minimum, the name of every current employee and his position title, most recent hire date, salary, increment costs and benefit costs, the funding source for his/her salary and benefits, and the gross salary and benefits paid for during the quarter.

Section 12. Funding Source. The following departments are authorized to expend up to the level of revenues collected for their respective special revenue funds for Fiscal Year 2019 and unexpended carryovers in revolving funds authorized by law only for the purposes authorized by statute for those funds:

(a) Guam Police Department – Police Services Fund; and Police Patrol Vehicle and Equipment Revolving Fund;

(b) Department of Corrections – Corrections Inmate Revolving Fund;

(c) Customs and Quarantine Agency – Customs, Agriculture and Quarantine Inspection Services Fund;

(d) Guam Environmental Protection Agency – Guam Environmental Protection Agency Funds: Recycling Revolving Fund; Air Pollution Control Special Fund; Guam Environmental Trust Fund; Pesticide Management Fund; Water Protection Fund; and Water, Research and Development Fund;

(e) Department of Land Management – Land Survey Revolving Fund;

(f) Department of Agriculture – Guam Plant Inspection and Permit Fund; Guam Invasive Species Inspection Fee Fund; and Rabies Prevention Fund;

(g) Board of Registration for Professional Engineers, Architects and Land Surveyors – Professional Engineers, Architects and Land Surveyors (PEALS) Board Fund;

(h) Guam Fire Department –Enhanced 911 Emergency Reporting System Fund; and Fire, Life and Medical Emergency Fund;

(i) Guam Regional Transit Authority – Guam Regional Transit Authority Fund;

(j) Guam Contractors License Board – Guam Contractors License Board Fund Collections;

(k) Department of Revenue and Taxation – Tax Collection Enhancement Fund; Banking and Insurance Enforcement Fund; and Alcoholic Beverage Compliance Fees and Fines Fund;

(l) Department of Public Health and Social Services – Guam Environmental Health Fund; Health Professional Licensing Office Revolving Fund; Office of Vital Statistics Revolving Fund; and Sanitary Inspection Revolving Fund;

(m) Department of Parks and Recreation – Public Recreation Services Fund;

(n) Guam Department of Education – Public Library Resources Fund;

(o) Department of Labor and the Guam Community College – Manpower Development Fund; and

(p) Office of the Attorney General – Victim/Witness Travel-Housing Fund; Consumer Protection Fund; Criminal Injuries Compensation Fund; and Notary Fund.

Section 13. Appropriation Allocation Report. The Director of the Bureau of Budget and Management Research *shall* submit a written Appropriation Allocation Report and a Microsoft Excel electronic file for all the departments and agencies in Part IV of Chapter II, Parts II, III and IV of Chapter III, and Chapter V of this Act, identifying the amount of the appropriations in Part IV of Chapter II,

Parts II, III and IV of Chapter III, and Chapter V of this Act, by AS400 account number, by appropriation type, by appropriation year, by fund code, by agency code, by division code, by program code, by object category, and by amount *no later than* October 15, 2018, to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget. Failure to submit any reports by the required deadline in this Section *shall* result in a Two Hundred Fifty Dollar ($250.00) fine per missed deadline for the Director of the Bureau of Budget and Management Research, which *shall* be deposited in the GDOE Interscholastic Sports Fund.

Section 14. Government of Guam Health Insurance Program Reporting. (a) All health insurance carriers for the government of Guam *shall* submit a monthly written report and corresponding Microsoft Excel file of said report to the Department of Administration and the Office of Finance and Budget aggregating the:

(1) Enrollees, both subscribers and dependents, by active employee and retiree subscriber counts, by plan, by class, by groups, supported/paid by the General Fund, detailed by agency/department; and enrollees, both subscribers and dependents, by active employee and retiree subscriber counts, by plan, by class, by groups, supported/paid by autonomous agencies of the government of Guam, detailed by autonomous agency.

(2) Autonomous agencies within this Subsection *shall* include the Guam Power Authority, the Guam Waterworks Authority, the Jose D. Leon Guerrero Commercial Port, the A.B. Won Pat International Airport Authority, the Guam Housing Corporation, the Guam Economic Development Authority, the Government of Guam Retirement Fund, and the Guam Visitors Bureau.

(3) This report and corresponding Microsoft Excel file *shall* be filed with *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* twenty (20) days after the end of each month of Fiscal Year 2019.

(b) All health insurance carriers for the government of Guam *shall* file a monthly written report detailing each individual health insurance premium payment received by the government of Guam health insurance carrier from the government of Guam, by date and by agency, to the Speaker of *I Liheslaturan Guåhan no later than* twenty (20) days after the end of each month of Fiscal Year 2019.

Section 15. Appropriations Reserve Report. The Director of the Bureau of Budget and Management Research *shall* submit a quarterly report within thirty (30) days after each quarter to the Speaker of *I Liheslaturan Guåhan* in a Microsoft Excel file and written report of the reserves held on any appropriations in this Act, detailed by amount, by AS400 account number.

Section 16. Quarterly Reports of Medical Referral Offices. Each of the Medical Referral Offices funded by this Act *shall* provide quarterly reports on its activities and expenditures, to include, but *not* be limited to:

(a) number of referred patients served;

(b) number of patient escorts or accompanying family members served;

(c) average cost per patient referral incurred during that quarter;

(d) actual office expenditures for the quarter, including fuel costs; and

(e) a description of services provided during the quarter.

The quarterly reports required by this Section *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* thirty (30) days after the end of each quarter of the fiscal year and *shall* be posted on the Offices' websites.

Section 17. Audited Financial Statements Supplementary Information. The Public Auditor and the Director of Administration *shall* ensure that the Fiscal

Year 2018 audit of the government of Guam financial statements contains the following supplementary information:

(a) a schedule of personnel count indicating the number of filled positions by department, fund source, and amount expended as of September 30, 2018; and

(b) a combined schedule of expenditures, encumbrances, and continuing appropriations by department, fund source, and object classification as of September 30, 2018.

Section 18. Reporting Requirements for Travel. All off-island government travel that is publicly funded during Fiscal Year 2019 *shall* be reported quarterly to the Speaker of *I Liheslaturan Guåhan*. This Section *shall* apply to all governmental entities and *shall* include the traveler, the source of funds, the purpose of the travel, and the cost of the travel.

Section 19. Guam Police Department (GPD) and Department of Corrections (DOC) Overtime Reporting Requirements. The GPD and DOC *shall* submit a written report to the Speaker of *I Liheslaturan Guåhan no later than* twenty (20) days after the end of each quarter in Fiscal Year 2019 which *shall* include the amount of overtime owed to each employee at each respective agency, by fiscal year in which such overtime was incurred, by division, by employee name, for the previous quarter. Failure to submit said report *no later than* twenty (20) days after the end of each quarter in Fiscal Year 2019 *shall* result in a fine of Two Hundred Fifty Dollars ($250.00) per missed deadline for either the Chief of Police or the Director of the Department of Corrections, which *shall* be deposited in the GDOE Interscholastic Sports Fund.

Section 20. 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.