EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

September 7, 2012

31-12-1796
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 9/7/12
Time 8:34PM
Received by ED PECANGUE

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trentai-unu na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Dear Madam Speaker:

I have signed Substitute Bill No. 426-31(COR), "**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, 2013; MAKING OTHER APPROPRIATIONS; AND ESTABLISHING MISCELLANEOUS AND ADMINISRATIVE PROVISIONS.**", into law with reservations.

What I must point out, for the record, is that this substitute bill is not the bill I introduced, despite my caution to the legislature to leave the provisions alone and to pass my spending cuts bill as companion fiscal legislation.

Unbalanced budget

The FY 2013 Budget Bill is, first of all, not a balanced budget. There is an over appropriation of approximately $1.4M over the adopted revenue level. This Administration has been working diligently to pay our debts to the taxpayers, employees and vendors in addition to payments for court orders. In Fiscal Year 2012 alone, this administration has made an unprecedented payment of approximately **$330M** in tax refunds. Of that amount, $72M came from FY 2012 cash and the balance from bond financing. Even after this cash outlay, the government of Guam still owes an estimated $30 - $40M of tax refunds for TY 2011 and prior. This does not include $105M for TY 2012.

Other obligations left in the deficit

Because of the $72M used from FY 2012 cash collections to pay for tax refunds, there remain employees and vendors who are now rightfully screaming for payment due them. Other than asking for more and more reports that require manpower to produce, imposing superficial administrative mandates on HOW TO PAY TAX REFUNDS (an ironic mandate, considering that we fought tooth and nail to pay tax refunds while the legislative leadership opposed our effort) and establishing payment priorities after decades of owing hundreds of millions of dollars

for refunds and mandating a $14M budget cut, what solution does the Legislature offer to address the $145M plus shortfall for tax refunds due in FY 2013?

Reducing government spending

I have sent my proposed Omnibus Fiscal Reform Act of 2012 (Bill No. 507-31(LS)) to the Legislature on August 21, 2012. This proposed legislation will make significant, albeit unpopular, cuts to government operations costs. This will allow this government to realistically begin living within its means. To date, I have received a senatorial request for additional information as well as for forecasts and models used to determine the projected savings as a result of the proposed bill, yet not a single piece of legislation from the legislative majority with alternative solutions to cut spending. When the Legislature, in P.L. 31-77 increased the benefit for Survivor Annuities by 20% which will cost this government an additional $64M annually, no such spreadsheets or models were required, nor was there a public hearing conducted on that measure. Now that an attempt is being made to cut the cost of government, spreadsheets and models are being required before the proposed bill would be scheduled for public hearing.

We have been elected by the people of Guam to make the hard and unpopular decisions required to make this government fiscally responsible and responsive to the demands for services by the residents of our island. We can no longer go back to owing taxpayers $300M in tax refunds because this government failed to live within its means and failed to make the hard decisions.

What about the schools?

The legislative majority has prided itself on funding education (albeit through paper appropriations that has no standing in reality), even though the majority has been very silent on some very major education issues the past couple years. Nonetheless, I thought this pride would translate into meaningful action in the budget bill to actually place an appropriation behind the authorizations contained in P.L. 31-229. If you can recall, this is the authorization for financing of public school repairs beyond what the ARRA funds can provide.

It should be noted that during the Committee of the Whole, discussions occurred that the funding for the financing costs were to come out of the Department of Education's budget. I cannot find this line item anywhere in the budget bill, nor is there any other type of miscellaneous provision addressing the funding costs to repair and renovate schools.

I am dismayed by what amounts to another empty promise to students, parents, educators, and administrators.

The budget lives in the vacuum of a single year only

The Budget Bill once again looks at the finances of this government in a vacuum. In a perfect world, as my fiscal staff has repeatedly underscored, the prioritization of payments as proposed in the budget bill, may work. However, without cash reserves for approximately $145M for TY 2012 and prior tax refunds, and without cash reserves for prior year obligations for services and goods ALREADY received by this government, mandating priority of payments and cash management priorities is not reasonable. Moreover, it infringes on executive functions and

impedes realistic cash management which addresses aging of payables, managing cash receipts and disbursements based on cash availability due to high and low collection months while carrying over a significant amount of prior year liabilities that demand liquidation. Sections 3 and 4 are unnecessary mandates as this Administration has diverted an unprecedented level of cash from the current fiscal year ($72M) to pay tax refunds. Moreover, we took on the battle for repaying the money that the government (against my objections as a senator and before I became Governor) pilfered from the people of Guam when it used over $300M of their tax refunds for the payment of government obligations without their permission. This administration has demonstrated its commitment to the payment of the refunds despite criticisms and skepticism. This administration PAID OUT tax refunds. It did not mandate superfluous provisions which were simply another disguised version of lip service without action.

Put fabot, komprende: Cash v. Budget

A provision which requires online electronic access to bank account information may result in a misinterpretation of the government's cash position. An example of this, is when the decision to implement the Hay Study Pay Plan was made, the bank balance reflected at the time of the decision was $10M. What was not considered was the fact that approximately $18-20M in outstanding checks were not netted from the total.

I don't know how many times my fiscal team and I have to explain to the legislative majority the difference between cash and budget. If there continues to be confusion and misunderstanding, then I caution the legislature to stop placing mandates on the Administration that limits our ability to prudently manage the cash flow of this government. You are inadvertently causing the decimation of services to the people we serve with these onerous mandates, not to mention the fact that AGAIN, this legislative majority has pushed through an unbalanced budget.

I am signing this budget into law because, while I trust the majority of senators will be reasonable and fix the problems with it, I do not trust that in this election season the legislative leadership will not use this budget as a political weapon for political purposes.

I should be perfectly clear with the legislative majority: the budgets you have passed in Fiscal Years 2009, 2010, and 2011 nearly sent this government into ruins. Those budgets account for most of the deficit of tax refunds, a deficit you refused to pay down in full when I offered the bond solution last year. It was not until this Administration, with the support of the legislative minority and only a couple of majority members, demanded full fiscal responsibility that the deficit was reduced, tax refunds were paid, and courageous action was taken. In short, I admonish those responsible for the financial mess we are in to finally listen to those whose fiscal policies are actually working. Make the amendments. Pass my spending cuts bill.

Thank you,

EDDIE BAZA CALVO

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 426-31(COR), "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, 2013; MAKING OTHER APPROPRIATIONS; AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS," was on the 28th day of August 2012, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 29th day of August, 2012, at 12:50 PM o'clock A .M.

POS TB Uzzama
Executive Security Office
Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: 9/7/12

Public Law No. 31-233

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 426-31 (COR)
As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
and amended in the Committee of the Whole.

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

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, 2013; 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 2013**." *Except* as otherwise provided by this Act, the appropriations made by this Act *shall* be available to pay for obligations incurred on or after October 1, 2012, but *no later than* September 30, 2013. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I.	GENERAL FUND REVENUES	AMOUNT
	TOTAL GENERAL FUND REVENUE	**$689,105,222**
	PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
	TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$589,105,222**
	A. TAXES	
	Income Tax	
	Corporate	$115,700,007
	Individual	$73,469,937
	Withholding Taxes, Interest and Penalties	$204,643,469
	Provision for Tax Refund Payments	($100,000,000)
	TOTAL INCOME TAXES	**$293,813,413**
	Business Privilege Tax	$228,751,346
	Business Privilege Tax (GMHA Pharmaceuticals Fund)	($9,150,054)
	Business Privilege Tax (CoreTech Tax Credit - *Tiyan*)	($4,493,256)
	Other Taxes	$3,847,425
	TOTAL TAXES	**$512,768,874**
	B. FEDERAL SOURCES	

Federal Income Tax Collection - Section 30	$53,155,293
Overpayment reconciliation of Section 30 (2 of 4)	($1,500,000)
Immigration Fees and Indirect Cost	$1,796,226
TOTAL FEDERAL SOURCES	**$53,451,519**
C. USE OF MONEY AND PROPERTY	**$808,896**
D. LICENSES, FEES, AND PERMITS	
Licenses, Fees and Permits	$5,070,909
Licenses, Fees and Permits (Better Public Service Fund)	($507,091)
TOTAL LICENSES, FEES AND PERMITS	**$4,563,818**
E. DEPARTMENT CHARGES	**$1,861,714**
TOTAL GENERAL FUND NET REVENUE COLLECTIONS	**$573,454,821**
2% GENERAL FUND RESERVE	($11,469,096)
(Appropriations Cap of 98% of General Fund Revenue; §22436 of Article 4, Chapter 22 of Title 5 GCA)	
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,985,725**

II. SPECIAL FUND REVENUES	**AMOUNT**
A. Air Pollution Control Special Fund	$184,422
B. Autonomous Agency Collections Fund	$0
C. Better Public Service Fund	$1,390,554
D. *Chamorro* Land Trust Operations Fund	$1,023,596
E. Corrections Revolving Fund	$855,661
F. Customs, Agriculture and Quarantine Inspection Services Fund	$9,156,099
Rent paid to Guam International Airport Authority	($3,264,296)
Total Customs, Agr. and Quarantine Inspection Services Fund	$5,891,803
G. DPW Building and Design Fund	$500,769
H. Enhanced 911 Emergency Reporting System Fund	$1,650,630

I. Environmental Health Fund	$687,441
J. Fire, Life and Medical Emergency Fund	$73,065
K. GMHA Pharmaceuticals Fund	$9,150,054
L. Guam Board of Accountancy Fund	$424,100
M. Guam Contractors License Board Fund	$862,450
N. Guam Environmental Trust Fund	$331,869
O. Guam Highway Fund	$18,422,618
Guam Highway Fund (Better Public Service Fund)	($883,463)
Guam Highway Fund (Public Transit Fund)	($349,210)
Total Guam Highway Fund	$17,209,945
P. Guam Plant Inspection and Permit Fund	$85,412
Q. Healthy Futures Fund	$14,601,686
R. Indirect Cost Fund	$1,826,894
S. Land Survey Revolving Fund	$3,227,764
T. Manpower Development Fund	$2,111,624
U. Police Services Fund	$538,858
V. Professional Engineers, Architects and Land Surveyors Board Fund	$307,282
W. Public Recreation Services Fund	$186,098
X. Public School Library Resources Fund	$670,328
Y. Public Transit Fund	$349,210
Z. Safe Streets Fund	$241,000
AA. Section 2718 Fund	$7,500,000
AB. School Lunch/Child Nutritional Meal Reimbursement Fund	
Federal Sources (100% Federal Grant)	$10,069,218
Cash Collection (Department of Education)	$1,095,091
Total School Lunch/Child Nutritional Meal Reimbursement Fund	$11,164,309
AC. Solid Waste Operations Fund	$20,239,600

Solid Waste Operations Fund (Host Community Fund)	$(300,000)
Total Solid Waste Operations Fund	$19,939,600
AD. Street Light Fund	$3,590,261
AE. Tax Collection Enhancement Fund	$686,717
AF. Territorial Education Facilities Fund	$30,483,566
AG. Tourist Attraction Fund	$25,500,082
AH. Water Protection Fund	$66,461
AI. Water Research and Development Fund	$73,321
AJ. Host Community Fund	$300,000
TOTAL SPECIAL FUND REVENUE	**$163,686,832**
III. FEDERAL MATCHING GRANTS-IN-AID	
Federal Grants-in-Aid Requiring Local Match:	
A. Agriculture	$288,500
B. Guam Community College	$1,057,472
C. Guam Council on the Arts and Humanities Agency	$307,500
D. Guam Fire Department	$0
E. Guam Police Department	$726,136
F. Department of Integrated Services for Individuals with Disabilities	$2,992,651
G. Department of Labor	$43,800
H. Office of the Attorney General	$11,509,528
I. Department of Mental Health and Substance Abuse	$225,862
J. Department of Military Affairs	$1,547,700
K. Department of Public Health and Social Services	$26,438,879
L. University of Guam	$2,943,706
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
TOTAL GENERAL FUND REVENUE	**$673,454,821**

PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
2% GENERAL FUND RESERVE	($11,469,096)
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,985,725**
TOTAL SPECIAL FUND REVENUE	**$163,686,832**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
GRAND TOTAL	**$773,754,291**

Section 3. Authorization to Pay and Prioritize the Payment of Tax Refunds by Enacting an Income Tax Payment System.

(a) Prioritization of Additional Child Tax Credit (ACTC) Reimbursements. The Provisional Set Aside for tax refunds includes the Additional Child Tax Credit (ACTC), which is a refundable tax credit that is reimbursed to Guam by the Federal Government after refund payments are made to Guam taxpayers that claim the ACTC. Lack of prioritization of ACTC refund payments creates lost opportunity for Guam to receive reimbursed ACTC funds that can then be used to pay more refunds or support the operations of the government.

(b) Prioritization of Earned Income Tax Credit Data. For future planning purposes, by December 31, 2012, the Director of the Department of Revenue and Taxation *shall* provide a report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* certifying the total amount of EITC paid for each tax year and fiscal year dating back to Fiscal Year 2003. The report *shall* include the total number of EITC recipients categorized within the standard income brackets used by the IRS for reporting purposes.

(c) Prioritization of Tax Refund Payments. Tax Year 2012 and prior A Status Returns *up* to One Hundred Million Dollars ($100,000,000).

Section 4. Prioritization of Revenue Collections in Excess of Monthly Collections.

(a) Income Tax Refunds.

(1) Within thirty (30) days upon enactment of this Act, the Department of Revenue and Taxation *shall* provide a full accounting of the total income tax liability of the government, and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

(2) The Director of the Bureau of Budget and Management Research *shall* create a General Fund twelve (12) month revenue budget based on the revenue estimates in Chapter I, Section 2, relative to a statistical weighting 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 enactment of this Act.

(3) Notwithstanding any other provision of law, quarterly revenue collections in excess of the revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(b) of this Act as income tax revenues are hereby appropriated for the payment of tax liabilities defined as: (A) Individual Income Tax Refund and Interest payment; and (B) Corporate Income Tax Refund and Interest payment, and hereby prioritized according to Chapter I, Section 3(c) of this Act.

(4) Available excess General Fund tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(5) The identification and recordation of available excess revenues *shall* be performed by the Department of Administration, in coordination with the Bureau of Budget and Management Research and the Department of Revenue and Taxation.

(6) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of income tax refunds through available excess revenues for the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

Section 5. Prior Year Obligations and Future Obligation Proposals.

(a) Excess Available General Fund Tax Revenues. Notwithstanding any other provision of law, quarterly revenue collections in excess of the revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(c) of this Act as General Fund tax revenues *shall* be appropriated for the payment of Prior Year Obligations and Future Obligation Proposals as defined and prioritized below:

(1) Fifty percent (50%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest obligations pursuant to Guam Federation of Teachers v. Government of Guam, et. al., Superior Court Case No. SP 0009-07.

(2) Forty percent (40%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment to the Internal Revenue Service Make Work Pay Overpayment liability pursuant to the May 29, 2009 Memorandum of Understanding between the Department of Revenue and Taxation and the Internal Revenue Service.

(3) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and

interest of prior year obligations to any employees identified in the report in Chapter I, Section 5(f) of this Act.

(4) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest of prior year obligations to all other claimants identified in the report in Chapter I, Section 5(f) of this Act.

(b) Income Tax and Withholding Tax revenues are defined as revenues reported by the Department of Administration on a cash basis for the General Fund. Available revenues for the purpose of this Act represent cash or cash instruments with a maturity term of *less than* ninety (90) days that are available and earned by the government of Guam within the current fiscal year.

(c) Excess Business Privilege Tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(d) The identification and recordation of excess revenues *shall* be performed by the Department of Administration, and *shall* provide any additional reports requested by the Office of Finance and Budget should the reporting requirements outlined in Chapter I, Section 4(a)(5) of this Act *not* provide adequate information to ascertain excess General Fund tax revenues. Excess revenues identified in Chapter I, Section 5(c) of this Act *shall* be disbursed by the Department of Administration in accordance with the priorities outlined in Chapter I, Section 5(a) of this Act for payment of the prior year obligations.

(e) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of the prior year obligations through excess General Fund revenues for

the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

(f) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed report to the Speaker of *I Liheslaturan Guåhan* delineating all recorded unpaid prior year obligations from fiscal years prior to September 30, 2012.

Section 6. Additional Child Tax Credit 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 are hereby appropriated from the General Fund to fund vacancies and overtime for the Department of Revenue and Taxation (DRT) Income Tax Processing and Income Tax Enforcement Divisions and to fund DRT related data processing activities, services, inclusive of the Motor Vehicle Division for driver's license and vehicle registration issuance.

Section 7. Debt Service Continuing Appropriations. The following are continuing appropriations for debt service requirements:

A. GENERAL OBLIGATION BONDS, SERIES 1993 A

(For education capital projects; Real Property Taxes pledged;
due Fiscal Year 2018 as final year; P.L. 29-19 and P.L. 29-21,
net of UOG Bond Payment Obligation $2,027,703) $2,799,549 **1/**

1/ Territorial Education Facilities Fund

B. 2002 SHORT TERM FINANCING

(SECTION 30 FUNDS)
(Line of Credit; P.L. 26-84 amended by P.L. 26-122
and P.L. 26-130; due Fiscal Year 2013 as the final year;
source of payment Section 30 Funds) $1,717,449 **2/**

2/ General Fund

C. GENERAL OBLIGATION BONDS, SERIES 2007 A
(Partial refunding of GOB, 1993 Series A; funding
capital projects and certain obligations of the
Government of Guam; due Fiscal Year 2037 as the final year;
P.L. 29-19 and P.L. 29-21) $7,874,700 **3/**

3/ Territorial Education Facilities Fund

D. LIMITED OBLIGATION (SECTION 30)
BONDS, SERIES 2009A
(To finance the costs for the new landfill and
the closure of Ordot Dump; P.L. 30-1 amended
by P.L. 30-7; due Fiscal Year 2035 as the final year) $15,672,706 **4/**

4/ General Fund ($3,692,212) and Solid Waste Operations Fund ($11,980,494)

E. GENERAL OBLIGATION BONDS, 2009 SERIES A
(To finance certain expenses affecting the General Fund
Deficit; P.L. 29-113 amended by P.L. 30-7;
Due Fiscal Year 2040 as final year) $21,532,221 **5/**

5/ General Fund

F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A
CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY
HIGH SCHOOL PROJECT)
(P.L. 30-178; 5GCA, Chapter 58A) $5,131,938 **6/**

6/ General Fund

G. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT), REVENUE BONDS, SERIES 2011A (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) $6,998,363 **7/**

7/ Tourist Attraction Fund

GRAND TOTAL **$61,726,926**

CHAPTER II

EDUCATION

PART I – GUAM DEPARTMENT OF EDUCATION

Section 1. Legislative Findings and Intent. The Fiscal Year 2013 budget for the Guam Department of Education (GDOE) in this Act represents a status quo budget with the exception of organic retirement contribution growth and an increase in appropriations for Utilities. *I Liheslaturan Guåhan* finds that the Fiscal Year 2013 revenue projections submitted by *I Maga'lahen Guåhan* in the Executive Budget Request are sufficient to provide the necessary funding to the GDOE as outlined in this Act.

In the Fiscal Year 2013 Executive Budget Request submitted by *I Maga'lahen Guåhan*, the GDOE appropriation levels were funded below the Fiscal Year 2012 authorized level expenditures; *however*, GDOE is *not* expected to spend all its appropriations. *I Liheslaturan Guåhan's* intent is to prioritize education by maintaining the funding levels of the GDOE in Fiscal Year 2013 as status quo from the current Fiscal Year 2012 authorized level expenditures.

On January 12, 2012, the school campus of Luis P. Untalan Middle School was shut down by the Department of Public Health and Social Services as a result of demerits received from an unannounced health inspection. The school campus was then temporarily moved to the former JFK campus at *Tiyan* and reopened on January 24, 2012. Just days before the shutdown of the Untalan campus, *I Maga'lahen Guåhan* and the Attorney General of Guam signed the amended 2009 lease agreement with Core Tech International to lease their *Tiyan* facility. The estimated amount of $4.49 Million Dollars in tax credits per year will be given in lieu of cash for lease payments to CoreTech International; furthermore, the amendment, not approved by *I Liheslatura*, extends the terms of the original lease from 2019 to 2024.

I Liheslaturan Guåhan recommends that the GDOE work together with the Executive Branch to find a solution to renovate the school campus of Untalan Middle School and ultimately return the school community back to their home campus in *Barrigada,* Guam. This is a fiscally responsible approach for the GDOE to take in the upcoming Fiscal Year 2013 that will help alleviate financial burdens of the government of Guam caused by the leakage of anticipated revenues to the General Fund from these tax credit offsets.

Furthermore, for the School Year 2012-2013, the GDOE has made it known that they plan to increase the contract cost of its School Lunch Program contract with Sodexo, the current contractor. The increase is estimated to be thirty percent (30%) greater than the current contract cost to the GDOE. The existing contract cost of $8.1 Million Dollars per year is expected to escalate to $11.5 Million Dollars for the upcoming school year. Historically, the School Lunch Program has been subsidized by local funds each year. The sum of the program's meal cash collection and federal reimbursements are *not* sufficient to sustain the cost of the program at this time.

I Liheslaturan Guåhan recommends that the GDOE re-bid the School Lunch Program contract at a more competitive rate because the GDOE *does not* have the financial capacity to incur an immediate cost increase for the next fiscal year without taking resources away from the classroom. This economic proposal would materialize in a large cost cutting measure that can be realized by the GDOE for Fiscal Year 2013.

Section 2. Appropriation. Pursuant to §§52101 and 52102 of Chapter 52, Division 2 of Title 11 Guam Code Annotated (GCA), the sum of Two Hundred Twelve Million Seven Hundred Thirty Thousand Three Hundred Sixty-One Dollars ($**212,730,361**) is appropriated to the GDOE Operations Fund for Fiscal Year 2013. This sum is composed of One Hundred Eighty-Two Million Six

Hundred Twenty-Seven Thousand Four Hundred Six Dollars ($**182,627,406**) from the General Fund (including advanced appropriation from Public Law 31-75) and Thirty Million One Hundred Two Thousand Nine Hundred Fifty-Five Dollars ($**30,102,955**) from Special Fund(s). This appropriation *shall* be expended in accordance with the cash disbursement schedules required by §52101(b) of Chapter 52, Title 11 GCA, and in accordance with the object class allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$169,257,541
OPERATIONS OBJECT CATEGORIES (220 to 450)	$43,472,820
TOTAL	**$212,730,361**

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$182,627,406
TERRITORIAL EDUCATION FACILITIES FUND	$17,376,564
PUBLIC LIBRARY RESOURCES FUND	$670,328
HEALTHY FUTURES FUND	$891,754
SCHOOL LUNCH/CHILD NUTRI. MEAL REIMB. FUND	$11,164,309
TOTAL	**$212,730,361**

Section 3. Notwithstanding any provision of law for the School Year 2012-2013, the Superintendent of Education is hereby authorized and directed to deduct Five Thousand Five Hundred Dollars ($5,500) per enrollee for the *Guåhan* Academy Charter School from the total General Fund appropriation to the Department of Education based on the actual enrollment at the time, multiplied by the per pupil cost.

Section 4. *No less than* the sum of Three Hundred Eighty-One Thousand One Hundred Twenty Dollars (**$381,120**) *shall be* allocated from the General Fund appropriation in Section 2 for the *Chamoru* Studies Division administered by the GDOE 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 of 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. GDOE Miscellaneous Healthy Futures Fund Allocations. The following amounts reflect additional funding appropriated to the GDOE:

(a) **Interscholastic Sports Fund.** (1) The sum of Five Hundred Thirty Thousand Dollars (**$530,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for the Interscholastic Sports Fund administered by the GDOE to be expended pursuant to §7108 of Chapter 7, Title 17 GCA. Appropriations made herein *shall* be available to fund the outrigger canoe, rugby, and other sports programs, to include the payment of head coaches, assistant coaches, league fees, and other expenses normally associated with interscholastic sports programs. (2) The sum of Ninety-Two Thousand Dollars (**$92,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for busing services for interscholastic sports programs. To the maximum extent practicable, GDOE *shall* contract busing services to support the programs.

(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 for the GDOE Health and Physical Education programs, intramural sports, and similar activities.

Section 6. JFK Maintenance and Insurance Agreement. The sum of Three Hundred Eighty-Nine Thousand Five Hundred Dollars (**$389,500**) *shall be*

allocated from the Territorial Education Facilities Fund appropriation in Section 2 for the CaPFA Insurance and Maintenance agreement.

The sum of One Million One Hundred Seventy-Eight Thousand Five Hundred Dollars **($1,178,500)** *shall be* allocated from the Territorial Education Facilities Fund appropriation in Section 2 for the Maintenance and Capital Replacement Reserve for JFK High School. Notwithstanding the appropriation in Section 2, these funds *shall not* be expended without the approval of *I Liheslaturan Guåhan* and the submission of a detailed plan for the use of the funds by the Superintendent of Education as approved by the Guam Education Board to the Speaker of *I Liheslaturan Guåhan no later than* October 31, 2012.

Section 7. Textbooks and Collateral Materials. The following are appropriations to the GDOE for the purchase of textbooks, e-book readers, and collateral materials, to include musical instruments, software, sheet music, and music books 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 2014 revenues to the GDOE for the purchase of textbooks, e-book readers and related classroom instructional materials to include musical instrument, software, sheet music, and music books. The Superintendent of GDOE may, if necessary, through agreements with textbook vendors, defer payment for said materials until after October 1, 2013 but *no later than* December 31, 2013 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 2013 *no later than* March 1, 2013. The Bureau of Budget and Management Research *shall* release such allotments as are necessary to ensure that said materials are ordered by March 1, 2013. 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 of Fiscal Year 2013, 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 and expenditures for textbooks, e-book readers and collateral classroom instructional materials to include musical instruments, software, sheet music, and music books. Said report *shall* be accompanied by the certified list of textbooks approved by the GEB and a list or copies of all purchase orders issued. The report *shall* summarize:

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

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

Non-compliance with these reporting requirements by the Superintendent of GDOE *shall* result in the sanctions and penalties imposed by this Act.

Section 8. JROTC Fund. The GDOE is hereby authorized to expend funds from the JROTC Fund for the *sole* purpose of expenditures related to the operations for the JROTC program.

Section 9. Summer School Fund. Pursuant to §6119 of Chapter 6, Article 1, Division 2, Title 17 GCA, which established the Summer School fund, such sums as are necessary to fund the operations of the 2013 Summer School Program are hereby appropriated to the 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 10. 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 filled FTEs, costs and funding sources by school and division by month.

Section 11. 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 2013, the Superintendent of GDOE *shall* provide a copy of the GG-1 or contract of employees hired for School Year 2012-2013.

(b) Thirty (30) days after the start of Fiscal Year 2013 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 12. Utilities Reduction Incentive. Each School Principal of the GDOE is encouraged to practice energy conservation within their respective schools. Any school whose Principal and staff is able to reduce their annual utility consumption by *at least* fifteen percent (15%) of their 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 13. Budgetary Transfer Authority for Guam Department of Education (GDOE). The Superintendent of the GDOE may transfer funds from the appropriations made to GDOE within object classes, *except* that no funds shall be transferred into the Personnel Services category, *except* as otherwise provided herein. If a surplus in funding exists within the appropriation for Increments and Promotions and Reclassifications, such amount may be used to support payment of prior year obligations.

Section 14. Cost Saving 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 payments of prior year obligations and the purchase of supplies and materials.

CHAPTER II

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. The funds *shall* be expended in accordance to the budget request submitted and the priorities stipulated by the University of Guam's 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. Appropriations to the University of Guam. The amounts in the Subsections below are appropriated from the respective Funds, and for the following purposes, to the University of Guam for Fiscal Year 2013:

(a) **General Fund and Territorial Education Facilities Fund Appropriations for Operations.** The sum of Twenty-Five Million Six Hundred Eighty-Eight Thousand Sixty-Four Dollars ($**25,688,064**) from the General Fund and the sum of One Million Dollars ($**1,000,000**) from the Territorial Education Facilities Fund are appropriated to the University of Guam for its operations in Fiscal Year 2013.

(b) **Federal Matching Grants-in-Aid.** The sum of Two Million Nine Hundred Forty-Three Thousand Seven Hundred Six Dollars (**$2,943,706**) is authorized from Federal Matching Grants-in-Aid to the University of Guam for its operations in Fiscal Year 2013.

Section 3. Appropriations to the University of Guam for Scholarships and Training Programs. The sum of Three Million Five Hundred Ninety-Nine

Thousand Three Hundred Fifty-Eight Dollars ($**3,599,358**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 for the following purposes:

(a) **Student Scholarships, Financial Assistance Programs and Program Administration.** Such appropriation in this Section is for: Merit Awards, Student Loans, the Nursing Training Program, Professional and Technical Awards, the Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Program, the Pedro "Doc" Sanchez Scholarship Program, the John F. Quan Memorial Scholarship Program, and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration subject to §15113 of Chapter 15, Article 1, Division 3, Title 17 GCA. The Nursing Training Program *shall* receive *no less than* Five Hundred Thousand Dollars (**$500,000**), and the Pedro "Doc" Sanchez Scholarship Program *shall* receive *no less than* Three Hundred Thousand Dollars (**$300,000**) of the appropriation contained herein, *except* that *if* a surplus exists, such remaining funds *shall* be distributed to fund other scholarship programs contained in this Subsection.

For new recipients of the student financial assistance programs contained in this Subsection beginning Academic Year 2013-2014, the stipends awarded in the respective programs *shall* be as follows:

(1) **Merit Awards.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month; Third- and Fourth-year

Students: Four Hundred Dollars (**$400**) per month; and Graduate Students: Five Hundred Dollars (**$500**) per month.

(2) **Nursing Training Program.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month and Third- and Fourth-year Students: Four Hundred Dollars (**$400**) per month.

(b) **Dr. Antonio C. Yamashita Educator Corps.** Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps, and funds for the administration of said program pursuant to Chapters 15 and 18 of Title 17 GCA.

(c) *Not more than* ten percent (10%) of the total appropriation herein in this Section 3 of Part II of Chapter II *shall* be used for the administration of these programs. The President of the University of Guam *shall* post on the University of Guam's 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. Appropriation for the Aquaculture Development and Training Center. The sum of One Hundred Twenty-Five Thousand Two Hundred Fifty-Four Dollars (**$125,254**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 for the *sole* purpose of funding the continued operations of the Aquaculture Development and Training Center. Said funds *shall not* be transferred *or* used for any other purpose.

Section 5. Appropriation for WERI's Guam Hydrologic Survey. The sum of One Hundred Eighty-Two Thousand Six Hundred Ninety-Four Dollars

(**$182,694**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 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. Appropriation for WERI's Comprehensive Water Resource Monitoring Program. The sum of One Hundred Fifty-Five Thousand Six Hundred Twenty-Six Dollars (**$155,626**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 to fund the Water and Environmental Research Institute of the Western Pacific (WERI). Such funds *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. Appropriation to the University of Guam for the Northern and Southern Soil and Water Conservation Districts (SWCD) Program. The sum of One Hundred Forty-Nine Thousand Three Hundred Eighty-Four Dollars (**$149,384**) is appropriated from the General Fund to the University of Guam for the operations and activities of the Northern and Southern Soil and Water Conservation Districts (SWCD) Program for Fiscal Year 2013, and *shall* be equally divided between the Northern and Southern Soil and Water Conservation Districts. 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 University of Guam *or* any other government entity. Such funds *shall not* be transferred *or* used for any other purpose.

The sum of One Hundred Forty-Nine Thousand Three Hundred Eighty-Four Dollars (**$149,384**) of General Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 8. Appropriation to the University of Guam for KPRG (Public Radio). The sum of Eighty-Nine Thousand Four Hundred Sixty-Seven Dollars (**$89,467**) is appropriated from the General Fund to the University of Guam for the KPRG Fiscal Year 2013 operations. The President of the University of Guam *shall* disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of Fiscal Year 2013, the General Manager of KPRG *shall* submit to the President of the University of Guam, and post on KPRG's website, all reports mandated by this Act.

The sum of Eighty-Nine Thousand Four Hundred Sixty-Seven Dollars (**$89,467**) of General Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 9. Appropriation to the Guampedia Foundation. The sum of One Hundred Forty Thousand Dollars (**$140,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the operations of the Guampedia Foundation. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11, Guam Code Annotated and this Act, this appropriation *shall* continue to be available until expended.

The sum of One Hundred Forty Thousand Dollars (**$140,000**) of Tourist Attraction Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 10. Appropriation to the University of Guam for the Rhinoceros Beetle Program. The sum of Two Hundred Thousand Dollars ($**200,000**) is hereby appropriated from the Tourist Attraction Fund to the University of Guam for the Fiscal Year 2013 operations of the Rhinoceros Beetle

Program. Notwithstanding the general provisions of § 30107.1 of Chapter 30, Title 11 GCA and this Act, this Appropriation *shall* continue to be available until expended and is *not* subject to transfer or use for any other purpose.

The sum of Two Hundred Thousand Dollars (**$200,000**) of Tourist Attraction Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 11. University of Guam Capital Improvements Fund Continuing Appropriation. The sum of Five Hundred Thousand Dollars (**$500,000**) is appropriated from the Guam Highway Fund to the University of Guam Capital Improvements Fund for the purpose of paying for the debt service pursuant to § 16132 of Chapter 16 Title 17 GCA.

Section 12. Program Revenue and Expenditure Reports. *No later than* thirty (30) days after the end of each fiscal quarter, the President of the University of Guam *shall* post on the University of Guam's 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 13. Program Annual Reports. The President of the University of Guam *shall* post on the University of Guam'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, contracts, and *shall* describe program accomplishments in the fiscal year reported.

Section 14. Scholarships, Financial Assistance and Other Reports. Sixty (60) days after the end of Fiscal Year 2013, the President of the University of Guam *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 University of Guam's website, a report of expenditures from appropriations made in this Act for student scholarships, student financial assistance, the Dr. Antonio C. Yamashita Educator Corps, and the Educator Corps Council. 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 15. Appropriation to the Guam Cancer Trust Fund. The sum of One Million Eight Hundred Twenty-Two Thousand Forty-Eight Dollars (**$1,822,048**) is appropriated from the Healthy Futures Fund to the University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of Chapter 26, Article 6, Title 11, GCA. This appropriation *shall* be used to fund cancer screening, treatment and support services for Fiscal Year 2013.

The President of the University of Guam *shall* submit a monthly report of all expenditures of these funds to the Speaker of *I Liheslaturan Guåhan*.

Section 16. Transfer Authority for the University Of Guam. Appropriations for the operations of the University of Guam, contained in Section 2 of Part II of Chapter II of this Act *or* for the prior years, 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, Part II, Chapter II of this Act.

Section 17. Continuing Appropriation. The appropriations made for the Student Financial Assistance Program and the Dr. Antonio C. Yamashita Educator Corps to the University of Guam for Fiscal Year 2012 *shall not* lapse and *shall* continue until fully expended, to include payment of prior year obligations, exclusive of administrative costs for Student Financial Assistance Programs and the Dr. Antonio C. Yamashita Educator Corps.

CHAPTER II

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 to 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 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. Appropriations to the Guam Community College. The amounts in the Subsections below are appropriated from the following Funds, and for the following purposes, to the GCC for Fiscal Year 2013:

(a) **General Fund Appropriation for Operations.** The sum of Thirteen Million Three Hundred One Thousand Six Hundred Eleven Dollars (**$13,301,611**) is appropriated from the General Fund to GCC for its operations in Fiscal Year 2013.

(b) **Appropriation to the Guam Community College LPN and Vocational Guidance Programs.** The sum of Seven Hundred Five Thousand Fifty-Eight Dollars (**$705,058**) is appropriated from the General Fund to the GCC for Fiscal Year 2013 to support the operations of the Licensed Practical Nursing Program and the Vocational Guidance Program.

(c) **Appropriation to the Guam Community College 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 2013 for the Lodging Management Program/ProStart Program. Unexpended funds appropriated for the GCC Lodging Management Program/ProStart Program *shall not* lapse and *shall* remain available for use in succeeding fiscal years until all said sums are expended.

(d) **Appropriation to the GCC Apprenticeship Program.** The sum of One Million Six Hundred Eighty-Eight Thousand Four Hundred Forty-Eight Dollars (**$1,688,448**) is appropriated from the Manpower Development Fund to the GCC for the GCC Apprenticeship Program for Fiscal Year 2013. In addition to the authorization contained in §7120 of 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 Apprenticeship program requirements and obligations have been fully funded.

(e) **Federal Matching Grants-in-Aid.** The sum of One Million Fifty-Seven Thousand Four Hundred Seventy-Two Dollars (**$1,057,472**) is authorized from Federal Matching Grants-in-Aid to the Guam Community College for its operations in Fiscal Year 2013.

Section 3. Reports. The President of 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.

CHAPTER II

PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Commission for Educator Certification (GCEC) to expend its funds in accordance with the allocations by object class set forth in Section 3.

Section 2. Guam Commission for Educator Certification Appropriation for Fiscal Year 2013. The sum of Two Hundred Three Thousand Eight Hundred Thirty-One Dollars ($**203,831**) is appropriated from the General Fund to the Guam Commission for Educator Certification for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$203,831
TOTAL	**$203,831**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 3. GCEC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$120,933	$121,693
OVERTIME	112	$0	$0
BENEFITS	113	$46,738	$51,976
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$14,100
OFF. RENTAL	233	$0	$6,000
SUP. & MAT.	240	$0	$1,062
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$4,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$4,800
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$167,671**	**$203,831**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER II

Part V – MISCELLANEOUS EDUCATIONAL PROVISIONS

Section 1. Purchasing in Economies of Scale. All agencies receiving appropriations pursuant to this Chapter *shall* take all measures necessary to reduce costs by purchasing services, supplies and materials to realize economies of scale.

Section 2. Local Funds Reimbursement. Funds appropriated to the Guam Department of Education (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 2012 for federally-funded programs, 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.

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 to the budget request submitted and the priorities stipulated by the GMHA Board of Trustees (Board) and the GMHA's management.

I Liheslaturan Guåhan is resolved to continue to support and establish policies which are in the best interest of the GMHA and its mission. *I Liheslaturan Guåhan's* intent to reduce the credits applied against the appropriations to the GMHA Pharmaceuticals Fund towards the payment of bills for services incurred by qualified Medically Indigent Program (MIP) recipients will help increase GMHA revenues.

Furthermore, *I Liheslaturan Guåhan* broadened the scope of borrowing options available to the GMHA through the passing and enactment of Public Law 30-200, as amended by Public Law 30-235. Through such efforts, the GMHA was able to borrow Twelve Million Dollars (**$12,000,000**) in an effort to bring fiscal stability to the GMHA. *I Liheslaturan Guåhan* has provided its support to the GMHA with One Million Dollars (**$1,000,000**) per year from the Healthy Futures Fund in accordance with Public Law 30-166, towards providing the GMHA the ability to utilize these funds for the debt service payment for the Government of Guam General Obligation: Guam Memorial Hospital Authority Loan 2011.

Section 2. The Guam Memorial Hospital Authority Pharmaceuticals Fund credit toward Medicaid payments *shall not exceed* the sum of Six Million Eight Hundred Sixty-Two Thousand Five Hundred Forty-One Dollars (**$6,862,541**) in Fiscal Year 2013. Billings in excess of the seventy five percent (75%) credit *shall*

be paid by other appropriated funds. The Department of Public Health and Social Services *shall* remit all adjudicated claims for processing for MIP payments in accordance with § 9902 of Chapter 9, Article 9, Title 10 GCA and Chapter III, Part II, Section 13 of this Act.

Section 3. Guam Memorial Hospital Authority Pharmaceuticals Fund Appropriation. Pursuant to §26603(d)(3) of Chapter 26, Article 6, Title 11 GCA, the sum of Nine Million One Hundred Fifty Thousand Fifty-Four Dollars (**$9,150,054**) is appropriated from the Guam Memorial Hospital Authority Pharmaceuticals Fund to the GMHA for Fiscal Year 2013.

Section 4. Guam Memorial Hospital Authority Healthy Futures Fund Appropriations.

(a) Pursuant to §§26208 and 26208.1 of Chapter 26, Article 2, Title 11 GCA, the sum of One Million Four Hundred Fifty-Seven Thousand Six Hundred Thirty-Nine Dollars (**$1,457,639**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013 operational expenses.

(b) Pursuant to §26603(d) of Chapter 26, Article 6, Title 11 GCA, the sum of One Million Dollars (**$1,000,000**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013, for the line of credit pursuant to §80104 (t) of Chapter 80, Division 4, Title 10 GCA.

Section 5. Guam Memorial Hospital Authority General Fund Appropriation. The sum of Two Million Four Hundred Thirteen Thousand Four Hundred Ninety-Five Dollars (**$2,413,495**) is appropriated from the General Fund to the GMHA for Fiscal Year 2013, of which the sum of One Hundred Twenty-Five Thousand Dollars **($125,000)** *shall* be used to purchase one hundred eighty-eight (188) new computers identified in the equipment needs assessment conducted in June 2012.

CHAPTER III

HEALTH

PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Health and Social Services (DPHSS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Public Health and Social Services Appropriation for Fiscal Year 2013. The sum of Forty Million Seven Hundred Fifty-Six Thousand One Hundred Ninety-Six Dollars ($**40,756,196**) is appropriated to the Department of Public Health and Social Services for its operations for Fiscal Year 2013. This sum is composed of Thirty Five Million Four Hundred Fifty-Seven Thousand Six Hundred Twelve Dollars ($**35,457,612**) from the General Fund and Five Million Two Hundred Ninety-Eight Thousand Five Hundred Eighty-Four Dollars ($**5,298,584**) from Special Fund(s).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$35,457,612
HEALTHY FUTURES FUND	$4,611,143
ENVIRONMENTAL HEALTH FUND	$687,441
TOTAL	**$40,756,196**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$26,438,879

Section 3. DPHSS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,884,302	$3,375,856
OVERTIME	112	$0	$0
BENEFITS	113	$693,400	$1,352,625
TRAVEL	220	$0	$178,625
CONT. SERV.	230	$9,797,512	$11,603,276
OFF. RENTAL	233	$419,580	$561,750
SUP. & MAT.	240	$306,710	$729,207
EQUIPMENT	250	$0	$2,125
WRK. COMP.	270	$3,000	$3,000
DRUG TEST	271	$113	$940
SUBGRANT	280	$0	$0
MISC.	290	$19,194,854	$16,457,974
POWER	361	$0	$673,300
WATER/SEWER	362	$0	$25,900
PHONE/TOLL	363	$397,677	$443,036
CAP. OUTLAY	450	$0	$50,000
GRAND TOTAL		**$32,697,148**	**$35,457,612**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Medically Indigent Program (MIP) Appropriations.

(a) The sum of Fifteen Million Eight Hundred Twenty-Two Thousand Nine Hundred Seven Dollars (**$15,822,907**) is appropriated from the General Fund to the Medically Indigent Program Payment Revolving Fund (MIPPR) for the MIP for Fiscal Year 2013.

(b) The sum of Three Hundred Fifty-One Thousand Five Hundred Forty-Nine Dollars ($**351,549**) from the General Fund and the sum of Six Hundred Forty-Eight Thousand Four Hundred Fifty-One Dollars (**$648,451**) from the Healthy Futures Fund is appropriated to the MIPPR for the MIP to fund cancer screening, treatment and support services for Fiscal Year 2013.

(c) *No more than* fifteen percent (15%) of the appropriations from local fund sources in this Section is authorized to pay for the Fiscal Year 2012 obligations of the MIP program.

Section 5. Medicaid Program. The sum of Eleven Million One Hundred Eighty-Three Thousand One Hundred Ninety-One Dollars (**$11,183,191**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Medicaid Program. The sum of Thirteen Million Six Hundred Sixty-Nine Thousand Two Hundred Dollars (**$13,669,200**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013. *No more than* thirty percent (30%) of the appropriations from local fund sources in this Section is authorized to pay for the Fiscal Year 2012 obligations of the Medicaid program.

Section 6. Children's Health Insurance Program (CHIP) The sum of Two Million Four Thousand Five Hundred Four Dollars ($**2,004,504**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Children's Health Insurance Program, and Four Million Three Hundred Fifty-Nine Thousand Nine Hundred Fourteen Dollars ($**4,359,914**) is

authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 7. Division of Senior Citizens. *No less than* the sum of Seven Million Five Hundred Ninety Thousand Three Hundred Thirty-Three Dollars ($**7,590,333**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the programs of the Division of Senior Citizens, and Three Million Fifty-Five Thousand Three Hundred Forty-One Dollars ($**3,055,341**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for the operations of the Division of Senior Citizens programs, to include the State Office on Aging, Adult Protective Services, Supportive Services, Congregate Meals, Home-Delivered Meals, Preventive Health, Medication Management, and the National Family Caregiver Support Program in Fiscal Year 2013.

Section 8. Public Assistance Program Payments. *Up to* the sum of Three Million Five Hundred Six Thousand Two Hundred Fourteen Dollars ($**3,506,214**) from the General Fund appropriation in Section 2 is authorized as the local match for Federal Matching Grants-in-Aid to the DPHSS for Public Assistance Program payments and administration for Fiscal Year 2013. Four Million Five Hundred Fifty-Five Thousand Four Hundred Sixty-One Dollars ($**4,555,461**) is authorized from the Federal Matching Grants-in-Aid.

Section 9. Medicines and Vacant Positions for the DPHSS Community Health Centers. The sum of Four Hundred Ninety-Three Thousand Seven Hundred Eighty-Four Dollars (**$493,784**) is appropriated from the Healthy Futures Fund to the DPHSS Community Health Centers for Fiscal Year 2013.

Section 10. Enhanced Allotment Plan. The sum of Six Hundred Fifty-Three Thousand Six Hundred Ninety-Seven Dollars (**$653,697**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Enhanced Allotment Plan (Medicaid Part D) Program, and Seven Hundred

Ninety Eight Thousand Nine Hundred Sixty-Three Dollars (**$798,963**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 11. DPHSS Carry-Over Authorization for MIP and Medicaid. The unexpended balance of appropriations from the General Fund and Special Funds to the DPHSS for MIP and Medicaid in Fiscal Year 2012 *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 DPHSS's website. The Director of Administration *shall* pay MIP and Medicaid vendors on a first-in first-out basis.

Section 12. Appropriation to the Guam Cancer Registry. Pursuant to §26603(d)(4) of Chapter 26, Article 6, Title 11 GCA, the sum of One Hundred Twenty-One Thousand Four Hundred Seventy Dollars (**$121,470**) is appropriated from the Healthy Futures Fund to the DPHSS to maintain the Guam Cancer Registry pursuant to §3201.1 of Chapter 3, Article 2, Title 10 GCA. The DPHSS *shall* provide funding to the University of Guam for services, supplies and/or materials in executing the Memorandum of Agreement between the University of Guam and the Department of Public Health and Social Services regarding the collection of data and the maintenance of the Guam Cancer Registry. Any funds pursuant to this Section *not* expended in Fiscal Year 2013 *shall* revert to the Guam Cancer Trust Fund.

Section 13. Prompt Payment of MIP Patient Claims Generated at the Guam Memorial Hospital Authority. The DPHSS *shall* process all MIP patient claims generated at the Guam Memorial Hospital Authority *no later than* forty-five

(45) days from receipt of said claim as required by § 9902 of Chapter 9, Article 9, Title 10 GCA.

CHAPTER III

PART III - DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Mental Health and Substance Abuse (DMHSA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Mental Health and Substance Abuse Appropriation for Fiscal Year 2013. The sum of Seventeen Million Forty-Four Thousand Five Hundred Sixty Dollars ($**17,044,560**) is appropriated to the Department of Mental Health and Substance Abuse for its operations for Fiscal Year 2013. This sum is composed of Fourteen Million One Hundred Eighty-Three Thousand Nine Hundred Twenty-Six Dollars ($**14,183,926**) from the General Fund and Two Million Eight Hundred Sixty Thousand Six Hundred Thirty Four Dollars ($**2,860,634**) from Special Fund(s).

The sum of Two Hundred Twenty-Five Thousand Eight Hundred Sixty-Two Dollars **($225,862)** of General Funds or Special Funds appropriated in this Section is authorized as the local match requirement for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$14,183,926
HEALTHY FUTURES FUND	$2,860,634
TOTAL	**$17,044,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$225,862

Section 3. DMHSA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,254,151	$5,872,326
OVERTIME	112	$23,395	$36,465
BENEFITS	113	$1,082,896	$2,403,343
TRAVEL	220	$0	$0
CONT. SERV.	230	$4,647,489	$3,983,643
OFF. RENTAL	233	$96,660	$156,600
SUP. & MAT.	240	$595,071	$758,152
EQUIPMENT	250	$6,809	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$54,417	$38,397
POWER	361	$0	$750,000
WATER/SEWER	362	$0	$50,000
PHONE/TOLL	363	$72,279	$135,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,833,167**	**$14,183,926**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Department of Mental Health and Substance Abuse – Detoxification & Rehabilitation Services. The sum of Eight Hundred Thirty-Nine Thousand Forty Dollars (**$839,040**) is appropriated from the General Fund to the DMHSA for Fiscal Year 2013 to fund programs contracted out to non-governmental organizations for drug and alcohol detoxification, rehabilitation, and prevention services, *provided* that the expenditure of such funds *shall* comply with Title 48 USC §1421b(p).

Section 5. Oasis Empowerment Center for Women Alcohol and Substance Abuse, and Homeless Program. The sum of Fifty Thousand Dollars **($50,000)** is appropriated from the General Fund to the DMHSA for the Oasis Empowerment Center for Women Alcohol and Substance Abuse, and Homeless Program for Fiscal Year 2013.

Section 6. Re-appropriation of Unexpended and Unencumbered Appropriations to the Department of Mental Health and Substance Abuse for the Amended Permanent Injunction and Plan of Action. *Up to* the sum of Three Million Dollars **($3,000,000)** of the unexpended and unencumbered appropriation remaining as of September 30, 2012, from the appropriation contained in Section 5, Part III, Chapter III of Public Law 31-77 *shall not* lapse and is hereby re-appropriated to the DMHSA for Fiscal Year 2013 for the payment of court ordered deposits that are due in Fiscal Year 2013 in accordance with the modified funding schedule, for the implementation of the Amended Permanent Injunction and Plan of Action. This re-appropriation *shall not* be subject to transfer authority of *I Maga'låhi.*

Section 7. Expenditures Related to the Federal Management Team (FMT) Plan of Action (POA). For Fiscal Year 2013, funds reimbursed to the government of Guam from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account

shall be deposited into and recorded in the existing Permanent Injunction – DMHSA Fund. The sum of up to Ten Million Dollars ($**10,000,000**) is authorized from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account funds reimbursed to the government of Guam *only* to fund personnel and operational expenditures identified by the FMT POA as filed in the District Court of Guam under Case No. CV 01-0041.

CHAPTER III

PART IV - DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Integrated Services for Individuals with Disabilities (DISID) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Integrated Services for Individuals with Disabilities Appropriation for Fiscal Year 2013. The sum of One Million Nine Hundred Thirty Thousand Five Hundred Thirty-Three Dollars ($**1,930,533**) is appropriated to the Department of Integrated Services for Individuals with Disabilities for its operations for Fiscal Year 2013. This sum is composed of One Million Two Hundred Thirty-Five Thousand Seven Hundred Seventy Dollars ($**1,235,770**) from the General Fund and Six Hundred Ninety-Four Thousand Seven Hundred Sixty-Three Dollars ($**694,763**) from Special Fund(s).

The sum of Two Million Nine Hundred Ninety-Two Thousand Six Hundred Fifty-One Dollars **($2,992,651)** of General Funds or Special Funds appropriated in this Section is authorized as the local match requirement for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,235,770
HEALTHY FUTURES FUND	$694,763
TOTAL	**$1,930,533**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$2,992,651

Section 3. DISID General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$283,340	$353,319
OVERTIME	112	$0	$0
BENEFITS	113	$99,390	$135,686
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,942	$6,000
OFF. RENTAL	233	$118,129	$110,810
SUP. & MAT.	240	$1,807	$4,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$551,433	$609,955
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,356	$16,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,121,397**	**$1,235,770**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER IV

UNIFIED JUDICIARY

Section 1. Appropriation. The amounts specified in this Section are appropriated and authorized from the General Fund and Federal Matching Grants-in-Aid to the Unified Judiciary for its operations in Fiscal Year 2013.

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 Liheslaturan* 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	$23,341,886
FEDERAL MATCHING GRANTS-IN-AID	$0
SPECIAL FUNDS	$0
TOTAL	**$23,341,886**

Section 2. Court-Appointed Attorney Fees. The sum of Seven Hundred Forty-Five Thousand Four Hundred Thirty-Three Dollars (**$745,433**) is appropriated from the General Fund to the Unified Judiciary for the *sole* purpose of paying court-appointed attorney fees arising from the defense of indigent clients for Fiscal Year 2013. Said funds *shall* be deposited in the Judicial Client Services Fund account, as created by Chapter 9.6, Title 7 GCA, and *shall not* be subject to any transfer authority. Any unexpended funds appropriated herein *shall* revert to the General Fund at the end of Fiscal Year 2013.

Section 3. Adult and Juvenile Drug Courts. The sum of Six Hundred Fifty-One Thousand Two Hundred Seventy-Seven Dollars (**$651,277**) is

appropriated from the General Fund to the Unified Judiciary for the operations of the Adult and Juvenile Drug Courts for Fiscal Year 2013.

Section 4. Family Visitation Center. The sum of One Hundred Forty-Five Thousand Dollars (**$145,000**) is appropriated from the Safe Streets Fund to the Unified Judiciary for Fiscal Year 2013, to pay for contractual services for the operations of the Family Visitation Center, *provided*, that the Judiciary must comply with §18125 (c) and (d) of Chapter 18, Article 1, Title 16 GCA.

Section 5. Transfer Authority of the Judiciary of Guam. The Unified Judiciary in Fiscal Year 2013 is authorized to transfer funds from the appropriation made in Chapter IV, Section 1 into the appropriations made in Chapter IV Sections 2, 3 and 4, but *shall not* transfer appropriations from Chapter IV Sections 2, 3 and 4 to Chapter IV, Section 1.

Section 6. Judicial Building Fund Fiscal Year 2014 Budget. The Unified Judiciary of Guam *shall* report its Judicial Building Fund Fiscal Year 2014 Budget to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report, on or before June 30, 2013, and post the same on its website.

Section 7. Judicial Building Fund Revenues and Expenditures Reporting. For Fiscal Year 2013, the Unified Judiciary of Guam *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 a 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 8. Unified Judiciary Authorization to Fund Any Operational Shortfall. The Judiciary of Guam is authorized to fund any operational shortfall for Fiscal Year 2013 from the Judicial Building Fund consistent with the covenants

and provisions of the Loan Documents between the Judiciary and the Bank of Guam.

Section 9. *Unless* all outstanding General Fund appropriations made to the Judiciary of Guam are released and expended, the unexpended balances of appropriations from the General Fund to the Judiciary of Guam for prior years *shall not* revert to the General Fund and *shall* be available until fully expended.

Section 10. Mental Health Court. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the Unified Judiciary for the operations of the Mental Health Court for Fiscal Year 2013.

CHAPTER V

EXECUTIVE BRANCH

Section 1. Authorization. The amounts specified in Subsections (a) through (cc) 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 its operations in Fiscal Year 2013.

(a) OFFICE OF *I MAGA'LÅHEN GUÅHAN*

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of *I Maga'lahen Guåhan* (GOV) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (a)(3).

(2) Office of *I Maga'låhen Guåhan* Appropriations for Fiscal Year 2013. The sum of Six Million Five Hundred Fifty-Five Thousand Nine Hundred Twenty-Four Dollars **($6,555,924)** is appropriated to the Office of *I Maga'lahen Guåhan* for its operations for Fiscal Year 2013. This sum is composed of Six Million Two Hundred Thirty-Three Thousand Six Hundred Eighty-Eight Dollars **($6,233,688)** from the General Fund and; Three Hundred Twenty-Two Thousand Two Hundred Thirty-Six Dollars **($322,236)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$6,233,688
INDIRECT COST FUND	$322,236
TOTAL	**$6,555,924**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GOV General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,330,775	$3,591,012
OVERTIME	112	$0	$0
BENEFITS	113	$1,175,393	$1,368,091
TRAVEL	220	$116,131	$99,000
CONT. SERV.	230	$820,152	$835,722
OFF. RENTAL	233	$35,000	$38,500
SUP. & MAT.	240	$90,909	$29,480
EQUIPMENT	250	$65,720	$26,125
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$197,354	$196,258
POWER	361	$0	$0
WATER/SEWER	362	$19,948	$0
PHONE/TOLL	363	$45,000	$49,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$5,896,382**	**$6,233,688**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(b) COMMISSION ON DECOLONIZATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Commission on Decolonization (COD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (b)(3).

(2) Commission on Decolonization Appropriations for Fiscal Year 2013. The sum of Two Hundred Thirty-Nine Thousand Six Hundred Thirteen Dollars **($239,613)** is appropriated from the General Fund to the Commission on Decolonization for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$239,613
TOTAL	**$239,613**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) COD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$110,718	$155,000
OVERTIME	112	$0	$0
BENEFITS	113	$37,681	$66,523
TRAVEL	220	$0	$6,045
CONT. SERV.	230	$2,840	$9,045
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$0
EQUIPMENT	250	$72	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,000	$3,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$154,311**	**$239,613**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(c) GUAM ANCESTRAL LANDS COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Ancestral Lands Commission (GALC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (c)(3).

(2) Guam Ancestral Lands Commission Appropriations for Fiscal Year 2013. The sum of One Hundred Three Thousand Nine Hundred Fifty-Seven Dollars **($103,957)** is appropriated from the General Fund to Guam Ancestral Lands Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$103,957
TOTAL	**$103,957**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GALC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$123,098	$56,680
OVERTIME	112	$0	$0
BENEFITS	113	$48,445	$24,427
TRAVEL	220	$0	$0
CONT. SERV.	230	$3,040	$10,850
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$8,066	$3,600
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$8,400
POWER	361	$2,353	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$3,400	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$188,402**	**$103,957**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(d) VETERANS AFFAIRS OFFICE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Veterans Affairs Office (VAO) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (d)(3).

(2) Veterans Affairs Office Appropriations for Fiscal Year 2013. The sum of Three Hundred Twenty-Two Thousand Two Hundred Twenty-Nine Dollars **($322,229)** is appropriated from the General Fund to the Veterans Affairs Office for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$322,229
TOTAL	**$322,229**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) VAO General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$218,424	$207,397
OVERTIME	112	$0	$0
BENEFITS	113	$72,358	$73,034
TRAVEL	220	$0	$0
CONT. SERV.	230	$16,863	$14,766
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$12,413	$7,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$9,843	$11,000
WATER/SEWER	362	$35,590	$1,032
PHONE/TOLL	363	$4,293	$8,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$369,784**	**$322,229**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Guam Veterans Cemetery Expansion Matching Grant. The sum of Three Hundred Ninety Thousand Dollars **($390,000)** is appropriated from the General Fund to the Veterans Affairs Office for the Guam Veterans Cemetery expansion in *Piti*, Guam.

Funding *shall only* be disbursed as a matching grant of public or private funds secured by the Veterans Affairs Office. The Veterans Affairs Office *shall* submit to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* evidence of matching grant funds secured prior to the certification of funds for disbursement, project plan(s), and subsequent invoices for project(s) funded by said appropriation.

§1303, of Article 3, Chapter 1 of Title 5, Guam Code Annotated, *shall not* apply to the appropriation in this Subsection. The appropriation in this Subsection *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

(e) BUREAU OF BUDGET AND MANAGEMENT RESEARCH

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Budget and Management Research (BBMR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (e)(3).

(2) Bureau of Budget and Management Research Appropriations for Fiscal Year 2013. One Million Three Hundred Seventy-Five Thousand Two Hundred Sixty-Two Dollars **($1,375,262)** is appropriated to Bureau of Budget and Management Research for its operations for Fiscal Year 2013. This sum is composed of One Million Fifty-Eight Thousand Three Hundred Twenty Dollars **($1,058,320)** from the General Fund and Three Hundred Sixteen Thousand Nine Hundred Forty-Two Dollars **($316,942)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,058,320
INDIRECT COST FUND	$316,942
TOTAL	**$1,375,262**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BBMR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$695,520	$775,448
OVERTIME	112	$0	$0
BENEFITS	113	$221,648	$276,210
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,820	$6,662
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$919,988**	**$1,058,320**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(f) CIVIL SERVICE COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Civil Service Commission (CSC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (f)(3).

(2) Civil Service Commission Appropriations for Fiscal Year 2013. The sum of Eight Hundred Forty-Four Thousand Nine Hundred Two Dollars **($844,902)** is appropriated from the General Fund to Civil Service Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$844,902
TOTAL	**$844,902**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CSC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$487,310	$508,112
OVERTIME	112	$0	$0
BENEFITS	113	$170,073	$194,992
TRAVEL	220	$0	$0
CONT. SERV.	230	$17,025	$20,984
OFF. RENTAL	233	$78,062	$69,650
SUP. & MAT.	240	$578	$3,984
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$18,150	$36,400
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,040	$10,780
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$779,238**	**$844,902**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(g) DEPARTMENT OF ADMINISTRATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Administration (DOA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (g)(3).

(2) Department of Administration Appropriations for Fiscal Year 2013. The sum of Eight Million Nine Hundred Forty-Four Thousand Four Hundred Ninety-Four Dollars **($8,944,494)** is appropriated to the Department of Administration for its operations for Fiscal Year 2013. This sum is composed of Seven Million Seven Hundred Fifty-Six Thousand Seven Hundred Seventy-Eight Dollars **($7,756,778)** from the General Fund and One Million One Hundred Eighty-Seven Thousand Seven Hundred Sixteen Dollars **($1,187,716)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,756,778
INDIRECT COST FUND	$1,187,716
TOTAL	**$8,944,494**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$4,605,814	$4,874,641
OVERTIME	112	$0	$0
BENEFITS	113	$1,617,317	$1,861,805
TRAVEL	220	$0	$0
CONT. SERV.	230	$883,639	$644,332
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$25,557	$31,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$189,799	$0
WATER/SEWER	362	$1,097	$0
PHONE/TOLL	363	$373,505	$375,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$7,696,728**	**$7,786,778**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Support of Child in Custody (19 GCA § 5116). The sum of Six Hundred Forty-Nine Thousand Nine Hundred Sixty-Two Dollars (**$649,962**) is appropriated from the General Fund to the Department of Administration (DOA) for Fiscal Year 2013 for the *sole* purpose of paying orders of the court pursuant to § 5116 of Chapter 5, Title 19 GCA.

(5) Residential Treatment Fund. The sum of One Million One Hundred Thousand Dollars (**$1,100,000**) is appropriated from the General Fund to the DOA in Fiscal Year 2013 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 of Fiscal Year 2013, and post the same on the DOA website.

(6) Government Claims Fund. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the DOA for the Government Claims Fund for payment of approved government claims in Fiscal Year 2013. The Director of DOA *shall*, *no later than* thirty (30) days after the close of each quarter of Fiscal Year 2013, 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 Department's website.

(7) Government of Guam's General Purpose Financial Statement and Single Audit Report. The sum of Three Hundred Seventy-Seven Thousand

Dollars (**$377,000**) is appropriated from the General Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's General Purpose Financial Statement and the Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(8) Single Audit Report on the Tourist Attraction Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Tourist Attraction Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(9) Single Audit Report on the Guam Highway Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Guam Highway Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Highway Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(10) Training. The sum of Thirty Thousand Dollars **($30,000)** *shall* be allocated from the Indirect Cost Fund appropriation in Subsection (g)(2) for the purposes of training.

(h) DEPARTMENT OF REVENUE AND TAXATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Revenue and Taxation (DRT) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (h)(3).

(2) Department of Revenue and Taxation Appropriations for Fiscal Year 2013. Eleven Million Eight Hundred Sixty-One Thousand Nine Hundred Sixty-Eight Dollars **($11,861,968)** is appropriated to the Department of Revenue and Taxation for its operations for Fiscal Year 2013. This sum is composed of Nine Million Seven Hundred Eighty-Four Thousand Six Hundred Ninety-Seven Dollars **($9,784,697)** from the General Fund and Two Million Seventy Seven Thousand Two Hundred Seventy-One Dollars **($2,077,271)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$9,784,697
BETTER PUBLIC SERVICE FUND	$1,390,554
TAX COLLECTION ENHANCEMENT FUND	$686,717
TOTAL	**$11,861,968**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DRT General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$5,482,240	$5,969,179
OVERTIME	112	$0	$366,463
BENEFITS	113	$2,133,311	$2,338,682
TRAVEL	220	$0	$0
CONT. SERV.	230	$300,000	$90,653
OFF. RENTAL	233	$1,024,390	$1,017,720
SUP. & MAT.	240	$4,862	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$280	$2,000
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$8,945,083**	**$9,784,697**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(i) BUREAU OF STATISTICS AND PLANS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Statistics and Plans (BSP) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (i)(3).

(2) Bureau of Statistics and Plans Appropriations for Fiscal Year 2013. The sum of One Million One Hundred Fifty-Five Thousand Six Hundred Forty-Three Dollars **($1,155,643)** is appropriated from the General Fund to the Bureau of Statistics and Plans for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,155,643
TOTAL	**$1,155,643**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BSP General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$810,461	$819,217
OVERTIME	112	$0	$0
BENEFITS	113	$301,480	$300,035
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$20,040	$21,000
SUP. & MAT.	240	$0	$6,391
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,773	$9,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,140,754**	**$1,155,643**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(j) DEPARTMENT OF PUBLIC WORKS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Works (DPW) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (j)(3).

(2) Department of Public Works Appropriations for Fiscal Year 2013. The sum of Nineteen Million Five Hundred Ninety-Six Thousand Three Hundred One Dollars **($19,596,301)** is appropriated to Department of Public Works for its operations for Fiscal Year 2013. This sum is composed of Ten Million Four Hundred Thirty-Six Thousand Twenty-Eight Dollars **($10,436,028)** from the General Fund and Nine Million One Hundred Sixty Thousand Two Hundred Seventy-Three Dollars **($9,160,273)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$10,436,028
DPW BUILDING AND DESIGN FUND	$500,769
GUAM HIGHWAY FUND	$8,659,504
TOTAL	**$19,596,301**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPW General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$6,556,119	$6,706,287
OVERTIME	112	$0	$0
BENEFITS	113	$2,505,073	$2,714,809
TRAVEL	220	$0	$22,983
CONT. SERV.	230	$38,258	$192,786
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$5,935	$161,761
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$500
DRUG TEST	271	$0	$1,875
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$775,704	$346,547
WATER/SEWER	362	$104,842	$216,000
PHONE/TOLL	363	$3,293	$72,480
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,989,224**	**$10,436,028**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(k) CONTRACTORS LICENSE BOARD

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Contractors License Board (CLB) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (k)(3).

(2) Contractors License Board Appropriations for Fiscal Year 2013. The sum of Eight Hundred Sixty-Two Thousand Four Hundred Fifty Dollars **($862,450)** is appropriated from Special Funds to Contractors License Board for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM CONTRACTORS LICENSE BOARD FUND	$862,450
TOTAL	**$862,450**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLB Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$329,102
OVERTIME	112	$0	$0
BENEFITS	113	$0	$138,799
TRAVEL	220	$0	$16,000
CONT. SERV.	230	$0	$167,640
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$76,120
EQUIPMENT	250	$0	$17,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$288
SUBGRANT	280	$0	$0
MISC.	290	$0	$9,600
POWER	361	$0	$25,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$12,000
CAP. OUTLAY	450	$0	$70,501
GRAND TOTAL		**$0**	**$862,450**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

(4) Guam Building Code Council. From the Fiscal Year 2013 budget allocation for the Contractors License Board in Subsection (k)(3), the following sums *shall* be further allocated to the Guam Building Code Council to fund the pursuit of its mandate for Fiscal Year 2013: Fifty Thousand Six Hundred Forty

Dollars ($50,640) from Contractual Services (Object Class 230); Twenty-Four Thousand Dollars ($24,000) from Capital Outlay (Object Class 450); Twenty Thousand Nine Hundred Sixty Dollars ($20,960) from Supplies & Materials (Object Class 240); Four Thousand Dollars ($4,000) from Equipment (Object Class 250); and Five Thousand Four Hundred Dollars ($5,400) from Miscellaneous (Object Class 290). This amount, totaling One Hundred Five Thousand Dollars ($105,000), may be re-categorized by request of the Guam Building Code Council into whichever Object Class as needed.

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

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (1)(3).

(2) PEALS Appropriations for Fiscal Year 2013. The sum of Three Hundred Seven Thousand Two Hundred Eighty-Two Dollars **($307,282)** is appropriated from Special Funds to the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
PEALS FUND	$307,282
TOTAL	**$307,282**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PEALS Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$91,384
OVERTIME	112	$0	$0
BENEFITS	113	$0	$41,476
TRAVEL	220	$0	$4,775
CONT. SERV.	230	$0	$135,007
OFF. RENTAL	233	$0	$18,000
SUP. & MAT.	240	$0	$4,000
EQUIPMENT	250	$0	$2,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$40
SUBGRANT	280	$0	$0
MISC.	290	$0	$2,800
POWER	361	$0	$4,500
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,900
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,282**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

(m) GUAM POLICE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Police Department (GPD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (m)(3).

(2) Guam Police Department Appropriations for Fiscal Year 2013. The sum of Twenty-Eight Million Three Hundred Forty-Two Thousand Six Hundred Nineteen Dollars **($28,342,619)** is appropriated to the Guam Police Department for its operations for Fiscal Year 2013. This sum is composed of Twenty-Seven Million Eight Hundred Three Thousand Seven Hundred Sixty-One Dollars **($27,803,761)** from the General Fund and Five Hundred Thirty-Eight Thousand Eight Hundred Fifty-Eight Dollars **($538,858)** from Special Funds.

The sum of Five Hundred Twenty-Six Thousand One Hundred Thirty-Six Dollars **($526,136)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,803,761
POLICE SERVICES FUND	$538,858
TOTAL	**$28,342,619**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$726,136

(3) GPD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$16,771,331	$18,136,431
OVERTIME	112	$1,081,645	$644,163
BENEFITS	113	$5,586,529	$6,831,522
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$300,593
OFF. RENTAL	233	$320,765	$364,400
SUP. & MAT.	240	$492,312	$366,604
EQUIPMENT	250	$0	$19,397
WRK. COMP.	270	$19,999	$20,000
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$44,559	$664,385
POWER	361	$678,444	$170,000
WATER/SEWER	362	$4,306	$50,000
PHONE/TOLL	363	$44,130	$236,266
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$25,044,020**	**$27,803,761**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(n) DEPARTMENT OF CORRECTIONS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Corrections (DOC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (n)(3).

(2) Department of Corrections Appropriations for Fiscal Year 2013. The sum of Twenty-One Million Seven Hundred Twenty-Eight Thousand Six Hundred Forty-Two Dollars **($21,728,642)** is appropriated to the Department of Corrections for its operations for Fiscal Year 2013. This sum is composed of Twenty Million Seven Hundred Seventy-Six Thousand Nine Hundred Eighty-One Dollars **($20,776,981)** from the General Fund and Nine Hundred Fifty-One Thousand Six Hundred Sixty-One Dollars **($951,661)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$20,776,981
SAFE STREETS FUND	$96,000
CORRECTIONS INMATE REVOLVING FUND	$855,661
TOTAL	**$21,728,642**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$9,634,179	$10,380,900
OVERTIME	112	$825,211	$970,527
BENEFITS	113	$3,331,325	$4,369,138
TRAVEL	220	$5,000	$0
CONT. SERV.	230	$2,934,952	$3,887,375
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$256,324	$310,935
EQUIPMENT	250	$10,000	$21,156
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$67,830	$75,950
POWER	361	$940,202	$350,000
WATER/SEWER	362	$221,859	$250,000
PHONE/TOLL	363	$59,500	$70,000
CAP. OUTLAY	450	$0	$91,000
GRAND TOTAL		**$18,286,382**	**$20,776,981**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Cost of Care and Custody for Prisoners Confined in Federal Facilities. The sum of Six Hundred Ninety-Six Thousand Dollars **($696,000)** is appropriated from the General Fund to the Department of Corrections for the payment of Fiscal Year 2013 obligations for prisoners confined in federal facilities of the Federal Bureau of Prisons.

(5) The sum of One Million Four Thousand Dollars **($1,004,000)** from the General Fund appropriation in Subsection (n)(2) of this Section *shall* be allocated to pay for outstanding prior years obligations to Guam Memorial Hospital Authority. The Guam Memorial Hospital Authority shall use the amounts received pursuant to this Subsection for medical supply or services vendor payments *only*.

(o) DEPARTMENT OF AGRICULTURE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Agriculture (AGR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (o)(3).

(2) Department of Agriculture Appropriations for Fiscal Year 2013. The sum of Two Million Seven Hundred Three Thousand Seven Hundred Eighty-Two Dollars **($2,703,782)** is appropriated to the Department of Agriculture for its operations for Fiscal Year 2013. This sum is composed of Two Million Six Hundred Eighteen Thousand Three Hundred Seventy Dollars **($2,618,370)** from the General Fund and Eighty-Five Thousand Four Hundred Twelve Dollars **($85,412)** from Special Funds.

The sum of Two Hundred Eighty-Eight Thousand Five Hundred Dollars **($288,500)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$2,618,370
GUAM PLANT INSPECTION AND PERMIT FUND	$85,412
TOTAL	**$2,703,782**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$288,500

(3) AGR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,622,828	$1,562,710
OVERTIME	112	$5,995	$11,480
BENEFITS	113	$580,195	$598,704
TRAVEL	220	$5,400	$6,620
CONT. SERV.	230	$12,390	$143,254
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$14,000	$65,724
EQUIPMENT	250	$0	$33,870
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$227,517	$9,008
POWER	361	$125,118	$118,000
WATER/SEWER	362	$15,300	$20,000
PHONE/TOLL	363	$18,000	$19,000
CAP. OUTLAY	450	$0	$30,000
GRAND TOTAL		**$2,626,743**	**$2,618,370**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Animal Shelter. The sum of Ninety-Eight Thousand Eighty-Three Dollars **($98,083)** *shall be* allocated from the General Fund appropriation in Subsection (o)(2) to the Department of Agriculture for Fiscal Year 2013 for the operations of the Guam Animals in Need (GAIN) animal shelter in *Yigo*, Guam.

(5) The sum of One Hundred Seventy Three Thousand Five Hundred Twenty-Two Dollars **($173,522)** is appropriated from the General Fund to the Department of Agriculture for the purposes of Veterinarian & Animal Control Services.

(p) GUAM PUBLIC LIBRARY SYSTEM

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Public Library System (GPLS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth Subsection (p)(3).

(2) Guam Public Library System Appropriations for Fiscal Year 2013. The sum of One Million Two Hundred Fifty-Five Thousand Seven Hundred Twenty-Eight Dollars **($1,255,728)** is appropriated from the General Fund to the Guam Public Library System for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,255,728
TOTAL	**$1,255,728**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GPLS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$377,320	$677,378
OVERTIME	112	$0	$0
BENEFITS	113	$145,363	$273,524
TRAVEL	220	$0	$0
CONT. SERV.	230	$98,455	$83,054
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$6,431	$30,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$103,367	$147,772
WATER/SEWER	362	$2,325	$7,000
PHONE/TOLL	363	$23,701	$37,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$756,962**	**$1,255,728**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(q) DEPARTMENT OF YOUTH AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Youth Affairs (DYA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (q)(3).

(2) Department of Youth Affairs Appropriations for Fiscal Year 2013. The sum of Four Million Six Hundred Forty-Six Thousand Four Hundred Dollars **($4,646,400)** is appropriated from the General Fund to the Department of Youth Affairs for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$4,646,400
SPECIAL FUND	$0
TOTAL	**$4,646,400**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DYA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$2,433,656	$2,920,320
OVERTIME	112	$106,474	$58,953
BENEFITS	113	$873,949	$1,187,138
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,104	$139,730
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$99,516	$165,479
EQUIPMENT	250	$0	$29,230
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$400
SUBGRANT	280	$0	$0
MISC.	290	$0	$16,450
POWER	361	$33,670	$62,400
WATER/SEWER	362	$6,077	$22,800
PHONE/TOLL	363	$43,500	$43,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$3,636,946**	**$4,646,400**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Youth Program Appropriation. The sum of Three Hundred Thirty-Two Thousand One Hundred Fifty Dollars **($332,150)** is appropriated from the General Fund to the Department of Youth Affairs (DYA) for Fiscal Year 2013 to fund programs contracted out to non-governmental organizations for services to youths who are runaways, homeless, or victims of abuse.

(r) GUAM ENVIRONMENTAL PROTECTION AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Environmental Protection Agency (GEPA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (r)(3).

(2) Guam Environmental Protection Agency Appropriations for Fiscal Year 2013. The sum of Six Hundred Fifty-Six Thousand Seventy-Three Dollars **($656,073)** is appropriated from Special Funds to the Guam Environmental Protection Agency for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
AIR POLLUTION CONTROL FUND	$184,422
GUAM ENVIRONMENTAL TRUST FUND	$331,869
WATER PROTECTION FUND	$66,461
WATER RESEARCH AND DEVELOPMENT FUND	$73,321
TOTAL	**$656,073**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GEPA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$303,607
OVERTIME	112	$0	$0
BENEFITS	113	$0	$114,801
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$103,020
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$37,145
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$60,000
WATER/SEWER	362	$0	$9,500
PHONE/TOLL	363	$0	$28,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$656,073**

(4) Closure, Monitoring, and Opening of the Island's Landfills. The sum of Two Hundred Thousand Dollars ($**200,000**) is hereby appropriated from the Solid Waste Operations Fund to the GEPA. The appropriation recognizes the duties and responsibilities of the Agency related to the closure, monitoring, and opening of the island's landfills.

(5) Beach Monitoring. The sum of One Hundred Thousand Dollars ($**100,000**) is hereby appropriated from the Tourist Attraction Fund to the GEPA for the *sole* purpose of beach monitoring. The Tourist Attraction Fund *shall* provide resources to the GEPA for tasks performed by the Agency related to the monitoring of the island's beaches, and any other tourist infrastructure. As tourism represents a major contributor to the island's economy, this appropriation ensures that the island's beaches are safe for recreational and commercial use.

This appropriation *shall* continue to be available until expended. This appropriation is *not* subject to transfer or use for any other purpose.

(s) DEPARTMENT OF LABOR

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Labor (DOL) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (s)(3).

(2) Department of Labor Appropriations for Fiscal Year 2013. The sum of One Million Four Hundred Seventy-Eight Thousand Five Hundred Sixty-One Dollars **($1,478,561)** is appropriated to the Department of Labor for its operations for Fiscal Year 2013. This sum is composed of One Million Fifty-Five Thousand Three Hundred Eighty-Five Dollars **($1,055,385)** from the General Fund and Four Hundred Twenty-Three Thousand One Hundred Seventy-Six Dollars **($423,176)** from Special Funds.

The sum of Forty-Three Thousand Eight Hundred Dollars **($43,800)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,055,385
MAN POWER DEVELOPMENT FUND	$423,176
TOTAL	**$1,478,561**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$43,800

(3) DOL General Funds Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$650,873	$667,999
OVERTIME	112	$0	$0
BENEFITS	113	$221,273	$242,809
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,946	$40,549
OFF. RENTAL	233	$115,902	$26,004
SUP. & MAT.	240	$15,144	$14,520
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$42,100	$43,800
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$27,146	$19,704
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,113,384**	**$1,055,385**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Appropriation to the Worker's Compensation Fund. The sum of Seven Hundred Ninety-Eight Thousand Five Hundred Ninety-Three Dollars **($798,593)** is appropriated from the General Fund to the Department of Labor for the Worker's Compensation Fund for Fiscal Year 2013 for Worker's Compensation payments pursuant to § 9144 of Chapter 9, Title 22 GCA, including obligations incurred in past years and in the future. Said appropriation 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 his injury and the recovery therefrom may require. Said appropriation *shall not* be expended for disability compensation payments for FTEs funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars **($40,000)** from said appropriation to pay for legal services for Worker's Compensation hearings.

The sum of One Hundred Ninety-Nine Thousand Dollars **($199,000)** from the General Fund appropriation in this Subsection *shall* be allocated to pay for outstanding obligations to the Guam Memorial Hospital Authority. The Guam Memorial Hospital Authority *shall* use the amounts received pursuant to this Subsection for medical supplies and/or services vendor payments *only*.

(t) DEPARTMENT OF PARKS AND RECREATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Parks and Recreation (DPR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (t)(3).

(2) Department of Parks and Recreation Appropriations for Fiscal Year 2013. The sum of Three Million Four Hundred Fifty Thousand Eight Hundred Five Dollars **($3,450,805)** is appropriated to the Department of Parks and Recreation for Fiscal Year 2013. This sum is composed of Three Million Two Hundred Sixty-Four Thousand Seven Hundred Seven Dollars **($3,264,707)** from the General Fund and One Hundred Eighty-Six Thousand Ninety-Eight Dollars **($186,098)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$3,264,707
PUBLIC RECREATION SERVICES FUND	$186,098
TOTAL	**$3,450,805**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,645,961	$1,629,069
OVERTIME	112	$0	$0
BENEFITS	113	$591,850	$666,959
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,970	$133,844
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$57,000
EQUIPMENT	250	$0	$10,467
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$274,311	$350,000
WATER/SEWER	362	$216,053	$387,368
PHONE/TOLL	363	$27,272	$30,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$2,813,417**	**$3,264,707**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Maintenance and Repair of Public Restrooms. The sum of Four Hundred Thousand One Hundred Sixty-Six Dollars **($400,166)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance and repair of restroom facilities in public parks island-wide for Fiscal Year 2013. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation *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 this appropriation and post the same on the Department's website.

(5) Maintenance of Pool Facilities. The sum of Three Hundred Forty-Nine Thousand Two Hundred Eleven Dollars **($349,211)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance of pool facilities for Fiscal Year 2013. These funds *shall* be used for the Northern Pool and the *Hagatna* Pool. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation *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 this appropriation and post the same on the Department's website.

(u) DEPARTMENT OF LAND MANAGEMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Land Management (DLM) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (u)(3).

(2) Department of Land Management Appropriations for Fiscal Year 2013. The sum of Three Million Six Hundred Thirty-Three Thousand Five Hundred Eighty-Two Dollars **($3,633,582)** is appropriated to the Department of Land Management for its operations for Fiscal Year 2013. This sum is composed of Four Hundred Five Thousand Eight Hundred Eighteen Dollars **($405,818)** from the General Fund and Three Million Two Hundred Twenty-Seven Thousand Seven Hundred Sixty-Four Dollars **($3,227,764)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$405,818
LAND SURVEY REVOLVING FUND	$3,227,764
TOTAL	**$3,633,582**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DLM General Fund Allocations for Fiscal Year 2013.

SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$557,106	$405,818
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$557,106**	**$405,818**

(v) OFFICE OF THE CHIEF MEDICAL EXAMINER

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of the Chief Medical Examiner (CME) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (v)(3).

(2) Office of the Chief Medical Examiner Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty-Six Thousand Five Hundred Ninety-Nine Dollars **($426,599)** is appropriated from the General Fund to the Office of the Chief Medical Examiner for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$426,599
TOTAL	**$426,599**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CME General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$257,296	$257,309
OVERTIME	112	$0	$0
BENEFITS	113	$90,563	$95,244
TRAVEL	220	$5,023	$8,440
CONT. SERV.	230	$44,542	$51,585
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,293	$6,396
EQUIPMENT	250	$0	$4,950
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$25
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,580	$2,650
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$402,297**	**$426,599**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(w) CUSTOMS AND QUARANTINE AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* that the Guam Customs and Quarantine Agency (Customs and Quarantine) be fully funded by fees collected as a result of services provided to the visitor industry. The expenditures of Customs and Quarantine have increased significantly over the last three (3) years due to two (2) ten percent (10%) increases to employee salaries and corresponding increases to retirement benefits, and rent.

Customs and Quarantine has failed to implement fee increases during this time and as a result has required the following unbudgeted General Fund subsidy payments:

Fiscal Year 2009	$2,257,142
Fiscal Year 2010	$2,195,448
Fiscal Year 2011	$3,264,296

I Liheslaturan Guåhan finds that Customs and Quarantine has submitted a Fiscal Year 2013 budget request that increases the current expenditures by One Million Two Hundred Forty-Four Thousand One Hundred Dollars ($1,244,100) or a 15.72% increase from its existing budget. There are *no* corresponding fee increases to remedy Customs and Quarantine current operating shortfall or the additional expenditures requested for Fiscal Year 2013.

I Liheslaturan Guåhan finds any General Fund subsidy to Customs and Quarantine unacceptable given the scarce General Tax Revenue resources available and therefore *shall only* authorize spending within the revenues generated by Customs and Quarantine.

I Maga'låhen Guåhan may use his transfer authority to further subsidize Customs and Quarantine from other appropriations in the Executive Branch; or may require Customs and Quarantine to raise its fees and become a self-sustained

agency as intended by *I Liheslaturan Guåhan;* or may require Customs and Quarantine to reduce expenditures to align with available revenues.

(2) Customs and Quarantine Agency, Appropriations for Fiscal Year 2013. The sum of Five Million Eight Hundred Ninety-One Thousand Eight Hundred Three Dollars **($5,891,803)** is appropriated from Special Funds to the Customs and Quarantine Agency for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES FUND	$5,891,803
TOTAL	**$5,891,803**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(x) DEPARTMENT OF *CHAMORRO* AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of *Chamorro* Affairs (DCA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (x)(3).

(2) Department of *Chamorro* Affairs Appropriations for Fiscal Year 2013. The sum of Nine Hundred Ninety-One Thousand Seven Hundred Fifty Dollars **($991,750)** is appropriated from the General Fund to the Department of Chamorro Affairs for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$991,750
TOTAL	**$991,750**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DCA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$756,207	$479,250
OVERTIME	112	$0	$0
BENEFITS	113	$283,520	$194,313
TRAVEL	220	$0	$0
CONT. SERV.	230	$53,093	$114,718
OFF. RENTAL	233	$189,628	$182,529
SUP. & MAT.	240	$10,056	$17,419
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$342,000	$0
POWER	361	$4,046	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,780	$3,521
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,649,330**	**$991,750**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(y) DEPARTMENT OF MILITARY AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Military Affairs (DMA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (y)(3).

(2) Department of Military Affairs Appropriations for Fiscal Year 2013. The sum of Seven Hundred Two Thousand Fifty-Four Dollars **($702,054)** is appropriated from the General Fund to the Department of Military Affairs for its operations for Fiscal Year 2013.

The sum of Seven Hundred Two Thousand Fifty-Four Dollars **($702,054)** of General Fund or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$702,054
TOTAL	**$702,054**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$1,547,700

(3) DMA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$99,834	$216,476
OVERTIME	112	$0	$0
BENEFITS	113	$32,549	$79,094
TRAVEL	220	$1,700	$5,750
CONT. SERV.	230	$3,900	$27,096
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$3,615	$22,433
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$508,429	$11,322
POWER	361	$239,633	$325,344
WATER/SEWER	362	$0	$6,111
PHONE/TOLL	363	$6,104	$8,428
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$895,764**	**$702,054**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(z) GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Council on the Arts and Humanities Agency (CAHA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (z)(3).

(2) Guam Council on the Arts and Humanities Agency Appropriations for Fiscal Year 2013. The sum of Three Hundred Forty-Seven Thousand Five Hundred Dollars **($347,500)** is appropriated to the Guam Council on the Arts and Humanities Agency for its operations for Fiscal Year 2013. This sum is composed of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** from the General Fund and Forty Thousand Dollars **($40,000)** from Special Funds.

The sum of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$307,500
TOURIST ATTRACTION FUND	$40,000
TOTAL	**$347,500**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$307,500

(3) CAHA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$89,109
OVERTIME	112	$0	$0
BENEFITS	113	$0	$38,672
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$26,559
OFF. RENTAL	233	$0	$35,000
SUP. & MAT.	240	$0	$1,756
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$97,530
MISC.	290	$0	$16,004
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,870
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,500**

*Tracking information for Fiscal Year 2012 ending General Fund expenditure projections not provided by BBMR.

(4) Guam Territorial Band. The sum of Forty Thousand Dollars **($40,000)** *shall* be allocated for the Guam Territorial Band from the Tourist Attraction Fund appropriation contained in Subsection (z)(2). Notwithstanding the general provisions of §30107.1 of Title 11, Guam Code Annotated, and this Act, this appropriation *shall* continue to be available until expended.

(aa) GUAM FIRE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Fire Department (GFD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (aa)(3).

(2) Guam Fire Department Appropriations for Fiscal Year 2013. The sum of Twenty-Nine Million Seven Hundred Thirteen Thousand Three Hundred Seventy-Three Dollars **($29,713,373)** is appropriated to the Guam Fire Department for its operations for Fiscal Year 2013. This sum is composed of Twenty-Seven Million Nine Hundred Eighty-Nine Thousand Six Hundred Seventy-Eight Dollars **($27,989,678)** from the General Fund and One Million Seven Hundred Twenty-Three Thousand Six Hundred Ninety-Five Dollars **($1,723,695)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,989,678
ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	$1,650,630
FIRE, LIFE, AND MEDICAL EMERGENCY FUND	$73,065
TOTAL	**$29,713,373**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GFD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$17,289,610	$18,429,699
OVERTIME	112	$2,496,205	$1,302,114
BENEFITS	113	$6,198,803	$7,070,495
TRAVEL	220	$0	$0
CONT. SERV.	230	$364,339	$212,893
OFF. RENTAL	233	$0	$105,000
SUP. & MAT.	240	$296,410	$338,910
EQUIPMENT	250	$0	$7,000
WRK. COMP.	270	$9,259	$20,000
DRUG TEST	271	$0	$3,500
SUBGRANT	280	$0	$0
MISC.	290	$88,200	$120,000
POWER	361	$194,015	$292,000
WATER/SEWER	362	$20,177	$64,067
PHONE/TOLL	363	$45,000	$24,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$27,002,018**	**$27,989,678**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(bb) GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION (PBS GUAM)

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Educational Telecommunications Corporation (PBS Guam) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (bb)(3).

(2) Guam Educational Telecommunications Corporation (PBS Guam) Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty-Seven Thousand Seventy-Two Dollars **($637,072)** is appropriated from the General Fund to the Guam Educational Telecommunications Corporation for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$637,072
TOTAL	**$637,072**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PBS Guam General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$266,836	$375,662
OVERTIME	112	$0	$0
BENEFITS	113	$105,920	$160,973
TRAVEL	220	$0	$0
CONT. SERV.	230	$21,666	$25,437
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$196,939	$75,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$591,361**	**$637,072**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(cc) *CHAMORRO* LAND TRUST COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the *Chamorro* Land Trust Commission (CLTC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (cc)(3).

(2) *Chamorro* Land Trust Commission Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty-Nine Thousand Nine Hundred Fifty-Four Dollars **($639,954)** is appropriated from Special Funds to the *Chamorro* Land Trust Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CHAMORRO LAND TRUST OPERATIONS FUND	$639,954
TOTAL	**$639,954**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLTC Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$225,723
OVERTIME	112	$0	$0
BENEFITS	113	$0	$110,118
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$175,000
OFF. RENTAL	233	$0	$48,000
SUP. & MAT.	240	$0	$16,800
EQUIPMENT	250	$0	$3,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$113
SUBGRANT	280	$0	$0
MISC.	290	$0	$7,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$54,000
GRAND TOTAL		**$0**	**$639,954**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

CHAPTER VI

LEGISLATIVE BRANCH

Section 1. Appropriation. The sum of Seven Million Four Hundred Forty-Six Thousand Six Hundred Thirty-Five Dollars (**$7,446,635**) is appropriated from the General Fund to *I Liheslaturan Guåhan* for its operations, including personnel services, for Fiscal Year 2013.

Section 2. Appropriation to the Office of Finance and Budget. The sum of Three Hundred Seventy-Eight Thousand Seven Hundred Thirty-Seven Dollars (**$378,737**) is appropriated from the General Fund to *I Liheslaturan Guåhan*, specifically for the Office of Finance and Budget (OFB) for its operations, including personnel services, for Fiscal Year 2013.

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) expend its funds in accordance with the appropriation in Section 2. *I Liheslaturan Guåhan* supports the efforts of the OAG to acquire the appropriate technology to replace its aging APASI system. The OAG *shall* submit to the Speaker of *I Liheslaturan Guåhan* a formal commitment letter from the respective grantor agency pledging the total federal funds for the APASI system upgrade *prior to* any expenditures over Five Hundred Thousand Dollars **($500,000)** toward the APASI system upgrade.

Section 2. Appropriation for Fiscal Year 2013. The sum of Eleven Million Four Hundred Seventy-Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** is appropriated from the General Fund to the Office of the Attorney General for Fiscal Year 2013. This appropriation *shall* be expended in accordance with the object categories allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$8,056,186
OPERATIONS OBJECT CATEGORIES (220 to 450)	$3,423,374
TOTAL	**$11,479,560**

The sum of Eleven Million Four Hundred Seventy-Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$11,479,560
TOTAL	**$11,479,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$11,509,528

Section 3. Transfer Authority for the Office of the Attorney General (OAG). The OAG may transfer funds between appropriations in Section 2, *provided,* that the OAG notifies *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 to 115).

Section 4. The Office of the Attorney General *shall* allocate the sums necessary from its Operations object categories to establish and maintain the Family Violence Registry Database, as provided pursuant to § 30.200 of Chapter 30, Title 9, Guam Code Annotated, known as the "Family Violence Registry Act."

CHAPTER VII

LEGAL SERVICES

PART II – PUBLIC DEFENDER SERVICE CORPORATION

Section 1. Appropriation. The sum of Three Million Seven Hundred Ninety-Six Thousand Seven Hundred Fifty-Five Dollars (**$3,796,755**) is appropriated from the General Fund to the Public Defender Service Corporation for its operations, including personnel services, for Fiscal Year 2013.

No more than Three Million Five Hundred Thirty-Five Thousand Six Hundred Sixty-Three Dollars **($3,535,663)** *shall* be expended for personnel object categories (111 to 115).

Section 2. Transfer Authority for the Public Defender Service Corporation. The Public Defender Service Corporation (PDSC) may transfer funds between appropriations made in Section 1, *provided,* that the 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.

CHAPTER VIII

MAYORS' COUNCIL OF GUAM

Section 1. Appropriation. Appropriations for Fiscal Year 2013. The sum of Eight Million Three Hundred Forty-Four Thousand Seven Hundred Seventy-Four Dollars **($8,344,774)** is appropriated to the Mayors' Council of Guam for its operations, including personnel services, for Fiscal Year 2013. This sum is composed of Seven Million Five Hundred Seventy-Eight Thousand Seven Hundred Sixty-One Dollars **($7,578,761)** from the General Fund and Seven Hundred Sixty-Six Thousand Thirteen Dollars **($766,013)** from Special Funds.

No more than Six Million Seven Hundred Twenty-Four Thousand One Hundred Twenty-Two Dollars **($6,724,122)** *shall* be expended for personnel object categories (111 to 115). The total amount of Guam Highway Funds appropriated in this Section *shall* be expended for power (Object Category 361).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,578,761
GUAM HIGHWAY FUND	$766,013
TOTAL	**$8,344,774**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 2. Streets Maintenance and Beautification. The sum of One Million Thirty-Six Thousand Twenty-Six Dollars (**$1,036,026**) is appropriated from the Tourist Attraction Fund to the MCOG for Fiscal Year 2013 for the maintenance and beautification of non-routed public roads, and for the operations of the Mayors' offices, but *not* for personnel costs. 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)**; and

(b) the remaining balance of the fund *shall* be distributed to each Mayor pro rata based on the total road mileage of the 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.

Section 3. Island-Wide Village Beautification Projects. The sum of Four Hundred Seventy Thousand Nine Hundred Twenty-One Dollars (**$470,921**) is appropriated from the Tourist Attraction Fund to the MCOG for Island-Wide Village Beautification Projects to include:

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

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

(c) 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, Chapter 5, Title 5, Guam Code Annotated.

Section 4. Grounds Maintenance for Schools. Subject to approval and scheduling of the 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 scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

The sum of Four Hundred Forty-Seven Thousand Eight Hundred Sixty-Three Dollars **($447,863**) is appropriated from the General Fund to the MCOG Revolving Fund for the grounds maintenance of specified schools of the Department of Education, to be allocated as follows:

VILLAGE	SCHOOL	AMOUNT
Agana Heights	Agana Heights Elementary	$8,628
Agat	Marcial Sablan Elementary	$11,402
	Oceanview Middle	$16,749
Barrigada	P.C. Lujan Elementary	$8,881
	B.P. Carbullido Elementary	$7,449
	L.P. Untalan Middle	$7,867
Dededo	M.A. Ulloa Elementary	$13,049
	Wettengel Elementary	$17,103
	J.M. Guerrero Elementary	$14,570
	Liguan Elementary	$0
	Astumbo Elementary	$8,235
	Finegayan Elementary	$19,004
	V.S.A. Benavente Middle	$26,605
	Astumbo Middle	$0
	Okkodo High	$0

Inarajan	Inarajan Elementary	$5,866
	Inarajan Middle	$7,437
Mangilao	H.B. Price Elementary	$7,158
	George Washington High	$46,114
	Adacao Elementary	$0
Merizo	Merizo Elementary	$6,220
MTM	J.Q. San Miguel Elementary	$3,864
Ordot/Chalan Pago	Ordot/Chalan Pago Elementary	$8,932
	Agueda Johnston Middle	$14,583
Piti	Jose Rios Middle	$7,132
Santa Rita	H.S. Truman Elementary	$12,301
	Southern High	$39,275
	Alternative School	$4,206
Sinajana	C.L. Taitano Elementary	$4,232
Talofofo	Talofofo Elementary	$7,602
Tamuning	L.B. Johnson Elementary	$3,801
	Tamuning Elementary	$4,434
	Chief Brodie Elementary	$7,602
	JFK High School	$20,000
Umatac	F.Q. Sanchez Elementary	$1,267
Yigo	Upi Elementary	$9,502
	D.L. Perez Elementary	$16,470
	Machananao Elementary	$8,742
	F.B. Leon Guerrero Middle	$16,470
	Simon Sanchez High	$17,357
Yona	M.U. Lujan Elementary	$7,754
TOTAL FOR ALL VILLAGES		**$447,863**

Section 5. Public Safety and Social Education Programs. The sum of Four Hundred Sixteen Thousand Eight Hundred Sixty Dollars **($416,860**) is appropriated from the General Fund to the MCOG, with each village to receive Fifteen Thousand Dollars (**$15,000**), and with the remaining funds, if any to the MCOG for Fiscal Year 2013, to be expended in accordance with plans approved by the MCOG *or* 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.

Section 6. Authority to Make Payments on Prior Year Obligations. Notwithstanding any other provision of Law, the Mayors' Council of Guam (MCOG) is hereby authorized to pay for prior year obligations incurred from its Fiscal Year 2013 appropriations.

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 Funds of the villages of *Ordot* and *Inarajan* pursuant to P.L. 30-165 for uses in accordance with §511003, Article 10, Chapter 51, Title 10 of the Guam Code Annotated.

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART I – OFFICE OF PUBLIC ACCOUNTABILITY

Section 1. Appropriations for Fiscal Year 2013. The sum of One Million Three Hundred Two Thousand Three Hundred Eighty-Eight Dollars **($1,302,388)** is appropriated from the General Fund to the Office of Public Accountability for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,302,388
TOTAL	**$1,302,388**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART II – GUAM BOARD OF ACCOUNTANCY

Section 1. Guam Board of Accountancy Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty-Four Thousand One Hundred Dollars **($424,100)** is appropriated from Special Funds to the Guam Board of Accountancy for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM BOARD OF ACCOUNTANCY FUND	$424,100
TOTAL	**$424,100**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GBOA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$367,500
OFF. RENTAL	233	$0	$25,000
SUP. & MAT.	240	$0	$7,000
EQUIPMENT	250	$0	$5,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$19,600
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$424,100**

CHAPTER X

GUAM VISITORS BUREAU

Section 1. Appropriation. The amounts below are appropriated from the Tourist Attraction Fund (TAF) to the Guam Visitors Bureau (GVB) for its operations in Fiscal Year 2013. This appropriation *shall* be expended in accordance with the allocations outlined in this Section.

SUMMARY OF APPROPRIATION

(a)	GENERAL ADMINISTRATION	$2,526,313
(b)	MARKETING	$9,104,882
(c)	PRINTING, PROMOTIONAL	$467,636
(d)	RESEARCH	$402,180
(e)	DESTINATION DEVELOPMENT	$1,521,373
TOTAL		**$14,022,385**

Section 2. Appropriation to GVB for Special Projects. The sum of One Million Two Hundred Fifteen Thousand Eight Hundred Fifty-Five Dollars **($1,215,855)** is appropriated from the TAF to the GVB to fund the *Tumon* and *Hagåtña* Beach Cleaning, *Tumon* Landscaping, and Island-wide Roadways Maintenance projects in Fiscal Year 2013, and to supplement the Department of Parks and Recreation to maintain public beaches and parks. After all of the foregoing projects within this Section are fully funded, the GVB Board of Directors may approve the use of the surplus funds for other Board-approved projects. Notwithstanding the general provisions of §30107.1, of Chapter 30, Title 11GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 3. Appropriation to GVB for *På'å Taotao Tåno'*. The sum of Eighty Thousand Dollars (**$80,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of *På'å Taotao Tano* to provide for the local

match for the ANA Language Grant, the New *På'å* AmeriCorps, the *Guåhu Taotao Tåno'* Annual Pageant, and the Northern Cultural Arts Program. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 4. Appropriation to GVB for the Historic *Inalåhan* Foundation. The sum of Thirty Thousand Dollars (**$30,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Historic *Inalåhan* Foundation. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 5. Appropriation to GVB for the Traditions Affirming our Seafaring Ancestry (TASA). The sum of Fifty Thousand Dollars (**$50,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the TASA. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 6. Appropriation to GVB for the Tourism Education Council. The sum of Thirty Thousand Dollars **($30,000)** is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Tourism Education Council. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 7. Appropriation to GVB for the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). The sum of Fifteen Thousand Dollars (**$15,000**) is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). Notwithstanding the general provisions of §30107.1 of Chapter 30, 11

GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 8. Appropriation to the Guam Visitors Bureau Rainy Day Fund. The sum of Two Hundred Thousand Dollars (**$200,000**) is hereby appropriated from the unreserved fund balance of the TAF to the GVB for deposit in the Rainy Day Fund, in accordance with the provisions set forth in Section 1(b) of Public Law 30-116, for the purposes cited therein. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended, and is *not* subject to transfer *or* use for any other purpose.

Section 9. Appropriation to The As & Ås of *Chamorro* Project. The sum of Twenty-Five Thousand Dollars **($25,000)** is hereby appropriated from the TAF to the GVB for The As & Ås of *Chamorro* Project. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 10. Appropriation to the Micronesian Cruise Association. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the Micronesian Cruise Association. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 11. Appropriation to the Guam International Film Festival. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the Guam International Film Festival. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 12. Appropriation to the World War II Survivor History – Video Commentary. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the World War II Survivor History –

Video Commentary. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 13. Appropriation to the Guam FESTPAC & Folklife Festival Trust Account. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the unappropriated surplus in Fiscal Year 2012 Tourist Attraction Fund revenues to the Guam Visitors Bureau for deposit into the Guam FESTPAC & Folklife Festival Trust Account. Notwithstanding the general provisions of §30107.1 of Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended, and is *not* subject to transfer or use for any other purpose.

Section 14. Service and Reporting Requirements. (a) Organizations receiving funding from the Tourist Attraction Fund *shall* provide the Guam Visitors Bureau ten (10) hours of in-kind service per One Thousand Dollars ($1,000) appropriated to them for activities and/or events as identified by the Guam Visitors Bureau. The in-kind services *shall* be consistent with the services provided pursuant to the respective grant award.

(b) All organizations that receive Tourist Attraction 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 Guam Visitors Bureau. These organizations *shall* attest under penalty of perjury that they are meeting the requirements of this Section.

Section 15. Authority to Transfer. 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. Income Tax Refund Appropriations. There *shall* be reductions throughout the government of Guam operations of *not less than* the sum of Fourteen Million Five Hundred One Dollars **($14,000,501)** that *shall* be used for the payment of income tax refunds.

(a) Reductions to Operations of the Executive Branch.

(1) Effective October 1, 2012, the sum of Two Million Six Hundred Two Thousand Nine Hundred Fifty-Seven Dollars **($2,602,957)** is de-appropriated from any amounts appropriated from the General Fund in Chapter III and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

No more than fifteen percent (15%) shall be de-appropriated from any eligible individual appropriation in Chapter III.

Notwithstanding any other provision of law and this Act, no funds shall be de-appropriated from the General Fund from Chapter III, Part II, Sections 4, 5, 6 and 7.

(2) Effective October 1, 2012, the sum of Eight Million Four Hundred Twenty-Two Thousand Nine Hundred Twenty Dollars **($8,422,920)** is de-appropriated from any amounts appropriated from the General Fund in Chapter V and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

No more than eight percent (8%) shall be de-appropriated from any individual eligible appropriation in Chapter V.

Notwithstanding any other provision of law and this Act, no funds shall be de-appropriated from the General Fund from Chapter V, Sections 1(d)(4), 1(g)(4), 1(g)(5), 1(g)(6) and 1(g)(7).

(b) Reductions to Operations of the Guam Legislature.

(1) Effective October 1, 2012, the sum of Three Hundred Eighty-Three Thousand Five Hundred Two Dollars **($383,502)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(2) Effective October 1, 2012, the sum of Nineteen Thousand Five Hundred Five Dollars **($19,505)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 2 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(c) Reductions to Operations of the Unified Judiciary.

Effective October 1, 2012, the sum of One Million Two Hundred Seventy-Four Thousand Thirty-Eight Dollars **($1,274,038)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IV, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

(d) Reductions to Operations of the Office of the Attorney General.

Effective October 1, 2012, the sum of Five Hundred Ninety-One Thousand One Hundred Ninety-Seven Dollars **($591,197)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VII, Part I

and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

(e) Reductions to Operations of the Public Defender Service Corporation.

Effective October 1, 2012, the sum of One Hundred Ninety-Five Thousand Five Hundred Thirty-Three Dollars **($195,533)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VII, Part II and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA for income tax refund payments.

(f) Reductions to Operations of the Mayors Council of Guam.

Effective October 1, 2012, the sum of Four Hundred Forty-Three Thousand Seven Hundred Seventy-Six Dollars **($443,776)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VIII and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(g) Reductions to Operations of the Office of Public Accountability.

Effective October 1, 2012, the sum of Sixty-Seven Thousand Seventy-Three Dollars **($67,073)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IX, Part I and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA for income tax refund payments.

The Treasurer of Guam, as a ministerial duty, *shall* deposit One Million One Hundred One Thousand One Hundred Forty-Eight Dollars **($1,101,148)** cash from daily collections, which is equal to one-twelfth (1/12) of the total sum re-appropriated in this Section by the last day of each month during Fiscal Year 2013

into the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA.

The cash deposits mandated by this Section *shall* be considered separate and apart from any required deposits in Title 11 GCA, Chapters 50 and 51, and *shall not* be credited toward any required deposits in Title 11 GCA, Chapters 50 and 51 identified in Chapter I, Section 2(I)(A) of this Act and Chapter I, Section 6(a) of this Act.

§1303 of Article 3, Title 5 GCA, *shall not* apply to the re-appropriation in this Section. The re-appropriation in this Section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

Section 2. Public Streetlights Appropriations.

(a) **Special Fund Appropriations.** The sum of Three Million Five Hundred Ninety Thousand Two Hundred Sixty-One Dollars (**$3,590,261**) is appropriated from the Streetlight Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

(b) The sum of Three Million Seven Hundred Nine Thousand Seven Hundred Thirty-Nine Dollars (**$3,709,739**) is appropriated from the Guam Highway Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

Section 3. Appropriations to Retirees for Supplemental Annuity Benefits and for Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety-Six Thousand Three Hundred Three Dollars (**$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2013 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) hereof 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 retiree 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 that *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 2013, 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) hereof 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, 2012, and April 15, 2013, respectively. Said remittances *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

(f) The sum of Sixteen Million Nine Hundred Twenty-Two Thousand Six Hundred Sixty-Eight Dollars **($16,922,668)** is appropriated from the General Fund and Seven Million Five Hundred Thousand Dollars **($7,500,000)** is appropriated from the Section 2718 Fund to the GGRF to pay the following two (2) items for current retirees for Fiscal Year 2013 :

(1) Retiree group health, dental and life insurance premiums (to continue existing programs currently contained in the semi-monthly payments); and

(2) Retiree life insurance subsidy (to continue existing programs currently contained in the semi-monthly payments).

(g) For Fiscal Year 2013, 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 payments for retirees who have retired from those respective agencies. Said remittances *shall* be paid in two (2) equal installments on or before

October 10, 2012, and on or before April 1, 2013, respectively. The agencies' remittances for medical, dental and life insurance mandated herein are *ex gratia* payments, and are for Fiscal Year 2013 *only*.

(h) For Fiscal Year 2013, the sum of One Million One Hundred Forty Thousand Nine Hundred Sixty-Five Dollars (**$1,140,965**) is appropriated from the General Fund to the GGRF to pay the cost of Medicare premiums for government of Guam retirees and their survivors domiciled on Guam, and 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.

(i) For Fiscal Year 2013, the sum of Two Hundred Fifty-One Thousand Dollars (**$251,000**) 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.

(j) For Fiscal Year 2013, the sum of Three Hundred Fifty-Eight Thousand Dollars (**$358,000**) 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.

(k) 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 (g) hereof.

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

"(6) the prospective payment of supplemental benefits for the period of October 1, 2012 through September 30, 2013 for survivors of those

employees who retired prior to October 1, 1995, to be paid in the following manner:

(i) 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.

(ii) No person eligible for Retiree Supplemental Annuity Benefits provided for in this Section shall receive such benefits if 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.

(iii) 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. Disability Supplemental Annuity Additions. §8129(g) of Chapter 8, Article 1, 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, 2012 and ending on September 30, 2013, 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 Paragraph (g) of this Section 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 6. Retirees Supplemental Annuity Additions. §8122(d)(6) of Chapter 8, Article 1, 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, 2012 and ending on September 30, 2013, prospective, non-cumulative supplemental annuity benefits as follows:

(i) 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.

(ii) No retiree who is eligible for Retiree Supplemental Annuity Benefits provided for in this Section 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.

(iii) 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 7. 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 One Thousand One Hundred Dollars (**$1,100**) to each retiree of the GGRF who is retired as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred Dollars (**$6,770,500**) 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 One Thousand One Hundred Dollars (**$1,100**) to every Government of Guam Retirement Fund retiree who retired from each respective aforementioned agency as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012.

(c) Each agency mentioned in Subsection (b) *shall* reimburse the General Fund for any COLA paid by the Fund in Fiscal Year 2013 to retirees who have retired from that agency and their survivors, *no later than* December 31, 2012.

(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 8. Appropriation to Department of Education for GPA Promissory Note.

(a) The sum of One Million Four Hundred Thirty-Two Thousand Seven Hundred Fifty-Three Dollars (**$1,432,753)** is hereby appropriated from the Territorial Education Facilities Fund to the Department of Administration to pay the Guam Power Authority for the Guam Department of Education Promissory Note (the agreement between the GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the "installation payment agreement for the past due electrical service") in Fiscal Year 2013.

Section 9. Appropriations to the Guam Regional Transit Authority. The sum of Three Million Nine Hundred Five Thousand Eight Hundred Ninety-Nine Dollars **($3,905,899)** is appropriated to the Guam Regional Transit Authority for its operations for Fiscal Year 2013, and is composed of the following:

a) Three Hundred Forty-Nine Thousand Two Hundred Ten Dollars **($349,210)** from the Public Transit Fund to the Guam Regional

Transit Authority pursuant to §26503(b) of Chapter 26, Article 5, Title 11 GCA; and

b) Three Million Five Hundred Fifty-Six Thousand Six Hundred Eighty-Nine Dollars **($3,556,689)** from the Guam Highway Fund to the Guam Regional Transit Authority.

Section 10. Guam Election Commission Appropriation. The sum of Seven Hundred Fifty-Six Thousand Twenty-Seven Dollars **($756,027)** is appropriated from the General Fund to the Guam Election Commission for its operations during Fiscal Year 2013.

Section 11. Guam Solid Waste Authority Appropriation. The sum of Seven Million Seven Hundred Fifty-Nine Thousand One Hundred Six Dollars **($7,759,106)** is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority pursuant to Public Law 31-20 for its operations for Fiscal Year 2013.

Section 12. Guam Farmers' Cooperative Association of Guam, Inc. Appropriation. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the General Fund to the University of Guam for the purpose of assisting the Guam Farmers' Cooperative Association of Guam, Inc. to progress with their "Action Plan," as submitted to *I Liheslaturan Guåhan* on March 16, 2009 for a farmer-driven initiative for food import substitution to promote local jobs and food security for the people of Guam, and the development of a business plan for the operation of a Farmers' Cooperative facility to be constructed in *Dededo*, funded by the Tourist Attraction Fund bond proceeds.

Section 13. Guam Football (Soccer) Association. *I Liheslaturan Guåhan* finds that pursuant to P.L. 24-33 as amended, the Guam Football (Soccer) Association was authorized to develop soccer facilities, located in the northern and

southern parts of Guam, utilizing matching tax credit programs as authorized in Chapter 77, Article 3, Title 12 GCA.

I Liheslaturan Guåhan further finds that the soccer fields have been instrumental in the expansion of football (soccer) throughout Guam. Due to the dedicated staff and volunteers, soccer has grown and continues to increase every year. Because of its increased popularity throughout the island, there is a continuing need to expand facilities for programs managed and operated by the Guam Football (Soccer) Association.

Therefore, it is the intent of *I Liheslaturan Guåhan* to continue to support the Guam Football (Soccer) Association in its effort to continue developing soccer fields and facilities throughout the island, and to assist and further promote the sport of soccer and healthy lifestyles of Guam residents.

(a) §77305 of Chapter 77, Article 3, Title 12 GCA, is hereby *amended* to read as follows:

"**§ 77305. Cap on BPT Credits for Design and Construction of the Soccer Stadium and Facilities.**

The total amount of credits against Business Privilege Taxes for the design and construction of the soccer stadium and facilities authorized herein *shall not* exceed One Million Two Hundred Thousand Dollars ($1,200,000). The development of soccer facilities in the southern part of the island *shall* be funded using additional tax credits and/or matching funds secured."

(b) **Guam Football (Soccer) Association Matching Grant.** The sum of Five Hundred Thousand Dollars **($500,000)** is appropriated from the General Fund to the Guam Economic Development Authority for the Guam Football (Soccer) Association for the development of additional facilities in the northern part of the island.

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

§1303, Article 3, Title 5 GCA, *shall not* apply to the appropriation in this Section. The appropriation in this Section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

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 GGRF, including the employee and employer retirement contributions. Any and all fees, interest at actuarial set assumed rate of return for fund investments 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.

Section 2. **Volunteers and Donations for Skinner Plaza, the *Plaza De España,* and the Guam Congress Building.** A new §79603 is hereby *added* to Article 6, Chapter 79 of Title 21 GCA to read:

"§79603. **Volunteers and Donations for Skinner Plaza, *Plaza De España* and Guam Congress Building.** The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but not restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the Plaza de España, and the Guam Congress Building (also known as the Old Legislative Building). The Executive Director *shall* maintain records of all monetary and non-monetary donations received for the purpose of maintaining and renovating Skinner Plaza, the Plaza de España, and the Guam Congress Building. A Report and financial statement on said projects, *supra*, *shall* be submitted to the Speaker of *I Liheslaturan Guåhan* and the Office of Public Accountability each fiscal

year within thirty (30) days of said fiscal year. The Office of Public Accountability *shall* include the financial statements herein as part of the audit of the annual financial statements of *I Liheslaturan Guåhan*."

Section 3. Temporary Employment of Retired Corrections Officers. The Department of Corrections (DOC) may hire retired Guam Corrections Officers if a critical need arises. Retired corrections officers hired under this Section may receive their retirement annuity while employed on this temporary basis. Officers may *only* be hired under this Section to fill positions left vacant because of military activation of corrections officers or absence due to a long term disability status which has been certified by a medical doctor. The DOC may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in filling those positions and *shall* be terminated when the incumbent returns from military service. Retired 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 requirements for the position in question, except for written examinations, and the Director of DOC *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Chapter 8, Article 1, 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.

Section 4. 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, except for written examinations, and the Chief of Police of GPD *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of 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 the Police Reserve Officer to provide temporary services because of military activation of the 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.

Section 5. **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 *no*t exceeded. The retirees hired *shall* fill such a vacant position and *shall* be terminated when the incumbent returns from military service. Retired fire personnel 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* first 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) of 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.

Section 6. 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 or when vacancies cannot be filled within six (6) months because of the lack of qualified applicants. 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 or when a fully-qualified applicant is available. 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 requirements for the position in question, except for written examinations, and the Director of CQA *shall* certify that every retiree hired is fit for duty. The requirements of Chapter 51, Title 17 GCA are waived for employment pursuant hereto *except* for §51104(b)(4). Notwithstanding §8121(a) of 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.

Section 7. Temporary Employment of 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 absence due to a long term disability status which has been certified by a medical doctor. The DRT may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in the areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step I for the position in question and *shall not* receive sick and annual leave.

Notwithstanding §8121(a) of 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.

Section 8. **Government of Guam Health Insurance Program Enrollment for Employment Pursuant to Public Law 31-01.** Any employee hired pursuant to Public Law 31-01 *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 referred to medical facilities accredited by the Joint Commission for medical services approved by the MIP, the Director of Public Health and Social Services (DPHSS) may advance payments for said medical services or air ambulance program(s) established by Section 33, Chapter V of Public Law 28-150, and may establish escrow accounts for immediate and advance payment of medical services at hospitals and other medical facilities accredited by the Joint Commission determined by the Director of DPHSS to best serve MIP 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 2013 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 Branch, 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 discrimination based on political affiliation, gender, or sexual harassment, *unless* the employee consents to said 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, DMHSA, *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; and

(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.

(b) *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslatura* 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.

Section 12. Contracts Exceeding Funds Restriction. (a) § 14110 of Title 4 GCA, is hereby *amended* to read:

"§ 14110. Violations of Appropriations and Transfer.

It is unlawful for an officer, clerk or other person charged with disbursements of public funds appropriated by *I Liheslatura* (Guam Legislature) to exceed the amounts and purposes stated in the appropriation or to change or shift appropriations from one (1) item to another. Only *I Liheslaturan Guåhan* (Guam Legislature) in any appropriation act may authorize transfers. An officer, clerk or other person violating the provisions of this Section is guilty of malfeasance in office. They are subject to suspension and investigation of conduct. Upon conviction, the person is guilty of a misdemeanor and must be fined in the discretion of the court or imprisoned *not more than* three (3) years.

No agency shall contract or agree to spend any money for goods or services or in settlement of a lawsuit or claim in excess of the amount appropriated by *I Liheslatura* (the Legislature) to that Agency for such goods, services, claim, or settlement, and BBMR *shall not* allot funds to that agency for the payment of any amount towards such goods, services, claim, or settlement if the total amount of the goods, services, claim, or settlement is more than the amount appropriated or amount allotted by BBMR. Any contract or agreement made in violation hereof *shall* be void. Any agency

head or certifying officer who knowingly contracts or agrees to spend any money in excess of said appropriations *shall* be guilty of a misdemeanor."

(b) § 1303 of Title 5 GCA, is hereby *amended* to read:

"§ 1303. **Management of Allotments.** In the release of monthly or quarterly allotments by the Bureau of Budget & Management Research from appropriation acts, the Director thereof shall base such allotments on anticipated cash receipts so that the obligations incurred pursuant to such release of periodic allotments shall have sufficient cash for their payment, provided that sufficient cash shall always be released to the Department of Education to provide an adequate public education to every public school student.

No agency shall contract or agree to spend any money for goods or services or in settlement of a lawsuit or claim in excess of the amount appropriated by the Legislature to that Agency for such goods, services, claim, or settlement, and BBMR shall not allot funds to that agency for the payment of any amount towards such goods, services, claim, or settlement if the total amount of the goods, services, claim, or settlement is more than the amount appropriated or amount allotted by BBMR. Any contract or agreement made in violation hereof shall be void. Any agency head or certifying officer who knowingly contracts or agrees to spend any money in excess of said allotments shall be guilty of a misdemeanor."

Section 13. Restrictions on Hiring of Unclassified Employees. No government funds of any kind or description may be expended for the employment or hiring of unclassified employees of the government of Guam during Fiscal Year 2013, *except* for the following:

(a) Certified persons in the Guam Department of Education, as identified in §715(12) of 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 Department of Mental Health and Substance Abuse, 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 Army National Guard, the 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, deputies 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, 2011, *shall* meet the minimum Knowledge, Abilities and Skills (KAS) associated with such position; and

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

Section 14. Board and Commission Meeting Stipends. Any compensation or stipend owed to a Board or Commission member for attending a regular or special meeting in Fiscal Year 2013 *shall* be paid from the budget of the department or agency responsible for the administrative support and operations of such Boards or Commissions. 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 15. 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 2013.

(a) Subject to Chapter 5, 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 and the Public Defender Service Corporation 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 let 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 and the Executive Director of the Public Defender Service Corporation *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 Department of Mental Health and Substance Abuse 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 16. 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 Department of Mental Health and Substance Abuse; 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 at the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, and the Department of Public Health and Social Services; Village Mayors and Vice Mayors; GFD and EMS officials; on-call emergency management personnel; the Chief Medical Examiner, and the Guam Visitors Bureau. The restrictions of this Section *shall not* apply to wireless internet services, stationary (non-mobile) wireless telephone services, 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.

A 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 17. 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 to the Speaker of *I Liheslaturan Guåhan*, *no later than* June 30 of each year, the actual number of program completers and/or certificates issued for each 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 18. §4302.3 of Chapter 4, Article 3, Title 4 GCA is hereby *amended* to read:

"**§4302.3. Creation of the Section 2718 Fund**.

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Section 2718 Fund (hereinafter Fund). The Fund *shall* be separate and apart from all other funds of the government of Guam, *shall* be kept in a separate bank account, and *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan*, or any inter-fund transfers.

(b) All proceeds from rebates paid to and entitled to the government of Guam pursuant to Section 2718(b)(1)(A) of the Public Health Services Act, as amended by the Patient Protection and Affordable Care Act (PPACA), Public Law 111-148, *shall* be deposited in the Fund.

(c) All proceeds from reductions in quarterly premiums for non-compliance with the requirements of Public Law 30-93 relative to disclosure of detailed claims utilization and cost information, *shall* be deposited in the Fund.

(d) Notwithstanding the general provisions of § 22406, Title 5 GCA which require that unused and de-appropriated funds revert to the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds appropriated from the Fund *shall*, in all circumstances, and whether in whole or in part, be returned to the Section 2718 Fund, and *not* the General Fund.

(e) Notwithstanding the provisions of Title 5 GCA, §21103, §21107 and §21110 or any other provision of Guam law to the contrary, all interest earned on the Fund *shall* be returned to the Fund.

(f) The Director of Administration *shall* submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned, collected, and expended from the Fund, and *shall* post such report on the Department's website.

(g) All proceeds as a result of an Experience Refund or a positive Actual Experience from the Experience Participation provisions in the Health Insurance Contract between the Health Insurance Provider and the government of Guam *shall* be deposited into the Fund. For the purposes of this Subsection (g), *Target Experience* means the amount calculated by multiplying (1) the total premiums earned by the Health Insurance Provider for the full twelve (12)-month Plan Year ending the last day of the fiscal year under the Participating Policies issued to the government of Guam with respect to such Plan Year, by (2) a percentage not lower than eighty-six percent (86%); *Actual Experience* means an amount calculated by subtracting from the Target Experience all claims incurred during such Plan Year under all the Participating Policies; and Experience Refund means a positive Actual Experience."

Section 19. Monthly Income Tax Refund Efficient Payment Trust Fund Bank Statements. A new (c) is hereby *added* to §51106 of Chapter 51, Title 11 GCA to read:

"(c) Beginning with the month ended August 2012, the Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund monthly bank statements to the Speaker of *I Liheslaturan Guåhan* and

the Office of Finance and Budget *no later than* twenty-five (25) days after the end of each month. The Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund bank statements for the months of January 2011 through July 2012 to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *no later than* ten (10) days after the enactment of this Act."

Section 20. Annual Tax Credit Reports. A new Subsection (g) is hereby *added* to §1107 of Chapter 1, Title 11 of the Guam Code Annotated to read as follows:

"(g) Shall submit an annual report by July 15th of each year detailing all transactional information and amounts of any tax credits, rebates, abatements and offsets used from July 1 of each preceding year through June 30 of the following year to the Office of Finance and Budget, the Speaker of *I Liheslaturan Guåhan* and *I Maga'lahen Guåhan*."

Section 21. Notwithstanding any other provision of the law, the effective date contained in Public Law 31-136 *shall* be extended to March 17, 2013. Section 4 of Public Law 31-136 is hereby *amended* to read:

"**Section 4. Effective Date.** This Act *shall* take effect on March 17, 2013."

Section 22. Host Community Fund. §511006 of Article 10 of Chapter 51, Title 10 Guam Code Annotated, is hereby *amended* to read:

"**§511006. Host Community Fund Management.**

The management of the Host Community Fund *shall* be the responsibility of the Department of Administration. No expenditure shall be made from the Fund that is not approved by resolution of the Host Community Municipal Planning Councils. The Host Community Fund *shall*

be subject to periodic audit by the Office of Public Accountability, and *not* subject to any transfer authority."

Section 23. Annuity Payments Authorized. §8121(a) of Chapter 8, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(a) A retired member who subsequently becomes an employee eligible for membership under §8106 of this Title *prior* to January 1, 1999, *shall*, upon becoming so employed, have that member's right to receive payment of that member's annuity suspended for the duration of that member's employment, but all other rights pertaining to that member's annuity provided by this Article, including automatic increases therein, *shall* be retained by that member. The provisions of this Section *shall not* be applicable to any retired Judge or Justice designated and assigned by the Chief Justice to perform judicial duties in the courts of Guam as provided for in §6115 of Title 7 GCA, or any person employed by the Department of Education in Guam schools, as a substitute teacher or as a Certified Augmentation Teaching Service (CATS) employee as that term is defined by Title 17 GCA, §3127(b). Such employment *shall* be subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to any certified, registered or licensed health care professional, or ancillary service personnel, employed by the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, the Department of Public Health and Social Services, academic faculty positions at the University of Guam and the Guam Community College, or a limited term police officer employed by the Guam Police Department, to include Police Officers I, II, III and Sergeant I & II, performing duties such as patrol officers, narcotic officers, criminal investigators and school resource

officers; provided, that such person(s) occupies such positions for which *no* other qualified/certified applicants was available, and that such employment *shall* be on a fiscal year basis; subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to employee(s) of the Office of the Governor, employee(s) of the Office of the Lieutenant Governor, unclassified employee(s) appointed by the Governor of Guam, unclassified employees of the Judiciary of Guam who are appointed by the Chief Justice, with the approval of the Judicial Council, specifically the Administrator of the Courts, Deputy Administrative Director, Director of Policy Planning and Community Relations, Clerk of the Supreme Court, Clerk of the Superior Court, Marshal of the Court and Chief Probation Officer, and heads of autonomous agencies appointed by a governing board. An employee of the Governor or Lieutenant Governor's Office or unclassified employee appointed by the Governor of Guam, unclassified employees of the Judiciary of Guam who are appointed by the Chief Justice, with the approval of the Judicial Council, specifically the Administrator of the Courts, Deputy Administrative Director, Director of Policy Planning and Community Relations, Clerk of the Supreme Court, Clerk of the Superior Court, Marshal of the Court and Chief Probation Officer, and heads of autonomous agencies appointed by a governing board who has previously retired *shall* become a member of the Defined Contribution Retirement System."

Section 24. Guam Fire Department Firefighter Recruitment Eligibility List of Fiscal Year 2011 Extended.

(a) Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Fire Department initiated a Firefighter Recruit recruitment cycle during

Fiscal Year 2011, wherein applicants were rated and selected. *However*, the attempted recruitment cycle did *not* move forward in a timely manner, and subsequently encountered fiscal issues with the end of the Fiscal Year and the lapse of authorized funding.

I Liheslaturan Guåhan further finds that the top thirty (30) applicants were notified that they had been selected, and anticipated commencing training. This led to some of the selectees providing notification to their employers that they had been selected, and consequently, that they resigned. The applicants, in good faith, had paid the requisite costs for drug testing and other expenses. However, they were subsequently notified that due to fiscal constraints the recruitment cycle was on hold, but that they were still being maintained on the list. This led to a protracted waiting period, with many not being able to return to their prior place of employment, causing financial hardship for them and their families.

It is the intent of *I Liheslaturan Guåhan* that the top thirty (30) of those selected in the attempted Fiscal Year 2011 Firefighter recruitment cycle *shall* maintain their same rating and standing on the eligibility selection list, *unless* they choose not to participate, and/or some extenuating circumstance or event would prohibit or negate their ability to participate.

(b) Guam Fire Department Firefighter Recruitment Eligibility List of Fiscal Year 2011 Extended. Notwithstanding any other provision of law, rule or regulation, the top thirty (30) Firefighter recruit selectees chosen in the attempted Fiscal Year 2011 Firefighter recruitment cycle application, review and selection process conducted by the Guam Fire Department *shall* continue to maintain their same standing and placement on the eligibility list. And to that end, the applicability of the eligibility list is hereby extended, and the selectees *shall* be given first priority for the Firefighter Recruitment Cycle funded pursuant to Chapter V, Section 1 (aa)(2) of this Act, *unless* they choose *not* to participate,

and/or some extenuating circumstance or event would prohibit or negate their ability to participate. In the event a selectee chooses *not* to participate or is otherwise unable to participate, then the next highest rated eligible applicant on the eligibility list *shall* be selected.

Section 25. Anticipated Telecommunication Services Savings to Pay for Tax Refunds. The Executive Branch of the government of Guam anticipates a reduction in cost to its telecommunication services contract, which is scheduled to commence at the start of Fiscal Year 2013. At the awarding of contract and the implementation of services, any and all savings realized are hereby appropriated to pay for 2012 tax refunds and prior.

(a) *No later* than September 20, 2012, the Bureau of Budget and Management Research *shall* create object class 363 "Telephone/Toll" accounts for every executive branch agency and allocate the required appropriations for said agencies based on the current telecommunications services contract in object class 363.

(b) *No later* than September 30, 2012, the Bureau of Budget and Management Research *shall* submit a report to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, of all accounts created pursuant to Subsection (a) and the appropriations levels allocated for each account.

(c) The Department of Administration *shall* provide a written report to *I Liheslaturan Guåhan* detailing the actual amount of the telecommunications contract, the amount of any savings realized from said contract through reductions to appropriation levels identified in Subsection (b), and validation that said savings were allocated toward the payment of tax refunds.

Section 26. GARVEE Bonds Authorized.

(a) A new §1516 of Title 5, Guam Code Annotated is hereby *added* to read as follows:

"§ 1516. (a) Legislative Findings and Intent. *I Liheslaturan Guåhan* hereby finds as follows:

(1) Federal law authorizes states and territories to issue Grant Anticipation Revenue Vehicle (GARVEE) bonds, which are payable from expected Title 23 Federal-aid grants from the U.S. Department of Transportation.

(2) Utilizing GARVEE bonds to finance highway construction projects eligible for Title 23 funding from the Federal Highway Administration (FHWA) can result in significant cost savings since projects can be completed at present-day costs, allows Guam to maintain its local highway construction capability by keeping it actively employed, and enables Guam to avoid the potential cost inflation that may accompany the military build-up.

(3) Funding transportation projects with grant anticipation bonds will also enable completion of highway construction projects, or preliminary components thereof, during this lull prior to the military build-up.

(4) The borrowing rates for grant anticipation bonds are near their all-time historical lows, presenting Guam with a unique opportunity to fund its transportation projects at a favorable cost of capital.

(5) Bonds to be repaid solely with the proceeds of special purpose federal grants are not "public indebtedness" within the meaning of the debt limitation provisions of the Guam Organic Act, 48 U.S.C. § 1423a.

(6) Therefore, it is in the best interest of Guam to develop these innovative methods for funding and accelerating critical transportation infrastructure projects.

(b) Grant Anticipation Revenue Vehicle (GARVEE) Bonds for Highways.

(1) Authorization of Issuance of GARVEE Bonds. The Governor of Guam is authorized to issue one or more series of grant anticipation notes or bonds of the government of Guam in an aggregate principal amount not to exceed Seventy-Five Million Dollars ($75,000,000) for the purpose of implementing the Capital Improvement Highway Projects described in Subsection (11) of this Section, funding debt service reserves and paying expenses incurred in connection with the issuance of such bonds; *provided*, however, that the issuance of the notes or bonds *shall not* cause a violation of the debt limitation provisions of 48 U.S.C. § 1423a.

(2) Terms and Conditions Determined by Indenture. As hereafter used in this Section, the term "bonds" includes notes, bonds and other evidences of indebtedness. The terms and conditions of the bonds *shall* be as determined by the Governor by the execution of an indenture securing the bonds upon or prior to the issuance of the bonds. The indenture *shall* contain such terms and conditions as are consistent with this Section.

(3) Valid and Binding Obligation. Any bonds authorized by this Section *shall* constitute the valid and legally binding limited obligations of the government of Guam payable solely from and secured by a pledge of the revenues pledged pursuant to Subsection (4) of this Section. The validity of any such bonds *shall not* be affected by the validity or regularity of any proceedings for the implementation of Capital Improvement Highway Projects funded by the new bonds.

(4) Pledge of Grant Revenues; Not a General Obligation. All or any part of amounts apportioned to the government of Guam by the United States Department of Transportation or its successor may be pledged to

secure the repayment of any bonds issued under this Section and to pay costs incurred in connection with the issuance or administration of the bonds. Pledged revenues may include, but are *not* limited to, amounts paid to the government of Guam pursuant to Chapter 1 of Title 23, United States Code, Highways, as amended and supplemented from time to time (Title 23), any successor to or replacement of Title 23, and any other provision of federal law authorizing federal funding of highways in Guam. Any pledge made to secure the bonds *shall* be valid and binding from the time the pledge is made. The revenues pledged and thereafter received by the government of Guam or by any trustee, depository or custodian *shall* be deposited in a separate account and *shall* be immediately subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of such pledge *shall* be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the government of Guam or such trustee, depository or custodian, irrespective of whether the parties have notice thereof. The indenture or agreement by which such pledge is created need not be recorded. All such revenues, to the extent so pledged, are hereby continuously appropriated for such purpose. The bonds *shall not* be, and *shall* state on their face that they are not, general obligations of the government of Guam.

(5) Authorization of Memorandum of Understanding. *I Maga'lahen Guåhan* may enter into one (1) or more memoranda of understanding on behalf of the government with the Federal Highway Administration, which would, among other things, identify the projects to be financed with proceeds of the bonds and set forth the procedures for calculation, request and payment of pledged revenues to the trustee, depository or custodian.

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

(7) Form of Bonds; Covenants; Appointment of Fiduciaries. The technical form and language of the bonds, including provisions for execution, exchange, transfer, registration, paying agency, lost or mutilated bonds, negotiability, cancellation and other terms or conditions not inconsistent with this Section, including covenants relating to the administration of grant programs and the handling of revenues, shall be as specified in the indenture approved by the Governor, authorizing the issuance of the bonds. The indenture may appoint one or more trustees or other fiduciaries authorized to receive and hold in trust the proceeds of the bonds and revenues relating thereto, to protect the rights of bondholders and to perform such other duties as may be specified in the indenture. The Governor is also authorized to execute, on behalf of the government of Guam, any appropriate agreements, certificates or other instruments relating to the bonds and the sale thereof.

(8) Authorization for Credit Enhancement. The Governor is authorized to enter into such contracts or agreements with such banks, insurance companies or other financial institutions as he determines are necessary or desirable to improve the security and marketability of the bonds issued under this Section. Such contracts or agreements may contain an obligation to reimburse, with interest, any such banks, insurance companies or other financial institutions for advances used to pay principal or interest

on the bonds. Any such reimbursement obligation *shall* be payable solely from, and may be secured by a pledge of, the revenues described in Subsection (4) of this Section.

(9) Use of Proceeds from the Sale of the Bonds. Proceeds from the sale of the bonds *shall* be used solely to implement the Capital Improvement Highway Projects described in Subsection (11) of this Section, to fund a debt service reserve fund, if any, and to pay expenses relating to the authorization, sale and issuance of the bonds, including, without limitation, printing costs, costs of reproducing documents, credit enhancement fees, if any, underwriting, legal and accounting fees and charges, costs of credit ratings and other costs, charges and fees in connection with the issuance, sale and delivery of the bonds. Any earnings derived from the investment of bond proceeds, and any bond proceeds *not* required for the completion of the Capital Improvement Highway Projects may be used by the Department of Public Works to purchase equipment and supplies to maintain Guam's highways.

(10) No Personal Liability. No employee or elected official of the government of Guam shall be individually or personally liable for the payment of any amounts due on any bonds issued under this Section, or for any other liability arising in connection with the bonds; *provided, however*, that nothing in this Section shall relieve any employee or elected official from the performance of any ministerial duty required by law.

(11) Expenditure of Proceeds.

i. **Project Groups.** The 2030 Guam Transportation Plan (GTP) identifies highway projects that need to be undertaken to improve Guam's highway infrastructure.

Highway projects to be funded under this Chapter are categorized into two (2) groups: Group 1 and Group 2.

a. Group 1: eligible highway projects identified in the 2030 GTP that are deemed high priority and require funding immediately. *(The projects are listed in alphanumeric order as a matter of form, and the Group 1 list is not to be construed as an order of implementation priority).*

b. Group 2: eligible highway projects identified in the 2030 GTP that may be undertaken using:

   i. excess fund balances from completed Group 1 projects and *not* needed or insufficient for the completion of remaining Group 1 project(s), or

   ii. funds reprogrammed from a Group 1 project that *cannot* be completed within a reasonable time due to technical or regulatory constraints.

ii. The proceeds *shall* be expended for the following Capital Improvement Highway Projects:

GROUP 1

a. Route 14B *(Ypao Road)* – Reconstruction and Widening:

   i. Phase 1, From Rte-1 to Carmen Memorial Drive (near SDA),

   ii. Phase 2, from Carmen Memorial Drive to Rte-14B/Rte-14 (San Vitores Road).

b. Route 27 (aka Adrian Sanchez Rd or Hamburger Rd) – Reconstruction, Widening, and Drainage

Improvements from Rte-1 to Rte 16, and signalization at Rte-1/Rte-27 intersection.

c. **Tiyan Parkway** – Construction, Phase 1 (from old GPD Headquarters, westward to Rte-8 vic. Cars Plus).

GROUP 2

a. **Route 10A** (Airport Road) – Reconstruction and Widening.

b. **Route 14** (Chalan San Antonio, Rte-1 to Archbishop Felixberto Flores Circle) – Resurfacing

c. **Route 17** (Cross-island Road) - Rehabilitation and widening, Phase 2B (Rte-5/Rte-17 to Rte-17/Rte-4A intersections).

d. **Route 26** (Macheche Hill) – Reconstruction and Widening from Rte-1 to Rte 15.

e. **Mass transit improvements**.

In the event that one (1) or more of the Capital Improvement Highway Projects listed in Group 1 or Group 2 of this Subsection (11) is completed at a cost that is lower than current estimates, or that logistics in construction or other events cause one (1) or more other Capital Improvement Highway Projects to be ready for construction prior to the Capital Improvement Highway Projects listed above in Group 1 or Group 2 of this Subsection (11), then the proceeds of the bonds may also be expended on such other or additional Capital Improvement Highway Projects as are approved by the Federal Highway Administration for financing with proceeds of the bonds pursuant to a new or amended memorandum of understanding (as described

in Subsection (5) of this Section) with *I Maga'lahen Guåhan*. Any earnings derived from the investment of bond proceeds, and any bond proceeds *not* required for the completion of all of the Capital Improvement Highway Projects, *shall* be used as required or permitted by federal law on transportation related projects, subject to an appropriation by the Legislature.

(12) Approval by Guam Economic Development Authority. Subsection (k) of §50103 of Title 12 of the Guam Code Annotated provides that agencies and instrumentalities of the Government *shall* issue bonds and other obligations only by means of and through the agency of the Guam Economic Development Authority (GEDA). No issue of bonds authorized by this Section shall be sold until the Board of Directors of GEDA has adopted a resolution approving the sale of such issue.

(13) Approval by Legislature of Government of Guam Grant Anticipation Bonds. *I Liheslaturan Guåhan*, pursuant to Subsection (k) of §50103 of Title 12 of the Guam Code Annotated, hereby approves the issuance and sale by the government of Guam of bonds pursuant to this Section in one or more series or issues; *provided* that such notes or bonds *shall* have an aggregate principal amount not to exceed Seventy-Five Million Dollars ($75,000,000), *shall* have a final maturity *not later than* twenty (20) years from their date of initial issuance, *shall* bear interest at such rate or rates and *shall* be sold for such price or prices as *shall* result in a net yield to the bondholders *not exceeding* seven percent (7.0%) per annum, *shall* be issued and sold in the manner, for the purposes and subject to the requirements and limitations provided in this Section. Net yield to the bondholders *shall* be calculated by subtracting interest subsidy amounts, if any, to be received from the United States in connection with such bonds from the amount of interest to be paid to bondholders."

Section 27. An Act To Approve The Terms And Conditions Of Guam Power Authority Revenue Bonds To Refund And Restructure Certain Guam Power Authority Revenue Bonds; And To Approve The Terms And Conditions Of Guam Power Authority Subordinate Revenue Bonds To Terminate And Retire The Obligations Of The Authority Under Certain Forward Purchase Agreements Relating To The Investment Of The Authority's Bond Reserve Fund.

A new §8113.14 is hereby *added* to Article 2, Chapter 8, Title 12 GCA to read :

"§8113.14.

(a) Legislative Findings and Intent.

(1) *I Liheslaturan Guåhan* finds that §8203 of Title 12 of the Guam Code Annotated provides that the Guam Power Authority (GPA) is authorized to incur indebtedness by the issuance of revenue bonds with the approval of *I Maga'lahi* (the Governor) to raise funds for the purpose of establishing the electric power system of GPA, or of acquiring lands for the system, or of acquiring, constructing, improving, equipping, maintaining, repairing, renewing, replacing, reconstructing or insuring the system, or any part thereof, or for the purpose of refunding any such bonds, or for any combination of such purposes.

(2) §12004 of Title 12 of the Guam Code Annotated provides that GPA *shall not* enter into any contractual agreements or obligations (including bonds) that could increase rates and charges prior to the written approval of the Guam Public Utilities Commission (the GPUC).

(3) §50103 of Title 12 of the Guam Code Annotated provides that public corporations of the government of Guam, including GPA, *shall* issue bonds and other obligations only by means of, and through the agency of the Guam Economic Development Authority (GEDA), and that GEDA *shall not* sell any bond without the approval by *I Liheslaturan Guåhan* of the terms and conditions of the bonds.

(4) The Consolidated Commission on Utilities (CCU) has been exploring opportunities to reduce debt service costs for nearly a decade and the primary point of focus has been the Marianas Energy Corporation (MEC) plant contract which is financed over a twenty (20) year period even though the useful life of the plant is estimated to be forty (40) years. This short-term financing has placed a high burden on existing ratepayers to repay this debt faster than usual, with the highest debt payments emerging between 2012 and 2018.

(5) While the CCU has concluded that the MEC contract *cannot* be refinanced on terms beneficial to GPA customers, GPA has developed an alternative finance strategy to accomplish the same purposes as the savings from an MEC refinancing wherein GPA would refinance and restructure its currently outstanding bonds in order to reduce debt service costs by approximately $8 Million Dollars per year through 2018, at which time the Independent Power Producer contracts, including the MEC contract, will terminate.

(6) This estimated $8 Million Dollars annual savings would provide current relief to ratepayers when they need it most, and significantly reduce the impact of current rate increases on GPA customers. The GPUC recently approved a May 1 base rate increase

that would yield an estimated $9.1 Million Dollars per year in revenues to GPA. The proposed refinancing and restructuring contemplated by this legislation would effectively roll back nearly all of the recently approved rate hike.

(7) Based on historic low interest rates and current market conditions, GPA expects to be able to refinance certain maturities of its outstanding 1993 Series A and 1999 Series A revenue bonds for debt service savings, but in any event desires to refinance certain maturities of such bonds in order to restructure debt service in a manner that results in more level total payments for capital costs, taking into account GPA's current contract with Marianas Energy Company, which requires much higher capital payments through January, 2019.

(8) GPA entered into forward delivery agreements with Lehman Brothers and Bank of America for the investment of certain funds relating to its outstanding 1993 Series A and 1999 Series A revenue bonds, and it is necessary and desirable to terminate and retire one (1) or more of those agreements in connection with such refinancing and restructuring of the outstanding 1993 Series A and 1999 Series A revenue bonds.

(9) As a result of the potential savings to ratepayers, on June 5, 2012, the Consolidated Commission on Utilities (the CCU) adopted a resolution relative to (1) approving the issuance of additional senior revenue bonds to refund all or a portion of the outstanding Guam Power Authority Revenue Bonds 1993 Series A and 1999 Series A, and (2) approving the issuance of subordinate revenue bonds to

terminate and retire all or a portion of the outstanding GPA obligations under the forward delivery agreements.

(10) In order to benefit ratepayers, *I Liheslaturan Guåhan* has determined to approve the issuance of revenue bonds by GPA for the purposes described in subparagraph (1) of the preceding paragraph and the issuance of subordinate revenue bonds by GPA for the purpose described in subparagraph (2) of the preceding paragraph, all subject to approval by *I Maga'lahen Guåhan*, the GPUC and the Board of Directors of GEDA in accordance with law."

(b) Approval of the Terms and Conditions of GPA Refunding Bonds. *I Liheslaturan Guåhan*, pursuant to §50103(k) of Title 12 of the Guam Code Annotated, hereby approves the terms and conditions of the issuance of senior revenue bonds by GPA for the purpose of refunding all or a portion of GPA's outstanding 1993 Series A and 1999 Series A revenue bonds (all or such portion of such revenue bonds being referred to herein as the "prior bonds") in accordance with the following requirements, limitations, terms and conditions:

(1) The aggregate principal amount of the refunding bonds *shall not* exceed the sum of (i) the amount determined in accordance with §8229 of Title 12 of the Guam Code Annotated, plus (ii) any additional amount needed to provide for a deposit to the debt service reserve in connection with the issuance of the refunding bonds.

(2) All obligation of GPA to pay debt service on, and the redemption price of, the prior bonds *shall* be discharged concurrently with the issuance of the refunding bonds. Thereafter, the prior bonds *shall* be payable solely from and secured solely by an escrow established for such purpose in accordance with GPA's existing bond indenture.

(3) The final maturity of the refunding bonds *shall not* be greater than the final maturity of the 1999 Series A revenue bonds.

(4) Such bonds *shall* be issued and sold pursuant to GPA's existing bond indenture, *shall* be held by the Trustees of the existing bonds and *shall* be in compliance with the provisions of Chapter 8 of Title 12 of the Guam Code Annotated, including approval by the CCU and by *I Maga'lahen Guåhan* as provided therein.

(5) The sale of the bonds *shall* be approved by the Board of Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code Annotated and the terms and conditions of the issuance of the bonds *shall* be approved by the GPUC as provided by Chapter 12 of Title 12 of the Guam Code Annotated.

(6) GPA's outstanding 1993 Series A and 1999 Series A revenue bonds maturing in calendar years 2012 through 2018, inclusive, may be refinanced with a portion of the proceeds of the bonds approved in this Section, provided that such refinancing results in GPA's ability to petition the GPUC to reduce rates during the years of the maturities being refinanced without such rate reduction resulting in the violation of any bond indenture covenants.

(7) Any of GPA's outstanding 1993 Series A and 1999 Series A revenue bonds may be refinanced with a portion of the proceeds of the bonds approved in this Section, provided that the present value of debt service for each maturity of such refinancing bonds shall not exceed the present value of debt service for each maturity of such refinanced bonds, using the yield on the refinancing bonds as the discount rate."

(c) Approval of the Terms and Conditions of GPA Subordinate Revenue Bonds to Terminate and Retire the Obligations of GPA under Certain Forward Delivery Agreements.

(1) *I Liheslaturan Guåhan*, pursuant to §50103(k) of Title 12 of the Guam Code Annotated, hereby approves the terms and conditions of GPA subordinate revenue bonds in a principal amount *not to exceed* Twenty Million Dollars ($20,000,000) for the purposes listed in Subsection (3) of this Section, *provided*, that such bonds have a final maturity *not later* than October 1, 2027, bear interest at such rate or rates and are sold for such price or prices as *shall* result in a net interest cost *not exceeding* the limitation provided by §8214 of Chapter 8 of Title 12 of the Guam Code Annotated, as amended, are issued and sold in accordance with the provisions of Chapter 8 of Title 12 of the Guam Code Annotated, including approval by the CCU and by *I Maga'lahen Guåhan* as provided therein.

(2) The sale of the subordinate bonds *shall* be approved by the Board of Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code Annotated and the subordinate bonds *shall* be approved by the GPUC as provided by Chapter 12 of Title 12 of the Guam Code Annotated.

(3) The proceeds of the subordinate bonds may be applied to pay for the costs of issuance of the subordinate bonds, for credit enhancement therefore, to provide for reserves and to pay the costs of terminating and retiring GPA's obligations under the forward delivery agreements for the investment of certain funds relating to its outstanding 1993 Series A and 1999 Series A revenue bonds, subject

in each case to approval by the GPUC of such purpose in accordance with Chapter 12 of Title 12 of the Guam Code Annotated."

(d) Prompt Ratepayer Relief. Within thirty (30) days after the issuance of the bonds approved by this Section, GPA *shall* petition the PUC for a resetting of GPA's revenue requirement that takes into account the savings in debt service which results from the refunding. The intention of the *I* Liheslatura (the Legislature) is to provide prompt ratepayer relief that takes into account the savings resulting from the refunding."

Section 28. Authorization for Legal Services for the Department of Public Works and the PEALS Board. The Department of Public Works (DPW) and the Guam Board of Professional Engineers, Architects and Land Surveyors (PEALS) may enter into a Memorandum of Understanding (MOU) to jointly fund an Assistant Attorney General to specifically provide legal services to DPW and the PEALS Board *only*.

Pursuant to the MOU between DPW and the PEALS Board, DPW and the PEALS board may jointly enter into an MOU with the Office of the Attorney General to provide such legal services. DPW and PEALS Board *shall* reimburse the Office of the Attorney General for such services in equitable proportions from their respective funds.

Section 29. Academy Charter School Reports. § 12107 (n) of Chapter 12 of Title 17 Guam Code Annotated is hereby *amended* to read as follows:

"(n) An Academy Charter School *shall* submit an annual report *no later than* thirty (30) days after the end of the fiscal year to the Council, the Superintendent of Education, the Guam Education Board, *I Liheslaturan Guahan* and *I Maga'lahen Guahan*. The Academy Charter School *shall* permit the public to review any such report upon request. A report *shall* include the following data:

(1) a report on the extent to which the school is meeting its mission and goals as stated in the petition for the Academy Charter School;

(2) student performance on any district-wide assessments;

(3) grade advancement for students enrolled in the Academy Charter School;

(4) graduation rates, college admission test scores, and college admission rates, if applicable;

(5) types and amounts of parental involvement;

(6) official student enrollment;

(7) average daily attendance;

(8) annual financial audit and subsequent fiscal year annual financial audits, a financial statement audited by the Public Auditor;

(9) a report on school staff indicating the qualifications and responsibilities of such staff; and

(10) a list of all donors and grantors that have contributed monetary or in-kind donations having a value equal to or exceeding Five Hundred Dollars ($500) during the year that is the subject of the report.

(11) Data described in items (1) through (8) of this Subsection *shall not* identify the individuals to whom the data pertain."

Section 30. Guam Academy Charter Schools Council; Membership. §12111 of Chapter 12 of Title 17 Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.**

(a) There is established the Guam Academy Charter Schools Council. The Council *shall* consist of eight (8) voting members, and *shall* include:

(1) one (1) retired teacher;

(2) one (1) retired school administrator;

(3) two (2) members with accounting or finance background;

(4) three (3) members from the general public; and

(5) the Superintendent of Education.

(b) With the exception of the Superintendent of Education, members *shall* be appointed by *I Maga'lahen Guåhan*, subject to confirmation by *I Liheslatura*. With the exception of the Superintendent of Education, members *shall* serve a term of three (3) years.

(c) The Council *shall* each year elect a chairman and other officers as it deems necessary among its membership.

(d) Members of the Council *shall* be paid Fifty Dollars ($50) per meeting, *not to exceed* One Hundred Fifty Dollars ($150) per month. The Superintendent of Education *shall not* be compensated for his/her service as a member of the Council.

(e) Clerical and administrative support *shall* be provided by the Guam Certification Office.

(f) The Council *shall* utilize the Office of the Attorney General of Guam as its legal counsel, unless the Attorney General, in writing, authorizes the Council to utilize private counsel."

Section 31. Creation of Mental Health and Substance Abuse Services Fund. A new §86111 is hereby *added* to Chapter 86 of Title 10 of the Guam Code Annotated to read as follows:

"**§ 86111. Mental Health and Substance Abuse Services Fund.**

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Mental Health and Substance Abuse Services Fund (hereinafter Fund). The Fund *shall* be separate and apart from all other funds of the government of Guam, *shall* be kept in separate bank account, and *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan* or any inter-fund transfers.

(b) All proceeds from the collection of any fees by the Department of Mental Health and Substance Abuse *shall* be deposited into the Fund.

(c) Notwithstanding the general provisions of § 22406 of Title 5 GCA which require that unused and de-appropriated funds revert to the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds appropriated from the Mental Health and Substance Abuse Services Fund *shall*, in all circumstances, and whether in whole or in part, be returned to the Mental Health and Substance Abuse Services Fund.

(d) Notwithstanding the provisions of § 22103, § 21107, and § 21110 of Title 5 GCA or any other provision of Guam law to the contrary, all interest earned on the Mental Health and Substance Abuse Services Fund *shall* be returned to the Mental Health and Substance Abuse Services Fund.

(e) The Director of Administration *shall* submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned, collected and expended from the Mental Health and Substance Abuse Services Fund and *shall* post such report on the Department's website."

Section 32. Transfer Of Foreign Nationals Imprisoned In Guam To Country Of Citizenship. A new Article 5 is hereby *added* to Chapter 90 of Title 9 GCA, to read:

"Article 5. Transfer Pursuant to Treaty.

§95.10. When a treaty is in effect between the United States and a foreign country that provides for the transfer of convicted offenders who are citizens or nationals of the foreign country, upon the recommendation of the Attorney General of Guam, *I Maga'lahen* Guåhan (the Governor of Guam) or the Director of the Department of Corrections, if designated by *I Maga'lahi* (the Governor), on behalf of the island and subject to the terms of the treaty; may consent to the transfer of the convicted offenders who are under the jurisdiction of the Department of Corrections to the place or jurisdiction specified in the treaty. *I Maga'lahen Guåhan* (the Governor) may take any other action necessary to initiate the participation of this territory in the treaty."

Section 33. DPW Building And Design Fee Revolving Account. §66409(c) of Article 4, Chapter 66 of Title 21, Guam Code Annotated, is hereby *amended* to read:

"(c) Creation of Revolving Fund. On the effective date of this Section, a revolving fund, designated as the "DPW Building and Design Fee Account", *shall* be established separate and apart from other funds of the government of Guam, and separate records *shall* be kept therefore. All fees collected for plan checking reviews by the Department of Public Works *shall* be deposited into the Fund, and *shall not* lapse at the end of the fiscal year but *shall* rollover into the next fiscal year or until expended. The Director of Public Works *shall* administer the Fund and *shall* issue vouchers properly certifying the use of the Fund's monies. The monies deposited in the Fund *shall* be expended *only* for the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section. The Director *shall* comply with all existing reporting requirements by issuing a quarterly accounting of the Fund to *I Maga'lahen*

Guåhan, I Liheslaturan Guåhan and the Office of Public Accountability. The Director *shall* ensure the DPW Building and Design Fee Account Fund is in compliance with all existing statutes, rules and regulations, codes, executive orders, and any other authority which is applicable to the Department of Public Works Division of Engineering-Capital Improvement Project Building Permits and Inspection Section. All monies in the Fund *shall* require legislative appropriation, and are *not* subject to *I Maga'lahi's* transfer authority. The funds deposited into the "DPW Building and Design Fee Account" *shall* be subject to legislative appropriation."

Section 34. UOG, GCC and DOE Exemption From The Guam State Clearinghouse. §2101.1 (f) of Chapter 2 of Title 5, Guam Code Annotated is hereby *amended* to read:

"(f) With the exception of the Guam Community College, the University of Guam, and the Guam Department of Education, and notwithstanding any other provision of law to the contrary, no application for any Federal aid programs, grants, loans, contracts, contributions, advances, direct Federal development, or other Federal funding shall be submitted or deemed approved on behalf of the government of Guam or any agency, division, office, department or instrumentality thereof, or any public corporation, without the final approval of the Director of the Guam State Clearinghouse."

Section 35. UOG, GCC and DOE Exemptions And Guam State Clearinghouse Duties. §2101.3 of Chapter 2 of Title 5, Guam Code Annotated, is hereby *amended* to read:

"**§ 2101.3. UOG, GCC and DOE Exemptions.**

The University of Guam, the Guam Community College, and the Department of Education *shall* be exempted from the provisions prescribed

in Title 5 GCA §§ 2101, 2101.1 and 2101.2. However, the Presidents of the University of Guam and the Guam Community College, and the Superintendent of the Department of Education *shall* separately perform the following duties and responsibilities:

(a) administer the initiation, coordination and review process of all activities within the institution involving Federal financial assistance;

(b) ensure that grant proposals for Federal assistance are in accordance with plans, policies, programs, objectives and procedures of the government of Guam;

(c) ensure that proposed projects for which Federal financial assistance is sought are fiscally and environmentally sound and are in compliance with all applicable Federal laws;

(d) ensure that the institution complies with all applicable Federal laws relating to Federal financial assistance, and that there exists sound tracking, management, and financial accountability for all Federal Programs awarded to the institution;

(e) perform cost analysis on all Federal aid programs, grants, loans, contracts, contributions, advances, direct Federal development, or other Federal funding that the institution is applying for, for the financial impact on the institution and the government of Guam's General Fund or special funds used to fund the local matching requirement as prescribed by Federal law; and the financial impact on the institution and the government of Guam for the continuation of the Federal program should the Federal funding expire and require the government of Guam to financially assume the program's operation one hundred percent (100%); and

(f) the Presidents of the University of Guam and the Guam Community College, and the Superintendent of the Department of Education may delegate any of the foregoing duties and responsibilities to any officers or employees of their respective institution."

Section 36. Contact Information For IFB/RFP. Subsection (b) of §5220 of Part 3 of Article 3, Chapter 5 of Title 5 of the Guam Code Annotated, as added by P.L. 31-228 is hereby *amended* to read:

"(b) The procuring agency, and GSA and DPW if applicable, *shall* provide notice in each IFB/RFP announcement that recommends that prospective bidders/respondents register contact information with the agency to ensure that they receive any notices regarding any changes or updates to the IFB/RFP. The procuring agency, and GSA and DPW *shall not* be liable for failure to provide notice to any party who *did not* register contact information."

Section 37. Establishment of the Environmental Public Health Officer Position Series of the Division of Environmental Health, Department of Public Health & Social Services.

(a) Legislative Intent. Public Law 30-138, also known as "*the Environmental Public Health Modernization and Revitalization Act of 2010"*, was enacted on May 17, 2010 with the anticipation that the law would be implemented by December 2010 to improve the operations of the Division of Environmental Health of the Department of Public Health and Social Services so as to better protect the public's health from environmental hazards through the creation of a new position series with increase qualification standards and the application of a competitive salary to promote the recruitment and retention of employees in these positions. Because *I Liheslaturan Guåhan* has yet to receive the proposal for the

creation of new Environmental Public Health Officer positions, which was due September 2010, *I Liheslaturan Guåhan* has found it necessary to amend P.L. 30-138 to help expedite the process, and also address the key concerns expressed by the Department of Administration and the Department of Public Health and Social Services about the law, such as the need to further clarify and expand the qualification standards of the new positions, reclassification of existing personnel, and the appropriate compensation for the new positions.

(b) § 6233 of Article 2, Chapter 6 of Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

"**§6233. Establishment of the Environmental Public Health Officer Series.**

The Director of Administration in collaboration with the Department of Public Health and Social Services *shall* establish a new series of positions, called Environmental Public Health Officers, within the Division of Environmental Health to replace the Division's Environmental Health Specialist, Engineer, and Public Health Inspector positions.

The new specifications *shall* be based on the following criteria and then implemented as stated:

(a) The nature of work; summary statement of examples of duties performed; a statement of minimum qualifications; and the minimum knowledge, abilities, and skills needed to perform the work of the Environmental Public Health Officer positions, which *shall* be the various combination of the class specifications of Public Health Inspectors, Environmental Health Specialists, and Engineers that are specific to the

mission and mandates of the Division of Environmental Health of the Department of Public Health and Social Services;

(b) Hierarchical position levels of the Environmental Public Health Officer series *shall* begin with the Environmental Public Health Officer I, followed by Environmental Public Health Officer II, Environmental Public Health Officer III, Environmental Public Health Officer Supervisor, Environmental Health Officer Administrator, and concluding with the Chief Environmental Public Health Officer;

(c) The minimum education requirements of all positions within the Environmental Public Health Officer series *shall* be of the following three (3) standards: a bachelor's degree in any field of study from any accredited college or university; a college algebra course of higher level math; and basic science courses of thirty (30) semester or forty-five (45) quarter hours;

(d) The Director of Administration *shall* reclassify existing Environmental Health Specialists, Engineers and Public Inspectors of the Division of Environmental Health in the Environmental Public Health Officer series in the following manner:

(1) Environmental Health Specialist I and all Public Health Inspectors *shall* be reclassified as an Environmental Public Health Officer I;

(2) Environmental Health Specialist II and Engineer I *shall* be reclassified as an Environmental Public Health Officer II;

(3) Environmental Health Specialist III *shall* be reclassified as an Environmental Public Health Officer III;

(4) Environmental Health Specialist Supervisor *shall* be reclassified as an Environmental Public Health Administrator; and

(5) Environmental Health Specialist Administrator *shall* be reclassified as a Chief Environmental Public Health Officer;

(e) Existing Division of Environmental Health employee reclassified pursuant to §6233(d) *shall* possess the minimum education standards of §6233(c,) *except* that the basic science course requirements may be substituted for a minimum of ten (10) semester or fifteen (15) quarter hours; *however*, the full education requirements of §6233(c) *shall* be met to qualify for any other future position within the Environmental Public Health Officer series;

(f) Existing Division of Environmental Health employees who *do not* possess the minimum education standards of §6233(c), or the substitute standards of §6233(e), *shall* remain in his/her current position until such time the Department of Public Health and Social Services and the Department of Administration complete an evaluation of the employee in determining whether he/she possesses the capabilities to perform the duties and responsibilities of an Environmental Public Health Officer, and

(1) If such employee is deemed capable, the employee *shall* be reclassified into the new position that best reflects his abilities, but *shall* be required to meet the full minimum education qualification standards of §6233(c) for any other future position within the Environmental Public Health Officer series; and

(2) If an employee is deemed unable to perform the duties and capabilities of an Environmental Public Health Officer, he/she *shall* be transferred to another position in the government of Guam in accordance to established laws and rules and regulations;

(g) The Chief Environmental Public Health Officer of the Environmental Public Health Officer series must possess a master's degree in the field of environmental health, environmental science, environmental engineering, biology, chemistry, public health, physical science, or natural sciences; and

(h) A pay structure consistent with a government-wide pay plan, *shall* be implemented for the new position series to provide competitive salaries and compensation to the employees."

(c) **Utilization of the Environmental Health Fund and the DPHSS Sanitary Inspection Revolving Fund.** The appropriated funds from the Environmental Health Fund and the DPHSS Sanitary Inspection Revolving Fund to the Division of Environmental Health may be utilized for the implementation of this law and any other operational needs of the Division.

(d) **Timely Implementation.** The Department of Administration *shall* fully implement the provisions of this Act within forty-five (45) days of its enactment, and failure to do so *shall* authorize the Department of Public Health and Social Services to implement the provisions of this Act where possible, as amended, and *shall* seek necessary retroactive actions from the Department of Administration, including, but not limited to, compensation and personnel action.

Section 38. A new §8113.1 is hereby *added* to Chapter 8 of Title 5 GCA to read:

"§8113.1. Reporting Requirements for Boards and Commissions. The governing Boards and Commissions of *all* agencies, public corporations, and departments of the government of Guam *shall* provide electronic copies of the monthly Board and Commission meeting agendas, approved minutes, and other attachments and addendums as discussed in each monthly meeting, to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) days after the end of said meeting and post the same on its website of the agency, public corporation, or department to which it governs. The audio recording of each meeting *shall be* provided to the Office of Public Accountability within seven (7) calendar days after the meeting. The Office of Public Accountability *shall* post these audio files on its website upon receipt of audio files."

Section 39. A new §22109.1 is hereby *added* to Article 1, Chapter 22 of Title 5 GCA to read:

"§22109.1. On-line Electronic Access to Bank Account Information. *All* banks receiving government funds for deposit in a government bank account established at said bank *shall* provide "READ ONLY" access to such bank accounts via said bank's on-line banking website or via electronic access via other access source provided to the

Department of Administration, to the Office of Finance and Budget, and to the Office of Public Accountability."

CHAPTER XIII

ADMINISTRATIVE PROVISIONS

Section 1. Deficit Reduction. All unpaid prior year obligations, including obligations for tax refunds; vendor payables; back pay for employees or other obligations resulting from judgments or awards approved prior to Fiscal Year 2013 by any regulatory body, court or administrative authority, which remain unpaid at the beginning of Fiscal Year 2013, *unless* otherwise authorized, *shall* be paid from the un-appropriated General Fund revenues collected in excess of appropriations and reserved for deficit reduction pursuant to §22436 of Chapter 22, Article 4, Title 5 GCA. The obligations *shall* be paid in the order of when they were incurred, with the longest outstanding obligation being paid first and so forth. The Department of Administration *shall* transmit a copy of the cumulative prior year obligations on a quarterly basis to *I Maga'låhen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, and the Office of Finance and Budget.

Section 2. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act *may* be expended for the payment of prior years' obligations, provided it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment. The Director of the BBMR *shall* sign a certification letter stating no negative impact and submit it to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *at least* fifteen (15) calendar days before each payment is released. If the Governor declares that the non-payment of prior year's obligation will disrupt essential services to a department or agency, he may utilize Fiscal Year 2013 appropriations for the agency provided BBMR imposes a corresponding reserve and reduces the Department's current year allotment by the same amount.

Section 3. Authorization for Matching Requirements for Federal Grants-in-Aid. All departments are authorized to expend funds appropriated in this Act for matching requirements of Federal grants.

Section 4. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs whose expiration dates extend beyond September 30, 2013 *shall not* lapse and may be expended throughout the period of the grant award.

Section 5. Government of Guam Retirement Fund Rate of Contribution. In accordance with §8137(e) of Chapter 8, Article 1, Title 4 GCA, the government rate of contribution to the Government of Guam Retirement Fund throughout Fiscal Year 2013 *shall* be thirty and nine hundredths percent (30.09%).

Section 6. 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 in 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 7. Revenue Tracking Report. The Director of the Bureau of Budget and Management Research, in collaboration with the Director of Revenue and Taxation and the Director of the Department of Administration, *shall* determine, after the end of each month of the fiscal year, the revenue tracking for the balance of the fiscal year, based upon the actual collections of the preceding month, and prepare a statement comparing "actual" and "projected" revenues. Said statement *shall* be certified as to its accuracy by each of the aforementioned Directors, and submitted to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft

Excel file and a written report, *no later than* thirty (30) days after the end of each month of the fiscal year. Said statements *shall* be posted monthly on the Bureau of Budget and Management Research's website. The Special Economic Service *shall* meet and approve the format of the report no later than October 15, 2012 for Fiscal Year 2013 reporting. The Bureau of Budget and Management Research, in collaboration with the Director of Revenue and Taxation and the Director of the Department of Administration *shall* retroactively re-issue the monthly reports for the previous twelve (12) months based on any changes made by the Special Economic Service for Fiscal Year 2013 reporting.

Section 8. Prior Year Appropriations Report. *I Liheslaturan Guåhan* finds that in order to work effectively to reduce and manage the deficit of the government of Guam, it will need to repeal or de-appropriate past appropriations, which remain outstanding but *not* expended. To assist in this effort, the Department of Administration *shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on January 1, 2013 of all open continuing appropriations from *all* fiscal years prior to 2012, which have *not* been encumbered or fully expended as of the date of the report. Thereafter, quarterly updates to the report *shall* be submitted until unexpended appropriations from prior fiscal years are eliminated by repeal or other operation of law.

Section 9. Exemption from BBMR Allotment Release Control. §1303 of Chapter 1, Article 3, Title 5 GCA, *shall not* apply to *I Liheslaturan Guåhan* (including the Office of Finance and Budget), the Public Defender Service Corporation, the Unified Judiciary of Guam, the Mayors' Council of Guam, and the Office of the Attorney General. Said entities may draw against their respective appropriations as needed to meet their obligations in accordance with a drawdown schedule that said entities *shall* submit to the Director of Administration, *no later than* October 31, 2012. Failure to submit such drawdown schedule *shall* subject

such entity to the allotment release control by the Bureau of Budget and Management Research.

Section 10. Special Fund Transfer. Unless otherwise specified in this Act, *I Maga'låhen Guåhan* is authorized to transfer to the General Fund any cash available from any appropriated Special Fund to fund the appropriations authorized by this Act. All cash amounts from Special Funds transferred to cover the appropriations authorized by this Act or any other act or law authorizing appropriations *shall* be promptly reimbursed to the Special Fund from which it was withdrawn within sixty (60) days after receipt of said funds. *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on the fifth (5th) day of every month on all transfers and reimbursements made pursuant to this Section. Said report *shall* enumerate the amount of each transfer, identify the funds to and from which the transfer was made, the object class reduced by the transfer out and the object class receiving the transfer and state the purpose of each transfer. Notwithstanding any other provision of law, no funds shall be transferred out of the *Chamorro* Land Trust Operations Fund and the Guam Department of Education Operations Fund for Fiscal Year 2013 Special Fund appropriations made to the Guam Department of Education and the *Chamorro* Land Trust Commission.

Section 11. 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 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 12. 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 Five Thousand Dollars (**$5,000**) or more prior to awarding the contract therefore;

(c) Access to the overseeing department 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;

(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, 2013. The overseeing department or agency *shall* post the same on its website; and

(f) 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 13. Fund Reversions. *Unless* otherwise specified in this Act:

(a) General Fund Reversion. All unexpended or unencumbered appropriations made from the General Fund pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2013.

(b) Tourist Attraction Fund Reversion. All unexpended or unencumbered appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2013.

(c) Healthy Futures Fund Reversion. All unexpended or unencumbered appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2013.

(d) Territorial Education Facilities Fund Reversion. All unexpended or unencumbered appropriations made from the Territorial Education Facilities Fund pursuant to this Act *shall* revert to the Territorial Education Facilities Fund on the last day of Fiscal Year 2013.

(e) Guam Highway Fund Reversion. All unexpended or unencumbered appropriations made from the Guam Highway Fund pursuant to this Act *shall* revert to the Guam Highway Fund on the last day of Fiscal Year 2013.

Section 14. Restriction on the Home Use of Government of Guam Vehicles. *Except* when expressly permitted by §1103(c) of 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.

Section 15. Transfer Authority of *I Maga'låhen Guåhan*. *Unless* otherwise restricted or specifically allowed by this Act, for Fiscal Year 2013 *I Maga'låhen Guåhan* is authorized to transfer *up to* ten percent (10%) between Fiscal Year 2013 General Fund Executive Branch appropriations contained in Chapter V and in Parts II, III and IV of Chapter III of this Act; *provided* that notice of each transfer and justification therefore are delivered *at least fifteen* (15) working days before the transfer is made to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget.

Notwithstanding any other provision of law, no funds shall be transferred out of the Guam Department of Education Operations Fund or Fiscal Year 2013 General Fund appropriations made to the Guam Department of Education, the Unified Judiciary, *I Liheslaturan Guåhan*, the Office of Finance and Budget, the Mayors Council, the Public Defender Service Corporation, the Ancestral Lands Commission, and the Office of Public Accountability.

Section 16. Email Addresses Paid for with Government of Guam Funds. The Office of *I Maga'låhen Guåhan shall* create a list of all email 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 17. Combined Purchase of Textbooks. The Guam Department of Education, the University of Guam, and the Guam Community College *shall* together develop a more cost-effective method of purchasing textbooks for the government of Guam, in which the government would benefit from the economies of scale and combined purchasing power of the three (3) institutions. The joint proposal *shall* target implementation for School Year 2013-2014, and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* January 15, 2013.

Section 18. Uniform Allowances. Uniform allowances authorized in this Act *shall not* be less than One Hundred Fifty Dollars (**$150**) for the Fiscal Year, and *shall* be issued to the employees *no later than* the end of the first quarter of Fiscal Year 2013.

Section 19. Administration of Deficit Reduction. The Department of Administration is hereby designated the authority to receive and process unpaid prior year claims submitted pursuant to Section 1 of Chapter XIII of this Act.

Section 20. Government Staffing Pattern.

(a) Staffing Pattern. *No later than* thirty (30) days after the end of each quarter of Fiscal Year 2013, 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 2013 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 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 2013, the Director of the Department of Administration *shall* post the government wide line agency staffing pattern on the bit.guam.gov portal on the 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 2013 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 salary and benefits, and the gross salary and benefits paid for during the quarter.

Section 21. Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report. The Director of the Department of Administration *shall* submit a Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report *no later than* thirty (30) days after the end of each quarter. Each quarterly report *shall* itemize: (a) the Revenues by (1) Individual Income Taxes, (2) Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Business Privilege Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses, Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the Expenditures by Department by Object Class; and (c) Other Sources (Uses) by Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall* be itemized by Fund transferred from, and Transfers Out *shall* be itemized by Fund transferred to. Each monthly report *shall* be posted on the Department of Administration's website as a Microsoft Excel file *no later than* thirty (30) days after the end of each quarter.

Section 22. Monthly Cash Balance Reports for General and Special Funds. The Director of the Department of Administration *shall* submit a monthly report of beginning cash balances, cash deposits, cash withdrawals, and ending cash balances of the government of Guam General, Special Funds and Trust Funds and Accounts to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, *no later than* twenty (20) days after the end of each month. The Director *shall* prepare the report in the format that was prescribed and prepared by the Office of Finance and Budget in Fiscal Year 2012.

Each monthly report *shall* itemize *all* General Fund and Special Fund cash balances by bank, by bank account name, by bank account number, and by fund name.

Section 23. Funding Source. In addition to the appropriations authorized in Chapter V, the following departments are authorized to expend up to the level of revenues collected for their respective special revenue funds for Fiscal Year 2013 *only* for the purposes authorized by statute for those funds:

(a) Guam Police Department - Police Services Fund

(b) Department of Corrections - Corrections Revolving Fund

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

(d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund

(e) Department of Land Management - Land Survey Revolving Fund

(f) Department of Agriculture - Guam Plant Inspection and Permit 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 - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

(i) Guam Regional Transit Authority - Guam Regional Transit Authority Fund

(j) Department of Public Works - DPW Building and Design Fee Account

(k) Guam Contractors License Board - Guam Contractors License Board Fund Collections

(l) Department of Revenue and Taxation - Tax Collection Enhancement Fund and the Alcoholic Beverage Compliance Fees and Fines Fund

(m) Department of Public Health and Social Services - Guam Environmental Health Fund and the Office of Vital Statistics Revolving Fund

(n) Department of Parks and Recreation - Public Recreation Services Fund

(o) Guam Department of Education - Public Library Resources Fund

(p) Department of Labor and the Guam Community College - Manpower Development Fund

Section 24. 9 + 3 Expenditure Forecasts (Fiscal Year 2013 Run Rate). *No later than* July 20, 2013, the Branches and Agencies identified in the following Subsections *shall* submit a written report and electronic Microsoft Excel file to *I Liheslaturan Guåhan* and the Office of Finance and Budget that contains nine (9) months of actual expenditures and three (3) months of projected expenditures for Fiscal Year 2013:

(a) Executive Branch - the Bureau of Budget and Management Research. The Executive Branch 9 + 3 Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Agency by Fund Source by Object Class.

(b) Guam Legislature - Executive Director. The Guam Legislature Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(c) Unified Judiciary - Administrator. The Unified Judiciary Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(d) Office of the Attorney General – Attorney General. The Office of the Attorney General Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(e) Public Defender Service Corporation - Executive Director. The Public Defender Service Corporation Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(f) Mayors' Council of Guam - Executive Director. The Mayors' Council of Guam Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(g) Office of Public Accountability – Public Auditor. The Office of Public Accountability Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

Fiscal Year 2013 Run Rate shall mean the estimated amount of expenditures for the entire fiscal year utilizing the nine (9) months of actual expenditures as of June 30, 2013 plus the three (3) months of projected expenditures through September 30, 2013 of each Branch or Agency.

Section 25. Posting to Financial Management System. If any Cost Accounts created by this Act require existing automated postings within the Government of Guam Financial Management System to be manually duplicated to conform to the requirements in this Act the Department of Administration may instead report the details of the Cost Account outside the Financial Management System.

Section 26. Energy Savings. As an incentive to conserve energy and water consumption, departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices and facilities of the Mayors' Council of Guam, are hereby authorized to transfer any unexpended Fiscal Year 2013 appropriations for utilities

to other expenditure categories within their respective budgets. Any unexpended utility funds *shall not* be subject to any transfer authority of *I Maga'lahi* (the Governor), and may be carried over and are authorized for use by the departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices and facilities of the Mayors' Council of Guam during succeeding fiscal years.

Section 27. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are severable.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2012 (SECOND) Regular Session

Date: 8/28/12

VOTING SHEET

SBill No. 426-31(COR)

Resolution No. _____

Question: _____

_____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				
TOTAL	15	0	0	0	0

CERTIFIED TRUE AND CORRECT:

Patricia C. Santos

Clerk of the Legislature

*3 Passes = No vote

EA = Excused Absence

FILE COPY

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
THIRTY-FIRST GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

August 28, 2012

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

Dear *Maga'lahi* Calvo:

Transmitted herewith is Substitute Bill No. 426-31(COR) which was passed by *I Mina'Trentai Unu Na Liheslaturan Guåhan* on August 28, 2012.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Rec'd by TB Ufizama
August 29, 2012
12:50 AM.

Enclosure (1)

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 426-31 (COR)
As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
and amended in the Committee of the Whole.

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

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, 2013; 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 2013**." *Except* as otherwise provided by this Act, the appropriations made by this Act *shall* be available to pay for obligations incurred on or after October 1, 2012, but *no later than* September 30, 2013. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I.	GENERAL FUND REVENUES	AMOUNT
	TOTAL GENERAL FUND REVENUE	**$689,105,222**
	PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
	TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$589,105,222**
	A. TAXES	
	Income Tax	
	Corporate	$115,700,007
	Individual	$73,469,937
	Withholding Taxes, Interest and Penalties	$204,643,469
	Provision for Tax Refund Payments	($100,000,000)
	TOTAL INCOME TAXES	**$293,813,413**
	Business Privilege Tax	$228,751,346
	Business Privilege Tax (GMHA Pharmaceuticals Fund)	($9,150,054)
	Business Privilege Tax (CoreTech Tax Credit - *Tiyan*)	($4,493,256)
	Other Taxes	$3,847,425
	TOTAL TAXES	**$512,768,874**
	B. FEDERAL SOURCES	

Federal Income Tax Collection - Section 30	$53,155,293
Overpayment reconciliation of Section 30 (2 of 4)	($1,500,000)
Immigration Fees and Indirect Cost	$1,796,226
TOTAL FEDERAL SOURCES	**$53,451,519**
C. USE OF MONEY AND PROPERTY	**$808,896**
D. LICENSES, FEES, AND PERMITS	
Licenses, Fees and Permits	$5,070,909
Licenses, Fees and Permits (Better Public Service Fund)	($507,091)
TOTAL LICENSES, FEES AND PERMITS	**$4,563,818**
E. DEPARTMENT CHARGES	**$1,861,714**
TOTAL GENERAL FUND NET REVENUE COLLECTIONS	**$573,454,821**
2% GENERAL FUND RESERVE	($11,469,096)
(Appropriations Cap of 98% of General Fund Revenue; §22436 of Article 4, Chapter 22 of Title 5 GCA)	
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,985,725**

II. SPECIAL FUND REVENUES	**AMOUNT**
A. Air Pollution Control Special Fund	$184,422
B. Autonomous Agency Collections Fund	$0
C. Better Public Service Fund	$1,390,554
D. *Chamorro* Land Trust Operations Fund	$1,023,596
E. Corrections Revolving Fund	$855,661
F. Customs, Agriculture and Quarantine Inspection Services Fund	$9,156,099
Rent paid to Guam International Airport Authority	($3,264,296)
Total Customs, Agr. and Quarantine Inspection Services Fund	$5,891,803
G. DPW Building and Design Fund	$500,769
H. Enhanced 911 Emergency Reporting System Fund	$1,650,630

I. Environmental Health Fund	$687,441
J. Fire, Life and Medical Emergency Fund	$73,065
K. GMHA Pharmaceuticals Fund	$9,150,054
L. Guam Board of Accountancy Fund	$424,100
M. Guam Contractors License Board Fund	$862,450
N. Guam Environmental Trust Fund	$331,869
O. Guam Highway Fund	$18,422,618
Guam Highway Fund (Better Public Service Fund)	($883,463)
Guam Highway Fund (Public Transit Fund)	($349,210)
Total Guam Highway Fund	$17,209,945
P. Guam Plant Inspection and Permit Fund	$85,412
Q. Healthy Futures Fund	$14,601,686
R. Indirect Cost Fund	$1,826,894
S. Land Survey Revolving Fund	$3,227,764
T. Manpower Development Fund	$2,111,624
U. Police Services Fund	$538,858
V. Professional Engineers, Architects and Land Surveyors Board Fund	$307,282
W. Public Recreation Services Fund	$186,098
X. Public School Library Resources Fund	$670,328
Y. Public Transit Fund	$349,210
Z. Safe Streets Fund	$241,000
AA. Section 2718 Fund	$7,500,000
AB. School Lunch/Child Nutritional Meal Reimbursement Fund	
Federal Sources (100% Federal Grant)	$10,069,218
Cash Collection (Department of Education)	$1,095,091
Total School Lunch/Child Nutritional Meal Reimbursement Fund	$11,164,309
AC. Solid Waste Operations Fund	$20,239,600

Solid Waste Operations Fund (Host Community Fund)	$(300,000)
Total Solid Waste Operations Fund	$19,939,600
AD. Street Light Fund	$3,590,261
AE. Tax Collection Enhancement Fund	$686,717
AF. Territorial Education Facilities Fund	$30,483,566
AG. Tourist Attraction Fund	$25,500,082
AH. Water Protection Fund	$66,461
AI. Water Research and Development Fund	$73,321
AJ. Host Community Fund	$300,000
TOTAL SPECIAL FUND REVENUE	**$163,686,832**
III. FEDERAL MATCHING GRANTS-IN-AID	
Federal Grants-in-Aid Requiring Local Match:	
A. Agriculture	$288,500
B. Guam Community College	$1,057,472
C. Guam Council on the Arts and Humanities Agency	$307,500
D. Guam Fire Department	$0
E. Guam Police Department	$726,136
F. Department of Integrated Services for Individuals with Disabilities	$2,992,651
G. Department of Labor	$43,800
H. Office of the Attorney General	$11,509,528
I. Department of Mental Health and Substance Abuse	$225,862
J. Department of Military Affairs	$1,547,700
K. Department of Public Health and Social Services	$26,438,879
L. University of Guam	$2,943,706
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
TOTAL GENERAL FUND REVENUE	**$673,454,821**

PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
2% GENERAL FUND RESERVE	($11,469,096)
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,985,725**
TOTAL SPECIAL FUND REVENUE	**$163,686,832**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
GRAND TOTAL	**$773,754,291**

Section 3. Authorization to Pay and Prioritize the Payment of Tax Refunds by Enacting an Income Tax Payment System.

(a) Prioritization of Additional Child Tax Credit (ACTC) Reimbursements. The Provisional Set Aside for tax refunds includes the Additional Child Tax Credit (ACTC), which is a refundable tax credit that is reimbursed to Guam by the Federal Government after refund payments are made to Guam taxpayers that claim the ACTC. Lack of prioritization of ACTC refund payments creates lost opportunity for Guam to receive reimbursed ACTC funds that can then be used to pay more refunds or support the operations of the government.

(b) Prioritization of Earned Income Tax Credit Data. For future planning purposes, by December 31, 2012, the Director of the Department of Revenue and Taxation *shall* provide a report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* certifying the total amount of EITC paid for each tax year and fiscal year dating back to Fiscal Year 2003. The report *shall* include the total number of EITC recipients categorized within the standard income brackets used by the IRS for reporting purposes.

(c) Prioritization of Tax Refund Payments. Tax Year 2012 and prior A Status Returns *up* to One Hundred Million Dollars ($100,000,000).

Section 4. Prioritization of Revenue Collections in Excess of Monthly Collections.

(a) Income Tax Refunds.

(1) Within thirty (30) days upon enactment of this Act, the Department of Revenue and Taxation *shall* provide a full accounting of the total income tax liability of the government, and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

(2) The Director of the Bureau of Budget and Management Research *shall* create a General Fund twelve (12) month revenue budget based on the revenue estimates in Chapter I, Section 2, relative to a statistical weighting 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 enactment of this Act.

(3) Notwithstanding any other provision of law, quarterly revenue collections in excess of the revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(b) of this Act as income tax revenues are hereby appropriated for the payment of tax liabilities defined as: (A) Individual Income Tax Refund and Interest payment; and (B) Corporate Income Tax Refund and Interest payment, and hereby prioritized according to Chapter I, Section 3(c) of this Act.

(4) Available excess General Fund tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(5) The identification and recordation of available excess revenues *shall* be performed by the Department of Administration, in coordination with the Bureau of Budget and Management Research and the Department of Revenue and Taxation.

(6) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of income tax refunds through available excess revenues for the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

Section 5. Prior Year Obligations and Future Obligation Proposals.

(a) Excess Available General Fund Tax Revenues. Notwithstanding any other provision of law, quarterly revenue collections in excess of the revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(c) of this Act as General Fund tax revenues *shall* be appropriated for the payment of Prior Year Obligations and Future Obligation Proposals as defined and prioritized below:

(1) Fifty percent (50%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest obligations pursuant to Guam Federation of Teachers v. Government of Guam, et. al., Superior Court Case No. SP 0009-07.

(2) Forty percent (40%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment to the Internal Revenue Service Make Work Pay Overpayment liability pursuant to the May 29, 2009 Memorandum of Understanding between the Department of Revenue and Taxation and the Internal Revenue Service.

(3) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and

interest of prior year obligations to any employees identified in the report in Chapter I, Section 5(f) of this Act.

(4) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest of prior year obligations to all other claimants identified in the report in Chapter I, Section 5(f) of this Act.

(b) Income Tax and Withholding Tax revenues are defined as revenues reported by the Department of Administration on a cash basis for the General Fund. Available revenues for the purpose of this Act represent cash or cash instruments with a maturity term of *less than* ninety (90) days that are available and earned by the government of Guam within the current fiscal year.

(c) Excess Business Privilege Tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(d) The identification and recordation of excess revenues *shall* be performed by the Department of Administration, and *shall* provide any additional reports requested by the Office of Finance and Budget should the reporting requirements outlined in Chapter I, Section 4(a)(5) of this Act *not* provide adequate information to ascertain excess General Fund tax revenues. Excess revenues identified in Chapter I, Section 5(c) of this Act *shall* be disbursed by the Department of Administration in accordance with the priorities outlined in Chapter I, Section 5(a) of this Act for payment of the prior year obligations.

(e) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of the prior year obligations through excess General Fund revenues for

the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

(f) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed report to the Speaker of *I Liheslaturan Guåhan* delineating all recorded unpaid prior year obligations from fiscal years prior to September 30, 2012.

Section 6. Additional Child Tax Credit 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 are hereby appropriated from the General Fund to fund vacancies and overtime for the Department of Revenue and Taxation (DRT) Income Tax Processing and Income Tax Enforcement Divisions and to fund DRT related data processing activities, services, inclusive of the Motor Vehicle Division for driver's license and vehicle registration issuance.

Section 7. Debt Service Continuing Appropriations. The following are continuing appropriations for debt service requirements:

A. GENERAL OBLIGATION BONDS, SERIES 1993 A

(For education capital projects; Real Property Taxes pledged;
due Fiscal Year 2018 as final year; P.L. 29-19 and P.L. 29-21,
net of UOG Bond Payment Obligation $2,027,703) $2,799,549 **1/**

1/ Territorial Education Facilities Fund

B. 2002 SHORT TERM FINANCING

(SECTION 30 FUNDS)
(Line of Credit; P.L. 26-84 amended by P.L. 26-122
and P.L. 26-130; due Fiscal Year 2013 as the final year;
source of payment Section 30 Funds) $1,717,449 **2/**

2/ General Fund

C. GENERAL OBLIGATION BONDS, SERIES 2007 A
(Partial refunding of GOB, 1993 Series A; funding
capital projects and certain obligations of the
Government of Guam; due Fiscal Year 2037 as the final year;
P.L. 29-19 and P.L. 29-21) $7,874,700 **3/**

3/ Territorial Education Facilities Fund

D. LIMITED OBLIGATION (SECTION 30)
BONDS, SERIES 2009A
(To finance the costs for the new landfill and
the closure of Ordot Dump; P.L. 30-1 amended
by P.L. 30-7; due Fiscal Year 2035 as the final year) $15,672,706 **4/**

4/ General Fund ($3,692,212) and Solid Waste Operations Fund ($11,980,494)

E. GENERAL OBLIGATION BONDS, 2009 SERIES A
(To finance certain expenses affecting the General Fund
Deficit; P.L. 29-113 amended by P.L. 30-7;
Due Fiscal Year 2040 as final year) $21,532,221 **5/**

5/ General Fund

F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A
CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY
HIGH SCHOOL PROJECT)
(P.L. 30-178; 5GCA, Chapter 58A) $5,131,938 **6/**

6/ General Fund

G. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT), REVENUE BONDS, SERIES 2011A (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) $6,998,363 **7/**

7/ Tourist Attraction Fund

GRAND TOTAL **$61,726,926**

CHAPTER II

EDUCATION

PART I – GUAM DEPARTMENT OF EDUCATION

Section 1. Legislative Findings and Intent. The Fiscal Year 2013 budget for the Guam Department of Education (GDOE) in this Act represents a status quo budget with the exception of organic retirement contribution growth and an increase in appropriations for Utilities. *I Liheslaturan Guåhan* finds that the Fiscal Year 2013 revenue projections submitted by *I Maga'lahen Guåhan* in the Executive Budget Request are sufficient to provide the necessary funding to the GDOE as outlined in this Act.

In the Fiscal Year 2013 Executive Budget Request submitted by *I Maga'lahen Guåhan*, the GDOE appropriation levels were funded below the Fiscal Year 2012 authorized level expenditures; *however*, GDOE is *not* expected to spend all its appropriations. *I Liheslaturan Guåhan's* intent is to prioritize education by maintaining the funding levels of the GDOE in Fiscal Year 2013 as status quo from the current Fiscal Year 2012 authorized level expenditures.

On January 12, 2012, the school campus of Luis P. Untalan Middle School was shut down by the Department of Public Health and Social Services as a result of demerits received from an unannounced health inspection. The school campus was then temporarily moved to the former JFK campus at *Tiyan* and reopened on January 24, 2012. Just days before the shutdown of the Untalan campus, *I Maga'lahen Guåhan* and the Attorney General of Guam signed the amended 2009 lease agreement with Core Tech International to lease their *Tiyan* facility. The estimated amount of $4.49 Million Dollars in tax credits per year will be given in lieu of cash for lease payments to CoreTech International; furthermore, the amendment, not approved by *I Liheslatura*, extends the terms of the original lease from 2019 to 2024.

I Liheslaturan Guåhan recommends that the GDOE work together with the Executive Branch to find a solution to renovate the school campus of Untalan Middle School and ultimately return the school community back to their home campus in *Barrigada,* Guam. This is a fiscally responsible approach for the GDOE to take in the upcoming Fiscal Year 2013 that will help alleviate financial burdens of the government of Guam caused by the leakage of anticipated revenues to the General Fund from these tax credit offsets.

Furthermore, for the School Year 2012-2013, the GDOE has made it known that they plan to increase the contract cost of its School Lunch Program contract with Sodexo, the current contractor. The increase is estimated to be thirty percent (30%) greater than the current contract cost to the GDOE. The existing contract cost of $8.1 Million Dollars per year is expected to escalate to $11.5 Million Dollars for the upcoming school year. Historically, the School Lunch Program has been subsidized by local funds each year. The sum of the program's meal cash collection and federal reimbursements are *not* sufficient to sustain the cost of the program at this time.

I Liheslaturan Guåhan recommends that the GDOE re-bid the School Lunch Program contract at a more competitive rate because the GDOE *does not* have the financial capacity to incur an immediate cost increase for the next fiscal year without taking resources away from the classroom. This economic proposal would materialize in a large cost cutting measure that can be realized by the GDOE for Fiscal Year 2013.

Section 2. Appropriation. Pursuant to §§52101 and 52102 of Chapter 52, Division 2 of Title 11 Guam Code Annotated (GCA), the sum of Two Hundred Twelve Million Seven Hundred Thirty Thousand Three Hundred Sixty-One Dollars ($**212,730,361**) is appropriated to the GDOE Operations Fund for Fiscal Year 2013. This sum is composed of One Hundred Eighty-Two Million Six

Hundred Twenty-Seven Thousand Four Hundred Six Dollars ($**182,627,406**) from the General Fund (including advanced appropriation from Public Law 31-75) and Thirty Million One Hundred Two Thousand Nine Hundred Fifty-Five Dollars ($**30,102,955**) from Special Fund(s). This appropriation *shall* be expended in accordance with the cash disbursement schedules required by §52101(b) of Chapter 52, Title 11 GCA, and in accordance with the object class allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$169,257,541
OPERATIONS OBJECT CATEGORIES (220 to 450)	$43,472,820
TOTAL	**$212,730,361**

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$182,627,406
TERRITORIAL EDUCATION FACILITIES FUND	$17,376,564
PUBLIC LIBRARY RESOURCES FUND	$670,328
HEALTHY FUTURES FUND	$891,754
SCHOOL LUNCH/CHILD NUTRI. MEAL REIMB. FUND	$11,164,309
TOTAL	**$212,730,361**

Section 3. Notwithstanding any provision of law for the School Year 2012-2013, the Superintendent of Education is hereby authorized and directed to deduct Five Thousand Five Hundred Dollars ($5,500) per enrollee for the *Guåhan* Academy Charter School from the total General Fund appropriation to the Department of Education based on the actual enrollment at the time, multiplied by the per pupil cost.

Section 4. *No less than* the sum of Three Hundred Eighty-One Thousand One Hundred Twenty Dollars (**$381,120**) *shall be* allocated from the General Fund appropriation in Section 2 for the *Chamoru* Studies Division administered by the GDOE 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 of 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. GDOE Miscellaneous Healthy Futures Fund Allocations. The following amounts reflect additional funding appropriated to the GDOE:

(a) **Interscholastic Sports Fund.** (1) The sum of Five Hundred Thirty Thousand Dollars (**$530,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for the Interscholastic Sports Fund administered by the GDOE to be expended pursuant to §7108 of Chapter 7, Title 17 GCA. Appropriations made herein *shall* be available to fund the outrigger canoe, rugby, and other sports programs, to include the payment of head coaches, assistant coaches, league fees, and other expenses normally associated with interscholastic sports programs. (2) The sum of Ninety-Two Thousand Dollars (**$92,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for busing services for interscholastic sports programs. To the maximum extent practicable, GDOE *shall* contract busing services to support the programs.

(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 for the GDOE Health and Physical Education programs, intramural sports, and similar activities.

Section 6. JFK Maintenance and Insurance Agreement. The sum of Three Hundred Eighty-Nine Thousand Five Hundred Dollars (**$389,500**) *shall be*

allocated from the Territorial Education Facilities Fund appropriation in Section 2 for the CaPFA Insurance and Maintenance agreement.

The sum of One Million One Hundred Seventy-Eight Thousand Five Hundred Dollars **($1,178,500)** *shall be* allocated from the Territorial Education Facilities Fund appropriation in Section 2 for the Maintenance and Capital Replacement Reserve for JFK High School. Notwithstanding the appropriation in Section 2, these funds *shall not* be expended without the approval of *I Liheslaturan Guåhan* and the submission of a detailed plan for the use of the funds by the Superintendent of Education as approved by the Guam Education Board to the Speaker of *I Liheslaturan Guåhan no later than* October 31, 2012.

Section 7. Textbooks and Collateral Materials. The following are appropriations to the GDOE for the purchase of textbooks, e-book readers, and collateral materials, to include musical instruments, software, sheet music, and music books 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 2014 revenues to the GDOE for the purchase of textbooks, e-book readers and related classroom instructional materials to include musical instrument, software, sheet music, and music books. The Superintendent of GDOE may, if necessary, through agreements with textbook vendors, defer payment for said materials until after October 1, 2013 but *no later than* December 31, 2013 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 2013 *no later than* March 1, 2013. The Bureau of Budget and Management Research *shall* release such allotments as are necessary to ensure that said materials are ordered by March 1, 2013. 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 of Fiscal Year 2013, 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 and expenditures for textbooks, e-book readers and collateral classroom instructional materials to include musical instruments, software, sheet music, and music books. Said report *shall* be accompanied by the certified list of textbooks approved by the GEB and a list or copies of all purchase orders issued. The report *shall* summarize:

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

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

Non-compliance with these reporting requirements by the Superintendent of GDOE *shall* result in the sanctions and penalties imposed by this Act.

Section 8. JROTC Fund. The GDOE is hereby authorized to expend funds from the JROTC Fund for the *sole* purpose of expenditures related to the operations for the JROTC program.

Section 9. Summer School Fund. Pursuant to §6119 of Chapter 6, Article 1, Division 2, Title 17 GCA, which established the Summer School fund, such sums as are necessary to fund the operations of the 2013 Summer School Program are hereby appropriated to the 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 10. 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 filled FTEs, costs and funding sources by school and division by month.

Section 11. 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 2013, the Superintendent of GDOE *shall* provide a copy of the GG-1 or contract of employees hired for School Year 2012-2013.

(b) Thirty (30) days after the start of Fiscal Year 2013 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 12. Utilities Reduction Incentive. Each School Principal of the GDOE is encouraged to practice energy conservation within their respective schools. Any school whose Principal and staff is able to reduce their annual utility consumption by *at least* fifteen percent (15%) of their 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 13. Budgetary Transfer Authority for Guam Department of Education (GDOE). The Superintendent of the GDOE may transfer funds from the appropriations made to GDOE within object classes, *except* that no funds shall be transferred into the Personnel Services category, *except* as otherwise provided herein. If a surplus in funding exists within the appropriation for Increments and Promotions and Reclassifications, such amount may be used to support payment of prior year obligations.

Section 14. Cost Saving 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 payments of prior year obligations and the purchase of supplies and materials.

CHAPTER II

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. The funds *shall* be expended in accordance to the budget request submitted and the priorities stipulated by the University of Guam's 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. Appropriations to the University of Guam. The amounts in the Subsections below are appropriated from the respective Funds, and for the following purposes, to the University of Guam for Fiscal Year 2013:

(a) **General Fund and Territorial Education Facilities Fund Appropriations for Operations.** The sum of Twenty-Five Million Six Hundred Eighty-Eight Thousand Sixty-Four Dollars ($**25,688,064**) from the General Fund and the sum of One Million Dollars ($**1,000,000**) from the Territorial Education Facilities Fund are appropriated to the University of Guam for its operations in Fiscal Year 2013.

(b) **Federal Matching Grants-in-Aid.** The sum of Two Million Nine Hundred Forty-Three Thousand Seven Hundred Six Dollars (**$2,943,706**) is authorized from Federal Matching Grants-in-Aid to the University of Guam for its operations in Fiscal Year 2013.

Section 3. Appropriations to the University of Guam for Scholarships and Training Programs. The sum of Three Million Five Hundred Ninety-Nine

Thousand Three Hundred Fifty-Eight Dollars ($**3,599,358**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 for the following purposes:

(a) **Student Scholarships, Financial Assistance Programs and Program Administration.** Such appropriation in this Section is for: Merit Awards, Student Loans, the Nursing Training Program, Professional and Technical Awards, the Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Program, the Pedro "Doc" Sanchez Scholarship Program, the John F. Quan Memorial Scholarship Program, and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration subject to §15113 of Chapter 15, Article 1, Division 3, Title 17 GCA. The Nursing Training Program *shall* receive *no less than* Five Hundred Thousand Dollars (**$500,000**), and the Pedro "Doc" Sanchez Scholarship Program *shall* receive *no less than* Three Hundred Thousand Dollars (**$300,000**) of the appropriation contained herein, *except* that *if* a surplus exists, such remaining funds *shall* be distributed to fund other scholarship programs contained in this Subsection.

For new recipients of the student financial assistance programs contained in this Subsection beginning Academic Year 2013-2014, the stipends awarded in the respective programs *shall* be as follows:

(1) **Merit Awards.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month; Third- and Fourth-year

Students: Four Hundred Dollars (**$400**) per month; and Graduate Students: Five Hundred Dollars (**$500**) per month.

(2) **Nursing Training Program.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month and Third- and Fourth-year Students: Four Hundred Dollars (**$400**) per month.

(b) **Dr. Antonio C. Yamashita Educator Corps.** Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps, and funds for the administration of said program pursuant to Chapters 15 and 18 of Title 17 GCA.

(c) *Not more than* ten percent (10%) of the total appropriation herein in this Section 3 of Part II of Chapter II *shall* be used for the administration of these programs. The President of the University of Guam *shall* post on the University of Guam's 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. Appropriation for the Aquaculture Development and Training Center. The sum of One Hundred Twenty-Five Thousand Two Hundred Fifty-Four Dollars (**$125,254**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 for the *sole* purpose of funding the continued operations of the Aquaculture Development and Training Center. Said funds *shall not* be transferred *or* used for any other purpose.

Section 5. Appropriation for WERI's Guam Hydrologic Survey. The sum of One Hundred Eighty-Two Thousand Six Hundred Ninety-Four Dollars

(**$182,694**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 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. Appropriation for WERI's Comprehensive Water Resource Monitoring Program. The sum of One Hundred Fifty-Five Thousand Six Hundred Twenty-Six Dollars (**$155,626**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 to fund the Water and Environmental Research Institute of the Western Pacific (WERI). Such funds *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. Appropriation to the University of Guam for the Northern and Southern Soil and Water Conservation Districts (SWCD) Program. The sum of One Hundred Forty-Nine Thousand Three Hundred Eighty-Four Dollars (**$149,384**) is appropriated from the General Fund to the University of Guam for the operations and activities of the Northern and Southern Soil and Water Conservation Districts (SWCD) Program for Fiscal Year 2013, and *shall* be equally divided between the Northern and Southern Soil and Water Conservation Districts. 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 University of Guam *or* any other government entity. Such funds *shall not* be transferred *or* used for any other purpose.

The sum of One Hundred Forty-Nine Thousand Three Hundred Eighty-Four Dollars (**$149,384**) of General Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 8. Appropriation to the University of Guam for KPRG (Public Radio). The sum of Eighty-Nine Thousand Four Hundred Sixty-Seven Dollars (**$89,467**) is appropriated from the General Fund to the University of Guam for the KPRG Fiscal Year 2013 operations. The President of the University of Guam *shall* disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of Fiscal Year 2013, the General Manager of KPRG *shall* submit to the President of the University of Guam, and post on KPRG's website, all reports mandated by this Act.

The sum of Eighty-Nine Thousand Four Hundred Sixty-Seven Dollars (**$89,467**) of General Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 9. Appropriation to the Guampedia Foundation. The sum of One Hundred Forty Thousand Dollars (**$140,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the operations of the Guampedia Foundation. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11, Guam Code Annotated and this Act, this appropriation *shall* continue to be available until expended.

The sum of One Hundred Forty Thousand Dollars (**$140,000**) of Tourist Attraction Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 10. Appropriation to the University of Guam for the Rhinoceros Beetle Program. The sum of Two Hundred Thousand Dollars ($**200,000**) is hereby appropriated from the Tourist Attraction Fund to the University of Guam for the Fiscal Year 2013 operations of the Rhinoceros Beetle

Program. Notwithstanding the general provisions of § 30107.1 of Chapter 30, Title 11 GCA and this Act, this Appropriation *shall* continue to be available until expended and is *not* subject to transfer or use for any other purpose.

The sum of Two Hundred Thousand Dollars (**$200,000**) of Tourist Attraction Funds appropriated in this Section is authorized for use as a local match for Federal Grants-in-Aid.

Section 11. University of Guam Capital Improvements Fund Continuing Appropriation. The sum of Five Hundred Thousand Dollars (**$500,000**) is appropriated from the Guam Highway Fund to the University of Guam Capital Improvements Fund for the purpose of paying for the debt service pursuant to § 16132 of Chapter 16 Title 17 GCA.

Section 12. Program Revenue and Expenditure Reports. *No later than* thirty (30) days after the end of each fiscal quarter, the President of the University of Guam *shall* post on the University of Guam's 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 13. Program Annual Reports. The President of the University of Guam *shall* post on the University of Guam'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, contracts, and *shall* describe program accomplishments in the fiscal year reported.

Section 14. Scholarships, Financial Assistance and Other Reports. Sixty (60) days after the end of Fiscal Year 2013, the President of the University of Guam *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 University of Guam's website, a report of expenditures from appropriations made in this Act for student scholarships, student financial assistance, the Dr. Antonio C. Yamashita Educator Corps, and the Educator Corps Council. 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 15. Appropriation to the Guam Cancer Trust Fund. The sum of One Million Eight Hundred Twenty-Two Thousand Forty-Eight Dollars (**$1,822,048**) is appropriated from the Healthy Futures Fund to the University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of Chapter 26, Article 6, Title 11, GCA. This appropriation *shall* be used to fund cancer screening, treatment and support services for Fiscal Year 2013.

The President of the University of Guam *shall* submit a monthly report of all expenditures of these funds to the Speaker of *I Liheslaturan Guåhan*.

Section 16. Transfer Authority for the University Of Guam. Appropriations for the operations of the University of Guam, contained in Section 2 of Part II of Chapter II of this Act *or* for the prior years, 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, Part II, Chapter II of this Act.

Section 17. Continuing Appropriation. The appropriations made for the Student Financial Assistance Program and the Dr. Antonio C. Yamashita Educator Corps to the University of Guam for Fiscal Year 2012 *shall not* lapse and *shall* continue until fully expended, to include payment of prior year obligations, exclusive of administrative costs for Student Financial Assistance Programs and the Dr. Antonio C. Yamashita Educator Corps.

CHAPTER II

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 to 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 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. Appropriations to the Guam Community College. The amounts in the Subsections below are appropriated from the following Funds, and for the following purposes, to the GCC for Fiscal Year 2013:

(a) **General Fund Appropriation for Operations.** The sum of Thirteen Million Three Hundred One Thousand Six Hundred Eleven Dollars (**$13,301,611**) is appropriated from the General Fund to GCC for its operations in Fiscal Year 2013.

(b) **Appropriation to the Guam Community College LPN and Vocational Guidance Programs.** The sum of Seven Hundred Five Thousand Fifty-Eight Dollars (**$705,058**) is appropriated from the General Fund to the GCC for Fiscal Year 2013 to support the operations of the Licensed Practical Nursing Program and the Vocational Guidance Program.

(c) **Appropriation to the Guam Community College 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 2013 for the Lodging Management Program/ProStart Program. Unexpended funds appropriated for the GCC Lodging Management Program/ProStart Program *shall not* lapse and *shall* remain available for use in succeeding fiscal years until all said sums are expended.

(d) **Appropriation to the GCC Apprenticeship Program.** The sum of One Million Six Hundred Eighty-Eight Thousand Four Hundred Forty-Eight Dollars (**$1,688,448**) is appropriated from the Manpower Development Fund to the GCC for the GCC Apprenticeship Program for Fiscal Year 2013. In addition to the authorization contained in §7120 of 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 Apprenticeship program requirements and obligations have been fully funded.

(e) **Federal Matching Grants-in-Aid.** The sum of One Million Fifty-Seven Thousand Four Hundred Seventy-Two Dollars (**$1,057,472**) is authorized from Federal Matching Grants-in-Aid to the Guam Community College for its operations in Fiscal Year 2013.

Section 3. Reports. The President of 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.

CHAPTER II

PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Commission for Educator Certification (GCEC) to expend its funds in accordance with the allocations by object class set forth in Section 3.

Section 2. Guam Commission for Educator Certification Appropriation for Fiscal Year 2013. The sum of Two Hundred Three Thousand Eight Hundred Thirty-One Dollars ($**203,831**) is appropriated from the General Fund to the Guam Commission for Educator Certification for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$203,831
TOTAL	**$203,831**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 3. GCEC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$120,933	$121,693
OVERTIME	112	$0	$0
BENEFITS	113	$46,738	$51,976
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$14,100
OFF. RENTAL	233	$0	$6,000
SUP. & MAT.	240	$0	$1,062
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$4,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$4,800
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$167,671**	**$203,831**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER II

Part V – MISCELLANEOUS EDUCATIONAL PROVISIONS

Section 1. Purchasing in Economies of Scale. All agencies receiving appropriations pursuant to this Chapter *shall* take all measures necessary to reduce costs by purchasing services, supplies and materials to realize economies of scale.

Section 2. Local Funds Reimbursement. Funds appropriated to the Guam Department of Education (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 2012 for federally-funded programs, 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.

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 to the budget request submitted and the priorities stipulated by the GMHA Board of Trustees (Board) and the GMHA's management.

I Liheslaturan Guåhan is resolved to continue to support and establish policies which are in the best interest of the GMHA and its mission. *I Liheslaturan Guåhan's* intent to reduce the credits applied against the appropriations to the GMHA Pharmaceuticals Fund towards the payment of bills for services incurred by qualified Medically Indigent Program (MIP) recipients will help increase GMHA revenues.

Furthermore, *I Liheslaturan Guåhan* broadened the scope of borrowing options available to the GMHA through the passing and enactment of Public Law 30-200, as amended by Public Law 30-235. Through such efforts, the GMHA was able to borrow Twelve Million Dollars (**$12,000,000**) in an effort to bring fiscal stability to the GMHA. *I Liheslaturan Guåhan* has provided its support to the GMHA with One Million Dollars (**$1,000,000**) per year from the Healthy Futures Fund in accordance with Public Law 30-166, towards providing the GMHA the ability to utilize these funds for the debt service payment for the Government of Guam General Obligation: Guam Memorial Hospital Authority Loan 2011.

Section 2. The Guam Memorial Hospital Authority Pharmaceuticals Fund credit toward Medicaid payments *shall not exceed* the sum of Six Million Eight Hundred Sixty-Two Thousand Five Hundred Forty-One Dollars (**$6,862,541**) in Fiscal Year 2013. Billings in excess of the seventy five percent (75%) credit *shall*

be paid by other appropriated funds. The Department of Public Health and Social Services *shall* remit all adjudicated claims for processing for MIP payments in accordance with § 9902 of Chapter 9, Article 9, Title 10 GCA and Chapter III, Part II, Section 13 of this Act.

Section 3. Guam Memorial Hospital Authority Pharmaceuticals Fund Appropriation. Pursuant to §26603(d)(3) of Chapter 26, Article 6, Title 11 GCA, the sum of Nine Million One Hundred Fifty Thousand Fifty-Four Dollars (**$9,150,054**) is appropriated from the Guam Memorial Hospital Authority Pharmaceuticals Fund to the GMHA for Fiscal Year 2013.

Section 4. Guam Memorial Hospital Authority Healthy Futures Fund Appropriations.

(a) Pursuant to §§26208 and 26208.1 of Chapter 26, Article 2, Title 11 GCA, the sum of One Million Four Hundred Fifty-Seven Thousand Six Hundred Thirty-Nine Dollars (**$1,457,639**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013 operational expenses.

(b) Pursuant to §26603(d) of Chapter 26, Article 6, Title 11 GCA, the sum of One Million Dollars (**$1,000,000**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013, for the line of credit pursuant to §80104 (t) of Chapter 80, Division 4, Title 10 GCA.

Section 5. Guam Memorial Hospital Authority General Fund Appropriation. The sum of Two Million Four Hundred Thirteen Thousand Four Hundred Ninety-Five Dollars (**$2,413,495**) is appropriated from the General Fund to the GMHA for Fiscal Year 2013, of which the sum of One Hundred Twenty-Five Thousand Dollars **($125,000)** *shall* be used to purchase one hundred eighty-eight (188) new computers identified in the equipment needs assessment conducted in June 2012.

CHAPTER III

HEALTH

PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Health and Social Services (DPHSS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Public Health and Social Services Appropriation for Fiscal Year 2013. The sum of Forty Million Seven Hundred Fifty-Six Thousand One Hundred Ninety-Six Dollars ($**40,756,196**) is appropriated to the Department of Public Health and Social Services for its operations for Fiscal Year 2013. This sum is composed of Thirty Five Million Four Hundred Fifty-Seven Thousand Six Hundred Twelve Dollars ($**35,457,612**) from the General Fund and Five Million Two Hundred Ninety-Eight Thousand Five Hundred Eighty-Four Dollars ($**5,298,584**) from Special Fund(s).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$35,457,612
HEALTHY FUTURES FUND	$4,611,143
ENVIRONMENTAL HEALTH FUND	$687,441
TOTAL	**$40,756,196**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$26,438,879

Section 3. DPHSS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,884,302	$3,375,856
OVERTIME	112	$0	$0
BENEFITS	113	$693,400	$1,352,625
TRAVEL	220	$0	$178,625
CONT. SERV.	230	$9,797,512	$11,603,276
OFF. RENTAL	233	$419,580	$561,750
SUP. & MAT.	240	$306,710	$729,207
EQUIPMENT	250	$0	$2,125
WRK. COMP.	270	$3,000	$3,000
DRUG TEST	271	$113	$940
SUBGRANT	280	$0	$0
MISC.	290	$19,194,854	$16,457,974
POWER	361	$0	$673,300
WATER/SEWER	362	$0	$25,900
PHONE/TOLL	363	$397,677	$443,036
CAP. OUTLAY	450	$0	$50,000
GRAND TOTAL		**$32,697,148**	**$35,457,612**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Medically Indigent Program (MIP) Appropriations.

(a) The sum of Fifteen Million Eight Hundred Twenty-Two Thousand Nine Hundred Seven Dollars (**$15,822,907**) is appropriated from the General Fund to the Medically Indigent Program Payment Revolving Fund (MIPPR) for the MIP for Fiscal Year 2013.

(b) The sum of Three Hundred Fifty-One Thousand Five Hundred Forty-Nine Dollars ($**351,549**) from the General Fund and the sum of Six Hundred Forty-Eight Thousand Four Hundred Fifty-One Dollars (**$648,451**) from the Healthy Futures Fund is appropriated to the MIPPR for the MIP to fund cancer screening, treatment and support services for Fiscal Year 2013.

(c) *No more than* fifteen percent (15%) of the appropriations from local fund sources in this Section is authorized to pay for the Fiscal Year 2012 obligations of the MIP program.

Section 5. Medicaid Program. The sum of Eleven Million One Hundred Eighty-Three Thousand One Hundred Ninety-One Dollars (**$11,183,191**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Medicaid Program. The sum of Thirteen Million Six Hundred Sixty-Nine Thousand Two Hundred Dollars (**$13,669,200**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013. *No more than* thirty percent (30%) of the appropriations from local fund sources in this Section is authorized to pay for the Fiscal Year 2012 obligations of the Medicaid program.

Section 6. Children's Health Insurance Program (CHIP) The sum of Two Million Four Thousand Five Hundred Four Dollars ($**2,004,504**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Children's Health Insurance Program, and Four Million Three Hundred Fifty-Nine Thousand Nine Hundred Fourteen Dollars ($**4,359,914**) is

authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 7. Division of Senior Citizens. *No less than* the sum of Seven Million Five Hundred Ninety Thousand Three Hundred Thirty-Three Dollars ($**7,590,333**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the programs of the Division of Senior Citizens, and Three Million Fifty-Five Thousand Three Hundred Forty-One Dollars ($**3,055,341**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for the operations of the Division of Senior Citizens programs, to include the State Office on Aging, Adult Protective Services, Supportive Services, Congregate Meals, Home-Delivered Meals, Preventive Health, Medication Management, and the National Family Caregiver Support Program in Fiscal Year 2013.

Section 8. Public Assistance Program Payments. *Up to* the sum of Three Million Five Hundred Six Thousand Two Hundred Fourteen Dollars ($**3,506,214**) from the General Fund appropriation in Section 2 is authorized as the local match for Federal Matching Grants-in-Aid to the DPHSS for Public Assistance Program payments and administration for Fiscal Year 2013. Four Million Five Hundred Fifty-Five Thousand Four Hundred Sixty-One Dollars ($**4,555,461**) is authorized from the Federal Matching Grants-in-Aid.

Section 9. Medicines and Vacant Positions for the DPHSS Community Health Centers. The sum of Four Hundred Ninety-Three Thousand Seven Hundred Eighty-Four Dollars (**$493,784**) is appropriated from the Healthy Futures Fund to the DPHSS Community Health Centers for Fiscal Year 2013.

Section 10. Enhanced Allotment Plan. The sum of Six Hundred Fifty-Three Thousand Six Hundred Ninety-Seven Dollars (**$653,697**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Enhanced Allotment Plan (Medicaid Part D) Program, and Seven Hundred

Ninety Eight Thousand Nine Hundred Sixty-Three Dollars (**$798,963**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 11. DPHSS Carry-Over Authorization for MIP and Medicaid. The unexpended balance of appropriations from the General Fund and Special Funds to the DPHSS for MIP and Medicaid in Fiscal Year 2012 *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 DPHSS's website. The Director of Administration *shall* pay MIP and Medicaid vendors on a first-in first-out basis.

Section 12. Appropriation to the Guam Cancer Registry. Pursuant to §26603(d)(4) of Chapter 26, Article 6, Title 11 GCA, the sum of One Hundred Twenty-One Thousand Four Hundred Seventy Dollars (**$121,470**) is appropriated from the Healthy Futures Fund to the DPHSS to maintain the Guam Cancer Registry pursuant to §3201.1 of Chapter 3, Article 2, Title 10 GCA. The DPHSS *shall* provide funding to the University of Guam for services, supplies and/or materials in executing the Memorandum of Agreement between the University of Guam and the Department of Public Health and Social Services regarding the collection of data and the maintenance of the Guam Cancer Registry. Any funds pursuant to this Section *not* expended in Fiscal Year 2013 *shall* revert to the Guam Cancer Trust Fund.

Section 13. Prompt Payment of MIP Patient Claims Generated at the Guam Memorial Hospital Authority. The DPHSS *shall* process all MIP patient claims generated at the Guam Memorial Hospital Authority *no later than* forty-five

(45) days from receipt of said claim as required by § 9902 of Chapter 9, Article 9, Title 10 GCA.

CHAPTER III

PART III - DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Mental Health and Substance Abuse (DMHSA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Mental Health and Substance Abuse Appropriation for Fiscal Year 2013. The sum of Seventeen Million Forty-Four Thousand Five Hundred Sixty Dollars ($**17,044,560**) is appropriated to the Department of Mental Health and Substance Abuse for its operations for Fiscal Year 2013. This sum is composed of Fourteen Million One Hundred Eighty-Three Thousand Nine Hundred Twenty-Six Dollars ($**14,183,926**) from the General Fund and Two Million Eight Hundred Sixty Thousand Six Hundred Thirty Four Dollars ($**2,860,634**) from Special Fund(s).

The sum of Two Hundred Twenty-Five Thousand Eight Hundred Sixty-Two Dollars **($225,862)** of General Funds or Special Funds appropriated in this Section is authorized as the local match requirement for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$14,183,926
HEALTHY FUTURES FUND	$2,860,634
TOTAL	**$17,044,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$225,862

Section 3. DMHSA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,254,151	$5,872,326
OVERTIME	112	$23,395	$36,465
BENEFITS	113	$1,082,896	$2,403,343
TRAVEL	220	$0	$0
CONT. SERV.	230	$4,647,489	$3,983,643
OFF. RENTAL	233	$96,660	$156,600
SUP. & MAT.	240	$595,071	$758,152
EQUIPMENT	250	$6,809	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$54,417	$38,397
POWER	361	$0	$750,000
WATER/SEWER	362	$0	$50,000
PHONE/TOLL	363	$72,279	$135,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,833,167**	**$14,183,926**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Department of Mental Health and Substance Abuse – Detoxification & Rehabilitation Services. The sum of Eight Hundred Thirty-Nine Thousand Forty Dollars (**$839,040**) is appropriated from the General Fund to the DMHSA for Fiscal Year 2013 to fund programs contracted out to non-governmental organizations for drug and alcohol detoxification, rehabilitation, and prevention services, *provided* that the expenditure of such funds *shall* comply with Title 48 USC §1421b(p).

Section 5. Oasis Empowerment Center for Women Alcohol and Substance Abuse, and Homeless Program. The sum of Fifty Thousand Dollars **($50,000)** is appropriated from the General Fund to the DMHSA for the Oasis Empowerment Center for Women Alcohol and Substance Abuse, and Homeless Program for Fiscal Year 2013.

Section 6. Re-appropriation of Unexpended and Unencumbered Appropriations to the Department of Mental Health and Substance Abuse for the Amended Permanent Injunction and Plan of Action. *Up to* the sum of Three Million Dollars **($3,000,000)** of the unexpended and unencumbered appropriation remaining as of September 30, 2012, from the appropriation contained in Section 5, Part III, Chapter III of Public Law 31-77 *shall not* lapse and is hereby re-appropriated to the DMHSA for Fiscal Year 2013 for the payment of court ordered deposits that are due in Fiscal Year 2013 in accordance with the modified funding schedule, for the implementation of the Amended Permanent Injunction and Plan of Action. This re-appropriation *shall not* be subject to transfer authority of *I Maga'låhi.*

Section 7. Expenditures Related to the Federal Management Team (FMT) Plan of Action (POA). For Fiscal Year 2013, funds reimbursed to the government of Guam from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account

shall be deposited into and recorded in the existing Permanent Injunction – DMHSA Fund. The sum of up to Ten Million Dollars ($**10,000,000**) is authorized from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account funds reimbursed to the government of Guam *only* to fund personnel and operational expenditures identified by the FMT POA as filed in the District Court of Guam under Case No. CV 01-0041.

CHAPTER III

PART IV - DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Integrated Services for Individuals with Disabilities (DISID) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Integrated Services for Individuals with Disabilities Appropriation for Fiscal Year 2013. The sum of One Million Nine Hundred Thirty Thousand Five Hundred Thirty-Three Dollars ($**1,930,533**) is appropriated to the Department of Integrated Services for Individuals with Disabilities for its operations for Fiscal Year 2013. This sum is composed of One Million Two Hundred Thirty-Five Thousand Seven Hundred Seventy Dollars ($**1,235,770**) from the General Fund and Six Hundred Ninety-Four Thousand Seven Hundred Sixty-Three Dollars ($**694,763**) from Special Fund(s).

The sum of Two Million Nine Hundred Ninety-Two Thousand Six Hundred Fifty-One Dollars **($2,992,651)** of General Funds or Special Funds appropriated in this Section is authorized as the local match requirement for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,235,770
HEALTHY FUTURES FUND	$694,763
TOTAL	**$1,930,533**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$2,992,651

Section 3. DISID General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$283,340	$353,319
OVERTIME	112	$0	$0
BENEFITS	113	$99,390	$135,686
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,942	$6,000
OFF. RENTAL	233	$118,129	$110,810
SUP. & MAT.	240	$1,807	$4,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$551,433	$609,955
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,356	$16,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,121,397**	**$1,235,770**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER IV

UNIFIED JUDICIARY

Section 1. Appropriation. The amounts specified in this Section are appropriated and authorized from the General Fund and Federal Matching Grants-in-Aid to the Unified Judiciary for its operations in Fiscal Year 2013.

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 Liheslaturan* 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	$23,341,886
FEDERAL MATCHING GRANTS-IN-AID	$0
SPECIAL FUNDS	$0
TOTAL	**$23,341,886**

Section 2. Court-Appointed Attorney Fees. The sum of Seven Hundred Forty-Five Thousand Four Hundred Thirty-Three Dollars (**$745,433**) is appropriated from the General Fund to the Unified Judiciary for the *sole* purpose of paying court-appointed attorney fees arising from the defense of indigent clients for Fiscal Year 2013. Said funds *shall* be deposited in the Judicial Client Services Fund account, as created by Chapter 9.6, Title 7 GCA, and *shall not* be subject to any transfer authority. Any unexpended funds appropriated herein *shall* revert to the General Fund at the end of Fiscal Year 2013.

Section 3. Adult and Juvenile Drug Courts. The sum of Six Hundred Fifty-One Thousand Two Hundred Seventy-Seven Dollars (**$651,277**) is

appropriated from the General Fund to the Unified Judiciary for the operations of the Adult and Juvenile Drug Courts for Fiscal Year 2013.

Section 4. Family Visitation Center. The sum of One Hundred Forty-Five Thousand Dollars (**$145,000**) is appropriated from the Safe Streets Fund to the Unified Judiciary for Fiscal Year 2013, to pay for contractual services for the operations of the Family Visitation Center, *provided*, that the Judiciary must comply with §18125 (c) and (d) of Chapter 18, Article 1, Title 16 GCA.

Section 5. Transfer Authority of the Judiciary of Guam. The Unified Judiciary in Fiscal Year 2013 is authorized to transfer funds from the appropriation made in Chapter IV, Section 1 into the appropriations made in Chapter IV Sections 2, 3 and 4, but *shall not* transfer appropriations from Chapter IV Sections 2, 3 and 4 to Chapter IV, Section 1.

Section 6. Judicial Building Fund Fiscal Year 2014 Budget. The Unified Judiciary of Guam *shall* report its Judicial Building Fund Fiscal Year 2014 Budget to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report, on or before June 30, 2013, and post the same on its website.

Section 7. Judicial Building Fund Revenues and Expenditures Reporting. For Fiscal Year 2013, the Unified Judiciary of Guam *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 a 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 8. Unified Judiciary Authorization to Fund Any Operational Shortfall. The Judiciary of Guam is authorized to fund any operational shortfall for Fiscal Year 2013 from the Judicial Building Fund consistent with the covenants

and provisions of the Loan Documents between the Judiciary and the Bank of Guam.

Section 9. *Unless* all outstanding General Fund appropriations made to the Judiciary of Guam are released and expended, the unexpended balances of appropriations from the General Fund to the Judiciary of Guam for prior years *shall not* revert to the General Fund and *shall* be available until fully expended.

Section 10. Mental Health Court. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the Unified Judiciary for the operations of the Mental Health Court for Fiscal Year 2013.

CHAPTER V

EXECUTIVE BRANCH

Section 1. Authorization. The amounts specified in Subsections (a) through (cc) 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 its operations in Fiscal Year 2013.

(a) OFFICE OF *I MAGA'LÅHEN GUÅHAN*

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of *I Maga'lahen Guåhan* (GOV) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (a)(3).

(2) Office of *I Maga'låhen Guåhan* Appropriations for Fiscal Year 2013. The sum of Six Million Five Hundred Fifty-Five Thousand Nine Hundred Twenty-Four Dollars **($6,555,924)** is appropriated to the Office of *I Maga'lahen Guåhan* for its operations for Fiscal Year 2013. This sum is composed of Six Million Two Hundred Thirty-Three Thousand Six Hundred Eighty-Eight Dollars **($6,233,688)** from the General Fund and; Three Hundred Twenty-Two Thousand Two Hundred Thirty-Six Dollars **($322,236)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$6,233,688
INDIRECT COST FUND	$322,236
TOTAL	**$6,555,924**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GOV General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,330,775	$3,591,012
OVERTIME	112	$0	$0
BENEFITS	113	$1,175,393	$1,368,091
TRAVEL	220	$116,131	$99,000
CONT. SERV.	230	$820,152	$835,722
OFF. RENTAL	233	$35,000	$38,500
SUP. & MAT.	240	$90,909	$29,480
EQUIPMENT	250	$65,720	$26,125
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$197,354	$196,258
POWER	361	$0	$0
WATER/SEWER	362	$19,948	$0
PHONE/TOLL	363	$45,000	$49,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$5,896,382**	**$6,233,688**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(b) COMMISSION ON DECOLONIZATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Commission on Decolonization (COD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (b)(3).

(2) Commission on Decolonization Appropriations for Fiscal Year 2013. The sum of Two Hundred Thirty-Nine Thousand Six Hundred Thirteen Dollars **($239,613)** is appropriated from the General Fund to the Commission on Decolonization for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$239,613
TOTAL	**$239,613**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) COD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$110,718	$155,000
OVERTIME	112	$0	$0
BENEFITS	113	$37,681	$66,523
TRAVEL	220	$0	$6,045
CONT. SERV.	230	$2,840	$9,045
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$0
EQUIPMENT	250	$72	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,000	$3,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$154,311**	**$239,613**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(c) GUAM ANCESTRAL LANDS COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Ancestral Lands Commission (GALC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (c)(3).

(2) Guam Ancestral Lands Commission Appropriations for Fiscal Year 2013. The sum of One Hundred Three Thousand Nine Hundred Fifty-Seven Dollars **($103,957)** is appropriated from the General Fund to Guam Ancestral Lands Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$103,957
TOTAL	**$103,957**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GALC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$123,098	$56,680
OVERTIME	112	$0	$0
BENEFITS	113	$48,445	$24,427
TRAVEL	220	$0	$0
CONT. SERV.	230	$3,040	$10,850
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$8,066	$3,600
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$8,400
POWER	361	$2,353	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$3,400	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$188,402**	**$103,957**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(d) VETERANS AFFAIRS OFFICE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Veterans Affairs Office (VAO) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (d)(3).

(2) Veterans Affairs Office Appropriations for Fiscal Year 2013. The sum of Three Hundred Twenty-Two Thousand Two Hundred Twenty-Nine Dollars **($322,229)** is appropriated from the General Fund to the Veterans Affairs Office for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$322,229
TOTAL	**$322,229**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) VAO General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$218,424	$207,397
OVERTIME	112	$0	$0
BENEFITS	113	$72,358	$73,034
TRAVEL	220	$0	$0
CONT. SERV.	230	$16,863	$14,766
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$12,413	$7,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$9,843	$11,000
WATER/SEWER	362	$35,590	$1,032
PHONE/TOLL	363	$4,293	$8,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$369,784**	**$322,229**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Guam Veterans Cemetery Expansion Matching Grant. The sum of Three Hundred Ninety Thousand Dollars **($390,000)** is appropriated from the General Fund to the Veterans Affairs Office for the Guam Veterans Cemetery expansion in *Piti*, Guam.

Funding *shall only* be disbursed as a matching grant of public or private funds secured by the Veterans Affairs Office. The Veterans Affairs Office *shall* submit to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* evidence of matching grant funds secured prior to the certification of funds for disbursement, project plan(s), and subsequent invoices for project(s) funded by said appropriation.

§1303, of Article 3, Chapter 1 of Title 5, Guam Code Annotated, *shall not* apply to the appropriation in this Subsection. The appropriation in this Subsection *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

(e) BUREAU OF BUDGET AND MANAGEMENT RESEARCH

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Budget and Management Research (BBMR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (e)(3).

(2) Bureau of Budget and Management Research Appropriations for Fiscal Year 2013. One Million Three Hundred Seventy-Five Thousand Two Hundred Sixty-Two Dollars **($1,375,262)** is appropriated to Bureau of Budget and Management Research for its operations for Fiscal Year 2013. This sum is composed of One Million Fifty-Eight Thousand Three Hundred Twenty Dollars **($1,058,320)** from the General Fund and Three Hundred Sixteen Thousand Nine Hundred Forty-Two Dollars **($316,942)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,058,320
INDIRECT COST FUND	$316,942
TOTAL	**$1,375,262**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BBMR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$695,520	$775,448
OVERTIME	112	$0	$0
BENEFITS	113	$221,648	$276,210
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,820	$6,662
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$919,988**	**$1,058,320**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(f) CIVIL SERVICE COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Civil Service Commission (CSC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (f)(3).

(2) Civil Service Commission Appropriations for Fiscal Year 2013. The sum of Eight Hundred Forty-Four Thousand Nine Hundred Two Dollars **($844,902)** is appropriated from the General Fund to Civil Service Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$844,902
TOTAL	**$844,902**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CSC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$487,310	$508,112
OVERTIME	112	$0	$0
BENEFITS	113	$170,073	$194,992
TRAVEL	220	$0	$0
CONT. SERV.	230	$17,025	$20,984
OFF. RENTAL	233	$78,062	$69,650
SUP. & MAT.	240	$578	$3,984
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$18,150	$36,400
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,040	$10,780
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$779,238**	**$844,902**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(g) DEPARTMENT OF ADMINISTRATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Administration (DOA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (g)(3).

(2) Department of Administration Appropriations for Fiscal Year 2013. The sum of Eight Million Nine Hundred Forty-Four Thousand Four Hundred Ninety-Four Dollars **($8,944,494)** is appropriated to the Department of Administration for its operations for Fiscal Year 2013. This sum is composed of Seven Million Seven Hundred Fifty-Six Thousand Seven Hundred Seventy-Eight Dollars **($7,756,778)** from the General Fund and One Million One Hundred Eighty-Seven Thousand Seven Hundred Sixteen Dollars **($1,187,716)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,756,778
INDIRECT COST FUND	$1,187,716
TOTAL	**$8,944,494**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$4,605,814	$4,874,641
OVERTIME	112	$0	$0
BENEFITS	113	$1,617,317	$1,861,805
TRAVEL	220	$0	$0
CONT. SERV.	230	$883,639	$644,332
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$25,557	$31,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$189,799	$0
WATER/SEWER	362	$1,097	$0
PHONE/TOLL	363	$373,505	$375,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$7,696,728**	**$7,786,778**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Support of Child in Custody (19 GCA § 5116). The sum of Six Hundred Forty-Nine Thousand Nine Hundred Sixty-Two Dollars (**$649,962**) is appropriated from the General Fund to the Department of Administration (DOA) for Fiscal Year 2013 for the *sole* purpose of paying orders of the court pursuant to § 5116 of Chapter 5, Title 19 GCA.

(5) Residential Treatment Fund. The sum of One Million One Hundred Thousand Dollars (**$1,100,000**) is appropriated from the General Fund to the DOA in Fiscal Year 2013 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 of Fiscal Year 2013, and post the same on the DOA website.

(6) Government Claims Fund. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the DOA for the Government Claims Fund for payment of approved government claims in Fiscal Year 2013. The Director of DOA *shall*, *no later than* thirty (30) days after the close of each quarter of Fiscal Year 2013, 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 Department's website.

(7) Government of Guam's General Purpose Financial Statement and Single Audit Report. The sum of Three Hundred Seventy-Seven Thousand

Dollars (**$377,000**) is appropriated from the General Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's General Purpose Financial Statement and the Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(8) Single Audit Report on the Tourist Attraction Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Tourist Attraction Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(9) Single Audit Report on the Guam Highway Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Guam Highway Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Highway Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(10) Training. The sum of Thirty Thousand Dollars **($30,000)** *shall* be allocated from the Indirect Cost Fund appropriation in Subsection (g)(2) for the purposes of training.

(h) DEPARTMENT OF REVENUE AND TAXATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Revenue and Taxation (DRT) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (h)(3).

(2) Department of Revenue and Taxation Appropriations for Fiscal Year 2013. Eleven Million Eight Hundred Sixty-One Thousand Nine Hundred Sixty-Eight Dollars **($11,861,968)** is appropriated to the Department of Revenue and Taxation for its operations for Fiscal Year 2013. This sum is composed of Nine Million Seven Hundred Eighty-Four Thousand Six Hundred Ninety-Seven Dollars **($9,784,697)** from the General Fund and Two Million Seventy Seven Thousand Two Hundred Seventy-One Dollars **($2,077,271)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$9,784,697
BETTER PUBLIC SERVICE FUND	$1,390,554
TAX COLLECTION ENHANCEMENT FUND	$686,717
TOTAL	**$11,861,968**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DRT General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$5,482,240	$5,969,179
OVERTIME	112	$0	$366,463
BENEFITS	113	$2,133,311	$2,338,682
TRAVEL	220	$0	$0
CONT. SERV.	230	$300,000	$90,653
OFF. RENTAL	233	$1,024,390	$1,017,720
SUP. & MAT.	240	$4,862	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$280	$2,000
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$8,945,083**	**$9,784,697**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(i) BUREAU OF STATISTICS AND PLANS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Statistics and Plans (BSP) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (i)(3).

(2) Bureau of Statistics and Plans Appropriations for Fiscal Year 2013. The sum of One Million One Hundred Fifty-Five Thousand Six Hundred Forty-Three Dollars **($1,155,643)** is appropriated from the General Fund to the Bureau of Statistics and Plans for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,155,643
TOTAL	**$1,155,643**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BSP General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$810,461	$819,217
OVERTIME	112	$0	$0
BENEFITS	113	$301,480	$300,035
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$20,040	$21,000
SUP. & MAT.	240	$0	$6,391
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,773	$9,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,140,754**	**$1,155,643**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(j) DEPARTMENT OF PUBLIC WORKS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Works (DPW) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (j)(3).

(2) Department of Public Works Appropriations for Fiscal Year 2013. The sum of Nineteen Million Five Hundred Ninety-Six Thousand Three Hundred One Dollars **($19,596,301)** is appropriated to Department of Public Works for its operations for Fiscal Year 2013. This sum is composed of Ten Million Four Hundred Thirty-Six Thousand Twenty-Eight Dollars **($10,436,028)** from the General Fund and Nine Million One Hundred Sixty Thousand Two Hundred Seventy-Three Dollars **($9,160,273)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$10,436,028
DPW BUILDING AND DESIGN FUND	$500,769
GUAM HIGHWAY FUND	$8,659,504
TOTAL	**$19,596,301**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPW General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$6,556,119	$6,706,287
OVERTIME	112	$0	$0
BENEFITS	113	$2,505,073	$2,714,809
TRAVEL	220	$0	$22,983
CONT. SERV.	230	$38,258	$192,786
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$5,935	$161,761
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$500
DRUG TEST	271	$0	$1,875
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$775,704	$346,547
WATER/SEWER	362	$104,842	$216,000
PHONE/TOLL	363	$3,293	$72,480
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,989,224**	**$10,436,028**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(k) CONTRACTORS LICENSE BOARD

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Contractors License Board (CLB) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (k)(3).

(2) Contractors License Board Appropriations for Fiscal Year 2013. The sum of Eight Hundred Sixty-Two Thousand Four Hundred Fifty Dollars **($862,450)** is appropriated from Special Funds to Contractors License Board for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM CONTRACTORS LICENSE BOARD FUND	$862,450
TOTAL	**$862,450**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLB Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$329,102
OVERTIME	112	$0	$0
BENEFITS	113	$0	$138,799
TRAVEL	220	$0	$16,000
CONT. SERV.	230	$0	$167,640
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$76,120
EQUIPMENT	250	$0	$17,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$288
SUBGRANT	280	$0	$0
MISC.	290	$0	$9,600
POWER	361	$0	$25,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$12,000
CAP. OUTLAY	450	$0	$70,501
GRAND TOTAL		**$0**	**$862,450**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

(4) Guam Building Code Council. From the Fiscal Year 2013 budget allocation for the Contractors License Board in Subsection (k)(3), the following sums *shall* be further allocated to the Guam Building Code Council to fund the pursuit of its mandate for Fiscal Year 2013: Fifty Thousand Six Hundred Forty

Dollars ($50,640) from Contractual Services (Object Class 230); Twenty-Four Thousand Dollars ($24,000) from Capital Outlay (Object Class 450); Twenty Thousand Nine Hundred Sixty Dollars ($20,960) from Supplies & Materials (Object Class 240); Four Thousand Dollars ($4,000) from Equipment (Object Class 250); and Five Thousand Four Hundred Dollars ($5,400) from Miscellaneous (Object Class 290). This amount, totaling One Hundred Five Thousand Dollars ($105,000), may be re-categorized by request of the Guam Building Code Council into whichever Object Class as needed.

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

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (1)(3).

(2) PEALS Appropriations for Fiscal Year 2013. The sum of Three Hundred Seven Thousand Two Hundred Eighty-Two Dollars **($307,282)** is appropriated from Special Funds to the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
PEALS FUND	$307,282
TOTAL	**$307,282**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PEALS Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$91,384
OVERTIME	112	$0	$0
BENEFITS	113	$0	$41,476
TRAVEL	220	$0	$4,775
CONT. SERV.	230	$0	$135,007
OFF. RENTAL	233	$0	$18,000
SUP. & MAT.	240	$0	$4,000
EQUIPMENT	250	$0	$2,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$40
SUBGRANT	280	$0	$0
MISC.	290	$0	$2,800
POWER	361	$0	$4,500
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,900
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,282**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

(m) GUAM POLICE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Police Department (GPD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (m)(3).

(2) Guam Police Department Appropriations for Fiscal Year 2013. The sum of Twenty-Eight Million Three Hundred Forty-Two Thousand Six Hundred Nineteen Dollars **($28,342,619)** is appropriated to the Guam Police Department for its operations for Fiscal Year 2013. This sum is composed of Twenty-Seven Million Eight Hundred Three Thousand Seven Hundred Sixty-One Dollars **($27,803,761)** from the General Fund and Five Hundred Thirty-Eight Thousand Eight Hundred Fifty-Eight Dollars **($538,858)** from Special Funds.

The sum of Five Hundred Twenty-Six Thousand One Hundred Thirty-Six Dollars **($526,136)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,803,761
POLICE SERVICES FUND	$538,858
TOTAL	**$28,342,619**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$726,136

(3) GPD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$16,771,331	$18,136,431
OVERTIME	112	$1,081,645	$644,163
BENEFITS	113	$5,586,529	$6,831,522
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$300,593
OFF. RENTAL	233	$320,765	$364,400
SUP. & MAT.	240	$492,312	$366,604
EQUIPMENT	250	$0	$19,397
WRK. COMP.	270	$19,999	$20,000
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$44,559	$664,385
POWER	361	$678,444	$170,000
WATER/SEWER	362	$4,306	$50,000
PHONE/TOLL	363	$44,130	$236,266
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$25,044,020**	**$27,803,761**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(n) DEPARTMENT OF CORRECTIONS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Corrections (DOC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (n)(3).

(2) Department of Corrections Appropriations for Fiscal Year 2013. The sum of Twenty-One Million Seven Hundred Twenty-Eight Thousand Six Hundred Forty-Two Dollars **($21,728,642)** is appropriated to the Department of Corrections for its operations for Fiscal Year 2013. This sum is composed of Twenty Million Seven Hundred Seventy-Six Thousand Nine Hundred Eighty-One Dollars **($20,776,981)** from the General Fund and Nine Hundred Fifty-One Thousand Six Hundred Sixty-One Dollars **($951,661)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$20,776,981
SAFE STREETS FUND	$96,000
CORRECTIONS INMATE REVOLVING FUND	$855,661
TOTAL	**$21,728,642**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$9,634,179	$10,380,900
OVERTIME	112	$825,211	$970,527
BENEFITS	113	$3,331,325	$4,369,138
TRAVEL	220	$5,000	$0
CONT. SERV.	230	$2,934,952	$3,887,375
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$256,324	$310,935
EQUIPMENT	250	$10,000	$21,156
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$67,830	$75,950
POWER	361	$940,202	$350,000
WATER/SEWER	362	$221,859	$250,000
PHONE/TOLL	363	$59,500	$70,000
CAP. OUTLAY	450	$0	$91,000
GRAND TOTAL		**$18,286,382**	**$20,776,981**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Cost of Care and Custody for Prisoners Confined in Federal Facilities. The sum of Six Hundred Ninety-Six Thousand Dollars **($696,000)** is appropriated from the General Fund to the Department of Corrections for the payment of Fiscal Year 2013 obligations for prisoners confined in federal facilities of the Federal Bureau of Prisons.

(5) The sum of One Million Four Thousand Dollars **($1,004,000)** from the General Fund appropriation in Subsection (n)(2) of this Section *shall* be allocated to pay for outstanding prior years obligations to Guam Memorial Hospital Authority. The Guam Memorial Hospital Authority shall use the amounts received pursuant to this Subsection for medical supply or services vendor payments *only*.

(o) DEPARTMENT OF AGRICULTURE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Agriculture (AGR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (o)(3).

(2) Department of Agriculture Appropriations for Fiscal Year 2013. The sum of Two Million Seven Hundred Three Thousand Seven Hundred Eighty-Two Dollars **($2,703,782)** is appropriated to the Department of Agriculture for its operations for Fiscal Year 2013. This sum is composed of Two Million Six Hundred Eighteen Thousand Three Hundred Seventy Dollars **($2,618,370)** from the General Fund and Eighty-Five Thousand Four Hundred Twelve Dollars **($85,412)** from Special Funds.

The sum of Two Hundred Eighty-Eight Thousand Five Hundred Dollars **($288,500)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$2,618,370
GUAM PLANT INSPECTION AND PERMIT FUND	$85,412
TOTAL	**$2,703,782**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$288,500

(3) AGR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,622,828	$1,562,710
OVERTIME	112	$5,995	$11,480
BENEFITS	113	$580,195	$598,704
TRAVEL	220	$5,400	$6,620
CONT. SERV.	230	$12,390	$143,254
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$14,000	$65,724
EQUIPMENT	250	$0	$33,870
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$227,517	$9,008
POWER	361	$125,118	$118,000
WATER/SEWER	362	$15,300	$20,000
PHONE/TOLL	363	$18,000	$19,000
CAP. OUTLAY	450	$0	$30,000
GRAND TOTAL		**$2,626,743**	**$2,618,370**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Animal Shelter. The sum of Ninety-Eight Thousand Eighty-Three Dollars **($98,083)** *shall be* allocated from the General Fund appropriation in Subsection (o)(2) to the Department of Agriculture for Fiscal Year 2013 for the operations of the Guam Animals in Need (GAIN) animal shelter in *Yigo*, Guam.

(5) The sum of One Hundred Seventy Three Thousand Five Hundred Twenty-Two Dollars **($173,522)** is appropriated from the General Fund to the Department of Agriculture for the purposes of Veterinarian & Animal Control Services.

(p) GUAM PUBLIC LIBRARY SYSTEM

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Public Library System (GPLS) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth Subsection (p)(3).

(2) Guam Public Library System Appropriations for Fiscal Year 2013. The sum of One Million Two Hundred Fifty-Five Thousand Seven Hundred Twenty-Eight Dollars **($1,255,728)** is appropriated from the General Fund to the Guam Public Library System for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,255,728
TOTAL	**$1,255,728**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GPLS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$377,320	$677,378
OVERTIME	112	$0	$0
BENEFITS	113	$145,363	$273,524
TRAVEL	220	$0	$0
CONT. SERV.	230	$98,455	$83,054
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$6,431	$30,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$103,367	$147,772
WATER/SEWER	362	$2,325	$7,000
PHONE/TOLL	363	$23,701	$37,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$756,962**	**$1,255,728**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(q) DEPARTMENT OF YOUTH AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Youth Affairs (DYA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (q)(3).

(2) Department of Youth Affairs Appropriations for Fiscal Year 2013. The sum of Four Million Six Hundred Forty-Six Thousand Four Hundred Dollars **($4,646,400)** is appropriated from the General Fund to the Department of Youth Affairs for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$4,646,400
SPECIAL FUND	$0
TOTAL	**$4,646,400**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DYA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$2,433,656	$2,920,320
OVERTIME	112	$106,474	$58,953
BENEFITS	113	$873,949	$1,187,138
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,104	$139,730
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$99,516	$165,479
EQUIPMENT	250	$0	$29,230
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$400
SUBGRANT	280	$0	$0
MISC.	290	$0	$16,450
POWER	361	$33,670	$62,400
WATER/SEWER	362	$6,077	$22,800
PHONE/TOLL	363	$43,500	$43,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$3,636,946**	**$4,646,400**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Youth Program Appropriation. The sum of Three Hundred Thirty-Two Thousand One Hundred Fifty Dollars **($332,150)** is appropriated from the General Fund to the Department of Youth Affairs (DYA) for Fiscal Year 2013 to fund programs contracted out to non-governmental organizations for services to youths who are runaways, homeless, or victims of abuse.

(r) GUAM ENVIRONMENTAL PROTECTION AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Environmental Protection Agency (GEPA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (r)(3).

(2) Guam Environmental Protection Agency Appropriations for Fiscal Year 2013. The sum of Six Hundred Fifty-Six Thousand Seventy-Three Dollars **($656,073)** is appropriated from Special Funds to the Guam Environmental Protection Agency for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
AIR POLLUTION CONTROL FUND	$184,422
GUAM ENVIRONMENTAL TRUST FUND	$331,869
WATER PROTECTION FUND	$66,461
WATER RESEARCH AND DEVELOPMENT FUND	$73,321
TOTAL	**$656,073**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GEPA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$303,607
OVERTIME	112	$0	$0
BENEFITS	113	$0	$114,801
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$103,020
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$37,145
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$60,000
WATER/SEWER	362	$0	$9,500
PHONE/TOLL	363	$0	$28,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$656,073**

(4) Closure, Monitoring, and Opening of the Island's Landfills. The sum of Two Hundred Thousand Dollars ($**200,000**) is hereby appropriated from the Solid Waste Operations Fund to the GEPA. The appropriation recognizes the duties and responsibilities of the Agency related to the closure, monitoring, and opening of the island's landfills.

(5) Beach Monitoring. The sum of One Hundred Thousand Dollars ($**100,000**) is hereby appropriated from the Tourist Attraction Fund to the GEPA for the *sole* purpose of beach monitoring. The Tourist Attraction Fund *shall* provide resources to the GEPA for tasks performed by the Agency related to the monitoring of the island's beaches, and any other tourist infrastructure. As tourism represents a major contributor to the island's economy, this appropriation ensures that the island's beaches are safe for recreational and commercial use.

This appropriation *shall* continue to be available until expended. This appropriation is *not* subject to transfer or use for any other purpose.

(s) DEPARTMENT OF LABOR

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Labor (DOL) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (s)(3).

(2) Department of Labor Appropriations for Fiscal Year 2013. The sum of One Million Four Hundred Seventy-Eight Thousand Five Hundred Sixty-One Dollars **($1,478,561)** is appropriated to the Department of Labor for its operations for Fiscal Year 2013. This sum is composed of One Million Fifty-Five Thousand Three Hundred Eighty-Five Dollars **($1,055,385)** from the General Fund and Four Hundred Twenty-Three Thousand One Hundred Seventy-Six Dollars **($423,176)** from Special Funds.

The sum of Forty-Three Thousand Eight Hundred Dollars **($43,800)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,055,385
MAN POWER DEVELOPMENT FUND	$423,176
TOTAL	**$1,478,561**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$43,800

(3) DOL General Funds Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$650,873	$667,999
OVERTIME	112	$0	$0
BENEFITS	113	$221,273	$242,809
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,946	$40,549
OFF. RENTAL	233	$115,902	$26,004
SUP. & MAT.	240	$15,144	$14,520
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$42,100	$43,800
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$27,146	$19,704
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,113,384**	**$1,055,385**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Appropriation to the Worker's Compensation Fund. The sum of Seven Hundred Ninety-Eight Thousand Five Hundred Ninety-Three Dollars **($798,593)** is appropriated from the General Fund to the Department of Labor for the Worker's Compensation Fund for Fiscal Year 2013 for Worker's Compensation payments pursuant to § 9144 of Chapter 9, Title 22 GCA, including obligations incurred in past years and in the future. Said appropriation 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 his injury and the recovery therefrom may require. Said appropriation *shall not* be expended for disability compensation payments for FTEs funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars **($40,000)** from said appropriation to pay for legal services for Worker's Compensation hearings.

The sum of One Hundred Ninety-Nine Thousand Dollars **($199,000)** from the General Fund appropriation in this Subsection *shall* be allocated to pay for outstanding obligations to the Guam Memorial Hospital Authority. The Guam Memorial Hospital Authority *shall* use the amounts received pursuant to this Subsection for medical supplies and/or services vendor payments *only*.

(t) DEPARTMENT OF PARKS AND RECREATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Parks and Recreation (DPR) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (t)(3).

(2) Department of Parks and Recreation Appropriations for Fiscal Year 2013. The sum of Three Million Four Hundred Fifty Thousand Eight Hundred Five Dollars **($3,450,805)** is appropriated to the Department of Parks and Recreation for Fiscal Year 2013. This sum is composed of Three Million Two Hundred Sixty-Four Thousand Seven Hundred Seven Dollars **($3,264,707)** from the General Fund and One Hundred Eighty-Six Thousand Ninety-Eight Dollars **($186,098)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$3,264,707
PUBLIC RECREATION SERVICES FUND	$186,098
TOTAL	**$3,450,805**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,645,961	$1,629,069
OVERTIME	112	$0	$0
BENEFITS	113	$591,850	$666,959
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,970	$133,844
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$57,000
EQUIPMENT	250	$0	$10,467
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$274,311	$350,000
WATER/SEWER	362	$216,053	$387,368
PHONE/TOLL	363	$27,272	$30,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$2,813,417**	**$3,264,707**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Maintenance and Repair of Public Restrooms. The sum of Four Hundred Thousand One Hundred Sixty-Six Dollars **($400,166)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance and repair of restroom facilities in public parks island-wide for Fiscal Year 2013. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation *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 this appropriation and post the same on the Department's website.

(5) Maintenance of Pool Facilities. The sum of Three Hundred Forty-Nine Thousand Two Hundred Eleven Dollars **($349,211)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance of pool facilities for Fiscal Year 2013. These funds *shall* be used for the Northern Pool and the *Hagatna* Pool. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation *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 this appropriation and post the same on the Department's website.

(u) DEPARTMENT OF LAND MANAGEMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Land Management (DLM) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (u)(3).

(2) Department of Land Management Appropriations for Fiscal Year 2013. The sum of Three Million Six Hundred Thirty-Three Thousand Five Hundred Eighty-Two Dollars **($3,633,582)** is appropriated to the Department of Land Management for its operations for Fiscal Year 2013. This sum is composed of Four Hundred Five Thousand Eight Hundred Eighteen Dollars **($405,818)** from the General Fund and Three Million Two Hundred Twenty-Seven Thousand Seven Hundred Sixty-Four Dollars **($3,227,764)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$405,818
LAND SURVEY REVOLVING FUND	$3,227,764
TOTAL	**$3,633,582**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DLM General Fund Allocations for Fiscal Year 2013.

SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$557,106	$405,818
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$557,106**	**$405,818**

(v) OFFICE OF THE CHIEF MEDICAL EXAMINER

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of the Chief Medical Examiner (CME) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (v)(3).

(2) Office of the Chief Medical Examiner Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty-Six Thousand Five Hundred Ninety-Nine Dollars **($426,599)** is appropriated from the General Fund to the Office of the Chief Medical Examiner for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$426,599
TOTAL	**$426,599**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CME General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$257,296	$257,309
OVERTIME	112	$0	$0
BENEFITS	113	$90,563	$95,244
TRAVEL	220	$5,023	$8,440
CONT. SERV.	230	$44,542	$51,585
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,293	$6,396
EQUIPMENT	250	$0	$4,950
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$25
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,580	$2,650
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$402,297**	**$426,599**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(w) CUSTOMS AND QUARANTINE AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* that the Guam Customs and Quarantine Agency (Customs and Quarantine) be fully funded by fees collected as a result of services provided to the visitor industry. The expenditures of Customs and Quarantine have increased significantly over the last three (3) years due to two (2) ten percent (10%) increases to employee salaries and corresponding increases to retirement benefits, and rent.

Customs and Quarantine has failed to implement fee increases during this time and as a result has required the following unbudgeted General Fund subsidy payments:

Fiscal Year 2009	$2,257,142
Fiscal Year 2010	$2,195,448
Fiscal Year 2011	$3,264,296

I Liheslaturan Guåhan finds that Customs and Quarantine has submitted a Fiscal Year 2013 budget request that increases the current expenditures by One Million Two Hundred Forty-Four Thousand One Hundred Dollars ($1,244,100) or a 15.72% increase from its existing budget. There are *no* corresponding fee increases to remedy Customs and Quarantine current operating shortfall or the additional expenditures requested for Fiscal Year 2013.

I Liheslaturan Guåhan finds any General Fund subsidy to Customs and Quarantine unacceptable given the scarce General Tax Revenue resources available and therefore *shall only* authorize spending within the revenues generated by Customs and Quarantine.

I Maga'låhen Guåhan may use his transfer authority to further subsidize Customs and Quarantine from other appropriations in the Executive Branch; or may require Customs and Quarantine to raise its fees and become a self-sustained

agency as intended by *I Liheslaturan Guåhan;* or may require Customs and Quarantine to reduce expenditures to align with available revenues.

(2) Customs and Quarantine Agency, Appropriations for Fiscal Year 2013. The sum of Five Million Eight Hundred Ninety-One Thousand Eight Hundred Three Dollars **($5,891,803)** is appropriated from Special Funds to the Customs and Quarantine Agency for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CUSTOMS, AGRICULTURE AND QUARANTINE INSPECTION SERVICES FUND	$5,891,803
TOTAL	**$5,891,803**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(x) DEPARTMENT OF *CHAMORRO* AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of *Chamorro* Affairs (DCA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (x)(3).

(2) Department of *Chamorro* Affairs Appropriations for Fiscal Year 2013. The sum of Nine Hundred Ninety-One Thousand Seven Hundred Fifty Dollars **($991,750)** is appropriated from the General Fund to the Department of Chamorro Affairs for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$991,750
TOTAL	**$991,750**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DCA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$756,207	$479,250
OVERTIME	112	$0	$0
BENEFITS	113	$283,520	$194,313
TRAVEL	220	$0	$0
CONT. SERV.	230	$53,093	$114,718
OFF. RENTAL	233	$189,628	$182,529
SUP. & MAT.	240	$10,056	$17,419
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$342,000	$0
POWER	361	$4,046	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,780	$3,521
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,649,330**	**$991,750**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(y) DEPARTMENT OF MILITARY AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Military Affairs (DMA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (y)(3).

(2) Department of Military Affairs Appropriations for Fiscal Year 2013. The sum of Seven Hundred Two Thousand Fifty-Four Dollars **($702,054)** is appropriated from the General Fund to the Department of Military Affairs for its operations for Fiscal Year 2013.

The sum of Seven Hundred Two Thousand Fifty-Four Dollars **($702,054)** of General Fund or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$702,054
TOTAL	**$702,054**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$1,547,700

(3) DMA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$99,834	$216,476
OVERTIME	112	$0	$0
BENEFITS	113	$32,549	$79,094
TRAVEL	220	$1,700	$5,750
CONT. SERV.	230	$3,900	$27,096
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$3,615	$22,433
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$508,429	$11,322
POWER	361	$239,633	$325,344
WATER/SEWER	362	$0	$6,111
PHONE/TOLL	363	$6,104	$8,428
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$895,764**	**$702,054**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(z) GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Council on the Arts and Humanities Agency (CAHA) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (z)(3).

(2) Guam Council on the Arts and Humanities Agency Appropriations for Fiscal Year 2013. The sum of Three Hundred Forty-Seven Thousand Five Hundred Dollars **($347,500)** is appropriated to the Guam Council on the Arts and Humanities Agency for its operations for Fiscal Year 2013. This sum is composed of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** from the General Fund and Forty Thousand Dollars **($40,000)** from Special Funds.

The sum of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$307,500
TOURIST ATTRACTION FUND	$40,000
TOTAL	**$347,500**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$307,500

(3) CAHA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$89,109
OVERTIME	112	$0	$0
BENEFITS	113	$0	$38,672
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$26,559
OFF. RENTAL	233	$0	$35,000
SUP. & MAT.	240	$0	$1,756
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$97,530
MISC.	290	$0	$16,004
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,870
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,500**

*Tracking information for Fiscal Year 2012 ending General Fund expenditure projections not provided by BBMR.

(4) Guam Territorial Band. The sum of Forty Thousand Dollars **($40,000)** *shall* be allocated for the Guam Territorial Band from the Tourist Attraction Fund appropriation contained in Subsection (z)(2). Notwithstanding the general provisions of §30107.1 of Title 11, Guam Code Annotated, and this Act, this appropriation *shall* continue to be available until expended.

(aa) GUAM FIRE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Fire Department (GFD) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (aa)(3).

(2) Guam Fire Department Appropriations for Fiscal Year 2013. The sum of Twenty-Nine Million Seven Hundred Thirteen Thousand Three Hundred Seventy-Three Dollars **($29,713,373)** is appropriated to the Guam Fire Department for its operations for Fiscal Year 2013. This sum is composed of Twenty-Seven Million Nine Hundred Eighty-Nine Thousand Six Hundred Seventy-Eight Dollars **($27,989,678)** from the General Fund and One Million Seven Hundred Twenty-Three Thousand Six Hundred Ninety-Five Dollars **($1,723,695)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,989,678
ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	$1,650,630
FIRE, LIFE, AND MEDICAL EMERGENCY FUND	$73,065
TOTAL	**$29,713,373**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GFD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$17,289,610	$18,429,699
OVERTIME	112	$2,496,205	$1,302,114
BENEFITS	113	$6,198,803	$7,070,495
TRAVEL	220	$0	$0
CONT. SERV.	230	$364,339	$212,893
OFF. RENTAL	233	$0	$105,000
SUP. & MAT.	240	$296,410	$338,910
EQUIPMENT	250	$0	$7,000
WRK. COMP.	270	$9,259	$20,000
DRUG TEST	271	$0	$3,500
SUBGRANT	280	$0	$0
MISC.	290	$88,200	$120,000
POWER	361	$194,015	$292,000
WATER/SEWER	362	$20,177	$64,067
PHONE/TOLL	363	$45,000	$24,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$27,002,018**	**$27,989,678**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(bb) GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION (PBS GUAM)

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Educational Telecommunications Corporation (PBS Guam) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (bb)(3).

(2) Guam Educational Telecommunications Corporation (PBS Guam) Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty-Seven Thousand Seventy-Two Dollars **($637,072)** is appropriated from the General Fund to the Guam Educational Telecommunications Corporation for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$637,072
TOTAL	**$637,072**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PBS Guam General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$266,836	$375,662
OVERTIME	112	$0	$0
BENEFITS	113	$105,920	$160,973
TRAVEL	220	$0	$0
CONT. SERV.	230	$21,666	$25,437
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$196,939	$75,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$591,361**	**$637,072**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(cc) *CHAMORRO* LAND TRUST COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the *Chamorro* Land Trust Commission (CLTC) to expend its funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Subsection (cc)(3).

(2) *Chamorro* Land Trust Commission Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty-Nine Thousand Nine Hundred Fifty-Four Dollars **($639,954)** is appropriated from Special Funds to the *Chamorro* Land Trust Commission for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CHAMORRO LAND TRUST OPERATIONS FUND	$639,954
TOTAL	**$639,954**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLTC Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$225,723
OVERTIME	112	$0	$0
BENEFITS	113	$0	$110,118
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$175,000
OFF. RENTAL	233	$0	$48,000
SUP. & MAT.	240	$0	$16,800
EQUIPMENT	250	$0	$3,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$113
SUBGRANT	280	$0	$0
MISC.	290	$0	$7,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$54,000
GRAND TOTAL		**$0**	**$639,954**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

CHAPTER VI

LEGISLATIVE BRANCH

Section 1. Appropriation. The sum of Seven Million Four Hundred Forty-Six Thousand Six Hundred Thirty-Five Dollars (**$7,446,635**) is appropriated from the General Fund to *I Liheslaturan Guåhan* for its operations, including personnel services, for Fiscal Year 2013.

Section 2. Appropriation to the Office of Finance and Budget. The sum of Three Hundred Seventy-Eight Thousand Seven Hundred Thirty-Seven Dollars (**$378,737**) is appropriated from the General Fund to *I Liheslaturan Guåhan*, specifically for the Office of Finance and Budget (OFB) for its operations, including personnel services, for Fiscal Year 2013.

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) expend its funds in accordance with the appropriation in Section 2. *I Liheslaturan Guåhan* supports the efforts of the OAG to acquire the appropriate technology to replace its aging APASI system. The OAG *shall* submit to the Speaker of *I Liheslaturan Guåhan* a formal commitment letter from the respective grantor agency pledging the total federal funds for the APASI system upgrade *prior to* any expenditures over Five Hundred Thousand Dollars **($500,000)** toward the APASI system upgrade.

Section 2. Appropriation for Fiscal Year 2013. The sum of Eleven Million Four Hundred Seventy-Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** is appropriated from the General Fund to the Office of the Attorney General for Fiscal Year 2013. This appropriation *shall* be expended in accordance with the object categories allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$8,056,186
OPERATIONS OBJECT CATEGORIES (220 to 450)	$3,423,374
TOTAL	**$11,479,560**

The sum of Eleven Million Four Hundred Seventy-Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** of General Funds or Special Funds appropriated in this Subsection is authorized as the local match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$11,479,560
TOTAL	**$11,479,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$11,509,528

Section 3. Transfer Authority for the Office of the Attorney General (OAG). The OAG may transfer funds between appropriations in Section 2, *provided,* that the OAG notifies *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 to 115).

Section 4. The Office of the Attorney General *shall* allocate the sums necessary from its Operations object categories to establish and maintain the Family Violence Registry Database, as provided pursuant to § 30.200 of Chapter 30, Title 9, Guam Code Annotated, known as the "Family Violence Registry Act."

CHAPTER VII

LEGAL SERVICES

PART II – PUBLIC DEFENDER SERVICE CORPORATION

Section 1. Appropriation. The sum of Three Million Seven Hundred Ninety-Six Thousand Seven Hundred Fifty-Five Dollars (**$3,796,755**) is appropriated from the General Fund to the Public Defender Service Corporation for its operations, including personnel services, for Fiscal Year 2013.

No more than Three Million Five Hundred Thirty-Five Thousand Six Hundred Sixty-Three Dollars **($3,535,663)** *shall* be expended for personnel object categories (111 to 115).

Section 2. Transfer Authority for the Public Defender Service Corporation. The Public Defender Service Corporation (PDSC) may transfer funds between appropriations made in Section 1, *provided,* that the 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.

CHAPTER VIII

MAYORS' COUNCIL OF GUAM

Section 1. Appropriation. Appropriations for Fiscal Year 2013. The sum of Eight Million Three Hundred Forty-Four Thousand Seven Hundred Seventy-Four Dollars **($8,344,774)** is appropriated to the Mayors' Council of Guam for its operations, including personnel services, for Fiscal Year 2013. This sum is composed of Seven Million Five Hundred Seventy-Eight Thousand Seven Hundred Sixty-One Dollars **($7,578,761)** from the General Fund and Seven Hundred Sixty-Six Thousand Thirteen Dollars **($766,013)** from Special Funds.

No more than Six Million Seven Hundred Twenty-Four Thousand One Hundred Twenty-Two Dollars **($6,724,122)** *shall* be expended for personnel object categories (111 to 115). The total amount of Guam Highway Funds appropriated in this Section *shall* be expended for power (Object Category 361).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,578,761
GUAM HIGHWAY FUND	$766,013
TOTAL	**$8,344,774**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 2. Streets Maintenance and Beautification. The sum of One Million Thirty-Six Thousand Twenty-Six Dollars (**$1,036,026**) is appropriated from the Tourist Attraction Fund to the MCOG for Fiscal Year 2013 for the maintenance and beautification of non-routed public roads, and for the operations of the Mayors' offices, but *not* for personnel costs. 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)**; and

(b) the remaining balance of the fund *shall* be distributed to each Mayor pro rata based on the total road mileage of the 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.

Section 3. Island-Wide Village Beautification Projects. The sum of Four Hundred Seventy Thousand Nine Hundred Twenty-One Dollars (**$470,921**) is appropriated from the Tourist Attraction Fund to the MCOG for Island-Wide Village Beautification Projects to include:

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

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

(c) 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, Chapter 5, Title 5, Guam Code Annotated.

Section 4. Grounds Maintenance for Schools. Subject to approval and scheduling of the 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 scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

The sum of Four Hundred Forty-Seven Thousand Eight Hundred Sixty-Three Dollars **($447,863**) is appropriated from the General Fund to the MCOG Revolving Fund for the grounds maintenance of specified schools of the Department of Education, to be allocated as follows:

VILLAGE	SCHOOL	AMOUNT
Agana Heights	Agana Heights Elementary	$8,628
Agat	Marcial Sablan Elementary	$11,402
	Oceanview Middle	$16,749
Barrigada	P.C. Lujan Elementary	$8,881
	B.P. Carbullido Elementary	$7,449
	L.P. Untalan Middle	$7,867
Dededo	M.A. Ulloa Elementary	$13,049
	Wettengel Elementary	$17,103
	J.M. Guerrero Elementary	$14,570
	Liguan Elementary	$0
	Astumbo Elementary	$8,235
	Finegayan Elementary	$19,004
	V.S.A. Benavente Middle	$26,605
	Astumbo Middle	$0
	Okkodo High	$0

Inarajan	Inarajan Elementary	$5,866
	Inarajan Middle	$7,437
Mangilao	H.B. Price Elementary	$7,158
	George Washington High	$46,114
	Adacao Elementary	$0
Merizo	Merizo Elementary	$6,220
MTM	J.Q. San Miguel Elementary	$3,864
Ordot/Chalan Pago	Ordot/Chalan Pago Elementary	$8,932
	Agueda Johnston Middle	$14,583
Piti	Jose Rios Middle	$7,132
Santa Rita	H.S. Truman Elementary	$12,301
	Southern High	$39,275
	Alternative School	$4,206
Sinajana	C.L. Taitano Elementary	$4,232
Talofofo	Talofofo Elementary	$7,602
Tamuning	L.B. Johnson Elementary	$3,801
	Tamuning Elementary	$4,434
	Chief Brodie Elementary	$7,602
	JFK High School	$20,000
Umatac	F.Q. Sanchez Elementary	$1,267
Yigo	Upi Elementary	$9,502
	D.L. Perez Elementary	$16,470
	Machananao Elementary	$8,742
	F.B. Leon Guerrero Middle	$16,470
	Simon Sanchez High	$17,357
Yona	M.U. Lujan Elementary	$7,754
TOTAL FOR ALL VILLAGES		**$447,863**

Section 5. Public Safety and Social Education Programs. The sum of Four Hundred Sixteen Thousand Eight Hundred Sixty Dollars **($416,860**) is appropriated from the General Fund to the MCOG, with each village to receive Fifteen Thousand Dollars (**$15,000**), and with the remaining funds, if any to the MCOG for Fiscal Year 2013, to be expended in accordance with plans approved by the MCOG *or* 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.

Section 6. Authority to Make Payments on Prior Year Obligations. Notwithstanding any other provision of Law, the Mayors' Council of Guam (MCOG) is hereby authorized to pay for prior year obligations incurred from its Fiscal Year 2013 appropriations.

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 Funds of the villages of *Ordot* and *Inarajan* pursuant to P.L. 30-165 for uses in accordance with §511003, Article 10, Chapter 51, Title 10 of the Guam Code Annotated.

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART I – OFFICE OF PUBLIC ACCOUNTABILITY

Section 1. Appropriations for Fiscal Year 2013. The sum of One Million Three Hundred Two Thousand Three Hundred Eighty-Eight Dollars **($1,302,388)** is appropriated from the General Fund to the Office of Public Accountability for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,302,388
TOTAL	**$1,302,388**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART II – GUAM BOARD OF ACCOUNTANCY

Section 1. Guam Board of Accountancy Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty-Four Thousand One Hundred Dollars **($424,100)** is appropriated from Special Funds to the Guam Board of Accountancy for its operations for Fiscal Year 2013.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM BOARD OF ACCOUNTANCY FUND	$424,100
TOTAL	**$424,100**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GBOA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$367,500
OFF. RENTAL	233	$0	$25,000
SUP. & MAT.	240	$0	$7,000
EQUIPMENT	250	$0	$5,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$19,600
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$424,100**

CHAPTER X

GUAM VISITORS BUREAU

Section 1. Appropriation. The amounts below are appropriated from the Tourist Attraction Fund (TAF) to the Guam Visitors Bureau (GVB) for its operations in Fiscal Year 2013. This appropriation *shall* be expended in accordance with the allocations outlined in this Section.

SUMMARY OF APPROPRIATION

(a)	GENERAL ADMINISTRATION	$2,526,313
(b)	MARKETING	$9,104,882
(c)	PRINTING, PROMOTIONAL	$467,636
(d)	RESEARCH	$402,180
(e)	DESTINATION DEVELOPMENT	$1,521,373
TOTAL		**$14,022,385**

Section 2. Appropriation to GVB for Special Projects. The sum of One Million Two Hundred Fifteen Thousand Eight Hundred Fifty-Five Dollars **($1,215,855)** is appropriated from the TAF to the GVB to fund the *Tumon* and *Hagåtña* Beach Cleaning, *Tumon* Landscaping, and Island-wide Roadways Maintenance projects in Fiscal Year 2013, and to supplement the Department of Parks and Recreation to maintain public beaches and parks. After all of the foregoing projects within this Section are fully funded, the GVB Board of Directors may approve the use of the surplus funds for other Board-approved projects. Notwithstanding the general provisions of §30107.1, of Chapter 30, Title 11GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 3. Appropriation to GVB for *På'å Taotao Tåno'*. The sum of Eighty Thousand Dollars (**$80,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of *På'å Taotao Tano* to provide for the local

match for the ANA Language Grant, the New *På'å* AmeriCorps, the *Guåhu Taotao Tåno'* Annual Pageant, and the Northern Cultural Arts Program. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 4. Appropriation to GVB for the Historic *Inalåhan* Foundation. The sum of Thirty Thousand Dollars (**$30,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Historic *Inalåhan* Foundation. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 5. Appropriation to GVB for the Traditions Affirming our Seafaring Ancestry (TASA). The sum of Fifty Thousand Dollars (**$50,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the TASA. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 6. Appropriation to GVB for the Tourism Education Council. The sum of Thirty Thousand Dollars **($30,000)** is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Tourism Education Council. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 7. Appropriation to GVB for the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). The sum of Fifteen Thousand Dollars (**$15,000**) is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). Notwithstanding the general provisions of §30107.1 of Chapter 30, 11

GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 8. Appropriation to the Guam Visitors Bureau Rainy Day Fund. The sum of Two Hundred Thousand Dollars (**$200,000**) is hereby appropriated from the unreserved fund balance of the TAF to the GVB for deposit in the Rainy Day Fund, in accordance with the provisions set forth in Section 1(b) of Public Law 30-116, for the purposes cited therein. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended, and is *not* subject to transfer *or* use for any other purpose.

Section 9. Appropriation to The As & Ås of *Chamorro* Project. The sum of Twenty-Five Thousand Dollars **($25,000)** is hereby appropriated from the TAF to the GVB for The As & Ås of *Chamorro* Project. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 10. Appropriation to the Micronesian Cruise Association. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the Micronesian Cruise Association. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 11. Appropriation to the Guam International Film Festival. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the Guam International Film Festival. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 12. Appropriation to the World War II Survivor History – Video Commentary. The sum of Fifty Thousand Dollars **($50,000)** is hereby appropriated from the TAF to the GVB for the World War II Survivor History –

Video Commentary. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 13. Appropriation to the Guam FESTPAC & Folklife Festival Trust Account. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the unappropriated surplus in Fiscal Year 2012 Tourist Attraction Fund revenues to the Guam Visitors Bureau for deposit into the Guam FESTPAC & Folklife Festival Trust Account. Notwithstanding the general provisions of §30107.1 of Title 11 GCA, and this Act, this appropriation *shall* continue to be available until expended, and is *not* subject to transfer or use for any other purpose.

Section 14. Service and Reporting Requirements. (a) Organizations receiving funding from the Tourist Attraction Fund *shall* provide the Guam Visitors Bureau ten (10) hours of in-kind service per One Thousand Dollars ($1,000) appropriated to them for activities and/or events as identified by the Guam Visitors Bureau. The in-kind services *shall* be consistent with the services provided pursuant to the respective grant award.

(b) All organizations that receive Tourist Attraction 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 Guam Visitors Bureau. These organizations *shall* attest under penalty of perjury that they are meeting the requirements of this Section.

Section 15. Authority to Transfer. 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. Income Tax Refund Appropriations. There *shall* be reductions throughout the government of Guam operations of *not less than* the sum of Fourteen Million Five Hundred One Dollars **($14,000,501)** that *shall* be used for the payment of income tax refunds.

(a) Reductions to Operations of the Executive Branch.

(1) Effective October 1, 2012, the sum of Two Million Six Hundred Two Thousand Nine Hundred Fifty-Seven Dollars **($2,602,957)** is de-appropriated from any amounts appropriated from the General Fund in Chapter III and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

No more than fifteen percent (15%) shall be de-appropriated from any eligible individual appropriation in Chapter III.

Notwithstanding any other provision of law and this Act, no funds shall be de-appropriated from the General Fund from Chapter III, Part II, Sections 4, 5, 6 and 7.

(2) Effective October 1, 2012, the sum of Eight Million Four Hundred Twenty-Two Thousand Nine Hundred Twenty Dollars **($8,422,920)** is de-appropriated from any amounts appropriated from the General Fund in Chapter V and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

No more than eight percent (8%) shall be de-appropriated from any individual eligible appropriation in Chapter V.

Notwithstanding any other provision of law and this Act, no funds shall be de-appropriated from the General Fund from Chapter V, Sections 1(d)(4), 1(g)(4), 1(g)(5), 1(g)(6) and 1(g)(7).

(b) Reductions to Operations of the Guam Legislature.

(1) Effective October 1, 2012, the sum of Three Hundred Eighty-Three Thousand Five Hundred Two Dollars **($383,502)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(2) Effective October 1, 2012, the sum of Nineteen Thousand Five Hundred Five Dollars **($19,505)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 2 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(c) Reductions to Operations of the Unified Judiciary.

Effective October 1, 2012, the sum of One Million Two Hundred Seventy-Four Thousand Thirty-Eight Dollars **($1,274,038)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IV, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

(d) Reductions to Operations of the Office of the Attorney General.

Effective October 1, 2012, the sum of Five Hundred Ninety-One Thousand One Hundred Ninety-Seven Dollars **($591,197)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VII, Part I

and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA, for income tax refund payments.

(e) Reductions to Operations of the Public Defender Service Corporation.

Effective October 1, 2012, the sum of One Hundred Ninety-Five Thousand Five Hundred Thirty-Three Dollars **($195,533)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VII, Part II and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA for income tax refund payments.

(f) Reductions to Operations of the Mayors Council of Guam.

Effective October 1, 2012, the sum of Four Hundred Forty-Three Thousand Seven Hundred Seventy-Six Dollars **($443,776)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VIII and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(g) Reductions to Operations of the Office of Public Accountability.

Effective October 1, 2012, the sum of Sixty-Seven Thousand Seventy-Three Dollars **($67,073)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IX, Part I and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA for income tax refund payments.

The Treasurer of Guam, as a ministerial duty, *shall* deposit One Million One Hundred One Thousand One Hundred Forty-Eight Dollars **($1,101,148)** cash from daily collections, which is equal to one-twelfth (1/12) of the total sum re-appropriated in this Section by the last day of each month during Fiscal Year 2013

into the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11 GCA.

The cash deposits mandated by this Section *shall* be considered separate and apart from any required deposits in Title 11 GCA, Chapters 50 and 51, and *shall not* be credited toward any required deposits in Title 11 GCA, Chapters 50 and 51 identified in Chapter I, Section 2(I)(A) of this Act and Chapter I, Section 6(a) of this Act.

§1303 of Article 3, Title 5 GCA, *shall not* apply to the re-appropriation in this Section. The re-appropriation in this Section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

Section 2. Public Streetlights Appropriations.

(a) **Special Fund Appropriations.** The sum of Three Million Five Hundred Ninety Thousand Two Hundred Sixty-One Dollars (**$3,590,261**) is appropriated from the Streetlight Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

(b) The sum of Three Million Seven Hundred Nine Thousand Seven Hundred Thirty-Nine Dollars (**$3,709,739**) is appropriated from the Guam Highway Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

Section 3. Appropriations to Retirees for Supplemental Annuity Benefits and for Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety-Six Thousand Three Hundred Three Dollars (**$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2013 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) hereof 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 retiree 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 that *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 2013, 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) hereof 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, 2012, and April 15, 2013, respectively. Said remittances *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

(f) The sum of Sixteen Million Nine Hundred Twenty-Two Thousand Six Hundred Sixty-Eight Dollars **($16,922,668)** is appropriated from the General Fund and Seven Million Five Hundred Thousand Dollars **($7,500,000)** is appropriated from the Section 2718 Fund to the GGRF to pay the following two (2) items for current retirees for Fiscal Year 2013 :

(1) Retiree group health, dental and life insurance premiums (to continue existing programs currently contained in the semi-monthly payments); and

(2) Retiree life insurance subsidy (to continue existing programs currently contained in the semi-monthly payments).

(g) For Fiscal Year 2013, 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 payments for retirees who have retired from those respective agencies. Said remittances *shall* be paid in two (2) equal installments on or before

October 10, 2012, and on or before April 1, 2013, respectively. The agencies' remittances for medical, dental and life insurance mandated herein are *ex gratia* payments, and are for Fiscal Year 2013 *only*.

(h) For Fiscal Year 2013, the sum of One Million One Hundred Forty Thousand Nine Hundred Sixty-Five Dollars (**$1,140,965**) is appropriated from the General Fund to the GGRF to pay the cost of Medicare premiums for government of Guam retirees and their survivors domiciled on Guam, and 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.

(i) For Fiscal Year 2013, the sum of Two Hundred Fifty-One Thousand Dollars (**$251,000**) 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.

(j) For Fiscal Year 2013, the sum of Three Hundred Fifty-Eight Thousand Dollars (**$358,000**) 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.

(k) 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 (g) hereof.

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

"(6) the prospective payment of supplemental benefits for the period of October 1, 2012 through September 30, 2013 for survivors of those

employees who retired prior to October 1, 1995, to be paid in the following manner:

(i) 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.

(ii) No person eligible for Retiree Supplemental Annuity Benefits provided for in this Section shall receive such benefits if 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.

(iii) 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. Disability Supplemental Annuity Additions. §8129(g) of Chapter 8, Article 1, 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, 2012 and ending on September 30, 2013, 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 Paragraph (g) of this Section 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 6. Retirees Supplemental Annuity Additions. §8122(d)(6) of Chapter 8, Article 1, 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, 2012 and ending on September 30, 2013, prospective, non-cumulative supplemental annuity benefits as follows:

(i) 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.

(ii) No retiree who is eligible for Retiree Supplemental Annuity Benefits provided for in this Section 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.

(iii) 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 7. 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 One Thousand One Hundred Dollars (**$1,100**) to each retiree of the GGRF who is retired as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred Dollars (**$6,770,500**) 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 One Thousand One Hundred Dollars (**$1,100**) to every Government of Guam Retirement Fund retiree who retired from each respective aforementioned agency as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012.

(c) Each agency mentioned in Subsection (b) *shall* reimburse the General Fund for any COLA paid by the Fund in Fiscal Year 2013 to retirees who have retired from that agency and their survivors, *no later than* December 31, 2012.

(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 8. Appropriation to Department of Education for GPA Promissory Note.

(a) The sum of One Million Four Hundred Thirty-Two Thousand Seven Hundred Fifty-Three Dollars (**$1,432,753)** is hereby appropriated from the Territorial Education Facilities Fund to the Department of Administration to pay the Guam Power Authority for the Guam Department of Education Promissory Note (the agreement between the GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the "installation payment agreement for the past due electrical service") in Fiscal Year 2013.

Section 9. Appropriations to the Guam Regional Transit Authority. The sum of Three Million Nine Hundred Five Thousand Eight Hundred Ninety-Nine Dollars **($3,905,899)** is appropriated to the Guam Regional Transit Authority for its operations for Fiscal Year 2013, and is composed of the following:

a) Three Hundred Forty-Nine Thousand Two Hundred Ten Dollars **($349,210)** from the Public Transit Fund to the Guam Regional

Transit Authority pursuant to §26503(b) of Chapter 26, Article 5, Title 11 GCA; and

b) Three Million Five Hundred Fifty-Six Thousand Six Hundred Eighty-Nine Dollars **($3,556,689)** from the Guam Highway Fund to the Guam Regional Transit Authority.

Section 10. Guam Election Commission Appropriation. The sum of Seven Hundred Fifty-Six Thousand Twenty-Seven Dollars **($756,027)** is appropriated from the General Fund to the Guam Election Commission for its operations during Fiscal Year 2013.

Section 11. Guam Solid Waste Authority Appropriation. The sum of Seven Million Seven Hundred Fifty-Nine Thousand One Hundred Six Dollars **($7,759,106)** is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority pursuant to Public Law 31-20 for its operations for Fiscal Year 2013.

Section 12. Guam Farmers' Cooperative Association of Guam, Inc. Appropriation. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the General Fund to the University of Guam for the purpose of assisting the Guam Farmers' Cooperative Association of Guam, Inc. to progress with their "Action Plan," as submitted to *I Liheslaturan Guåhan* on March 16, 2009 for a farmer-driven initiative for food import substitution to promote local jobs and food security for the people of Guam, and the development of a business plan for the operation of a Farmers' Cooperative facility to be constructed in *Dededo*, funded by the Tourist Attraction Fund bond proceeds.

Section 13. Guam Football (Soccer) Association. *I Liheslaturan Guåhan* finds that pursuant to P.L. 24-33 as amended, the Guam Football (Soccer) Association was authorized to develop soccer facilities, located in the northern and

southern parts of Guam, utilizing matching tax credit programs as authorized in Chapter 77, Article 3, Title 12 GCA.

I Liheslaturan Guåhan further finds that the soccer fields have been instrumental in the expansion of football (soccer) throughout Guam. Due to the dedicated staff and volunteers, soccer has grown and continues to increase every year. Because of its increased popularity throughout the island, there is a continuing need to expand facilities for programs managed and operated by the Guam Football (Soccer) Association.

Therefore, it is the intent of *I Liheslaturan Guåhan* to continue to support the Guam Football (Soccer) Association in its effort to continue developing soccer fields and facilities throughout the island, and to assist and further promote the sport of soccer and healthy lifestyles of Guam residents.

(a) §77305 of Chapter 77, Article 3, Title 12 GCA, is hereby *amended* to read as follows:

"**§ 77305. Cap on BPT Credits for Design and Construction of the Soccer Stadium and Facilities.**

The total amount of credits against Business Privilege Taxes for the design and construction of the soccer stadium and facilities authorized herein *shall not* exceed One Million Two Hundred Thousand Dollars ($1,200,000). The development of soccer facilities in the southern part of the island *shall* be funded using additional tax credits and/or matching funds secured."

(b) **Guam Football (Soccer) Association Matching Grant.** The sum of Five Hundred Thousand Dollars **($500,000)** is appropriated from the General Fund to the Guam Economic Development Authority for the Guam Football (Soccer) Association for the development of additional facilities in the northern part of the island.

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

§1303, Article 3, Title 5 GCA, *shall not* apply to the appropriation in this Section. The appropriation in this Section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

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 GGRF, including the employee and employer retirement contributions. Any and all fees, interest at actuarial set assumed rate of return for fund investments 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.

Section 2. **Volunteers and Donations for Skinner Plaza, the *Plaza De España,* and the Guam Congress Building.** A new §79603 is hereby *added* to Article 6, Chapter 79 of Title 21 GCA to read:

"§79603. **Volunteers and Donations for Skinner Plaza, *Plaza De España* and Guam Congress Building.** The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but not restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the Plaza de España, and the Guam Congress Building (also known as the Old Legislative Building). The Executive Director *shall* maintain records of all monetary and non-monetary donations received for the purpose of maintaining and renovating Skinner Plaza, the Plaza de España, and the Guam Congress Building. A Report and financial statement on said projects, *supra*, *shall* be submitted to the Speaker of *I Liheslaturan Guåhan* and the Office of Public Accountability each fiscal

year within thirty (30) days of said fiscal year. The Office of Public Accountability *shall* include the financial statements herein as part of the audit of the annual financial statements of *I Liheslaturan Guåhan*."

Section 3. Temporary Employment of Retired Corrections Officers. The Department of Corrections (DOC) may hire retired Guam Corrections Officers if a critical need arises. Retired corrections officers hired under this Section may receive their retirement annuity while employed on this temporary basis. Officers may *only* be hired under this Section to fill positions left vacant because of military activation of corrections officers or absence due to a long term disability status which has been certified by a medical doctor. The DOC may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in filling those positions and *shall* be terminated when the incumbent returns from military service. Retired 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 requirements for the position in question, except for written examinations, and the Director of DOC *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Chapter 8, Article 1, 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.

Section 4. 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, except for written examinations, and the Chief of Police of GPD *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of 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 the Police Reserve Officer to provide temporary services because of military activation of the 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.

Section 5. **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 *no*t exceeded. The retirees hired *shall* fill such a vacant position and *shall* be terminated when the incumbent returns from military service. Retired fire personnel 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* first 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) of 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.

Section 6. 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 or when vacancies cannot be filled within six (6) months because of the lack of qualified applicants. 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 or when a fully-qualified applicant is available. 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 requirements for the position in question, except for written examinations, and the Director of CQA *shall* certify that every retiree hired is fit for duty. The requirements of Chapter 51, Title 17 GCA are waived for employment pursuant hereto *except* for §51104(b)(4). Notwithstanding §8121(a) of 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.

Section 7. Temporary Employment of 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 absence due to a long term disability status which has been certified by a medical doctor. The DRT may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in the areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step I for the position in question and *shall not* receive sick and annual leave.

Notwithstanding §8121(a) of 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.

Section 8. **Government of Guam Health Insurance Program Enrollment for Employment Pursuant to Public Law 31-01.** Any employee hired pursuant to Public Law 31-01 *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 referred to medical facilities accredited by the Joint Commission for medical services approved by the MIP, the Director of Public Health and Social Services (DPHSS) may advance payments for said medical services or air ambulance program(s) established by Section 33, Chapter V of Public Law 28-150, and may establish escrow accounts for immediate and advance payment of medical services at hospitals and other medical facilities accredited by the Joint Commission determined by the Director of DPHSS to best serve MIP 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 2013 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 Branch, 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 discrimination based on political affiliation, gender, or sexual harassment, *unless* the employee consents to said 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, DMHSA, *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; and

(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.

(b) *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslatura* 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.

Section 12. Contracts Exceeding Funds Restriction. (a) § 14110 of Title 4 GCA, is hereby *amended* to read:

"§ 14110. Violations of Appropriations and Transfer.

It is unlawful for an officer, clerk or other person charged with disbursements of public funds appropriated by *I Liheslatura* (Guam Legislature) to exceed the amounts and purposes stated in the appropriation or to change or shift appropriations from one (1) item to another. Only *I Liheslaturan Guåhan* (Guam Legislature) in any appropriation act may authorize transfers. An officer, clerk or other person violating the provisions of this Section is guilty of malfeasance in office. They are subject to suspension and investigation of conduct. Upon conviction, the person is guilty of a misdemeanor and must be fined in the discretion of the court or imprisoned *not more than* three (3) years.

No agency shall contract or agree to spend any money for goods or services or in settlement of a lawsuit or claim in excess of the amount appropriated by *I Liheslatura* (the Legislature) to that Agency for such goods, services, claim, or settlement, and BBMR *shall not* allot funds to that agency for the payment of any amount towards such goods, services, claim, or settlement if the total amount of the goods, services, claim, or settlement is more than the amount appropriated or amount allotted by BBMR. Any contract or agreement made in violation hereof *shall* be void. Any agency

head or certifying officer who knowingly contracts or agrees to spend any money in excess of said appropriations *shall* be guilty of a misdemeanor."

(b) § 1303 of Title 5 GCA, is hereby *amended* to read:

"§ 1303. **Management of Allotments.** In the release of monthly or quarterly allotments by the Bureau of Budget & Management Research from appropriation acts, the Director thereof shall base such allotments on anticipated cash receipts so that the obligations incurred pursuant to such release of periodic allotments shall have sufficient cash for their payment, provided that sufficient cash shall always be released to the Department of Education to provide an adequate public education to every public school student.

No agency shall contract or agree to spend any money for goods or services or in settlement of a lawsuit or claim in excess of the amount appropriated by the Legislature to that Agency for such goods, services, claim, or settlement, and BBMR shall not allot funds to that agency for the payment of any amount towards such goods, services, claim, or settlement if the total amount of the goods, services, claim, or settlement is more than the amount appropriated or amount allotted by BBMR. Any contract or agreement made in violation hereof shall be void. Any agency head or certifying officer who knowingly contracts or agrees to spend any money in excess of said allotments shall be guilty of a misdemeanor."

Section 13. Restrictions on Hiring of Unclassified Employees. No government funds of any kind or description may be expended for the employment or hiring of unclassified employees of the government of Guam during Fiscal Year 2013, *except* for the following:

(a) Certified persons in the Guam Department of Education, as identified in §715(12) of 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 Department of Mental Health and Substance Abuse, 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 Army National Guard, the 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, deputies 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, 2011, *shall* meet the minimum Knowledge, Abilities and Skills (KAS) associated with such position; and

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

Section 14. Board and Commission Meeting Stipends. Any compensation or stipend owed to a Board or Commission member for attending a regular or special meeting in Fiscal Year 2013 *shall* be paid from the budget of the department or agency responsible for the administrative support and operations of such Boards or Commissions. 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 15. 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 2013.

(a) Subject to Chapter 5, 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 and the Public Defender Service Corporation 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 let 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 and the Executive Director of the Public Defender Service Corporation *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 Department of Mental Health and Substance Abuse 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 16. 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 Department of Mental Health and Substance Abuse; 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 at the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, and the Department of Public Health and Social Services; Village Mayors and Vice Mayors; GFD and EMS officials; on-call emergency management personnel; the Chief Medical Examiner, and the Guam Visitors Bureau. The restrictions of this Section *shall not* apply to wireless internet services, stationary (non-mobile) wireless telephone services, 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.

A 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 17. 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 to the Speaker of *I Liheslaturan Guåhan*, *no later than* June 30 of each year, the actual number of program completers and/or certificates issued for each 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 18. §4302.3 of Chapter 4, Article 3, Title 4 GCA is hereby *amended* to read:

"**§4302.3. Creation of the Section 2718 Fund**.

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Section 2718 Fund (hereinafter Fund). The Fund *shall* be separate and apart from all other funds of the government of Guam, *shall* be kept in a separate bank account, and *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan*, or any inter-fund transfers.

(b) All proceeds from rebates paid to and entitled to the government of Guam pursuant to Section 2718(b)(1)(A) of the Public Health Services Act, as amended by the Patient Protection and Affordable Care Act (PPACA), Public Law 111-148, *shall* be deposited in the Fund.

(c) All proceeds from reductions in quarterly premiums for non-compliance with the requirements of Public Law 30-93 relative to disclosure of detailed claims utilization and cost information, *shall* be deposited in the Fund.

(d) Notwithstanding the general provisions of § 22406, Title 5 GCA which require that unused and de-appropriated funds revert to the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds appropriated from the Fund *shall*, in all circumstances, and whether in whole or in part, be returned to the Section 2718 Fund, and *not* the General Fund.

(e) Notwithstanding the provisions of Title 5 GCA, §21103, §21107 and §21110 or any other provision of Guam law to the contrary, all interest earned on the Fund *shall* be returned to the Fund.

(f) The Director of Administration *shall* submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned, collected, and expended from the Fund, and *shall* post such report on the Department's website.

(g) All proceeds as a result of an Experience Refund or a positive Actual Experience from the Experience Participation provisions in the Health Insurance Contract between the Health Insurance Provider and the government of Guam *shall* be deposited into the Fund. For the purposes of this Subsection (g), *Target Experience* means the amount calculated by multiplying (1) the total premiums earned by the Health Insurance Provider for the full twelve (12)-month Plan Year ending the last day of the fiscal year under the Participating Policies issued to the government of Guam with respect to such Plan Year, by (2) a percentage not lower than eighty-six percent (86%); *Actual Experience* means an amount calculated by subtracting from the Target Experience all claims incurred during such Plan Year under all the Participating Policies; and Experience Refund means a positive Actual Experience."

Section 19. Monthly Income Tax Refund Efficient Payment Trust Fund Bank Statements. A new (c) is hereby *added* to §51106 of Chapter 51, Title 11 GCA to read:

"(c) Beginning with the month ended August 2012, the Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund monthly bank statements to the Speaker of *I Liheslaturan Guåhan* and

the Office of Finance and Budget *no later than* twenty-five (25) days after the end of each month. The Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund bank statements for the months of January 2011 through July 2012 to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *no later than* ten (10) days after the enactment of this Act."

Section 20. Annual Tax Credit Reports. A new Subsection (g) is hereby *added* to §1107 of Chapter 1, Title 11 of the Guam Code Annotated to read as follows:

"(g) Shall submit an annual report by July 15th of each year detailing all transactional information and amounts of any tax credits, rebates, abatements and offsets used from July 1 of each preceding year through June 30 of the following year to the Office of Finance and Budget, the Speaker of *I Liheslaturan Guåhan* and *I Maga'lahen Guåhan*."

Section 21. Notwithstanding any other provision of the law, the effective date contained in Public Law 31-136 *shall* be extended to March 17, 2013. Section 4 of Public Law 31-136 is hereby *amended* to read:

"**Section 4. Effective Date.** This Act *shall* take effect on March 17, 2013."

Section 22. Host Community Fund. §511006 of Article 10 of Chapter 51, Title 10 Guam Code Annotated, is hereby *amended* to read:

"**§511006. Host Community Fund Management.**

The management of the Host Community Fund *shall* be the responsibility of the Department of Administration. No expenditure shall be made from the Fund that is not approved by resolution of the Host Community Municipal Planning Councils. The Host Community Fund *shall*

be subject to periodic audit by the Office of Public Accountability, and *not* subject to any transfer authority."

Section 23. Annuity Payments Authorized. §8121(a) of Chapter 8, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(a) A retired member who subsequently becomes an employee eligible for membership under §8106 of this Title *prior* to January 1, 1999, *shall*, upon becoming so employed, have that member's right to receive payment of that member's annuity suspended for the duration of that member's employment, but all other rights pertaining to that member's annuity provided by this Article, including automatic increases therein, *shall* be retained by that member. The provisions of this Section *shall not* be applicable to any retired Judge or Justice designated and assigned by the Chief Justice to perform judicial duties in the courts of Guam as provided for in §6115 of Title 7 GCA, or any person employed by the Department of Education in Guam schools, as a substitute teacher or as a Certified Augmentation Teaching Service (CATS) employee as that term is defined by Title 17 GCA, §3127(b). Such employment *shall* be subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to any certified, registered or licensed health care professional, or ancillary service personnel, employed by the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, the Department of Public Health and Social Services, academic faculty positions at the University of Guam and the Guam Community College, or a limited term police officer employed by the Guam Police Department, to include Police Officers I, II, III and Sergeant I & II, performing duties such as patrol officers, narcotic officers, criminal investigators and school resource

officers; provided, that such person(s) occupies such positions for which *no* other qualified/certified applicants was available, and that such employment *shall* be on a fiscal year basis; subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to employee(s) of the Office of the Governor, employee(s) of the Office of the Lieutenant Governor, unclassified employee(s) appointed by the Governor of Guam, unclassified employees of the Judiciary of Guam who are appointed by the Chief Justice, with the approval of the Judicial Council, specifically the Administrator of the Courts, Deputy Administrative Director, Director of Policy Planning and Community Relations, Clerk of the Supreme Court, Clerk of the Superior Court, Marshal of the Court and Chief Probation Officer, and heads of autonomous agencies appointed by a governing board. An employee of the Governor or Lieutenant Governor's Office or unclassified employee appointed by the Governor of Guam, unclassified employees of the Judiciary of Guam who are appointed by the Chief Justice, with the approval of the Judicial Council, specifically the Administrator of the Courts, Deputy Administrative Director, Director of Policy Planning and Community Relations, Clerk of the Supreme Court, Clerk of the Superior Court, Marshal of the Court and Chief Probation Officer, and heads of autonomous agencies appointed by a governing board who has previously retired *shall* become a member of the Defined Contribution Retirement System."

Section 24. Guam Fire Department Firefighter Recruitment Eligibility List of Fiscal Year 2011 Extended.

(a) Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Fire Department initiated a Firefighter Recruit recruitment cycle during

Fiscal Year 2011, wherein applicants were rated and selected. *However*, the attempted recruitment cycle did *not* move forward in a timely manner, and subsequently encountered fiscal issues with the end of the Fiscal Year and the lapse of authorized funding.

I Liheslaturan Guåhan further finds that the top thirty (30) applicants were notified that they had been selected, and anticipated commencing training. This led to some of the selectees providing notification to their employers that they had been selected, and consequently, that they resigned. The applicants, in good faith, had paid the requisite costs for drug testing and other expenses. However, they were subsequently notified that due to fiscal constraints the recruitment cycle was on hold, but that they were still being maintained on the list. This led to a protracted waiting period, with many not being able to return to their prior place of employment, causing financial hardship for them and their families.

It is the intent of *I Liheslaturan Guåhan* that the top thirty (30) of those selected in the attempted Fiscal Year 2011 Firefighter recruitment cycle *shall* maintain their same rating and standing on the eligibility selection list, *unless* they choose not to participate, and/or some extenuating circumstance or event would prohibit or negate their ability to participate.

(b) Guam Fire Department Firefighter Recruitment Eligibility List of Fiscal Year 2011 Extended. Notwithstanding any other provision of law, rule or regulation, the top thirty (30) Firefighter recruit selectees chosen in the attempted Fiscal Year 2011 Firefighter recruitment cycle application, review and selection process conducted by the Guam Fire Department *shall* continue to maintain their same standing and placement on the eligibility list. And to that end, the applicability of the eligibility list is hereby extended, and the selectees *shall* be given first priority for the Firefighter Recruitment Cycle funded pursuant to Chapter V, Section 1 (aa)(2) of this Act, *unless* they choose *not* to participate,

and/or some extenuating circumstance or event would prohibit or negate their ability to participate. In the event a selectee chooses *not* to participate or is otherwise unable to participate, then the next highest rated eligible applicant on the eligibility list *shall* be selected.

Section 25. Anticipated Telecommunication Services Savings to Pay for Tax Refunds. The Executive Branch of the government of Guam anticipates a reduction in cost to its telecommunication services contract, which is scheduled to commence at the start of Fiscal Year 2013. At the awarding of contract and the implementation of services, any and all savings realized are hereby appropriated to pay for 2012 tax refunds and prior.

(a) *No later* than September 20, 2012, the Bureau of Budget and Management Research *shall* create object class 363 "Telephone/Toll" accounts for every executive branch agency and allocate the required appropriations for said agencies based on the current telecommunications services contract in object class 363.

(b) *No later* than September 30, 2012, the Bureau of Budget and Management Research *shall* submit a report to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, of all accounts created pursuant to Subsection (a) and the appropriations levels allocated for each account.

(c) The Department of Administration *shall* provide a written report to *I Liheslaturan Guåhan* detailing the actual amount of the telecommunications contract, the amount of any savings realized from said contract through reductions to appropriation levels identified in Subsection (b), and validation that said savings were allocated toward the payment of tax refunds.

Section 26. GARVEE Bonds Authorized.

(a) A new §1516 of Title 5, Guam Code Annotated is hereby *added* to read as follows:

"§ 1516. (a) Legislative Findings and Intent. *I Liheslaturan Guåhan* hereby finds as follows:

(1) Federal law authorizes states and territories to issue Grant Anticipation Revenue Vehicle (GARVEE) bonds, which are payable from expected Title 23 Federal-aid grants from the U.S. Department of Transportation.

(2) Utilizing GARVEE bonds to finance highway construction projects eligible for Title 23 funding from the Federal Highway Administration (FHWA) can result in significant cost savings since projects can be completed at present-day costs, allows Guam to maintain its local highway construction capability by keeping it actively employed, and enables Guam to avoid the potential cost inflation that may accompany the military build-up.

(3) Funding transportation projects with grant anticipation bonds will also enable completion of highway construction projects, or preliminary components thereof, during this lull prior to the military build-up.

(4) The borrowing rates for grant anticipation bonds are near their all-time historical lows, presenting Guam with a unique opportunity to fund its transportation projects at a favorable cost of capital.

(5) Bonds to be repaid solely with the proceeds of special purpose federal grants are not "public indebtedness" within the meaning of the debt limitation provisions of the Guam Organic Act, 48 U.S.C. § 1423a.

(6) Therefore, it is in the best interest of Guam to develop these innovative methods for funding and accelerating critical transportation infrastructure projects.

(b) Grant Anticipation Revenue Vehicle (GARVEE) Bonds for Highways.

(1) Authorization of Issuance of GARVEE Bonds. The Governor of Guam is authorized to issue one or more series of grant anticipation notes or bonds of the government of Guam in an aggregate principal amount not to exceed Seventy-Five Million Dollars ($75,000,000) for the purpose of implementing the Capital Improvement Highway Projects described in Subsection (11) of this Section, funding debt service reserves and paying expenses incurred in connection with the issuance of such bonds; *provided*, however, that the issuance of the notes or bonds *shall not* cause a violation of the debt limitation provisions of 48 U.S.C. § 1423a.

(2) Terms and Conditions Determined by Indenture. As hereafter used in this Section, the term "bonds" includes notes, bonds and other evidences of indebtedness. The terms and conditions of the bonds *shall* be as determined by the Governor by the execution of an indenture securing the bonds upon or prior to the issuance of the bonds. The indenture *shall* contain such terms and conditions as are consistent with this Section.

(3) Valid and Binding Obligation. Any bonds authorized by this Section *shall* constitute the valid and legally binding limited obligations of the government of Guam payable solely from and secured by a pledge of the revenues pledged pursuant to Subsection (4) of this Section. The validity of any such bonds *shall not* be affected by the validity or regularity of any proceedings for the implementation of Capital Improvement Highway Projects funded by the new bonds.

(4) Pledge of Grant Revenues; Not a General Obligation. All or any part of amounts apportioned to the government of Guam by the United States Department of Transportation or its successor may be pledged to

secure the repayment of any bonds issued under this Section and to pay costs incurred in connection with the issuance or administration of the bonds. Pledged revenues may include, but are *not* limited to, amounts paid to the government of Guam pursuant to Chapter 1 of Title 23, United States Code, Highways, as amended and supplemented from time to time (Title 23), any successor to or replacement of Title 23, and any other provision of federal law authorizing federal funding of highways in Guam. Any pledge made to secure the bonds *shall* be valid and binding from the time the pledge is made. The revenues pledged and thereafter received by the government of Guam or by any trustee, depository or custodian *shall* be deposited in a separate account and *shall* be immediately subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of such pledge *shall* be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the government of Guam or such trustee, depository or custodian, irrespective of whether the parties have notice thereof. The indenture or agreement by which such pledge is created need not be recorded. All such revenues, to the extent so pledged, are hereby continuously appropriated for such purpose. The bonds *shall not* be, and *shall* state on their face that they are not, general obligations of the government of Guam.

(5) Authorization of Memorandum of Understanding. *I Maga'lahen Guåhan* may enter into one (1) or more memoranda of understanding on behalf of the government with the Federal Highway Administration, which would, among other things, identify the projects to be financed with proceeds of the bonds and set forth the procedures for calculation, request and payment of pledged revenues to the trustee, depository or custodian.

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

(7) Form of Bonds; Covenants; Appointment of Fiduciaries. The technical form and language of the bonds, including provisions for execution, exchange, transfer, registration, paying agency, lost or mutilated bonds, negotiability, cancellation and other terms or conditions not inconsistent with this Section, including covenants relating to the administration of grant programs and the handling of revenues, shall be as specified in the indenture approved by the Governor, authorizing the issuance of the bonds. The indenture may appoint one or more trustees or other fiduciaries authorized to receive and hold in trust the proceeds of the bonds and revenues relating thereto, to protect the rights of bondholders and to perform such other duties as may be specified in the indenture. The Governor is also authorized to execute, on behalf of the government of Guam, any appropriate agreements, certificates or other instruments relating to the bonds and the sale thereof.

(8) Authorization for Credit Enhancement. The Governor is authorized to enter into such contracts or agreements with such banks, insurance companies or other financial institutions as he determines are necessary or desirable to improve the security and marketability of the bonds issued under this Section. Such contracts or agreements may contain an obligation to reimburse, with interest, any such banks, insurance companies or other financial institutions for advances used to pay principal or interest

on the bonds. Any such reimbursement obligation *shall* be payable solely from, and may be secured by a pledge of, the revenues described in Subsection (4) of this Section.

(9) Use of Proceeds from the Sale of the Bonds. Proceeds from the sale of the bonds *shall* be used solely to implement the Capital Improvement Highway Projects described in Subsection (11) of this Section, to fund a debt service reserve fund, if any, and to pay expenses relating to the authorization, sale and issuance of the bonds, including, without limitation, printing costs, costs of reproducing documents, credit enhancement fees, if any, underwriting, legal and accounting fees and charges, costs of credit ratings and other costs, charges and fees in connection with the issuance, sale and delivery of the bonds. Any earnings derived from the investment of bond proceeds, and any bond proceeds *not* required for the completion of the Capital Improvement Highway Projects may be used by the Department of Public Works to purchase equipment and supplies to maintain Guam's highways.

(10) No Personal Liability. No employee or elected official of the government of Guam shall be individually or personally liable for the payment of any amounts due on any bonds issued under this Section, or for any other liability arising in connection with the bonds; *provided, however*, that nothing in this Section shall relieve any employee or elected official from the performance of any ministerial duty required by law.

(11) Expenditure of Proceeds.

i. **Project Groups.** The 2030 Guam Transportation Plan (GTP) identifies highway projects that need to be undertaken to improve Guam's highway infrastructure.

Highway projects to be funded under this Chapter are categorized into two (2) groups: Group 1 and Group 2.

a. Group 1: eligible highway projects identified in the 2030 GTP that are deemed high priority and require funding immediately. *(The projects are listed in alphanumeric order as a matter of form, and the Group 1 list is not to be construed as an order of implementation priority).*

b. Group 2: eligible highway projects identified in the 2030 GTP that may be undertaken using:

   i. excess fund balances from completed Group 1 projects and *not* needed or insufficient for the completion of remaining Group 1 project(s), or

   ii. funds reprogrammed from a Group 1 project that *cannot* be completed within a reasonable time due to technical or regulatory constraints.

ii. The proceeds *shall* be expended for the following Capital Improvement Highway Projects:

GROUP 1

a. Route 14B *(Ypao Road)* – Reconstruction and Widening:

   i. Phase 1, From Rte-1 to Carmen Memorial Drive (near SDA),

   ii. Phase 2, from Carmen Memorial Drive to Rte-14B/Rte-14 (San Vitores Road).

b. Route 27 (aka Adrian Sanchez Rd or Hamburger Rd) – Reconstruction, Widening, and Drainage

Improvements from Rte-1 to Rte 16, and signalization at Rte-1/Rte-27 intersection.

c. **Tiyan Parkway** – Construction, Phase 1 (from old GPD Headquarters, westward to Rte-8 vic. Cars Plus).

GROUP 2

a. **Route 10A** (Airport Road) – Reconstruction and Widening.

b. **Route 14** (Chalan San Antonio, Rte-1 to Archbishop Felixberto Flores Circle) – Resurfacing

c. **Route 17** (Cross-island Road) - Rehabilitation and widening, Phase 2B (Rte-5/Rte-17 to Rte-17/Rte-4A intersections).

d. **Route 26** (Macheche Hill) – Reconstruction and Widening from Rte-1 to Rte 15.

e. **Mass transit improvements**.

In the event that one (1) or more of the Capital Improvement Highway Projects listed in Group 1 or Group 2 of this Subsection (11) is completed at a cost that is lower than current estimates, or that logistics in construction or other events cause one (1) or more other Capital Improvement Highway Projects to be ready for construction prior to the Capital Improvement Highway Projects listed above in Group 1 or Group 2 of this Subsection (11), then the proceeds of the bonds may also be expended on such other or additional Capital Improvement Highway Projects as are approved by the Federal Highway Administration for financing with proceeds of the bonds pursuant to a new or amended memorandum of understanding (as described

in Subsection (5) of this Section) with *I Maga'lahen Guåhan*. Any earnings derived from the investment of bond proceeds, and any bond proceeds *not* required for the completion of all of the Capital Improvement Highway Projects, *shall* be used as required or permitted by federal law on transportation related projects, subject to an appropriation by the Legislature.

(12) Approval by Guam Economic Development Authority. Subsection (k) of §50103 of Title 12 of the Guam Code Annotated provides that agencies and instrumentalities of the Government *shall* issue bonds and other obligations only by means of and through the agency of the Guam Economic Development Authority (GEDA). No issue of bonds authorized by this Section shall be sold until the Board of Directors of GEDA has adopted a resolution approving the sale of such issue.

(13) Approval by Legislature of Government of Guam Grant Anticipation Bonds. *I Liheslaturan Guåhan*, pursuant to Subsection (k) of §50103 of Title 12 of the Guam Code Annotated, hereby approves the issuance and sale by the government of Guam of bonds pursuant to this Section in one or more series or issues; *provided* that such notes or bonds *shall* have an aggregate principal amount not to exceed Seventy-Five Million Dollars ($75,000,000), *shall* have a final maturity *not later than* twenty (20) years from their date of initial issuance, *shall* bear interest at such rate or rates and *shall* be sold for such price or prices as *shall* result in a net yield to the bondholders *not exceeding* seven percent (7.0%) per annum, *shall* be issued and sold in the manner, for the purposes and subject to the requirements and limitations provided in this Section. Net yield to the bondholders *shall* be calculated by subtracting interest subsidy amounts, if any, to be received from the United States in connection with such bonds from the amount of interest to be paid to bondholders."

Section 27. An Act To Approve The Terms And Conditions Of Guam Power Authority Revenue Bonds To Refund And Restructure Certain Guam Power Authority Revenue Bonds; And To Approve The Terms And Conditions Of Guam Power Authority Subordinate Revenue Bonds To Terminate And Retire The Obligations Of The Authority Under Certain Forward Purchase Agreements Relating To The Investment Of The Authority's Bond Reserve Fund.

A new §8113.14 is hereby *added* to Article 2, Chapter 8, Title 12 GCA to read :

"§8113.14.

(a) Legislative Findings and Intent.

(1) *I Liheslaturan Guåhan* finds that §8203 of Title 12 of the Guam Code Annotated provides that the Guam Power Authority (GPA) is authorized to incur indebtedness by the issuance of revenue bonds with the approval of *I Maga'lahi* (the Governor) to raise funds for the purpose of establishing the electric power system of GPA, or of acquiring lands for the system, or of acquiring, constructing, improving, equipping, maintaining, repairing, renewing, replacing, reconstructing or insuring the system, or any part thereof, or for the purpose of refunding any such bonds, or for any combination of such purposes.

(2) §12004 of Title 12 of the Guam Code Annotated provides that GPA *shall not* enter into any contractual agreements or obligations (including bonds) that could increase rates and charges prior to the written approval of the Guam Public Utilities Commission (the GPUC).

(3) §50103 of Title 12 of the Guam Code Annotated provides that public corporations of the government of Guam, including GPA, *shall* issue bonds and other obligations only by means of, and through the agency of the Guam Economic Development Authority (GEDA), and that GEDA *shall not* sell any bond without the approval by *I Liheslaturan Guåhan* of the terms and conditions of the bonds.

(4) The Consolidated Commission on Utilities (CCU) has been exploring opportunities to reduce debt service costs for nearly a decade and the primary point of focus has been the Marianas Energy Corporation (MEC) plant contract which is financed over a twenty (20) year period even though the useful life of the plant is estimated to be forty (40) years. This short-term financing has placed a high burden on existing ratepayers to repay this debt faster than usual, with the highest debt payments emerging between 2012 and 2018.

(5) While the CCU has concluded that the MEC contract *cannot* be refinanced on terms beneficial to GPA customers, GPA has developed an alternative finance strategy to accomplish the same purposes as the savings from an MEC refinancing wherein GPA would refinance and restructure its currently outstanding bonds in order to reduce debt service costs by approximately $8 Million Dollars per year through 2018, at which time the Independent Power Producer contracts, including the MEC contract, will terminate.

(6) This estimated $8 Million Dollars annual savings would provide current relief to ratepayers when they need it most, and significantly reduce the impact of current rate increases on GPA customers. The GPUC recently approved a May 1 base rate increase

that would yield an estimated $9.1 Million Dollars per year in revenues to GPA. The proposed refinancing and restructuring contemplated by this legislation would effectively roll back nearly all of the recently approved rate hike.

(7) Based on historic low interest rates and current market conditions, GPA expects to be able to refinance certain maturities of its outstanding 1993 Series A and 1999 Series A revenue bonds for debt service savings, but in any event desires to refinance certain maturities of such bonds in order to restructure debt service in a manner that results in more level total payments for capital costs, taking into account GPA's current contract with Marianas Energy Company, which requires much higher capital payments through January, 2019.

(8) GPA entered into forward delivery agreements with Lehman Brothers and Bank of America for the investment of certain funds relating to its outstanding 1993 Series A and 1999 Series A revenue bonds, and it is necessary and desirable to terminate and retire one (1) or more of those agreements in connection with such refinancing and restructuring of the outstanding 1993 Series A and 1999 Series A revenue bonds.

(9) As a result of the potential savings to ratepayers, on June 5, 2012, the Consolidated Commission on Utilities (the CCU) adopted a resolution relative to (1) approving the issuance of additional senior revenue bonds to refund all or a portion of the outstanding Guam Power Authority Revenue Bonds 1993 Series A and 1999 Series A, and (2) approving the issuance of subordinate revenue bonds to

terminate and retire all or a portion of the outstanding GPA obligations under the forward delivery agreements.

(10) In order to benefit ratepayers, *I Liheslaturan Guåhan* has determined to approve the issuance of revenue bonds by GPA for the purposes described in subparagraph (1) of the preceding paragraph and the issuance of subordinate revenue bonds by GPA for the purpose described in subparagraph (2) of the preceding paragraph, all subject to approval by *I Maga'lahen Guåhan*, the GPUC and the Board of Directors of GEDA in accordance with law."

(b) Approval of the Terms and Conditions of GPA Refunding Bonds. *I Liheslaturan Guåhan*, pursuant to §50103(k) of Title 12 of the Guam Code Annotated, hereby approves the terms and conditions of the issuance of senior revenue bonds by GPA for the purpose of refunding all or a portion of GPA's outstanding 1993 Series A and 1999 Series A revenue bonds (all or such portion of such revenue bonds being referred to herein as the "prior bonds") in accordance with the following requirements, limitations, terms and conditions:

(1) The aggregate principal amount of the refunding bonds *shall not* exceed the sum of (i) the amount determined in accordance with §8229 of Title 12 of the Guam Code Annotated, plus (ii) any additional amount needed to provide for a deposit to the debt service reserve in connection with the issuance of the refunding bonds.

(2) All obligation of GPA to pay debt service on, and the redemption price of, the prior bonds *shall* be discharged concurrently with the issuance of the refunding bonds. Thereafter, the prior bonds *shall* be payable solely from and secured solely by an escrow established for such purpose in accordance with GPA's existing bond indenture.

(3) The final maturity of the refunding bonds *shall not* be greater than the final maturity of the 1999 Series A revenue bonds.

(4) Such bonds *shall* be issued and sold pursuant to GPA's existing bond indenture, *shall* be held by the Trustees of the existing bonds and *shall* be in compliance with the provisions of Chapter 8 of Title 12 of the Guam Code Annotated, including approval by the CCU and by *I Maga'lahen Guåhan* as provided therein.

(5) The sale of the bonds *shall* be approved by the Board of Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code Annotated and the terms and conditions of the issuance of the bonds *shall* be approved by the GPUC as provided by Chapter 12 of Title 12 of the Guam Code Annotated.

(6) GPA's outstanding 1993 Series A and 1999 Series A revenue bonds maturing in calendar years 2012 through 2018, inclusive, may be refinanced with a portion of the proceeds of the bonds approved in this Section, provided that such refinancing results in GPA's ability to petition the GPUC to reduce rates during the years of the maturities being refinanced without such rate reduction resulting in the violation of any bond indenture covenants.

(7) Any of GPA's outstanding 1993 Series A and 1999 Series A revenue bonds may be refinanced with a portion of the proceeds of the bonds approved in this Section, provided that the present value of debt service for each maturity of such refinancing bonds shall not exceed the present value of debt service for each maturity of such refinanced bonds, using the yield on the refinancing bonds as the discount rate."

(c) Approval of the Terms and Conditions of GPA Subordinate Revenue Bonds to Terminate and Retire the Obligations of GPA under Certain Forward Delivery Agreements.

(1) *I Liheslaturan Guåhan*, pursuant to §50103(k) of Title 12 of the Guam Code Annotated, hereby approves the terms and conditions of GPA subordinate revenue bonds in a principal amount *not to exceed* Twenty Million Dollars ($20,000,000) for the purposes listed in Subsection (3) of this Section, *provided*, that such bonds have a final maturity *not later* than October 1, 2027, bear interest at such rate or rates and are sold for such price or prices as *shall* result in a net interest cost *not exceeding* the limitation provided by §8214 of Chapter 8 of Title 12 of the Guam Code Annotated, as amended, are issued and sold in accordance with the provisions of Chapter 8 of Title 12 of the Guam Code Annotated, including approval by the CCU and by *I Maga'lahen Guåhan* as provided therein.

(2) The sale of the subordinate bonds *shall* be approved by the Board of Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code Annotated and the subordinate bonds *shall* be approved by the GPUC as provided by Chapter 12 of Title 12 of the Guam Code Annotated.

(3) The proceeds of the subordinate bonds may be applied to pay for the costs of issuance of the subordinate bonds, for credit enhancement therefore, to provide for reserves and to pay the costs of terminating and retiring GPA's obligations under the forward delivery agreements for the investment of certain funds relating to its outstanding 1993 Series A and 1999 Series A revenue bonds, subject

in each case to approval by the GPUC of such purpose in accordance with Chapter 12 of Title 12 of the Guam Code Annotated."

(d) Prompt Ratepayer Relief. Within thirty (30) days after the issuance of the bonds approved by this Section, GPA *shall* petition the PUC for a resetting of GPA's revenue requirement that takes into account the savings in debt service which results from the refunding. The intention of the *I* Liheslatura (the Legislature) is to provide prompt ratepayer relief that takes into account the savings resulting from the refunding."

Section 28. Authorization for Legal Services for the Department of Public Works and the PEALS Board. The Department of Public Works (DPW) and the Guam Board of Professional Engineers, Architects and Land Surveyors (PEALS) may enter into a Memorandum of Understanding (MOU) to jointly fund an Assistant Attorney General to specifically provide legal services to DPW and the PEALS Board *only*.

Pursuant to the MOU between DPW and the PEALS Board, DPW and the PEALS board may jointly enter into an MOU with the Office of the Attorney General to provide such legal services. DPW and PEALS Board *shall* reimburse the Office of the Attorney General for such services in equitable proportions from their respective funds.

Section 29. Academy Charter School Reports. § 12107 (n) of Chapter 12 of Title 17 Guam Code Annotated is hereby *amended* to read as follows:

"(n) An Academy Charter School *shall* submit an annual report *no later than* thirty (30) days after the end of the fiscal year to the Council, the Superintendent of Education, the Guam Education Board, *I Liheslaturan Guahan* and *I Maga'lahen Guahan*. The Academy Charter School *shall* permit the public to review any such report upon request. A report *shall* include the following data:

(1) a report on the extent to which the school is meeting its mission and goals as stated in the petition for the Academy Charter School;

(2) student performance on any district-wide assessments;

(3) grade advancement for students enrolled in the Academy Charter School;

(4) graduation rates, college admission test scores, and college admission rates, if applicable;

(5) types and amounts of parental involvement;

(6) official student enrollment;

(7) average daily attendance;

(8) annual financial audit and subsequent fiscal year annual financial audits, a financial statement audited by the Public Auditor;

(9) a report on school staff indicating the qualifications and responsibilities of such staff; and

(10) a list of all donors and grantors that have contributed monetary or in-kind donations having a value equal to or exceeding Five Hundred Dollars ($500) during the year that is the subject of the report.

(11) Data described in items (1) through (8) of this Subsection *shall not* identify the individuals to whom the data pertain."

Section 30. Guam Academy Charter Schools Council; Membership. §12111 of Chapter 12 of Title 17 Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 12111. Guam Academy Charter Schools Council; Membership; Terms; Compensation.**

(a) There is established the Guam Academy Charter Schools Council. The Council *shall* consist of eight (8) voting members, and *shall* include:

(1) one (1) retired teacher;

(2) one (1) retired school administrator;

(3) two (2) members with accounting or finance background;

(4) three (3) members from the general public; and

(5) the Superintendent of Education.

(b) With the exception of the Superintendent of Education, members *shall* be appointed by *I Maga'lahen Guåhan*, subject to confirmation by *I Liheslatura*. With the exception of the Superintendent of Education, members *shall* serve a term of three (3) years.

(c) The Council *shall* each year elect a chairman and other officers as it deems necessary among its membership.

(d) Members of the Council *shall* be paid Fifty Dollars ($50) per meeting, *not to exceed* One Hundred Fifty Dollars ($150) per month. The Superintendent of Education *shall not* be compensated for his/her service as a member of the Council.

(e) Clerical and administrative support *shall* be provided by the Guam Certification Office.

(f) The Council *shall* utilize the Office of the Attorney General of Guam as its legal counsel, unless the Attorney General, in writing, authorizes the Council to utilize private counsel."

Section 31. Creation of Mental Health and Substance Abuse Services Fund. A new §86111 is hereby *added* to Chapter 86 of Title 10 of the Guam Code Annotated to read as follows:

"**§ 86111. Mental Health and Substance Abuse Services Fund.**

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Mental Health and Substance Abuse Services Fund (hereinafter Fund). The Fund *shall* be separate and apart from all other funds of the government of Guam, *shall* be kept in separate bank account, and *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan* or any inter-fund transfers.

(b) All proceeds from the collection of any fees by the Department of Mental Health and Substance Abuse *shall* be deposited into the Fund.

(c) Notwithstanding the general provisions of § 22406 of Title 5 GCA which require that unused and de-appropriated funds revert to the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds appropriated from the Mental Health and Substance Abuse Services Fund *shall*, in all circumstances, and whether in whole or in part, be returned to the Mental Health and Substance Abuse Services Fund.

(d) Notwithstanding the provisions of § 22103, § 21107, and § 21110 of Title 5 GCA or any other provision of Guam law to the contrary, all interest earned on the Mental Health and Substance Abuse Services Fund *shall* be returned to the Mental Health and Substance Abuse Services Fund.

(e) The Director of Administration *shall* submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned, collected and expended from the Mental Health and Substance Abuse Services Fund and *shall* post such report on the Department's website."

Section 32. Transfer Of Foreign Nationals Imprisoned In Guam To Country Of Citizenship. A new Article 5 is hereby *added* to Chapter 90 of Title 9 GCA, to read:

"Article 5. Transfer Pursuant to Treaty.

§95.10. When a treaty is in effect between the United States and a foreign country that provides for the transfer of convicted offenders who are citizens or nationals of the foreign country, upon the recommendation of the Attorney General of Guam, *I Maga'lahen* Guåhan (the Governor of Guam) or the Director of the Department of Corrections, if designated by *I Maga'lahi* (the Governor), on behalf of the island and subject to the terms of the treaty; may consent to the transfer of the convicted offenders who are under the jurisdiction of the Department of Corrections to the place or jurisdiction specified in the treaty. *I Maga'lahen Guåhan* (the Governor) may take any other action necessary to initiate the participation of this territory in the treaty."

Section 33. DPW Building And Design Fee Revolving Account. §66409(c) of Article 4, Chapter 66 of Title 21, Guam Code Annotated, is hereby *amended* to read:

"(c) Creation of Revolving Fund. On the effective date of this Section, a revolving fund, designated as the "DPW Building and Design Fee Account", *shall* be established separate and apart from other funds of the government of Guam, and separate records *shall* be kept therefore. All fees collected for plan checking reviews by the Department of Public Works *shall* be deposited into the Fund, and *shall not* lapse at the end of the fiscal year but *shall* rollover into the next fiscal year or until expended. The Director of Public Works *shall* administer the Fund and *shall* issue vouchers properly certifying the use of the Fund's monies. The monies deposited in the Fund *shall* be expended *only* for the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section. The Director *shall* comply with all existing reporting requirements by issuing a quarterly accounting of the Fund to *I Maga'lahen*

Guåhan, I Liheslaturan Guåhan and the Office of Public Accountability. The Director *shall* ensure the DPW Building and Design Fee Account Fund is in compliance with all existing statutes, rules and regulations, codes, executive orders, and any other authority which is applicable to the Department of Public Works Division of Engineering-Capital Improvement Project Building Permits and Inspection Section. All monies in the Fund *shall* require legislative appropriation, and are *not* subject to *I Maga'lahi's* transfer authority. The funds deposited into the "DPW Building and Design Fee Account" *shall* be subject to legislative appropriation."

Section 34. UOG, GCC and DOE Exemption From The Guam State Clearinghouse. §2101.1 (f) of Chapter 2 of Title 5, Guam Code Annotated is hereby *amended* to read:

"(f) With the exception of the Guam Community College, the University of Guam, and the Guam Department of Education, and notwithstanding any other provision of law to the contrary, no application for any Federal aid programs, grants, loans, contracts, contributions, advances, direct Federal development, or other Federal funding shall be submitted or deemed approved on behalf of the government of Guam or any agency, division, office, department or instrumentality thereof, or any public corporation, without the final approval of the Director of the Guam State Clearinghouse."

Section 35. UOG, GCC and DOE Exemptions And Guam State Clearinghouse Duties. §2101.3 of Chapter 2 of Title 5, Guam Code Annotated, is hereby *amended* to read:

"**§ 2101.3. UOG, GCC and DOE Exemptions.**

The University of Guam, the Guam Community College, and the Department of Education *shall* be exempted from the provisions prescribed

in Title 5 GCA §§ 2101, 2101.1 and 2101.2. However, the Presidents of the University of Guam and the Guam Community College, and the Superintendent of the Department of Education *shall* separately perform the following duties and responsibilities:

(a) administer the initiation, coordination and review process of all activities within the institution involving Federal financial assistance;

(b) ensure that grant proposals for Federal assistance are in accordance with plans, policies, programs, objectives and procedures of the government of Guam;

(c) ensure that proposed projects for which Federal financial assistance is sought are fiscally and environmentally sound and are in compliance with all applicable Federal laws;

(d) ensure that the institution complies with all applicable Federal laws relating to Federal financial assistance, and that there exists sound tracking, management, and financial accountability for all Federal Programs awarded to the institution;

(e) perform cost analysis on all Federal aid programs, grants, loans, contracts, contributions, advances, direct Federal development, or other Federal funding that the institution is applying for, for the financial impact on the institution and the government of Guam's General Fund or special funds used to fund the local matching requirement as prescribed by Federal law; and the financial impact on the institution and the government of Guam for the continuation of the Federal program should the Federal funding expire and require the government of Guam to financially assume the program's operation one hundred percent (100%); and

(f) the Presidents of the University of Guam and the Guam Community College, and the Superintendent of the Department of Education may delegate any of the foregoing duties and responsibilities to any officers or employees of their respective institution."

Section 36. Contact Information For IFB/RFP. Subsection (b) of §5220 of Part 3 of Article 3, Chapter 5 of Title 5 of the Guam Code Annotated, as added by P.L. 31-228 is hereby *amended* to read:

"(b) The procuring agency, and GSA and DPW if applicable, *shall* provide notice in each IFB/RFP announcement that recommends that prospective bidders/respondents register contact information with the agency to ensure that they receive any notices regarding any changes or updates to the IFB/RFP. The procuring agency, and GSA and DPW *shall not* be liable for failure to provide notice to any party who *did not* register contact information."

Section 37. Establishment of the Environmental Public Health Officer Position Series of the Division of Environmental Health, Department of Public Health & Social Services.

(a) Legislative Intent. Public Law 30-138, also known as "*the Environmental Public Health Modernization and Revitalization Act of 2010"*, was enacted on May 17, 2010 with the anticipation that the law would be implemented by December 2010 to improve the operations of the Division of Environmental Health of the Department of Public Health and Social Services so as to better protect the public's health from environmental hazards through the creation of a new position series with increase qualification standards and the application of a competitive salary to promote the recruitment and retention of employees in these positions. Because *I Liheslaturan Guåhan* has yet to receive the proposal for the

creation of new Environmental Public Health Officer positions, which was due September 2010, *I Liheslaturan Guåhan* has found it necessary to amend P.L. 30-138 to help expedite the process, and also address the key concerns expressed by the Department of Administration and the Department of Public Health and Social Services about the law, such as the need to further clarify and expand the qualification standards of the new positions, reclassification of existing personnel, and the appropriate compensation for the new positions.

(b) § 6233 of Article 2, Chapter 6 of Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

"**§6233. Establishment of the Environmental Public Health Officer Series.**

The Director of Administration in collaboration with the Department of Public Health and Social Services *shall* establish a new series of positions, called Environmental Public Health Officers, within the Division of Environmental Health to replace the Division's Environmental Health Specialist, Engineer, and Public Health Inspector positions.

The new specifications *shall* be based on the following criteria and then implemented as stated:

(a) The nature of work; summary statement of examples of duties performed; a statement of minimum qualifications; and the minimum knowledge, abilities, and skills needed to perform the work of the Environmental Public Health Officer positions, which *shall* be the various combination of the class specifications of Public Health Inspectors, Environmental Health Specialists, and Engineers that are specific to the

mission and mandates of the Division of Environmental Health of the Department of Public Health and Social Services;

(b) Hierarchical position levels of the Environmental Public Health Officer series *shall* begin with the Environmental Public Health Officer I, followed by Environmental Public Health Officer II, Environmental Public Health Officer III, Environmental Public Health Officer Supervisor, Environmental Health Officer Administrator, and concluding with the Chief Environmental Public Health Officer;

(c) The minimum education requirements of all positions within the Environmental Public Health Officer series *shall* be of the following three (3) standards: a bachelor's degree in any field of study from any accredited college or university; a college algebra course of higher level math; and basic science courses of thirty (30) semester or forty-five (45) quarter hours;

(d) The Director of Administration *shall* reclassify existing Environmental Health Specialists, Engineers and Public Inspectors of the Division of Environmental Health in the Environmental Public Health Officer series in the following manner:

(1) Environmental Health Specialist I and all Public Health Inspectors *shall* be reclassified as an Environmental Public Health Officer I;

(2) Environmental Health Specialist II and Engineer I *shall* be reclassified as an Environmental Public Health Officer II;

(3) Environmental Health Specialist III *shall* be reclassified as an Environmental Public Health Officer III;

(4) Environmental Health Specialist Supervisor *shall* be reclassified as an Environmental Public Health Administrator; and

(5) Environmental Health Specialist Administrator *shall* be reclassified as a Chief Environmental Public Health Officer;

(e) Existing Division of Environmental Health employee reclassified pursuant to §6233(d) *shall* possess the minimum education standards of §6233(c,) *except* that the basic science course requirements may be substituted for a minimum of ten (10) semester or fifteen (15) quarter hours; *however*, the full education requirements of §6233(c) *shall* be met to qualify for any other future position within the Environmental Public Health Officer series;

(f) Existing Division of Environmental Health employees who *do not* possess the minimum education standards of §6233(c), or the substitute standards of §6233(e), *shall* remain in his/her current position until such time the Department of Public Health and Social Services and the Department of Administration complete an evaluation of the employee in determining whether he/she possesses the capabilities to perform the duties and responsibilities of an Environmental Public Health Officer, and

(1) If such employee is deemed capable, the employee *shall* be reclassified into the new position that best reflects his abilities, but *shall* be required to meet the full minimum education qualification standards of §6233(c) for any other future position within the Environmental Public Health Officer series; and

(2) If an employee is deemed unable to perform the duties and capabilities of an Environmental Public Health Officer, he/she *shall* be transferred to another position in the government of Guam in accordance to established laws and rules and regulations;

(g) The Chief Environmental Public Health Officer of the Environmental Public Health Officer series must possess a master's degree in the field of environmental health, environmental science, environmental engineering, biology, chemistry, public health, physical science, or natural sciences; and

(h) A pay structure consistent with a government-wide pay plan, *shall* be implemented for the new position series to provide competitive salaries and compensation to the employees."

(c) **Utilization of the Environmental Health Fund and the DPHSS Sanitary Inspection Revolving Fund.** The appropriated funds from the Environmental Health Fund and the DPHSS Sanitary Inspection Revolving Fund to the Division of Environmental Health may be utilized for the implementation of this law and any other operational needs of the Division.

(d) **Timely Implementation.** The Department of Administration *shall* fully implement the provisions of this Act within forty-five (45) days of its enactment, and failure to do so *shall* authorize the Department of Public Health and Social Services to implement the provisions of this Act where possible, as amended, and *shall* seek necessary retroactive actions from the Department of Administration, including, but not limited to, compensation and personnel action.

Section 38. A new §8113.1 is hereby *added* to Chapter 8 of Title 5 GCA to read:

"§8113.1. Reporting Requirements for Boards and Commissions. The governing Boards and Commissions of *all* agencies, public corporations, and departments of the government of Guam *shall* provide electronic copies of the monthly Board and Commission meeting agendas, approved minutes, and other attachments and addendums as discussed in each monthly meeting, to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) days after the end of said meeting and post the same on its website of the agency, public corporation, or department to which it governs. The audio recording of each meeting *shall be* provided to the Office of Public Accountability within seven (7) calendar days after the meeting. The Office of Public Accountability *shall* post these audio files on its website upon receipt of audio files."

Section 39. A new §22109.1 is hereby *added* to Article 1, Chapter 22 of Title 5 GCA to read:

"§22109.1. On-line Electronic Access to Bank Account Information. *All* banks receiving government funds for deposit in a government bank account established at said bank *shall* provide "READ ONLY" access to such bank accounts via said bank's on-line banking website or via electronic access via other access source provided to the

Department of Administration, to the Office of Finance and Budget, and to the Office of Public Accountability."

CHAPTER XIII

ADMINISTRATIVE PROVISIONS

Section 1. Deficit Reduction. All unpaid prior year obligations, including obligations for tax refunds; vendor payables; back pay for employees or other obligations resulting from judgments or awards approved prior to Fiscal Year 2013 by any regulatory body, court or administrative authority, which remain unpaid at the beginning of Fiscal Year 2013, *unless* otherwise authorized, *shall* be paid from the un-appropriated General Fund revenues collected in excess of appropriations and reserved for deficit reduction pursuant to §22436 of Chapter 22, Article 4, Title 5 GCA. The obligations *shall* be paid in the order of when they were incurred, with the longest outstanding obligation being paid first and so forth. The Department of Administration *shall* transmit a copy of the cumulative prior year obligations on a quarterly basis to *I Maga'låhen Guåhan*, the Speaker of *I Liheslaturan Guåhan*, and the Office of Finance and Budget.

Section 2. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act *may* be expended for the payment of prior years' obligations, provided it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment. The Director of the BBMR *shall* sign a certification letter stating no negative impact and submit it to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *at least* fifteen (15) calendar days before each payment is released. If the Governor declares that the non-payment of prior year's obligation will disrupt essential services to a department or agency, he may utilize Fiscal Year 2013 appropriations for the agency provided BBMR imposes a corresponding reserve and reduces the Department's current year allotment by the same amount.

Section 3. Authorization for Matching Requirements for Federal Grants-in-Aid. All departments are authorized to expend funds appropriated in this Act for matching requirements of Federal grants.

Section 4. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs whose expiration dates extend beyond September 30, 2013 *shall not* lapse and may be expended throughout the period of the grant award.

Section 5. Government of Guam Retirement Fund Rate of Contribution. In accordance with §8137(e) of Chapter 8, Article 1, Title 4 GCA, the government rate of contribution to the Government of Guam Retirement Fund throughout Fiscal Year 2013 *shall* be thirty and nine hundredths percent (30.09%).

Section 6. 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 in 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 7. Revenue Tracking Report. The Director of the Bureau of Budget and Management Research, in collaboration with the Director of Revenue and Taxation and the Director of the Department of Administration, *shall* determine, after the end of each month of the fiscal year, the revenue tracking for the balance of the fiscal year, based upon the actual collections of the preceding month, and prepare a statement comparing "actual" and "projected" revenues. Said statement *shall* be certified as to its accuracy by each of the aforementioned Directors, and submitted to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft

Excel file and a written report, *no later than* thirty (30) days after the end of each month of the fiscal year. Said statements *shall* be posted monthly on the Bureau of Budget and Management Research's website. The Special Economic Service *shall* meet and approve the format of the report no later than October 15, 2012 for Fiscal Year 2013 reporting. The Bureau of Budget and Management Research, in collaboration with the Director of Revenue and Taxation and the Director of the Department of Administration *shall* retroactively re-issue the monthly reports for the previous twelve (12) months based on any changes made by the Special Economic Service for Fiscal Year 2013 reporting.

Section 8. Prior Year Appropriations Report. *I Liheslaturan Guåhan* finds that in order to work effectively to reduce and manage the deficit of the government of Guam, it will need to repeal or de-appropriate past appropriations, which remain outstanding but *not* expended. To assist in this effort, the Department of Administration *shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on January 1, 2013 of all open continuing appropriations from *all* fiscal years prior to 2012, which have *not* been encumbered or fully expended as of the date of the report. Thereafter, quarterly updates to the report *shall* be submitted until unexpended appropriations from prior fiscal years are eliminated by repeal or other operation of law.

Section 9. Exemption from BBMR Allotment Release Control. §1303 of Chapter 1, Article 3, Title 5 GCA, *shall not* apply to *I Liheslaturan Guåhan* (including the Office of Finance and Budget), the Public Defender Service Corporation, the Unified Judiciary of Guam, the Mayors' Council of Guam, and the Office of the Attorney General. Said entities may draw against their respective appropriations as needed to meet their obligations in accordance with a drawdown schedule that said entities *shall* submit to the Director of Administration, *no later than* October 31, 2012. Failure to submit such drawdown schedule *shall* subject

such entity to the allotment release control by the Bureau of Budget and Management Research.

Section 10. Special Fund Transfer. Unless otherwise specified in this Act, *I Maga'låhen Guåhan* is authorized to transfer to the General Fund any cash available from any appropriated Special Fund to fund the appropriations authorized by this Act. All cash amounts from Special Funds transferred to cover the appropriations authorized by this Act or any other act or law authorizing appropriations *shall* be promptly reimbursed to the Special Fund from which it was withdrawn within sixty (60) days after receipt of said funds. *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on the fifth (5th) day of every month on all transfers and reimbursements made pursuant to this Section. Said report *shall* enumerate the amount of each transfer, identify the funds to and from which the transfer was made, the object class reduced by the transfer out and the object class receiving the transfer and state the purpose of each transfer. Notwithstanding any other provision of law, no funds shall be transferred out of the *Chamorro* Land Trust Operations Fund and the Guam Department of Education Operations Fund for Fiscal Year 2013 Special Fund appropriations made to the Guam Department of Education and the *Chamorro* Land Trust Commission.

Section 11. 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 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 12. 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 Five Thousand Dollars (**$5,000**) or more prior to awarding the contract therefore;

(c) Access to the overseeing department 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;

(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, 2013. The overseeing department or agency *shall* post the same on its website; and

(f) 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 13. Fund Reversions. *Unless* otherwise specified in this Act:

(a) General Fund Reversion. All unexpended or unencumbered appropriations made from the General Fund pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2013.

(b) Tourist Attraction Fund Reversion. All unexpended or unencumbered appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2013.

(c) Healthy Futures Fund Reversion. All unexpended or unencumbered appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2013.

(d) Territorial Education Facilities Fund Reversion. All unexpended or unencumbered appropriations made from the Territorial Education Facilities Fund pursuant to this Act *shall* revert to the Territorial Education Facilities Fund on the last day of Fiscal Year 2013.

(e) Guam Highway Fund Reversion. All unexpended or unencumbered appropriations made from the Guam Highway Fund pursuant to this Act *shall* revert to the Guam Highway Fund on the last day of Fiscal Year 2013.

Section 14. Restriction on the Home Use of Government of Guam Vehicles. *Except* when expressly permitted by §1103(c) of 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.

Section 15. Transfer Authority of *I Maga'låhen Guåhan*. *Unless* otherwise restricted or specifically allowed by this Act, for Fiscal Year 2013 *I Maga'låhen Guåhan* is authorized to transfer *up to* ten percent (10%) between Fiscal Year 2013 General Fund Executive Branch appropriations contained in Chapter V and in Parts II, III and IV of Chapter III of this Act; *provided* that notice of each transfer and justification therefore are delivered *at least fifteen* (15) working days before the transfer is made to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget.

Notwithstanding any other provision of law, no funds shall be transferred out of the Guam Department of Education Operations Fund or Fiscal Year 2013 General Fund appropriations made to the Guam Department of Education, the Unified Judiciary, *I Liheslaturan Guåhan*, the Office of Finance and Budget, the Mayors Council, the Public Defender Service Corporation, the Ancestral Lands Commission, and the Office of Public Accountability.

Section 16. Email Addresses Paid for with Government of Guam Funds. The Office of *I Maga'låhen Guåhan shall* create a list of all email 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 17. Combined Purchase of Textbooks. The Guam Department of Education, the University of Guam, and the Guam Community College *shall* together develop a more cost-effective method of purchasing textbooks for the government of Guam, in which the government would benefit from the economies of scale and combined purchasing power of the three (3) institutions. The joint proposal *shall* target implementation for School Year 2013-2014, and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* January 15, 2013.

Section 18. Uniform Allowances. Uniform allowances authorized in this Act *shall not* be less than One Hundred Fifty Dollars (**$150**) for the Fiscal Year, and *shall* be issued to the employees *no later than* the end of the first quarter of Fiscal Year 2013.

Section 19. Administration of Deficit Reduction. The Department of Administration is hereby designated the authority to receive and process unpaid prior year claims submitted pursuant to Section 1 of Chapter XIII of this Act.

Section 20. Government Staffing Pattern.

(a) Staffing Pattern. *No later than* thirty (30) days after the end of each quarter of Fiscal Year 2013, 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 2013 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 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 2013, the Director of the Department of Administration *shall* post the government wide line agency staffing pattern on the bit.guam.gov portal on the 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 2013 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 salary and benefits, and the gross salary and benefits paid for during the quarter.

Section 21. Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report. The Director of the Department of Administration *shall* submit a Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report *no later than* thirty (30) days after the end of each quarter. Each quarterly report *shall* itemize: (a) the Revenues by (1) Individual Income Taxes, (2) Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Business Privilege Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses, Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the Expenditures by Department by Object Class; and (c) Other Sources (Uses) by Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall* be itemized by Fund transferred from, and Transfers Out *shall* be itemized by Fund transferred to. Each monthly report *shall* be posted on the Department of Administration's website as a Microsoft Excel file *no later than* thirty (30) days after the end of each quarter.

Section 22. Monthly Cash Balance Reports for General and Special Funds. The Director of the Department of Administration *shall* submit a monthly report of beginning cash balances, cash deposits, cash withdrawals, and ending cash balances of the government of Guam General, Special Funds and Trust Funds and Accounts to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, *no later than* twenty (20) days after the end of each month. The Director *shall* prepare the report in the format that was prescribed and prepared by the Office of Finance and Budget in Fiscal Year 2012.

Each monthly report *shall* itemize *all* General Fund and Special Fund cash balances by bank, by bank account name, by bank account number, and by fund name.

Section 23. Funding Source. In addition to the appropriations authorized in Chapter V, the following departments are authorized to expend up to the level of revenues collected for their respective special revenue funds for Fiscal Year 2013 *only* for the purposes authorized by statute for those funds:

(a) Guam Police Department - Police Services Fund

(b) Department of Corrections - Corrections Revolving Fund

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

(d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund

(e) Department of Land Management - Land Survey Revolving Fund

(f) Department of Agriculture - Guam Plant Inspection and Permit 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 - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

(i) Guam Regional Transit Authority - Guam Regional Transit Authority Fund

(j) Department of Public Works - DPW Building and Design Fee Account

(k) Guam Contractors License Board - Guam Contractors License Board Fund Collections

(l) Department of Revenue and Taxation - Tax Collection Enhancement Fund and the Alcoholic Beverage Compliance Fees and Fines Fund

(m) Department of Public Health and Social Services - Guam Environmental Health Fund and the Office of Vital Statistics Revolving Fund

(n) Department of Parks and Recreation - Public Recreation Services Fund

(o) Guam Department of Education - Public Library Resources Fund

(p) Department of Labor and the Guam Community College - Manpower Development Fund

Section 24. 9 + 3 Expenditure Forecasts (Fiscal Year 2013 Run Rate). *No later than* July 20, 2013, the Branches and Agencies identified in the following Subsections *shall* submit a written report and electronic Microsoft Excel file to *I Liheslaturan Guåhan* and the Office of Finance and Budget that contains nine (9) months of actual expenditures and three (3) months of projected expenditures for Fiscal Year 2013:

(a) Executive Branch - the Bureau of Budget and Management Research. The Executive Branch 9 + 3 Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Agency by Fund Source by Object Class.

(b) Guam Legislature - Executive Director. The Guam Legislature Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(c) Unified Judiciary - Administrator. The Unified Judiciary Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(d) Office of the Attorney General – Attorney General. The Office of the Attorney General Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(e) Public Defender Service Corporation - Executive Director. The Public Defender Service Corporation Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(f) Mayors' Council of Guam - Executive Director. The Mayors' Council of Guam Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(g) Office of Public Accountability – Public Auditor. The Office of Public Accountability Expenditure Forecast or Fiscal Year 2013 Run Rate *shall* be detailed by Fund Source by Object Class.

Fiscal Year 2013 Run Rate shall mean the estimated amount of expenditures for the entire fiscal year utilizing the nine (9) months of actual expenditures as of June 30, 2013 plus the three (3) months of projected expenditures through September 30, 2013 of each Branch or Agency.

Section 25. Posting to Financial Management System. If any Cost Accounts created by this Act require existing automated postings within the Government of Guam Financial Management System to be manually duplicated to conform to the requirements in this Act the Department of Administration may instead report the details of the Cost Account outside the Financial Management System.

Section 26. Energy Savings. As an incentive to conserve energy and water consumption, departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices and facilities of the Mayors' Council of Guam, are hereby authorized to transfer any unexpended Fiscal Year 2013 appropriations for utilities

to other expenditure categories within their respective budgets. Any unexpended utility funds *shall not* be subject to any transfer authority of *I Maga'lahi* (the Governor), and may be carried over and are authorized for use by the departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices and facilities of the Mayors' Council of Guam during succeeding fiscal years.

Section 27. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are severable.

Office of
the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 20 2012

2012 AUG 20 AM 9:05

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Una Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 426-31, As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 426-31, As Substituted, sponsored by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, by the request of *I Maga'låhen Guåhan,* the Governor of Guam, in accordance with the Organic Act of Guam, which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

3 TO PASS

____ NOT TO PASS

4 TO REPORT OUT ONLY

____ TO ABSTAIN

____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land

Vice Chairman
Committee on Education

Member
Committee on Rules, Federal, Foreign & Micronesian Affairs and Human & Natural Resources

Member
Committee on Municipal Affairs, Tourism, Housing, and Recreation

Member
Committee on the Guam Military Buildup and Homeland Security

Member
Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910
Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net
Website: http://senbenp.com

COMMITTEE REPORT
ON

Bill No. 426-31 (COR), As Substituted

Sponsored by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, by the request of *I Maga'låhen Guåhan,* the Governor of Guam, in accordance with the Organic Act of Guam.

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, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS

Office of
the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 2 0 2012

MEMORANDUM

To: **All Members**
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 426-31 (COR), As Substituted

Transmitted herewith for your consideration is the Committee Report on Bill No. 426-31 (COR), As Substituted, **"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, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS",** Sponsored by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, by the request of *I Maga'låhen Guåhan,* the Governor of Guam, in accordance with the Organic Act of Guam.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 426-31 (COR), As Introduced
4. Copy of Bill No. 426-31 (COR), As Substituted
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Copy of COR referral Bill No.426-31 (COR)
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan

Chairman
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land

Vice Chairman
Committee on Education

Member
Committee on Rules, Federal, Foreign & Micronesian Affairs and Human & Natural Resources

Member
Committee on Municipal Affairs, Tourism, Housing, and Recreation

Member
Committee on the Guam Military Buildup and Homeland Security

Member
Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform

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I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Taxation, Banking, Public Debt, Insurance, Retirement, and Land

Bill No. 426-31 (COR) As Substituted, **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, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS**

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
Senator Vicente (ben) Cabrera Pangelinan Chairman	✓				
Speaker Judith T. Won Pat, Ed.D Vice Chairperson	✓				
Vice Speaker Benjamin J. F. Cruz Member			✓		
Senator Tina Rose Muña-Barnes Member	✓				
Senator Judith P. Guthertz Member			✓		
Senator Dennis Rodriguez, Jr. Member					
Senator V. Anthony Ada Member			8/20/12 ✓		
Senator Christopher M. Duenas Member			8/20/12 ✓		
Senator Mana Silva Taijeron Member					

Annual Appropriations Act of Fiscal Year 2013

Committee Report

Bill No. 426-31

Office of Finance and Budget

I Mina' Trentai Unu Na Liheslaturan Guåhan

324 West Soledad Avenue

Hagåtña GU 96910

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Introduction

The Government of Guam (GovGuam) Executive Budget Request was submitted to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance Retirement, and Land (Committee) via the Office of Finance and Budget (OFB) on January 31, 2012. Section 4107, Chapter 4, Title 5 of the Guam Code Annotated requires the Governor of Guam to provide a "Governor's Recommendation" which entails the presentation of his proposed comprehensive program and financial plan that the Governor deems appropriate, in a message to the Guam Legislature not later than January 31 prior to each fiscal year.

The Governor's Executive Budget Request for FY 2013 provides the revenues and expenditure levels of the GovGuam, as estimated by the Executive Branch. The Committee held several Special Accounting Services (SAS) and Special Economic Services (SES) meetings and budget hearings prior to the formation of the final budget to be provided to the Guam Legislature. These meetings and hearings involved the Executive Branch through the Department of Administration (DOA), the Bureau of Budget and Management Research (BBMR), the Department of Revenue and Taxation (DRT), the Bureau of Statistics and Plans (BSP), the Department of Labor (DOL), and the Guam Visitors Bureau (GVB) to name a few agencies and departments that were consulted in the creation of the Annual Appropriations Act of FY 2013.

The following report by the OFB does not represent a technical paper on economics or accounting. The purpose of the following is to present to the external stakeholders—the public as well as the policymakers—the current financial state-of-affairs of the GovGuam as the OFB can best assess it and how the Governor's Executive Budget Request may affect the operations of the GovGuam moving forward, using the data gathered from the SES, the SAS, and independent analysis.

GovGuam revenues are generated from three main sources, when excluding the sale of debt instruments, which include: General Tax Revenue (61%), Special Fund Tax Revenue (11%) and Federal Grants (28%). The focus of this analysis is on General Tax Revenue as it relates to funding the current and existing government operations via the Act. Existing Special Fund Tax Revenues are earmarked for specific programs and are generally not viewed as potential funding sources for new programs and initiatives during the annual appropriations process. Federal grant money is beyond the scope of the appropriation process and is not a dependable source of funds for legislatively mandated programs and initiatives.

The main components of the General Fund Revenue are Individual Income or Personal Income Tax (PIT), Corporate Income Tax, Withholding Tax—all of which are inclusive of interest and penalty revenue—Business Privilege Tax (BPT), Section 30 revenue, and "Other" sources.

The GovGuam collects taxes from income of individuals, partnerships, companies, corporations and other taxable entities. The income tax rates and laws mirror the United States Internal Revenue Code. BPT is collected from all individuals and entities that conduct business on Guam based on the application of a 4% tax rate against values, gross proceeds of sales, or gross income.

Section 30 revenues include all amounts received by the GovGuam as proceeds of custom duties, federal income tax derived from Guam, excise tax, quarantine, passport, immigration and naturalization fees collected in Guam. Section 30 revenues are paid in advance annually, based on estimates provided to the Department of Treasury (Treasury) by the GovGuam by July of each year. The Office of Insular Affairs (OIA) and Treasury review and approve the advance request and issue a treasury warrant by the first week in October of the new fiscal year. The remittance is later reconciled in future years based on actual withholding and income tax collections by the Internal Revenue Service (IRS) on behalf of Guam. If the remittance requested is higher than actual Section 30 revenues after the reconciliation, the excess request must be reimbursed to the U.S. Treasury. The revenues adopted in FY 2013 will be discussed later in the Committee Report.

A series of historical information and identification of current and future spending options are presented in this analysis for public consumption to relay and explain the difficult budgetary decisions policymakers have to make over the next several years. The decisions made in the Fiscal Year 2013 budget, as mentioned in Fiscal Years 2011 and 2012, will continue to dictate the long-term financial success or failure of GovGuam and invariably the people of Guam.

The Annual Appropriations Act

The Annual Appropriations Act (Act) serves as the operational spending plan for the GovGuam. The purpose of the Act is to address issues within the Guam Legislature's authority and purview. As territorial policies mirror the U.S. Tax Code set by the United States Congress, the Act does not have any mechanism to address these items and the Guam Legislature is unable to control or partake in the process of establishing such policies. These items become a larger policy issue concerning relations between the U.S. Federal Government and the Insular Territories. For items

within the government's control, it is imperative that the GovGuam take all the steps necessary to responsibly address the growing deficit of the GovGuam through the passing of a fiscally responsible Act.

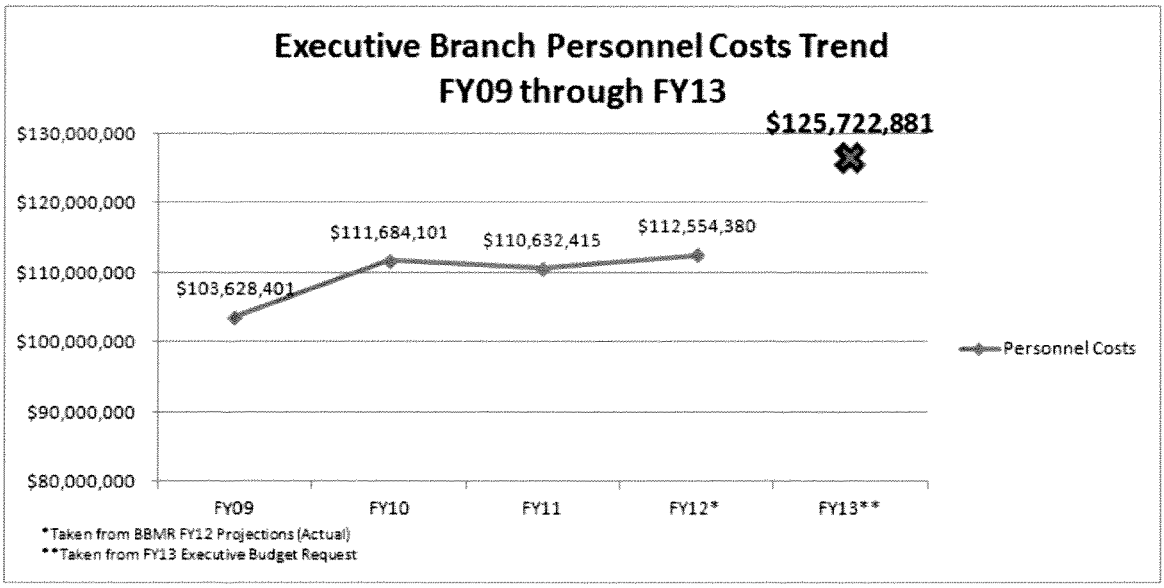
The overall financial condition of the GovGuam requires up-to-date information regarding the government's cash flow status, revenue collections, and expenditure levels which are housed by the Department of Administration (DOA), the Department of Revenue and Taxation (DRT), and the Bureau of Budget and Management Research (BBMR) within the Executive Branch. The Annual Appropriations Act of FY 2012 (Public Law 31-77) mandated several reporting requirements for the DOA, DRT, and BBMR for submission to the Guam Legislature. These reporting requirements included monthly Revenue Tracking Reports, monthly Working Trial Balance and Statement of Revenues, Expenditures, and Changes in Fund Balance Reports, and monthly Cash Balance Reports for General and Special Funds. Without all of this financial data and information, it would be difficult to surmise the current financial outlook for the GovGuam related to its financial condition. To this end, it is the expectation of the Committee on Appropriations that mandated reports by the Annual Appropriations Act of each fiscal year be submitted as they are due.

Expenditures

In FY 12, almost 70% of the General Fund appropriations for Executive Branch line agencies were for personnel costs (object categories 111, 112, 113, and 114). Understanding and analyzing the labor costs of the government of Guam is an important aspect of the budget process as it has a major impact on the revenue stream and is integral to providing adequate to superior service to the people of Guam.

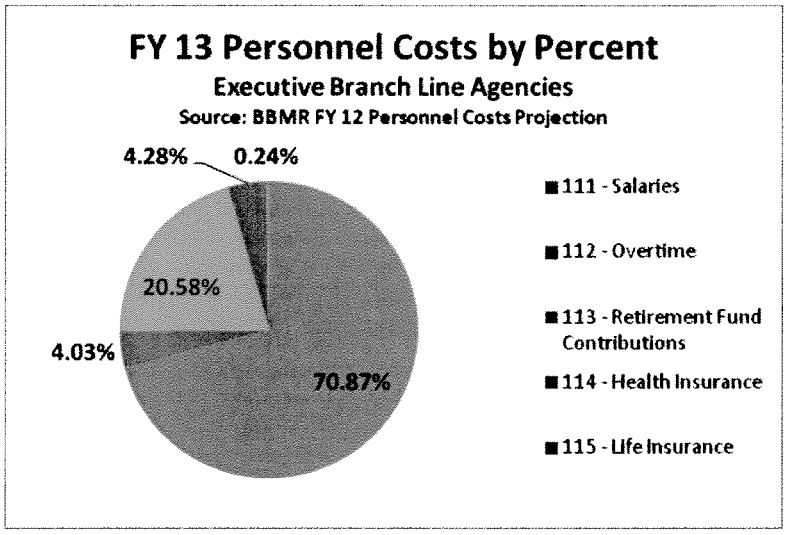
Labor Cost Analysis

Taking a historical look at the actual labor costs trend between FY 09 through FY 11 for Executive Branch line agencies (not including the GDOE), personnel costs were between $103 million and $110 million. The BBMR provided its projected personnel expenditures for the line agencies to the Committee on Appropriations during its August 1, 2012 budget hearing which showed an ending cost of $112.5 million.

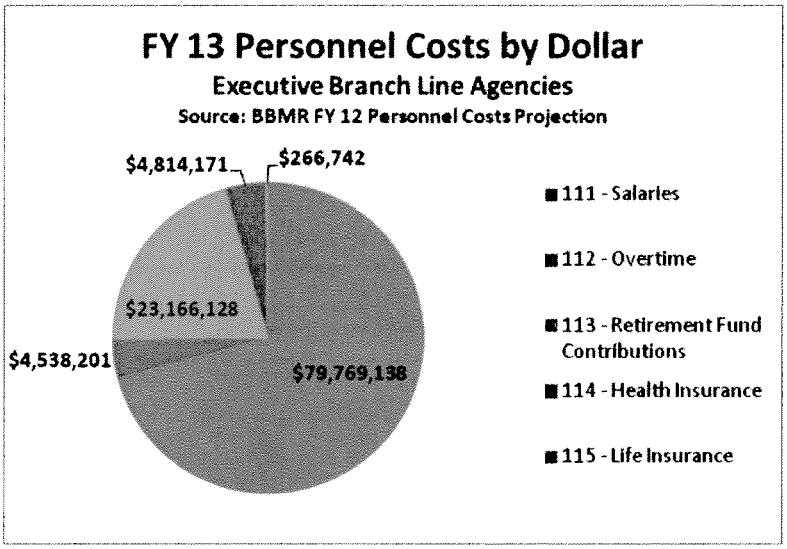


The FY 12 budget act (Public Law 31-77) budgeted approximately $121 million for personnel costs, which is a difference of approximately $8.5 million between the projected actual and the budgeted personnel expenditures. The FY 13 Executive Budget Request includes a request of approximately $125.7 million in personnel costs which is a difference of over $13 million above the actual personnel spending level in FY 12. An inquiry was made with the BBMR regarding this large lapse in personnel object category appropriations at the August 8, 2012 budget hearing to which the BBMR stated that the large lapse was due to them "holding the line" on personnel hiring and filling vacant positions.

The historical data in the figure above illustrates that the spending levels in the personnel object categories in FY 12 were actually higher than the previous three fiscal years, therefore showing no signs of actual cutting of costs in these object categories. With the FY 13 budget request of $125.7 million, the Committee believes that further analysis was warranted in order to more accurately project personnel expenditures moving forward.



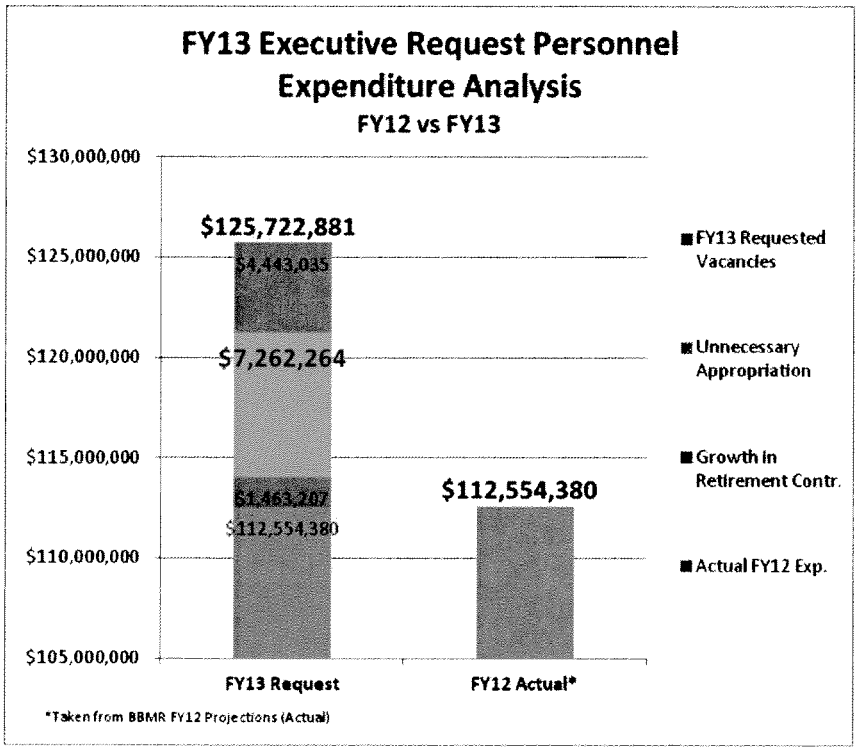
According to the BBMR personnel costs projection for FY 12, Salaries make up approximately 70.87% of the total personnel costs, with retirement fund contributions making up 20.58%. With an increase in retirement contributions from 28.30% to 30.09% according to the Executive Budget Request, this represents a 6.3% increase in the retirement fund contributions object category.



With a 6.3% increase in retirement fund contributions, this represents an additional $1,465,278 appropriation for personnel expenditures for FY 13 or a total increase of 1.3% to the total personnel costs for FY 12. For the FY 13 GovGuam budget for Executive Branch line agencies, the $125.7 million appears to be much higher than what is required based on both

historical actual personnel expenditure levels and the BBMR's intentions of "holding the line" on the hiring and filling of vacant positions.

A breakdown of the FY 13 request for line agency personnel expenditures while considering the modest $1.4 million uptick due to the retirement fund contribution rate increase, uncovers approximately $7,262,264 in unnecessary appropriation for personnel appropriations for FY 13.



Additionally, there is $4,443,035 in General Fund, funded vacancies requested to be filled in the FY 13 Executive Budget Request, much of which is attributed to the Department of Mental Health and Substance Abuse Federal Management Team (FMT) Plan of Action (POA) and other funded vacancies within that agency in the amount of $2,224,826. The FMT POA-related personnel costs is approximately $1,993,598, which is expected to be funded through the FMT's Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account.

With the $7.26 million in unnecessary appropriations for personnel costs and the $1.99 million in General Fund, funded vacancies that is expected to be paid with FMT trust account funds, there leaves, at the minimum, approximately $9,255,862 and at the maximum, $11,705,299 (if no vacant positions were funded) in personnel appropriations that can be shifted to fund the

payment of past-due Income Tax Refunds, past-due obligations of the government, or other services and programs.

GOVERNOR'S TRANSFER AUTHORITY OF PERSONNEL OBJECT CATEGORIES

Section 14, Chapter XIII of Public Law 31-77 provides the Governor with transfer authority of up to 15% between FY 12 General Fund Executive Branch base operational (except the utility funds) appropriations contained in various Chapters of the FY 12 budget act, provided that notice of each transfer and justification therefore are delivered within 15 working days before the transfer is made to the Speaker of the Guam Legislature and the OFB.

Based on the transfers between object categories by the Governor in FY 12 that were transmitted to the Guam Legislature, as of August 20, 2012, there have been a net of approximately $779,214 transferred from object categories 111, 112, and 113 for both General and Special Funds.

Governor's Transfer Authority Analysis FY 12 Reported Transfers to the Legislature		
Agency	Total Personnel Object Categories	Total Operational Object Categories
CLTC	(10,080)	10,080
DOA	(305,075)	305,075
DOC	(314,848)	314,848
DPHSS	206,228	(206,228)
DPR	(74,000)	74,000
DPW	12,000	(12,000)
GEC	(74,784)	74,784
GFD	(120,000)	120,000
GPD	(88,800)	88,800
VAO	(10,560)	10,560
Grand Total	(779,919)	**779,919**

These transfers from personnel object categories that were reported to the Guam Legislature highlight the lack of need in personnel object category appropriations and further justifies the decrease in personnel appropriations based on the actual data provided by the BBMR and the OFB's independent analysis.

BBMR FY12 Run-Rate vs. FY13 Executive Budget Request by Agency

In addition to the projected personnel expenditures for the line agencies that the BBMR provided to the Committee on Appropriations during its August 1, 2012 budget hearing, the operational projected operational expenditures for line agencies that receive General Fund funding were also provided.

	General Fund Only		
Agency	BBMR FY12 Run-Rate	FY13 Executive Budget Allocation	Difference
AGR	**2,646,708**	**2,618,370**	(28,338)
ALC	**188,777**	**103,957**	(84,820)
BBMR	**919,988**	**1,058,320**	138,332
BSP	**1,140,754**	**1,155,643**	14,889
CME	**402,297**	**426,599**	24,302
COD	**154,312**	**239,613**	85,301
CSC	**779,237**	**844,902**	65,665
DCA	**1,649,330**	**3,192,052**	1,542,722
DISID	**1,121,397**	**1,235,770**	114,373
DLM	**557,106**	**405,818**	(151,288)
DMA	**933,894**	**702,054**	(231,840)
DMHSA	**10,529,038**	**14,183,926**	3,654,888
DOA	**7,726,933**	**7,786,778**	59,845
DOC	**18,436,801**	**20,776,981**	2,340,180
DOL	**1,113,384**	**1,055,385**	(57,999)
DPHSS	**33,676,267**	**35,457,615**	1,781,348
DPR	**2,857,857**	**3,264,707**	406,850
DPW	**10,113,039**	**10,436,028**	322,989
DRT	**8,944,359**	**9,784,697**	840,339
DYA	**3,642,326**	**4,646,400**	1,004,074
GCEC	**167,671**	**203,831**	36,160
GFD	**27,032,965**	**27,989,678**	956,713

GOV	**5,896,455**	**6,233,688**	337,233
GPD	**25,151,991**	**27,803,761**	2,651,770
GPLS	**756,962**	**1,255,728**	498,766
PBS	**591,361**	**637,072**	45,711
VAO	**371,481**	**322,229**	(49,252)
Grand Total	**167,502,689**	**183,821,602**	**16,318,913**

The analysis using the BBMR's General Fund Run-Rate projection for ending FY12 expenditures and the FY13 Executive Budget Request for line agencies with General Fund funding shows a difference of $16,318,913.

COMMITTEE REPORT ANALYSES FOR LINE AND SEMI-AUTONOMOUS AGENCIES

The Committee reviewed and analyzed the detailed budgets of each line and semi-autonomous agency reviewing the agencies' object category requests as well as requests from the General and Special funds in order to operate and provide the services for the people of Guam in FY13.

GUAM DEPARTMENT OF EDUCATION

Executive Summary

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land (Committee) Report regarding the FY 2013 Guam Department of Education (GDOE) Budget formulation and recommendation involved a process of analyzing and signifying the importance of providing adequate funding for the GDOE.

The Committee Report will outline important factors that the Committee considered during the budget process and explain significant figures and numbers that are relevant. It is the intent of the Committee that, similar to prior years, the adequate amount of funds required by the GDOE to sustain its operations in FY 2013, can be achieved. In order to achieve these goals, the Committee Report will:

1. Discuss the **GDOE's FY 2012 Appropriation Levels** to provide a historical perspective on the GDOE budget;
2. Discuss the **fifteen (15%) reserve imposed** on all appropriations funded by the General Fund and all Special Funds with the exception of local match accounts for federal grants in accordance with the Bureau of Budget and Management Research (BBMR) Circular 12-01 and its effect on the GDOE's FY 2012 operational capabilities;
3. Analyze the **FY 2013 GDOE Executive Budget Request** for comparison purposes;
4. Analyze the **GDOE's FY 2013 Budget Request** as approved by the Guam Education Board; and
5. Explain what the **Educational Financial Supervisory Commission** (EFSC) is, its intent and importance in the budget process, and the utilization of the reports produced.

1. FY 2012 GDOE Appropriation Levels

For the purposes of understanding the historical perspective of the GDOE as it relates to the FY 2013 GDOE budget analysis, the Committee found it prudent to discuss the FY 2012 GDOE Appropriation Levels.

The FY 2012 appropriation level from General and Special Funds provided to the GDOE was approximately $209,550,197. Included in this amount was the miscellaneous appropriations to the GDOE for Textbooks, Health and Physical Education Programs, Interscholastic Sports Fund, the Chamoru Studies Division, and an appropriation to eliminate the GDOE from High Risk Status, in the total amount of $3,522,874, which makes a total appropriation to the GDOE for FY 2012 of $213,073,071.

The budget request submitted by the GDOE for FY 2013 was for the amount of $272,075,843—about 35% higher than its authorized expenditure levels from Fiscal Year 2012. The amount requested also reflects about half of the total net revenues that were projected to be collected for the entire General Fund in FY 2013.

2. BBMR Circular 12-01 – 15% Reserve

On September 28, 2011, the BBMR imposed a 15% reserve on all appropriations funded by the General Fund and all Special Funds with the exception of local match accounts for federal grants. The effect this had on the GDOE FY 2012 budget was a decrease of $30,301,315 of which $25,690,049 accounted for personnel costs and $4,611,266 accounted for the other operational costs and requirements of the GDOE. Table 1 illustrates the 15% reserve and the corresponding decreases to the GDOE's FY 2012 budget by object category.

Table 1

Agency CLASS	DEPARTMENT OF EDUCATION Description	BBMR Reserve
111	Salaries	($18,940,055)
112	Overtime	$0
113	Benefits	($6,749,994)
114	Insurance Benefits	$0
220	Travel-Off-Island/Local Mileage Reimbursement	$0
230	Contractual Services	($1,335,010)
233	Office Space Rental	$0
240	Supplies & Materials	($218,100)
250	Equipment	($397,866)
270	Workers' Compensation	($15,000)
271	Drug Testing	$0
280	Sub-Recipient/Subgrant	$0
290	Miscellaneous	($240,059)
361	Power	($2,046,284)
362	Water/Sewer	($270,613)
363	Telephone/Toll	($54,234)
450	Capital Outlay	($34,100)
	Total	**($30,301,315)**

Of the GDOE's total FY 2012 appropriations, personnel costs accounted for almost 85%. With a 15% reserve imposed on the GDOE, this makes it nearly impossible for the GDOE to function through the end of FY 2012 without affecting personnel. It should be noted that there have been several attempts by the GDOE, requesting that the reserve be released as the GDOE may have to shut schools down.

As of the date of this report, the 15% reserve on the GDOE has not been fully lifted and through discussions at the EFSC monthly meetings, the BBMR has not officially indicated a set date that the release is to be fully lifted.

3. Executive Budget Request for Fiscal Year 2013

The level of support for the GDOE in the Fiscal Year 2013 Executive Budget Request is $208,641,503 inclusive of General and Special Fund appropriations. Additional appropriations requested included those to Chamoru Studies, Interscholastic Sports Fund, Health and Physical Education Activities, the Guam Power Authority Promissory Note, Textbooks, and the JFK Maintenance and Insurance Agreement which total an additional $6,440,874 for FY 2013. The total appropriations requested for the GDOE in the Executive Budget Request for FY 2013 is $215,082,377. A breakdown of these appropriations by funding source can be seen in Table 2.

Table 2

Fiscal Year 2013 Executive Budget Request	General Fund	Territorial Educational Facilities Fund	Public Library Resource Fund	Healthy Futures Fund	School Lunch Program	Total
General Fund	$180,692,640	$0	$0	$0	$0	$180,692,640
Territorial Educational Facilities Fund	$0	$17,209,317	$0	$0	$0	$17,209,317
Public Library Resource Fund	$0	$0	$670,328	$0	$0	$670,328
National School Lunch Program and Cash Collections	$0	$0	$0	$0	$10,069,218	$10,069,218
Chamoru Studies, Interscholastic Sports Fund, and Health and Physical Education Activities	$381,120	$0	$0	$891,754	$0	$1,272,874
GPA Promissory Note	$0	$1,600,000	$0	$0	$0	$1,600,000
Textbooks (PL 31-75)	$2,000,000	$0	$0	$0	$0	$2,000,000
Tiyan Lease Maintenance and Insurance Agreement	$1,568,000	$0	$0	$0	$0	$1,568,000
GRAND TOTAL	**$184,641,760**	**$18,809,317**	**$670,328**	**$891,754**	**$10,069,218**	**$215,082,377**

The appropriations requested in the Executive Budget Request for FY 2013 represent a decrease of $552,306 after adjusting out the JFK Maintenance and Insurance Agreement appropriation of $1,568,000, when compared to the adjusted FY 2012 authorized expenditure level of $216,098,071 in Table 8 of Section 5 - EFSC of this Committee Report.

The Executive Budget Request for Fiscal Year 2013 also should be compared to the actual FY 2012 expenditures inclusive of forward projections for the organic growth of payroll and known utility increases during FY 2012. Table 3 shows the FY 2012 Budget Status Report (BSR) as derived by the EFSC or budget to actuals that include eight (8) months of actual expenditures and four (4) months of projected expenditures.

Table 3

Account Code	Budget Act(s) Appropriations P.L. 31-75/77	GPA Promissory Note	Total	PROJECTED ANNUAL EXPENDITURES (17 Pay periods and 8 months Actual)
111 Salary	126,185,113.00	-	126,185,113.00	123,137,800
112 OT	200,000.00	-	200,000.00	132,210
113 Benefits	45,058,711.00	-	45,058,711.00	43,825,252
TOTAL PerSvs	**171,443,824.00**	**-**	**171,443,824.00**	**167,095,263**
220 Travel	-	-	-	-
230 Contract	8,744,450.00	-	8,744,450.00	8,015,615
233 Rent	-	-	-	-
240 Supplies	1,626,990.00	-	1,626,990.00	618,017
250 Equip.	3,173,750.00	-	3,173,750.00	2,728,451
270 Wkrs Comp	100,000.00	-	100,000.00	-
271 Drug Testing	-	-	-	-
290 Misc.	1,405,878.00	-	1,405,878.00	1,740,529
361 Power	13,641,896.00	2,400,000.00	16,041,896.00	14,855,505
362 Water	1,804,089.00	-	1,804,089.00	2,299,478
363 Tele.	365,561.00	-	365,561.00	123,837
450 Cap. Out.	227,324.00	-	227,324.00	-
TOTAL Opers	**31,089,938.00**	**2,400,000.00**	**33,489,938.00**	**30,381,432**
TOTALS	**202,533,762.00**	**2,400,000.00**	**204,933,762.00**	**197,476,695**

When comparing the actual level of expenditures in FY 2012 (Table 3) to the level of support for the GDOE in the Executive Budget Request for FY 2013 (Table 2), the actual level of expenditures in FY 2012 is much lower by $17,605,682.

4. Guam Department of Education FY 2013 Budget Request

The GDOE submitted its abbreviated budget to the OFB on January 30, 2012, which included a request of over $272 million to fund the operations of the education department. There have been discussion of a Supplemental Budget Request to be approved by the Guam Education Board, but no official transmittal has been made to the Committee to date.

Table 5 provides an illustration of the GDOE's FY 2013 Budget Submission to the OFB.

Table 5

Agency CLASS	DEPARTMENT OF EDUCATION Description	Request FY 2013
111	Salaries	$141,598,371
112	Overtime	$338,016
113	Benefits	$55,521,317
114	Insurance Benefits	$0
220	Travel-Off-Island/Local Mileage Reimbursement	$0
230	Contractual Services	$33,686,438
233	Office Space Rental	$0
240	Supplies & Materials	$8,283,459
250	Equipment	$8,237,946
270	Workers' Compensation	$100,000
271	Drug Testing	$15,584
280	Sub-Recipient/Subgrant	$0
290	Miscellaneous	$1,368,053
361	Power	$14,349,735
362	Water/Sewer	$2,032,485
363	Telephone/Toll	$361,561
450	Capital Outlay	$6,182,878
	Total	**$272,075,843**

5. Educational Financial Supervisory Commission

Creation of the EFSC

In July of FY 2010, the Guam Legislature passed Public Law 30-164 establishing the Education Financial Supervisory Commission (EFSC) to monitor the financial health of the GDOE. The EFSC is comprised of the Director of the Bureau of Budget and Management Research (BBMR), Director of the OFB, the Public Auditor, the Director of the Department of Administration (DOA) and a fifth member who is a parent of a child currently enrolled in a public school appointed by the Chairperson of the Committee on Education of *I Liheslaturan Guåhan* with at least five (5) years experience in the public or private sector in the management of business or financial expertise, public accounting, or similar professional activity.

EFSC 12-Month Operational Plan, Expenditure Tracking, and Reporting Process

Between the months of July and January, the EFSC met and developed a series of monitoring reports or Budget Status Reports (BSRs) which uses the appropriation information from Public Law 31-75 as further amended by Public Law 31-77 and any preceding or subsequent public laws appropriating funds to GDOE and the accounting information directly from the GDOE

Financial Management System to measure whether or not the GDOE is adhering to authorized levels of spending.

The foundation of the BSR is the GDOE's 12-month operational plan which categorizes the appropriations by object class. The public laws appropriating funds often provide the plan via the policy of legislation by determining the level of spending in each category. However, in Public Law 31-75 as amended, the Superintendent of Education is allowed unlimited transfer authority amongst object classes with the exception of Personnel Expenses. The Superintendent is not allowed to transfer funds into Personnel Expenses but Personnel Expenses may be transferred out to cover other classes of expenditures.

As of June 30, 2012, the twelve month operational plan for the GDOE as submitted and adjusted for presentation and measurement in the BSR is as follows:

Table 6

Account Code	Budget Act(s) Appropriations P.L. 31-75/77
111 Salary	126,185,113.00
112 OT	200,000.00
113 Benefits	45,058,711.00
TOTAL PerSvs	**171,443,824.00**
220 Travel	-
230 Contract	8,744,450.00
233 Rent	-
240 Supplies	1,626,990.00
250 Equip.	3,173,750.00
270 Wkrs Comp	100,000.00
271 Drug Testing	-
290 Misc.	1,405,878.00
361 Power	13,641,896.00
362 Water	1,804,089.00
363 Tele.	365,561.00
450 Cap. Out.	227,324.00
TOTAL Opers	**31,089,938.00**
TOTALS	**202,533,762.00**

The BSR also includes year to date actual expenditure data. By the fifteenth (15th) of each month, the GDOE provides the OFB with the financial output of the GDOE General Ledger accounts from October 1, 2011 to the end of the previous month. To date the last month reported was June 2012. In addition, the payroll registers for the pay periods during the previous financial period (June) are provided to the OFB. The Payroll data is then compiled into several reports and graphs that allow unlimited levels of scrutiny to the expenditure of the Personnel appropriations.

The transparency of these reports allows the GEB, the GDOE Management Team, the Office of Public Accountability, the BBMR, the OFB and the DOA to fully analyze and monitor the largest expenditure category of GDOE and determine the details and direction of the GDOE payroll trend on a monthly basis. Below is a listing of the different GDOE Labor Cost Trend reports located at http://senbenp.com/test/?page_id=324.

1) GDOE Labor Cost Trend Report – Fund by PPE
2) GDOE Labor Cost Trend Report– Pay Period Frequency by Fund by PPE
3) GDOE Labor Cost Trend Report by Payroll Category
4) GDOE Labor Cost Trend Report – Quarter by Fund by Object Class
5) GDOE Labor Cost Trend Report – Fund by PPE by Object Class
6) GDOE Labor Cost Trend Report – Employee by ID by Pay Period
7) GDOE Labor Cost Trend FTE Graph
8) GDOE Labor Cost Trend General Fund FTE Graph

The BSR combines the Payroll Register Data and the General Ledger accounting data, projects forward the number of months remaining in the fiscal year, and measures it against the appropriation levels set by the 12-month operational plan. The most recent BSR used to generate the June Financial Status Designation Reports show that on a consolidated basis, the GDOE is fully funded for FY 2012.

The table below shows that the GDOE will lapse approximately $5,057,067.25 based on current appropriations and expenditure levels.

Table 7

Account Code	Budget Act(s) Appropriations P.L. 31-75/77	PROJECTED ANNUAL EXPENDITURES (17 Pay periods and 8 months Actual)	Projected Lapse/(Shortfall)
111 Salary	126,185,113.00	123,137,800	3,047,312.89
112 OT	200,000.00	132,210	67,789.97
113 Benefits	45,058,711.00	43,825,252	1,233,458.62
TOTAL PerSvs	**171,443,824.00**	**167,095,263**	**4,348,561.48**
220 Travel	-	-	-
230 Contract	8,744,450.00	8,015,615	728,834.89
233 Rent	-	-	-
240 Supplies	1,626,990.00	618,017	1,008,973.27
250 Equip.	3,173,750.00	2,728,451	445,299.03
270 Wkrs Comp	100,000.00	-	100,000.00
271 Drug Testing	-	-	-
290 Misc.	1,405,878.00	1,740,529	(334,650.60)
361 Power	13,641,896.00	14,855,505	(1,213,609.21)
362 Water	1,804,089.00	2,299,478	(495,389.16)
363 Tele.	365,561.00	123,837	241,723.56
450 Cap. Out.	227,324.00	-	227,324.00
TOTAL Opers	**31,089,938.00**	**30,381,432**	**708,505.77**
TOTALS	**202,533,762.00**	**197,476,695**	**5,057,067.25**

EFSC Special Items for Consideration in EFSC Reports

The current 12-month operating plan does not include the two (2) special items below.

1. The School Lunch Program (SLP) revenues and expenditures. The SLP includes a federal reimbursement for free, reduced and regular lunches. In addition to the federal reimbursement, the SLP program also collects revenue for the student fees for reduced lunches and students that do not qualify for free or reduced lunches. The total amount of federal reimbursements over the past several years are estimated at $10,069,218 and the current year cash collections are estimated to be $1,095,091.
2. The Guam Power Authority (GPA) Promissory note of $2,400,000. On July 27, 2004 the GDOE and GPA entered into an agreement for GDOE to make installment payments of past due billings. The GDOE agreed to the scheduled payments in FY 2011 and FY 2012 of $200,000 per month or $2,400,000 per year. The BSR does not include the appropriation because in the FY 2012 Annual Appropriations Act it appears

in the GDOE Chapter but is appropriated to the Utility Cost Account administered by the DOA.

OFB Recommended Adjustments to EFSC Reports due to Special Items

For the purposes of analyzing the FY 2012 authorized level of spending the two (2) special items are treated as follows:

1. The revenue from the SLP is **added** to the annual appropriation level to provide a relative comparison to previous Appropriation Acts and the appropriations allocated in the Executive Budget Request for Fiscal Year 2013.
2. The appropriation for the GPA Promissory Note of $2,400,000 is **added** to the annual appropriation level to provide a relative comparison to Executive Budget Request for Fiscal Year 2013.

After adjusting for the two (2) special items the total authorized spending level for the GDOE in FY 2012 is $216,098,071.

Table 8

Account Code	Budget Act(s) Appropriations P.L. 31-75/77	School Lunch Program	GPA Promissory Note	Total
111 Salary	126,185,113.00	-	-	126,185,113.00
112 OT	200,000.00	-	-	200,000.00
113 Benefits	45,058,711.00	-	-	45,058,711.00
TOTAL PerSvs	**171,443,824.00**	**-**	**-**	**171,443,824.00**
220 Travel	-	-	-	-
230 Contract	8,744,450.00	10,069,218.00	-	18,813,668.00
233 Rent	-	-	-	-
240 Supplies	1,626,990.00	1,095,091.00	-	2,722,081.00
250 Equip.	3,173,750.00	-	-	3,173,750.00
270 Wkrs Comp	100,000.00	-	-	100,000.00
271 Drug Testing	-	-	-	-
290 Misc.	1,405,878.00	-	-	1,405,878.00
361 Power	13,641,896.00	-	2,400,000.00	16,041,896.00
362 Water	1,804,089.00	-	-	1,804,089.00
363 Tele.	365,561.00	-	-	365,561.00
450 Cap. Out.	227,324.00	-	-	227,324.00
TOTAL Opers	**31,089,938.00**	**11,164,309.00**	**2,400,000.00**	**44,654,247.00**
TOTALS	**202,533,762.00**	**11,164,309.00**	**2,400,000.00**	**216,098,071.00**

UNIVERSITY OF GUAM

The **University of Guam's** (**UOG's**) allocated operational budget in the Executive Budget Request is **$26,688,064**, of which **$25,688,064** is from the General Fund, and **$1,000,000** is from the Territorial Education Facilities Fund. In aggregate this represents a decrease of **1.33%** or **$360,000** under its FY 12 authorized levels. The Executive Budget Request also included a lump-sum budgeted amount of **$4,641,783** for the Yamashita Educator Corps, the Student Financial Aid Program, the Aquaculture Development and Training Center, the WERI Guam Hydrologic Survey and Water Resource Monitoring Program, the Soil & Water Conservation District Program, and the KPRG (**UOG** Programs). In FY 12, these **UOG** Programs were budgeted separately and individually in the same aggregate amount of **$4,641,783**. Additionally, the Executive Budget request includes **$500,000** from the Guam Highway Fund for the UOG Capital Improvement Fund, the same amount budgeted in FY 12 and includes **$1,822,048** for the Guam Cancer Trust Fund, a decrease of **$400,125** or a **28.14%** under the F Y12 authorized levels. The total appropriations to the **UOG** in the Executive Budget Request was **$33,651,895**.

The following tables are a breakdown of the budget request and fund sources compared to the FY 12 authorized levels.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12	Bill 426-31	Variance	% Variance
General Fund	$29,988,904	$29,989,847	$943	0.00%
Guam Highway Fund	$500,000	$500,000	$0	0.00%
Tourist Attraction Fund	$340,000	$340,000	$0	0.00%
Supplemental Appropriations Revenue Fund	$1,360,943	$0	($1,360,943)	-100.00%
Healthy Futures Fund	$1,421,923	$1,822,048	$400,125	28.14%
Territorial Education Facilities Fund	$0	$1,000,000	$1,000,000	#DIV/0!
Total	**$33,611,770**	**$33,651,895**	**$40,125**	**0.12%**

Funding Request by Type	FY 12	Bill 426-31	Variance	% Variance
Operational Appropriation	$27,048,064	$26,688,064	($360,000)	-1.33%
Yamashita Educator Corps	$1,176,221	$0	($1,176,221)	-100.00%
Student Financial Aid Program	$2,423,137	$0	($2,423,137)	-100.00%
Aquaculture Development and Training Center	$125,254	$0	($125,254)	-100.00%
WERI Guam Hydrologic Survey	$182,694	$0	($182,694)	-100.00%
WERI Water Resource Monitoring Program	$155,626	$0	($155,626)	-100.00%
Soil & Water Conservation District Program	$149,384	$0	($149,384)	-100.00%
KPRG (Public Radio)	$89,467	$0	($89,467)	-100.00%
UOG Capital Improvement Fund (§16132, Chapter 16 of Title 17 GCA)	$500,000	$500,000	$0	0.00%
Guampedia Foundation	$140,000	$0	($140,000)	-100.00%
Rhinoceros Beetle Program	$200,000	$0	($200,000)	-100.00%

Administration of the Guam Cancer Trust Fund	$1,421,923	$1,822,048	$400,125	28.14%
Lump Sum Appropriation for UOG Programs	$0	$4,641,783	$4,641,783	#DIV/0!
Total	**$33,611,770**	**$33,651,895**	**$40,125**	**0.12%**

Funding Request Comparison (Bill 426-31 vs. UOG Request)	**Bill 426-31**	**UOG**	**Variance**	**% Variance**
Operational Appropriation	$26,688,064	$28,843,339	$2,155,275	8.08%
Yamashita Educator Corps	$0	$1,238,127	$1,238,127	#DIV/0!
Student Financial Aid Program	$0	$2,550,670	$2,550,670	#DIV/0!
Aquaculture Development and Training Center	$0	$131,846	$131,846	#DIV/0!
WERI Guam Hydrologic Survey	$0	$204,200	$204,200	#DIV/0!
WERI Water Resource Monitoring Program	$0	$173,948	$173,948	#DIV/0!
Soil & Water Conservation District Program	$0	$157,720	$157,720	#DIV/0!
KPRG (Public Radio)	$0	$89,000	$89,000	#DIV/0!
UOG Capital Improvement Fund (§16132, Chapter 16 of Title 17 GCA)	$500,000	$0	($500,000)	-100.00%
Guampedia Foundation	$0	$0	$0	#DIV/0!
Rhinoceros Beetle Program	$0	$0	$0	#DIV/0!
Administration of the Guam Cancer Trust Fund	$1,822,048	$0	($1,822,048)	-100.00%
Lump Sum Appropriation for UOG Programs	$4,641,783	$0	($4,641,783)	-100.00%
Total	**$33,651,895**	**$33,388,850**	**($263,045)**	**-0.78%**

COMMENTS AND OBSERVATIONS

The **UOG** budget submission includes an operational budget request of **$28,843,339** which is **$2,155,275** or **8.08%** more than the Executive Budget Request. In FY 12, the **UOG** received an additional appropriation of **$1,360,943** from the Supplemental Appropriations Revenue Fund by the Guam Legislature in order to forego a planned student tuition increase during that fiscal year via Public Law 31-126. The Executive Budget Request does not include this additional appropriation amount.

The **UOG** budget submission does not include appropriations for the Rhinoceros Beetle Program, the Guampedia Foundation, the Administration of the Guam Cancer Trust Fund, and the Capital Improvement Fund, whereas the Executive Budget Request includes separate Miscellaneous Appropriations to these programs.

The **UOG** budget submission includes a request to fund **thirty-nine (39) Vacant Positions** totaling **$1,819,691** which includes **$388,901** for Clerks, Administrative Assistants, Word Processing Secretaries, Accounting Technicians, Personnel Specialists, Buyers, Painters, and Jr. Program Analysts and includes **$749,360** for Instructors and Professors, and **$681,430** for other positions.

GUAM COMMUNITY COLLEGE

The **Guam Community College's** (**GCC's**) allocated operational budget in the Executive Budget Request is **$13,301,611**, all from the General Fund. This represents an increase of .01% or **$2,094** over its FY12 authorized levels. The Executive Budget Request also included a lump-sum budgeted amount of **$2,417,660** for the LPN and Vocational Guidance, Apprenticeship, and Lodging Management Programs (**GCC** Programs). In FY12, these **GCC** Programs were budgeted separately and individually in the same aggregate amount of **$2,417,660**.

The following tables are a breakdown of the budget request and fund sources compared to the FY 12 authorized levels.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12	Bill 426-31	Variance	% Variance
General Fund	$14,004,575	$14,006,669	$2,094	0.01%
Manpower Development Fund	$1,688,448	$1,688,448	$0	0.00%
Tourist Attraction Fund	$24,154	$24,154	$0	0.00%
Total	**$15,717,177**	**$15,719,271**	**$2,094**	**0.01%**

Funding Request by Type	FY 12	Bill 426-31	Variance	% Variance
Operational Appropriation	$13,299,517	$13,301,611	$2,094	0.02%
LPN and Vocational Guidance Programs	$705,058	$0	($705,058)	-100.00%
Apprenticeship Program	$1,688,448	$0	($1,688,448)	-100.00%
Lodging Management Program	$24,154	$0	($24,154)	-100.00%
Lump Sum Appropriation for GCC Programs	$0	$2,417,660	$2,417,660	#DIV/0!
Total	**$15,717,177**	**$15,719,271**	**$2,094**	**0.01%**

Funding Request Comparison (Bill 426-31 vs. GCC Request)	Bill 426-31	GCC	Variance	% Variance
Operational Appropriation	$13,301,611	$17,513,281	$4,211,670	31.66%
LPN and Vocational Guidance Programs	$0	$806,255	$806,255	#DIV/0!
Apprenticeship Program	$0	$1,975,204	$1,975,204	#DIV/0!
Lodging Management Program	$0	$0	$0	#DIV/0!
Lump Sum Appropriation for GCC Programs	$2,417,660	$0	($2,417,660)	-100.00%
Total	**$15,719,271**	**$20,294,740**	**$4,575,469**	**29.11%**

COMMENTS AND OBSERVATIONS

The **GCC** budget submission includes an operational budget request of **$17,513,281** which is **$4,211,670** or **31.66%** more than the Executive Budget Request. It's submission also includes a total of $2,781,459, or $806,255 for the LPN and Vocational Guidance Programs and $1,975,204 for the Apprenticeship Program. There is no request for the Lodging Management Program. The total lump-sum request in the Executive Budget for all three programs was only **$2,417,660,** which is **$363,799** or **13.07%** less.

GUAM COMMISSION FOR EDUCATOR CERTIFICATION

The Guam Commission for Educator Certification (GCEC) budget request in the Executive Budget Request is $203,831, an increase of 9.76% over its FY 2012 authorized levels. The agency is not requesting to fund any vacant position. As in all other budget proposals from the Executive Branch line agencies for FY 13, increments were not included in this budget request.

The following tables provide an analysis of the detailed budget request by funding source and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request. These are illustrated below along with the OFB's recommendations.

FY 2013 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$177,568	$203,831	$26,263	14.79%
Health Benefits Account - Other Funding	$8,137	$0	($8,137)	-100.00%
Total	**$185,705**	**$203,831**	**$18,126**	**9.76%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
GCEC	$185,705	$203,831	$18,126	9.76%
Total	**$185,705**	**$203,831**	**$18,126**	**9.76%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$121,693			**$121,693**
112 - Overtime	$0			**$0**
113 - Benefits	$51,976			**$51,976**
114 - Insurance Benefits	$0			**$0**
220 - Travel	$0			**$0**
230 - Contractual Services	$14,100			**$14,100**
233 - Office Space Rental	$6,000			**$6,000**
240 - Supplies & Materials	$1,062			**$1,062**
250 - Equipment	$0			**$0**
270 - Workers Compensation	$0			**$0**
271 - Drug Testing	$0			**$0**
280 - Sub-recipient/Subgrant	$0			**$0**

290 - Miscellaneous	$4,200			**$4,200**
361 - Power	$0			**$0**
362 - Water/Sewer	$0			**$0**
363 - Telephone/Toll	$4,800			**$4,800**
450 - Capital Outlay	$0			**$0**
Subtotal	**$203,831**	**$0**	**$0**	**$203,831**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$111,750	$121,693
112 - Overtime	$0	$0
113 - Benefits	$34,794	$51,976
114 - Insurance Benefits	$13,020	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$10,750	$14,100
233 - Office Space Rental	$6,000	$6,000
240 - Supplies & Materials	$391	$1,062
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$4,200	$4,200
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$4,800	$4,800
450 - Capital Outlay	$0	$0
Total	**$185,705**	**$203,831**

OBSERVATIONS AND COMMENTS

The FTE count for FY13 is consistent with current FY12 FTE count per review of the submitted staffing patterns. However, there is an increase in the FY 13 appropriation request in the budget digest. Per review of the current staffing pattern submitted to the OFB the personnel appropriation balance is not consistent to what is reported in the budget digest for FY12 authorized level. When comparing the FY 12 current and FY 13 proposed staffing patterns, the salaries and FTE count are consistent. The only increase relates to benefit increase. There are vacant positions listed in the FY13 proposed staffing pattern, however it was not funded in their request.

There was an increase in FY13 Contractual service appropriation request, which is due to additional request for Staff Training, Commission Members Training, Media Ads, and Webmaster totaling - $3,500.

Object categories – Office Space Rental (233), Miscellaneous (290), and Telephone (363) remain consistent with FY 12 authorize level of appropriations.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

The **Department of Public Health and Social Services** (**DPHSS**) budget in the detailed Budget Digest Forms supporting the Executive Budget Request is **$83,456,412**, an increase of **4.65%** or **$3,711,183** over its FY 12 authorized levels. The actual allocation on the Executive Budget Request is **$84,511,768**. After calling the BBMR, the difference was in the amount of federal funds estimated, with the detailed Budget Digest Forms having a more conservative figure for the estimated federal funds expected to be received in FY 13. The General and Special Funds appropriated amounts in the Executive Budget Request were consistent with corresponding Budget Digest Forms.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$49,573,960	$51,632,070	$2,058,110	4.15%
Healthy Futures Fund	$5,522,582	$5,753,378	$230,796	4.18%
Environmental Health Fund	$738,655	$687,441	($51,214)	-6.93%
Federal Grant Fund	$23,910,032	$25,383,523	$1,473,491	6.16%
Total	**$79,745,229**	**$83,456,412**	**$3,711,183**	**4.65%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Division of General Administration	$3,059,865	$3,530,133	$470,268	15.37%
Division of Environmental Health	$1,386,539	$1,302,090	($84,449)	-6.09%
Division of Public Health	$6,383,731	$6,934,729	$550,998	8.63%
Division of Senior Citizens	$11,685,548	$10,565,782	($1,119,766)	-9.58%
Division of Public Welfare	$57,229,546	$61,123,678	$3,894,132	6.80%
Total	**$79,745,229**	**$83,456,412**	**$3,711,183**	**4.65%**

Funding Request by Program	FY 12 Authorized	FY 13	Variance	% Variance
Division of General Administration	**$3,059,865**	**$3,530,133**	**$470,268**	**15.37%**
Director's Office	$444,302	$478,817	$34,515	7.77%
Health Professional Licensing Office	$195,198	$252,908	$57,710	29.56%
Systems & Programming Group	$408,000	$508,921	$100,921	24.74%
Management Support Services	$190,306	$196,360	$6,054	3.18%
Financial Management Sevices	$208,670	$211,871	$3,201	1.53%
Facilities & Maintenance	$1,475,386	$1,722,442	$247,056	16.75%
Supply Section	$138,003	$158,814	$20,811	15.08%
Division of Environmental Health	**$1,386,539**	**$1,302,090**	**($84,449)**	**-6.09%**

Environmental Health	$647,884	$614,649	($33,235)	-5.13%
Environmental Health Fund	$738,655	$687,441	($51,214)	-6.93%
Division of Public Health	**$6,383,731**	**$6,934,729**	**$550,998**	**8.63%**
Chief Public Health Office	$1,519,715	$1,390,406	($129,309)	-8.51%
Bureau of Communicable Disease	$917,807	$827,627	($90,180)	-9.83%
Bureau of Nutrition Services	$96,000	$96,000	$0	0.00%
Bureau of Family Health & Nursing Services	$909,883	$888,386	($21,497)	-2.36%
Bureau of Primary Care Services	$2,252,186	$2,980,318	$728,132	32.33%
Bureau of Community Health Services (BCHS) (formerly Professional Support Services-BPSS)	$341,981	$258,208	($83,773)	-24.50%
Medicine & Vacant Positions	$346,159	$493,784	$147,625	42.65%
Division of Senior Citizens	**$11,685,548**	**$10,565,782**	**($1,119,766)**	**-9.58%**
State Office on Aging (5101B - Maintenance of Effort)	$549,401	$198,373	($351,028)	-63.89%
State Office on Aging (5100A - SOA Overmatch)	$257,276	$627,552	$370,276	143.92%
State Agency on Aging	$232,500	$252,913	$20,413	8.78%
Adult Protective Services	$506,400	$462,829	($43,571)	-8.60%
Supportive Services Title IIIB (5101B - Maintenance of Effort)	$545,764	$897,507	$351,743	64.45%
Supportive Services Title IIIB (5100A - IIIB Overmatch)	$5,563,659	$4,779,869	($783,790)	-14.09%
Congregate Meals Title IIIC1 (5101B - Maintenance of Effort)	$1,023,512	$978,520	($44,992)	-4.40%
Congregate Meals Title IIIC1 (5100A - Overmatch)	$3,894	$0	($3,894)	-100.00%
Home-Delivered Meals Title IIIC2 (5101B - Maintenance of Effort)	$892,648	$938,757	$46,109	5.17%
Home-Delivered Meals Title IIIC2 (5100A - IIIC2 Overmatch)	$1,524,512	$852,916	($671,596)	-44.05%
Preventive Health Title IIID (5101B - Maintenance of Effort)	$46,137	$45,665	($472)	-1.02%
Preventive Health Title IIID (5100A - IIID Overmatch)	$13,080	$3,779	($9,301)	-71.11%
Medication Management Title IIID (PREVENTIVE HEALTH)	$18,333	$18,333	$0	0.00%
National Family Caregiver Support Program Title IIIE	$508,432	$508,769	$337	0.07%
Division of Public Welfare	**$57,229,546**	**$61,123,678**	**$3,894,132**	**6.80%**
State Office	$41,520	$159,783	$118,263	284.83%
Bureau of Management Support - Investigations and Recoupment Office (IRO)	$310,040	$533,524	$223,484	72.08%
Bureau of Management Support	$418,448	$618,387	$199,939	47.78%

Bureau of Economic Security - Supplemental Nutrition Assistance Program (SNAP)	$1,306,334	$1,996,165	$689,831	52.81%
Bureau of Economic Security - General Assistance (60 cases)	$399,821	$479,785	$79,964	20.00%
Bureau of Economic Security - Public Assistance Maintenance of Effort	$947,202	$947,202	$0	0.00%
Bureau of Economic Security - Public Assistance Aged, Blind and Disabled (Adult Programs)	$387,557	$484,446	$96,889	25.00%
Bureau of Economic Security Public Assistance Penalty	$86,603	$529,767	$443,164	511.72%
Bureau of Management Support - Guam Employment and Training Program (GETP)	$152,235	$175,900	$23,665	15.55%
Bureau of Social Services Administration - Foster Care	$1,971,236	$2,139,021	$167,785	8.51%
Medically Indigent Program (MIP) - Administration	$103,048	$122,150	$19,102	18.54%
State Children's Health Insurance Program (SCHIP)	$6,364,838	$6,126,547	($238,291)	-3.74%
Enhanced Allotment Plan (EAP)	$38,468	$32,168	($6,300)	-16.38%
Enhanced Allotment Plan (EAP-Payment)	$1,363,676	$1,391,548	$27,872	2.04%
Medicaid -Administration	$3,822,000	$3,711,287	($110,713)	-2.90%
Medicaid - Payment	$23,488,007	$24,853,091	$1,365,084	5.81%
Medically Indigent Program (MIP) Payments	$15,317,551	$15,822,907	$505,356	3.30%
MIP Cancer Screening	$710,962	$1,000,000	$289,038	40.65%
Total	**$79,745,229**	**$83,456,412**	**$3,711,183**	**4.65%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$3,375,856	$1,308,460	$3,931,170	**$8,615,486**
112 - Overtime	$0	$0	$0	**$0**
113 - Benefits	$1,352,625	$538,242	$1,473,133	**$3,364,000**
114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$378,625	$179,525	$24,327	**$582,477**
230 - Contractual Services	$11,603,276	$4,713,827	$104,867	**$16,421,970**
233 - Office Space Rental	$561,750	$138,834	$0	**$700,584**
240 - Supplies & Materials	$729,207	$41,740	$231,293	**$1,002,240**
250 - Equipment	$2,125	$2,125	$27,200	**$31,450**

270 - Workers Compensation	$3,000	$0	$0	**$3,000**
271 - Drug Testing	$940	$40	$378	**$1,358**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$32,432,430	$18,286,918	$648,451	**$51,367,799**
361 - Power	$673,300	$73,300	$0	**$746,600**
362 - Water/Sewer	$25,900	$9,900	$0	**$35,800**
363 - Telephone/Toll	$443,036	$40,612	$0	**$483,648**
450 - Capital Outlay	$50,000	$50,000	$0	**$100,000**
Subtotal	**$51,632,070**	**$25,383,523**	**$6,440,819**	**$83,456,412**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$51,632,070**	**$25,383,523**	**$6,440,819**	**$83,456,412**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$7,846,857	$8,615,486
112 - Overtime	$0	$0
113 - Benefits	$2,503,367	$3,364,000
114 - Insurance Benefits	$333,660	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$440,210	$582,477
230 - Contractual Services	$17,181,508	$16,421,970
233 - Office Space Rental	$634,674	$700,584
240 - Supplies & Materials	$521,189	$1,002,240
250 - Equipment	$7,248	$31,450
270 - Workers Compensation	$3,000	$3,000
271 - Drug Testing	$449	$1,358
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$49,077,816	$51,367,799
361 - Power	$575,882	$746,600
362 - Water/Sewer	$41,648	$35,800
363 - Telephone/Toll	$427,721	$483,648
450 - Capital Outlay	$150,000	$100,000
Total	**$79,745,229**	**$83,456,412**

COMMENTS AND OBSERVATIONS

A large portion of the increase in the FY 13 budget increase was attributed to the Division of Public Welfare where there was an increase of **6.8%** or **$3,894,132**, of which **$1,473,648** is attributed to an increase in Federal Funds, and **$2,482,995** is attributed to an increase in General Fund appropriations requests. A notable decrease was in the Division of Senior Citizens which was decreased by **9.58%** or **$1,119,786** most of which was attributed to an overall decrease in General Fund support for programs such as the Supportive Services, Congregate Meals, and Home-Delivered Meals.

The DPHSS FY 13 Budget Request includes **ninety-three (93) funded Vacant Positions** in the amount of **$2,752,266** for Salaries and **$1,297.327** for Benefits of which **$2,333,866** for Salaries and **$1,116,764** for Benefits were attributed to Federal Funds and **$418,400** for Salaries and **$180,563** for Benefits were attributed to General and Special Funds.

There were differences in the way the miscellaneous appropriations were budgeted between FY 12 and FY 13. In FY 12, there were miscellaneous appropriations for the Medicaid Program and Medicines and Vacant Positions for Community Health Centers. In FY 13, these miscellaneous appropriations were not included, rather, were lumped into the operational budget request. There may need to be some inquiry into the exact amount needed for each of these programs that were separately appropriated in FY 12, for FY 13.

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

The **Department of Mental Health and Substance Abuse** (**DMHSA**) budget in the Executive Budget Request is **$17,270,422**, an increase of **21.27%** or **$3,028,828** over its FY 2012 authorized levels. The Executive Budget Request includes an increase from the General Fund of **25%** or **$2,837,099** and an increase from the Healthy Futures Fund of **7.18%** or **$191,728**. These increases are attributed to the **$4,008,347** appropriation request entitled **"FMT - Plan of Action Personnel Take Over for General Fund"** from the General Fund which are the total Salaries and Benefits that is expected to be covered by the General Fund in FY13 with the Director's Office receiving a **17.09%** or **$1,487,996** decrease. The Director's Office decrease is attributable to the decreased request in Supplies & Materials of **85.34%** or **$920,348** under the FY12 authorized level as well as the **13.51%** or **$622,188** decrease in Contractual Services along with other changes in the other object categories.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$11,346,827	$14,183,926	$2,837,099	25.00%
Healthy Futures Fund	$2,668,906	$2,860,634	$191,728	7.18%
Federal Matching Fund	$225,861	$225,862	$1	0.00%
Total	**$14,241,594**	**$17,270,422**	**$3,028,828**	**21.27%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Director's Office	$8,709,213	$7,221,217	($1,487,996)	-17.09%
Clinical Services	$2,135,028	$2,003,193	($131,835)	-6.17%
Child/Adolescent Services	$828,994	$835,948	$6,954	0.84%
Nursing Services	$2,323,255	$2,908,532	$585,277	25.19%
I Famagu'on-ta	$245,104	$293,185	$48,081	19.62%
Amended Permanent Injunction and Plan of Action (Salaries and Benefits)	$0	$4,008,347	$4,008,347	0.00%
Total	**$14,241,594**	**$17,270,422**	**$3,028,828**	**21.27%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$5,872,326	$0	$2,249,863	**$8,122,189**
112 - Overtime	$36,465	$0	$32,985	**$69,450**

113 - Benefits	$2,403,343	$0	$492,038	**$2,895,381**
114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0	$0	**$0**
230 - Contractual Services	$3,983,643	$0	$0	**$3,983,643**
233 - Office Space Rental	$156,600	$0	$0	**$156,600**
240 - Supplies & Materials	$758,152	$0	$85,748	**$843,900**
250 - Equipment	$0	$0	$0	**$0**
270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$38,397	$225,862	$0	**$264,259**
361 - Power	$750,000	$0	$0	**$750,000**
362 - Water/Sewer	$50,000	$0	$0	**$50,000**
363 - Telephone/Toll	$135,000	$0	$0	**$135,000**
450 - Capital Outlay	$0	$0	$0	**$0**
Subtotal	**$14,183,926**	**$225,862**	**$2,860,634**	**$17,270,422**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
Detoxification, Rehabilitation and Prevention Services	$839,040	$0	$0	**$839,040**
Oasis Empowerment for Women Alcohol Substance and Homeless Program	$50,000	$0	$0	**$50,000**
Amended Permanent Injunction and Plan of Action	$1,250,000	$0	$0	**$1,250,000**
Subtotal	**$2,139,040**	**$0**	**$0**	**$2,139,040**

Grand Total	**$16,322,966**	**$225,862**	**$2,860,634**	**$19,409,462**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$5,275,581	$8,122,189
112 - Overtime	$76,590	$69,450
113 - Benefits	$1,639,801	$2,895,381
114 - Insurance Benefits	$319,182	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$4,605,831	$3,983,643
233 - Office Space Rental	$194,600	$156,600

240 - Supplies & Materials	$1,078,500	$843,900
250 - Equipment	$16,250	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$290,258	$264,259
361 - Power	$600,000	$750,000
362 - Water/Sewer	$25,000	$50,000
363 - Telephone/Toll	$120,000	$135,000
450 - Capital Outlay	$0	$0
Total	**$14,241,593**	**$17,270,422**

COMMENTS AND OBSERVATIONS

The **DMHSA** Executive Budget Request includes **eighty-one (81) funded Vacant Positions** in the amount of **$1,947,435** for Salaries. These vacant positions are mainly attributable to the Federal Management Team's Plan of Action for the "Center," "Nursing," "Clinical," and "Admin." Additionally, other federal programs such as the "Focus on Life - Youth Suicide Prevention, the Guma Hinemlo Supportive Housing Program, the "Drug and Alcohol Branch/New Beginnings" which is funded by the Substance Abuse, Prevention, and Treatment Grant, and the Child/Adolescent Services - Stepdown programs included several vacant positions.

The **DMHSA** Executive Budget Request also included several Miscellaenous Appropriations for the Detoxification, Rehabilitation, and Prevention Services in the amount of **$839,040**, the Oasis Empowerment for Women Alcohol Substance and Homeless Program in the amount of **$50,000** and the Amended Permanent Injunction and Plan of Action in the amount of **$1,250,000**. The **DMHSA** received the same amount, in aggregate, for the first two programs in FY12, but received **$3,000,000** in FY12 for the Amended Permanent Injunction as mandated by the District Court. To date, the mandated deposits of cash into the Federal Management Team's trustee account has been suspended.

When analyzing the object category increases and decreases over and under the FY12 authorized levels, there are increases in Power of **25%** or **$150,000,** Water of **100%** or **$25,000,** Telephone/Toll of **12.50%** or **$15,000,** and decreases in Contractual Services of **13.51%** or **$622,188,** Office Space Rental of **19.53%** or **$38,000,** Supplies & Materials of **21.75%** or **$234,600,** and Miscellaneous of **8.96%** or **$25,999,** with Equipment not receiving an appropriation request in which it received **$16,250** in FY12.

DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES

The **Department of Integrated Services for Individuals with Disabilities** (**DISID**) budget in the Executive Budget Request is **$4,923,184**, of which **$2,992,651** is from Federal Matching Funds, **$1,235,770** is from the General Fund, and **$694,763** is from the Healthy Futures Fund. In aggregate this represents an increase of **27.49%** or **$1,061,448** over its FY 2012 authorized levels. This increase is highly attributable to the increase of **45.83%** or **$940,443** in Federal Matching Funds and the increase in Healthy Futures Fund appropriations of **35.20%** or **$180,882**, and the decrease in the General Fund of **4.62%** or **$59,877**. The Division of Vocational Rehabilitation receives all of the Federal Matching Funds and correspondingly was the division that received the largest increase in appropriation level over FY12.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$1,295,647	$1,235,770	($59,877)	-4.62%
Healthy Futures Fund	$513,881	$694,763	$180,882	35.20%
Federal Grant Fund	$2,052,208	$2,992,651	$940,443	45.83%
Total	**$3,861,736**	**$4,923,184**	**$1,061,448**	**27.49%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Director's Office and Support Services	$638,352	$615,478	($22,874)	-3.58%
Fiscal and Administration	$56,567	$58,107	$1,540	2.72%
Vocational Rehabilitation	$2,607,634	$3,602,607	$994,973	38.16%
Service Contracts	$513,881	$646,992	$133,111	25.90%
Difference between P.L. 31-77 and BBMR Form BD-1 Budget Digest	$45,302	$0	($45,302)	-100.00%
Total	**$3,861,736**	**$4,923,184**	**$1,061,448**	**27.49%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$353,319	$0	$22,942	**$376,261**
112 - Overtime	$0	$0	$0	**$0**
113 - Benefits	$135,685	$0	$10,511	**$146,196**

114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0	$0	**$0**
230 - Contractual Services	$6,000	$0	$650,992	**$656,992**
233 - Office Space Rental	$110,810	$0	$7,318	**$118,128**
240 - Supplies & Materials	$4,000	$0	$3,000	**$7,000**
250 - Equipment	$0	$0	$0	**$0**
270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$609,954	$2,992,653	$0	**$3,602,607**
361 - Power	$0	$0	$0	**$0**
362 - Water/Sewer	$0	$0	$0	**$0**
363 - Telephone/Toll	$16,000	$0	$0	**$16,000**
450 - Capital Outlay	$0	$0	$0	**$0**
Subtotal	**$1,235,768**	**$2,992,653**	**$694,763**	**$4,923,184**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$1,235,768**	**$2,992,653**	**$694,763**	**$4,923,184**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$395,322	$376,261
112 - Overtime	$0	$0
113 - Benefits	$113,601	$146,196
114 - Insurance Benefits	$22,746	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$584,305	$656,992
233 - Office Space Rental	$118,128	$118,128
240 - Supplies & Materials	$4,000	$7,000
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$2,607,634	$3,602,607

361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$16,000	$16,000
450 - Capital Outlay	$0	$0
Total	**$3,861,736**	**$4,923,184**

COMMENTS AND OBSERVATIONS

The **DISID** Executive Budget Request includes **twenty-two (22) funded Vacant Positions** in the amount of **$552,843** in Salaries and **$236,109** in Benefits. The Division of Vocational Rehabilitation includes the bulk of the vacant positions in the amount of **$474,567** in Salaries and **$202,569** in Benefits with the Fiscal and Administration and Support Services divisions with the remaining vacant positions.

UNIFIED JUDICIARY OF GUAM

The **Unified Judiciary of Guam** (**Judiciary**) submitted its FY13 budget request to the Office of Finance and Budget with a **12%** increase in its General Fund operational appropriation level as compared to the current year appropriation levels for FY12. The Judiciary budget submission includes a request for **$2,456,221** from the General Fund for the law enforcement increases. The FY13 Executive Request submitted for the Judiciary is a lump sum amount, which is also inclusive of other Semi-Autonomous agencies' budgets such as the Attorney General of Guam, Public Defender, Legislature, Mayor's Council, and Office of Public Accountability. The lump sum appropriation for these agencies in the FY13 Executive Request is a **$1.8 Million** decrease compared to FY12 level of appropriations.

The following tables are a breakdown of the **Judiciary's** budget request, the Executive Budget Request, and fund sources compared to the FY 12 authorized levels.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12	Bill 426-31	Variance	% Variance
Semi-Autonomous Agencies: (MCOG, OAG, Public Defender, Legislature, OFB, & OPA)	$55,324,722	$53,477,615	($1,847,107)	-3.34%
Total	**$55,324,722**	**$53,477,615**	**($1,847,107)**	**-3.34%**

Funding Request by Type	FY 12	Judiciary FY13	Variance	% Variance
Operational Appropriation	$23,341,886	$26,133,468	$2,791,582	11.96%
Adult and Juvenile Drug Courts	$651,277	$739,509	$88,232	13.55%
Court-Apointed Attorney Fees	$745,433	$1,300,000	$554,567	74.40%
Family Visitation Center	$145,000	$0	($145,000)	-100.00%
Mental Health Court	$0	$98,823	$98,823	#DIV/0!
Law Enforcement 40%	$0	$2,456,221	$2,456,221	#DIV/0!
Total	**$24,883,596**	**$30,728,021**	**$5,844,425**	**23.49%**

The Committee compared the **Judiciary's** FY12 Current Staffing levels with its proposed FY13 Staffing request, by department. Utilizing the figures presented in the Judiciary's budget submission, there is a minimal **$2,381** decrease in Salaries.

Department	FY12 Current Salaries	FY13 Proposed Salaries	Variance	% Variance
Justice Chamber & Legal Writing	$893,672	$894,024	$352	0.04%
Appelate Court & Ministerial & Board of Law Examiners	$168,250	$168,250	$0	0.00%
Office of the Ethics Prosecutor	$161,351	$161,351	$0	0.00%
Office of the Public Guardian	$212,492	$212,492	$0	0.00%
Office of the Compiler of Laws	$246,547	$246,547	$0	0.00%

Judge's Chambers	$2,026,669	$2,023,936	($2,733)	-0.13%
Courts & Ministerial Division/Northern Court Satellite	$2,640,527	$2,640,527	$0	0.00%
Probation Services	$2,807,700	$2,807,700	$0	0.00%
Client Services & Family Counseling	$499,433	$499,433	$0	0.00%
Judicial Hearing	$352,595	$352,595	$0	0.00%
Adult & Juvenile Drug Court	$388,157	$388,157	$0	0.00%
Mental Health Court	$71,954	$71,954	$0	0.00%
Administrative Services	$3,108,130	$3,108,130	$0	0.00%
Marshals Services	$3,163,246	$3,163,246	$0	0.00%
Total	**$16,740,723**	**$16,738,342**	**($2,381)**	**-0.01%**

The Committee compared the **Judiciary's** FY12 Current Staffing levels with its proposed FY13 Staffing request, by department. Utilizing the figures presented in the Judiciary's budget submission, there is a minimal **$2,381** decrease in Salaries.

Department	FY12 Current Salaries	FY13 Proposed Salaries	Variance	% Variance
Justice Chamber & Legal Writing	$893,672	$894,024	$352	0.04%
Appelate Court & Ministerial & Board of Law Examiners	$168,250	$168,250	$0	0.00%
Office of the Ethics Prosecutor	$161,351	$161,351	$0	0.00%
Office of the Public Guardian	$212,492	$212,492	$0	0.00%
Office of the Compiler of Laws	$246,547	$246,547	$0	0.00%
Judge's Chambers	$2,026,669	$2,023,936	($2,733)	-0.13%
Courts & Ministerial Division/Northern Court Satellite	$2,640,527	$2,640,527	$0	0.00%
Probation Services	$2,807,700	$2,807,700	$0	0.00%
Client Services & Family Counseling	$499,433	$499,433	$0	0.00%
Judicial Hearing	$352,595	$352,595	$0	0.00%
Adult & Juvenile Drug Court	$388,157	$388,157	$0	0.00%
Mental Health Court	$71,954	$71,954	$0	0.00%
Administrative Services	$3,108,130	$3,108,130	$0	0.00%
Marshals Services	$3,163,246	$3,163,246	$0	0.00%
Total	**$16,740,723**	**$16,738,342**	**($2,381)**	**-0.01%**

Similarly, the **Judiciary's** FY13 benefit levels appear to show a slight decrease of **$783** when compared to the FY12 Current Staffing Pattern.

Department	FY12 Current Benefits	FY13 Proposed Benefits	Variance	% Variance
Justice Chamber & Legal Writing	$321,017	$321,133	$116	0.04%
Appelate Court & Ministerial & Board of Law Examiners	$64,769	$64,769	$0	0.00%

Office of the Ethics Prosecutor	$61,293	$61,293	$0	0.00%
Office of the Public Guardian	$86,946	$86,946	$0	0.00%
Office of the Compiler of Laws	$95,034	$95,034	$0	0.00%
Judge's Chambers	$748,076	$747,177	($899)	-0.12%
Courts & Ministerial Division/Northern Court Satellite	$1,146,522	$1,146,522	$0	0.00%
Probation Services	$1,056,967	$1,056,967	$0	0.00%
Client Services & Family Counseling	$199,161	$199,161	$0	0.00%
Judicial Hearing	$138,737	$138,737	$0	0.00%
Adult & Juvenile Drug Court	$155,905	$155,905	$0	0.00%
Mental Health Court	$26,869	$26,869	$0	0.00%
Administrative Services	$1,261,506	$1,261,506	$0	0.00%
Marshals Services	$1,311,184	$1,311,184	$0	0.00%
Total	**$6,673,986**	**$6,673,203**	**($783)**	**-0.01%**

The Committee noticed that the **Judiciary** utilized a **31.44%** FY12 and FY13 Retirement Contribution calculation when it should have used **28.30%** and **30.09%,** respectively, for each year. When recalculating the difference, it appears that the budget request for benefits, specifically for Retirement Contributions in FY13 is overstated by **$241,943**.

Department	FY12 Current Benefits	FY13 Proposed Benefits	Variance	% Variance
Justice Chamber & Legal Writing	$281,081	$269,012	($12,069)	-4.29%
Appelate Court & Ministerial & Board of Law Examiners	$52,898	$50,626	($2,272)	-4.29%
Office of the Ethics Prosecutor	$50,729	$48,551	($2,178)	-4.29%
Office of the Public Guardian	$66,808	$63,939	($2,869)	-4.29%
Office of the Compiler of Laws	$77,514	$74,186	($3,328)	-4.29%
Judge's Chambers	$593,819	$609,002	$15,183	2.56%
Courts & Ministerial Division/Northern Court Satellite	$830,182	$794,535	($35,647)	-4.29%
Probation Services	$882,741	$844,837	($37,904)	-4.29%
Client Services & Family Counseling	$157,022	$150,279	($6,743)	-4.29%
Judicial Hearing	$110,856	$106,096	($4,760)	-4.29%
Adult & Juvenile Drug Court	$122,037	$116,796	($5,241)	-4.29%
Mental Health Court	$22,622	$21,651	($971)	-4.29%
Administrative Services	$977,196	$935,236	($41,960)	-4.29%
Marshals Services	$1,053,005	$951,821	($101,184)	-9.61%
Total	**$5,278,510**	**$5,036,567**	**($241,943)**	**-4.58%**

OFFICE OF I MAGA'LAHEN GUAHAN

The Office of I Maga'lahen Guahan (GOV) budget amount in the Executive Budget Request is $6,555,924 a decrease of 1.62% under its FY2012 authorized levels. The funds to support this agency are from the General Fund and the Indirect Cost Fund.

The following tables provide an analysis of the detailed budget request by funding source and by division between the public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request. These are illustrated below along with the OFB's recommendations.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$6,249,420	$6,233,688	($15,732)	-0.25%
Indirect Cost Fund	$326,345	$322,236	($4,109)	-1.26%
Health Benefits Account – Other Funding	$87,992	$0	($87,992)	-100.00%
Total	**$6,663,757**	**$6,555,924**	**($107,833)**	**-1.62%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Executive Direction	$3,788,087	$3,780,499	($7,588)	-0.20%
Guam Liaison Office - Washington D.C.	$209,447	$215,814	$6,367	3.04%
Government House	$571,585	$545,471	($26,114)	-4.57%
Bureau of Information Technology	$187,328	$179,929	($7,399)	-3.95%
Guam Medical Referral Office	$597,796	$650,425	$52,629	8.80%
Office of I Segundu Na Maga'lahen Guam	$983,169	$861,550	($121,619)	-12.37%
Guam State Clearinghouse	$326,345	$322,236	($4,109)	-1.26%
Total	**$6,663,757**	**$6,555,924**	**($107,833)**	**-1.62%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$3,591,012		$208,000	**$3,799,012**
112 - Overtime	$0		$0	**$0**
113 - Benefits	$1,368,091		$94,054	**$1,462,145**
114 - Insurance Benefits	$0		$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$99,000		$6,600	**$105,600**
230 - Contractual Services	$835,722		$11,000	**$846,722**

233 - Office Space Rental	$38,500		$0	**$38,500**
240 - Supplies & Materials	$29,480		$0	**$29,480**
250 - Equipment	$26,125		$0	**$26,125**
270 - Workers Compensation	$0		$0	**$0**
271 - Drug Testing	$0		$0	**$0**
280 - Sub-recipient/Subgrant	$0		$0	**$0**
290 - Miscellaneous	$196,258		$2,582	**$198,840**
361 - Power	$0		$0	**$0**
362 - Water/Sewer	$0		$0	**$0**
363 - Telephone/Toll	$49,500		$0	**$49,500**
450 - Capital Outlay	$0		$0	**$0**
Subtotal	**$6,233,688**	**$0**	**$322,236**	**$6,555,924**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$6,233,688**	**$0**	**$322,236**	**$6,555,924**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$3,916,012	$3,799,012
112 - Overtime	$0	$0
113 - Benefits	$1,385,773	$1,462,145
114 - Insurance Benefits	$148,647	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$96,000	$105,600
230 - Contractual Services	$786,702	$846,722
233 - Office Space Rental	$35,000	$38,500
240 - Supplies & Materials	$26,800	$29,480
250 - Equipment	$33,452	$26,125
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$190,371	$198,840
361 - Power	$0	$0
362 - Water/Sewer	$0	$0

363 - Telephone/Toll	$45,000	$49,500
450 - Capital Outlay	$0	$0
Total	**$6,663,757**	**$6,555,924**

COMMENTS AND OBSERVATIONS

- For the FY13 budget request there were 4 FTE less than the current FY12 FTE count. The decrease in request for FY13 personnel services relates to two FTE from the Government House and two FTE from the Lt. Gov's Office positions, which are no longer being funded. There was also a decrease in benefits for the FY13 request as opposed to current levels' authorized appropriation.
- The increase in object category 220 – Travel represents a 10% increase in the FY13 budget request over the FY12 authorized levels, as shown below:

220 - Travel	2012	2013	Variance	% Variance
Executive Direction	75,000.00	82,500.00	7,500.00	10%
Lt. Governor's Office	15,000.00	16,500.00	1,500.00	10%
Guam State Clearinghouse	6,000.00	6,600.00	600.00	10%
Total	96,000.00	105,600.00	9,600.00	10%

- There was an increase in the FY 13 request of object category 230 – Contractual Service in the amount of $61,639.00 as taken from the divisions' Form Budget Digests, see below:

230 - Contractual Service	2012	2013	Variance	% Variance
Executive Direction	162,062.00	161,236.00	(826.00)	-1%
Guam Liason Office	9,100.00	10,010.00	910.00	10%
Government House	45,980.00	50,579.00	4,599.00	10%
Bureau of Information Tech	2,850.00	3,135.00	285.00	10%
Guam Medical Referral Office	541,344.00	595,478.00	54,134.00	10%
Lt. Governor's House	15,366.00	16,903.00	1,537.00	10%
Guam State Clearinghouse	10,000.00	11,000.00	1,000.00	10%
Total	786,702.00	848,341.00	61,639.00	8%
		846,722.00	Shown on BD-1	
		1,619.00	Unreconciled Difference	

- The increase in object category 290 – Miscellaneous represents a 10% increase in the FY13 budget request over the FY12 authorized levels by divisions, as shown below:

290 - Miscellaneous	2012	2013	Variance	% Variance
Executive Direction	105,700.00	105,700.00	-	0%
Guam Liason Office	1,500.00	1,650.00	150.00	10%
Government House	78,000.00	85,800.00	7,800.00	10%
Bureau of Information Tech	1,625.00	1,788.00	163.00	10%
Guam Medical Referral Office	-	-	-	0%
Lt. Governor's House	1,200.00	1,320.00	120.00	10%
Guam State Clearinghouse	2,346.00	2,582.00	236.00	10%
Total	190,371.00	198,840.00	8,469.00	4%

COMMISSION ON DECOLONIZATION

The Commission on Decolonization submitted its budget request signed off by the Executive Director and the BBMR for Fiscal Year 2013 for $239,613. This proposed amount is a status quo request with current year appropriations from only the General Fund.

With the exception of the Executive Director, the staff support is provided by (Unclassified status) Staff Assistants from the Office of the Governor; therefore, increments are not applied.

The following tables provide an analysis of the detailed budget request by funding source, by division, and by object class between FY 12 (Public Law 31-77) and the FY 13 Executive Budget Request.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY12 Authorized	FY 13 Request	Variance	% Variance
General Fund	$238,255	$239,613	$1,358	0.57%
Health Benefits Account - Other Funding	$1,358	$0	($1,358)	-100.00%
Total	**$239,613**	**$239,613**	**$0**	**0.00%**

Funding Request by Division	FY 12 Authorized	FY 13 Request	Variance	% Variance
Commission on Decolonization	$239,613	$239,613	$0	0.00%
Total	**$239,613**	**$239,613**	**$0**	**0.00%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$155,000	$0	$0	**$155,000**
112 - Overtime	$0	$0	$0	**$0**
113 - Benefits	$66,523	$0	$0	**$66,523**
114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel	$6,045	$0	$0	**$6,045**
230 - Contractual Services	$9,045	$0	$0	**$9,045**
233 - Office Space Rental	$0	$0	$0	**$0**
240 - Supplies & Materials	$0	$0	$0	**$0**
250 - Equipment	$0	$0	$0	**$0**

270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
OBJECT CLASS - DESCRIPTION	**GENERAL FUND**	**FEDERAL MATCHING FUNDS**	**SPECIAL FUNDS**	**TOTAL**
290 - Miscellaneous	$0	$0	$0	**$0**
361 - Power	$0	$0	$0	**$0**
362 - Water/Sewer	$0	$0	$0	**$0**
363 - Telephone/Toll	$3,000	$0	$0	**$3,000**
450 - Capital Outlay	$0	$0	$0	**$0**
Subtotal	**$239,613**	**$0**	**$0**	**$239,613**

OBJECT CLASS - DESCRIPTION	**GENERAL FUND**	**FEDERAL MATCHING FUNDS**	**SPECIAL FUNDS**	**TOTAL**
NONE	$0	$0	$0	**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$239,613**	**$0**	**$0**	**$239,613**

FY 2012 vs. FY 2013 BUDGET OVERVIEW

The table below compares appropriations for FY 12, requested for FY 13, and what is recommended by the Office of Finance and Budget for FY 13. Please note that funding for life, medical, and dental insurance benefits for FY 13 are included in Object Class 113.

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$155,000	$155,000
112 - Overtime	$0	$0
113 - Benefits	$47,596	$66,523
114 - Insurance Benefits	$17,477	$0
220 - Travel	$0	$6,045
230 - Contractual Services	$4,840	$9,045
233 - Office Space Rental	$0	$0
240 - Supplies & Materials	$4,170	$0
250 - Equipment	$7,530	$0
270 - Workers Compensation	$0	$0

271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$0	$0
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$3,000	$3,000
450 - Capital Outlay	$0	$0
Total	**$239,613**	**$239,613**

OBSERVATION AND COMMENTS

- Although the budget proposed by the Commission on Decolonization is for the same amount in aggregate, appropriations among object classes will shift to increase Contractual Services (230) and eliminate funding for Supplies and Materials as well as for Equipment.
- Only one item was listed in Schedule B (Contractual Services) for "Professional Consultant Services," but details were not submitted to provide more information.
- The increase to Personnel Services is $1,450 for increases in benefits costs.
- The total FTE remains the same at 3, and vacancies were not authorized in this proposed budget request.
- There is no statement for Prior Year Obligations anticipated in FY 12.

ANCESTRAL LANDS COMMISSION

The **Ancestral Lands Commission** (**GALC**) budget request in the Executive Budget Request is **$103,957**, a decrease of $85,282 over its FY2012 authorized levels. The fund to support this agency is from the General Fund. There are no requests for funded vacancies.

Since the Chamorro Land Trust is a trust which restricts use of it funds for the sole use of it beneficiaries, the budget request for the Department is being revised to remove the trust fund and separate the budget of the Chamorro Land Trust from that of the Department of Land Management. The same applies to the Ancestral Lands Commission and the extraction of the ALC budget from the DLM budget will also be made.

The following tables provide an analysis of the detailed budget request by funding source and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$189,239	$103,957	($85,282)	-45.07%
Total	**$189,239**	**$103,957**	**($85,282)**	**-45.07%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Guam Ancestral Lands Commission	$189,239	$103,957	($85,282)	-45.07%
Total	**$189,239**	**$103,957**	**($85,282)**	**-45.07%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$56,680			**$56,680**
112 - Overtime	$0			**$0**
113 - Benefits	$24,427			**$24,427**
114 - Insurance Benefits	$0			**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0			**$0**
230 - Contractual Services	$10,850			**$10,850**
233 - Office Space Rental	$0			**$0**
240 - Supplies & Materials	$3,600			**$3,600**
250 - Equipment	$0			**$0**
270 - Workers Compensation	$0			**$0**

271 - Drug Testing	$0			**$0**
280 - Sub-recipient/Subgrant	$0			**$0**
290 - Miscellaneous	$8,400			**$8,400**
361 - Power	$0			**$0**
362 - Water/Sewer	$0			**$0**
363 - Telephone/Toll	$0			**$0**
450 - Capital Outlay	$0			**$0**
Subtotal	**$103,957**	**$0**	**$0**	**$103,957**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$103,957**	**$0**	**$0**	**$103,957**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$125,094	$56,680
112 - Overtime	$0	$0
113 - Benefits	$38,096	$24,427
114 - Insurance Benefits	$5,468	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$3,040	$10,850
233 - Office Space Rental	$0	$0
240 - Supplies & Materials	$8,066	$3,600
250 - Equipment	$775	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$0	$8,400
361 - Power	$4,700	$0
362 - Water/Sewer	$600	$0
363 - Telephone/Toll	$3,400	$0
450 - Capital Outlay	$0	$0
Total	**$189,239**	**$103,957**

COMMENTS AND OBSERVATIONS

- The FY13 request for personnel services decreased and this is a result of one less employee as compared to the FY12 authorized level. The position, which was eliminated related to the Executive Director position. Salaries decreased by $68,414 and benefits by $19,137 for FY13 request from the FY12 authorized level.
- The contractual service object category increased by $7k in additional requests from the FY12 authorized level. Requests include: Advertisement - $3,000; Vehicle Maintenance - $400; Software contract upgrades - $1,700; Training - $450.
- The miscellaneous object category increased to only include GALC Commission Stipends of $8,400, which was not appropriated in FY12.
- There is no appropriation request for power, water, and telephone in the FY12 request as there was in the FY12 authorized level.

VETERANS AFFAIRS OFFICE

The Veteran's Affairs Office (VAO) budget request in the Executive Budget Request is $322,229 a decrease of -6.52% from its FY2012 authorized levels. There are no requests for funded vacancies. As in all other budget proposals from the Executive Branch line agencies for FY 13, increments were not included in this budget request.

The following tables provide an analysis of the detailed budget request by funding source and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request. These are illustrated below along with the OFB's recommendations.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$340,380	$322,229	($18,151)	-5.33%
Health Benefits Account - Other Funding	$4,338	$0	($4,338)	-100.00%
Total	**$344,718**	**$322,229**	**($22,489)**	**-6.52%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Health & Welfare	$238,858	$209,617	($29,241)	-12.24%
Guam Veterans Cemetery	$105,860	$112,612	$6,752	6.38%
Total	**$344,718**	**$322,229**	**($22,489)**	**-6.52%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$207,397			**$207,397**
112 - Overtime	$0			**$0**
113 - Benefits	$73,034			**$73,034**
114 - Insurance Benefits	$0			**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0			**$0**
230 - Contractual Services	$14,766			**$14,766**
233 - Office Space Rental	$0			**$0**
240 - Supplies & Materials	$7,000			**$7,000**
250 - Equipment	$0			**$0**
270 - Workers Compensation	$0			**$0**
271 - Drug Testing	$0			**$0**
280 - Sub-recipient/Subgrant	$0			**$0**
290 - Miscellaneous	$0			**$0**
361 - Power	$11,000			**$11,000**

362 - Water/Sewer	$1,032			**$1,032**
363 - Telephone/Toll	$8,000			**$8,000**
450 - Capital Outlay	$0			**$0**
Subtotal	**$322,229**	**$0**	**$0**	**$322,229**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$322,229**	**$0**	**$0**	**$322,229**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$236,499	$207,397
112 - Overtime	$0	$0
113 - Benefits	$62,869	$73,034
114 - Insurance Benefits	$7,611	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$10,000	$14,766
233 - Office Space Rental	$0	$0
240 - Supplies & Materials	$7,707	$7,000
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$0	$0
361 - Power	$11,000	$11,000
362 - Water/Sewer	$1,032	$1,032
363 - Telephone/Toll	$8,000	$8,000
450 - Capital Outlay	$0	$0
Total	**$344,718**	**$322,229**

COMMENTS AND OBSERVATIONS

- Personnel services appropriations decreased in FY13 from current level appropriation levels. This is due to the two vacant positions (2-Veteran Service Representatives), which were funded in the current FY12, which are not funded in the FY13 request.
- The increase in Contractual services appropriation for FY13 request relates largely to Memorial Day and Veterans Day Ceremonies with a requested amount of $7,266.
- Utility Appropriations remain consistent in the FY13 request with current FY12 authorized levels.
- The Department is also receiving an additional appropriation of $390,000 as a local match required in its grant application for the expansion of the Veterans Cemetery.

270 - Workers Compensation	$0	$0		$0
271 - Drug Testing	$0	$0		$0
280 - Sub-recipient/Subgrant	$0	$0		$0
290 - Miscellaneous	$11,322	$0		$11,322
361 - Power	$325,344	$917,024		$1,242,368
362 - Water/Sewer	$6,111	$18,333		$24,444
363 - Telephone/Toll	$8,428	$3,000		$11,428
450 - Capital Outlay	$0	$0		$0
Subtotal	**$702,054**	**$1,547,700**	**$0**	**$2,249,754**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				$0
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$702,054**	**$1,547,700**	**$0**	**$2,249,754**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$578,133	$565,201
112 - Overtime	$0	$0
113 - Benefits	$213,043	$217,645
114 - Insurance Benefits	$305	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$17,000	$17,000
230 - Contractual Services	$121,204	$94,620
233 - Office Space Rental	$0	$0
240 - Supplies & Materials	$61,726	$65,726
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$8,524	$11,322
361 - Power	$1,185,727	$1,242,368
362 - Water/Sewer	$24,444	$24,444
363 - Telephone/Toll	$11,428	$11,428
450 - Capital Outlay	$0	$0
Total	**$2,221,534**	**$2,249,754**

COMMENTS AND OBSERVATIONS

- The significant increase with this FY13 budget request relates to the object category for Power.

GUAM FIRE DEPARTMENT

The Guam Fire Department submitted its budget request for $29,713,373 according to the budget ceiling established in the Executive Budget Request for Fiscal Year 2013. This amount reflects an overall decrease of $603,932 (-1.99%) from current year appropriation levels with a significant decrease of $526,935 in projections for the F.L.A.M.E. Fund and an increase of $42,351 is projected for the Enhanced 911 Emergency Reporting System Fund.

As in all other budget proposals from the Executive Branch line agencies for FY 13, increments were not included in this budget request.

The following tables provide an analysis of the detailed budget request by funding sources, by division, and by object classes between Public Law 31-77 and the FY 13 Executive Budget Request.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13 Request	Variance	% Variance
General Fund	$27,495,191	$27,989,678	$494,487	1.80%
Fire, Life, and Medical Emergency Fund (F.L.A.M.E.)	$600,000	$73,065	($526,935)	-87.82%
Enhanced E911 and Communications	$1,608,279	$1,650,630	$42,351	2.63%
Health Benefits Account – Other Funding	$511,835	$0	($511,835)	-100.00%
	$30,215,305	**$29,713,373**	**($501,932)**	**-1.66%**

Funding Request by Division	FY 12 Authorized	FY 13 Request	Variance	% Variance
Fire Chief's Office	$150,553	$147,702	($2,851)	-1.89%
Administrative Support & Logistics	$1,468,384	$1,580,879	$112,495	7.66%
EMS/Rescue Operations	$8,434,801	$8,718,087	$283,286	3.36%
Fire Suppression	$17,953,288	$17,543,010	($410,278)	-2.29%
Enhanced E911 and Communications	$1,608,279	$1,650,630	$42,351	2.63%
F.L.A.M.E.	$600,000	$73,065	($526,935)	-87.82%
Total	**$30,215,305**	**$29,713,373**	**($501,932)**	**-1.66%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$18,429,699	$0	$566,881	**$18,996,580**
112 - Overtime	$1,302,114	$0	$19,525	**$1,321,639**
113 - Benefits	$7,070,495	$0	$242,514	**$7,313,009**

114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel	$0	$0	$0	**$0**
230 - Contractual Services	$212,893	$0	$547,790	**$760,683**
233 - Office Space Rental	$105,000	$0	$0	**$105,000**
240 - Supplies & Materials	$338,910	$0	$59,700	**$398,610**
250 - Equipment	$7,000	$0	$77,885	**$84,885**
270 - Workers Compensation	$20,000	$0	$0	**$20,000**
271 - Drug Testing	$3,500	$0	$800	**$4,300**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$120,000	$0	$20,500	**$140,500**
361 - Power	$292,000	$0	$60,000	**$352,000**
362 - Water/Sewer	$64,067	$0	$3,600	**$67,667**
363 - Telephone/Toll	$24,000	$0	$50,000	**$74,000**
450 - Capital Outlay	$0	$0	$74,500	**$74,500**
Subtotal	**$27,989,678**	**$0**	**$1,723,695**	**$29,713,373**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE	$0	$0	$0	**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$27,989,678**	**$0**	**$1,723,695**	**$29,713,373**

FY 2012 vs. FY 2013 BUDGET OVERVIEW

The table below compares appropriations among what was authorized for FY 12, what was requested for FY 13, and what is recommended by the Office of Finance and Budget for FY 13. Please note that expenditures for life, medical, and dental insurance benefits for FY 13 are included in Object Class 113.

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$18,641,321	$18,996,580
112 - Overtime	$1,979,182	$1,321,639
113 - Benefits	$6,321,448	$7,313,009
114 - Insurance Benefits	$871,459	$0
220 - Travel	$0	$0
230 - Contractual Services	$393,018	$760,683

233 - Office Space Rental	$0	$105,000
240 - Supplies & Materials	$677,813	$398,610
250 - Equipment	$72,473	$84,885
270 - Workers Compensation	$20,000	$20,000
271 - Drug Testing	$6,370	$4,300
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$634,552	$140,500
361 - Power	$357,206	$352,000
362 - Water/Sewer	$77,493	$67,667
363 - Telephone/Toll	$93,000	$74,000
450 - Capital Outlay	$69,970	$74,500
Total	**$30,215,305**	**$29,713,373**

OBSERVATIONS AND COMMENTS

- The overall decrease is largely attributed to the Executive Budget Request's projection of the F.L.A.M.E. (Fire, Life, and Medical Emergency) Fund.
- There are no supporting documents detailing the anticipated decrease to the F.L.A.M.E. Fund projections for FY 13 ($526,935), which is currently tracking at 86% below revenue estimates for FY 12 at $82,947 vs. $600,000. Although the 2008 Fee Schedule appears to be in use and is published at the GFD website, there are no supporting documents submitted with GFD's budget details to account for the decrease in collections, nor to explain the projection of the F.L.A.M.E. fund for FY 13.
- There were two Special Funds Transfers from the F.L.A.M.E. fund to the General Fund for costs associated with GFD's lease of ambulances in Fiscal Year 2012. The reports state that reimbursement is expected from Compact Impact funds, but it is not clear as to whether or not these funds have, in fact, been reimbursed.
- Another matter in question is justification for the transfer when the F.L.A.M.E. fund was established for the purpose of purchasing medical emergency equipment such as ambulances.
- The Guam Fire Department submitted details for its Prior Year Obligations, stating a total of $628,116.57 anticipated for FY 12, compared to the stated amount reported for FY 11 and prior at $645,855.65. (See Form PYO-1 as submitted by GFD.)
- The total cost for Personnel Services is $182,182 less than current year appropriations in Object Classes 111-114.
- The total FTE for GFD is 286, but the Proposed Staffing Patterns include 17 funded vacancies (1 Administrative Services Officer, 1 Heavy Equipment Mechanic II, and 15 "New Employee - Fire Recruit/Firefighters"). The total requested for funded vacancies is $720,671.
- Special Pay totals $5,371,402 compared to a total of $5,413,607 for the current year appropriation. See the table on Page 3 for more details.

SPECIAL PAY	FY 2012 Authorized	FY 2013 Request	Variance	% Variance
Holiday Pay	$511,432	$513,250	$1,818	0.36%
Night Differential 10%	$825,823	$832,142	$6,319	0.77%
Firefighter's 106 Hrs 32%	$4,161,752	$3,808,988	($352,764)	-8.48%

EMT Pay 15%	$294,778	$300,964	$6,186	2.10%
Total	**$5,793,785**	**$5,455,344**	**($338,441)**	**-5.84%**

Public Law 31-77 authorized a total of $5,413,607 for Special Pay in FY 12, and the data in the FY 2012 Authorized column in the above table is based on GFD's submitted Current Staffing Pattern totals which include funded vacant positions and reflects $380,108 more than what was authorized.

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- The Vehicle Fleet Inventory has not changed between fiscal years, reporting a total of 142 vehicles—60 operational and 82 nonoperational at the time of BBMR's certification of GFD's budget request (April 2, 2012).

CHAMORRO LAND TRUST COMMISSION

The **Chamorro Land Trust Commission** (**CLTC**) budget request in the Executive Budget Request is **$1,023,596**, an increase of **39.14%** over its FY 2012 authorized levels. The fund to support this agency is from the Chamorro Land Trust Operation Fund. There are no requests for funded vacancies.

Since the Chamorro Land Trust is a trust which restricts use of it funds for the sole use of it beneficiaries, the budget request for the Department is being revised to remove the trust fund and separate the budget of the Chamorro Land Trust from that of the Department of Land Management. The same applies to the Ancestral Lands Commission and the extraction of the ALC budget from the DLM budget will also be made.

The following tables provide an analysis of the detailed budget request by funding source and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
Chamorro Land Trust Operations Fund	$735,656	$1,023,596	$287,940	39.14%
Total	**$735,656**	**$1,023,596**	**$287,940**	**39.14%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Chamorro Land Trust Committee	$735,656	$1,023,596	$287,940	39.14%
Total	**$735,656**	**$1,023,596**	**$287,940**	**39.14%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay			$225,723	**$225,723**
112 - Overtime			$0	**$0**
113 - Benefits				**$0**
114 - Insurance Benefits			$110,118	**$110,118**
220 - Travel (Off-island/Local Mileage Reimbursement)			$0	**$0**
230 - Contractual Services			$504,642	**$504,642**
233 - Office Space Rental			$48,000	**$48,000**
240 - Supplies & Materials			$16,800	**$16,800**
250 - Equipment			$3,000	**$3,000**

270 - Workers Compensation			$0	**$0**
271 - Drug Testing			$113	**$113**
280 - Sub-recipient/Subgrant			$0	**$0**
290 - Miscellaneous			$7,200	**$7,200**
361 - Power			$0	**$0**
362 - Water/Sewer			$0	**$0**
363 - Telephone/Toll			$0	**$0**
450 - Capital Outlay			$108,000	**$108,000**
Subtotal	**$0**	**$0**	**$1,023,596**	**$1,023,596**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				$0
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$0**	**$0**	**$1,023,596**	**$1,023,596**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$384,841	$225,723
112 - Overtime	$0	$0
113 - Benefits	$116,289	$110,118
114 - Insurance Benefits	$27,792	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$124,570	$504,642
233 - Office Space Rental	$0	$48,000
240 - Supplies & Materials	$29,571	$16,800
250 - Equipment	$0	$3,000
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$113
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$24,243	$7,200
361 - Power	$21,750	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$6,600	$0
450 - Capital Outlay	$0	$108,000
Total	**$735,656**	**$1,023,596**

COMMENTS AND OBSERVATIONS

- The FY13 request for personnel services decreased and this is a result of one less employee as compared to the FY12 authorized level.
- There was an additional $380k request from the CLTC for the following new services in FY13: audit services $45k, scanning project services $178k, and IT infrastructure $104k.
    - The request for audit services is for financial audit services, which they are currently working with the OPA. The OPA suggested having the CLTC funds audited for three years: 2012 – 2014. They sent out their first proposal last year and only one vendor responded with $40k estimate for this service; however the vendor never completed the services. DLM used this amount as a basis for their audit service.
    - The IT infrastructure of $140k is for the following items:
        - Server – estimated to cost is between $40-$60k; their current server is full to its max capacity and it has already met its life expectancy.
        - VM Blade Server License needs to be renewed and it would cost approximately $60k.
        - The left over request is for other computer upgrades.
- There was an increase in FY13 request for office rental for $48k from the CLTC. In the FY12 authorized level there was no authorization for office rental for CLTC.
- There was a decrease in Miscellaneous FY13 request. For FY13, the CLTC is only funding Commission Member stipends in the amount of $7,200.
- There were no appropriations for power and water for FY13.
- There was a FY13 request for capital outlay in the amount of $108k, this relates to CLTC request for 4 vehicles at $27k each.
    - Per discussion with the Administrative Service Officer, she mentioned that CLTC currently has three inoperable vehicles, which would cost a lot more to repair. They are requesting to purchase 4 new trucks in FY 13 to help with their field work.

OFFICE OF THE ATTORNEY GENERAL

The budget request for OAG shows an increase of 55% in base appropriations. The chart below provides a comparison between the FY 12 appropriation levels and the requested appropriation levels for FY 13 across Divisions. (Note: Appropriations in PL 31-77 were not itemized as a Division-Level budget.)

	FY 2012 Appropriations PL 31-77	FY2013 OAG Request	Increase/ (Decrease)	% of Change
Administration Division	10,389,414.00	2,980,216.00	(7,409,198.00)	
Solicitor Division	-	2,039,134.00	2,039,134.00	
Civil Litigation Division	-	2,977,880.00	2,977,880.00	
Prosecution Division	-	5,465,289.00	5,465,289.00	
Juvenile Division	-	1,035,043.00	1,035,043.00	
Child Support Division (34% Local Match)	932,409.00	3,291,453.00	2,359,044.00	
Insurance benefits (Medical/Dental/Life Insurance)	157,737.00	-	(157,737.00)	-100%
Power			-	
Water			-	
Subtotal Base Appropriations	**11,479,560.00**	**17,789,015.00**	**6,309,455.00**	**55%**

The FY 13 Executive Budget Request proposes a lump sum amount to seven semi-autonomous agencies: the Mayors' Council of Guam, the Office of the Attorney General, the Unified Courts, the Public Defender Service Corporation, the Legislature, the Office of Finance and Budget, and the Office of Public Accountability. The Executive Branch proposes a **decrease** of $1.8 million from the current year appropriation level as shown in the table below.

	FY 2012 Appropriations	FY 2013 Executive Request	Increase/ (Decrease)	% of Change
Semi-Autonomous Agencies: (MCOG, AG, Courts, Public Defender, Legislature, OFB, and OPA)	$55,324,722	$53,477,615	-$1,847,107	-3%

The Office of the Attorney General submitted its budget request to the Office of Finance and Budget with an increase in its Base Appropriations as compared to the current year appropriation levels.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 OAG Budget Request. These are illustrated below along with the OFB's recommendations.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$11,321,823	$17,789,015	$6,467,192	57.12%
Health Benefits Account - Other Funding	$157,737	$0	($157,737)	-100.00%
Total	**$11,479,560**	**$17,789,015**	**$6,309,455**	**54.96%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance

Administration Division	$10,547,151	$2,980,216	($7,566,935)	
Solicitor Division	$0	$2,039,134	$2,039,134	
Civil Litigation Division	$0	$2,977,880	$2,977,880	
Prosecution Division	$0	$5,465,289	$5,465,289	
Juvenile Division	$0	$1,035,043	$1,035,043	
Child Support Division (34% Local Match)	$932,409	$3,291,453	$2,359,044	
Total	**$11,479,560**	**$17,789,015**	**$6,309,455**	**54.96%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$8,769,748			**$8,769,748**
112 - Overtime	$0			**$0**
113 - Benefits	$3,499,722			**$3,499,722**
114 - Insurance Benefits	$0			**$0**
220 - Travel	$53,958			**$53,958**
230 - Contractual Services	$759,986			**$759,986**
233 - Office Space Rental	$633,285			**$633,285**
240 - Supplies & Materials	$126,700			**$126,700**
250 - Equipment	$141,890			**$141,890**
270 - Workers Compensation	$0			**$0**
271 - Drug Testing	$2,720			**$2,720**
280 - Sub-recipient/Subgrant	$0			**$0**
290 - Miscellaneous	$3,291,453			**$3,291,453**
361 - Power	$356,112			**$356,112**
362 - Water/Sewer	$10,692			**$10,692**
363 - Telephone/Toll	$42,000			**$42,000**
450 - Capital Outlay	$100,750			**$100,750**
Subtotal	**$17,789,016**	**$0**	**$0**	**$17,789,016**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
				$0
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$17,789,016**	**$0**	**$0**	**$17,789,016**

FY12 AUTHORIZED COMPARISON WITH FY13 OAG BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$6,167,938	$8,769,748
112 - Overtime	$0	$0
113 - Benefits	$1,807,405	$3,499,722
114 - Insurance Benefits	$157,737	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$20,000	$53,958
230 - Contractual Services	$460,593	$759,986
233 - Office Space Rental	$493,816	$633,285
240 - Supplies & Materials	$36,570	$126,700
250 - Equipment	$35,253	$141,890
270 - Workers Compensation	$0	$0
271 - Drug Testing	$2,288	$2,720
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$2,173,460	$3,291,453
361 - Power	$0	$356,112
362 - Water/Sewer	$0	$10,692
363 - Telephone/Toll	$42,000	$42,000
450 - Capital Outlay	$82,500	$100,750
Total	**$11,479,560**	**$17,789,016**

OBSERVATIONS AND COMMENTS

Personnel Object Categories Analysis: The budget submittal shows that there will be a decrease in FTE from 176 to 158 personnel (10% decrease), they also requested funding for 87 vacancies in FY 13.

	FTE Positions Occupied 2012	2013	Increase/ (Decrease)	% of Change
Unclassified	155	136	-19	-12%
Classified	21	22	1	5%
Total Positions	176	158	-18	-10%

* The above amounts are taken from the submitted Proposed FY2013 and Current FY2012 Staffing Patterns.

	VACANCIES 2012	2013	Increase/ (Decrease)	% of Change
Unclassified	112	85	-27	-24%
Classified	2	2	0	0%
Total Positions	114	87	-27	-24%

* The above amounts are taken from the submitted Proposed FY2013 and Current FY2012 Staffing Patterns.

The OAG submitted an updated budget request that included vacancies.

Operational Object Categories Analysis: Total Operational object class categories collectively show an increase of 55% above current year appropriation levels.

- *220 – Travel:* An increase of $33,958 was requested for off-island travel for staff to attend conferences, for expert witnesses, and for staff to appear in litigated cases.

- *230 – Contractual Services:* An increase of about $300,000 is requested for this category to fund anticipated expenses such as Guam Bar fees and background investigations for vacancies; costs associated with expert witnesses; and the APASI system.

  The current year appropriation for the APASI system was at $340,000 (34% Local Match of $1M), and the aggregated amount for the Local Match request (34%) for FY 13 is $1,010,520.

  According to the OAG it costs over $1 million a year just to maintain the APASI system. They currently have two RFP: project management consultant and quality assurance for the APASI system. The target date for the new APASI system is FY2016.

  The cost for the APASI system upgrade varies depending on what choice is selected: $5 million for patches; 15-35 million for hybrid system; and $40-60 million for a new system.

  OAG gave an estimate of $47 million for the total cost of the APASI system and $16 million of that will be local share and this cost is spread over the years until 2016.

- *233 – Office space rental:* The 28% increase for Office Rental expenses may be attributed to and change in lease terms, but details were not provided.
  - During the budget hearing the OAG mentioned that they were in re-negotiation on their current lease. They are will be required to pay for their utilities and will have to keep track of their consumption.
  - The landlord has asked for $0.05 more in the rent for their 31,000 sq.ft./month. They currently do not pay utilities and are exploring other options for rent.
  - They will be issuing an RFI with regards to their rent situation.

- *240 – Supplies & Materials:* The most common line item across all divisions for funding in this category is for office supplies.

- *290 – Miscellaneous:* A 51% increase for Miscellaneous expenses is anticipated for FY 13, but Schedule E for all divisions was left blank, and support documents were included to account for the requests for funding Object Class 290.

- *361 – Power, 362 – Water:* There is no change in utility costs.

- *450 – Capital Outlay:* The 22% increase in this category is attributed to the plan to purchase new official vehicles and cubicles for new staff (if vacancies are filled).

The OAG mentioned that they currently have an estimated balance of $5.2 million in unclaimed child support payments earning interest, which has been there between 5-10 years.

PUBLIC DEFENDER SERVICE CORPORATION

The Executive Budget Request for FY 13 proposes a lump sum amount to the two branches, Legislative and Judicial, and four semi-autonomous agencies to include the Public Defender Service Corporation, the Mayors' Council of Guam, the Office of the Attorney General, the Office of Finance and Budget, and the Office of Public Accountability. The Executive Branch proposes a **decrease** of $1.8 million from current year appropriations as shown in the table below.

	FY 2012 Appropriations	FY 2013 Executive Request	Increase/ (Decrease)	% of Change
Semi-Autonomous Agencies: (MCOG, OAG, Courts, PDSC, Legislature, OFB, and OPA)	$55,324,722	$53,477,615	-$1,847,107	-3%

The Public Defender Service Corporation submitted its budget request for $4,126,843, which is $330,088 greater than current year appropriations.

The following tables provide an analysis of the detailed budget request by funding sources, by division, and by object classes between Public Law 31-77 and the FY 13 Executive Budget Request.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13 Request	Variance	% Variance
General Fund	$3,736,496	$4,126,843	$390,347	10.45%
Health Benefits Account - Other Funding	$60,259	$0	($60,259)	-100.00%
Total	**$3,796,755**	**$4,126,843**	**$330,088**	**8.69%**

Funding Request by Division	FY 12 Authorized	FY 13 Request	Variance	% Variance
Director's and Administrative Director's Office	$727,679	$749,714	$22,035	3.03%
Attorneys	$1,460,809	$1,621,646	$160,837	11.01%
Investigative Services	$324,900	$329,437	$4,537	1.40%
Legal Secretarial Services	$600,591	$657,998	$57,407	9.56%
Records Management and Property Services	$67,482	$68,248	$766	1.14%
Process Services	$97,989	$96,398	($1,591)	-1.62%
Legal Clerical Services	$149,582	$197,604	$48,022	32.10%
Fiscal Services	$176,000	$176,549	$549	0.31%
Personnel Services	$60,152	$65,977	$5,825	9.68%
Management Information Services	$131,571	$163,272	$31,701	24.09%
Total	**$3,796,755**	**$4,126,843**	**$330,088**	**8.69%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$2,555,902	$0	$0	**$2,555,902**
112 – Overtime	$0	$0	$0	**$0**
113 – Benefits	$819,106	$0	$0	**$819,106**
114 - Insurance Benefits	$160,655	$0	$0	**$160,655**
220 - Travel	$20,000	$0	$0	**$20,000**
230 - Contractual Services	$115,390	$0	$0	**$115,390**
233 - Office Space Rental	$271,200	$0	$0	**$271,200**
240 - Supplies & Materials	$28,700	$0	$0	**$28,700**
250 - Equipment	$30,650	$0	$0	**$30,650**
270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$39,320	$0	$0	**$39,320**
361 - Power	$48,000	$0	$0	**$48,000**
362 - Water/Sewer	$0	$0	$0	**$0**
363 - Telephone/Toll	$31,920	$0	$0	**$31,920**
450 - Capital Outlay	$6,000	$0	$0	**$6,000**
Subtotal	**$4,126,843**	**$0**	**$0**	**$4,126,843**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE	$0	$0	$0	**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$4,126,843**	**$0**	**$0**	**$4,126,843**

FY 2012 vs. FY 2013 BUDGET OVERVIEW

The table below compares appropriated budget for FY 12, requested for FY 13, and what is recommended by the Office of Finance and Budget for FY 13. Please note that funding for life, medical, and dental insurance benefits for FY 13 are included in Object Class 113.

OFB RECOMMENDATION COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$2,346,542	$2,555,902

112 - Overtime	$0	$0
113 - Benefits	$803,253	$819,106
114 - Insurance Benefits	$127,506	$160,655
220 - Travel	$0	$20,000
230 - Contractual Services	$96,509	$115,390
233 - Office Space Rental	$271,200	$271,200
240 - Supplies & Materials	$28,700	$28,700
250 - Equipment	$23,100	$30,650
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$20,025	$39,320
361 - Power	$48,000	$48,000
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$31,920	$31,920
450 - Capital Outlay	$0	$6,000
Total	**$3,796,755**	**$4,126,843**

OBSERVATIONS AND COMMENTS

The Public Defender Service Corporation is proposing to increase its FTE count from 51 to 53 to add one Attorney I and one Legal Secretary. Each position is listed as a "New" position in the Proposed Staffing Pattern.

The funded vacancies of the new positions increases personnel costs by $97,181, while the overall increase for existing FTE is $116,531.

Authorization currently exists for PDSC to continue to hire attorneys on a contractual basis to meet the caseload requirements and other mandated services; however, the previous Executive Director has expressed that the recruitment process for attorneys from off-island becomes difficult, because current statute dictates that attorneys may not be hired as LTAs until after they pass the Guam Bar, which often leaves PDSC with a shortage of manpower.

Funding for Special Pay totals $8,282, $4,832 greater than what was approved for FY 12. See the table below for details.

SPECIAL PAY (GFD)	FY 12 Authorized	FY 13 Request	Variance	% Variance
Night Differential 10%	$3,450	$8,282	$4,832	140.06%
Total	**$3,450**	**$8,282**	**$4,832**	**140.06%**

Total Operational object class categories collectively show an increase of 55% above current year appropriation levels.

Note: At the budget hearing for FY 12, the previous Executive Director made specific cuts to their budget presentation, recommending to eliminate funding for travel, a number of funded vacancies, and computer software installations and upgrades. Because these funds were eliminated based on the PDSC recommendations, the funds are now being requested for FY 13.

Travel was not funded for FY 12, and PDSC is requesting $20,000 for this category. The request has been made before and is being proposed once again for PDSC to be able to participate in conferences and litigation skills training off-island. (Due to funding limitations for travel, PDSC has made efforts to bring trainers to Guam to reduce cost for training and travel.)

As in past budget request submittals, the 20% increase in this category is associated with legal professional fees, computer software and applications installations or upgrades, and insurance for vehicles and contents. Some of these items were not funded this fiscal year at the recommendation of PDSC.

Lease terms for the current office space have been maintained thus the status quo requested for rental expenditures for FY 13.

There is a 33% increase (additional $7,550) which is to accommodate new positions if recruited for as well as to replace current office equipment.

A 96% increase (additional $19,295) is requested to supplement fees and costs associated with legal subscriptions, computer application/software subscriptions, training, dues, and advertisement. Some items were not funded this fiscal year.

There is a $6,000 request to acquire a data storage server. This category was not funded this fiscal year.

Performance appraisals continue to be performed, and increments are paid to eligible personnel during this fiscal year.

MAYOR'S COUNCIL OF GUAM

The Mayors' Council of Guam submitted its budget request to the Office of Finance and Budget with a 39% increase in its Base Appropriations as compared to the current year appropriation levels for FY2012. The total Miscellaneous Appropriation request from the Mayors' Council increased by 15% above current year's appropriation levels.

	FY 2012 Appropriations PL31-77	FY2013 MCOG Request	Increase/ (Decrease)	% of Change
Base appropriations (excluding: Insurance benefits and Utilities)	7,183,062.00	10,484,217.00	3,301,155.00	46%
Insurance benefits (Medical/Dental/Life Insurance)	236,433.00	-	(236,433.00)	-100%
Power	766,013.00	936,547.00	170,534.00	22%
Water	159,266.00	167,684.00	8,418.00	5%
Subtotal Base Appropriations	**8,344,774.00**	**11,588,448.00**	**3,243,674.00**	**39%**
Miscellaneous appropriations				
Street Maintenance Beautification	1,036,026.00	1,136,026.00	100,000.00	10%
Island-wide Village Beautification Projects	470,921.00	570,921.00	100,000.00	21%
Ground Maintenance for Schools	447,863.00	515,042.00	67,179.00	15%
Public Safety & Social Education Programs	416,860.00	516,860.00	100,000.00	24%
Subtotal Miscellaneous Appropriations	**2,371,670.00**	**2,738,849.00**	**367,179.00**	**15%**

The FY2013 Executive Request submitted for the Mayors' Council is a lump sum amount, which is also inclusive of other Semi-Autonomous agencies' budgets such as the Attorney General of Guam, Unified Public Defender, Legislature and Office of Public Accountability. The lump sum appropriation for these agencies in the FY2013 Executive Request is a $1.8 Million decrease compared to FY2012 level of appropriations.

	FY 2012 Appropriations	FY 2013 Executive Request	Increase/ (Decrease)	% of Change
Semi-Autonomous Agencies: (MCOG, AG, Courts, Public Defender, Legislature, OFB, and OPA)	55,324,722.00	53,477,615.00	(1,847,107.00)	-3%

There were additional services added to the responsibilities of the Mayors' Council in FY2012. These services include the operations of the village based Senior Citizens Centers and the animal control unit. Funding for the Senior Citizens Centers will be via a MOU/Conract with the Division of Senior Citizens of the DPHSS. Funding for the animail control unit is currently in the Department of Agriculture, pending the transfer by the Admistration.

The impact of the decreased Executive request appropriations for FY13 is unknown at this point however; it could affect the Mayors' Council's ability to provide adequate services to the community. The FY13 budget preparation will be a challenging task for the Office of Finance and Budget to address the needs of these Semi-Autonomous agencies' budgets with the significant decrease requested by the Executive branch for these agencies.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request. These are illustrated below along with the OFB's recommendations.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$8,108,341	$11,588,448	$3,480,107	42.92%
Health Benefits Account - Other Funding	$236,433	$0	($236,433)	-100.00%
Total	**$8,344,774**	**$11,588,448**	**$3,243,674**	**38.87%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Mayors' Council of Guam	$8,344,774	$11,588,448	$3,243,674	38.87%
Total	**$8,344,774**	**$11,588,448**	**$3,243,674**	**38.87%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$5,329,386			**$5,329,386**
112 - Overtime	$0			**$0**
113 - Benefits	$2,090,299			**$2,090,299**
114 - Insurance Benefits	$0			**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0			**$0**
230 - Contractual Services	$100,000			**$100,000**
233 - Office Space Rental	$104,772			**$104,772**
240 - Supplies & Materials	$25,000			**$25,000**
250 - Equipment	$0			**$0**
270 - Workers Compensation	$0			**$0**
271 - Drug Testing	$0			**$0**
280 - Sub-recipient/Subgrant	$0			**$0**

290 - Miscellaneous	$1,229,071			**$1,229,071**
361 - Power	$936,547			**$936,547**
362 - Water/Sewer	$167,684			**$167,684**
363 - Telephone/Toll	$105,689			**$105,689**
450 - Capital Outlay	$1,500,000			**$1,500,000**
Subtotal	**$11,588,448**	**$0**	**$0**	**$11,588,448**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
Street Maintenance Beautification			$1,136,026	**$1,136,026**
Island-wide Village Beautification Projects			$570,921	**$570,921**
Ground Maintenance for Schools			$515,042	**$515,042**
Public Safety & Social Education Programs			$516,860	**$516,860**
Subtotal	**$0**	**$0**	**$2,738,849**	**$2,738,849**

Grand Total	**$11,588,448**	**$0**	**$2,738,849**	**$14,327,297**

FY12 AUTHORIZED COMPARISON WITH FY13 MCOG BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$5,036,956	$5,329,386
112 - Overtime	$0	$0
113 - Benefits	$1,463,950	$2,090,299
114 - Insurance Benefits	$396,258	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$0	$100,000
233 - Office Space Rental	$100,332	$104,772
240 - Supplies & Materials	$1,000	$25,000
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$332,812	$1,229,071
361 - Power	$766,013	$936,547
362 - Water/Sewer	$159,266	$167,684
363 - Telephone/Toll	$88,187	$105,689
450 - Capital Outlay	$0	$1,500,000

Total	**$8,344,774**	**$11,588,448**

OBSERVATIONS AND COMMENTS

- As was requested in previous fiscal years, the Mayors' Council is also requesting for continuing appropriations. The unexpended balance of funds appropriated to the Mayors' Council for FY2011 and FY2012 to not lapse and to be available to the Mayors' Council for expenditures in FY2013 for use in any category except personnel. Lastly, they request for the authority to make payments on prior year obligations. They would like to utilize unexpended funds appropriated to the Mayors' Council for FY12 and funds appropriated for FY13, to pay for prior years obligations incurred. These requests were taken from the Agency Narrative submitted.
- *Personnel Object Categories Analysis:* There was an 8% increase requested in the Personnel object categories as shown in the above chart. Per the budget narrative submitted, the reason for the increase is because of the following:
    - Retirement increased from 28.30% to 30.09%
    - Increased Medical Benefits (Health/Dental)
    - Salary Increment for MCOG Admin. – Classified Personnel
    - 8 additional Community Maintenance Workers FTE for FY2013
        - The request for 8 additional CMW are for the larger villages. The law states that every village is entitled to 5 CMW, however the larger villages would need more than 5 CMW within their village.
- FTE Count:

	2012	2013
Unclassified	204	212
Classified	7	7
Total Positions	211	219

- *Operational Object Categories Analysis:* Total Operational object class categories collectively show an increase of 188% above current year FY2012 appropriation levels.
- *230 – Contractual Services*
    - For current year FY2012 there was no appropriation given for contractual services. However, the Mayors' Council has requested for the following contractual services related to the MCOG Administration office for FY2013, which was taken from Form BBMR96A:

Item		Price
Repair and Service Maintenance of Computers/Printers, Facsimile, Electronic Typewriter, I-Connect Radios and Official Vehicles. Postal Box Rental, Internet Service, and Maintenance of MCOG Website. Printing of MCOG Stationary/Envelope and Resolutions. Airtime Service for Authorized Cell Phone	$	25,000
Contractual Service - 2013 MCOG Inaugural Expenses	$	25,000
Contractual Service for Accounting Firm - Funds: 19 Districts' Non-Appropriated Funds (NAF), Ground Maintenance for Schools (GMS) and Liberation Revenues.	$	50,000
Total Contractual	**$**	**100,000**

- The request for Accounting Firm relates to providing accounting personnel within the Mayors' Council Administration office, who will help with the Non-Appropriated Funds. The Mayors' office currently has two administrative assistants who currently assist, however their accounting experience is limited.
- *233 – Office space rental*
    - There was a nominal increase of 4% in office space rent due to the net of the increase and decrease in office space rent expense for the Inarajan and Piti Mayors' office. The Inarajan Mayor's office decreased their annual rent by $1,560 and the Piti Mayor's office increased their annual rent by $6,000 as compared to the current year. The MCOG office rent remained the same as current year.
    - During the budget hearing it was discussed that the former USO property in the Piti village was turned over to the Piti Mayor's office The provisions in the MOU includes an agreement for up to 5 years. There is no rental expense for the property, however they mentioned that Utility cost would be estimated at $4,000/month. The Navy has given the mayor permission to operate a business that will help with cost for utilities and maintenance of the facility.
        - The mayor of Piti recently announced that he will relocate to the old USO-Seaman's Club under a lease with the Navy for $1/year.
    - The Agat Mayors' office is currently being housed in the Agat Community center, which is currently in need of repair. The old Agat fire station was turned over to the Agat mayor, however it's going to require an additional $50k to renovate the fire station.
- *240 – Supplies & Materials*
    - The current year appropriation for supplies and materials was $1,000. However in the budget submission the Mayors' Council requested $25,000. They listed numerous supplies needed for their Administration Office, such as: copier paper and toner, computer ink, thumb drive, typewriter ribbon, folder, stapler, toiletries, paper products, fuel for 3 official vehicles, and cleaning supplies for two restrooms to name a few.
- *290 – Miscellaneous*

- The FY2013 request for Miscellaneous object category is three times as what is appropriated in the current FY2012. The request submitted by the Mayors' Council includes the following items for this object category:

Item		Price	
(1) Gymnasium Operations for Seven (7) Districts.	$	50,071	
(2) Humanitarian Service Assistance, Community Events for the Youths & Senior Citizens, Sports Entrance Fee, Supplies/Materials, & Equipment for 19 District Mayors' Offices.		475,000	*Note 1*
(3) President's Contingency Fund (PCF)		20,000	*Note 2*
(4) AMIM*		20,000	*Note 3*
(5) Accrued Unused Annual Leave Lump Sum Payment		664,000	*Note 4*
Total Miscellaneous	$	1,229,071	

  - *The notes below are taken from Agency Narrative submitted.*
    - *Note 1 – This request is for $25,000 for each village, which is needed to cover the needs of each Mayoral Office, such as Humanitarian assistance to village residents to cover off-island medical referral and treatment, disasters such as fires and unexpected tragedies, special community events and stipends for Municipal Planning Council members.*
    - *Note 2 – The President's Contingency Fund is used such as an entertainment expense for hosting functions and guests. As well as to attend conferences and meetings that may require travel and per diem.*
    - *Note 3 – The Association of Mariana Islands' Mayors, Vice Mayors and Elected Municipal Council Members (AMIM) was established for the purpose of enhancing, providing, and preserving the cultural traditions and heritage of the Mariana Islands people and to establish mutual cooperation, public harmony and general prosperity among local governments. This amount is used to support the Guam Mayors and Vice Mayors' participation in the Association's Annual General Assembly, Executive and Committee meetings, Planning Session and Programs as well as for membership dues for all 26 Mayors and Vice Mayors.*
    - *Note 4 – MCOG request the lump sum payment of accrued unused annual leave for all employees of the Mayors' Council of Guam, inclusive of Mayors and Vice Mayors, due to the end of their 4 year term. They expressed that a provision can be made so that this appropriation can only be expended in January of 2013 and only for the purpose of paying out the accrued unused annual leave of all the employees.*

- *361 – Power, 362 – Water, 363 – Telephone*
  - The increase in utilities in the FY2013 budget submission was calculated based on the current FY2012 consumption plus an additional percentage to meet anticipated increases that have already been publicly announce by the utilities agencies, which was noted in the Mayors' Council agency narrative submission report.
  - Estimated power increased by 20%, water increased by 15% and Telephone was increased by 5% based on the current consumption usage as calculated by the Mayors' Council.

- *450 – Capital Outlay*
    - The Mayors' Council requested $1.5 million for their Capital Outlay needs for FY2013. This was the same request for FY2012, which was not appropriated due to revenue constraints. The Mayors' Council included a list of the village mayor's equipment requests, renovations and repairs to their offices, gyms, and village community centers.
- During the budget hearing the MCOG discussed their current Senior Center operations take over. They mentioned that when they first assumed operations of the center, the mayor's had over haul them to make sure they were in compliance with the fire department, homeland security and public works. The contract with the Senior Center is currently on a month to months basis due to the lack of reliable funding. They mentioned that if the bid came up for the operations of this program, they will not bid, however if no one else submitted a bid they will continue to run the program as long as there are funds to maintain the program. They are currently working with 15 employees less than what the program originally had.
- In the Executive budget request, the Animal Control Program was transferred to the MCOG. However, the MCOG has not received any communications concerning these operations for the FY13.

OFFICE OF PUBLIC ACCOUNTABILITY

The Office of Public Accountability (OPA) submitted its budget request to the Office of Finance and Budget with a 6% increase in its base appropriations as compared to the current year base appropriation levels for FY2012. The increase in the appropriation request is due to the increase in Salaries and Benefits, requests for travel, additional equipment and the hosting of a conference on Guam as shown in the details below.

The OPA also requests for authorization to carry over personnel lapses to their FY2013 budget.

	FY 2012 Appropriations PL31-77	FY2013 OPA Request	Increase/ (Decrease)	% of Change
Base appropriations (excluding Insurance benefits and Utilities)	1,276,840.00	1,318,289.00	41,449.00	3%
Insurance benefits (Medical/Dental/Life Insurance)	25,548.00	57,244.00	31,696.00	124%
Power	-	-	-	0%
Water	-	-	-	0%
Subtotal Base Appropriations	**1,302,388.00**	**1,375,533.00**	**73,145.00**	**6%**

The FY2013 Executive Request submitted for the Office of Public Accountability is a lump sum amount, which is also inclusive of other Semi-Autonomous agencies' budgets such as the Attorney General of Guam, Unified Public Defender, Legislature and Mayors' Council of Guam. The lump sum appropriation for these agencies in the FY2013 Executive Request is a $1.8 Million decrease compared to FY2012 level of appropriations.

	FY 2012 Appropriations	FY 2013 Executive Request	Increase/ (Decrease)	% of Change
Semi-Autonomous Agencies: (MCOG, AG, Courts, Public Defender, Legislature, OFB, and OPA)	55,324,722.00	53,477,615.00	(1,847,107.00)	-3%

The Executive request decrease of $1.8 Million in appropriation for Semi-Autonomous agencies is more than the Office of Public Accountability's current FY12 base appropriation levels of $1.3 Million. The FY13 budget preparation will be a challenging task for the Office of Finance and Budget to address the needs of these Semi-Autonomous agencies' budgets with the significant decrease requested by the Executive branch for these agencies.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request. These are illustrated below along with the OFB's recommendations.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
General Fund	$1,276,840	$1,318,289	$41,449	3.25%
Health Benefits Account - Other Funding	$25,548	$57,244	$31,696	124.06%
Total	**$1,302,388**	**$1,375,533**	**$73,145**	**5.62%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Office of Public Accountability	$1,302,388	$1,375,533	$73,145	5.62%
Total	**$1,302,388**	**$1,375,533**	**$73,145**	**5.62%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$730,606			**$730,606**
112 - Overtime	$0			**$0**
113 - Benefits	$242,689			**$242,689**
114 - Insurance Benefits	$57,244			**$57,244**
220 - Travel (Off-island/Local Mileage Reimbursement)	$13,000			**$13,000**
230 - Contractual Services	$180,500			**$180,500**
233 - Office Space Rental	$102,594			**$102,594**
240 - Supplies & Materials	$7,200			**$7,200**
250 - Equipment	$21,100			**$21,100**
270 - Workers Compensation	$0			**$0**
271 - Drug Testing	$0			**$0**
280 - Sub-recipient/Subgrant	$0			**$0**
290 - Miscellaneous	$13,600			**$13,600**
361 - Power	$0			**$0**
362 - Water/Sewer	$0			**$0**
363 - Telephone/Toll	$7,000			**$7,000**
450 - Capital Outlay	$0			**$0**
Subtotal	**$1,375,533**	**$0**	**$0**	**$1,375,533**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
				$0
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$1,375,533**	**$0**	**$0**	**$1,375,533**

FY12 AUTHORIZED COMPARISON WITH FY13 OPA BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$681,473	$730,606
112 - Overtime	$0	$0
113 - Benefits	$265,738	$242,689
114 - Insurance Benefits	$25,548	$57,244
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$13,000
230 - Contractual Services	$198,385	$180,500
233 - Office Space Rental	$102,594	$102,594
240 - Supplies & Materials	$8,400	$7,200

250 - Equipment	$9,450	$21,100
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$3,800	$13,600
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$7,000	$7,000
450 - Capital Outlay	$0	$0
Total	**$1,302,388**	**$1,375,533**

OBSERVATIONS AND COMMENTS

- *Personnel Object Categories Analysis:* There was a net 6% increase requested in the Personnel object categories as shown in the above chart.
  - *111 – Salary/Increments*
    - Object Category Salary/Increments as shown above shows an increase in 7% from current appropriation levels. This is due to an additional funding request for 2 FTE vacancies for FY2013. (1 – Administrative Officer and 0.25 – Auditor III, 0.25 – Auditor II, 0.25 – Auditor III, and 0.25 – Auditor I)

	2012	2013
Unclassified	0	0
Classified	*15	17
Total Positions	15	17

    - * Taken from Current Staffing Pattern Submitted to OFB.
  - *114 – Insurance benefits*
    - There was a 37% increase in Insurance benefits for OPA's budget request for FY2013 due to higher health insurance premiums, as mentioned in the OPA cover letter submitted.
- *220 – Travel:* There was a request for travel appropriations for FY13, which was not appropriated in FY12. The travel request relates to the Public Auditor attending the following conferences NSAA&ALGA, PDC and GFOA. The expenses are comprised of airfare and per diem totaling $13,000.
- *230 – Contractual Services:* There was a decrease of 9% in the FY13 request from current year appropriation levels. Below is a list of the contractual services that was requested.

Item	Quantity	Unit Price	Total
Website Hosting/Maintenance	12	980	$ 11,760
CPA Consulting Services	12	900	$ 10,800
Audit Manual Update & Trainings	1	12000	$ 12,000
MCOG NAF Attestation SVC (FY10, FY11 Rpts)	1	30000	$ 30,000
OPA Legal Services	12	1000	$ 12,000
Hearing Officers	12	7000	$ 84,000
OPA Leased Copier + Addtl Copy Usage	12	600	$ 7,200
Professional Publications & Subscriptions	3	250	$ 750
Juris Pacific	12	220	$ 2,640
Professional Assn. Membership	17	550	$ 9,350
Total Contractual			$ 180,500

- *240 – Supplies and Materials:* There was a decrease of 14% in a request for supplies and materials. The OPA requested $600/month for General Office Supplies.
- *250 – Equipment:* There was a larger request for new equipment in FY13. This year's appropriation level for equipment was $9,450; however the OPA requested double the amount - $21,100. Please see a list of the equipment requested below.

Item	Quantity	Unit Price	Total
Software Upgrade	1	10000	$ 10,000.00
Laptop Computers	3	1500	$ 4,500.00
Desktop Computers	3	1300	$ 3,900.00
Printers	3	900	$ 2,700.00
Total Equipment			$ 21,100.00

- *290 – Miscellaneous:* The amount requested for the Miscellaneous object category was triple the appropriation for this current FY12. The high request is due to the $10,000 request to host the PASAI conference on Guam, as shown below in the chart.

Item	Quantity	Unit Price	Total
Print Advertising	3	600	$ 1,800.00
Recruitment related expenses (testing)	12	150	$ 1,800.00
Host expenses re PASAI Conference	1	10000	$ 10,000.00
Total Miscellaneous			$ 13,600.00

- The Public Auditor requested to allow her staff to have Overtime and Compensatory time off. Currently the staff at the OPA are considered exempt and do not get over time. This is a tool that would help the management of her personnel. She currently has a hard time recruiting and retaining qualified staff, therefore there personnel lapses.
- The $10k request to host the PASAI conference in September 13th, 2012.
- Increase in Equipment request for FY13 relates to software upgrade. The office is currently using Microsoft office 2003 and would like to upgrade their systems to 2010. This upgrade requires separate licenses for each computer. They tried working with the Bureau of Information Technology, however they mentioned that it was "problematic."

GUAM BOARD OF ACCOUNTANCY

The **Guam Board of Accountancy** (**GBOA**) budget request in the Executive Budget Request is **$424,100**, an increase of **1.10%** over its FY 2012 authorized levels. The fund to support this agency is from the Guam Board of Accountancy Fund.

The following FY 13 object class appropriations increased from the current FY 12 authorized level by the following amounts as follows:

- Office Space Rental (233) - $1,132
- Supplies and Materials (240) - $1,000
- Miscellaneous (290) - $2,500

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
Guam Board of Accountancy Fund	$419,468	$424,100	$4,632	1.10%
Total	**$419,468**	**$424,100**	**$4,632**	**1.10%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Guam Board of Accountancy	$419,468	$424,100	$4,632	1.10%
Total	**$419,468**	**$424,100**	**$4,632**	**1.10%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay			$0	**$0**
112 - Overtime			$0	**$0**
113 - Benefits			$0	**$0**
114 - Insurance Benefits			$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)			$0	**$0**
230 - Contractual Services			$367,500	**$367,500**
233 - Office Space Rental			$25,000	**$25,000**
240 - Supplies & Materials			$7,000	**$7,000**
250 - Equipment			$5,000	**$5,000**
270 - Workers Compensation			$0	**$0**
271 - Drug Testing			$0	**$0**
280 - Sub-recipient/Subgrant			$0	**$0**
290 - Miscellaneous			$19,600	**$19,600**
361 - Power			$0	**$0**
362 - Water/Sewer			$0	**$0**
363 - Telephone/Toll			$0	**$0**
450 - Capital Outlay			$0	**$0**
Subtotal	**$0**	**$0**	**$424,100**	**$424,100**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE				$0
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$0**	**$0**	**$424,100**	**$424,100**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$0	$0
112 - Overtime	$0	$0
113 - Benefits	$0	$0
114 - Insurance Benefits	$0	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$367,500	$367,500
233 - Office Space Rental	$23,868	$25,000
240 - Supplies & Materials	$6,000	$7,000
250 - Equipment	$5,000	$5,000
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$17,100	$19,600
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$0	$0
450 - Capital Outlay	$0	$0
Total	**$419,468**	**$424,100**

COMMENTS AND OBSERVATIONS

- The FY13 Contractual service request is consistent with the FY12 current appropriation levels. There were nominal increases in all other operational appropriation object class categories.

GUAM REGIONAL TRANSIT AUTHORITY

The **Guam Regional Transit Authority** (**GRTA**) budget in the Executive Budget Request is **$3,905,899**, an increase of **20.53%** or **$665,254** over its FY 2012 authorized levels. The Executive Budget Request includes an increased reliance on the Guam Highway Fund of **26.59%** or **$747,137** and a decreased reliance on the Public Transit Fund of **18.99%** or **$81,883.** This increase is attributable to the increase in Salaries of **2.30%** or **$8,081**, the increase in Benefits of **49.32%** or **$46,512**, and the increase in Contractual Services of **21.98%** or **$610,661.** The **GRTA** does not receive appropriations from the General Fund.

The following tables provide an analysis of the detailed budget request by funding sources and by division between the Public Law 31-77, the Annual Appropriations Act of FY 2012, and the FY 13 Executive Budget Request are illustrated below with the OFB's recommendations following.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13	Variance	% Variance
Guam Highway Fund	$2,809,552	$3,556,689	$747,137	26.59%
Public Transit Fund	$431,093	$349,210	($81,883)	-18.99%
Total	**$3,240,645**	**$3,905,899**	**$665,254**	**20.53%**

Funding Request by Division	FY 12 Authorized	FY 13	Variance	% Variance
Guam Regional Transit Authority	$3,240,645	$3,905,899	$665,254	20.53%
Total	**$3,240,645**	**$3,905,899**	**$665,254**	**20.53%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$0	$0	$359,656	**$359,656**
112 - Overtime	$0	$0	$0	**$0**
113 - Benefits	$0	$0	$140,827	**$140,827**
114 - Insurance Benefits	$0	$0	$0	**$0**
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0	$0	**$0**
230 - Contractual Services	$0	$0	$3,388,516	**$3,388,516**
233 - Office Space Rental	$0	$0	$0	**$0**
240 - Supplies & Materials	$0	$0	$2,500	**$2,500**
250 - Equipment	$0	$0	$0	**$0**
270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**

280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$0	$0	$8,400	**$8,400**
361 - Power	$0	$0	$0	**$0**
362 - Water/Sewer	$0	$0	$0	**$0**
363 - Telephone/Toll	$0	$0	$6,000	**$6,000**
450 - Capital Outlay	$0	$0	$0	**$0**
Subtotal	**$0**	**$0**	**$3,905,899**	**$3,905,899**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$0**	**$0**	**$3,905,899**	**$3,905,899**

FY12 AUTHORIZED COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$351,575	$359,656
112 - Overtime	$0	$0
113 - Benefits	$66,204	$140,827
114 - Insurance Benefits	$28,111	$0
220 - Travel (Off-island/Local Mileage Reimbursement)	$0	$0
230 - Contractual Services	$2,777,855	$3,388,516
233 - Office Space Rental	$0	$0
240 - Supplies & Materials	$2,500	$2,500
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$8,400	$8,400
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$6,000	$6,000
450 - Capital Outlay	$0	$0
Total	**$3,240,645**	**$3,905,899**

COMMENTS AND OBSERVATIONS

Similar to FY12, the **GRTA** Executive Budget Request includes **two (2) funded Vacant Positions** in the amount of **$110,304** in Salaries and **$41,339** in Benefits. These vacancies are mandated by Public Law 30-05 and are for an Executive Manager and a Board Secretary.

Additionally, the Contractual Services for the GRTA increased by **21.98%** or **$610,661** over the FY12 authorized levels. This large increase is mainly attributed to the large increased request for Bus Transportation Services. In the FY12 Budget Request, GRTA requested only **$2,735,976** whereas in the FY13 Budget Request, the GRTA is requesting a total of **$3,328,966,** or an increase of almost **$600,000.**

The FY12 Annual Appropriations Act funded the Executive Manager position for the GRTA as required by Public Law 30-05. To date, this position appears to not have been filled.

GUAM ELECTION COMMISSION

The Guam Election Commission submitted its FY 13 budget request for $1,037,425 as approved by the Commission, which is $126,616 greater than current year appropriation levels.

The following tables provide an analysis of the detailed budget request by funding source, by division, and by object class between FY 12 (Public Law 31-77) and the FY 13 Executive Budget Request.

FY 13 OFB BUDGET ANALYSIS

Funding Request Source and Amount	FY 12 Authorized	FY 13 Request	Variance	% Variance
General Fund	$899,600	$1,037,425	$137,825	15.32%
Health Benefits Account – Other Funding	$11,209	$0	($11,209)	-100.00%
Total	**$910,809**	**$1,037,425**	**$126,616**	**13.90%**

Funding Request by Division	FY 12 Authorized	FY 13 Request	Variance	% Variance
Administration/Operations	$910,809	$1,037,425	$126,616	13.90%
Total	**$910,809**	**$1,037,425**	**$126,616**	**13.90%**

FY 13 FUNDING REQUEST BY OBJECT CLASS AND MISCELLANEOUS

OBJECT CLASS - DESCRIPTION	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
111 - Regular Salary/Increments/Special Pay	$270,359	$0	$0	**$270,359**
112 - Overtime	$37,424	$0	$0	**$37,424**
113 - Benefits	$121,103	$0	$0	**$121,103**
114 - Insurance Benefits	$26,839	$0	$0	**$26,839**
220 - Travel	$0	$0	$0	**$0**
230 - Contractual Services	$305,000	$0	$0	**$305,000**
233 - Office Space Rental	$126,600	$0	$0	**$126,600**
240 - Supplies & Materials	$34,000	$0	$0	**$34,000**
250 - Equipment	$0	$0	$0	**$0**
270 - Workers Compensation	$0	$0	$0	**$0**
271 - Drug Testing	$0	$0	$0	**$0**
280 - Sub-recipient/Subgrant	$0	$0	$0	**$0**
290 - Miscellaneous	$100,000	$0	$0	**$100,000**
361 - Power	$0	$0	$0	**$0**
362 - Water/Sewer	$0	$0	$0	**$0**

363 - Telephone/Toll	$16,100	$0	$0	**$16,100**
450 - Capital Outlay	$0	$0	$0	**$0**
Subtotal	**$1,037,425**	**$0**	**$0**	**$1,037,425**

MISCELLANEOUS APPROPRIATIONS	GENERAL FUND	FEDERAL MATCHING FUNDS	SPECIAL FUNDS	TOTAL
NONE	$0	$0	$0	**$0**
Subtotal	**$0**	**$0**	**$0**	**$0**

Grand Total	**$1,037,425**	**$0**	**$0**	**$1,037,425**

FY 2012 vs. FY 2013 BUDGET OVERVIEW

The table below compares appropriations authorized for FY 12, the amount requested for FY 13, and what is recommended by the Office of Finance and Budget for FY 13. Please note that funding for life, medical, and dental insurance benefits for FY 13 are included in Object Class 113.

OFB RECOMMENDATION COMPARISON WITH FY13 EXECUTIVE BUDGET REQUEST

OBJECT CLASS - DESCRIPTION	FY 12 Authorized	FY 13 Request
111 - Regular Salary/Increments/Special Pay	$319,877	$270,359
112 - Overtime	$24,752	$37,424
113 - Benefits	$111,151	$121,103
114 - Insurance Benefits	$18,219	$26,839
220 - Travel	$0	$0
230 - Contractual Services	$200,000	$305,000
233 - Office Space Rental	$117,960	$126,600
240 - Supplies & Materials	$6,000	$34,000
250 - Equipment	$0	$0
270 - Workers Compensation	$0	$0
271 - Drug Testing	$0	$0
280 - Sub-recipient/Subgrant	$0	$0
290 - Miscellaneous	$100,000	$100,000
361 - Power	$0	$0
362 - Water/Sewer	$0	$0
363 - Telephone/Toll	$12,850	$16,100
450 - Capital Outlay	$0	$0
Total	**$910,809**	**$1,037,425**

OBSERVATIONS AND COMMENTS

The Guam Election Commission submitted its budget request to the Office of Finance and Budget on May 25, 2012.The budget total submitted by GEC is $1,037,425; this amount is $281,398 greater than the ceiling established in the Executive Budget Request for FY 13 is $756,027.

A statement of $177,739.92 is reported as the amount for prior year obligations anticipated for FY 12. Transaction types are: legal counsel, litigation, and Election Systems & Software. The payment to ES&S should be resolved before the end of the fiscal year.
It appears that there are several discrepancies in the budget request details that were submitted. For example, the actual **authorized** level of funding allocated from the General Fund to GEC was in aggregate of $910,809, whereas the budget details submitted by GEC show an authorized total of $1,124,575 for Fiscal Year 2012.

The budget request details also show Special Fund appropriations for FYs 11 and 12, but the Guam Election Commission does not receive appropriations from Special Funds.

An appropriation ($250,000) was provided in FY2011 for the purpose of meeting the mandates for fulfilling the Guam Decolonization Registry numbers. The amount was appropriated in Object Class 290 (Miscellaneous), and authorization was not granted for a continuing appropriation. Last year, GEC consulted OFB with the request to either amend the Budget Act or to somehow authorize GEC to use the appropriation to hire personnel that would assist with duties associated with the Registry. GEC was advised to seek consultation with its Commission and the Governor's Office for further clarification.

According to the Budget Request Cover Memo as submitted by GEC, the Commission approved the requested amount, which is $308,237 more than what was requested by the Executive Branch, but there is no additional explanation of the difference between the two amounts included.

The FTE count is expected to remain at 12, but two positions and titles have been replaced with other positions and titles according to the Proposed Staffing Pattern submitted:

- Program Coordinator and Administrative Assistant (FY 12) → Administrative Officer and Secretary (FY 13)
-

There are several items listed for Contractual Services but the bottom number does not match the number listed in the Budget Digest. There is a difference of $16,480 ($305,000 in the Budget Digest vs. $288,520 in Schedule B) but no explanation why the total listed in Schedule B varies from the Budget Digest.

There is a proposed increase of 7% for Office Space Rental due to the anticipated renewal of the lease agreement for the current office space.

Supplies & Materials shows a significant increase of $28,000 which is attributed to this year's General Election, requiring procurement of additional supplies and materials to fulfill mandated obligations.

The Executive Director has been asked to provide additional documentation to reconcile the differences in funding levels between what is stated for the total Authorized Level for FY 12 as well as for the itemization of expenses associated with Contractual Services. These documents were requested on the day of the budget hearing (June 25, 2012) and were expected within one week from the request. Nothing has been received to date.

Revenues

Economic Overview

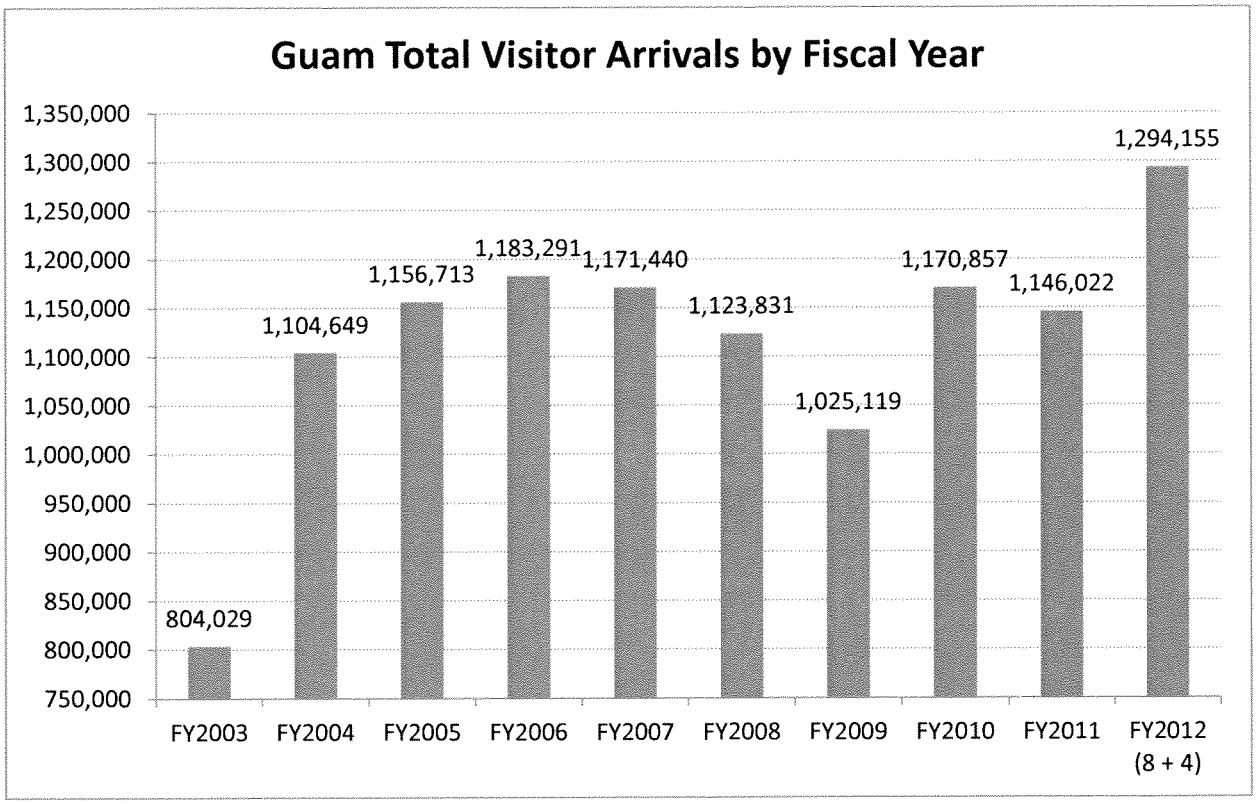
Guam's economy realized significant growth in 2012. The primary growth occurred as result of the sale of two long term debt bond instruments, the first in December 2011 and the second in June 2012. In total, $278 million in bond proceeds were distributed directly to Guam residents for the payment of past due income tax refunds and court ordered payments of previous cost of living allowance obligations. The large infusion of disposable income into the Guam economy fueled retail sales leading to a projected record Business Privilege Tax collection in FY2012 of over $216 million.

During the month of July and August 2012, several meeting were held by the Special Economic Service committee, created statutorily to draw from the expertise of technical professionals within the government bureaucracy to assess the Guam's economy and the government of Guam's fiscal condition. The observations on the current economic condition in this report are based on a combination of discussions from the SES meetings and the tracking of dozens of economic indicators throughout the fiscal year by the Office of Finance and Budget.

Tourism

In addition to the robust retail sales resulting from the sale of debt instruments, the number of FY2012 tourist arrivals rebounded compared to FY2011 arrivals. Using eight months of actual arrival data and projecting for the remaining twelve months of the fiscal year result in a year over year increase in visitor arrivals of 148,133.

Exhibit 1

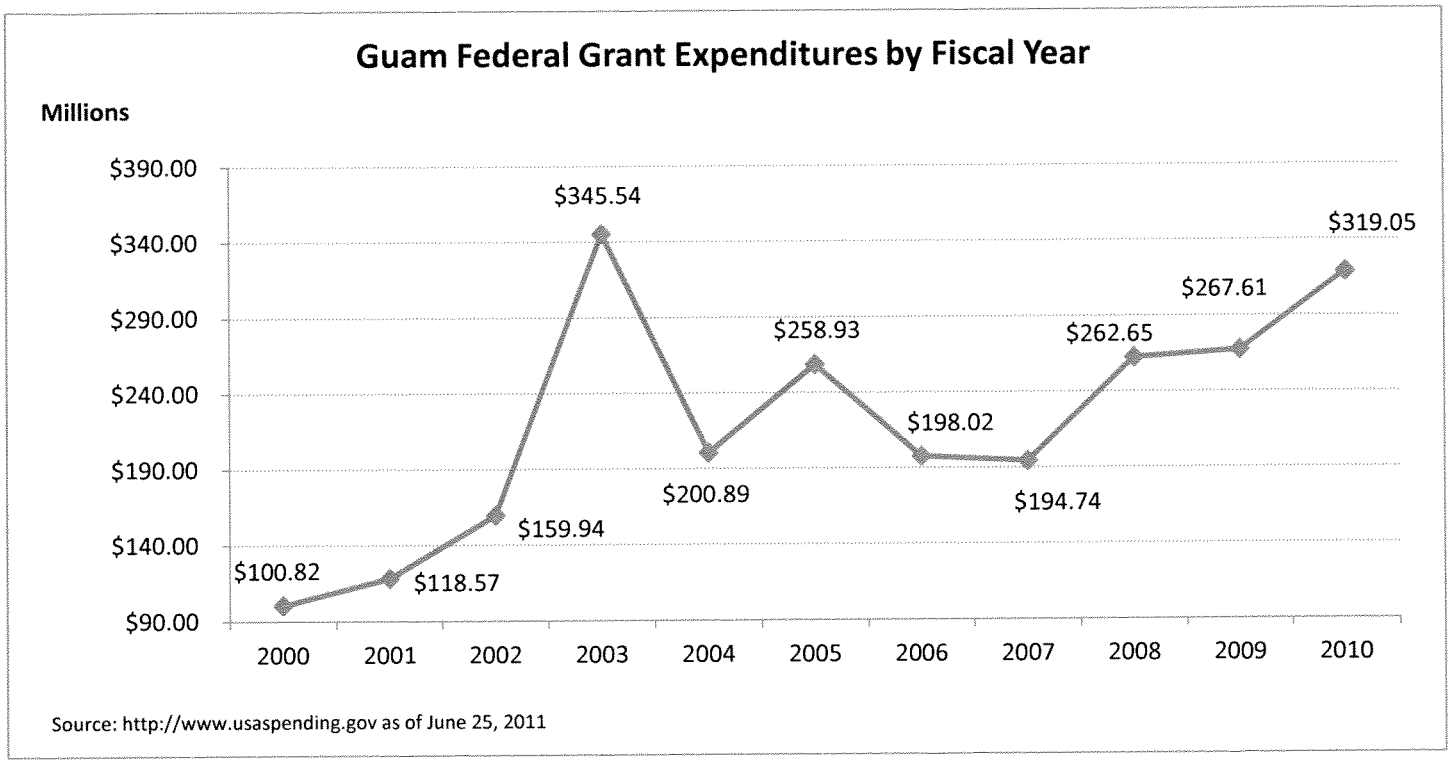


Federal Expenditures

Over the last ten years, the Bureau of Economic Analysis, a division of the U.S. Department of Commerce, reported that federal expenditures on Guam account fall in the range of 34% to 43% of total Gross Domestic Product. The range movement is over the last several years are primarily a result President Barack Obama's ARRA stimulus program and increases in military construction.

Exhibit 2 reflects the federal grant awards over the last decade. Both spikes in grant awards in 2003 and 2009-10 were a result of stimulus programs initiated to counter economic recessions. The amount of federal grants has remained stable throughout FY2011 and FY2012. The American Recovery and Reinvestment Act project expenditures should taper off in FY2013 as the Department of Education is on track to spend its remaining $50 million in ARRA funds.

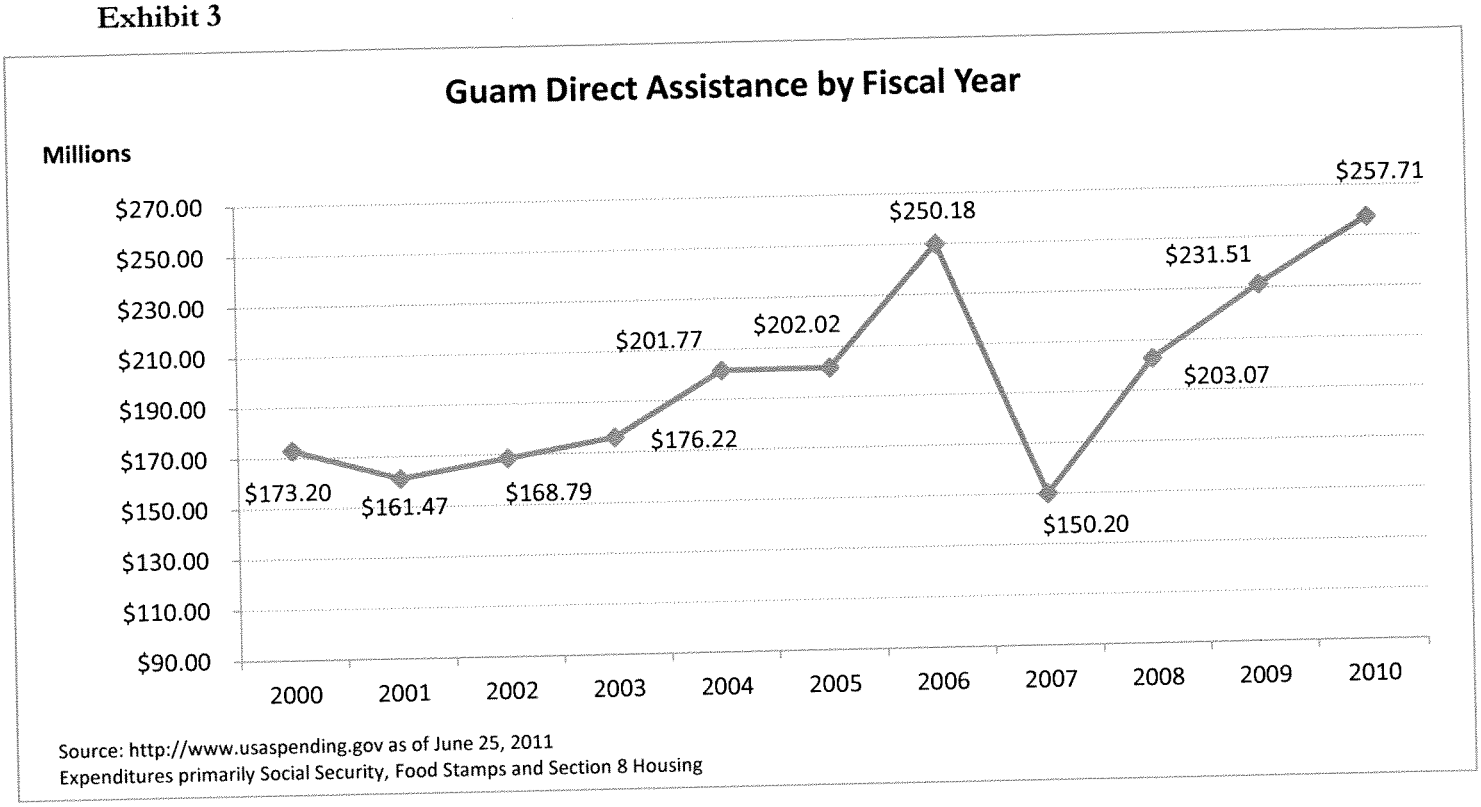
Exhibit 2



Source: http://www.usaspending.gov as of June 25, 2011

Exhibit 3 reflects direct federal assistance received by Guam residents over the last decade. Direct assistance payments are primarily Social Security, Food Stamps, and Section 8 Housing. There has been a steady increase in direct assistance payments over the last decade. The large drop is an outlier in the data set reported by the federal government which included a large dollar amount of reconciliation of direct assistance payments. With the exception of 2007, direct assistance payments have exceeded $200 million annually since 2004.

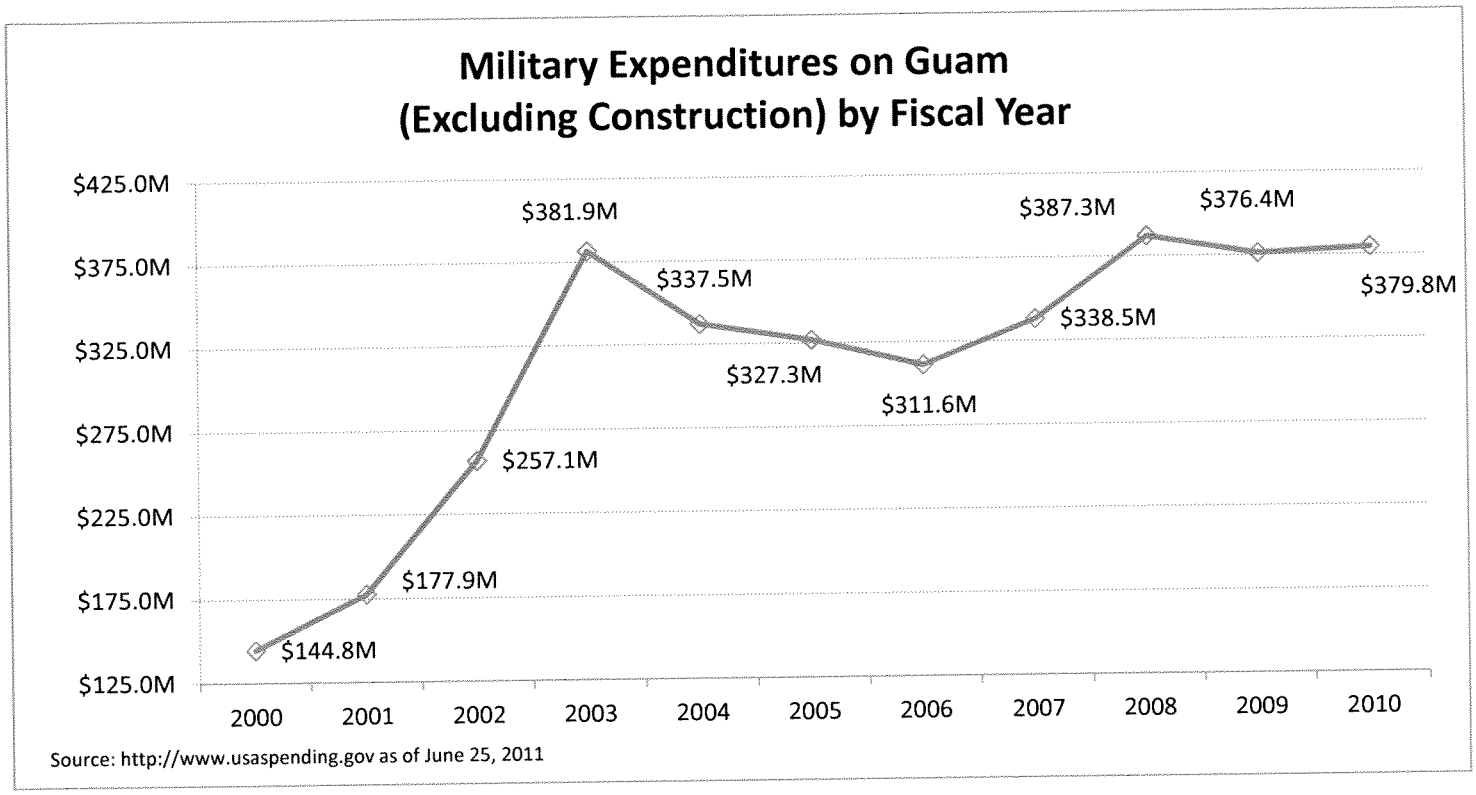
Exhibit 3



Source: http://www.usaspending.gov as of June 25, 2011
Expenditures primarily Social Security, Food Stamps and Section 8 Housing

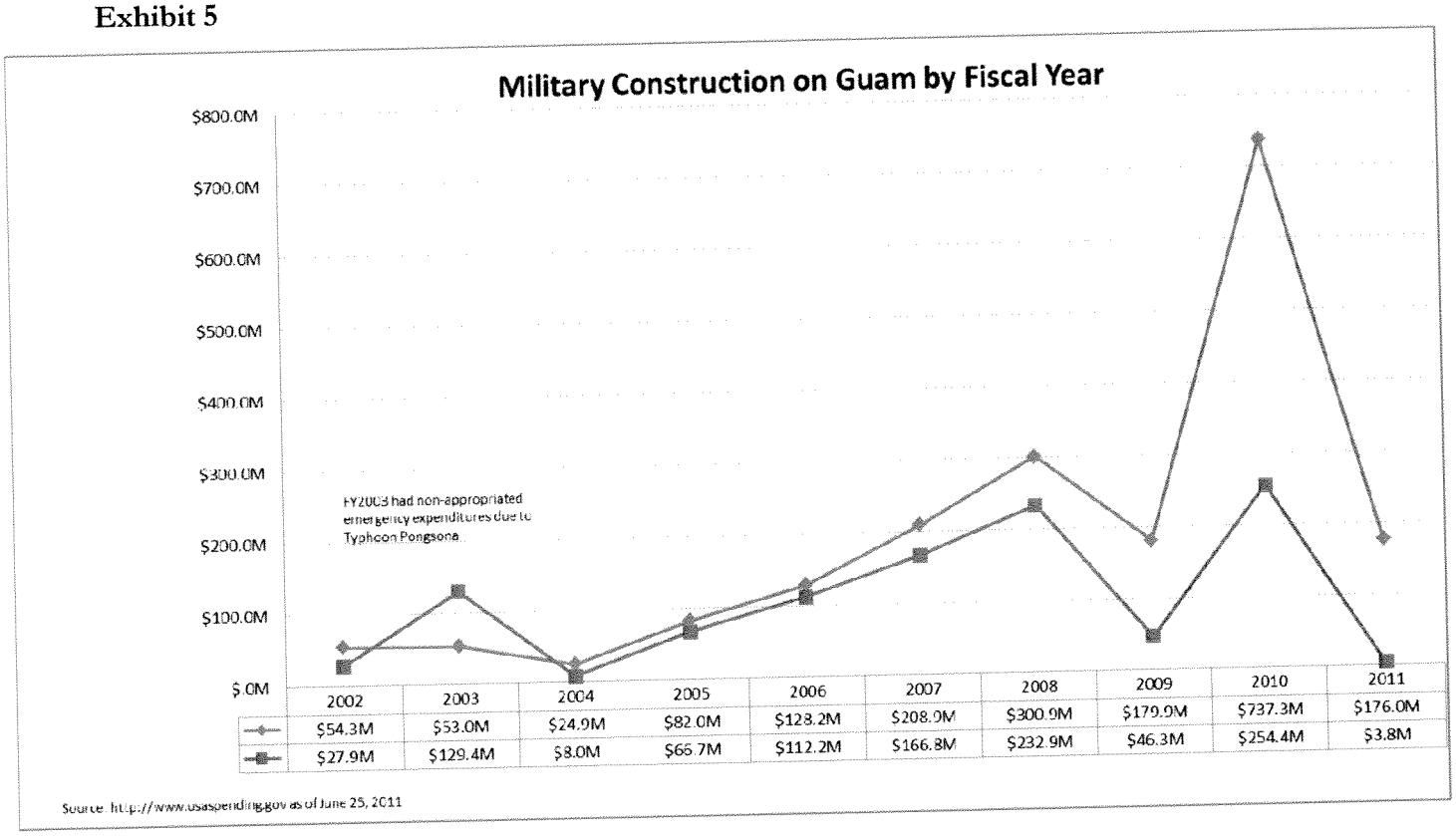
Military construction and contracts also represent a large amount of economic activity on Guam. Military contracts or non-construction expenditures on the Guam have remained steady around the $380 level for the last three years. Average amounts of expenditures prior to 2008 exceed $300 million.

Exhibit 4



Military construction remains the single most influential reason that Guam's construction industry either expands or contracts. In anticipation of the realignment of U.S. military personnel to Guam, the United State Congress appropriated increasing amounts beginning in fiscal year 2008. There is a natural lag on military construction expenditures as projects are conceptually developed, bid and awarded; however the appropriation of the last few years are lagging longer than normal due to Congressional sequestration pending a written master plan from the department of defense.

Exhibit 5



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
	$54.3M	$53.0M	$24.9M	$82.0M	$128.2M	$208.9M	$300.9M	$179.9M	$737.3M	$176.0M
	$27.9M	$129.4M	$8.0M	$65.7M	$112.2M	$166.8M	$232.9M	$46.3M	$254.4M	$3.8M

Source: http://www.usaspending.gov as of June 25, 2011

EMPLOYMENT

As mentioned in Exhibit 5, military construction continues to have a large impact on the construction industry. Exhibit 6 plots the average numbers of H-2B workers on Guam by fiscal year. The trend line in Exhibit 6 increases and decrease in step with military construction expenditures. However in the last year that trend has stopped because of the sequestration of military construction appropriations by the U.S. Congress.

Exhibit 6

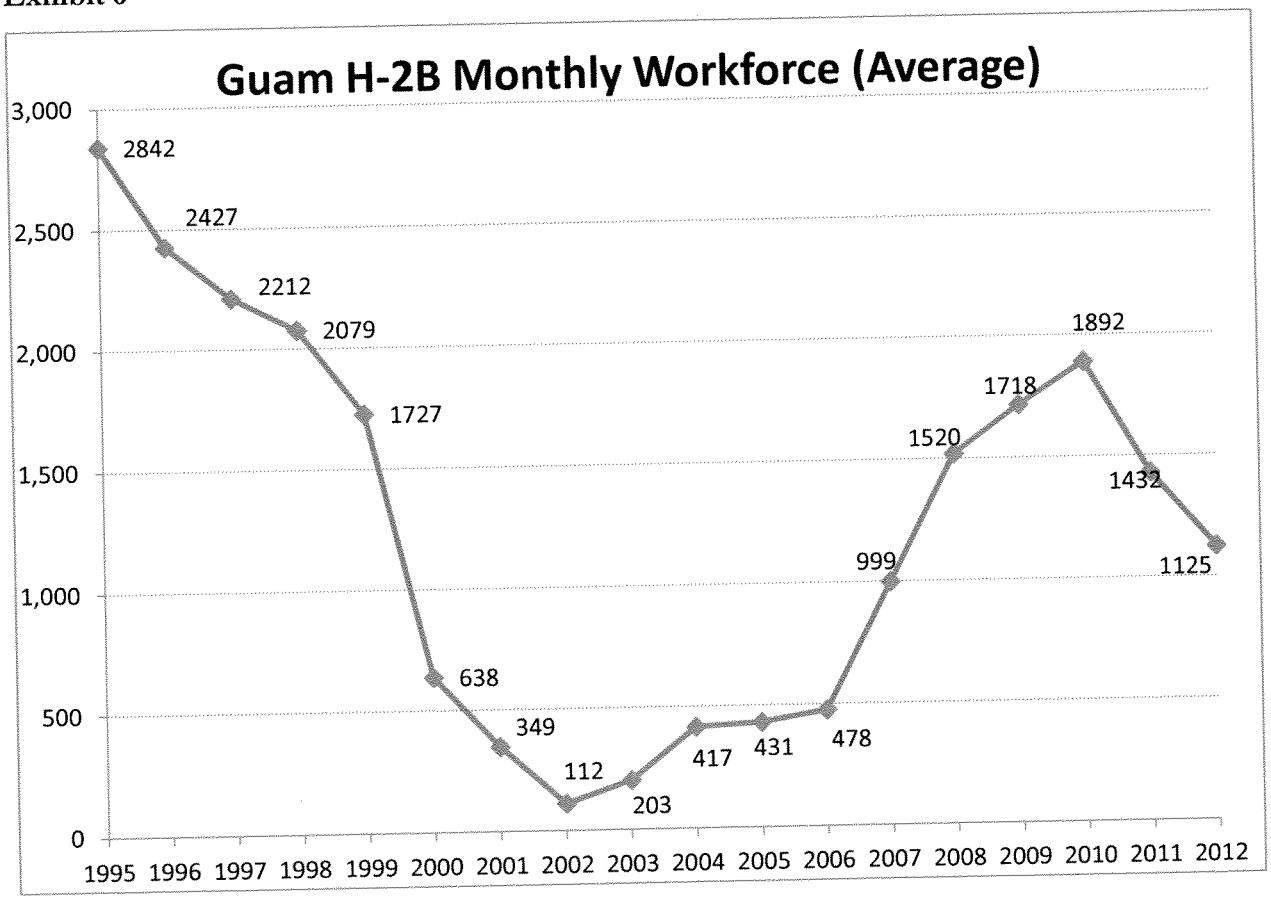
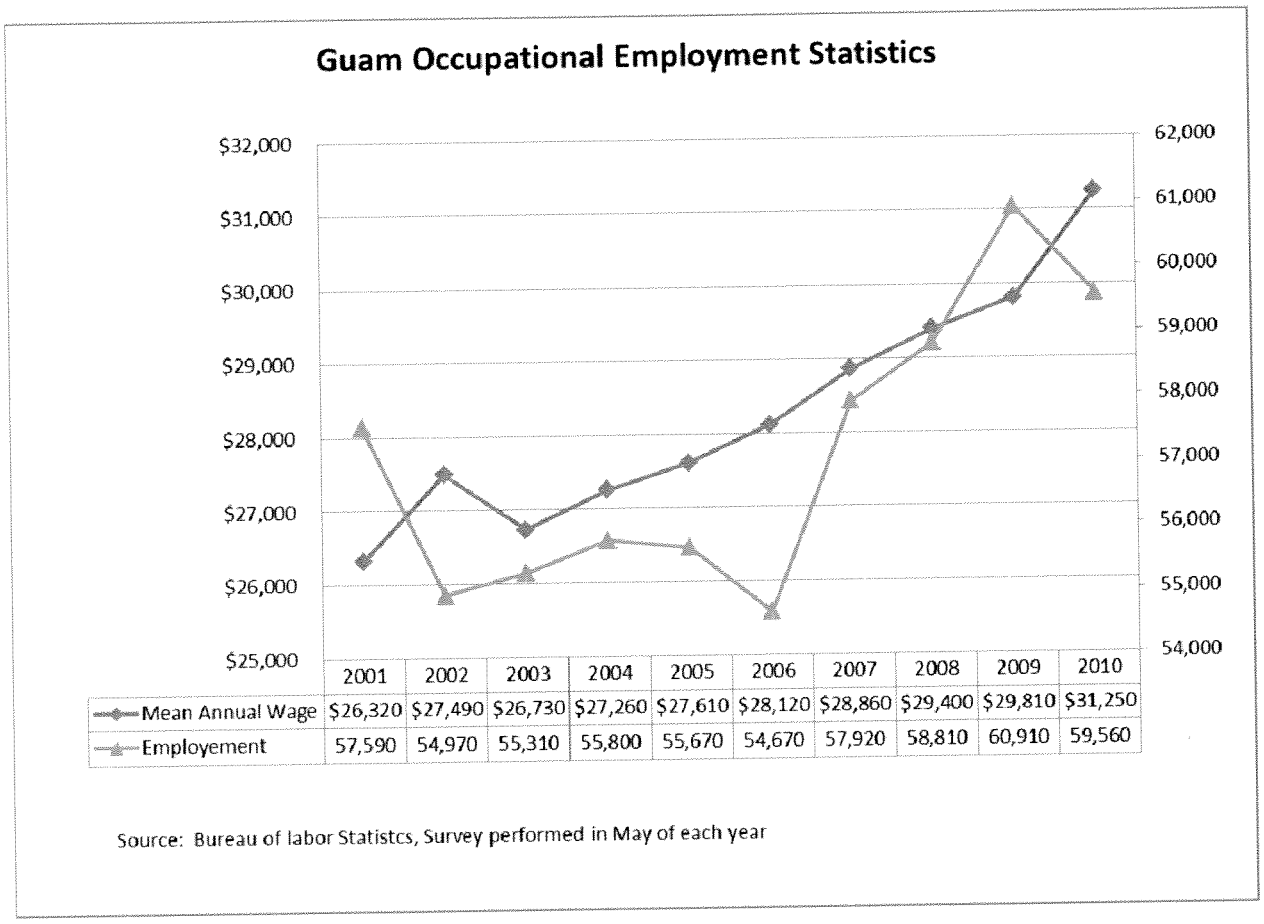


Exhibit 7 plots the mean annual wage by total employment by year. The U.S. Bureau of Labot Statistics conducts an annual survey and uses the information of a snapshot each year of Guam's labor market. The average annual mean wage continue to rise since 2003. Part of the increase was driven by the gradual step increase of minimum wage as well as recent pressure on wages due to increase demand fueled by the increased military construction, federal stimulus projects and tourist arrivals.

Exhibit 7



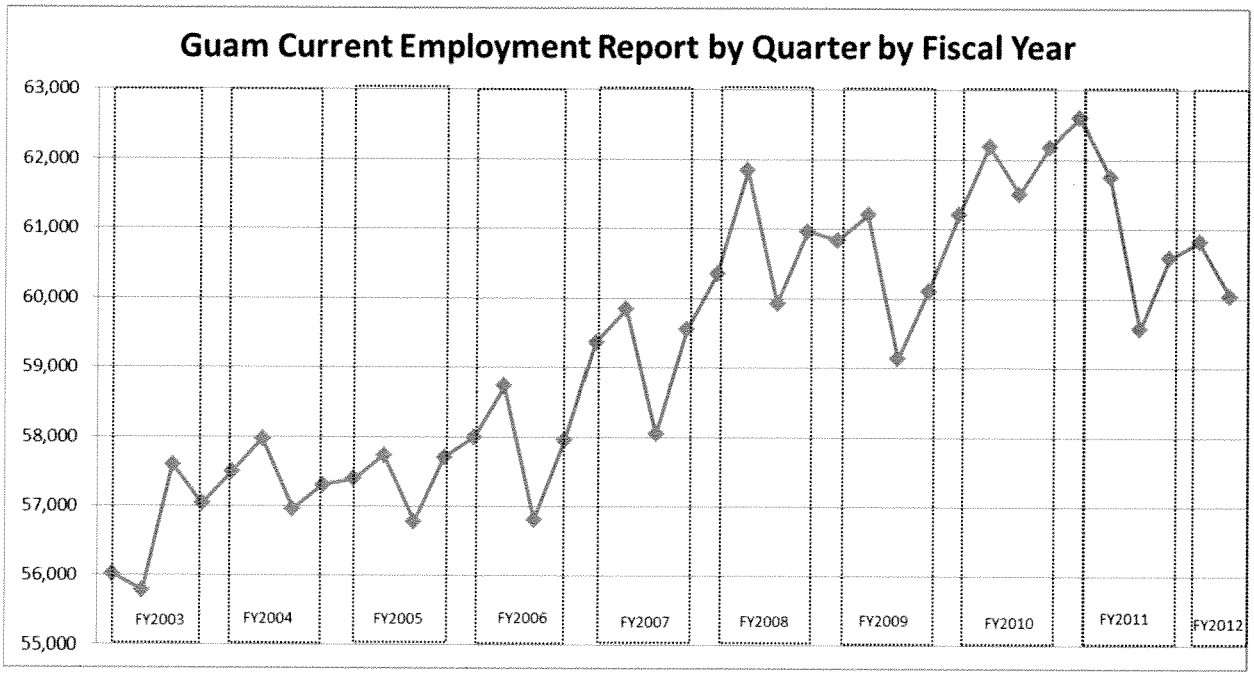
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Mean Annual Wage	$26,320	$27,490	$26,730	$27,260	$27,610	$28,120	$28,860	$29,400	$29,810	$31,250
Employement	57,590	54,970	55,310	55,800	55,670	54,670	57,920	58,810	60,910	59,560

Source: Bureau of labor Statistcs, Survey performed in May of each year

Exhibit 8 provides a more in depth look at Guam's season employment trends. Rather than provide a snapshot in time on the labor market, the Guam Department of Labor conduct survey four times a year which allows consistent tracking of employment compared to the U.S Bureau of Labor Statistics once a year approach.

The quarterly trend over the last several years has been positive for job growth but recently the trend started to decrease.

Exhibit 8



In general, the Guam economy remains to see GDP growth. The employment trend appears to be a leading indicator of a slowing economy. There is also the unsettled matter of the sequestration of federal funding for FY2013 and beyond due to the failure of the U.S. Congress to make the necessary reductions in federal spending required by the 2011 Budget Control Act of 2011. A contraction of retail consumption is also likely in FY2013 because there will be a considerable reduction of disposable income compared to FY2012 which contained an injection of $278 million of cash directly into the economy.

FISCAL YEAR 2013 REVENUES

Exhibit 9 is a comparison of Gross General Fund Tax collections for Fiscal Years audited 2010, audited 2011, unaudited 2012 (10 months actuals + 2 months projections) and the revenue projections contained in the *I Maga'låhen Guåhan* Fiscal year 2013 Executive Budget.

Exhibit 9

Government of Guam General Fund Gross Revenue FY 2010 to FY 2013

	[A]	[B]	[C]	[D]	[E]
GENERAL FUND REVENUES[3]	**FY 2010 Audited[3]**	**FY 2011 Audited[3]**	**FY 2012 REVENUE TRACKING (10+2)**	**Bill 426-31 FY 2013 Executive Budget Request**	**Change from FY2012 to FY2013**
INCOME TAX					
Individual			$97,428,691[1]	$73,469,937	-24.6%
Corporation			$99,973,074	$115,700,007	15.7%
Withholding			$211,081,860	$204,643,469	-3.1%
SUBTOTAL INCOME TAX	**$239,251,660**	**$282,409,535**	**$408,483,625**	**$393,813,413**	**-3.6%**
Gross Receipts Tax	**$188,621,364**	**$200,047,641**	**$216,867,060**	**$228,751,346**	**5.5%**
Other Taxes	**$3,490,942**	**$2,549,493**	**$2,578,636**	**$3,847,425**	**49.2%**
Licenses, Fees, and Permits	**$6,504,000**	**$5,735,762**	**$4,793,772**	**$5,070,909**	**5.8%**
Use of Money and Property	**$138,000**	**$183,100**	**$3,276,853**	**$808,896**	**-75.3%**
FEDERAL SOURCES					
Section 30	$39,028,136	$46,357,373	$53,125,949	$51,673,360	-2.7%
Immigration Fees	$1,754,678	$1,967,660	$1,870,983	$1,778,159	-5.0%
Other Federal Sources	$3,462,186	$6,461,145	$309,890	$0	-100.0%
SUBTOTAL FED SOURCES	**$44,245,000**	**$54,786,178**	**$55,306,822**	**$53,451,519**	**-3.4%**
Department Charges	**$4,445,000**	**$3,071,018**	**$3,114,742**	**$1,861,714**	**-40.2%**
Section 2718 Funds			**$6,200,000**	**$7,500,000[2]**	**21.0%**
GROSS REV GRAND TOTAL	**$486,695,966**	**$548,782,727**	**$700,621,510**	**$695,105,222**	**-0.8%**
Provision for Tax Refunds			**($105,000,000)**	**($100,000,000)**	**-4.8%**

NET REV GRAND TOTAL	**$486,695,966**	**$548,782,727**	**$595,621,510**	**$595,105,222**	**-0.1%**
Increase/Decrease from Previous Year		**12.7%**	**8.5%**	**-0.1%**	

[1] $39,001,033 of Individual Income Tax from Additional Child Tax Credit Reimbursements from Tax Years 2005, 2006, 2007, 2008, 2009, 2010, 2011.

[2] Moved to Special Funds Section in Substitute Bill 426-31.

[3] Audited numbers exclude DOE revenue and contributions from component units revenue.

SES Meeting, August 17, 2012, 4:00pm

All members of the Special Economic Service were present for the meeting. The only item on the agenda was to discuss FY2013 General Fund and Special Fund Revenue projections.

The following is a condensed version of the transcript of the meeting edited for relevance as it relates to revenue projections in the FY2013 Executive Request:

Special Economic Service Members Present: Albert Perez (BSP), Doris Brooks (OPA), Debi Philips (GVB), Gary Hiles (DOL), Karl Pangelinan (GEDA), Benita Manglona (DOA), John Rios (BBMR), John Camacho (DRT), Chris Budasi (OFB), Senator Vicente Pangelinan, Vice Speaker B.J. Cruz, and Senator Tina Barnes

Senator Pangelinan: We are reconvening today's SES meeting which was recessed on Wednesday (August 15, 2012) where we began with a preliminary discussion on revenue estimates and historical information provided by the Public Auditor from past audits, and we've continued to have general discussions on revenues and economic factors that would influence revenues collected in previous years with estimates that were presented, discussing military spending, normal economic activity, the National Defense Authorization Act, and federal contract awards for military build-up.

Information was provided by GVB showing the projected forecasts of growth in tourism from the Japan and other emerging markets, showing positive numbers due to the recovery from the Japan market despite the tsunami and impact of this growth on Gross Receipts Tax.

Chris Budasi (OFB): The first handout is directly from the Executive Budget Request Revenue projections, as submitted, with notes. The second handout (Exhibit 8 herein) shows FY 10, 11, and 12 numbers with the numbers from the FY 13 Executive Request. Audited numbers for FY 10 & 11 are exact from the audits with the exception of DOE revenues and contributions from component units are not included.

The numbers reflect a 12.7% increase in GF revenues from FY 11 to FY 10, and FY 12 tracking not doing as well but very well at 8.5%. There is a year-ending revenue increase of approximately $36 million above last year's [FY2011] collections. These numbers are driven by the ACTC [Additional Child Tax Credit] reimbursements received once bond proceeds were received

and tax refunds were paid thus triggering reimbursements from the IRS for ACTC. About $39 million was received for ACTC reimbursements.

The other chart (Exhibit 10 herein) shows tax years for which reimbursements occurred. If a reimbursement was claimed in 2005, reimbursements were paid in FY 06 to FY 12. The purpose of the table is to show how much was reimbursed versus how much was claimed by tax year. The row below the grand total shows how much credit was claimed by taxpayers by tax year. The last row shows what is available for reimbursement. About $39 million was received for FY 12. We can maximize this if all refunds are paid next year, including 2012 refunds, for ACTC reimbursement which would be about $23.7 million. The payment of the refunds triggers the reimbursement.

Exhibit 10

ACTC CLAIM REIMBURSEMENTS BY FISCAL YEAR AND TAX YEAR FILING

	TAX YEAR							ESTIMATED	Grand
FISCAL YEAR	2005	2006	2007	2008	2009	2010	2011	2012	Total
2006	$794,271								$794,271
2007	$5,161,300	$1,045,693							$6,206,993
2008	$2,253,968	$4,623,428	$1,531,135						$8,408,531
2009	$764,617	$3,179,398	$6,058,969	$2,631,122					$12,634,106
2010	$43,461	$99,205	$922,061	$5,900,000	$2,591,909				$9,556,635
2011	$6,291	$52,653	$620,209	$652,383	$5,233,762	$7,080			$6,572,378
2012	$5,661	$14,978	$37,009	$2,260,012	$7,943,456	$15,751,037	$12,988,881		$39,001,033
Grand Total	$9,029,570	$9,015,355	$9,169,382	$11,443,517	$15,769,126	$15,758,117	$12,988,881		$83,173,949
ACTC Claims by Tax Year	$9,308,855	$9,335,622	$9,888,687	$12,528,486	$16,754,695	$16,393,647	$16,221,473	$16,456,605	$106,888,070
Total Remaining ACTC Claims available for reimbursement 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012	$279,286	$320,267	$719,305	$1,084,968	$985,569	$635,530	$3,232,592	$16,456,605	$23,714,122

Doris Brooks (OPA): This shows claims by tax year, claimed/filed by taxpayer but not paid by GovGuam?

Senator Pangelinan: When we paid out income tax refunds that included ACTC, $39M from those refund payments were reimbursed.

Chris Budasi: We received about $39 million in reimbursements during FY 12 for ACTC. A lot of the revenue estimates [for FY2013] hinges on paying out $105 million in tax refunds. The payment of tax refunds is a timing issue. Since filings won't occur till January, ACTC reimbursements can't be

received until refunds are paid. We should pay them early—starting in January, February, or March and not wait till April or beyond.

John Camacho (DRT): Whatever is paid during the quarter the next month, we make a request for that quarter. From January to March 31st, we should be getting our request by the first week of April. From the 2011 returns, $81 million has been paid of which $60 million was from bond proceeds. Any unpaid refunds for 2011, 2010, or 2009 are pending returns from prior years due to errors and suspensions. We won't expect any claims, but those who filed on time but are unresolved must first come in to resolve the problem. Interest stops if the hold-up is not from the government side—if they're mathematical errors, we take care of it, but if there are problems with documents and information, that has to be resolved with the individual.

Chris Budasi: Column C shows the tracking for individual income tax at $97.5 million—this shows ten months of actual collections with two months projected. If you take away the $39 million of ACTC reimbursement, that's individual income tax collections of about $58 million. If $23 million is not collected, we could be as low as $58 million on the individual income tax. If all of that is collected, we could be as high as $82 million.

Senator Pangelinan: The BBMR baseline did not include the $39 million from the ACTC reimbursement, but the OFB tracking does.

Chris Budasi: The difference between Columns D and E are the Immigration Fees and Other Federal Sources where there seems to be a discrepancy. The Executive Request was filed without Immigration Fees or Other Federal Sources. As we track the CRER and revenues collecting, we've noticed that aside from the cover-over of $53.1 million , and there is tracking for immigration fees and other federal sources, but we want to confirm that with BBMR first.

John Rios (BBMR): We did receive Immigration Fees, and it is reflected in the Executive Request. We didn't provide the breakdown, but the numbers are Section 30 at $53,173,360 for the overpayment reconciliation, the payment back of -$1.5 million and immigration fees and the Indirect Cost at $1,778,159 provided the $53,451,519.

Chris Budasi: Net of reconciliation at $1.5 million, we received $53,125,949.

John Rios: I know Immigration was included there, as of what was received last fiscal year…

Chris Budasi: Did we receive anything from DOI on what we'll receive for Section 30 [for FY2013]?

John Rios: I can find out.

Doris Brooks: That's a number that usually tracks pretty good. We know that number.

Senator Pangelinan: If we received $53 million last year.

John Rios: I think it was a lot less last year.

Chris Budasi: What we're trying to focus on is the FY 12 receipt.

John Camacho: On Section 30, John added some of that in.

John Rios: We included the reconciliation and added that back in.

Chris Budasi: The question is, this year, net of reconciliation we received $53 million—based on your projections, we're only going to receive $51.5 million which includes the overpayment of $1.5 million?

Senator Pangelinan: There'll be a decrease of Section 30?

Chris Budasi: Including immigration fees, we're tracking $55 million, but we're projecting $53 million.

Doris Brooks: Per FY 12, you're $5M ahead as of June 30, 2012. You're averaging $4 million per month, you're going to hit over $55M which is ahead of the adopted.

Chris Budasi: The reconciliation dropped from $5.8 million to $1.5 million with a gain of $4.3 million.

Senator Pangelinan: That's why we're looking at the Executive Request which came in at $53 million, but we're tracking at $55 million. John [Rios], do you want to stick to the $55 million or $53 million?

Chris Budasi: Is there any reason we would reduce the reconciliation? Why would it reduce?

John Camacho: We should look at the amended MOU with the phase out. The remaining liability that we have is divided by three.

Senator Pangelinan: That's $1.5 million.

John Rios: I would use our number, and you can change it on the floor.

Chris Budasi: In that case we should look at Column D which is the Executive Request projections. The recommendation of the OFB is to look at the numbers presented in the Executive Budget Request as revenue projections with a caveat that we see a jump in the GRT numbers. The GRT numbers hit a record $216 million with $300 million of disposable income pumped into the economy which won't happen next year. If we pay all the refunds out we'd, maybe, see $100 million. The importance of the refunds being paid is to keep the retail GRT and ACTC reimbursements growing.

Karl Pangelinan (GEDA): Gary [Hiles] and I discussed a year-over-year spike of about $4 million after the $198 million was pumped into the economy in January for December receipts so that assumed a $100 million additional spend. I don't know what the impact is from the June bond proceeds issued.

Chris Budasi: That goes with our tracking. We thought it was about a $6 million impact, combined, of additional GRT.

Karl Pangelinan: I've talked the banks, and they say that most of what the taxpayers used the money for was to come current on debt so there won't be a GRT impact.

Chris Budasi: The number would be what was presented in the Executive Request.

Vice Speaker B.J. Cruz: How realistic is that?

Chris Budasi: If all the refunds are paid, I'm confident it could happen.

Vice Speaker B.J. Cruz: If, for this year, you only got to $216 million, where do you think you're going to get the additional $12 million?

Chris Budasi: The growth, aside from bond proceeds, is about 3-5% on inflation with the impact of tourism. There's a robust forecast of tourism for next year. The combined impact plus inflation gives about $6-8 million. You see that year-over-year. Is there an alternative number?

John Camacho: Withholding tax went from $211 to $204; that would be dependent on the Bush tax. If nothing happens, it goes back to the old rate which is 2-3% higher in each bracket. There'd be an increase on the withholding.

John Rios: This 2012 is still projections till the end of the year; any adjustments still have to be made. On the 2012 tracking, we're not really confirmed on Column C.

Senator Pangelinan: That's with ten months actual and two months projected.

Chris Budasi: We looked at the withholding for next year, and we see it in the range of $208 to $210. We could go up 6 [million] on withholding and down 6 [million] on GRT unless someone has an alternative number to look at.

Vice Speaker B.J. Cruz: With Gary's comment about construction companies that are leaving, is that $16 million [increase in corporate income tax] realistic for the next year?

Gary Hiles (DOL): The corporate profits will be the difference between their revenue and expenses. If they had a good year, and they had a good year because of the bond proceeds and their payroll didn't go up very much, I was thinking profits generally are much more volatile going up and down more than other things. I would think that profits are up and tourism is up, so they're not spending on payroll, and I would suspect profit would be up significantly.

I did come up with the specific percent, but your point is well-taken with construction… all the taxes associated with profits, gross receipts, will shrink somewhat. Construction is a smaller component of the economy at 10% compared to tourism.

John Rios: There's the north ramp parking for about $90 million which just started out. A lot of that should come in about 2013.

Chris Budasi: We think the floor on corporate is around 108 or 109 [million]. Gas prices were high so profits should remain strong in that market. The retail market was through the roof. We felt comfortable with the $115 million.

Our level of comfort is contingent on whether all tax refunds are paid. That will drive the individual income tax because of the ACTC reimbursement; it will also help drive GRT. If that doesn't happen, then I would say these numbers aren't likely to pan out.

Senator Pangelinan: That's if we continue the pattern of payment from collections, but if we come to 85% of reserve paid out from collections—which would probably be the only place we'll have income from next year—we could be within target on that.

Doris Brooks: Benita, how much are you releasing to John now, on average, from these cash collections to pay for tax refunds? Is it still about $400,000 a week?

Benita Manglona (BBMR): Every month the collections are different, so it depends on the collection per month.

Doris Brooks: So *nothing*? Right?

Benita Manglona: No, it's not *nothing.* We have—

Doris Brooks: For March, it's zero.

Benita Manglona: Yeah, you're talking about March, I'm talking about August.

Senator Tina Barnes: Has the government done any serious tracking on deployments and TDYs who are sent here? There seems to be more and more of the deployments coming in and based on recent deployments coming from the U.S. DoD we get all those revenues? How good is the tracking with government on those?

John Camacho: I think the original six months is still in place. The only thing that was being modified is the MOU with the Marines where they agreed to pay Section 30 on a rotational basis, and they're not here on a permanent basis. That's just the Marines, and they're not here yet.

Senator Pangelinan: There's no copy of the MOU?

John Camacho: I'm not too sure if John [Rios] or Benita is aware.

Karl Pangelinan: The MOU [for payment of Section 30 for rotational marines] was supposed to be with Treasury and the Department of Defense. Now the question is if it's specific to that branch or the Marines or across the board?

Senator Barnes: When the release came out, the message that came to us was that that lift on the rotational change was open and not just the six months. I was sure that it was for all military branches.

Vice Speaker B.J. Cruz: Is it realistic to continue to put the MLR at $7.5 million?

Chris Budasi: I've seen the nine month claims, and we're tracking about a 55% MLR right now. We're going to get something back. I'm not sure if it'll be $7.5 million, depending on how fourth quarter goes. It could be as high as $11 million.

Vice Speaker B.J. Cruz: After we got it down $12 million, they're still overcharging us $11 million?

Chris Budasi: We left a lot on the table last year.

Senator Pangelinan: We still have the unresolved $4 million from that first quarter. The one from 2010 was resolved.

Benita Manglona: You mean 2011?

Senator Pangelinan: Whether or not they should be paying it now versus later in a reserve.

Benita Manglona: They have paid 2011.

Senator Pangelinan: Not all of it. They only paid three-quarters of it and reserved $4 million, according to their filing, for future rebates for the participating contract according to their filing that they filed with the Health and Human Services for that last quarter. They reserved it to reconcile it against the participating contract calculation.

Doris Brooks: Are you [Chris] comfortable with the Section 2718 $7.5 million?

Chris Budasi: Yes.

Senator Pangelinan: Based upon the experience so far and compared to what was given to us last year when we calculated the MLR on a 9-month data versus this month.

Chris Budasi: The estimate on the MLR will be in the 73% range. Because we have a participating contract this year, we're going to be outside the MLR. We have removed ourselves from the MLR calculations. Now we're looking at our own claims and don't have to be grouped with the commercial sector, because of that I'm confident that we'll see the $7.5 million.

Vice Speaker B.J. Cruz: Did the administration decide whether or not we're going to include the anticipated revenue to be received by the Department of Mental Health and Substance Abuse?

John Rios: That's what you mentioned in the last hearing, but I have not seen it, and we did not consider it in the budget.

Senator Pangelinan: I know that it's filed, there's an economic impact statement, the implementation, getting the billing system up, issuing the bills, collecting them... it would not be a full year's experience or a full year of projected fee that we could consider adding to the revenue stream.

We could come back and revisit this three months into the fiscal year to see what the collection could be and come back with a separate bill at some point when those bills start getting issued and invoices start getting paid.

Vice Speaker B.J. Cruz: Would that be any different from the Customs and Quarantine anticipated revenue here?

Chris Budasi: This year we're tracking $9.5 million on Customs for revenues. The problem is they've been taking $3 million off the top and remitting the balance, and the Legislature moved forward as though the $9 million was the net, but it wasn't. The General Fund subsidizes the rent and payroll.

We're going to remove the rent and put it in as a credit [in the revenue projections]; CQA will either need to raise their fees or continue to be subsidized to cover their expenses.

Vice Speaker B.J. Cruz: If we do that, and we expect them to cover the three, that's a one-third increase that affects travel to Guam and tourism. I'm opposed to increase anything at the airport, because it kills us in fees for additional charges making it more expensive to come to Guam by one-third.

(Continued discussion effect of increased fees and its impact on tourism, methods of collection of hotel occupancy tax, etc.)

John Rios: Looking at the sheet, I know we're comparing it with 2012 revenue tracking... once the end of the fiscal year occurs, we'll get a clear picture of the difference. I would make a motion to go with the Executive Budget Request revenues.

Chris Budasi: I'll second the motion for discussion on the General Fund.

Looking at the tracking for Special Funds... in the Request, there was only one discrepancy for property tax which will increase over $8 million showing a 50% increase over current collections. Is there assurance that will happen?

Senator Pangelinan: Is the $8 million going to happen outside the re-assessment in terms of the new construction capture—escape assessment? You've sent people out there to inspect extensions not captured in your original assessment now that's going to be added. Marie's initial response was that she thought that the $8 million would be outside the re-assessment project happening right now.

John Camacho: It is outside the $8 million, and the law requires the preliminary assessment be completed by September 1st, but we're not going to meet that this year.

Senator Pangelinan: Is that $8 million dependent on that or from capturing escape assessments?

John Camacho: Some will come from capturing escape assessments, but I'm not sure if that will amount to $8 million—I'm not too sure.

Senator Pangelinan: What would be the administration's motion on that?

John Rios: We went through this back in December with the anticipation, at that time, that it will be done.

Doris Brooks: You anticipated it would be done; now you're saying it won't be done--that's a big change.

John Camacho: The revaluation won't be done.

Senator Pangelinan: Is the $8 million increase dependent on the revaluation?

John Camacho: Yes… partly.

Senator Pangelinan: Is there a motion to delete that?

John Rios: The problem with that is that those funds were used for DOE.

Chris Budasi: For DOE and UOG.

Senator Pangelinan: If we reduce that amount, that puts the governor's request at a deficit.

Chris Budasi: For the Solid Waste Operations Fund, the fund ties into General Fund revenues, because the administration's request assumes an increase in residential tipping fees of about $35 and commercial of about $55. If this does not occur, the General Fund will have to put out $7 million to cover the debt service on the landfill bond.

John Rios: That was taken from the website of GBB?

Chris Budasi: We met with the receiver and verified the numbers. If we don't want the General Fund to pay out $7 million to pay the debt service now that capitalized interest is over, tipping fees have to go up.

Senator Pangelinan: John [Rios], when you took the number as the revenue, the assumption by the receiver is the tipping fee increased. Is the administration going to request this from the Solid Waste Commission?

John Rios: We're just following the receiver—their numbers on their website.

Senator Pangelinan: But in order to follow their numbers and adopt them, you have to request the Solid Waste Commission/Authority to file a rate increase with the PUC.

Chris Budasi: If we don't get that tipping fee increase by October 1st...

Senator Pangelinan: We don't know if the rate increase was filed with the PUC yet. Now that you've got a Solid Waste Authority with appointed commissioners, they could have some influence over the operations. We may not have the $7 million in collections to support what's budgeted without the rate increase, and there are other resources available within the Solid Waste Authority now. The receiver's plans show a portion of the tipping fee being escrowed to support future cell development; $2 million for equipment replacement... if you're not going to push for a rate increase, then the Solid Waste Authority and Board, through your guidance and the administration's guidance, to work this out with the receiver and the court to reallocate funds to support current operations or the debt service... they may not have to raise tipping fees to the degree needed to fully implement everything. Was the intention of the administration, by including that, to support the increase?

John Rios: If you want to remove it from the revenues, that's the decision we have to make here.

Senator Pangelinan: No, but does the administration support a petition to increase tipping fees?

John Rios: At that time, yes.

Senator Pangelinan: No, today—did you check?

John Rios: That's a decision we have to make here, now, if you want to remove it.

Senator Pangelinan: The admin continues its support of the track to file the rate increase with the PUC?

John Rios: I have to look at it again to see what the changes are. I know you met with the receiver recently, right? To clarify: the change now is that he no longer has control of changing the rates.

Chris Budasi: The rate structure has to go through the PUC now. The solid waste fees generate $4.4 million in reimbursements for us now. The proposed increase will give us another $7 million on top of that. The other $4 million [of debt service payment] can't come from the Solid Waste Operation Fund revenues, because of the Ordot closure, where that part of the bond has to be paid through the General Fund—fees cannot be used to pay for that.

Senator Pangelinan: Those are our issues with the Special Funds. As you know, the SES is tasked with making recommendations on the revenues as proposed by the Executive Branch. On the General Fund side, the motion on the floor was to adopt the General Fund revenues.

Chris Budasi: Given the projections on tourism, provided that tax refunds are paid in full next year, and the combination of inflationary adjustments, we can come close to that number. The other proposal is bump the withholding.

Doris Brooks: We've always overestimated the revenues historically; I don't see much cushion for our safety. Despite, for example, as I look at the FY 11 audit, that was a $17 million overestimation, yet that was the highest in over ten years in total.

Chris Budasi: Had we paid more refunds, we would have hit that number on the dime. That's part of the discussion we've had today. If we don't pay refunds, we're not going to get that money back from ACTC reimbursements.

Doris Brooks: But the reality is, given the current level of expenditures, we're not going to be able to pay refunds, although the governor has said he wants to pay refunds over other things, but given the current level of General Fund expenditures, that…

Chris Budasi: We were operating under the assumption that there was a fiscal stabilization plan presented to the legislature that was going to be discussed and that was going to take care of this. I don't know where that plan is at. Does anyone have an update on that?

Karl Pangelinan: Remember, the original plan included 100% payouts of the refunds? Through the authorization there were other items to take care of with the proceeds. We're still not fully caught up with tax refunds.

Senator Pangelinan: I know we won't be able to pay all the outstanding refunds, but are we able to pay the provisions? That assumption is that we've set aside the money, because we've paid all the refunds. Are we going to be able to have a plan to put that provision in place? If we fully fund the provision, and we know we won't be caught up with all the refunds, because there are still past due ones, will we pay out what we provide for in the provisions for refunds?

John Rios: That still is the plan, but we fell short with the bonds, because the use of the proceeds were applied elsewhere. That's the reason why—we're trying to catch up on that. Once we catch up, we can start putting funds aside. Remember that 2013 is right around the corner, we should have had some set aside. We've been using those funds to pay the prior year obligations allowed by law.

Senator Pangelinan: Let's say we don't pay any of the $16 million in outstanding refunds, that would have been the bond—have paid off everything. Starting next fiscal year, we won't pay any of the outstanding $16 million, let's set aside $100 million to at least pay out that provision for the coming fiscal year.

Karl Pangelinan: Sixteen million is the amount outstanding for refunds?

Senator Pangelinan: It would be, because John said there's maybe $30 million in outstanding refunds; $14 million will be paid out next week [from ACTC reimbursement], according to the governor. That will give us $16 million outstanding. The question is, if we don't pay the $16 million, will we put aside the $100 million that is in the provision?

John Rios: That's how the plan was supposed to work, and this fiscal year, you're supposed to put it aside to pay out tax refunds next fiscal year. It can't because we used the proceeds to pay retirement contributions, $18 million for operations, and other expenses we used the proceeds for by law.

Chris Budasi: I'm hearing that the plan is to continue to deficit spend.

John Rios: That's the reason why we're trying to do the 15% reserve and not touch it and not pay the increments that you mentioned. What we want to do is pay off the prior year obligations and tax refunds.

Doris Brooks: At yesterday's EFSC [Educational Financial Supervisory Committee] meeting, the 15% reserve, which amounts to $30 million for DOE, all but $5 million will have to be released; otherwise, you'll go into layoff.

John Rios: And of the $5 million, how much is that for prior year obligations? About $26 million was to cover them till the end of the fiscal year. Did that include prior year obligations? If not, then we can pay a lot of the prior year vendor payables with the remaining part of that 15% reserve which is also part of the deficit so we reduce part of the deficit with that. We can't take that $5 million out of DOE, but it can be used to pay for the vendor payables at DOE.

Doris Brooks: What I hear you saying is that the full 15% will have to be released.

John Rios: If we receive the cash by the end of the fiscal year.

Chris Budasi: According to the supplemental budget submitted by DOE, they had about $1.6 million in prior year obligations—not including the $3.5 million for the teacher furlough. They're only looking at $1.6 million. They also want $14 million for textbooks, but that's not a prior year obligation.

John Rios: That's what we released last October for textbooks, right? Hopefully, there's still savings under the DOE that will pay for their prior year obligations for DOE.

Senator Pangelinan: For the adoption of the General Fund revenue numbers as presented in the Executive Budget Request for FY 2013, all in favor say, please raise your hand.

SES Members favorable votes for motion:
Albert Perez (BSP)
Debi Philips (GVB)
Karl Pangelinan (GEDA)
Benita Manglona (DOA)
John Rios (BBMR)
John Camacho (DRT)

SES Members opposed to motion:
Doris Flores Brooks (OPA)
Gary Hiles (DOL)
Chris Budasi (OFB)

John Rios: I'd like to make a motion to adopt the Special Fund revenues as stated in the FY 13 Executive Budget Request.

Senator Pangelinan: All those in favor...

SES Members favorable votes for motion:
Albert Perez (BSP)
Debi Philips (GVB)
Karl Pangelinan (GEDA)
Benita Manglona (DOA)
John Rios (BBMR)
John Camacho (DRT)

SES Members opposed to motion:
Doris Flores Brooks (OPA)
Gary Hiles (DOL)
Chris Budasi (OFB)

Senator Pangelinan: This meeting is adjourned at 5:25 pm.

Cumulative Surplus as of June 30, 2012

Since January 2011, the Executive Branch has announced plans for the implementation of several policies that aimed to "enhance" revenues and reduce expenditures of the GovGuam. These policies have come in the form of Executive Orders, Reorganization Advisories, Directives, BBMR Circulars, Task Forces, Commissions, Plans, etc. Discussions regarding cost savings strategies have been proposed by both the Executive and Legislative branches are available. These strategies surrounding the reduction in personnel costs have yet to be implemented to the extent in which it was announced.

In FY12, the Guam Legislature authorized the issuance of $343 million in bonds in two series, which went to fund the following:

1. $258,000,000 for the payment of unpaid income tax refunds plus interest for Tax Year 2011 and prior;

2. $20,000,000 for the payment of cost of living allowance to certain retired GovGuam employees pursuant to the case known as *Rios v. Camacho*;

3. $25,100,000 for payments owed to the Government of Guam Retirement Fund (GGRF) for the Guam Department of Education and the Guam Memorial Hospital Authority principal and interest pursuant to Public Law 28-38, as amended by Public Law 31-74; and

4. If no alternate source of funding is available, for the payment of health insurance premiums

With the release of these funds to the taxpayers and GovGuam retirees, the GovGuam was able to reduce its deficit to unprecedented levels. The Statement of Revenues, Expenditures, and Changes in Fund Balance as of June 30, 2012 provided to the SES by the Department of Administration (DOA), shows a cumulative deficit of approximately $27,103,745.82. The FY11 cumulative deficit was pegged at $303,132,261, whereas the DOA's beginning fund balance utilized in its statement was -$368,234,425, a difference of $65,102,164. If this amount is added back to the deficit, the true fund balance of the GovGuam as of July 30, 2012 is a surplus of approximately $37,998,418.18.

Notwithstanding the current cumulative fund balance being a surplus, there continues to be the need for these cost-cutting policies to actually come to fruition as the bond payments for the $343 million bonds will come due in the upcoming fiscal years. The most recent announcement by the Governor's Spending Cuts Task Force includes the proposals that aim to decrease the contribution rate to the GGRF, reduction in holiday pay, elimination of the Guam Fire Department (GFD) non-productive pay, reduction in overtime to six hours, elimination of GFD incentive pay, the elimination of annual leave cash out, reduction in paternity leave, and a cap on leave sharing which all are estimated to save $43 million. These proposals were pre-empted with the numerous Reorganization Advisories issued by the Governor which were aimed toward the decrease in workforce of the GovGuam.

Committee Findings and Recommendations

It is the policy decision of the Committee that the FY 2013 budget provide the essential resources to critical government components. The Committee recommends the FY13 budget be at the same levels as FY12 with the slight increase to account for the increase in the retirement contribution rate. Due to the aggressive revenues as presented by the Executive Branch, there will be no room for error in both the collection of revenues and the payment of Income Tax Refunds to the taxpayers of Guam as this will lead to deficit spending in FY13.

Sign-In Sheet
FY 2013 BUDGET HEARING - UOG
July 3, 2012 - 10:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	TITLE
DR. ROBERT UNDERWOOD	PRESIDENT
DAVID O'BRIEN	VICE PRESIDENT, FINANCE
KATHY SGRO	MEMBER, BOARD OF REGENTS
DR. ANITA BORJA ENRIQUEZ	DEAN/ACTING SR VP OF
DR. CHRIS PEREZ	CHAIRPERSON, BOARD OF REGENTS
JESSE QUENGA	
ANTHONY QUENGA	

Sign-In Sheet
FY 2013 BUDGET HEARING - DOE
July 23, 2012 - 9:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	TITLE
Jonathan Fernandez	Superintendent
Taling Taitano	Deputy Superintendent of Financial Affairs and Operations
Joe Sanchez	Deputy Superintendent of Curriculum and Instruction
Robert Malay	Deputy Superintendent

GUAM DEPARTMENT OF EDUCATION

Analysis of DOE's Receivable from DOA

As of June 30, 2012

	General Fund	Textbooks	Chammoru Studies	F Q S PL 31-75	P.L. 31-75 Power-5100	Total GF	T E F F	P L R F	HFF FUND	HFF-Busing	HFF Health Ed.	I D C Busing	A C F Power 5618	Total Special Fund	GRAND TOTAL
Per P.L. 31-75	179,639,344	2,000,000	381,120	100,000	408,214	182,528,678	16,810,890	652,440	520,000	92,000	279,754	250,000	875,000	19,480,084	202,008,762
Reserve (per BBMR)	(26,945,902)	(300,000)	(57,168)	(15,000)	(61,232)	(27,379,302)	(2,521,634)	(97,866)	(78,000)	(13,800)	(41,963)	(37,500)	(131,250)	0	
BBMR's Release to DOA	152,693,442	1,700,000	323,952	85,000	346,982	155,149,376	14,289,256	554,574	442,000	78,200	237,791	212,500	743,750	(2,922,013)	(30,301,315)
DOA's Total Remittance	133,502,078	0	0	0	0	133,502,078	12,606,215	501,326	305,981	94,917	223,976	0	0	16,558,071	171,707,447
FY 2012 Balance	(19,191,364)	(1,700,000)	(323,952)	(85,000)	(346,982)	(21,647,298)	(1,683,041)	(53,248)	(136,019)	16,717	(13,815)	(212,500)	(743,750)	13,732,415	147,234,493
														(2,825,656)	(24,472,954)

NOTE:

1. As of 06/30/12, DOE received a total remittance from DOA in an aggregate amount of $147,234,493 over a period of nine (9) months of operations.
2. It appears that DOA is remitting a monthly fund $16,359,388 to DOE.
3. With the remaining three (3) months left for FY 2012, DOE will then be needing a total hard-cash of $49,078,164.
4. It is regretfully noted however, that what DOA owes DOE (not counting the 15% Reserve) , as of 05/31/12 is only $24,472,954 (see above).
5. In effect, DOE will be facing a cash shortfall of $24,605,210, which is almost equivalent to the BBMR's 15% Reserve of $30,301,315.
6. It is suggested that BBMR releases at least 80% of the 15% Reserve, which equates to 12% of the PL 31-75 Budget, thus retaining a 3% Reserve equivalent to $6,060,263.

GDOE BUDGET NARRATIVE

Fiscal Year 2013

Fiscal Year 2013

Guam Department of Education Fiscal Year 2013 Budget Request

BUDGET OVERVIEW

The Guam Department of Education (GDOE) is a line agency of the Government of Guam; its policies are established by a combination of elected and appointed board members, which make up the Guam Education Board (GEB). As a single unified school district consisting of grades Kindergarten through 12, GDOE operates 26 elementary schools, eight middle schools, one alternative school, and five high schools serving over 30,000 students with over 3,400 employees. Its schools and other facilities are geographically located throughout the island and include sports facilities and athletic fields at ten secondary schools, central administrative support and program offices, two warehouse structures, and two sewer pumps.

GDOE anticipates that the 2012-2013 School Year (SY) will be a period in transition, marked by constructive changes and adjustments that will strengthen our school system's focus on helping students achieve academically and increase their preparation for higher education and the workplace. Guided primarily by the Adequate Education Act, the GEB has approved a $272,075,843 funding level to support the department's operations in Fiscal Year (FY) 2013.

In developing the GDOE FY 2013 Budget plan, the following factors were considered:

1. The GDOE budget would continue to provide support to teachers, specialists, counselors and nonprofessional employees in order to ensure that quality instruction in the classroom remains a priority;
2. The GDOE budget would address the necessary shift from federal to local funding required to meet special conditions under the Comprehensive Corrective Action Plan (CCAP) to remove GDOE from its 'High Risk' grantee status by U.S. Department of Education (USDOE);
3. Funding would be provided to continue addressing needed school and facility maintenance and repairs; and
4. The budget would identify unfunded mandates impacting GDOE's FY 2013 operations.

Previously, and throughout GDOE's FY 2013 budget preparation process, the GEB expended good faith efforts in negotiating with the Guam Federation of Teachers (GFT), regarding collective bargaining agreements affecting Teachers, Professional and Non-Professional staff. In spite of these efforts, the Agreement lapsed in November 2011, and in February 2012, the Attorney General of Guam issued an opinion declaring employees that were covered by the Agreement now fall under the same personnel rules and regulations as all other employees in GDOE.

This circumstance essentially relieves GDOE of a number of provisions in the former Agreement, involving student-teacher ratios, administrative support, workload, duties and assignments. However, while this relief could result in future substantive changes in operations and budgetary needs, GDOE intends to continue following the spirit of the former Agreement until such time as it determines that changes are required to improve student

achievement and Department effectiveness overall.

FY 2013 marks the first year GDOE will incur significant new local expenditures, $5.8 million, relative to addressing its 'High Risk,' grantee status by the USDOE. The costs of the Third Party Fiduciary Agent (TPFA) contract and implementation of the new Financial Management System (FMIS), as stipulated by USDOE under the Comprehensive Corrective Action Plan (CCAP), were initially funded by ARRA State Fiscal Stabilization Funds in FY 2011-12. The estimated $5.8 million, includes the cost of the annual TPFA contract, as well as $1.9 million in associated operating expenses (personnel, contractual, capital outlay, supplies) needed to support the CCAP in FY 2013. These are expected to become recurring expenditures in FY 2014-15 because USDOE is requiring that GDOE obtain two consecutive years of clean audits subsequent to the installation of the FMIS. The FMIS successfully went live in April 2012, and the Payroll and Personnel Modules are expected to be added to the system by the end of July.

Ensuring the physical state and condition of GDOE's school classrooms and campuses provide a safe and conducive learning environment for students and staff will continue to be a priority in FY 2013. Nearly $60 million in capital improvement, technology and Science, Technology, Engineering and Math (STEM) projects are currently underway. A total of $139 million in deferred maintenance needs affecting 35 Guam's public schools was identified; however, because the cost of various projects far exceeds the available funding, additional financing is necessary.

In June 2012, the Guam Legislature passed Bill 437 authorizing lease financing for the rehabilitation, construction, expansion and renovation of public school facilities. The authorization also contains provisions for new collateral equipment, 13 Special Education buses, and up to $1 million to fund a GDOE 10-year capital improvement project plan mandated under Public Law 31-203. Although progress has been made towards funding GDOE facility rehabilitation and repair, it is the daily maintenance and repair tasks which present challenging prospects in FY 2013.

Of GDOE's inventory of 40 schools, six schools are operating under lease agreements which contain provisions that to address facility maintenance and upkeep during the school year; lease payments are annually addressed in debt financing provisions of the Budget Act. The relocation of Untalan Middle School to the Tiyan campus in February 2012 illustrates the lack of sufficient resources to address daily maintenance repairs in GDOE's 34 other schools. While the closure of the middle school's Barrigada campus was due to noncompliant health and safety standards, the concern is that similar deficiencies and conditions exist throughout GDOE's 34 other school facilities. The addition of 58 new positions or $2 million for FY 2013 would bring the current staffing level of GDOE's Facilities and Maintenance Division to 132 Full Time Equivalencies (FTEs) required to address and balance facility maintenance needs, while capital projects for rehabilitation and repairs are underway. Additionally, funding for critical contracts, equipment and supplies will help ensure maintenance needs are met.

There are a number of unfunded mandates expected to impact GDOE's FY 2013 operations. An assessment of a

certain number of these mandates, approximately $22.8 million, was determined and approved by the GEB as a Supplemental Budget request to address the following programs and services:

- the expansion of Chamorro Language and Culture curriculum (Public Law 31-45);
- the annual maintenance cost for the new FMIS;
- the backlog and shortage of adopted textbook purchases; and
- prior period obligations and expenditures.

While Public Law 31-158 changed the definition of GDOE mandated special education and/or related services to one that states special education and related services, GDOE does not have sufficient data to quantify the financial implications for FY 2013. The mandate, however, essentially shifts the costs of 'related services' from federal grant funding to local funding, for students who only receive such services as speech therapy, but whom may no longer be eligible to receive those services as a student with a disability and under special education authority. The Department will monitor the impact of this change in the upcoming year.

BUDGET PROCESS

In accordance with §3121, Chapter 3 of Title 17 GCA, the GDOE Superintendent shall prepare the GDOE fiscal year budget and the Guam Education Board (GEB) shall approve the proposed GDOE budget and funding priorities by resolution. The GDOE budget process includes the following: 1) formulation of the budget by school administrators and division heads; 2) public hearings conducted for stakeholder input; 3) adoption by the GEB and its submission to the Legislature by the Superintendent no later than the 30th day of January; 4) passage of a budget appropriation bill by the Legislature, and subsequent enactment of the budget appropriation bill into law by the Governor; and 5) adoption of spending priorities by the GEB.

On September 26, 2011, the Interim Superintendent assembled an 11-member Budget Committee (comprised of one Elementary, two Middle, and one High School Administrators; the Supply Management Administrator; the Personnel Services Administrator; the Budget Analyst; three Business Office Management Analysts and one Personnel Specialist) to assist in the process of budget preparations for FY 2013.

On October 3, 2011, the Interim Superintendent issued the FY 2013 Budget Call and following budget guidelines to all GDOE Division Heads and School Administrators:

The operations of the GDOE are guided by Federal and Local mandates, GEB board policies, Board/Union contract, Operating Instructions, GEB Goals, and Standard Operating Procedures. GDOE Schools and Divisions are guided by the following in formulating their respective budgets:

GUIDELINES FOR BUDGET PREPARATION (SCHOOLS)	GUIDELINES FOR BUDGET PREPARATION (DIVISIONS)
1. School Mission 2. Public Law 28-45: 14 Points of Adequate Public Education 3. ESLRs (Expected School-wide Learning Results) 4. School Improvement Plan 5. Accreditation Report 6. Budget Formulas 7. Board/Union Contract 8. Textbook Inventory 9. School Demographics a. Student enrollment (enrollment projection) b. SAT test scores c. School capacity d. Free/reduced lunch recipients e. ESL/SPED Populations 10. Staffing Pattern - Vacancies (previously filled vs. new positions) 11. Fixed Asset Inventory 12. Equipment 13. School Maintenance 14. Outstanding maintenance work and repairs 15. Capital Improvement Projects (CIP) 16. DPHSS inspection report/citation/rating 17. GFD inspection report 18. FEMA projects 19. Content Standards/Performance Indicators	1. Division Mission 2. Formal functions of the Division 3. Public Law 28-45: 14 Points of Adequate Public Education, where applicable 4. District Action Plan 5. Budget Formulas 6. Board/Union Contract 7. Staffing Pattern - Vacancies (previously filled vs. new positions) 8. Fixed Asset Inventory 9. Equipment 10. Outstanding maintenance work and repairs 11. FEMA projects

In October 2011, Budget Workshops were conducted with School Administrators and Division Heads to review and

discuss the budget guidelines. Subsequent to these workshops, the Interim Superintendent held four public hearings at various school campuses throughout the island to provide all stakeholders opportunity to comment and participate in the budget process.

In November 2011, the GDOE Personnel Services Division conducted sessions with School Administrators and Division Heads to distribute and review Staffing Patterns (FY 2012 Current and FY 2013 Proposed) to be included in their respective FY 2013 Budget Submissions. In December 2011, certified FY 2013 Budget from the Schools and Division were submitted to the Interim Superintendent.

On January 25, 2012, the GEB passed Resolution 2012-03 approving an initial GDOE FY 2013 Budget aggregate not to exceed $272,075,843, which would be adequate to meet the goals of the "Every Child is Entitled to an Adequate Public Education Act."

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	125,719,964
2	Certified Professional Administrators	10,062,131
3	Certified Guidance Counselors	5,783,658
4	Certified School Health Counselors	3,929,009
5	Certified Allied Health Professionals	360,540
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	3,500,000
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	2,032,485
8	A reliable supply of electricity	14,349,735
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	3,657,824
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	2,000,000
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	4,101,424
12	A healthy, safe, sanitary learning environment	33,179,998
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	63,399,075
14	Regular; timely school bus transportation to and from the school	0.00
TOTAL		**272,075,843**

Additionally, the GEB determined and resolved, that a supplemental FY 2013 GDOE Budget would be needed to address funding for prior year obligations; textbook adoption requirements; and the implementation of Public Law 31-45, relative to Expanding the Chamorro Language and Culture Curriculum in the Public Schools. Subsequently it

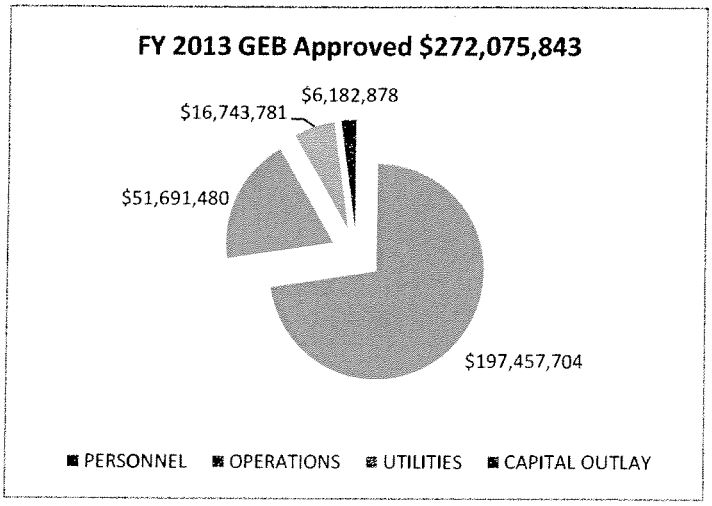
was determined that the costs of the FMIS Annual Maintenance Agreement were not included in the approved budget and would also needed to be addressed.

On June 25, 2012 the GEB passed Resolution 2012-04 approving a FY 2013 Supplemental Budget in the amount of $22, 816,466 which would be adequate to meet the goals of the "Every Child is Entitled to an Adequate Public Education Act."

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	$ 193,450
2	Certified Professional Administrators	0
3	Certified Guidance Counselors	0
4	Certified School Health Counselors	0
5	Certified Allied Health Professionals	0
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	0
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	0
8	A reliable supply of electricity	0
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	0
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	$ 13,713,334
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	0
12	A healthy, safe, sanitary learning environment	$ 2,125,000
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	$ 6,784,682
14	Regular; timely school bus transportation to and from the school	0
TOTAL		**$ 22,816,466**

BUDGET REQUEST

GDOE's total FY 2013 Budget request of $272,075,843 is essentially divided between personnel expenses (73 percent) and operational expenses (27 percent), which included utilities and capital outlays.



With a projected enrollment of 31,361 students distributed throughout its 40 schools, $206 million or 76 percent of GDOE's total budget is allocated to school based operations, while $66 million or 24 percent will be needed for general operations. The budget plan calls for a total Full Time Equivalency (FTE) level of 3,468, of which 3,029 are allocated to the schools and 439 to division and program offices.

Compared to its FY 2012 Appropriation Levels, GDOE's FY 2013 request represents an increase of $65 million, which is comprised of an additional $32 million in Personnel; $26 million in Operations; $937,000 in Utilities; and $5.9 million in Capital Outlay. Some of the increase is attributed to escalations in recurring expenses such as employee benefits, utility, solid waste collection, petroleum rate increases, and a rise in the costs of supplies and services.

At least $38.4 million in anticipated expenditures in the following areas are also contributing factors to the increase over FY 2012:

- $20 million in Personnel (42 Vacant, 491 New Positions)
- $5.9 million in Capital Outlay
- $5.3 million in Operations (High Risk TPFA and FMIS Maintenance & Support)
- $1.9 million in Operations (Child Nutrition Program Local Subsidy)
- $5.5 million in Equipment (Collateral Equipment at the Schools)

The overall Appropriations request equates to an $8,675.61 per pupil cost for FY 2013.

FY 13 OVERALL BUDGET SUMMARY

Function: OVERALL BUDGET SUMMARY
Department/Agency: Guam Department of Education
Program: ALL FUNDS

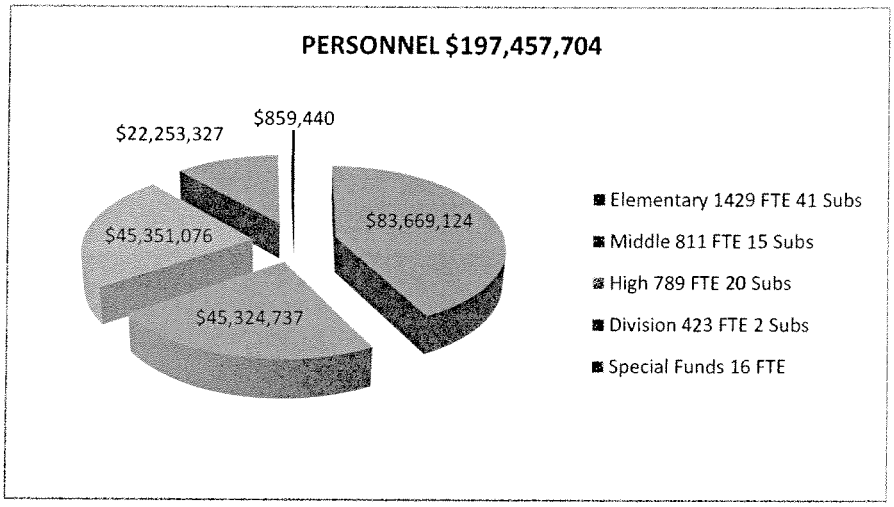
		A	B	C	D	E	F
				GEB Review and Approval			
AS400 Account Code	Appropriation Classification	FY 2011 Expenditures & Encumbrances	FY 2012 Authorized Level	FY 2013 General Fund	FY 2013 Federal Match Fund(s)	FY 2013 Other Fund 1/	FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	108,414,390	119,925,357	138,885,522	-	177,763	139,063,285
111	Teacher Prep	-	65,000	145,212	-	-	145,212
111	Reclassification	-	987,540	1,390,711	-	-	1,390,711
112	Overtime/Special Pay	45,077	-	338,016	-	-	338,016
111	On-Call Substitute	724,186	580,416	999,163	-	-	999,163
111	Part-time	63,493	-	-	-	-	-
113	Benefits	39,801,475	43,772,093	55,445,164	-	76,153	55,521,317
	TOTAL PERSONNEL SERVICES	**149,048,621**	**165,330,406**	**197,203,788**	-	**253,916**	**197,457,704**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	8,572,798	8,430,238	22,903,220	-	10,783,218	33,686,438
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	1,913,348	1,473,114	5,456,103	-	2,827,356	8,283,459
250	EQUIPMENT:	861,600	2,669,482	7,551,051	-	686,895	8,237,946
270	WORKERS COMPENSATION	55,523	100,000	100,000	-	-	100,000
271	DRUG TESTING	-	-	15,584	-	-	15,584
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	125,360	1,996,775	1,368,053	-	-	1,368,053
710	INDIRECT COST:	-	-	-	-	-	-
	FNS (Federal & Local Collection)	-	11,164,309				
	TOTAL OPERATIONS	11,528,629	**25,833,918**	**37,394,011**	-	14,297,469	51,691,480
	UTILITIES						
361	Power	12,350,225	13,641,896	14,349,735	-	-	14,349,735
362	Water/ Sewer	1,890,223	1,804,089	2,032,485	-	-	2,032,485
363	Telephone/ Toll	324,111	360,860	361,561	-	-	361,561
	TOTAL UTILITIES	**14,564,559**	**15,806,845**	**16,743,781**	-	-	16,743,781
450	**CAPITAL OUTLAY**	**613,043**	227,324	6,182,878	-	-	6,182,878
	TOTAL APPROPRIATIONS	**175,754,852**	207,198,493	**257,524,458**	-	14,551,385	272,075,843

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)						
UNCLASSIFIED	-	4	5	-	-	5
CLASSIFIED	-	2,973	3,463	-	-	3,463
TOTAL FTEs	-	2,977	3,468	-	-	3,468

I. Personnel and Staffing Levels

GDOE will need $197 million, accounting for 73 percent of its total funding request, to adequately cover personnel costs and provide a total staffing level of 3,468 FTEs and 78 On Call Substitute Teachers distributed throughout GDOE's 40 public school campuses, 17 divisions and two program offices.



Estimated student enrollment will require 3,029 FTEs and 76 On Call Substitute Teachers be based in GDOE's 40 schools, accounting for $174 million in personnel costs with the following breakdown:

- ✓ $2.5 million (Teacher Prep, Teacher Reclassification, 76 On Call Substitutes)
- ✓ $13.8 million (394 New Positions)
- ✓ $157.6 million (2,635 Existing Positions)

The 3,029 school-based FTE staffing allocation, includes:

- 1,885 Certified Teachers
- 109 Professional Administrators
- 87 Guidance Counselors
- 39 School Health Counselors
- 3 Social Workers
- 13 Licensed Nurse Practitioners
- 39 Librarians
- 19 Library Technicians
- 462 School Aides

Administrative and clerical support staff to school administrators, professional staff (Librarians, Counselors, Nurses, and Allied Health Professionals), and faculty throughout GDOE's 40 public school campuses will require a total of 245 FTEs to ensure timely processing of administrative tasks and functions. This FTE total, comprised of administrative officers, assistants, clerks/typists, and computer operators includes 104 new positions, which include six administrative assistants, four administrative officers, 80 clerks and clerk typists, seven computer operators and seven secretary typists.

Due to staff attrition, GDOE's current 52 FTE level of cafeteria employees is sufficient to continue operating six school cafeterias, located at J.Q. San Miguel, Ordot Chalan Pago, H.B Price, D.L. Perez, and Astumbo elementary schools and also at Okkodo High School. The remaining 34 school cafeterias are managed and operated by a private contractor. As mandated by local law, no new positions are being requested, and GDOE will continue to increase the number of outsourced school cafeterias as these 52 positions are lost through attrition.

Similarly, school maintenance is performed by a combination of GDOE Custodians (76 FTEs), who are based in the schools and private Custodial Service contractors. GDOE will be transitioning the number of fully outsourced schools from 15 to 22 and GDOE custodians will fully maintain the remaining 13 schools. For John F. Kennedy and Okkodo high schools, Astumbo Middle School, and Adacao and Liguan elementary schools, full maintenance and custodial services are provided under provisions contained in their respective lease terms. Custodial services costs for Untalan Middle School's Tiyan campus are shared between GDOE and the lessor.

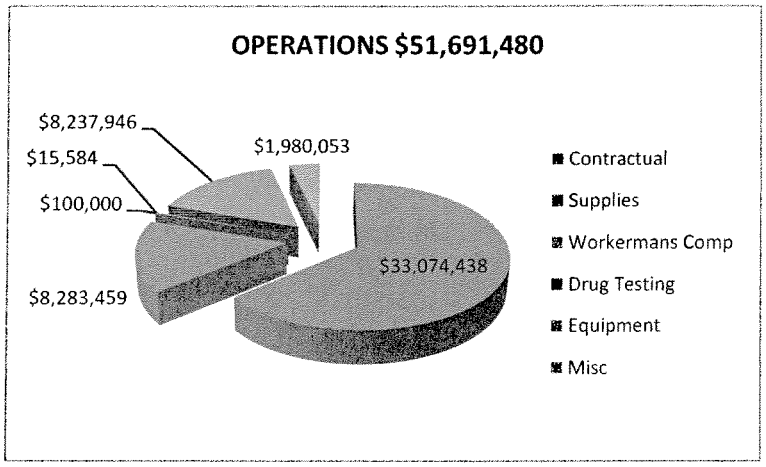
Of the total 3,468 FTEs budgeted, 439 and two On Call Substitute Teachers at a cost of $23 million, will be based in GDOE's 17 division and two program offices – Chamorro Studies and Special Education – Gifted and Talented (GATE). This staffing level includes 97 new positions ($5 million) needed to implement efforts to improve internal controls and to adequately support operations such as facilities maintenance, curriculum, student support.

- 13 new positions and 2 On Call Substitute Teachers will be needed to support either grant requirements and/or student populations at GDOE's Head Start, Special Education, and Food and Nutrition divisions, and GATE Program Office.

FY2013 "NEW POSITIONS"	
TOTAL NO.	POSITION TITLE
6	ADMINISTRATIVE ASSISTANT *(Schools)*
4	ADMINISTRATIVE OFFICER *(Schools)*
13	ASSISTANT PRINCIPAL *(8-Elem., 4-Middle, 1-High)*
1	CLERK I *(School)*
1	CLERK III *(School)*
57	CLERK TYPIST I *(30-Elem., 15-Middle, 12-High)*
14	CLERK TYPIST II *(4-Middle, 10-High)*
7	CLERK TYPIST III *(3-Elem., 4-Middle)*
4	COMPUTER OPERATOR I *(Elem.)*
2	COMPUTER OPERATOR II *(Elem., Middle)*
1	COMPUTER OPERATOR III *(Okkodo)*
8	LIBRARY TECHNICIAN I *(4-Elem., 4-Middle)*
10	LICENSED PRACTICAL NURSE I *(2-Elem., 3-Middle, 5-High)*
120	SCHOOL AIDE I *(67-Elem., 30-Middle, 23-High)*
73	SCHOOL AIDE II *(3 Elem., 45-Middle, 25-High)*
7	SECRETARY I TYPIST *(5-Elem., 2-Middle)*
1	SOCIAL WORKER III *(Alternative Ed.)*
65	TEACHER IV *(27-Elem., 13-Middle, 25-High)*
394	TOTAL SCHOOLS - FY2013 PROPOSED "NEW POSITIONS"
1	ADMINISTRATIVE ASSISTANT *(Financial Affairs)*
1	ADMINISTRATIVE OFFICER *(F & M)*
1	ADMINISTRATIVE OFFICER *(Food & Nutrition)*
1	ASST SUPPLY MANANGEMENT ADMINISTRATOR
3	AUDITOR III
1	BUDGET & MANAGEMENT ANALYST III
1	BUDGET& MANANGEMENT ADMINISTRATOR
2	BUILDING MAINTENANCE SUPERVISOR
1	CAPTIAL IMPROVEMENT PROGRAM ADMINISTRATOR
1	CHAMORRO LANGUAGE & CULTURE SPECIALIST (ELEMENTARY)
1	CLERK TYPIST III *(F & M)*
1	COMMUNITY HEALTH & NURSING SERVICES ADMIN *(S.S.S.)*
2	COMPUTER OPERATOR III *(FSAIS)*
1	DEPUTY SUPERINTENDENT, COMMUNITY OUTREACH
15	ELECTRICIAN II *(F & M)*
3	ENGINEER TECHNICIAN II *(F & M)*
1	GENERAL ACCOUNTING SUPERVISOR
2	LOCKSMITH II *(F & M)*
1	OCCUPATIONAL THERAPIST II *(Special Ed.)*
1	PHYSICAL THERAPIST II *(Special Ed.)*
13	PLUMBER II *(F & M)*
3	PROGRAM COORDINATOR IV *(C & I, Chamorro, GATE)*
1	PROPERTY CONTROL OFFICER
1	PUBLIC INFORMATION OFFICER
14	REFRIGERATION MECHANIC II *(F & M)*
1	RESEARCH & STATISTICS ANALYST II
3	SCHOOL ATTENDANCE OFFICER *(S.S.S.)*
1	SCHOOL HEALTH COUNSELOR *(Headstart Division)*
3	SCHOOL PROGRAM CONSULTANT *(1-C & I, 2-Chamorro Studies)*
1	SECRETARY II TYPIST *(F & M)*
3	SPEECH PATHOLOGIST *(Special Ed.)*
3	SPEECH/LANGUAGE CLINICIAN *(Special Ed.)*
1	STOREKEEPER I *(F & M)*
2	STOREKEEPER II *(F & M)*
3	TEACHER IV *(Student Support, Special Ed., GATE)*
2	WELDER II *(F & M)*
1	WELDER LEADER *(F & M)*
97	TOTAL DIVISIONS - FY2013 PROPOSED "NEW POSITIONS"
491	TOTAL - FY2013 PROPOSED "NEW POSITIONS"

- 58 new positions in GDOE's Facilities and Maintenance Division are necessary to address deficiencies based on the average age of schools.
- 2 new positions in the Curriculum & Instruction / Research, Planning & Evaluation Division will help support GDOE's efforts to adapt, comply and keep up with textbook needs of students; while four new positions in the Chamorro Studies Division are needed to adequately manage existing programs; and five new positions at Student Support Services Division are needed to adequately support and manage student support services.
- 15 new positions in Supply Management, Financial Affairs, Financial Student Administrative Information System (FSAIS) divisions and the Superintendent's Office will play an integral role in addressing deficiencies in internal controls and accountability, fulfilling tasks to remove GDOE from its 'High Risk' grantee status by USDOE.

II. Operations



GDOE's total operations request for FY 2013 at $51,691,480 million is comprised of $33 million in Contractual Services, $8.2 million in Supplies, $115 thousand in Workman's Compensation and Drug Testing, $8.2 million in Equipment, and $1.9 million in Miscellaneous expenses.

Under the plan, $31.7 million or 61 percent is allocated for school based activities including:

- ✓ $5.8 million for essential daily services (trash collection, custodial services and supplies, copier services, ERATE contract services, First Aide CPR certification, building permits);
- ✓ $3.5 million for instructional supplies and contractual services;
- ✓ $8 million for collateral classroom and school library equipment, as well as, textbooks purchases; and
- ✓ $14.4 million to administer its School Lunch Program throughout its 40 schools.

While 34 school cafeterias are privately outsourced, GDOE operates six school cafeterias and is expected to incur operating expenses for cafeteria equipment maintenance and repairs, food supplies, septic and grease trap pumping, liquid petroleum gas, cash collection, and trash and pest control services at several school locations, as well as in its food distribution center in GDOE Piti facility. GDOE anticipates receiving:

- $10 million in reimbursements under the Federal Child Nutrition Program; and
- $875,000 in collections from participating students in the program.

Despite these funding offsets, however, GDOE had initially anticipated in January it would need a $1,901,756 million local subsidy (included in its funding request) to administer the program effectively, and as a result of the increasing cost of meals being served to students each year. However, a negotiated amendment with GDOE's food contractor in June 2012 will require GDOE to increase its FY 2013 CNP Local Subsidy request by $15,205.

Of the remaining $19.9 million or 39 percent of GDOE's total $51.6 million operations budget request, $11.5 million is allocated to address facility and fixed assets maintenance and safety issues throughout GDOE's 40 school campuses, as well as, essential daily services for its central divisions and program offices:

- ✓ $8.4 million for air conditioning repairs and replacements, generator, U.V. system and water tank maintenance, pest control, vehicle fleet maintenance, elevator maintenance and repairs; security alarm system services (installation of cameras), debris removal of trees; air quality testing.

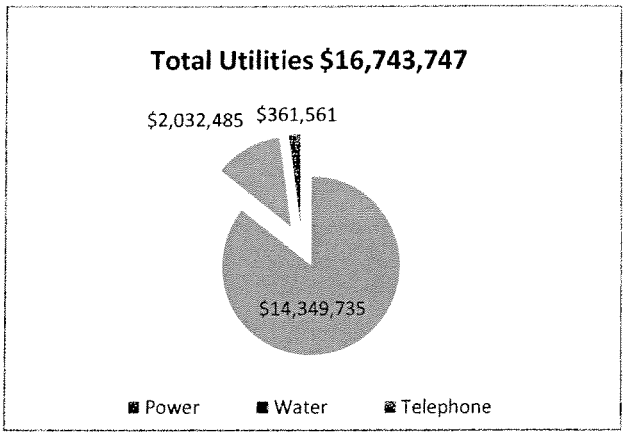
- ✓ $3.1 million for central divisions and program offices (trash collection, custodial services and supplies, copier services, and ERATE contract services).

GDOE's central administrative offices will need $6.3 million in operating funds to provide procurement, personnel, recruitment, payroll, accounting, auditing services, affiliated memberships and subscriptions fees, and information technology support and processing for an estimated 3,800 employees and the anticipated enrollment. While a portion of this allotment will cover basic operating expenses relative to processing these financial and administrative transactions, including the annual Leave payment for employees at the end of the school year, $5.2 million is needed to pay for the TPFA contract, as well as contractual software maintenance services, equipment, and supplies to assist GDOE's FSAIS Division ability to manage and support the new FMIS. Included in this allotment of funding are needed software program upgrades for GDOE's student management system, or Power School, which assists school administrators, teachers, students, and parents manage academic record-keeping and school scheduling, instruction schedules and activities.

Lastly, a total of $2.1 million will be needed in operational funding for several divisions and program offices that provide support services to students and faculty:

- ➢ Supplies and contractual services to revise Chamorro contact standards, syllabi and assessments for the Chamorro Studies Division;
- ➢ Supplies, Testing Materials (SAT 10), Printing of Conference Materials (school nurses, health educators, and counselors), PE Equipment, and Mileage reimbursements for GDOE's Curriculum & Instruction / Research, Planning & Evaluation; Student Support Services; Educational Support and Community Learning divisions;
- ➢ Administrative and instructional supplies, equipment, contractual consultant services, SAFE training certification for Special Education and Head Start divisions and GATE program offices.

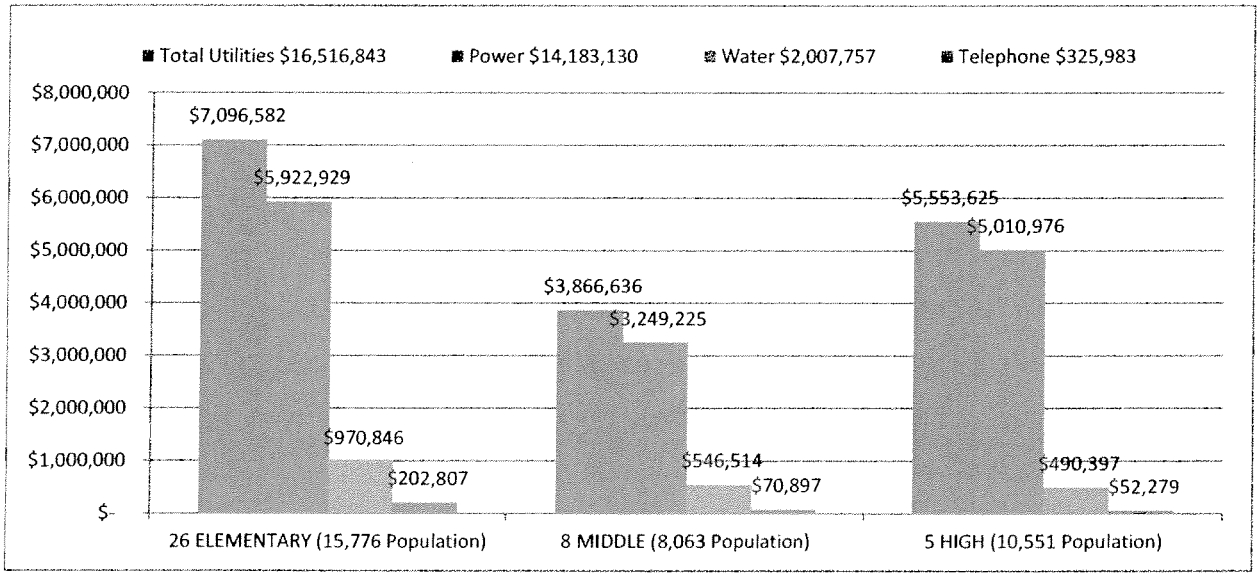
III. Utilities



GDOE's total estimated Utility (Water, Power, Telephone) costs at $16,743,781 accounts for 6.2 percent of the total FY 2013 budget request. This estimate was initially based on a 14.96 percent or $2.1 million increase, over GDOE's FY 2011 actual utility expenditures.

The estimated increase in funding is largely due to cover 1) scheduled 7 and 8 percent increase in power and water rates, respectively; and 2) a $1 million increase to address an apparent underfunding of power costs at John F. Kennedy High School. The school's private contractor has made adjustments to better control air conditioning temperatures, so the air conditioners are operating at optimal energy efficient levels.

However, based on FY 2012 actual water and power expenditures from October 2011 thru April 2012, GDOE may need to adjust its original FY 2013 budget request for utilities by $1.3 million (increase water by $324,111 to $2,356,956 and increase power by $1,002,082 to $15,351,817).



Overall power consumption throughout GDOE's schools and facilities is monitored on a monthly basis, with school administrators working closely with GDOE's maintenance staff and private contractors at John F. Kennedy and Okkodu high schools, Astumbo and Untalan middle schools, and Liguan and Adacao elementary schools.

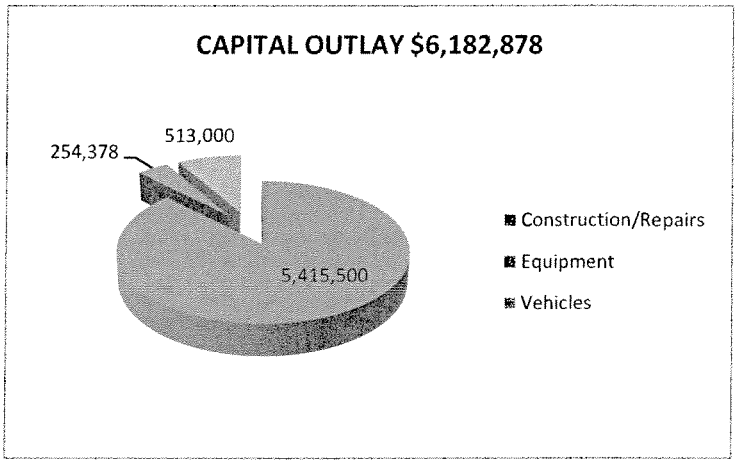
Energy conservation is being observed throughout the system, and energy efficient air conditioning repairs, accessories, and replacements with the use of improvements to insulation, temperature controls and timers have

and will continue to be employed wherever possible. GDOE continues to work with Guam Waterworks Authority on leak detection.

GDOE's $361,561 funding request for telephone services reflects a $701 increase. This is due to minor adjustments made in the ERATE billings schedule, as GDOE continues to interchange its service lines to the Shore Tel servicing system.

IV. Capital Outlay

A total of $5.4 million of the $6.1 million in GDOE's FY 2013 Capital Outlay request would impact 12 schools with facility repairs and construction, as well as, address needed repairs and renovation to the Department's Facilities and Maintenance and Central Offices in Piti and Hagatna.



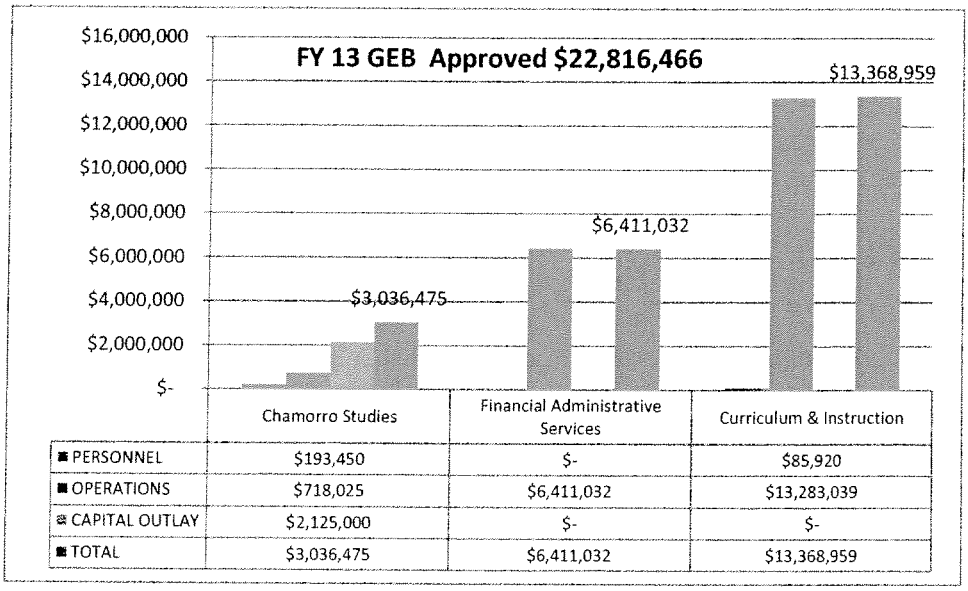
This funding also covers the costs of canopy repairs at Agana Heights Elementary, Finagayan Elementary, Marcial Sablan Elementary, Wettengel Elementary, HB Price Elementary, and VSA Benevente Middle schools; and the demolition of 49 temporary classrooms, 10 at JM Guerrero Elementary, 9 at CL Taitano Elementary, 7 at Southern High, 6 each at Jose L.G. Rios Middle, Agana Heights Elementary, Marcial Sablan Elementary, and 5 classrooms at Talofofo Elementary school.

The $513,000 outlay in vehicle purchases includes $228,000 for replacement of Special Education buses; $200,000 for 3 new heavy equipment replacements (backhoe, flatbed/forklift, dump truck) for facilities and maintenance needs; $85,000 for 2 vehicles (forklift and pick-up truck) for Supply Management Warehouse facility; and earmarks $30,000 for a vehicle purchase for the FSAIS Division.

FSAIS requested purchases also include procurement of computer network, web server storage, equipment and hardware application(s), would bring the FSAIS's total capital outlay to about $142,000 and is part of the $1 million increase in new expenditures.

SUPPLEMENTAL REQUEST

GDOE's FY 13 Supplemental Budget Request in the amount of $22.8 million impacts the Financial Affairs, Curriculum & Instruction, and Chamorro Studies divisions with the following allocations and prescribed spending plan, as approved by the GEB:

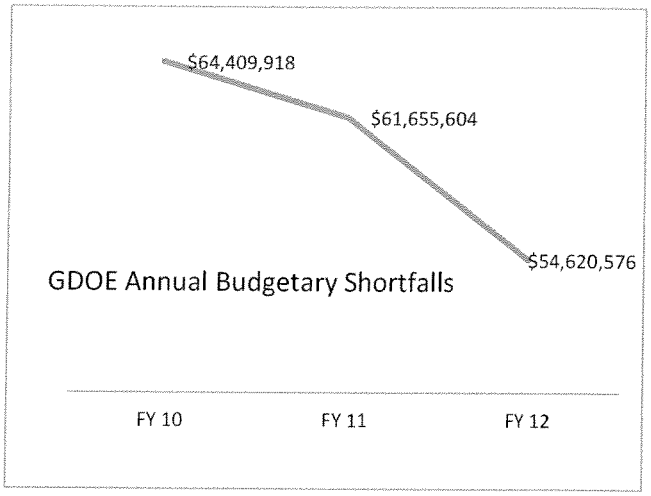


	Chamorro Studies	Financial Administrative Services	Curriculum & Instruction
PERSONNEL	$193,450	$-	$85,920
OPERATIONS	$718,025	$6,411,032	$13,283,039
CAPITAL OUTLAY	$2,125,000	$-	$-
TOTAL	$3,036,475	$6,411,032	$13,368,959

- $6.4 million to Financial Affairs Division addresses $6.1 million in prior period obligations, and $289,000 to cover costs of the Tyler (FMIS) maintenance contract.
- $3 million to Chamorro Studies addresses the implementation of Public Law 31-45, relative to Expanding the Chamorro Language and Culture Curriculum in the Public Schools, which requires mandatory yearly instruction in the elementary and middle schools, and 2 years of instruction in the high schools beginning in School Year 2013-14 (August 2013). The supplemental funding is needed for 25 additional teachers, the construction of 25 additional classrooms, collateral equipment for the additional classrooms, as well, as textbooks needed for classroom instruction.
- $13 million to Curriculum & Instruction Division addresses textbook adoption requirements. The supplemental funding is needed to address the backlog and shortage of textbook purchases needed at all levels, as well as, add two program coordinators to the division to administer the program.

BRIDGING THE GAP

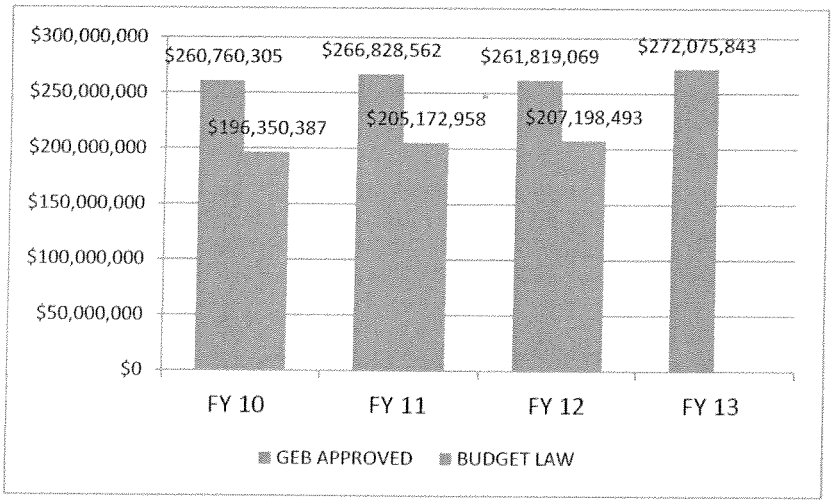
Increasingly and over the past three fiscal years, GDOE has experienced budgetary shortfalls between what has been approved by the GEB and what has been authorized and enacted into Budget Law. In each succeeding year, although the gap has narrowed, assessing the effects and developing remedies to address these shortfalls must be at the forefront of discussions at this stage of the FY 2013 budgetary process. Bridging this gap will help bring GDOE's annual budgets into structural balance.



GDOE's FY 2013 Budget request, totals $272, 075,842, represents a modest 4 percent increase over the $261,819,069 FY 2012 budget request by the GEB. Because so much of GDOE's operations are mandated by local and federal laws, GDOE is limited in its ability to apply budgetary reductions in the short term – without even counting any teachers or paraprofessionals for Special Education students, teachers for English as a Second Language (ESL) students, even though services for all of these populations are required by local or federal laws. In these cases, laws do not clearly define the level of service (and therefore expenditure) that is required, but reductions in service that would not be easily implemented could negatively impact some of Guam's most vulnerable students and may create risk of litigation.

Ancillary to GDOE's FY 2013 funding request are suggested changes and amendments in a number of GDOE's mandates that would help streamline operations and improve efficiencies:

1. Transfer of GDOE's wastewater sewer pumps located at Southern High and Untalan Middle schools to the Guam Waterworks Authority;
2. Add the maintenance of GDOE surface water run-off ponding basins at several school sites to village mayors' scope of work for Grounds Maintenance for Schools;
3. Amendments to Public Law 31-40, the Adequate Education Act Trust to: a) extend the encumbrance deadlines from September 30,



2012 to September 30, 2013; b) allow use of expenditures for overtime directly related to the implementation of the Financial Management Information System; and c) provide transfer authority between the prescribed object classes so that the expenditures can be classified in the appropriate categories and allow flexibility to the Superintendent to address areas of need within the Department;

4. Exempting GDOE from the current requirement that applications for federal grants must be approved by the Guam State Clearinghouse.

Lastly, consideration of a moratorium on laws affecting GDOE operations and curriculum would be beneficially productive and would allow an opportunity for the new Superintendent to assess the organization without having to deal with a constantly changing landscape.

In closing, GDOE's mission is to provide adequate public education for all public school students consistent with GEB approved policies. GDOE receives most of its funds through local government appropriations from the General Fund, which includes all government revenues, not otherwise restricted by statute. The ability of the "General Fund" to adequately fund public education continues to be a concern. Without a consistent and dedicated funding source, it is a continuing challenge for GDOE to provide an adequate public education at the primary and secondary school levels, in direct student support services, and its ability meet all its mandates, and administer a Department of its size.

The Guam Department of Education (GDOE) for the past many years has faced many operational and financial challenges in providing an adequate public education to 31,463 school children. The operational and financial obstacles to successfully manage public education are the result of the public school system's arduous statutory and policy requirements, limiting management's ability to maximize resources, crippled by the dependency on local government appropriations. In spite of these challenges, teachers, administrators, and support staff continue to remain focused on our mission of "Preparing all students for life; Promoting excellence; and Providing support!"

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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Email: tmtaitano@gdoe.net

TALING M. TAITANO
Interim Superintendent of Education

January 30, 2012

Honorable Vicente "ben" C Pangelinan
Chairman
Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land
I Mina'trentai Unu Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

Re: Department of Education FY2013 Budget

Hafa Adai Senator Pangelinan:

Attached please find one (1) hard copy and one (1) electronic copy of the Department of Education (DOE) FY2013 Budget as approved by the Guam Education Board, and in the forms as prescribed by the Bureau of Budget Management Research.

In its approval of the FY2013 Budget (attached GEB Resolution Number 2012-03), the GEB determined that a supplemental Budget will be submitted to address prior year obligations, textbook adoption requirements, deferred maintenance needs, and for the implementation of Public Law 31-45, relative to Expanding the Chamorro Language and Culture Curriculum in the Public Schools.

The Department management will continue to fine tune the budget to ensure we are prepared to engage in discussions prior to and during the public hearings on the budget.

If you have any questions or concerns, please feel free to contact the Acting Deputy Superintendent of Finance and Administrative Services, Ms Katherine Kakigi at kbkakigi@gdoe.net or 300-1556. Thank you for your continued support of the Department.

RECEIVED
JAN 30 2012
Office of the Speaker
Senator Vicente C. Pangelinan
Received by:

TALING M. TAITANO

Attachment

cc: Speaker, 31st Guam Legislature

GUAM EDUCATION BOARD
RESOLUTION NUMBER 2012-03

Introduced by: Guam Education Board Members

RELATIVE TO FISCAL YEAR 2013 APPROPRIATION
FOR DEPARTMENT OF EDUCATION

WHEREAS, pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board (GEB) is responsible for approving a budget by resolution; and

WHEREAS, on September 26, 2011, Guam Department of Education Interim Superintendent assembled an eleven-member Budget Committee (comprised of School Administrators; the Supply Management Administrator; the Personnel Services Administrator; the Budget Analyst; three Business Office Management Analysts and one Personnel Specialist) to develop budget guidelines that were used in the preparation of the FY2013 budget; and assist in the process of budget preparations for Fiscal Year 2013; and

WHEREAS, 11 GCA, Chapter 52, Subsection 52101, mandates that "*[T]he Superintendent of Education shall conduct public hearings at the public schools prior to the submission of the budget to the Guam Education Board in order to address each school's individual budgetary requirements,*" as a result of the mandate, Regional Stakeholders' Meetings were held from October 24 through October 27, 2011 to give stakeholders the opportunity to provide input and participate in the FY2013 budget; and

WHEREAS, on November 5th, 12th, and 13th, 2011, the Human Resources Division conducted budget sessions with School Administrators and Division Heads to distribute and review Staffing Patterns (FY2012 Current and FY2013 Proposed) to be included in their respective FY2013 Submission; and on December 23rd, 26th, and 27th, 2011, the Interim Superintendent received certified FY2013 Budget submissions from School Administrators and Division Heads; and

WHEREAS, the Guam Education Board has adopted a Department-Wide Flow Chart; and

WHEREAS, the Guam Education Board agreed that while the Board will continue to finalize budget priorities and details, the Department of Education Budget aggregate will not exceed Two Hundred Seventy Two Million Seventy Five Thousand Eight Hundred Forty Three $272,075,843 for operations and textbooks and is adequate to meet the goals of the "Every Child is Entitled to an Adequate Public Education Act," which fall within the statutory responsibility of the Department of Education; and

WHEREAS, the Guam Education Board has determined that a supplemental Department of Education Budget will be submitted to address prior year obligations, textbook adoption requirements, deferred maintenance needs, and the implementation of Public Law 31-45, relative to Expanding the Chamorro Language and Culture Curriculum in the Public Schools, which fall within the statutory responsibility of the Department of Education; and

NOW THEREFORE BE IT RESOLVED, the Guam Education Board does hereby adopt and transmit the initial Department of Education Fiscal Year 2013 Budget for review by *I Mina' Trentai-Unu na Liheslaturan Guåhan;* and

BE IT FURTHER RESOLVED, the Guam Education Board will submit a more detailed and thorough budget no later than, April 2012; and

BE IT FURTHER RESOLVED, that pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board does hereby approve the FY 2013 budget, to include special appropriations, as outlined below:

GUAM EDUCATION BOARD
RESOLUTION NO. 2012-03

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	125,719,964
2	Certified Professional Administrators	10,062,131
3	Certified Guidance Counselors	5,783,658
4	Certified School Health Counselors	3,929,009
5	Certified Allied Health Professionals	360,540
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	3,500,000
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	2,032,485
8	A reliable supply of electricity	14,349,735
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	3,657,824
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	2,000,000
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	4,101,424
12	A healthy, safe, sanitary learning environment	33,179,998
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	63,399,075
14	Regular; timely school bus transportation to and from the school	0.00
	TOTAL	**272,075,843**

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Honorable Speaker Judith T. Won Pat, *I Mina' Trentai-Unu na Liheslaturan Guåhan* and the Honorable Governor Edward B. Calvo, *I Magá låhen Guåhan.*

DULY AND REGULARLY ADOPTED THIS 25th DAY OF JANUARY, 2012.

FRANCIS E. SANTOS, Chairman
Guam Education Board

TALING M. TAITANO
Executive Secretary

Government of Guam
Fiscal Year 2013
Budget Digest

[BBMR BD-1]

Function: OVERALL BUDGET SUMMARY
Department/Agency: Guam Department of Education
Program: ALL FUNDS

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C FY 2013 General Fund	D FY 2013 Federal Match Fund(s)	E FY 2013 Other Fund 1/	F FY 2013 Total Req. (C+D+E)
				GEB Review and Approval			
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	108,414,390	119,925,357	138,885,522	-	177,763	139,063,285
111	Teacher Prep	-	65,000	145,212	-	-	145,212
111	Reclassification	-	987,540	1,390,711	-	-	1,390,711
112	Overtime/Special Pay	45,077	-	338,016	-	-	338,016
111	On-Call Substitute	724,186	580,416	999,163	-	-	999,163
111	Part-time	63,493	-	-	-	-	-
113	Benefits	39,801,475	43,772,093	55,445,164	-	76,153	55,521,317
	TOTAL PERSONNEL SERVICES	**149,048,621**	**165,330,406**	**197,203,788**	**-**	**253,916**	**197,457,704**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	8,572,798	8,430,238	22,903,220	-	10,783,218	33,686,438
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	1,913,348	1,473,114	5,456,103	-	2,827,356	8,283,459
250	EQUIPMENT:	861,600	2,669,482	7,551,051	-	686,895	8,237,946
270	WORKERS COMPENSATION	55,523	100,000	100,000	-	-	100,000
271	DRUG TESTING	-	-	15,584	-	-	15,584
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	125,360	1,996,775	1,368,053	-	-	1,368,053
710	INDIRECT COST:	-	-	-	-	-	-
	TOTAL OPERATIONS	**11,528,629**	**14,669,609**	**37,394,011**	**-**	**14,297,469**	**51,691,480**
	UTILITIES						
361	Power	12,350,225	13,641,896	14,349,735	-	-	14,349,735
362	Water/ Sewer	1,890,223	1,804,089	2,032,485	-	-	2,032,485
363	Telephone/ Toll	324,111	360,860	361,561	-	-	361,561
	TOTAL UTILITIES	**14,564,559**	**15,806,845**	**16,743,781**	**-**	**-**	**16,743,781**
450	**CAPITAL OUTLAY**	**613,043**	**227,324**	**6,182,878**	**-**	**-**	**6,182,878**
	TOTAL APPROPRIATIONS	**175,754,852**	**196,034,184**	**257,524,458**	**-**	**14,551,385**	**272,075,843**

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)						
UNCLASSIFIED	-	4	5	-	-	5
CLASSIFIED	-	2,983	3,463	-	-	3,463
TOTAL FTEs	**-**	**2,987**	**3,468**	**-**	**-**	**3,468**

Function: **OVERALL SUMMARY CENTRAL DIVISIONS**
Department/Agency: Guam Department of Education
Program: Local

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval FY 2013 General Fund	D FY 2013 Federal Match Fund(s)	E FY 2013 Other Fund 1/	F FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	12,109,955	11,818,708	15,412,804	11,119,164	-	26,531,968
111	Teacher Prep	-	-	-	-	-	-
111	Reclassification	-	19,095	65,070	-	-	65,070
112	Overtime/Special Pay	45,077	-	338,016	-	-	338,016
111	On-Call Substitute	-	18,723	25,620	-	-	25,620
111	Part-time	-	-	-	-	-	-
113	Benefits	5,021,768	4,434,952	6,411,817	3,574,472	-	9,986,289
	TOTAL PERSONNEL SERVICES	**17,176,800**	**16,291,478**	**22,253,327**	**14,693,636**	**-**	**36,946,963**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	251,322	-	251,322
230	CONTRACTUAL SERVICES:	3,564,966	3,288,672	16,819,959	704,470	-	17,524,429
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	863,570	46,040	2,085,028	160,750	-	2,245,778
250	EQUIPMENT:	534,969	-	143,232	159,120	-	302,352
270	WORKERS COMPENSATION	55,523	100,000	100,000	-	-	100,000
271	DRUG TESTING	-	-	15,584	1,000	-	16,584
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	125,360	1,250,395	1,312,340	750	-	1,313,090
710	INDIRECT COST:	-	-	-	13,577	-	13,577
	TOTAL OPERATIONS	**5,144,388**	**4,685,107**	**20,476,143**	**1,290,989**	**-**	**21,767,132**
	UTILITIES						
361	Power	182,938	293,816	166,605	-	-	166,605
362	Water/ Sewer	31,188	21,627	24,728	-	-	24,728
363	Telephone/ Toll	104,526	34,877	35,578	-	-	35,578
	TOTAL UTILITIES	**318,652**	**350,320**	**226,911**	**-**	**-**	**226,911**
450	**CAPITAL OUTLAY**	**613,043**	**227,324**	**6,110,320**	**318,000**	**-**	**6,428,320**
	TOTAL APPROPRIATIONS	**23,252,883**	**21,554,229**	**49,066,701**	**16,302,625**	**-**	**65,369,326**

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)						
UNCLASSIFIED	3	4	5	-	-	5
CLASSIFIED	303	315	423	59	-	482
TOTAL FTEs	**306**	**319**	**428**	**59**	**-**	**487**

Government of Guam
Fiscal Year 2013
Budget Digest

[BBMR BD-1]

Function: **OVERALL SUMMARY - ELEMENTARY SCHOOLS**
Department/Agency: Guam Department of Education
Program: Elementary Education

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval FY 2013 General Fund	D FY 2013 Federal Match Fund(s)	E FY 2013 Other Fund 1/	F FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	2,553,189	51,989,525	59,087,733	-	-	59,087,733
111	Teacher Prep	-	-	-	-	-	-
111	Reclassification	-	591,636	779,073	-	-	779,073
112	Overtime/Special Pay	-	-	-	-	-	-
111	On-Call Substitute	353,086	299,568	525,210	-	-	525,210
111	Part-time	17,009	-	-	-	-	-
113	Benefits	8,279,260	18,896,383	23,277,108	-	-	23,277,108
	TOTAL PERSONNEL SERVICES	**11,202,544**	**71,777,112**	**83,669,124**	**-**	**-**	**83,669,124**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	2,800,403	2,885,482	3,236,217	-	-	3,236,217
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	502,687	645,336	1,517,020	-	-	1,517,020
250	EQUIPMENT:	4,381	-	2,138,660	-	-	2,138,660
270	WORKERS COMPENSATION	-	-	-	-	-	-
271	DRUG TESTING	-	-	-	-	-	-
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	-	-	17,093	-	-	17,093
	TOTAL OPERATIONS	**3,307,471**	**3,530,818**	**6,908,990**	**-**	**-**	**6,908,990**
	UTILITIES						
361	Power	5,421,871	6,256,718	5,922,929	-	-	5,922,929
362	Water/ Sewer	898,932	980,535	970,846	-	-	970,846
363	Telephone/ Toll	117,050	202,807	202,807	-	-	202,807
	TOTAL UTILITIES	**6,437,853**	**7,440,060**	**7,096,582**	**-**	**-**	**7,096,582**
450	**CAPITAL OUTLAY**	**-**	**-**	**72,558**	**-**	**-**	**72,558**
	TOTAL APPROPRIATIONS	**20,947,868**	**82,747,990**	**97,747,254**	**-**	**-**	**97,747,254**

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)						
UNCLASSIFIED	-	-	-	-	-	-
CLASSIFIED	1,258	1,273	1,429	-	-	1,429
TOTAL FTEs	**1,258**	**1,273**	**1,429**	**-**	**-**	**1,429**

Function: **OVERALL SUMMARY - MIDDLE SCHOOLS**
Department/Agency: Guam Department of Education
Program: Secondary Education

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval FY 2013 General Fund	D GEB Review and Approval FY 2013 Federal Match Fund(s)	E GEB Review and Approval FY 2013 Other Fund 1/	F GEB Review and Approval FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	1,573,170	27,603,694	32,042,253	-	-	32,042,253
111	Teacher Prep	-	-	63,256	-	-	63,256
111	Reclassification	-	170,774	156,302	-	-	156,302
112	Overtime/Special Pay	-	-	-	-	-	-
111	On-Call Substitute	186,380	149,784	192,150	-	-	192,150
111	Part-time	-	-	-	-	-	-
113	Benefits	4,112,888	10,006,877	12,870,776	-	-	12,870,776
	TOTAL PERSONNEL SERVICES	**5,872,438**	**37,931,129**	**45,324,737**	-	-	**45,324,737**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	845,202	918,316	1,160,640	-	-	1,160,640
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	203,354	319,368	836,492	-	-	836,492
250	EQUIPMENT:	3,838	-	1,385,186	-	-	1,385,186
270	WORKERS COMPENSATION	-	-	-	-	-	-
271	DRUG TESTING	-	-	-	-	-	-
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	-	-	20,260	-	-	20,260
	TOTAL OPERATIONS	**1,052,394**	**1,237,684**	**3,402,578**	-	-	**3,402,578**
	UTILITIES						
361	Power	3,036,659	3,287,450	3,249,225	-	-	3,249,225
362	Water/ Sewer	506,031	499,607	546,514	-	-	546,514
363	Telephone/ Toll	62,376	70,897	70,897	-	-	70,897
	TOTAL UTILITIES	**3,605,066**	**3,857,954**	**3,866,636**	-	-	**3,866,636**
450	**CAPITAL OUTLAY**	-	-	-	-	-	-
	TOTAL APPROPRIATIONS	**10,529,898**	**43,026,767**	**52,593,951**	-	-	**52,593,951**

1/ Specify Fund Source

	FULL TIME EQUIVALENCIES (FTEs)						
	UNCLASSIFIED	-	-	-	-	-	-
	CLASSIFIED	669	671	811	-	-	811
	TOTAL FTEs	**669**	**671**	**811**	-	-	**811**

Government of Guam
Fiscal Year 2013
Budget Digest

[BBMR BD-1

Function: **OVERALL SUMMARY - HIGH SCHOOLS**
Department/Agency: Guam Department of Education
Program: Secondary Education

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval FY 2013 General Fund	D GEB Review and Approval FY 2013 Federal Match Fund(s)	E GEB Review and Approval FY 2013 Other Fund 1/	F GEB Review and Approval FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	13,348,789	28,064,664	31,926,863	-	-	31,926,863
111	Teacher Prep	-	65,000	81,956	-	-	81,956
111	Reclassification	-	206,035	390,266	-	-	390,266
112	Overtime/Special Pay	-	-	-	-	-	-
111	On-Call Substitute	184,720	112,341	256,183	-	-	256,183
111	Part-time	46,484	-	-	-	-	-
113	Benefits	4,387,574	10,268,494	12,695,808	-	-	12,695,808
	TOTAL PERSONNEL SERVICES	**17,967,567**	**38,716,534**	**45,351,076**	-	-	**45,351,076**
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	1,200,072	1,244,705	1,576,404	-	-	1,576,404
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	280,756	443,256	1,009,313	-	-	1,009,313
250	EQUIPMENT:	1,956	-	1,883,973	-	-	1,883,973
270	WORKERS COMPENSATION	-	-	-	-	-	-
271	DRUG TESTING	-	-	-	-	-	-
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	-	-	18,360	-	-	18,360
	TOTAL OPERATIONS	**1,482,784**	**1,687,961**	**4,488,050**	-	-	**4,488,050**
	UTILITIES						
361	Power	3,708,757	3,803,912	5,010,976	-	-	5,010,976
362	Water/ Sewer	454,072	302,320	490,397	-	-	490,397
363	Telephone/ Toll	40,159	52,279	52,279	-	-	52,279
	TOTAL UTILITIES	**4,202,988**	**4,158,511**	**5,553,652**	-	-	**5,553,652**
450	**CAPITAL OUTLAY**	-	-	-	-	-	-
	TOTAL APPROPRIATIONS	**23,653,339**	**44,563,006**	**55,392,778**	-	-	**55,392,778**

1/ Specify Fund Source

	FULL TIME EQUIVALENCIES (FTEs)						
	UNCLASSIFIED	-	-	-	-	-	-
	CLASSIFIED	684	698	789	-	-	789
	TOTAL FTEs	**684**	**698**	**789**	-	-	**789**

Function: **OVERALL SUMMARY - SPECIAL & MISCELLANEOUS FUNDS**
Department/Agency: Guam Department of Education
Program: SPECIAL & MISCELLANEOUS FUNDS

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval FY 2013 General Fund	D GEB Review and Approval FY 2013 Federal Match Fund(s)	E GEB Review and Approval FY 2013 Other Fund 1/	F GEB Review and Approval FY 2013 Total Req. (C+D+E)
	PERSONNEL SERVICES						
111	Regular Salaries/Increments	269,159	448,766	415,869	-	177,763	593,632
111	Teacher Prep	-	-	-	-	-	-
111	Reclassification	-	-	-	-	-	-
112	Overtime/Special Pay	-	-	-	-	-	-
111	On-Call Substitute	-	-	-	-	-	-
111	Part-time	-	-	-	-	-	-
113	Benefits	12,246	165,387	189,655	-	76,153	265,808
	TOTAL PERSONNEL SERVICES	281,405	614,153	605,524	-	253,916	859,440
	OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	162,155	93,063	110,000	-	10,783,218	10,893,218
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	62,981	19,114	8,250	-	2,827,356	2,835,606
250	EQUIPMENT:	316,456	2,669,482	2,000,000	-	686,895	2,686,895
270	WORKERS COMPENSATION	-	-	-	-	-	-
271	DRUG TESTING	-	-	-	-	-	-
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-
290	MISCELLANEOUS:	-	746,380	-	-	-	-
	TOTAL OPERATIONS	541,592	3,528,039	2,118,250	-	14,297,469	16,415,719
	UTILITIES						
361	Power	-	-	-	-	-	-
362	Water/ Sewer	-	-	-	-	-	-
363	Telephone/ Toll	-	-	-	-	-	-
	TOTAL UTILITIES	-	-	-	-	-	-
450	CAPITAL OUTLAY			-	-	-	-
	TOTAL APPROPRIATIONS	822,997	4,142,192	2,723,774	-	14,551,385	17,275,159

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)							
UNCLASSIFIED	-	-	-	-	-	-	
CLASSIFIED	-	-	11	-	-	11	
TOTAL FTEs	-	-	11	-	-	11	

GUAM DEPARTMENT OF EDUCATION
FISCAL YEAR 2013 BUDGET SUMMARY

	LOCATION	SCHOOL/DIVISION	A STUDENT ENROLLMENT as of 09/30/11	B TOTAL FTE's	C TOTAL SUBS	D PERSONNEL	E OPERATIONS	F UTILITIES	G CAPITAL OUTLAY	H FY 2013 PROPOSED BUDGET	I Cost per Student
		ELEMENTARY SCHOOLS									H / A
1	3001	Agana Heights Elementary	509	52	2	3,324,697	207,248	243,111	-	3,775,056	7,416.61
2	3002	Marcial Sablan Elementary	472	48	2	2,974,107	323,856	293,559	-	3,591,522	7,609.16
3	3003	B.P. Carbullido Elementary	516	50	2	2,826,250	305,538	275,851	-	3,407,639	6,603.95
4	3004	C.L. Taitano Elementary	619	54	2	3,400,695	203,267	238,738	-	3,842,700	6,207.92
5	3006	Finegayan Elementary	984	93	2	5,395,375	523,775	322,356	36,279	6,277,785	6,379.86
6	3007	H.S. Truman Elementary	427	48	1	2,898,083	171,957	267,825	36,279	3,374,144	7,901.98
7	3008	Juan M. Guerrero Elementary	768	72	2	3,849,505	321,449	319,044	-	4,489,998	5,846.35
8	3009	Inarajan Elementary	260	31	1	1,834,936	216,549	162,391	-	2,213,876	8,514.91
9	3011	J.Q. San Miguel Elementary	492	50	1	3,087,432	382,293	380,444	-	3,850,169	7,825.55
10	3012	L.B. Johnson Elementary	280	32	1	1,967,713	160,560	139,962	-	2,268,235	8,100.84
11	3013	M.A. Ulloa Elementary	718	67	1	3,735,544	444,471	263,939	-	4,443,954	6,189.35
12	3014	M.U. Lujan Elementary	643	57	2	3,443,183	370,281	247,764	-	4,061,228	6,316.06
13	3015	Merizo Elementary	257	28	1	1,712,269	163,428	195,954	-	2,071,651	8,060.90
14	3016	Ordot/Chalan Pago Elementary	495	73	1	3,750,385	191,950	230,546	-	4,172,881	8,430.06
15	3017	P.C. Lujan Elementary	465	46	2	2,946,688	286,851	266,195	-	3,499,734	7,526.31
16	3018	H.B. Price Elementary	660	62	2	3,942,555	207,761	251,191	-	4,401,507	6,668.95
17	3019	Talofofo Elementary	280	37	1	2,178,139	121,674	145,011	-	2,444,824	8,731.51
18	3020	Tamuning Elementary	590	51	2	3,133,369	352,366	467,644	-	3,953,379	6,700.64
19	3021	Upi Elementary	877	78	2	4,379,315	386,157	237,082	-	5,002,554	5,704.17
20	3022	Wettengel Elementary	797	81	2	4,669,563	373,000	387,831	-	5,430,394	6,813.54
21	3023	D.L. Perez Elementary	761	69	2	3,887,553	265,575	316,565	-	4,469,693	5,873.45
22	3024	Chief Brodie Elementary	323	33	2	1,985,299	158,941	280,852	-	2,425,092	7,508.02
23	3025	Astumbo Elementary	493	55	2	3,177,309	247,843	252,634	-	3,677,786	7,460.01
24	3027	Machananao Elementary	497	59	1	3,107,785	233,751	299,064	-	3,640,600	7,325.15
25	3028	Liguan Elementary	601	54	1	3,361,519	160,520	312,006	-	3,834,045	6,379.44
26	3029	Adacao Elementary	563	49	1	2,699,856	127,929	299,023	-	3,126,808	5,553.83
		Sub-Total:	14,347	1,429	41	83,669,124	6,908,990	7,096,582	72,558	97,747,254	6,813.08
						86%	7%	7%	0%	100%	
		MIDDLE SCHOOLS									
1	4030	Agueda Johnston Middle	923	92	2	5,523,159	377,259	429,542	-	6,329,960	6,858.03
2	4031	V.S.A. Benavente Middle	1,278	117	2	6,771,560	554,642	726,123	-	8,052,325	6,300.72
3	4032	F.B. Leon Guerrero Middle	1,178	122	2	6,982,402	476,066	588,084	-	8,046,552	6,830.69
4	4033	Inarajan Middle	643	80	1	4,181,860	277,837	300,134	-	4,759,831	7,402.54
5	4034	Jose L.G. Rios Middle	1,007	106	2	5,883,197	303,877	344,462	-	6,531,536	6,486.13
6	4035	L.P. Untalan Middle	1,151	119	2	6,669,725	749,189	657,382	-	8,076,296	7,016.76
7	4036	Oceanview Middle	440	69	2	4,020,760	320,906	381,567	-	4,723,233	10,734.62
8	4037	Astumbo Middle	632	81	1	4,034,124	212,968	367,288	-	4,614,380	7,301.23
9	4047	Alternative Education	102	25	1	1,257,950	129,834	72,054	-	1,459,838	14,312.14
		Sub-Total:	7,252	811	15	45,324,737	3,402,578	3,866,636		52,593,951	7,252.34
						86%	6%	7%	0%	100%	
		HIGH SCHOOLS									
1	4040	George Washington High	2,622	203	5	11,589,378	2,185,345	941,528	-	14,716,251	5,612.61
2	4042	John F. Kennedy High	2,347	162	6	9,956,823	414,554	1,981,236	-	12,352,613	5,263.15
3	4044	Simon Sanchez High	1,876	147	3	8,643,308	715,474	640,166	-	9,998,948	5,329.93
4	4046	Southern High	1,547	148	3	8,264,419	757,120	1,343,979	-	10,365,518	6,700.40
5	4048	Okkodo High	1,370	129	3	6,897,148	415,557	646,743	-	7,959,448	5,809.82
		Sub-Total:	9,762	789	20	45,351,076	4,488,050	5,553,652	-	55,392,778	5,674.33
						81.9%	8.1%	10.0%	0.0%	100%	
		Support Divisions									
1	1000	GEB Office	31,361	-	-	66,957	29,317	1,102	-	97,376	3.11
2	1100	Superintendent's Office	31,361	25	-	1,891,744	107,729	1,102	-	2,000,575	63.79
3	1101	Safety Office	31,361	1	-	55,422	6,160	-	-	61,582	1.96
4	1600	F.S.A.I.S.	31,361	10	-	529,631	3,903,859	29,593	141,820	4,604,903	146.84
5	2000 / 1900	Curriculum & Instruction / LRC/R.P. & E.	31,361	17	-	1,012,270	801,828	2,205	-	1,816,303	57.92
6	2200	Financial Affairs Division	31,361	31	-	1,516,260	5,228,402	1,504	-	6,746,166	215.11
7	2204	Budget & Management Research	31,361	6	-	304,239	5,000	-	-	309,239	9.86
8	2300	Human Resources Division	31,361	17	-	999,672	81,223	1,102	-	1,081,997	34.50
9	2400	Facilities & Maintenance Division	31,361	132	-	5,976,245	9,676,661	48,683	5,640,500	21,342,089	680.53
10	2500	Student Support Services	31,361	25	-	1,261,434	106,397	1,102	15,000	1,383,933	44.13
11	2600	Food & Nutrition Division	31,361	6	-	304,086	63,668	49,536	-	417,290	13.31
12	2800	Supply Management Office	31,361	16	-	703,652	43,169	21,029	85,000	852,850	27.19
13	3100	Headstart Division	528	18	1	946,173	25,790	3,419	-	975,382	1,847.31
14	4000	Educational Support & Community Learning	31,361	4	-	347,745	18,326	1,102	-	367,173	11.71
15	5000	Special Education Division	31,361	82	1	4,692,244	372,530	23,553	228,000	5,316,327	169.52
16	5055	Special Education-GATE	31,361	22	-	1,249,982	6,084	41,879	-	1,297,945	41.39
17	9999	Long Term Medical Disability Leave	31,361	11	-	395,571	-	-	-	395,571	12.61
			-	-	-	-	-	-	-	-	
		Sub-Total:	31,361	423	2	22,253,327	20,476,143	226,911	6,110,320	49,066,701	1,564.58
						45%	42%	0%	12%	100%	
		GENERAL **FUND & TEFF** OPERATIONS	31,361	3,452	78	196,598,264	35,275,761	16,743,781	6,182,878	254,800,684	8,124.76
						77%	14%	7%	2%	100%	
		SPECIAL APPROPRIATION:									
	2100	Chamorro Studies Division	31,361	11	-	605,524	118,250	-	-	723,774	23.08
		CNP Meal Reimbursement-Fed	31,361	-	-	-	10,069,218	-	-	10,069,218	321.07
		CNP Cash Collection-Local	31,361	-	-	-	875,000	-	-	875,000	27.90
		CNP Local Subsidy	31,361	-	-	-	1,901,756	-	-	1,901,756	60.64
		Public Library Resources	31,361	-	-	-	652,440	-	-	652,440	20.80
		Interscholastic Sports - Healthy Future Fund	31,361	-	-	-	612,000	-	-	612,000	19.51
		Health & Physical Education Programs	31,361	1	-	92,699	187,055	-	-	279,754	8.92
		Support to Eliminate "High Risk" (Budget & Management Research)	31,361	4	-	161,217	-	-	-	161,217	5.14
		Textbooks	31,361	0	-	-	2,000,000	-	-	2,000,000	63.77
		Sub-Total:	31,361	16	-	859,440	16,415,719	-	-	17,275,159	550.85
		GRAND TOTAL FY2013 PROPOSED BUDGET	31,361	3,468	78	197,457,704	51,691,480	16,743,781	6,182,878	272,075,843	8,675.61
						73%	19%	6%	2%	100%	

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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Taling M. Taitano
Interim Superintendent of Education

June 15, 2012

MEMORANDUM

TO: Members, Guam Education Board

FROM: Superintendent of Education

RE: FY2013 Supplemental Budget
FY2013 Charter School Budget

The schedules presented at the February 22, March 15, May 19 and more recently the June 14, 2012 Budget Work Sessions on the FY2013 Supplemental Budget have been updated. Transmitted in the attached documents is the Summary Digest. In your consideration of the Supplemental Budget Request, the following items and issues should be noted:

- The Department does not have sufficient data to quantify the impacts of PL 31-158, requiring local funding be used to provide services to students with a disability but whose required services do not qualify for special education grant funding;
- The Department has determined no additional teachers will be needed to implement, in accordance with GEB Policy, the 4 x 4 AB class schedule in our high schools;
- The Department has assessed the cost of annual maintenance costs for the Financial Management Information System (FMIS) will require $289,798 in local funding;
- The passage of Bill 437, 'An act to Authorize Tax Credits to the Awardee of a Contract for Rehabilitation and Renovation of Public Schools,' addresses funding for renovation of GDOE's schools.

In accordance with Chapter 12 Title 17 GCA, 'Guam Academy Charter Schools Act of 2009,' we have attached a draft resolution to transmit the Guahan Academy Charter School (GACS) FY 2013 Budget to the Guam Legislature. As you may be aware, we first received their Budget Request after the GEB approved the Department's FY 2013 Budget Request. The GACS sent us a Revised FY 2013 Budget on April 11, 2012; a copy of which is also attached.

Please note that the law requires that Charter Schools must transmit their budgets through the Guam Academy Charter School Council (GACSC). The GACSC lacks a quorum and cannot officially approve the transmitted budget. Attached is the January 26, 2012 Memorandum from the GACSC explaining the situation. However, in keeping with the spirit of the law, we have prepared the resolution referenced above.

My team will be available to discuss the contents of these schedules at the Regular Board Meeting on Wednesday, June 20, 2012. Please let me know if you would like to discuss the attachments in greater detail prior to the work session.

TALING M. TAITANO

Attachments

GUAM EDUCATION BOARD
RESOLUTION NUMBER 2012-04

Introduced by: Guam Education Board Members

RELATIVE TO REQUESTING *I MINA' TRENTAI-UNU NA LIHESLATURAN GUÅHAN* (GUAM LEGISLATURE) TO APPROVE A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2013 FOR THE GUAM DEPARTMENT OF EDUCATION AS APPROVED BY THE GUAM EDUCATION BOARD.

WHEREAS, pursuant to Section 3121 of Title 17 GCA, the Guam Education Board (GEB) on January 25, 2012 passed GEB Resolution 2012-03 adopting the Fiscal Year 2013 Budget for the Guam Department of Education (GDOE, Department); and

WHEREAS, in its adoption of the Department's FY 2013 Budget, the GEB determined and resolved that a supplemental Guam Department of Education Budget would be necessary; and

WHEREAS, GEB Budget Work Sessions were subsequently held and it was determined that $6,121,264 of prior year obligations, $13,368,959 textbook adoption requirements, $3,036,475 for the implementation of Public Law 31-45, relative to Expanding the Chamorro Language and Culture Curriculum in the Public Schools, and $289,798 for the annual maintenance costs for the Financial Management Information System (FMIS) are required, all of which fall within the statutory responsibility of the Department of Education; and

WHEREAS, the 31th Guam Legislature has addressed the renovation needs of the schools through the passage of Bill 437; and

WHEREAS, PL 31-158 changes the definition of special education and/or related services, to one that states special education and related services. Students who receive stand alone related services such as speech therapy, may no longer be eligible to receive those services as a student with a disability and under special education authority. This means that local funds must be used to provide services to students with a disability but who do not qualify for special education grant funding; and

WHEREAS, the Department does not have sufficient data to quantify the impact of PL 31-158; and

WHEREAS, the Department of Education Supplemental Budget is submitted to meet the goals of the "Every Child is Entitled to an Adequate Public Education Act," which fall within the statutory responsibility of the Department of Education;

NOW THEREFORE BE IT RESOLVED, the Guam Education Board does hereby adopt and transmit this Department of Education Fiscal Year 2013 Supplemental Budget Request for review by *I Mina' Trentai-Unu na Liheslaturan Guåhan;* and

BE IT FURTHER RESOLVED, that pursuant to Section 3121 of Title 17 of the Guam Code Annotated, the Guam Education Board does hereby approve this FY 2013 Supplemental Budget request, to include special appropriations, as outlined below:

	MANDATE	AMOUNT
1	A certified teacher for every class in a ratio established by relevant collective bargaining agreements	$ 193,450
2	Certified Professional Administrators	0
3	Certified Guidance Counselors	0
4	Certified School Health Counselors	0
5	Certified Allied Health Professionals	0
6	Air-conditioned or properly ventilated classrooms in which the sensible air temperature is no greater than 78° F	0
7	Potable water sufficient to provide each student a daily ration of drinking and washing water	0
8	A reliable supply of electricity	0
9	Proper sanitation to include flushable toilets, clean restrooms, clean dining areas, and classrooms	0
10	Adopted and required textbooks and workbooks issued to each public school student for the classes in which he/she is enrolled	$ 13,713,334
11	Libraries, which meet the standards of the American Association of School Librarians, at each school, operated by certified librarians	0
12	A healthy, safe, sanitary learning environment	$ 2,125,000
13	At least one hundred eighty (180) instructional days each school year with school years ending no later than thirty (30) days following the end of the calendared school year; and	$ 6,784,682
14	Regular; timely school bus transportation to and from the school	0
TOTAL		**$ 22,816,466**

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Honorable Speaker Judith T. Won Pat, *I Mina' Trentai-Unu na Liheslaturan Guåhan* and the Honorable Governor Edward B. Calvo, *I Magá låhen Guåhan.*

DULY AND REGULARLY ADOPTED THIS 20TH DAY OF JUNE, 2012.

FRANCIS E. SANTOS, Chairman
Guam Education Board

TALING M. TAITANO
Executive Secretary

Function: OVERALL SUMMARY
Department/Agency: Guam Department of Education
Program: Local

AS400 Account Code	Appropriation Classification	A FY 2011 Expenditures & Encumbrances	B FY 2012 Authorized Level	C GEB Review and Approval: Textbooks	D GEB Review and Approval: PL 31-158	D GEB Review and Approval: Chamoru Expansion	E GEB Review and Approval: Prior Period	F GEB Review and Approval: GDOE Tyler Munis Annual	G FY 2013 Total Req. (C + D + E + F)
	PERSONNEL SERVICES								
111	Regular Salaries/Increments	63,547,856	119,925,357	53,040	-	121,000	-	-	174,040
111	Teacher Prep	63,493	65,000	-	-	-	-	-	-
111	Reclassification	-	987,540	-	-	-	-	-	-
112	Overtime/Special Pay	45,077	-	-	-	-	-	-	-
111	On-Call Substitute	761,327	580,416	-	-	-	-	-	-
111	Part-time	-	-	-	-	-	-	-	-
113	Benefits	22,003,967	43,772,093	32,880	-	72,450	-	-	105,330
	TOTAL PERSONNEL SERVICES	**86,421,720**	**165,330,406**	**85,920**	**-**	**193,450**	**-**	**-**	**279,370**
	OPERATIONS								
220	TRAVEL- Off-Island/Local Mileage Reimbursement	-	-	-	-	-	-	-	-
230	CONTRACTUAL SERVICES:	7,524,181	18,499,456	32,000	-	-	-	289,768	321,768
233	OFFICE SPACE RENTAL:	-	-	-	-	-	-	-	-
240	SUPPLIES & MATERIALS:	1,544,578	2,568,205	292	-	-	-	-	292
250	EQUIPMENT:	545,143	669,482	-	-	373,650	-	-	373,650
	TEXTBOOKS		2,000,000	13,250,747	-	344,375	-	-	13,595,122
270	WORKERS COMPENSATION	55,523	100,000	-	-	-	-	-	-
271	DRUG TESTING	-	-	-	-	-	-	-	-
280	SUB-RECIPIENT/SUBGRANT:	-	-	-	-	-	-	-	-
290	MISCELLANEOUS:	113,366	1,996,074	-	-	-	6,121,264	-	6,121,264
	TOTAL OPERATIONS	**9,782,791**	**25,833,217**	**13,283,039**	**-**	**718,025**	**6,121,264**	**289,768**	**20,412,096**
	UTILITIES								
361	Power	12,322,990	13,641,896	-	-	-	-	-	-
362	Water/ Sewer	1,881,931	1,804,089	-	-	-	-	-	-
363	Telephone/ Toll	320,946	361,561	-	-	-	-	-	-
	TOTAL UTILITIES	**14,525,867**	**15,807,546**	**-**	**-**	**-**	**-**	**-**	**-**
450	CAPITAL OUTLAY	586,634	227,324	-	-	2,125,000	-	-	2,125,000
	TOTAL APPROPRIATIONS	**111,317,012**	**207,198,493**	**13,368,959**	**-**	**3,036,475**	**6,121,264**	**289,768**	**22,816,466**
	FULL TIME EQUIVALENCIES (FTEs)								
	UNCLASSIFIED	-	-	-	-	-	-	-	-
	CLASSIFIED	-	-	2	-	25	-	-	27
	TOTAL FTEs	**-**	**-**	**2**	**-**	**25**	**-**	**-**	**27**

1/ Specify Fund Source

Sign-In Sheet
SPECIAL ECONOMIC SERVICE Meeting
July 19, 2012 - 3:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
John P. Camacho	John P. Camacho	PRT	3:00 pm
Anthony Blaz		DOA	3:00 pm
KARL PANGELINAN		GEDA	3:00
GARY Hiles		DOL	3:00
Ana Cid		GVB	3:00pm
STEPHEN J GUERRERO		BBMR	3:04
DF BROOKS		OPA	3:10
CHRIS BUDASI		OFB	3:17 pm

Special Economic Service Meeting

July 19, 2012 – 3:00pm

I Mina'trentai Unu Na Liheslaturan Guåhan
Public Hearing Room
155 Hesler Place
Hagåtña, Guam 96910

AGENDA

I. FY 2012 General Fund Revenues
   a. 8 + 4 Projected Revenues
      i. Section 2718 fund
   b. Series B Bond proceeds not used for Income Tax Refunds and Retirement Fund debt.

II. FY 2012 General Fund Expenditures
   a. 8 + 4 Projected Expenditures
   b. 15% Reserve
   c. Prior Year obligation payments – detailed accounting.

III. Discussion on General Fund long-range forecasts of revenue and expenditures for each of the five (5) years immediately beyond the budget year (BBMR)

IV. FY 2012 Special Fund Revenues
   a. 8 + 4 Projected Revenues
      i. Healthy Futures Fund
      ii. Guam Highway Fund
      iii. Territorial Educational Facilities Fund
      iv. Tourist Attraction Fund
      v. Recycling Revolving Fund
      vi. F.L.A.M.E fund

V. Discussion on questions not answered from April 6, 2012 letter for oversight hearing on income tax refunds and POS system. (DOA and Department of Revenue and Taxation)

VI. Debt Ceiling (GEDA and Department of Revenue and Taxation)
   a. Calculation

Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land
324 West Soledad Avenue
Hagåtña, Guam 96910

Special Economic Service Meeting
July 19, 2012 – 3:00pm

b. Capacity

c. Inventory of all borrowing authorizations not subject to debt ceiling

VII. New Business

a. Discussion on Semi-Annual GVB Report – The impact of tourism expenditures on Guam's economy and employment, including projections of tourism expenditures on Guam, on Guam's economic growth, employment, tax revenues, and other variables, for the next year compared with the previous five (5) years.

b. Next meeting date and time

VIII. Adjourn

Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land
324 West Soledad Avenue
Hagåtña, Guam 96910

GOVERNMENT OF GUAM

Summary of Outstanding General & Limited Obligation Debt as of July 1, 2012

				Total
2011 Total Appraised Value as certified on November 28, 2011				
	Land	$ 6,085,291,937		
	Improvements	5,309,356,590		
	Total		**$**	**11,394,648,526**
Assessed Value (Assessed Value - 100% of Taxable Appraised Value) [1]				
	Land	6,085,291,937		
	Improvements	5,309,356,590		
	Total			**11,394,648,526**
Debt Limit (Ceiling) - 10% of Assessed Value[1]				**1,139,464,853**
GENERAL OBLIGATION DEBT				
9/15/93	Government of Guam General Obligation Bonds, 1993 Series A (P.L. 22-24; and amended by P.L. 27-033)	28,065,000		
9/20/02	Government of Guam $10 million loan (P.L. 26-84)	1,656,533		
11/15/07	Government of Guam General Obligation Bonds, 2007 Series A (P.L. 29-12 and P.L. 29-21)	151,935,000		
6/18/09	Government of Guam General Obligation Bonds, 2009 Series A (P.L. 29-113 and amended by 29-116, 29-124, 30-7 & 30-24)	264,445,000		
6/15/10	Guam Waterworks Authority $30 million loan (P.L. 30-55, 30-101 and 30-146) backed by General Fund Guarantee	24,641,777		
2/11/11	Guam Memorial Hospital Authority Loan (P.L. 30-200, P.L. 30-235)	11,372,635		
	TOTAL GENERAL OBLIGATION DEBT			**482,115,945**
LIMITED OBLIGATION DEBT				
6/12/03	University of Guam Rural Development Loan (P.L. 26-48)	12,538,083		
6/18/09	Government of Guam Limited Obligation (Section 30) Bonds, Series 2009 A (P.L. 30-01, amended P.L. 30-07, P.L. 29-116, amended P.L. 29-124)	202,425,000		
4/28/11	Hotel Occupancy Tax Revenue Bonds Series 2011A (P.L. 30-228)	88,995,000		
12/1/11	Business Privilege Tax Bonds Series 2011A (P.L. 31-76)	234,000,000		
6/6/12	Business Privilege Tax Bonds Series 2012B-1 & 2012B-2 (P.L. 31-196)	108,700,000		
	TOTAL LIMITED OBLIGATION DEBT			**646,658,083**
Total GOG Debt Subject to 10% Assessed Value Limitation (Ceiling)				**1,128,774,028**
Amount Available for Future Debt Obligation			**$**	**10,690,825**

1) Note: Public Law 31-196 Section 1 redefined assessed value from 90% to 100%

SOURCE: Department of Revenue and Taxation 2011 Certified (April 2012)

Approved Financing:

9/30/08	GFD Financing P.L. 29-113	7,800,000
1/8/09	Department of Land Management Building P.L. 29-135	15,750,000
10/8/09	Guam Legislature Building, Resolution 174-30, 2 G.C.A. § 1126 and 21 G.C.A. § 79602	4,000,000
12/10/10	UOG Student Services, Engineering Annex, GCC Lab, Buildings P.L. 30-201, P.L. 31-229	40,500,000
6/6/11	Okkodo Expansion Project P.L. 31-74	21,818,000
6/6/11	Department of Education Public Schools P.L. 31-229	100,000,000
		$ 189,868,000

From PL 31-77, CHAPTER XIII, ADMINISTRATIVE PROVISIONS

Section 20. Monthly Working Trial Balance and Statement of Revenues, Expenditures and Changes in Fund Balance Report. The Director of the Department of Administration *shall* submit a Monthly Working Trial Balance and Statement of Revenues, Expenditures and Changes in Fund Balance Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, *no later than* twenty (20) days after the end of each month. Each monthly revenues, expenditures and changes in fund balance report *shall* itemize: (a) the Revenues by (1) Individual Income Taxes, (2) Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Business Privilege Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses, Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the Expenditures by Department by Object Class; and (c) Other Sources (Uses) by Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall* be itemized by Fund transferred from and Transfers Out *shall* be itemized by Fund transferred to. Each monthly report *shall* be posted on the Department of Administration's website as a Microsoft Excel file *no later than* twenty (20) days after the end of each month.

Section 21. Monthly Cash Balance Reports for General and Special Funds. The Director of the Department of Administration *shall* submit a monthly report of beginning cash balances, cash deposits, cash withdrawals, and ending cash balances of the government of Guam General, Special Funds and Trust Funds and Accounts to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, *no later than* twenty (20) days after the end of each month. The Director *shall* prepare the report in the format prescribed and prepared by the Office of Finance and Budget for reporting purposes. Said

format *shall* be prepared by the Office of Finance and Budget by October 31, 2011. Each monthly report *shall* itemize *all* General Fund and Special Fund cash balances by bank, by bank account name, by bank account number, and by fund name.

Government Of Guam
Consolidated Revenue / Expenditure Report /1
General Fund

	YTD ADOPTED Revenues Allocated vs. YTD ACTUAL Collections Ending Eight Months Ending May 31, 2012. Pursuant to 5GCA Ch. 4 §4109(c)(3) [due 20 days after month-end]			FY2012 ADOPTED Revenues vs. PROJECTED Revenues to Year End Pursuant to 2GCA, Ch. 13, §13109(a)(1) [due no later than 30 days after month-end]; 5GCA, Ch. 4, §4109(c)(3) [due no later than 20 days after month-end]; and P.L. 31-77, Ch. XIII, §5 [due no later than 30 days after month-end]		
	FY2012 Adopted Revenues for the Cumulative Period /6	FY2012 Actual Revenues for the Cumulative Period	Favorable (Unfavorable)	FY2012 Adopted Revenues (Full Year Projection) /7	FY2012 Revenue Tracking	Favorable (Unfavorable)
Income taxes:						
Individual	$ 62,792,521	$ 69,774,230	$ 6,981,709	$ 81,651,368	$ 83,035,846	$ 1,384,478
Corporation	65,350,657	60,135,934	(5,214,723)	111,802,336	105,128,775	(6,673,561)
Withholding	136,005,726	135,587,365	(418,361)	209,256,708	210,031,750	775,042
Withholding - COLA	0	596,874	596,874	0		0
Interest & penalties	0	1,911,543	1,911,543	0		0
Income Taxes	264,148,904	268,005,946	3,857,042	402,710,412	398,196,370	(4,514,042)
Business privilege taxes:						
Gross Receipts Taxes	142,220,988	144,008,093	1,787,105	215,900,178	218,819,587	2,919,409
Other Taxes:						
Admissions tax	0	319	319			0
Use tax	2,286,976	1,763,969	(523,007)	3,529,781	2,640,163	(889,618)
Business Privilege Taxes	144,507,964	145,772,381	1,264,417	219,429,959	221,459,749	2,029,790
Licenses, Fees & Permits	1,090,324	1,044,702	(45,621)	5,547,355	5,808,012	260,657
Use of Money & Property	218,266	2,781,908	2,563,642	672,804	3,056,528	2,383,724
Federal Sources	33,093,625	36,970,868	3,877,243	50,228,855	55,348,200	5,119,345
Department Charges:						
Agriculture	2,057	4,152	2,096			
Police & corrections	282	20	(262)			
Public works	169,629	23,430	(146,199)			
Public health	114,833	161,460	46,627			
Commerce	171,880	204,005	32,125			
Other charges	555,112	1,014,892	459,780			
Department Charges	1,013,793	1,407,959	394,168	1,850,178	2,634,535	784,357
Section 2718 Funds	0	0	0	7,545,989	7,545,989	0
TOTAL GENERAL FUND REVENUES	$ 444,072,875	$ 455,983,765	$ 11,910,889	$ 687,985,552	$ 694,049,383	$ 6,063,831
			2.68%			0.88%

Footnotes:

/1. Revenues are based on a modified accrual basis. During the year, revenues are recognized on a cash basis, but at year end an accrual is made in accordance with GASB 33.

/5. Section 30 is prorated for 12 months.

/6. Based on Adopted Revenues allocated per P.L. 31-077, Chapter I, Section 2(1).

/7 Based on Adopted Revenues P.L. 31-077, Chapter I, Section 2.

Note 1. Data contained herein are subject to change, as additional reconciliations are performed and obtained that substantiates the correct presentation of the underlying revenue transactions.

GOVERNMENT OF GUAM

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			Total
2011 Total Appraised Value as certified on November 28, 2011			
	Land	$ 6,085,291,937	
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		$ 189,868,000

Edward B. Calvo
Governor
Ray S. Tenorio
Lieutenant Governor

Department of Administration
(DIPATTAMENTON ATEMENSTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
Post Office Box 884 Hagatña, Guam 96932
Tel: (671) 475-1101/1250 Fax: (671) 477-6788

Benita A. Manglona
Director
Anthony C. Blaz
Deputy Director

July 27, 2012

Senator Vicente C. Pangelinan, Chairman
Committee on Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement, and Land
I Mina'Trentai Unu Na Liheslaturan Guahan
155 Hesler Place, Ste. 107
Hagatna, Guam 96910

Re: Requested documentation pertaining to Bill 426-31 (COR)

"AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS."

Dear Senator Pangelinan,

Buenas yan Hafa Adai! Attached per your request is the requested information regarding Bill 426-31. Should you have any questions or require additional information please do not hesitate to contact our office at 475-1101.

Senseramente,

Benita A. Manglona
Director

Public Hearing
Bill 426-31 (COR)
July 25, 2012 – 9:00 a.m.

Requested Documents Submitted by:
Department of Administration

Public Hearing
Bill 426-31 (COR)
July 25, 2012 – 9:00am

I Mina'trentai Unu Na Liheslaturan Guåhan
Public Hearing Room
155 Hesler Place
Hagåtña, Guam 96910

AGENDA

I. FY 2012 General Fund Revenues (BBMR)
   a. 8 + 4 Projected Revenues
   b. Expected draw down rate for Series B Bond proceeds not used for Income Tax Refunds and Retirement Fund debt.

II. FY 2012 Special Fund Revenues (BBMR)
   a. 8 + 4 Projected Revenues
      i. Healthy Futures Fund
      ii. Guam Highway Fund
      iii. Territorial Educational Facilities Fund
      iv. Tourist Attraction Fund
      v. Solid Waste Operations Fund
      vi. Air Pollution Control Fund
      vii. Better Public Service Fund
      viii. Chamorro Land Trust Operations Fund
      ix. Corrections Revolving Fund
      x. Customs, Agriculture and Quarantine Inspection Fund
      xi. DPW Building and Design Fund
      xii. Enhanced 911 Emergency Reporting System Fund
      xiii. Environmental Health Fund
      xiv. F.L.A.M.E fund
      xv. Guam Contractors License Board Fund
      xvi. Guam Environmental Trust Fund
      xvii. Guam Plant Inspection and Permit Fund
      xviii. Indirect Cost Fund
      xix. Land Survey Revolving Fund
      xx. Manpower Development Fund
      xxi. Police Services Fund
      xxii. P.E.A.L.S. Fund
      xxiii. Public Recreation Services Fund
      xxiv. Public Transit Fund
      xxv. Public School Library Resources Fund
      xxvi. Safe Streets Fund
      xxvii. Street Light Fund
      xxviii. Tax Collection Enhancement Fund
      xxix. Water Protection Fund
      xxx. Water Research and Development Fund

Public Hearing
Bill 426-31 (COR)
July 25, 2012 – 9:00am

vi. Please provide a detailed accounting for your respective departments of how much overtime or compensatory time was compensated to employees for the distribution of income tax refund checks at three shopping centers in December 2011.

vii. Please provide the Committee a copy of the actual Income Tax Refund Efficient Payment Trust Fund Monthly **Bank Statements** for the period October 2011 through June 2012.

VI. Presentation of FY2013 Income Tax Refund Provision
   a. Five years of Provision calculations by category (individual and corporate)

VII. Presentation of FY2013 Debt Service Continuing Appropriations three (3) year comparison FY2010 to FY2013
   a. General Fund
   b. Special Fund

VIII. Presentation of FY2013 Debt Service/Leaseback Continuing Appropriations or Tax Credits
   a. Tiyan Lease
   b. Okkodo High School Expansion
   c. Public Law 31-229 (Repairs of Public Schools)

Government of Guam
Department of Administration
Division of Accounts
Additional Child Tax Credit Summary Report
for Fiscal Year 2007, 2008, 2009, 2010 & 2011

Fiscal Year 2007

Date Received	Period		Amount
10/16/2006	1st Quarter	$	1,649,312.50
01/22/2007	2nd Quarter		2,102,361.40
05/07/2007	3th Quarter		1,688,349.05
08/23/2007	4th Quarter		1,595,925.34
Total		**$**	**7,035,948.29**

Fiscal Year 2008

Date Received	Period		Amount
11/01/2007	1st Quarter	$	2,201,749.30
02/11/2008	2nd Quarter		2,331,818.76
04/23/2008	3th Quarter		2,476,850.77
07/24/2008	4th Quarter		1,553,501.30
Total		**$**	**8,563,920.13**

Fiscal Year 2009

Date Received	Period		Amount
10/23/2008	1st Quarter	$	2,669,143.77
01/22/2009	2nd Quarter		2,721,657.21
04/15/2009	3th Quarter		1,487,609.86
07/16/2009	4th Quarter		3,345,968.48
Total		**$**	**10,224,379.32**

Fiscal Year 2010

Date Received	Period		Amount
10/16/2009	1st Quarter	$	5,392,877.85
01/21/2010	2nd Quarter		3,519,397.35
05/21/2010	3th Quarter		1,271,597.66
07/21/2010	4th Quarter		1,572,713.42
Total		**$**	**11,756,586.28**

Fiscal Year 2011

Date Received	Period		Amount
11/01/2010	1st Quarter	$	3,314,637.97
01/25/2011	2nd Quarter		3,143,348.07
04/27/2011	3th Quarter		758,094.12
07/19/2011	4th Quarter		1,698,334.48
Total		**$**	**8,914,414.64**

Cash Receipts for Fiscal Years		
FY'2007		7,035,948.29
FY'2008		8,563,920.13
FY'2009		10,224,379.32
FY'2010		11,756,586.28
FY'2011		8,914,414.64
Total	$	46,495,248.66

CHAPTER 21
INVESTMENTS AND DEPOSITS

§ 21101. Available Investment Money: Determination.
§ 21102. Designation of Available Money.
§ 21103. Method of Determining Money.
§ 21104. Investment of Available Money.
§ 21105. Sale or Exchange of Securities.
§ 21106. Sale At or Above Market Price.
§ 21107. Income to General Fund.
§ 21108. Effect of Future Disbursements.
§ 21109. Reimbursement of Federal Loans.
§ 21110. Money of General & Special Funds Defined.
§ 21111. Deposit.
§ 21112. Banks Eligible to Receive Deposits.
§ 21113. Type of Deposits.
§ 21114. Security of Deposits.
§ 21115. Officials Not Responsible for Deposited Money.
§ 21116. Unclaimed or Unpaid Checks.
§ 21117. Acceptance of Grants, Grants-in-Aid, Contributions and Valuable Property.
§ 21118. Unauthorized Programs.
§ 21119. Membership in Retirement Fund for Employees in Unauthorized Programs.
§ 21120. Drivers Education Fund.

§ 21101. Available Investment Money: Determination.

The Director of Administration shall at such times as he deems necessary determine, in accordance with the provisions of this Chapter, whether any portion of the money in the General Fund of the Treasury of Guam is not necessary for the immediate use of the government of Guam, and the amount thereof.

SOURCE: GC § 6300.

§ 21102. Designation of Available Money.

The Governor of Guam may, from time to time, designate as available investment money those accounts which the Director of Administration shall determine are not necessary for immediate use.

SOURCE: GC § 6301.

Interest, premiums, and income in any form derived from any securities purchased, held or sold under this Chapter shall be credited to the General Fund of the Treasury of Guam.

SOURCE: GC § 6306.

§ 21108. Effect of Future Disbursements.

Any money declared to be available under the provisions of this Chapter shall remain such and be available for investment any time within 60 days thereafter, and may be held invested, even though subsequent disbursements from the General Fund may reduce the non-invested General Fund below the minimum set in § 21103 of this Chapter.

SOURCE: GC § 6307.

NOTE: GC § 6308 as repealed/reenacted by P.L. 15-66:VI:4, repealed by P.L. 17-24:9.

§ 21109. Reimbursement of Federal Loans.

In accordance with [United States] P.L. 88-170, as amended, providing for the rehabilitation of Guam, the government of Guam is authorized to make certain loans from the Federal Government. Pursuant to the provisions of said Act, the government of Guam has made, and will in the future make, certain loans from the Federal Government. Under the terms of said Act, the Secretary of the Treasury shall withhold from sums collected, pursuant to 30 of the Organic Act of Guam, such amounts, with interest at a rate to be determined by the Secretary of the Treasury, as the Secretary of the Interior estimates will reimburse the United States over a period of 30 years beginning June 30, 1968, with respect to sums transferred on or prior to that date, and over a period of 30 years from the date of each such transfer with respect to sums transferred after that date. Since taxes and other income covered into the treasury of Guam under 30 of the Organic Act become part of the General Fund, there is hereby authorized to be appropriated from any available funds in the Unappropriated Surplus of the General Fund such sums as are necessary to reimburse the Federal government for loans plus interest heretofore and hereafter made under the provisions of Public Law 88-170, as amended.

SOURCE: GC § 6308.1 added by P.L. 10-9.

bank and approved by the Director of Administration; any bank or territorial bank organized under the laws of any state or territory of the United States authorized and licensed to conduct the business of banking in Guam and approved by the Director of Administration; and any savings and loan association organized under the laws of Guam which is an insured institution as defined in Title IV of the National Housing Act and which has been approved by the Director of Administration.

SOURCE: GC § 6311 amended by P.L. 15-77:23.

§ 21113. Type of Deposits.

The Director of Administration shall determine what amounts of money shall be deposited as inactive deposits, and as active deposits.

SOURCE: GC § 6312.

§ 21114. Security of Deposits.

Deposits or investment certificates insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation do not require further security. To be eligible to receive or retain other active or inactive deposits, an eligible bank shall place with, or to the accounts of, the government of Guam, as security for such deposits, securities of a type herein below specified, and approved by the Director of Administration, in an amount in value at least ten percent in excess of the amount of monies deposited with the bank:

(a) Treasury notes or bonds of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and in interest;

(b) Any evidence of indebtedness of the government of Guam;

(c) Investment certificates of the Federal Home Loan Bank;

(d) Such other securities as may be hereafter approved by the Director of Administration and the Governor of Guam.

SOURCE: GC § 6313 amended by P.L. 13-104:1.

§ 21115. Officials Not Responsible for Deposited Money.

The Director of Administration, the Treasurer of Guam, or any other official of the government of Guam, shall not be responsible for any money deposited in any bank pursuant to this Chapter, and while it remains so deposited.

shall report the same to the Legislature and to the Governor of Guam, and on or before August 1, 1975, shall submit to the Legislature a complete list of such programs and agencies together with drafts of measures for enactment of the legislation for the authorization of such programs and agencies. Any program or agency not authorized by law and not submitted to the Governor pursuant to this Section of the Government Code, shall be discontinued or shall cease its operation by September 1, 1975, and any Certifying Officer who certifies public funds directly or indirectly for the continuance of any such program or agency shall be personally responsible and accountable for such disbursements.

SOURCE: GC § 6317 added by P.L. 13-37:VI:42.

§ 21119. Membership in the Retirement Fund for Employees Working in Unauthorized Programs or Agencies of the Government.

After September 1, 1975, no employee of any department, agency or instrumentality of the government of Guam who receives his salary in whole or in part from any program or from any department, agency or instrumentality of the Government not authorized by law, shall receive any credit nor shall become a member of the retirement system of the government of Guam; and any Certifying Officer who certifies the disbursement of any public funds for contribution to the Retirement Fund of the government of Guam for the account of the employee or as contribution by the employer in connection with the operation of any such unauthorized program or agency, shall be held personally responsible and liable for the amount of any such disbursement.

SOURCE: GC § 6318 added by P.L. 13-37:VI:43.

§ 21120. Drivers Education Fund.

The Drivers Education fund is appropriated to the Department of Education for expenditure for safe driving instruction in the public schools.

SOURCE: GC § 6319 added by P.L. 16-111:II:19.

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education.

Unclaimed Income Tax Refund Checks Per AS400 as of 06/30/2012

Year/Month	Sum of Amount
2010	**48,684.41**
10	24,066.99
11	20,633.51
12	3,983.91
2011	**3,424,564.74**
1	52,156.89
2	21,461.43
3	11,657.46
4	15,349.93
5	47,870.53
6	54,534.27
7	18,660.63
8	10,036.11
9	1,817.77
10	125,849.00
11	3,419.22
12	3,061,751.50
2012	**6,685,869.47**
1	36,068.36
2	968.48
4	8,100.96
5	35,185.70
6	6,362,149.64
7	243,396.33
Grand Total	**10,159,118.62**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
COST OF ISSUANCE FUND ACCOUNT
Account Number: *71 01 9000 3 01*
Date: *JUNE 30, 2012*

C/L # 1256 1041C / # 1100 1072C

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
COST OF ISSUANCE FUND ACCOUNT
Account Number: *71 01 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES		
	0.00	**34,695.11**
NON CASH TRANSACTIONS		
SECURITIES DISTRIBUTED FROM THE ACCOUNT		-34,695.11
TOTAL NON CASH TRANSACTIONS	**0.00**	**-34,695.11**
ENDING BALANCES		
	0.00	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
COST OF ISSUANCE FUND ACCOUNT
Account Number: *71 01 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES		
06/21/2012	TRANSFER FUNDS TO TRUST ACCOUNT #090000 PRIME OBLIGATIONS CL SS FUND # 396 PROCEEDS ACCOUNT (SECTION 14.05 OF THE BOND INDENTURE)	**0.00**	**34,695.11**
			-34,695.11
	ENDING BALANCES	**0.00**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
COST OF ISSUANCE FUND ACCOUNT
Account Number: *71 01 9000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
CAPITALIZED INT. FUND ACCOUNT
Account Number: *71 02 9000 3 01*
Date: *JUNE 30, 2012*

GI/LA-17516 10420 / GI/LA 1100107715

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
CAPITALIZED INT. FUND ACCOUNT
Account Number: *71 02 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES		
	0.00	**23,897,219.48**
RECEIPTS		
ORDINARY DIVIDENDS REINVESTED		180.93
PROCEEDS FROM THE SALE OF ASSETS	5,974,006.25	-5,974,006.25
TOTAL RECEIPTS	**5,974,006.25**	**-5,973,825.32**
DISBURSEMENTS		
DISBURSEMENTS TO OR FOR BENEFICIARIES	-5,974,006.25	
TOTAL DISBURSEMENTS	**-5,974,006.25**	**0.00**
ENDING BALANCES	**0.00**	**17,923,394.16**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
CAPITALIZED INT. FUND ACCOUNT
Account Number: *71 02 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES		
06/25/2012	SOLD 5974006.25 PRIME OBLIGATIONS CL SS FUND # 396	**0.00** 5,974,006.25	**23,897,219.48** -5,974,006.25
06/25/2012	FUNDS WIRED TO US BANK RE: CAP I PAYMENT DUE JULY 1, 2012	-5,974,006.25	
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 PRIME OBLIGATIONS CL SS FUND # 396		180.93
	ENDING BALANCES		
		0.00	**17,923,394.16**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
CAPITALIZED INT. FUND ACCOUNT
Account Number: *71 02 9000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
17,923,394.16	PRIME OBLIGATIONS CL SS FUND # 396	1.000	17,923,394.16	17,923,394.16	1,792	0.01
	TOTAL CASH EQUIVALENTS		**17,923,394.16**	**17,923,394.16**	**1,792**	**0.01**
	GRAND TOTAL		**17,923,394.16**	**17,923,394.16**	**1,792**	**0.01**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
REVENUE FUND ACCOUNT
Account Number: *71 03 9000 3 01*
Date: *JUNE 30, 2012*

GL# 1256104300 / # 11001716

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
REVENUE FUND ACCOUNT
Account Number: *71 03 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES		
NO TRANSACTIONS	**0.00**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
REVENUE FUND ACCOUNT
Account Number: *71 03 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	0.00	0.00
	ENDING BALANCES	0.00	0.00

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
REVENUE FUND ACCOUNT
Account Number: *71 03 9000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
BOND FUND ACCOUNT
Account Number: *71 04 9000 3 01*
Date: *JUNE 30, 2012*

GL# 1256104460 | # 11001717

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
BOND FUND ACCOUNT
Account Number: *71 04 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES		
NO TRANSACTIONS	0.00	0.00

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
BOND FUND ACCOUNT
Account Number: *71 04 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	0.00	0.00
	ENDING BALANCES	0.00	0.00

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
BOND FUND ACCOUNT
Account Number: *71 04 9000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
EXPENSE FUND ACCOUNT
Account Number: *71 05 9000 3 01*
Date: *JUNE 30, 2012*

CUSIP # 125G10 4SC / # 11CC10718

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
EXPENSE FUND ACCOUNT
Account Number: *71 05 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES		
NO TRANSACTIONS	**0.00**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
EXPENSE FUND ACCOUNT
Account Number: *71 05 9000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	0.00	0.00
	ENDING BALANCES	0.00	0.00

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
EXPENSE FUND ACCOUNT
Account Number: *71 05 9000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
PROCEEDS FUND ACCOUNT
Account Number: *71 09 0000 3 01*
Date: *JUNE 30, 2012*

c/l # 05610460 / # 11001079

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
PROCEEDS FUND ACCOUNT
Account Number: *71 09 0000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	**0.00**	**3,305,888.50**
RECEIPTS		
ORDINARY DIVIDENDS REINVESTED		27.30
TOTAL RECEIPTS	**0.00**	**27.30**
NON CASH TRANSACTIONS		
SECURITIES DEPOSITED TO THE ACCOUNT		34,695.11
TOTAL NON CASH TRANSACTIONS	**0.00**	**34,695.11**
ENDING BALANCES	**0.00**	**3,340,610.91**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
PROCEEDS FUND ACCOUNT
Account Number: *71 09 0000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	**0.00**	**3,305,888.50**
06/21/2012	DEPOSIT 34691.54 SHARES PRIME OBLIGATIONS CL SS FUND # 396		34,691.54
06/21/2012	DEPOSIT 3.57 SHARES PRIME OBLIGATIONS CL SS FUND # 396		3.57
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 PRIME OBLIGATIONS CL SS FUND # 396		27.30
	ENDING BALANCES	**0.00**	**3,340,610.91**

For the Account of: *2011 GOVERNMENT OF GUAM*
BUSINESS PRIVILEGE TAX BONDS
PROCEEDS FUND ACCOUNT
Account Number: *71 09 0000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
3,340,610.91	PRIME OBLIGATIONS CL SS FUND # 396	1.000	3,340,610.91	3,340,610.91	334	0.01
	TOTAL CASH EQUIVALENTS		**3,340,610.91**	**3,340,610.91**	**334**	**0.01**
	GRAND TOTAL		**3,340,610.91**	**3,340,610.91**	**334**	**0.01**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 PROCEEDS FUND*

Account Number: *71 06 7000 3 01*
Date: *JUNE 30, 2012*

GL# 11001070 1

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 PROCEEDS FUND*

Account Number: *71 06 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	**0.00**	**10,676,540.36**
RECEIPTS		
ORDINARY DIVIDENDS REINVESTED		85.74
PROCEEDS FROM THE SALE OF ASSETS	369,543.00	-369,543.00
TOTAL RECEIPTS	**369,543.00**	**-369,457.26**
DISBURSEMENTS		
DISBURSEMENTS TO OR FOR BENEFICIARIES	-369,543.00	
TOTAL DISBURSEMENTS	**-369,543.00**	**0.00**
ENDING BALANCES	**0.00**	**10,307,083.10**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 PROCEEDS FUND*

Account Number: *71 06 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	**0.00**	**10,676,540.36**
06/01/2012	SOLD 169214.00 FEDERATED PRIME CASH OBLIGATION FUND	169,214.00	-169,214.00
06/01/2012	CREDIT CHECKING ACCOUNT #0101-014592 PAYMENT FOR GMHA (LETTER DATED 05302012)	-169,214.00	
06/26/2012	SOLD 200329.00 FEDERATED PRIME CASH OBLIGATION FUND	200,329.00	-200,329.00
06/26/2012	CREDIT CHECKING ACCOUNT #0101014592 GMHA INVOICE #3 (REQUISITION DATED 06212012)	-200,329.00	
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 FEDERATED PRIME CASH OBLIGATION FUND		85.74
	ENDING BALANCES	**0.00**	**10,307,083.10**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 PROCEEDS FUND*

Account Number: *71 06 7000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
10,307,083.10	FEDERATED PRIME CASH OBLIGATION FUND	1.000	10,307,083.10	10,307,083.10	1,031	0.01
	TOTAL CASH EQUIVALENTS		**10,307,083.10**	**10,307,083.10**	**1,031**	**0.01**
	GRAND TOTAL		**10,307,083.10**	**10,307,083.10**	**1,031**	**0.01**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
COST OF ISSUANCE

Account Number: *71 07 7000 3 01*
Date: *JUNE 30, 2012*

GL L4 1100107000

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
COST OF ISSUANCE

Account Number: *71 07 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	0.00	0.00
NO TRANSACTIONS		

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
COST OF ISSUANCE

Account Number: *71 07 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date	Total Cash	Investment Cost Basis
BEGINNING BALANCES	0.00	0.00
ENDING BALANCES	0.00	0.00

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
COST OF ISSUANCE

Account Number: *71 07 7000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
CAPITALIZED INTEREST

Account Number: *71 09 7000 3 01*
Date: *JUNE 30, 2012*

C/L# 1100 10707

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
CAPITALIZED INTEREST

Account Number: *71 09 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	0.00	0.00
NO TRANSACTIONS		

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
CAPITALIZED INTEREST

Account Number: *71 09 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	0.00	0.00
	ENDING BALANCES	0.00	0.00

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009*
CAPITALIZED INTEREST

Account Number: *71 09 7000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 BOND FUND*

Account Number: *71 08 7000 3 01*
Date: *JUNE 30, 2012*

C/L # 1100 10708

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 BOND FUND*

Account Number: *71 08 7000 3 01*
Date: *JUNE 30, 2012*

Statement of Account

Contents

Review of Assets

Receipts & Disbursements

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 BOND FUND*

Account Number: *71 08 7000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
5,389,741.76	PRIME OBLIGATIONS CL SS FUND # 396	1.000	5,389,741.76	5,389,741.76	539	0.01
	TOTAL CASH EQUIVALENTS		**5,389,741.76**	**5,389,741.76**	**539**	**0.01**
	GRAND TOTAL		**5,389,741.76**	**5,389,741.76**	**539**	**0.01**

For the Account of: *GOV. GUAM GENERAL OBLIGATION 2009 BOND FUND*

Account Number: *71 08 7000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Income Cash	Principal Cash	Investment Cost Basis
	BEGINNING BALANCES	**0.00**	**0.00**	**3,595,212.60**
06/05/2012	CHECK #0511960 RECEIVED FROM DOA		897,245.31	
06/05/2012	PURCHASE 897245.31 PRIME OBLIGATIONS CL SS FUND # 396		-897,245.31	897,245.31
06/20/2012	CHECK #0512947 RECEIVED FROM DOA 1ST PAYMENT DUE FOR JULY 2012		897,245.31	
06/20/2012	PURCHASED 897245.31 PRIME OBLIGATIONS CL SS FUND # 396		-897,245.31	897,245.31
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 PRIME OBLIGATIONS CL SS FUND # 396			38.54
	ENDING BALANCES	**0.00**	**0.00**	**5,389,741.76**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES A PROCEEDS FUND*

Account Number: *71 00 6000 3 01*
Date: *JUNE 30, 2012*

GL A/C # 13611011

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES A PROCEEDS FUND*

Account Number: *71 00 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	**0.00**	**4,735,348.51**
RECEIPTS		
ORDINARY DIVIDENDS REINVESTED		38.70
TOTAL RECEIPTS	**0.00**	**38.70**
ENDING BALANCES	**0.00**	**4,735,387.21**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES A PROCEEDS FUND*

Account Number: *71 00 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	**0.00**	**4,735,348.51**
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 PRIME OBLIGATIONS CL SS FUND # 396		38.70
	ENDING BALANCES	**0.00**	**4,735,387.21**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES A PROCEEDS FUND*

Account Number: *71 00 6000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
4,735,387.21	PRIME OBLIGATIONS CL SS FUND # 396	1.000	4,735,387.21	4,735,387.21	474	0.01
	TOTAL CASH EQUIVALENTS		**4,735,387.21**	**4,735,387.21**	**474**	**0.01**
	GRAND TOTAL		**4,735,387.21**	**4,735,387.21**	**474**	**0.01**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES BOND FUND ACCOUNT*

Account Number: *71 01 6000 3 01*
Date: *JUNE 30, 2012*

CL # 1361102B

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES BOND FUND ACCOUNT*

Account Number: *71 01 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	**0.00**	**66,388.63**
RECEIPTS		
CONTRIBUTIONS	1,066,121.77	
ORDINARY DIVIDENDS REINVESTED		5.28
TOTAL RECEIPTS	**1,066,121.77**	**5.28**
DISBURSEMENTS		
DISBURSEMENTS TO OR FOR BENEFICIARIES	-409,896.77	
PURCHASES OF ASSETS	-656,225.00	656,225.00
TOTAL DISBURSEMENTS	**-1,066,121.77**	**656,225.00**
ENDING BALANCES	**0.00**	**722,618.91**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES BOND FUND ACCOUNT*

Account Number: *71 01 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date		Total Cash	Investment Cost Basis
	BEGINNING BALANCES	**0.00**	**66,388.63**
06/05/2012	CHECK #0511959 RECEIVED FROM DOA	1,066,121.77	
06/05/2012	WIRE FUNDS TO U S BANK RE: 1993 BOND	-409,896.77	
06/05/2012	PURCHASE 656225.00 PRIME OBLIGATIONS CL SS FUND # 396	-656,225.00	656,225.00
06/29/2012	DIVIDEND REINVEST FOR THE MONTH OF JUNE 2012 PRIME OBLIGATIONS CL SS FUND # 396		5.28
	ENDING BALANCES	**0.00**	**722,618.91**

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES BOND FUND ACCOUNT*

Account Number: *71 01 6000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	CASH EQUIVALENTS					
	MISC CASH EQUIV-TAXABLE					
722,618.91	PRIME OBLIGATIONS CL SS FUND # 396	1.000	722,618.91	722,618.91	72	0.01
	TOTAL CASH EQUIVALENTS		**722,618.91**	**722,618.91**	**72**	**0.01**
	GRAND TOTAL		**722,618.91**	**722,618.91**	**72**	**0.01**

For the Account of: ***GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES REBATE FUND***

Account Number: ***71 02 6000 3 01***
Date: ***JUNE 30, 2012***

Cal L-A 13601 10/12

IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ACCOUNT MANAGER:

AMORETTA L.P. CARLSON
VICE PRESIDENT & TRUST MANAGER
(671) 472-5300

DEPARTMENT OF ADMINISTRATION
TOM PAULINO
PO BOX 884
HAGATNA GU 96932

00088

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES REBATE FUND*

Account Number: *71 02 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Summary Statement of Transactions

	Total Cash	Investment Cost Basis
BEGINNING BALANCES	**0.00**	**0.00**
NO TRANSACTIONS		

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES REBATE FUND*

Account Number: *71 02 6000 3 01*
Date: *From JUNE 1, 2012 through JUNE 30, 2012*

Receipts & Disbursements

Date	Total Cash	Investment Cost Basis
BEGINNING BALANCES	0.00	0.00
ENDING BALANCES	0.00	0.00

For the Account of: *GOVERNMENT OF GUAM GENERAL OBLIGATION BONDS, 2007A SERIES REBATE FUND*

Account Number: *71 02 6000 3 01*
Date: *JUNE 30, 2012*

Review of Assets

Shares or Par Value		Unit Market	Investment Cost Basis	Total Market Value	Est. Annual Income	Current Yield
	CASH					
	INCOME CASH		0.00	0.00		
	PRINCIPAL CASH		0.00	0.00		
	TOTAL CASH		**0.00**	**0.00**		
	GRAND TOTAL		**0.00**	**0.00**	**0**	**0.00**

TREASURER OF GUAM
INCOME TAX REFUND
DISTRIBUTION
November 21, 2011 - December 4, 2011

Name	24-Nov-11 Thu	25-Nov-11 Fri	26-Nov-11 Sat	27-Nov-11 Sun	28-Nov-11 Mon	29-Nov-11 Tue	30-Nov-11 Wed	1-Dec-11 Thu	2-Dec-11 Fri	3-Dec-11 Sat	4-Dec-11 Sun	Hours Accrued	Hours @ 1.5
Maria U. Fegurgur	HOLIDAY	HOL 5	4		8	8	8	8 3.5	8 1	10.5		24	36
Pamela Jean L. Aguon					8	8	8 2.5	8 2	8	9		13.5	20.25
Rosita I. Adamos	HOLIDAY	HOLIDAY			8	8	8 2	8 3	8	11	7.5	23.5	35.25
Almanita Fama-Alcantara	HOLIDAY	HOL 9	4		8	8	8 3	8 4	8 1	10.5		31.5	47.25
Dolores M. Rivera	HOLIDAY	HOL 10	3		8	8	8 4	8 4.5	8 1	6.5	7	36	54
Katherine R. Calvo	HOLIDAY	HOL 5.5	3		8	8	8 2.5	8 4	8	10.5	9	34.5	51.75
Maria T. Uson	HOLIDAY	HOLIDAY			8	8	8	8 3	8			3	4.5
Dorothy B. Taijeron	HOLIDAY	HOLIDAY			8	8	8 2	8 3	8	4		9	13.5
Frances L.G. Cabana	HOLIDAY	HOLIDAY	1		8	8	8 2	8 4	8 4.5	11.5		23	34.5
Gina R. Ignacio	HOLIDAY	HOL 5	1.5		8	8	8 3	8 4	8 1	10.5	6	31	46.5
Marie T.C. Cepeda	HOLIDAY	HOL 8	3.5		8	8	8	8 3.5	8	10.5	9	34.5	51.75
Maryann T. San Nicolas	HOLIDAY	HOL 6	5		8	8	8 3.5	8 4.5	8 3	10	4.5	36.5	54.75
Angeline R. Barcinas	HOLIDAY	HOL 7.5			8	8	8 3.5	8 3.5	8 0.5	9	6.5	30.5	45.75
Joy L.G. Aguon	HOLIDAY	HOLIDAY	2		8	8	8 2.5	8 3	8 1.5	10.5	4	23.5	35.25
Francine M. Taimanglo	HOLIDAY	HOLIDAY	2.5		8	8	8 2	8 3	8	9.5	8.5	25.5	38.25

DEPARTMENT OF ADMINISTRATION
DIVISION OF ACCOUNTS
INCOME TAX REFUND CHECKS DISTRIBUTION - COMPENSATORY TIME-OFF SUMMARY
DECEMBER 2-4, 2011

	2-Dec	3-Dec	Total	Offset with Leave Taken within week	BAL	@ 1.5	4-Dec	Offset with Leave Taken within week	@ 1:1	Total	Leave Taken PPE: 12/17	BAL	Leave Taken PPE: 12/31	BAL
DEJESUS, ANN	1.00	9.50	10.50	8.00	2.50	3.75	2.00	-	2.00	**5.75**	-	**5.75**	5.75	-
EUBANKS, CARMELITA	2.50	10.50	13.00	-	13.00	19.50	6.50	-	6.50	**26.00**	-	**26.00**	4.00	**22.00**
JUAREZ, MARIA	4.00	11.00	15.00	-	15.00	22.50	-	-	-	**22.50**	-	**22.50**	-	**22.50**
MACIAS, ANTHONY	4.00	10.00	14.00	-	14.00	21.00	-	-	-	**21.00**	0.50	**20.50**	1.00	**19.50**
MANIBUSAN, MATTHEW	-	9.00	9.00	-	9.00	13.50	-	-	-	**13.50**	-	**13.50**	-	**13.50**
MENDOLA, MARIA L	-	9.50	9.50	1.00	8.50	12.75	-	-	-	**12.75**	-	**12.75**	3.50	**9.25**
PACO, VICTORIA	3.50	6.50	10.00	-	10.00	15.00	-	-	-	**15.00**	-	**15.00**	-	**15.00**
PAULE, MODESTA	1.50	10.50	12.00	-	12.00	18.00	5.50	-	5.50	**23.50**	2.00	**21.50**	-	**21.50**
SANCHEZ, NADINE	-	9.00	9.00	5.00	4.00	6.00	6.00	-	6.00	**12.00**	9.50	**2.50**	2.50	-
TAITINGFONG, ANTHONY	1.00	10.50	11.50	-	11.50	17.25	-	-	-	**17.25**	17.25	-	-	-
TOLENTINO, ELISEO	3.00	10.50	13.50	-	13.50	20.25	-	-	-	**20.25**	16.50	**3.75**	-	**3.75**

	Leave Taken PPE: 1/14	BAL	Leave Taken PPE: 1/28	BAL	Leave Taken PPE: 2/11	BAL	Leave Taken PPE: 2/25	BAL	Leave Taken PPE: 3/10	BAL	Leave Taken PPE: 3/24	BAL	Leave Taken PPE: 4/07	BAL
DEJESUS, ANN	-	-	0.00	-	-	-	-	-	-	-	-	-	-	-
EUBANKS, CARMELITA	3.50	**18.50**	0.00	**18.50**	16.50	**2.00**	2.00	-	-	-	-	-	-	-
JUAREZ, MARIA	-	**22.50**	2.00	**20.50**	-	**20.50**	6.50	**14.00**	-	**14.00**	14.00	-	-	-
MACIAS, ANTHONY	1.00	**18.50**	9.00	**9.50**	8.00	**1.50**	-	**1.50**	-	**1.50**	-	**1.50**	1.50	-
MANIBUSAN, MATTHEW	-	**13.50**	6.00	**7.50**	5.00	**2.50**	2.50	-	-	-	-	-	-	-
MENDOLA, MARIA L	1.50	**7.75**	1.00	**6.75**	2.50	**4.25**	4.25	-	-	-	-	-	-	-
PACO, VICTORIA	8.00	**7.00**	0.00	**7.00**	-	**7.00**	1.50	**5.50**	-	**5.50**	5.50	-	-	-
PAULE, MODESTA	-	**21.50**	0.00	**21.50**	19.00	**2.50**	-	**2.50**	1.50	**1.00**	1.00	-	-	-
SANCHEZ, NADINE	-	-	0.00	-	-	-	-	-	-	-	-	-	-	-
TAITINGFONG, ANTHONY	-	-	0.00	-	-	-	-	-	-	-	-	-	-	-
TOLENTINO, ELISEO	3.75	-	0.00	-	-	-	-	-	-	-	-	-	-	-

V-VII

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

**********AUTO**5-DIGIT 96932
19211 0.3800 AV 0.340 53 1 218
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

10-31-11
Page 1
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980-01-8947

2501002089 TDOA TREASURER

Previous Balance	9-30-11		1,805,131.27
+Deposits/Credits			.00
-Withdrawals/Debits		1	1,305,131.27
-Service Charge			.00
+Interest Paid			173.76
Current Balance			500,173.76
Days in Statement Period		31	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
1305131.27	WEB XFER TO 2501002075		10-28	500000.00
INT PMT SYS-GEN		173.76	10-31	500173.76

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	1,636,727.23
Interest Paid this Year	3,334.51
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
9-30	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

11-30-11
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980-01-8947

**********AUTO**5-DIGIT 96932
17835 0.3800 AV 0.340 54 1 212
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	10-31-11	500,173.76
+Deposits/Credits		.00
-Withdrawals/Debits	1	300,000.00
-Service Charge		.00
+Interest Paid		33.92
Current Balance		200,207.68
Days in Statement Period	30	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
300000.00	TRF TO GENERAL FUND		11-14	200173.76
INT PMT SYS-GEN		33.92	11-30	200207.68

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	330,173.76
Interest Paid this Year	3,368.43
Interest Withheld this Year	.00
Average Interest Rate	.124

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
10-31	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

**********AUTO**5-DIGIT 96932
27190 0.5950 AV 0.340 86 1 227
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

12-31-11
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2501002089 TDOA TREASURER

Previous Balance	11-30-11	200,207.68
+Deposits/Credits	1	609.88
-Withdrawals/Debits		.00
-Service Charge		.00
+Interest Paid		21.31
Current Balance		200,838.87
Days in Statement Period	31	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		609.88	12-07	200817.56
INT PMT SYS-GEN		21.31	12-30	200838.87

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	200,699.51
Interest Paid this Year	3,389.74
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
11-30	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

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980-01-8947

**********AUTO**5-DIGIT 96932
19363 0.3800 AV 0.350 55 1 213
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	12-31-11	200,838.87
+Deposits/Credits	3	1,201,219.76
-Withdrawals/Debits	1	1,070,836.05
-Service Charge		.00
+Interest Paid		23.65
Current Balance		331,246.23
Days in Statement Period	31	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		609.88	1-05	201448.75
WEB XFER FROM 601024399		609.88	1-05	202058.63
WEB XFER FROM 2501001903		1200000.00	1-27	1402058.63
1070836.05	WEB XFER TO 2501001996		1-27	331222.58
INT PMT SYS-GEN		23.65	1-31	331246.23

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	222,734.13
Interest Paid this Year	23.65
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
12-31	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

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**********AUTO**5-DIGIT 96932
26564 0.3800 AV 0.350 75 1 103
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	1-31-12	331,246.23
+Deposits/Credits	3	1,501,829.64
-Withdrawals/Debits	1	1,200,000.00
-Service Charge		.00
+Interest Paid		52.35
Current Balance		633,128.22
Days in Statement Period	28	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		300000.00	2-09	631246.23
WEB XFER FROM 2501001809		1200000.00	2-10	1831246.23
1200000.00	WEB XFER TO 601024399		2-10	631246.23
WEB XFER FROM 601024399		1829.64	2-23	633075.87
INT PMT SYS-GEN		52.35	2-28	633128.22

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	545,924.01
Interest Paid this Year	76.00
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
1-31	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

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**********AUTO**5-DIGIT 96932
25282 0.3800 AV 0.350 66 1 13
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	2-28-12	633,128.22
+Deposits/Credits	2	2,001,219.76
-Withdrawals/Debits		.00
-Service Charge		.00
+Interest Paid		131.12
Current Balance		2,634,479.10
Days in Statement Period	32	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		1219.76	3-09	634347.98
WEB XFER FROM 601024399		2000000.00	3-23	2634347.98
INT PMT SYS-GEN		131.12	3-30	2634479.10

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	1,196,504.92
Interest Paid this Year	207.12
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
2-28	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
Member FDIC

STATEMENT OF ACCOUNT

**********AUTO**5-DIGIT 96932
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GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

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980-01-8947

2501002089 TDOA TREASURER

Previous Balance	3-31-12	2,634,479.10
+Deposits/Credits	7	28,854,076.79
-Withdrawals/Debits	1	2,452,857.03
-Service Charge		.00
+Interest Paid		1,381.52
Current Balance		29,037,080.38
Days in Statement Period	30	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		600000.00	4-04	3234479.10
WEB XFER FROM 601024399		609.88	4-05	3235088.98
WEB XFER FROM 601024399		800000.00	4-05	4035088.98
WEB XFER FROM 601024399		2000000.00	4-18	6035088.98
WEB XFER FROM 601024399		1000000.00	4-19	7035088.98
TRF FR TDOA GENERAL ACCOUNT		24452857.03	4-20	31487946.01
2452857.03	WEB XFER TO 2501001903		4-23	29035088.98
WEB XFER FROM 601024399		609.88	4-27	29035698.86
INT PMT SYS-GEN		1381.52	4-30	29037080.38

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	13,447,041.34
Interest Paid this Year	1,588.64
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
3-31	.125				

NO ENCLOSURES THIS STATEMENT

BANK OF GUAM
THE PEOPLE'S BANK
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**********AUTO**5-DIGIT 96932
19237 0.3800 AV 0.350 58 1 246
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	4-30-12	29,037,080.38
+Deposits/Credits	2	4,300,609.88
-Withdrawals/Debits		.00
-Service Charge		.00
+Interest Paid		3,112.16
Current Balance		33,340,802.42
Days in Statement Period	31	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 2501001809		609.88	5-03	29037690.26
WEB XFER FROM 601024399		4300000.00	5-30	33337690.26
INT PMT SYS-GEN		3112.16	5-31	33340802.42

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	29,315,070.26
Interest Paid this Year	4,700.80
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
4-30	.125				

NO ENCLOSURES THIS STATEMENT

Hafa Adai Online Banking Customers!

Changes are coming soon! As we move closer to the launch of our upgraded services, we will be sending you important customer notifications to better prepare you for changes ahead.

Update your contact information today to ensure you receive these messages! Doing so is simple, go to www.bankofguam.com, visit any of our branches or log onto online banking and submit your changes.

BANK OF GUAM
THE PEOPLE'S BANK

STATEMENT OF ACCOUNT

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**********AUTO**5-DIGIT 96932
28481 0.3800 AV 0.350 84 1 215
GOVERNMENT OF GUAM
PO BOX 884
HAGATNA GU 96932-0884

2501002089 TDOA TREASURER

Previous Balance	5-31-12	33,340,802.42
+Deposits/Credits	4	3,952,439.52
-Withdrawals/Debits	3	34,992,216.23
-Service Charge		.00
+Interest Paid		1,618.23
Current Balance		2,302,643.94
Days in Statement Period	30	

-TRANSACTION SUMMARY-

Withdrawal	Withdrawal	Deposit	Date	Balance
WEB XFER FROM 601024399		609.88	6-12	33341412.30
WEB XFER FROM 2501001809		3950000.00	6-13	37291412.30
500000.00	WEB XFER TO 2501001809		6-13	36791412.30
3450000.00	WEB XFER TO 2501001996		6-13	33341412.30
31042216.23	TRF TO INCOME TAX		6-14	2299196.07
WEB XFER FROM 601024399		609.88	6-15	2299805.95
WEB XFER FROM 601024399		1219.76	6-29	2301025.71
INT PMT SYS-GEN		1618.23	6-29	2302643.94

-INTEREST SUMMARY-

Average Daily Balance -CUST COLLECTED-	15,751,006.06
Interest Paid this Year	6,319.03
Interest Withheld this Year	.00
Average Interest Rate	.125

-INTEREST RATE SUMMARY-

Date	Rate	Date	Rate	Date	Rate
5-31	.125				

NO ENCLOSURES THIS STATEMENT

Hafa Adai Online Banking Customers!

Changes are coming soon! As we move closer to the launch of our upgraded services, we will be sending you important customer notifications to better prepare you for changes ahead.

Update your contact information today to ensure you receive these messages! Doing so is simple, go to www.bankofguam.com, visit any of our branches or log onto online banking and submit your changes.

Account #	Name	Balances as of 9/30/2011	6/30/2012
110021110	ACCOUNTS PAYABLE	(48,453,990.63)	(31,144,898.97)
110021112	OTHER ACCOUNTS PAYABLE	(8,419.94)	(8,581.27)
110021113	CREDIT CARD FHB PAYABLE	(162,916.03)	(123,298.56)
110021120	CONTRACT RETENTION	(165,426.56)	(165,426.56)
110021132	INCOME TAX REBATE PAYABLE	(153,282.00)	(118,332.00)
110021215	DEP-FICA EFTS PAYRL DEDUCTIONS	(189,198.90)	(201,602.10)
110021220	RETIREMENT DEDUCT/CONTRIBUTION	(31,689.40)	(31,689.40)
110021301	SELECTCARE 10 HOSP DEDUCT/CONT	(2,565.41)	(2,565.41)
110021302	SELECTCARE 10 DENT DEDUCT/CONT	(350.82)	(350.82)
110021304	SELECTCARE 1500	(501.07)	(4,965.54)
110021306	SELECTCARE 80 HOSP DEDUCT/CONT	(291.42)	(291.42)
110021307	SELECTCARE 80 DENT DEDUCT/CONT	(132.56)	(132.56)
110021308	SELECTCARE 1000	(34.94)	(34.94)
110021309	SELECTCARE 2000	(1,013.32)	(2,054.06)
110021310	GROUP LIFE DEDUCT/CONTRIBUTION	(1,063.68)	(1,063.68)
110021311	LIFE INS.DED/INDIV.ASS.CO.	(2,807.20)	(2,807.20)
110021313	GUARDIAN DENTAL DEDUCT/CONTRIB	-	-
110021314	LIFE INS DED/STANDARD INS CO	(251.40)	(1,626.82)
110021350	FHP DENTAL DEDUCT/CONTRIBUTION	(2,337.45)	(2,337.45)
110021370	STAY WELL DEDUCT/CONTRIBUTION	(372.24)	(372.24)
110021380	STAYWELL BRONZE	(5,076.14)	(5,076.14)
110021381	STAYWELL CHOICE	(166.14)	(166.14)
110021410	GOVGUAM EMPLOYEE C U DEDUCTION	(2,172.99)	(2,172.99)
110021420	DEPOSIT - HAWAII TAX	(9,040.62)	(9,040.62)
110021485	TAX LEVY DEDUCTION	(27,264.88)	(63,851.37)
110021490	MISCELLANEOUS DEDUCTIONS	(1,869.14)	(1,869.14)
110021511	UNCLAIMED CKS-GENERAL FUND	(997,399.42)	(498,242.55)
110021512	UNCLAIMED CKS-PAYROLL	(130,010.38)	(61,366.33)
110021514	UNCLAIMED CKS-PUB ASSISTANCE	-	-
110021515	PUB ASSISTANCE SUSPENSE ACCT	(6,839.00)	(6,839.00)
110021518	UNCLAIMED CHECKS - IFG	(23,867.80)	(23,867.80)
110021519	UNCLAIMED CHECKS - CHILD SUPPO	(1,719,307.77)	(1,244,224.12)
110021520	PROMISSORY NOTES - GPSS	-	-
110021521	UNCLAIMED PROPERTY	(33,678.06)	(33,884.31)
110021522	UNCLAIMED CHECKS FOR EIC	(4,345,470.91)	(4,305,516.87)
110021547	DEP-TAX OFFSET OTHER DEBTORS	(1,405.72)	(171,163.31)
110021561	ACCRUED DOE EXPENDITURES	-	-
110021590	ACCRUED OTHER EXPENDITURES	(15,701,078.57)	(2,804,595.58)
General Fund Total		(72,181,292.51)	(41,044,307.27)
	DOE	(5,454,027.00)	
	DMHSA Receiver	(559,127.00)	
	Legislature Operations	(53,924.00)	
	MIP	(6,234,778.00)	
	OPA	(1,924.00)	
	Public Defender Service Corp	(8,880.00)	
	Unified Courts of Guam	(627,874.00)	
	Other Debt Service	(2,000.00)	
Grand Total		(85,123,826.51)	(41,044,307.27)

FY2011 A/P Paid in FY2012 by Month - General Fund Related Funds

Fund Number - Name	Outstanding	Oct-2011	Nov-2011	Dec-2011	Jan-2012	Feb-2012	Mar-2012	Apr-2012	Grand Total
100 GENERAL FUND	(30.80)	13,718,554.05	3,405,995.02	5,418,692.33	3,240,594.56	242,472.65	456,860.14	345,962.55	26,829,100.50
214 DOC REVOLVING				16,715.20	1,677.36	12,238.27	23,472.13	75.04	54,178.00
229 GSA LIQUIDATED DAMAGES FUND					586.20				586.20
293 MEDICALLY INDIGENT PROGRAM PAY		1,753,203.55	2,846,849.82	464,295.71	1,170,428.92				6,234,778.00
298 HUMAN RESOURCES SERVICES REVLV		9.00	8,807.50	5,027.50	6,730.00		51.48		20,625.48
299 FINANCIAL MGMT DIVISION RELVNG			12,595.00		95.09	4,731.10	2,225.00		19,646.19
314 SPC SURPLUS PROP		556.80	457.90		2,453.00	44.84		3,673.52	7,186.06
319 COMMUNITY DEVELOPMENT FUND		4,250.00	19,541.00	3,000.00	5,493.00	600.00	1,603.62	12,957.69	47,445.31
404 G S A		254,718.85	266,323.97		38,082.01	24,958.70	38,595.86		622,679.39
628 BETTER PUBLIC SERVICE FUND		24,000.00	138,566.32	165,216.05	36,197.16	8,428.53	202,669.96	198,024.91	773,102.93
645 SUPPLMNTL APPROP REVENUE -SAR		542,102.54	186,250.31	182,011.33	2,599.34			5,363.20	918,326.72
618 GPSS OPERATIONS FUND*		**4,033,165.67**							4,033,165.67
Grand Total	(30.80)	20,330,560.46	6,885,386.84	6,254,958.12	4,504,936.64	293,474.09	725,478.19	566,056.91	39,560,820.45

* Not part of A/P Carry forward - Wire Transfer posted by JV

FY 2013 Budget Hearing Sign-In Sheet
OFFICE OF THE ATTORNEY GENERAL
June 27, 2012 - 1:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Leevy Rapadas		OAG	
Phil Tydingco		OAG	
Pat Madden		OAG	
Basil O'Mallan		OAG	
Jerry Ascuna		AGs	
Barbara P. Cepeda		OAG	
Carol Hunkko Sanchez		OAG	

(6) offers to pay another person to assist in registering voters, where payment is based on a fixed amount of money per voter registration; or

(7) accepts payment for assisting in registering voters, where payment is based on a fixed amount of money per voter registration; or

(8) knowingly causes any person to be registered or causes any registration to be transferred or canceled, *except* as authorized under this Title, is guilty of a felony of the third degree. Each and every violation herein constitutes a separate offense.

ARTICLE 5
OTHER PROVISIONS

§ 8501. Removing or Defacing Results Posted. Every person who removes or defaces any posted copy of the results of the votes cast is guilty of a misdemeanor.

§ 8502. Refusal to Appear and Testify. Any person summoned to appear and testify before any precinct board or the Commission who willfully ignores or disobeys the summons is guilty of a misdemeanor.

§ 8503. Violation of Overseas Voter Rules. Any person who violates the prohibitions relative to overseas voters as contained in § 9124, Chapter 9 of this Title *shall* be guilty of a misdemeanor.

§ 8504. Publications Reflecting on Character of Candidate. Every person *shall* be subject to a civil penalty of *not more than* Five Thousand Dollars ($5,000) per each separately produced message who intentionally writes, prints, posts or distributes, or causes to be written, printed, posted or distributed, any circular, pamphlet, letter or poster which

PROSECUTION TALKING POINTS

- Average **2,000** charged cases in each of last three (3) years
- Currently have **2,757 OPEN Felony** cases
- Currently have **4,024 OPEN Misdemeanor** cases
- In 2011 charged 70 Criminal Sexual Conduct cases
- In the first four (4) months of 2012 we have already charged 37 Criminal Sexual Conduct cases
- In 2011 charged 348 Family Violence cases
- In the first four (4) months of 2012 we have already charged 141 Family Violence cases
- In 2011 we charged 822 DUI cases
- In the first four (4) months of 2012 we have already charged 255 DUI cases
- In 2011 we charged 61 Drug cases
- In the first four (4) months of 2012 we have already charged 48 Drug cases
- We predict we will easily surpass our average number of charged cases in 2012

Family/Juvenile Division

CALENDAR YEAR STATISTICS for 2010, 2011, and 2012 (as of June 25th, 2012)

	YEAR 2010	YEAR 2011	YEAR 2012 (current through June 25, 2012)
JDC	84	131	111
JD	235	316	215
JSP	75 43 PINS 32 B/C	97 57 PINS 40 B/C	88 33 PINS 55 B/C
PADP	5	7	6
TOTAL	**399**	***551***	**420**
	Based on 321 police reports	Based on 386 police reports	Based on 341 police reports

As far as statistics is concerned, we say an increase of filings of cases in 2011 as compared to 2010. We filed a total of 551 cases in 2011, as compared to 399 filed in 2010. That is a difference of 152 cases filed. There is an increase in all the different kinds of cases filed... Juvenile Drug Court cases went from 84 to 131, Juvenile Delinquency went from 235 to 316 and the Juvenile Special Proceedings, which includes Beyond Control and Petitions for Persons In Needs went from 75 to 97.

Year-to-date for 2012, the current stats show that 2012 filings have surpassed the 2010 statistics and are already close in range to 2011 statistics. Our division has already filed 420 cases as of June 25th, 2012. At the rate of filings, the numbers for 2012 are expected to surpass the 2011 statistics in the new few months.

Not only has our division seen an increase in the amount of cases being filed within the juvenile community, but our division has had to deal with an increase in the number of contested hearings, or hearings going to trial. Our division has seen an increase in the number of contested fact findings (trials) in the juvenile delinquency cases. Sadly, the Family Division has also seen an increase in the

number of permanency hearings, which are hearings dealing with Child Protective Services cases wherein the permanency of a child or children are at issue. This past year, the Family Division has had to handle at least a dozen (12) cases that have gone through permanency proceedings wherein children were permanently removed from their biological parent's homes and lives, and placed with families that provided a more loving, nurturing, stable and safe home.

Our division has also experienced a rise in bullying and cyber bullying crimes, theft crimes, sex crimes, and crimes involving drugs and alcohol, and the rise happening at an earlier age group.

Aside from the heavier workload, our division continues to actively participate in community outreach. For 2011, the family division presented at 2 major conferences on bullying and cyberbullying and internet and electronic crimes; and conducted 10 school presentations. In 2012, the family division already conducted 7 school presentations; and presented at 1 major conference on bullying and cyberbullying issues.

The family division has also actively participated in 2 of Guam's very important task forces. The Juvenile Justice Task Force and the LaniKate Task Force. The family division continues to actively work with the legislature in improving many of Guam's laws, as well as in assisting in the drafting and implementation of newer legislation that will provide greater protection for our children.

CHILD SUPPORT ENFORCEMENT DIVISION

CALENDAR YEAR STATISTICS for 2010, 2011, 2012 (as of June 25th, 2012)

	2010	2011	2012
Cases Open	6,538	6,437	6,383
Number of CPs	6,538	6,437	6,383
Number of NCPs	6,546	6,442	6,388
Number of Children	11,524	11,238	11,135
Collections Rec'd	$10,844,043	$10,930,587	10,533,607
Collections Distrib'd	$12,633,414	$12,008,597	10,751,942
Total Amt of Current Support Due*	$11,375,817	$11,455,920	7,765,220
Total Amt of Support Distrib as Current Supp*	$6,938,579	$7,262,143	4,914,109
Total Amt of Support Distrib as Arrears*	$3,743,745	$2,972,018	4,341,575
Total amt of arrears due for ALL FY	$60,533,192	$56,931,413	$56,426,555

*Fiscal year

BUDGET INFORMAITON
CIVIL DIVISION
(COMBINED SOLICITOR & LITIGATION DIVISIONS)

1. Procurement

a. Workshops

- **4 attorneys**, with the help of a **paralegal** and **clerk** have prepared a procurement **training workshop** for government agencies
    - workshop materials include:
        - **basic forms** needed for every procurement
        - comprehensive **checklists** for RFPs and IFBs
            (with citations to statutes and regulations)
- the attormeys have held **2 workshops** (8 hrs. each; all space available was taken)
    - **11 agencies** have attended
        (DISID, DMHSA, DYA Governor's Office, AGO,
        DMHSA, DOA DOE, DPHSS, GEDA, GEPA)
- **3 more planned** in 2013
    (waiting until the end of the fiscal yr., because of contract and procurement workload & trying to locate venues with more space for more people)
- thereafter, the attorneys will give workshop **101 every year**
- the attorneys plan to develop **future workshops on specific topics**

b. Agency Assistance

- 4 attorneys have been assigned to work with agencies on procurements **from the beginning to the end of the procurement process.**
    - we have encouraged agencies to request our assistance early in the process rather than sending the AGO a final contract which may have a flawed procurement.

2. DRT

- **one attorney, with an LLM in tax**, is now assigned to work full-time at the DRT offices. (Tim McLaughlin)

- the attorney has been assisting DRT in **all its legal matters**, not just tax matters

(DRT also needs a full-time regulatory attorney)

- due to lack of manpower at DRT,

one legal secretary travels to DRT 2ice per week to assist the attorney with file preparation and other work that cannot be handled through computer and phone contacts.

3. GEPA

- **one senior attorney** is now assigned to work full-time at the GEPA offices. (Happy Rons)
- secretarial assistance is provided through the AGO
- we believe that, having an **attorney essentially on staff** has been an immense benefit to GEPA in fulfilling its mandate

4. Bureau of Statistics and Planning (BSP)

- recently **one attorney has been assigned half-time to assist BSP** with its coastal management program and other work
  - this includes work on the Hagatna Restoration and Redevelopment Authority Land Use Plan
- in the future, the AGO is hopping to assign an attorney to work with BSP full-time

5. Consumer Advocate

- due to lack of manpower, the Consumer Unit has been dormant for many years
- recently the AGO has reactivated the Consumer Unit

- three employees have been assigned to the Unit:
    - one longtime employee, who is knowledgeable and highly experienced, has been assigned the **Consumer Advocate** duties
    - **one attorney** has been assigned to assist the Consumer Advocate
    - **one word processing secretary** has been assigned to the Unit

- the Consumer Unit is regularly **processing consumer complaints**
- the Unit plans to do **more media out reach to inform the public** about consumer scams and other matters

- recently the Consumer Unit directed payment of $8,437 to the Treasurer of Guam. This was the result of the settlement of nation wide antitrust claims brought by State Attorneys General

6. Health Insurance Negotiations

- this year and last year, the AGO has played a much larger role in preparing for and negotiating one or more health insurance contracts for government employees and retirees

- previously, no attorney was assigned to DOA for the health insurance procurement process unless DOA made a specific request for legal advice.

- now **one attorney is assigned to assist DOA in all stages** of the health insurance procurement process

7. Tobacco MSA (Master Settle Agreement)

- Guam receives approximately $1.3 million per year from the tobacco MSA

- Tobacco Companies have alleged non-enforcement of provisions of the MSA regarding tobacco products entering some jurisdictions

the tobacco companies have asked for reimbursement of funds paid to the various jurisdictions under the MSA.

- enforcement of the MSA on Guam is done by the Dept of Customs and Quarantine and DRT with legal assistance from the AAG assigned to handle MSA issues.

- the Tobacco companies have decided not to contest Guam's enforcement of the MSA

- this means Guam will not have to participate in binding arbitration in which the tobacco companies will seek reimburse of some MSA funds already paid

8. Personnel Matters

- the AGO has **one attorney working nearly full-time** with the line agencies on personnel matters. (Donna Lawrence)

- the attorney works with agencies **when personnel issues arise,** rather than waiting until an adverse action has already been appealed to the CSC

- this has made an **astonishing difference in the success** of management before the CSC.

9. Task Force Work

- Civil attorneys are currently spending time working on:
    - the Guam Seal Task Force
    - the Guam Supreme Court Rules of Civil Procedure Subcommittee
    - the Procurement Advocacy Council

Office of the Attorney General

Solicitor Statistics

Information as of June 25, 2012

Calendar Year Summary

For the Period of January 1, 2011 through December 31, 2011

Total Request Received by Solicitors for Calendar Year 2011

Current Pending Cases	**306**
Total Closed Cases	**942**
Total Request Received	**1,248**

Summary of Requests by Category

	Status		
Category	**Open**	**Closed**	**Total Requests**
Administrative Proceedings (Hearing Officer)	29	25	**54**
Administrative Rules & Regulations	5	17	**22**
Attorney Assistance	120	297	**417**
Contract Review	57	508	**565**
Opinion & Legal Guidance Requests	24	49	**73**
Procurement	71	46	**117**
Total	**306**	**942**	**1248**

Summary of Opinion and Guidance Requests

Request Summary		**Summary of Responses**	**Total Issued**
Pending	24	Information and Guidance	33
Closed	49	Legal Memorandum	4
Total Requests	**73**	Opinion	4
		Other	12
		Total	**53**

****Please note that the Summary of Responses also includes Opinions and Legal Memorandums that were issued as a result of an Attorney Assistance request.***

CIVIL STATS – BUDGET YEAR 2013

CALENDAR REPORT – 2011

Civil Litigation	CALENDAR YEAR 2011		
	OPEN	CLOSED	TOTAL
Overall cases received	266	307	571
Administrative Proceedings	118	150	268
Court Proceedings	26	47	73
Government Claims	48	79	127
Request for Action	51	51	102
Admin Proceedings to Court Proceedings	1		1
Government Claims to Court Proceedings	1		1
TOTAL	**511**	**634**	**1145**

NOTARY STATISTICS 2011
Prepared by Jay J. Fejeran
Legal Clerk/Notary Contact

Category	Total Request Per Category	Status	
		Amount	Total
New Private Notaries	63	$6,300	$6,300
New Government Notaries	8	0	0
Private Renewal Notaries	72	$7,200	$7,200
Government Renewal Notaries	9	0	0
Certificate of Authority Requests	40	$2,000	$2,000
Total Transactions for the Calendar Year 2011	192	$15,500	$15,500

NOTARY APPLICATION FEE	$100.00
RENEWAL APPLICATION FEE	$100.00
CERTIFICATE OF AUTHORITY REQUEST	$50.00
GOVERNMENT NOTARY FEE WAIVED	

Guam Office of the Attorney General
Child Support Enforcement Division

Planning
Advanced Planning Document for the APASI Upgrade Project

November 1, 2011

Submitted to:

United States Department of Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement

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2.0 Executive Summary

The Child Support Enforcement Division (CSED), of the Office of the Attorney General of Guam (OAG) is the single and separate agency designated to operate the Title IV-D Child Support Enforcement Program in the Territory of Guam. Currently, the Programs supported by an aging automated system: "APASI." Although APASI is a fully PRWORA Certified system, it does not provide the most effective support to casework in the Guam CSED. Of all the divisions of the Office of the Attorney General of Guam (OAG), the CSED relies most heavily on the information and functionality of its automated system (APASI). This system was transferred in 1996 from the child support enforcement (CSE) system used in the state of Texas. Since the time of that transfer, much has changed in both the CSE program and in the capabilities of information technology.

The Program constraints include; out-of-date technology, data problems and inefficiencies of APASI. Consequently, the CSED intends to upgrade APASI to meet the Program's needs more efficiently, to improve the automation available to support the activities of its staff and to provide timely, reliable, and accurate data for case action. The current financial and staffing pressures affecting many public agencies, private companies, and citizens across the country are especially acute in Guam. The need to increase CSED collections combined with the restrictions on adding program staff make the effective use of automation crucial to the increasing success of child support enforcement on the Island.

An APASI Upgrade Project was initiated this year with the development of this Planning Advance Planning Document (PAPD) that describes the plan Guam has for improving APASI. This PAPD document consists of the following:

- *Section 3 Statement of Need* describes the problems with APASI and Guam's vision for the system that will result from this upgrade.
- *Section 4 Project Management Plan* describes the proposed management of the APASI Upgrade Project follows, which includes the schedule currently proposed for the Planning Phase. The IAPD Planning Phase is projected to begin in December of 2011 and end in December of 2013.
- In *Section 5 Budget and Cost Allocation*, the budget for the Planning Phase is presented, including information concerning the most recent Cost Allocation Plan for the Government of Guam. Guam expects to request federal matching funds for the Planning Phase funding in the amount of $1,804,000. The OAG/CSED affirms the Guam Legislature's knowledge and approval of the approach and the associated costs for the upgrade of APASI.
- Finally, an estimate of the cost of the entire APASI Upgrade Project, including development and implementation of the solution to be identified in the Planning Phase is given in *Section 6 Total Project Cost Projections*. Although this figure will be refined as planning continues, Guam currently estimates a total cost for the APASI Upgrade Project of $47,333,000.

Guam looks forward to Federal review of the PAPD and welcomes input to its planning efforts.

3.0 Statement of Need

The Child Support Enforcement Division (CSED), of the Office of the Attorney General of Guam is the single and separate agency designated to operate the Title IV-D Child Support Enforcement Program in the Territory of Guam. Currently, the Programs supported by an aging automated system "APASI" which was a transfer of the Texas IV-D automated system in 1996. The Program is constrained by out-of-date technology, data problems and inefficiencies of APASI. CSED intends to upgrade APASI to better meet the Program's needs and increase the Program's effectiveness.

This section of the PAPD describes the vision that Guam has with respect to automated support for its Child Support Enforcement Program. The scope of the project is to upgrade its current automation, identify problems encountered in using Guam's existing automated system(APASI, and explore areas for improvement in which changes or new functionality will be explored during the Planning Phase.

3.1 Information and Services Vision

It is OAG/CSED's vision to invest in an improved automated system that will accomplish the following:

- Support CSED staff in the effective performance of CSE activities
- Promote the CSED's goal of increasing collections
- Assist in removing the obstacle to Program success that results from the restrictions placed on adding staff
- Help Program staff offer the best service to Guamanian and other families who need support for their children

An investment in improving automated support for CSED staff will allow staff to focus on activities needed to produce more accurate and timely case actions and increase collections.

3.2 System Scope and Objectives

The objective of the APASI Upgrade Project is not just to solve APASI's immediate functional problems, but to provide users with a system that will improve productivity and allow the CSED to reach its true collections potential.

The scope of the APASI Upgrade Project is to implement a Title IV-D automated system at a reasonable cost that:

- Is easy for users to access, navigate, update, and review
- Presents consistent, accurate and trustworthy data to users in the format appropriate to the action or inquiry at hand
- Operates reliably and efficiently at a cost reasonable to its results
- Takes as many actions as feasible with little or no human intervention necessary, or provides an intelligent prompt to the user to take a manual action
- Expands the interaction or interface with other systems, gathering data automatically

- Allows public users to access it in a secure fashion and both collect and provide an optimum amount of information
- Provides managerial controls and statistics that increase productivity and assist the Program in maintaining its federal and local performance goals and requirements

In short, the Office of the Attorney General of Guam, Child Enforcement Division seeks to have at its disposal an automated system that supports the operation of Guam's Child Support Enforcement Program.

Problems with the current system functionality and a summary of system requirements are described in the following section.

3.3 System Requirements Overview

Requirements of the new system will be refined and specified at a greater level of detail during the Planning Phase. The following list summarizes the major areas in which system improvements are needed:

- System financial processing must be re-examined, corrected, and streamlined in the upgrade of APASI.
- For the upgraded APASI, case workflows should be reviewed and updated to match current federal requirements and Guam CSED procedures.
- CSED users should access the upgraded APASI through a MSWindows®-based graphical user interface, and superfluous data should be eliminated or removed from display and processing.
- Others (e.g., CPs, payors, employers) should have appropriate access through a website and interactive voice response functionality.
- Existing interfaces must be improved and new interfaces added to the upgraded APASI, especially in the area of non-custodial parent location.
- The upgraded APASI should provide accurate reports without the need for human intervention.
  - Reports should have 'drill-down' audit trails, easily accessed by users
  - *Ad hoc* reporting should be added
- Document generation utilized in the upgraded APASI should be more automated than is currently the case, easier for staff to use, and streamlined.
- The APASI database must be normalized to the maximum extent possible to make the system easier to maintain and to modify, as requirements change. In addition, a major data cleansing effort must be undertaken with the original legacy data as part of the transition to an upgraded APASI.
- The upgraded APASI must run on a server or servers operated by the Guam Office of the Attorney General.

3.3.1 DEFICIENCIES IN EXISTING CAPABILITIES

Major problems in the existing APASI functionality inhibit the effectiveness of staff and their ability to take timely actions in child support enforcement cases. Deficiencies in current system capabilities include:

- **APASI does not handle court order information effectively** – APASI is unable to deal properly with updated court order information on which accounting is based. The system does distribution based only upon the current order. If a superseding order makes a change in current support payment from this day forward, APASI automatically adjusts historical distribution as if the previous order(s) had not existed. If the new order addresses only current support (not arrears), previously accumulated arrears may be deleted, or APASI will consider all prior accounts as no longer active.

  Because the system can only recognize one order at a time, corrections to an old order requires the deletion of all subsequent orders. When this is necessary, payments previously applied to the deleted orders then go into 'overage' until the order to which they were applied is reentered. Because this reapplication process is accomplished by batch processing, only one court order per day is allowed to be reentered to avoid batch failure If the correction necessary to release an old suspense payment related to the fourth order before the current one, at least five days processing must occur before it is safe to release the old payment.

  APASI automatically computes the end date to the obligation for child support arrears causing for the obligation to go historical which causes receipts to be identified as overages.

  When there are multiple cases associated to one custodial parent, payments are hard to map to track collections to disbursement.

- **Data on APASI is unreliable** – There are many issues with TANF data, as timely access to updated information from the Department of Public Health is lacking. TANF grant information from Public Health is sent by eMail each month, and is updated manually based on those eMails. For IV-D cases tied to multiple IV-A cases, arrears may at time be split incorrectly between government and family arrears. This, in turn, may cause payments to be applied incorrectly to the arrears, requiring payment adjustments. To make sure these complex adjustments result in correct posting, it is often necessary to test the changes in a Production-loaded test environment prior to entering them in Production.

  Not all data was converted from the legacy system (APMS) to APASI. For example, welfare information was incomplete. In addition, data 'purification' wasn't always accomplished. The result now, is a need to do largely manual reconstructions of payment histories (Declaration of Arrears/Financial Activities Report) for the courts.

- **Undistributed collections cannot be resolved** – Although an account reconciliation has recently been accomplished, with help from OCSE, batch reconciliation on APASI is still impossible and Guam has a very high percentage of undistributed collections. While many of the problems with undistributed collections are procedural, the lack of certain

data elements in APASI, difficulties in the case closure process, inefficiencies in making receipt adjustments, and issues concerning some retro modifications all contribute. Data problems go back to early 90s.

- **Data inconsistencies exist on APASI** – In some instances, when what should be the same data is displayed on two different screens, they do not match (e.g., some dates and amounts appear as one thing on some screens and something else on others). *Ad hoc* reporting must currently be used to catch and review discrepancies.
- **APASI has very few interfaces with other systems** – A full interface with Public Health for TANF information, is critical, since lack of timely and accurate grant data can create overpayments (for both programs). There is currently no match for Title XIX Medicaid or Title IV Foster Care data. Interface with other agencies such as public utilities or phones service for Locate purposes would also be helpful.

3.3.2 Opportunities for Economies or Efficiencies

The following are representative examples in which a system upgrade could result in increased Program operating efficiency or improved economies of scale, including:

- **Payment receipt information is not automated** – Though a report of EFT payments is provided to CSED staff, Treasury only sends in-house-generated receipts with minimal information for payments it receives by mail or in-person—the majority of payments. CSED does have on-line access to child support Treasury accounts, but a direct interface and access to images of the actual negotiables received (plus other associated information) would speed up and improve the accuracy of posting.
- **APASI is outdated and requires work-arounds to address shortcomings**. It is not user friendly, and most CSED users have had to adapt to the way it works. Eliminating the necessitated work-arounds would permit more staff time for casework and collections. In addition, APASI is not Y2K compliant, which affects batch operations that involve pre-2000 dates.
- **Reporting and Tracking are not automated** – Most standard reports must be manually defined and initiated and data must sometimes be manipulated off-system. For example: to print checks, a system analyst must use both APASI to assign the check number, which must be down-loaded to an Excel spreadsheet for tracking. Fully automated reporting would save time at month end and in many aspects of case and caseload management.
- **APASI does not allow separate protective payees** – When protective payees are assigned, the payee must be shown as the CP and the user cannot separate all cases. An Investigator must make a decision on how to code and how to pay manually, case-by-case at the end of the month. Correcting the payee assignment issue would free up Investigators for more productive activities.

4.0 Project Management Plan

4.1 Planning Team Organization

OAG will charter two teams of OAG/CSED staff to manage the planning phase for the APASI Upgrade Project: the Executive Steering Committee and the APASI Upgrade Project Team. The APASI Upgrade Project Director will report to the Executive Steering Committee and, with the assistance of the Deputy Project Director, will be responsible for overall management of the project, guidance, and day-to-day operations. Subject Matter Experts (SMEs) from the CSED will be integral to the team and provide the business and technical input necessary to project deliverables and delivering the plan needed to acquire the automated support Guam's CSED needs. The Project Director will have broad authority over Project activity, but will coordinate with the IV-D Director for the use of staff time. Section 4.1.3 shows the organizational chart for the APASI Upgrade Project.

The consulting services of two different vendors will be procured for this project:

- A contract will be issued for Quality Assurance and Project Management (QA/PM) services. The QA/PM vendor will report directly to the CSED's Project Director to provide project management support and ensure an independent assessment of system quality. The QA/PM vendor will participate throughout the full lifecycle of the APASI Upgrade Project, from planning through design, development and implementation.
- A contract will be issued for expert and experienced IV-D automation planning services. The vendor will be responsible for facilitating the planning process, assisting in researching available automation alternatives, maintaining project documentation and preparing deliverables. The Planning Vendor will report directly to the APASI Upgrade Project Director. This vendor will not be eligible to bid on the development and implementation phase of the Project.

4.1.1 Executive Steering Committee

The APASI Upgrade Executive Steering Committee consists of high-level State managers and executives representing the stakeholders in the APASI Project. They will provide executive support to the APASI Upgrade project. The Steering Committee will meet at least monthly during the life of the project. The Steering Committee will provide direction to the Project Team as part of its meeting activities.

APASI Upgrade Executive Steering Committee

Organization	Name	Title
Office of the Attorney General	Philip J. Tydingco	Chief Deputy Attorney General
Child Support Enforcement Division (CSED)	Barbara P. Cepeda	Deputy Attorney General, IV-D Director

4.1.2 Key Personnel

Listed below are role/responsibility descriptions of key managers and supervisors assigned to the APASI Upgrade planning project. All personnel working on the planning effort are State

employees and are experienced in their respective disciplines. Additional support personnel will be supplied by CSED, the OAG's Department of Administration, and the Department of Public Health.

APASI Upgrade Key Personnel

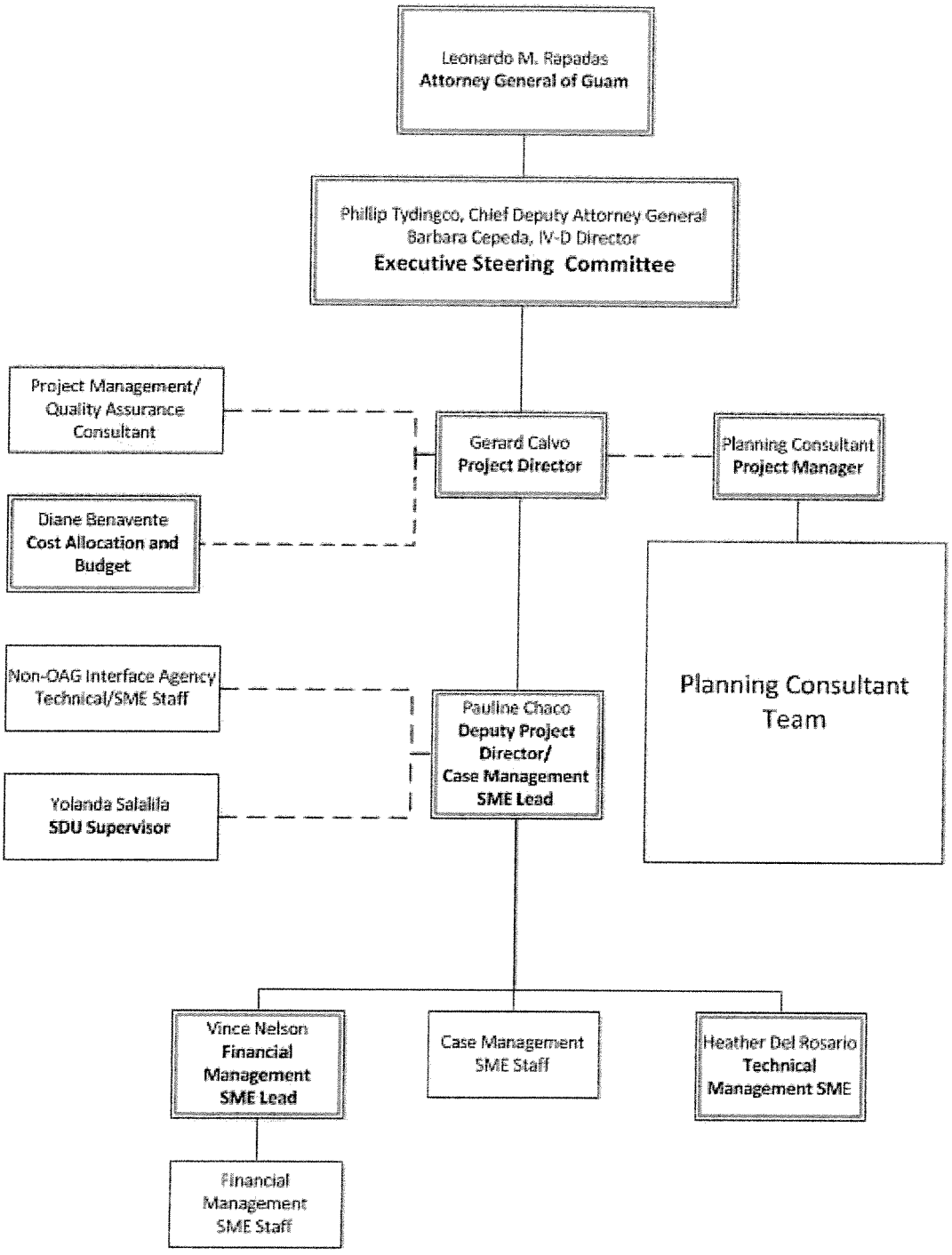
Organization	Name	Title	APASI Upgrade Planning Project Role	Planning Responsibility
Child Support Enforcement Division (CSED)	Barbara Cepeda	Deputy Attorney General, IV-D Director	Project Steering Committee liaison	Project input to the Executive Steering Committee Final delivery signoff
Child Support Enforcement Division (CSED)	Gerard Calvo	Computer Systems Analyst	Project Director	Planning Project Director, IAPD Lead
Child Support Enforcement Division (CSED)	Pauline Chaco	Investigator Supervisor	Deputy Project Director, Case Management SME Coordinator	Deputy Project Director, Case Management SME Lead, Deliverable Review Feasibility Study Lead
Child Support Enforcement Division (CSED)	Heather Del Rosario	Computer Systems Analyst	Technical Management SME Coordinator	Technical Management SME, Deliverable Review, Interface Coordinator, Alternatives Analysis Lead
Child Support Enforcement Division (CSED)	Vince Nelson	Accounting Tech Supervisor	Financial Management SME Coordinator	Financial Management SME Lead, Deliverable Review, Conceptual Design Lead
Child Support Enforcement Division (CSED)	Yolanda Salalila	SDU Supervisor	SDU SME Coordinator	Deliverable Review
Child Support Enforcement Division (CSED)	Diane Benavente	Program Coordinator	Cost Allocation and Budget	Deliverable Review.

4.1.3 Project Organization Chart

The diagram on the following page shows the State's participation on the APASI Upgrade Planning project. This organizational chart also shows the position of the two consulting vendors: the Project Management and Quality Assurance vendor and the Project Planning vendor.

APASI Upgrade Project

Organizational Chart

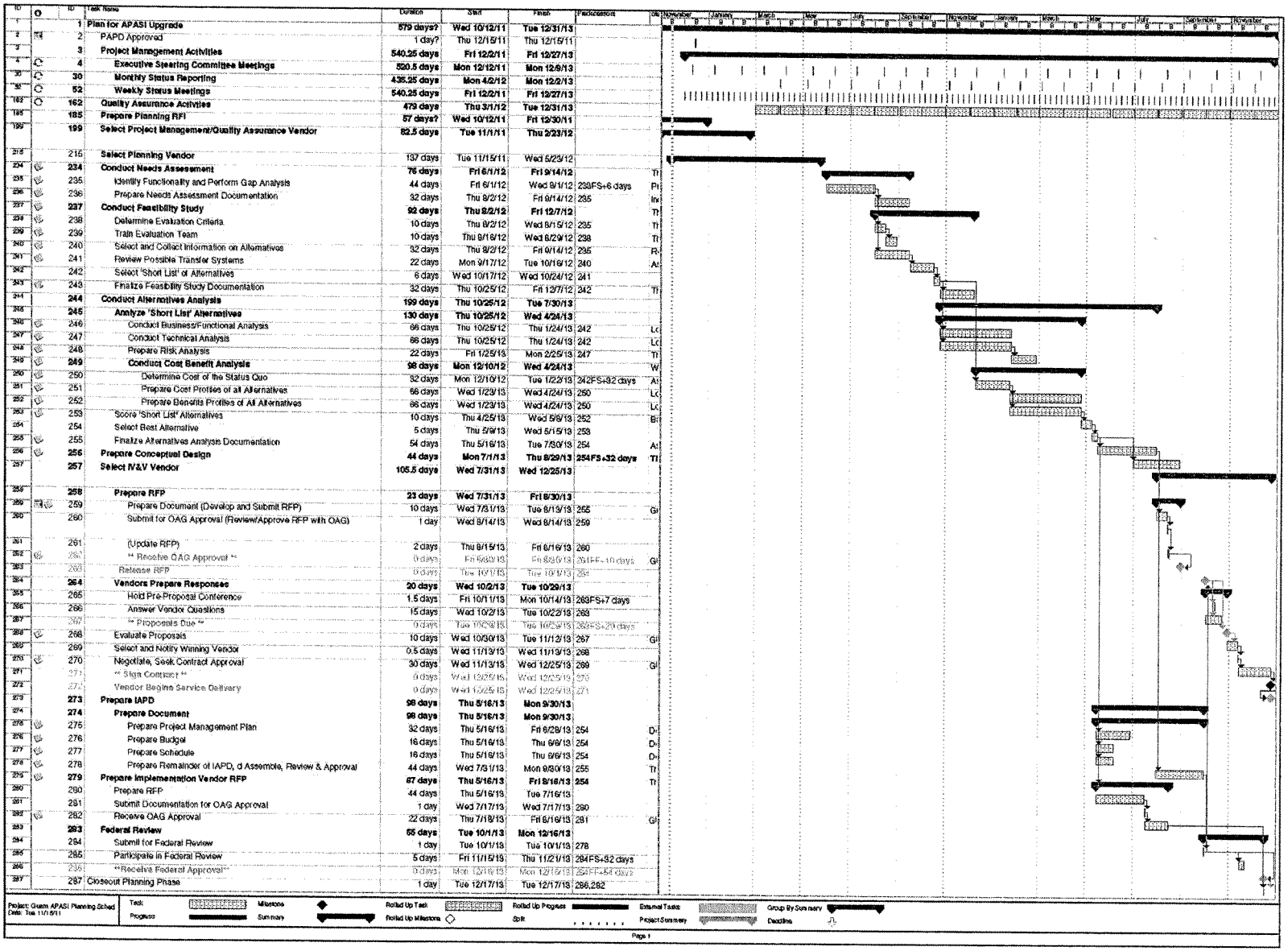


4.2 Planning Activities and Schedule

This section of the Planning Advance Planning Document describes the planning activities to be undertaken for the APASI Upgrade Project, indicates the resources to be committed to the activity, and presents the schedule currently envisioned for the Planning process.

Costs supplied in this section represent approximate total costs (Personnel and Operating) for the activity listed, and include the cost of contracted services.

Work on the Planning Phase is expected to begin in early November 2011 and be completed by late May 2013. A high-level project schedule is presented on the following pages.



ID	Task Name	Duration	Start	Finish	Predecessors
1	**Plan for APASI Upgrade**	**579 days?**	**Wed 10/12/11**	**Tue 12/31/13**	
2	PAPD Approved	1 day?	Thu 12/15/11	Thu 12/15/11	
3	**Project Management Activities**	**540.25 days**	**Fri 12/2/11**	**Fri 12/27/13**	
4	**Executive Steering Committee Meetings**	**520.5 days**	**Mon 12/12/11**	**Mon 12/9/13**	
30	**Monthly Status Reporting**	**435.25 days**	**Mon 4/2/12**	**Mon 12/2/13**	
52	**Weekly Status Meetings**	**540.25 days**	**Fri 12/2/11**	**Fri 12/27/13**	
162	**Quality Assurance Activities**	**479 days**	**Thu 3/1/12**	**Tue 12/31/13**	
185	**Prepare Planning RFI**	**57 days?**	**Wed 10/12/11**	**Fri 12/30/11**	
199	**Select Project Management/Quality Assurance Vendor**	**82.5 days**	**Tue 11/1/11**	**Thu 2/23/12**	
215	**Select Planning Vendor**	137 days	Tue 11/15/11	Wed 5/23/12	
234	**Conduct Needs Assessment**	**76 days**	**Fri 6/1/12**	**Fri 9/14/12**	
235	Identify Functionality and Perform Gap Analysis	44 days	Fri 6/1/12	Wed 8/1/12	233FS+6 days
236	Prepare Needs Assessment Documentation	32 days	Thu 8/2/12	Fri 9/14/12	235
237	**Conduct Feasibility Study**	**92 days**	**Thu 8/2/12**	**Fri 12/7/12**	
238	Determine Evaluation Criteria	10 days	Thu 8/2/12	Wed 8/15/12	235
239	Train Evaluation Team	10 days	Thu 8/16/12	Wed 8/29/12	238
240	Select and Collect Information on Alternatives	32 days	Thu 8/2/12	Fri 9/14/12	235
241	Review Possible Transfer Systems	22 days	Mon 9/17/12	Tue 10/16/12	240
242	Select 'Short List' of Alternatives	6 days	Wed 10/17/12	Wed 10/24/12	241
243	Finalize Feasibility Study Documentation	32 days	Thu 10/25/12	Fri 12/7/12	242
244	**Conduct Alternatives Analysis**	**199 days**	**Thu 10/25/12**	**Tue 7/30/13**	
245	**Analyze 'Short List' Alternatives**	**130 days**	**Thu 10/25/12**	**Wed 4/24/13**	
246	Conduct Business/Functional Analysis	66 days	Thu 10/25/12	Thu 1/24/13	242
247	Conduct Technical Analysis	66 days	Thu 10/25/12	Thu 1/24/13	242
248	Prepare Risk Analysis	22 days	Fri 1/25/13	Mon 2/25/13	247
249	**Conduct Cost Benefit Analysis**	**98 days**	**Mon 12/10/12**	**Wed 4/24/13**	
250	Determine Cost of the Status Quo	32 days	Mon 12/10/12	Tue 1/22/13	242FS+32 days
251	Prepare Cost Profiles of all Alternatives	66 days	Wed 1/23/13	Wed 4/24/13	250
252	Prepare Benefits Profiles of All Alternatives	66 days	Wed 1/23/13	Wed 4/24/13	250
253	Score 'Short List' Alternatives	10 days	Thu 4/25/13	Wed 5/8/13	252
254	Select Best Alternative	5 days	Thu 5/9/13	Wed 5/15/13	253
255	Finalize Alternatives Analysis Documentation	54 days	Thu 5/16/13	Tue 7/30/13	254
256	**Prepare Conceptual Design**	**44 days**	**Mon 7/1/13**	**Thu 8/29/13**	**254FS+32 days**
257	**Select IV&V Vendor**	**105.5 days**	**Wed 7/31/13**	**Wed 12/25/13**	
258	**Prepare RFP**	**23 days**	**Wed 7/31/13**	**Fri 8/30/13**	
259	Prepare Document (Develop and Submit RFP)	10 days	Wed 7/31/13	Tue 8/13/13	255
260	Submit for OAG Approval (Review/Approve RFP with OAG)	1 day	Wed 8/14/13	Wed 8/14/13	259
261	(Update RFP)	2 days	Thu 8/15/13	Fri 8/16/13	260
262	** Receive OAG Approval **	0 days	Fri 8/30/13	Fri 8/30/13	261FF+10 days
263	Release RFP	0 days	Thu 10/1/13	Thu 10/1/13	264
264	**Vendors Prepare Responses**	**20 days**	**Wed 10/2/13**	**Tue 10/29/13**	
265	Hold Pre-Proposal Conference	1.5 days	Fri 10/11/13	Mon 10/14/13	269FS+7 days
266	Answer Vendor Questions	15 days	Wed 10/2/13	Tue 10/22/13	269
267	** Proposals Due **	0 days	Tue 10/29/13	Tue 10/29/13	264FS+20 days
268	Evaluate Proposals	10 days	Wed 10/30/13	Tue 11/12/13	267
269	Select and Notify Winning Vendor	0.5 days	Wed 11/13/13	Wed 11/13/13	268
270	Negotiate, Seek Contract Approval	30 days	Wed 11/13/13	Wed 12/25/13	269
271	** Sign Contract **	0 days	Wed 12/25/13	Wed 12/25/13	270
272	Vendor Begins Service Delivery	0 days	Wed 12/25/13	Wed 12/25/13	271
273	**Prepare IAPD**	**98 days**	**Thu 5/16/13**	**Mon 9/30/13**	
274	**Prepare Document**	**98 days**	**Thu 5/16/13**	**Mon 9/30/13**	
275	Prepare Project Management Plan	32 days	Thu 5/16/13	Fri 6/28/13	254
276	Prepare Budget	16 days	Thu 5/16/13	Thu 6/6/13	254
277	Prepare Schedule	16 days	Thu 5/16/13	Thu 6/6/13	254
278	Prepare Remainder of IAPD, d Assemble, Review & Approval	44 days	Wed 7/31/13	Mon 9/30/13	255
279	**Prepare Implementation Vendor RFP**	**67 days**	**Thu 5/16/13**	**Fri 8/16/13**	**254**
280	Prepare RFP	44 days	Thu 5/16/13	Tue 7/16/13	
281	Submit Documentation for OAG Approval	1 day	Wed 7/17/13	Wed 7/17/13	280
282	Receive OAG Approval	22 days	Thu 7/18/13	Fri 8/16/13	281
283	**Federal Review**	**65 days**	**Tue 10/1/13**	**Mon 12/16/13**	
284	Submit for Federal Review	1 day	Tue 10/1/13	Tue 10/1/13	278
285	Participate in Federal Review	5 days	Fri 11/15/13	Thu 11/21/13	284FS+32 days
286	**Receive Federal Approval**	0 days	Mon 12/16/13	Mon 12/16/13	284FF+54 days
287	Closeout Planning Phase	1 day	Tue 12/17/13	Tue 12/17/13	286,282

4.2.1 Procuring Planning Assistance & Project Management

Guam has determined that it will need vendor assistance for two major portions of the APASI Upgrade Planning Phase:

- Project Management and Quality Assurance (QA) Consulting Services
- Planning Phase Consulting Services

The CSED will release an RFP for Project Management and QA Services. Once the selection is made and the selected vendor has started work, a separate RFP will be released for a vendor to provide planning services, documentation, and support Guam through the Planning Phase. Both of these RFPs will reflect Guam's statutes and rules concerning the acquisition of consulting services.

During the APASI Upgrade Project, project management will be provided from three primary sources: Guam (including the Executive Steering Committee, the Project Director, and the participation of other members of the CSED), services of the Quality Assurance/Project Management (QA/PM) vendor, and the Planning Phase Vendor. Although the summary schedule shows project management officially beginning with the acquisition of QA/PM vendor services, these activities are initiated at the beginning of the Planning phase with the Guam and QA/PM project management activities will continue into the Implementation Phase (Planning vendor project management services will be replaced by Implementation vendor services). For purposes of this document, Planning Phase project management activities are summarized in one task. Please note that only Guam personnel cost totals are shown under Cost in the tables below. For total Planning Phase Costs, please see *Section 5.0 Budget and Cost Allocation*.

Please note that the estimated cost for the Planning Vendor is expected to exceed $1,000,000 ($1,368,000) and Guam will request Federal review of the Planning Vendor RFP and the selection of the Planning Vendor.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Planning Phase Project Management	12/2/2011	12/31/2013	109	1,625	$ 55,000	6,744	$1,063,000
Quality Assurance Services	3/1/2012	12/31/2013	96	0	$ 0	1,773	$ 293,000
Select Project Management/Quality Assurance Vendor	11/01/2011	02/23/2012	16	414	$ 14,000	0	$ 0
Select Planning Vendor	11/15/2011	05/23/2012	27	1,035	$ 35,000	0	$ 0
TOTALS	**N/A**	**N/A**	**N/A**	**3,074**	**$104,000**	**8,517**	**$1,356,000**

4.2.2 Planning Request for Information

At the same time the Project Management/Quality Assurance and the Planning vendors are being selected, Guam will release a Planning Request for Information (RFI). The purpose of the RFI is to gather information about available products and solutions that can be used to address the current and future technology needs of the child support program of Guam and that will help establish realistic system project time frames, and cost projections that will be used to support both the Planning and Implementation Phases of the Project.

It should be noted that the vendor and Guam staff time and cost of this RFI are already included in the project under which this PAPD document has been prepared. For this reason, these amounts are not detailed in this document.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Prepare, Release, and Review Planning RFI	10/12/2011	12/30/2011	11	N/A	N/A	N/A	N/A
TOTAL	**N/A**	**N/A**	**N/A**	N/A	N/A	N/A	N/A

4.2.3 Conducting a Needs Assessment

The first task of the new planning vendor will be to facilitate and document a detailed requirements analysis of the CSED's automated system needs, including a functionality gap analysis. The Needs Assessment Document will include a matrix or database for managing the requirements. This document will be shared with OCSE to obtain feedback.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Identify Functionality and Perform Gap Analysis	6/1/2012	8/1/2012	9	853	$29,000	688	$103,000
Prepare Needs Assessment Documentation	8/2/2012	9/14/2012	6	174	$6,000	256	$ 38,000
TOTALS	**N/A**	**N/A**	**N/A**	**1,027**	**$35,000**	**944**	**$141,000**

4.2.4 Conducting a Feasibility Study

The objective of the Feasibility Study that CSED and its planning vendor will complete is to survey a variety of solutions and make a rough determination of their feasibility in solving Guam's IV-D system needs. The result will be a 'short list' of documented alternatives for further analysis. The Feasibility Study will be shared with OCSE to obtain feedback.

After establishing evaluation criteria and preparing CSED staff for the evaluation process, the APASI Upgrade Planning Phase Team will research the various approaches to the needed upgrade of APASI, including:

- System enhancement
- Transfer of existing functionality already in service in another State
- Replacement of the system utilizing new development
- Some combination of the above strategies
- Additional alternative(s) as submitted by the vendor community as a result of the Planning Request for Information (RFI) process
- Some new alternative suggested by our research

Because of the cost of travel to Guam, the Project may utilize remote demonstrations in reviewing possible system transfers.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Determine Evaluation Criteria	8/2/2012	8/15/2012	2	108	$ 4,000	80	$12,000
Train Evaluation Team	8/16/2012	8/29/2012	2	36	$ 1,000	80	$12,000
Select and Collect Information on Alternatives	8/2/2012	9/14/2012	6	332	$11,000	284	$43,000
Review Possible Transfer Systems	9/17/2012	10/16/2012	4	436	$15,000	88	$13,000
Select 'Short List' of Alternatives	10/17/2012	10/24/2012	1	144	$ 5,000	24	$4,000
Finalize Feasibility Study Documentation	10/25/2012	12/7/2012	6	180	$ 6,000	256	$38,000
TOTALS	**N/A**	**N/A**	**N/A**	**1,236**	**$42,000**	**812**	**$122,000**

4.2.5 Conducting an Alternatives Analysis

Once the APASI Upgrade Planning Phase Team has narrowed down the alternatives to two to four alternatives that appear to best met the Program's needs, it will analyze them to determine the best technical and functional fit for Guam CSED, and analyze the risks involved in proceeding. A full Cost/Benefit Analysis will be made of each 'short list' alternative. Utilizing the pre-determined evaluation criteria, the Team will score each alternative based on the results of the analysis, and select a final candidate with the highest feasibility of success. The Alternatives Analysis document will be shared with OCSE to obtain feedback.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Conduct Business/Functional Analysis	**10/25/2012**	**1/24/2013**	**66**	**329**	**$11,000**	**248**	**$ 37,000**
Conduct Technical Analysis	**10/25/2012**	**1/24/2013**	**66**	**298**	**$10.000**	**248**	**$ 37,000**
Prepare Risk Analysis	**1/25/2013**	**2/25/2013**	**22**	**144**	**$ 5,000**	**88**	**$ 13,000**
Conduct Cost Benefit Analysis	**12/10/2012**	**4/24/2013**	**98**	**510**	**$17,000**	**1,288**	**$193,000**
Determine Cost of the Status Quo	12/10/2012	1/23/2013	32	270	$ 9,000	232	$ 35,000
Prepare Cost Profiles of Alternatives	1/23/2013	4/24/2013	66	120	$ 4,000	528	$ 79,000
Prepare Benefits Profiles of Alternatives	1/23/2013	4/24/2012	66	120	$ 4,000	528	$ 79,000
Score the Alternatives	**4/25/2012**	**5/8/2013**	**10**	**240**	**$ 8,000**	**80**	**$ 12,000**
Select Best Alternative	**5/9/2013**	**5/15/2013**	**5**	**120**	**$ 4,000**	**40**	**$ 6 ,000**
Finalize Alternatives Analysis Documentation	**5/16/2013**	**7/30/2013**	**54**	**198**	**$ 7,000**	**416**	**$ 62,000**
TOTAL	**N/A**	**N/A**	**N/A**	**1,839**	**$62,000**	**2,408**	**$360,000**

4.2.6 Preparing a Conceptual Design

Guam expects the General System design of the selected APASI Upgrade alternative to be an Implementation Phase task, but the development of a guiding Conceptual Design is a critical part of the Planning process.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Develop Conceptual Design Document	7/1/2013	8/29/2013	9	492	$17,000	336	$50,000
TOTAL	**N/A**	**N/A**	**N/A**	**492**	**$17,000**	**336**	**$50,000**

4.2.7 SELECTING AN IV&V VENDOR

Independent Verification and Validation (IV&V) will be an immediate need of the Implementation Phase of the APASI Upgrade Project, and Guam will secure the services of an IV&V vendor during the latter part of the Planning Phase, timing services to begin shortly after federal approval of the IAPD.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Select IV&V Vendor	7/31/2013	12/25/2013	21	654	$22,000	92	$14,000
TOTAL	**N/A**	**N/A**	**N/A**	**654**	**$22,000**	**92**	**$14,000**

4.2.8 PREPARING THE IMPLEMENTATION APD AND IMPLEMENTATION VENDOR RFP

Utilizing the results of the planning activities, the APASI Upgrade Planning Phase Team will prepare an Implementation Advance Planning Document (IAPD) for the APASI Upgrade Project. The document will contain the following material:

- Statement of needs and objectives
- Summary of results of the requirements analysis, feasibility study, and alternatives analysis
- Implementation Phase Project Management Plan
- Proposed Implementation Phase budget
- Prospective Cost Allocation Plan
- Proposed Implementation Phase activity schedule

In addition, an RFP for the acquisition of an Implementation vendor will be prepared. Since these services will undoubtedly exceed the $1,000,000 threshold, the RFP will be provided, along with the IAPD, for Federal review. CSED will participate in the review process, and will make the adjustments deemed necessary. Upon receiving Federal approval, the RFP will be released; a vendor/solution will be selected as a result of the procurement process.

Subtask	Start Date	Stop Date	Weeks	State Hours	State Cost	Vendor Hours	Vendor Cost
Prepare Proposed Implementation Phase Project Management Plan	5/16/2013	6/28/2013	6	90	$ 3,000	256	$ 38,000
Prepare Proposed Implementation Phase Budget & Cost Allocation Plan	5/16/2013	6/6/2013	3	48	$ 2,000	128	$ 19,000
Prepare Proposed Implementation Phase Project Activity Schedule	5/16/2013	6/6/2013	3	36	$ 1,000	128	$ 19,000
Prepare Remainder of IAPD, Assemble, & Review	77/31/2013	9/30/2012	9	260	$12,000	352	$ 53,000
Prepare Implementation Vendor RFP	5/16/2013	8/16/2013	9	594	$20,000	352	$ 53,000
Federal Review and Approval	10/1/2013	12/16/2013	11	246	$ 8,000	40	$ 6,000
TOTAL	**N/A**	**N/A**	**N/A**	**1,274**	**$46,000**	**1,256**	**$188,000**

5.0 Budget and Cost Allocation

This section of the Planning Advance Planning Document describes the following:

- Budget estimate for the Planning Phase of the APASI Upgrade Project
- Guam Cost Allocation Plan
- Source of the Guam's share of total Planning Phase Costs

Guam is requesting federal matching funds at the 66% rate in the amount of $1,804,000 for the preparation of the IAPD and Development Phase vendor RFP. Guam expects to complete the planning activities before the end of the third Quarter of FFY 2013.

5.1 Planning Phase Budget

For the Planning Phase, resulting in the development of the IAPD for the APASI Upgrade Project, OAG/CSED intends to utilize two vendor firms to provide quality assurance and IAPD development services, as described in *Section 4.1 – Project Team Organization*. As indicated in the table below, these consulting services constitute the largest share of Planning Phase expenditures. Existing CSED IT equipment will be used for the Planning Phase.

Please note that for purposes of this document, Guam Overhead for the APASI Upgrade Project is the sum of the rented space charges, supplies and materials, and telephone toll charges attributed solely to the Planning Phase for the Guam staff involved in the Project. System hardware and software and all overhead costs for the vendors will be contained in their loaded hourly rate.

Cost Category	FFY 2012	FFY 2013	FFY 2014	Total
Direct Personnel (Salaries and benefits for planning staff)	$129,000	$167,000	$32,000	$ 328,000
Contractor Services (Planning vendor and other possible private sector service providers)	$624,000	$1,480,000	$126,000	$2,230,000
Subtotal Direct Personnel & Contractor Services (Vendors)	**$753,000**	**$1,647,000**	**$158,000**	**$2,558,000**
System Hardware (Acquisitions for planning purposes contained in vendor loaded rate)	$ 0	$ 0		$ 0
System Software (Acquisitions for planning purposes contained in vendor loaded rate)	$ 0	$ 0		$ 0
Overhead (Space, Supplies & Materials, Equipment, and Telephone Toll directly to planning activities)	$ 25,000	$ 35,000	$ 7,000	$ 67,000
TOTALS	$778,000	$1,682,000	$165,000	$2,625,000

5.2 Planning Phase Cost Allocation

This section describes the existing Cost Allocation Plan for the Government of Guam. Guam does not anticipate the need to modify this plan for the Planning Phase of the APASI Upgrade Project, as the Phase will not involve significant changes in services outside the Office of the Attorney General of Guam. The relatively small amounts of time that staff of other agencies (such as the Department of Public Health) spend participating in the Planning Phase will either be absorbed by the agency or charged directly to CSED activity codes.

In following years, the amount allocated to the CSE program by indirect cost agencies will rise, due to the increase in CSED expenditures for Planning Phase activities. This, however, does not affect the cost allocation methodology and will constitute no change in Guam's Cost Allocation Plan.

5.2.1 Cost Allocation Plan

With respect to the Office of the Attorney General's Child Support Enforcement Division, the Cost Allocation Plan and Indirect Cost Rate Proposal approved for Guam for FFY 2011 – 2012 describes how the costs of various agencies in the Department of Administration, Department of Public Works, and others are allocated to other agencies for whom they provide services. The allocating agencies and their services are described below:

Department of Administration

- Division of Accounts – is responsible for establishing and providing a uniform financial system and controls of organizational units of the government. Its major objective is to provide accurate and timely financial information for effective management in compliance with statutory mandates and requirements. To accomplish this objective, the Division provides services such as: a) systems management and technical support; b) payroll accounting and services; c) appropriation and encumbrance accounting; d) financial reporting; e) record management; f) accounts payable and receivable; g) cash management; h) fixed asset accounting; i) debt service management; j) bank reconciliation, and other accounting services.

- Federal Grants Accounting Division – is responsible for the transactions of various federal grants accounts within the government of Guam. Its major objectives is to establish and promote a uniform financial system and controls for organizational units of the government, as well as provide accurate and timely financial information for effective management in compliance with statutory mandates and requirements.

- Financial Management Division (Treasurer of Guam) – is responsible for receiving, depositing and investing revenues for the government of Guam. It is also responsible for the receipt of cash payments for government services and charges, and the issuance of checks. The Division's major objectives are to: 1) provide a centralized depository system for all funds received and paid on behalf of the Government of Guam; and 2) explore investment opportunities whenever revenues exceed current expenditure requirements to gain interest as an additional revenue income.

- Data Processing Division – is responsible for providing technical and consultation services on computer hardware and application software; design, develop and implement computerized information system for government of Guam departments and agencies. The Division's major objectives are to organize data processing resources to provide efficient and effective services to users and to administer effective and efficient information technology services and resources to the various departments and agencies.

- General Services Agency – is responsible for providing centralized procurement and warehouse activities for the Government of Guam. The Agency's major objective is to allocate limited resources to meet the demands of the Government of Guam departments and agencies by purchasing at the lowest cost possible and providing for the best economic use. The Agency is also responsible for: 1) the acquisition and distribution of Federal Surplus Personal Property donations; 2) the destruction, and/or disposal through public sales of Government of Guam Surplus Personal Property; and 3) the management of the government of Guam records, which include the transfer, receipt, retention and disposition of records.

- Human Resources Division – is responsible for administering an effective and efficient personnel management program for non-autonomous departments and agencies within the Executive Branch in the areas of recruitment, test development and validation, classification and compensation, employee records, employee management relations, and employee benefits and employee assistance. The Division also provides effective training related services to support the efforts to implement sound management and employee performance practices.

Department of Public Works

- Building Maintenance Division – is responsible for providing preventive maintenance services, repairs, modification, renovation, testing and general upkeep of public buildings and facilities with the exception of autonomous and semi-autonomous agencies and those exempted by law. The periodic inspection of government facilities and permanent interior equipment allows maintenance crews to uncover premature conditions that indicate the need for corrective action to prevent major equipment failure or complete facility operation shutdown that may result in costly repairs. The Division performs major construction work on government facilities in the fields of electrical, plumbing, carpentry and masonry.

Bureau of Budget and Management Research

- Budget and Management Division – provides guidelines on organizational methods, policy execution, financial management, and technical assistance to the various agencies and departments. The Bureau is tasked with improving the planning, programming and budgeting abilities of the government, through proper research and recommendation on all aspects of its operations. Additionally, it ensures that all internal accounting and control systems are operated in accordance with policies, procedures and laws. The Bureau also provided advisory guidance to the Governor on policy development, program coordination, planning and budgeting matters.

Civil Service Commission

- The Civil Service Commission is responsible to hear adverse action appeals on employees taken to suspend, demote or dismiss an employee from the classified service if such right to appeal to the Commission is established in the personnel rules governing the employee. The Commission also entertains grievance appeals pursuant to rules and regulations and investigates upon receipt of report on Political Activity involving an employee of the Government.

Retirement Fund

- The Government of Guam Retirement Fund was established in 1951 to provide annuities and other benefits to its members who complete a prescribed number of years in government service. It also provides benefits to the surviving spouse and minor children of deceased employees and retirees. As a result, employees can accumulate reserves for themselves and their families to meet, without prejudice or hardship, the hazards of old age, disability, death and termination of employment.

5.2.2 ALLOCATIONS TO THE CHILD SUPPORT ENFORCEMENT OFFICE

Cost allocation methods differ among the allocating agencies. These differences are shown in the following table, along with the measurement, percentage, and allocation to the Child Support Enforcement Office that have been approved for the current biennium.

Department of Administration Division of Accounts	**Expenditures**	**Percent**	**Allocation**
The Division of Accounts' allowable costs are allocated on the basis of total expenditures by department/agency.	$4,497,417.65	0.61%	$13,759.28
Department of Administration Federal Grants Accounting Division	**Total Accounts Established**	**Percent**	**Allocation**
The Federal Grants Accounting Division's allowable costs are allocated on the basis of the number of federal accounts established by department/agency.	4	1.24%	$2,928.84
Department of Administration Financial Management Division (Treasurer of Guam)	**Expenditures**	**Percent**	**Allocation**
The allowable costs for the Treasurer's Office Guam) are allocated on the basis of the total expenditures, by department/agency.	$4,497,417.65	0.61%	$4,558.22
Department of Administration Data Processing Division	**Expenditures**	**Percent**	**Allocation**
The Data Processing Division's allowable costs are allocated on the basis of total expenditures, by department/ agency.	$4,497,417.65	0.61%	$3,589.10

Department of Administration General Services Agency	**Requisitions Processed**	**Percent**	**Allocation**
The General Services Agency's allowable costs are allocated on the basis of the number of requisitions processed.	27	0.35%	$3,141.52
Department of Administration Human Resources Division	**Number of Employees**	**Percent**	**Allocation**

The Human Resources Division's allowable costs are allocated on the basis of the number of employees by department/agency.	57	0.50%	$9,266.85
Department of Public Works **Building Maintenance Division**	**Total Sq. Footage**	**Percent**	**Allocation**
The Building Maintenance Division's allowable costs are allocated on the basis of square feet of building area maintained by each department/agency.	0	0.00%	$0.00
Bureau of Budget and Management Research **Budget and Management Division**	**Number of Employees**	**Percent**	**Allocation**
The Budget and Management Division's allowable costs are allocated on the basis of the number of employees by department/agency.	57	0.50%	$6,575.00
Civil Service Commission	**Number of Employees**	**Percent**	**Allocation**
The Civil Service Commission's allowable costs are allocated on the basis of the number of employees per department/agency.	57	0.50%	$3,344.84
Retirement Fund	**Number of Contributing Members**	**Percent**	**Allocation**
The Retirement Fund's allowable costs are allocated on the basis of the number of employees contributing to the fund by department/agency.	57	0.53%	$24,082.37

5.2.3 STATE FUNDING SOURCES FOR PLANNING

The OAG/CSED affirms the Guam Legislature's knowledge and approval of the approach and the associated costs for the upgrade of APASI. Guam will fund its share (34% of the total) of the APASI Upgrade Project from its General Fund, to be appropriated specifically to the Project by the Guam Legislature.

6.0 Total Project Cost Projections

Total costs for the entire APASI Upgrade Project, through Implementation, will vary dramatically, depending upon the solution chosen during the Planning Phase. Review of recent awards and experience in other states indicate that variation is considerable:

- Cost of making sufficient modifications to the current APASI to correct problems and modernize functionality might be accomplished for as little as $5,000,000.
- Cost of a simple database and code migration from ADABAS® to a small server platform such as or Java® (or .NET®) could be between $4,000,000 and $10,000,000. Cost of system modifications on the new platform might double that estimate.
- Cost of a full system transfer might cost between $40,000,000 and $60,000,000, but could go much higher.
- Cost of a hybrid approach involving an existing framework solution customized to specific Program needs is uncertain but might range between $15,000,000 and $35,000,000.

For purposes of this document, we are using projections based on higher estimates, allowing for flexibility in the selection of the solution that is right for Guam. Guam will apply for Federal Financial Participation (FFP) at the 66 percent rate for the remainder of the Project implementation costs.

Amounts below include Guam and vendor costs beginning with the contract to produce this document and ending with full implementation of the new upgraded APASI.

Year	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Total
Plan	$111,000*	$778,000	$1,682,000	$165,000	$0		**$2,736,000**
Implement	$0	$0	$0	$6,340,000	$23,111,000	$15,549,000	**$45,000,000**
Total	**$111,000**	**$778,000**	**$1,682,000**	**$6,505,000**	**$23,111,000**	**$15,549,000**	**$47,736,000**

*Cost of the PAPD/RFI development not included in the cost estimates in Section 5.1 Planning Phase Budget.

	Federal Share of Total	State Share of Total
Plan	$1,804,000	$929,000
Implement	$29,700,000	$15,300,000
Total	**$31,504,000**	**$16,229,000**

Sign-In Sheet

Public Hearing on Performance Appraisals and Increments (FY 12)

DOA, BBMR, UOG, GCC, COURTS, GMHA, PDSC, OAG, DOE, OPA

August 7, 2012 - 1:00 pm to 5:00 pm

Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
DORIS FLORES BROOKS		OPA	1 PM
Vincent Dumas		OPA	1PM
John HB Pangelinan		BBMR	1 PM
Barbara Jean T. Perez		Judiciary	1:05 PM
BERNADETTE ON CHARGUAGUAS		PDSC	1:05 p.m.
ANICETO INFANTE		Comm	1:30 pm
Taling Tautano		GDOE	
Jun Fernandez		GDOE	1:30p
Carmen Santos		GCC	1:13pm
Joann Muña		GCC	1:13pm

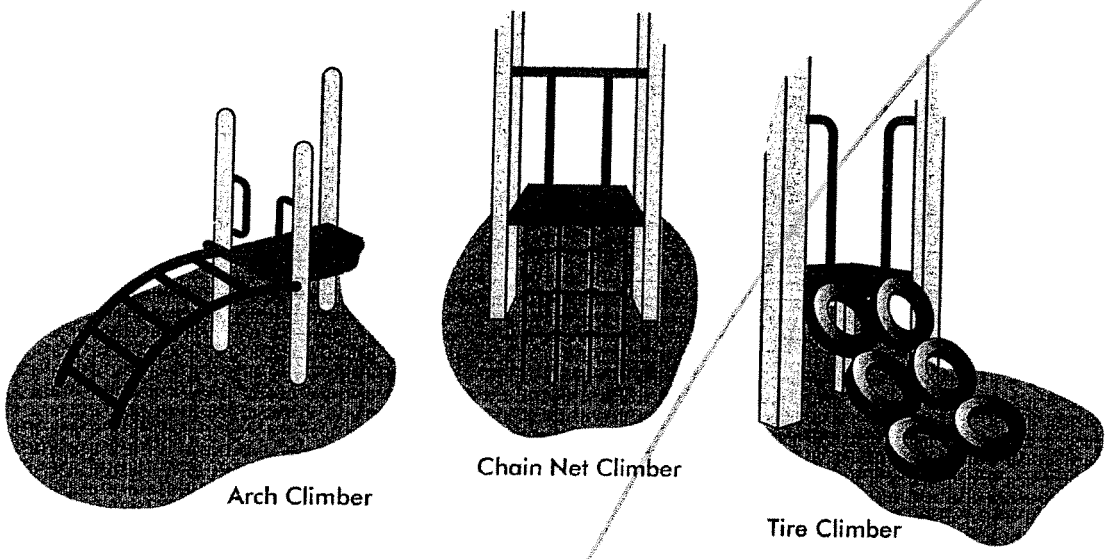


Figure 6. Examples of More Challenging Modes of Access

5.2 Access Methods to Play Equipment

Access to playground equipment can take many forms, such as conventional ramps, stairways with steps, and ladders with steps or rungs. Access may also be by means of climbing components, such as arch climbers, climbing nets, and tire climbers (see Figure 6).

As children develop, they gain better balance and coordination, so it is important to pick appropriate access methods based on the age group. Table 5 shows the most common methods of access and the youngest appropriate age group.

Access to platforms over 6 feet high (except for free-standing slides) should provide an intermediate standing surface so that the child can pause and make a decision to keep going up or find another way down. Children generally master access before egress, that is, they can go up before they can get back down a difficult component. Therefore, if there are more difficult access methods, it is important to have easier components for egress.

Table 5. Methods of access and egress

Method of Access	Challenge Level	Appropriate for
Ramps	Easiest	Toddlers +
Straight stairways	Easy	Toddlers +
Spiral stairways	Moderate	Toddlers* +
Step ladders	Moderate	15 months* +
Rung ladders	Moderate	Preschool* +
Arch climbers	Difficult	Preschool* +
Flexible climbers (nets, tires)	Difficult	Preschool* +

* only if an easy egress method is also provided

Leonardo M. Rapadas
Attorney General

Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

April 2, 2012

LEGAL MEMORANDUM AG No. LEG 11-1218

TO: Honorable Vicente (ben) Cabrera Pangelinan
Senator, 31st Guam Legislature

FROM: Attorney General

Subject: Re: Frozen Salary Step Increases for Government Employees

Dear Senator Pangelinan:

We are in receipt of your letter of December 27, 2011 requesting our legal opinion on the obligation of the government to pay "reinstated" step increases that have been frozen under Executive Order 2011-14. The question is posed whether a freeze just defers the increments or removes the obligation. You also requested a legal opinion on related matter covering the 14% pay raise for teachers on teachers in the compensation plan adopted by the Guam Legislature. [1]

FACTS

On October 12, 2011 the *I Maga'lahen Guåhan para pa'go,* the Acting of Governor of Guam,[2] signed and promulgated Executive Order No. 2011-14, entitled Relative to Freezing Salary Step Increases for All Government of Guam Executive Branch Employees:

[1] We will respond to this on a separate memorandum.

[2] Section 48 U.S.C. § 1422b(a) provides that in the absence of the Governor the Lieutenant Governor has the authority of the Governor. Our investigation has determined that on October 12, 2011 the Governor was in San Francisco on official business related to the rating of bonds issued by the Government of Guam. Thus, in issuing the executive order the Lieutenant Governor had whatever power the Governor had.

287 West O'Brien Drive • Hagåtña, Guam 96910 • USA
(671) 475-3324 • (671) 472-2493(Fax)

> Effective Monday, October 10, 2011 salary step increases for all classified employees and raises for unclassified employees of the Executive Branch shall be frozen and remain in effect until further rescinded.

The preamble of the Order recites an anticipated fiscal year 2011 deficit, defaults in timely vendor payments, retirement contributions, income tax refunds, and grossly underfunded critical services, but no technical data or findings of the Bureau of Budget and Management Research (BBMR) is provided or incorporated into the order. It should be noted that Executive Order 2011-14 does not state that its intent is to remove the obligation to pay at a later time the increments that would arise during the period of suspension nor the authority by which the Governor may do so.

Salary step increases are regular scheduled increases to the base salary that is awarded to public employees whose job performance is rated satisfactory. They are awarded in accordance with Section 6220 of Title 4, Guam Code Annotated. Before each fiscal year each agency computes the total anticipated increment obligation and includes it in its budget request to the Legislature. Total increments become part of the appropriation for regular salaries of the employees of each agency. On September 20, 2011 the budget act for the Government of Guam, fiscal year 2012, became effective. Guam Pub. L. No. 31-77. Among the items for which public funds were appropriated were the regular salaries of the classified employees of the executive branch agencies. Therefore, Public Law 31-77 appropriated funds for payment of the increments that were ordered withheld by Executive Order 2011-14.

The Governor stated that he would have vetoed Public Law 31-77 but signed it "in order avert a government shutdown." His chief criticism was that the overstatement of anticipated revenues that would result in inadequate revenues to pay total obligations. He stated that he would "use [his] executive powers to align expenditures with revenues by holding the line on spending."

In the past both the Governor and the Guam Legislature have frozen pay increments. The only prior gubernatorial increment freeze that we have discovered is Executive Order 75-20, dated April 24, 1975. This executive order denied a step increase to employees of DPW, Highway Division. Guam Public Law No. 13-148:VI:1 (June 25, 1976) restored it. The Governor vetoed this section.

The legislative increment freezes that we have found begin with Guam Public Law No. 23-14:6(e) (May 13, 1995), as amended by Guam Pub. L. No. 23-45 (Oct. 18, 1995). It imposed a non-retroactive freeze from October 1, 1995 to September 30, 1997. It further provided that "[e]ffective October 1, 1997, all salary increments will resume in full force and effect, with no retroactive payment for the period of this freeze."

Beginning with the budget act for fiscal year 2002, in 2001 the Guam Legislature imposed a three-year moratorium on increments:

Pub. L. No.	Section	Description	Freeze Duration
26-035	Chapter IV, § 4(a)	FY 2002 Budget Act	Oct. 1, 2001 to Sept 30, 2002
26-152	Chapter IV, § 4(a)	FY 2003 Budget Act	Oct. 1, 2002 to Sept. 30, 2003
27-029	Chapter V, § 1(a)	FY 2004 Budget Act	Oct. 1, 2003 to Sept. 30, 2004

The language used in these four public laws is uniform: there shall be "a freeze on all salary increments" during a stated period. Unlike Public Law Nos. 23-14 and 23-45, there is nothing in the text, either expressly or by implication, indicating legislative intent respecting the legal consequences of reinstating increments.

In September 2004, the 27th Guam Legislature passed Guam Public Law No. 27-106, the Appropriation Act for fiscal year 2005. Eligible employees of the government were entitled to a single salary increment on October 2004 and multiple salary increments on May 2005. First, "a one-step salary increment shall be uniformly restored to all eligible employees ..." Pub. L. No. 27-106:VI:1(a). Second, "... unexpended lapses [of appropriated funds for the executive branch from the 2004 fiscal year and prior fiscal years] shall be expended as necessary for the payment of the uniform restoration of *all* salary increments due to all Executive Branch government of Guam employees funded by the General Fund pursuant to Subsection (a)." Pub. L. No. 27-106:1(c) (emphasis added). The Department of Administration (DOA) interpreted the three public laws placing the moratorium and the latter two subsections of P.L. 27-106 to mean that increments did not accrue to executive branch employees during the moratorium but P.L. 27-106:VI:1(a) & (b) retroactively restored them, in two phases. Dep't of Admin. Circ. Nos. 05-001 & 05-016 (Oct. 18, 2004 & June 8, 2005, respectively). Regarding retroactivity of payment, DOA Circular 05-016 expressly stated the rule for those who had increment dates during the moratorium: "[a]ll salary adjustments are prospective and not retroactive from the date of promotion," but in fact DOA applied the same non-retroactivity rule respecting payment to all eligible employees.

QUESTION PRESENTED

If and when the Governor of Guam by Executive Order rescinds Executive Order 2011-14, will the government be legally obligated to pay salary step increases that were withheld during the freeze on salaries?

SHORT ANSWER

Under the Organic Act and laws of Guam, the Governor of Guam has the statutory authority to withhold payment of salary step increments that arise during the effective period of his order but he has neither independent nor delegated authority to remove the obligation to pay them.

SELECTED RELEVANT STATUTES AND REGULATIONS

> Every classified employee in Pay Grades A through V shall be entitled to one step salary increment for satisfactory performance. Employees at Steps 1 through 6 shall be entitled to an increment after twelve (12) months of satisfactory performance.

> Employees at Steps 7 through 9 shall be entitled to an increment after eighteen (18) months of satisfactory performance. Employees at Step 10 shall be entitled to an increment equivalent to 3.5% of an employee's based salary after twenty-four (24) months of satisfactory performance; the Director of Administration shall prepare an increment schedule consisting of at least Steps 11 to 20 to implement the 3.5% increment policy.

4 G.C.A. § 6202.

> [The Governor] shall have to power to issue executive orders and regulations not in conflict with any applicable law. ... The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this chapter or under the laws of Guam.

48 U.S.C. § 1422.

> Salary increment increases shall be granted as authorized by law. Pers. R. 6.301(A). Every classified employee shall be entitled to a one step salary increment for satisfying performance, except as otherwise provided by statute. *Id.* 10.008. Freezes on salary increments do not change increment anniversary dates. *Id.* 6.301(C). Employees who are entitled to an increment increase are entitled to receive it according to a schedule based upon the step at which they have if performance is evaluated as satisfactory. *Id.* 6.302.

> (c) The Bureau of Budget and Management Research shall:
>
> ...
>
> (3) *Modify or withhold the planned expenditures at any time during the appropriation period* if the Bureau of Budget and Management Research finds that such expenditures are greater than those necessary to execute the programs at the level authorized by I Maga'lahi (the Governor) and I Liheslatura (the Legislature), *or that the receipts and surpluses will be insufficient to meet the authorized expenditure levels, provided that no planned expenditures necessary to provide every public school student an adequate public education shall be modified or withheld.* 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 determine revenue tracking for every fiscal year based on the actual collections of every preceding month, and prepare monthly Comparative Revenue and Expenditure Analysis Reports that compare the budgeted and actual revenues and departmental program appropriations with expenditures and encumbrances. If revenues are tracking below projected revenues for the year, the Bureau of Budget and Management Research shall adjust

> and sequester an amount of the remaining allotments equal to the percentage of revenues that are below the fiscal year's projected revenues. 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'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* no later than twenty (20) days after the end of each month.

5 G.C.A. § 4109(c)(3).

LEGAL ANALYSIS

It is well settled that a Legislature may change the terms of compensation for public employees at any time, such as suspending pay increments or repealing the law granting them: there is no contractual right to a particular compensation plan. The Organic Act is silent respecting the power of the Governor to change the laws that govern the compensation of government employees. If he has such a power, then it is an implied executive power or one that the Legislature has delegated to him

An understanding of the law that determines the answer to the question should begin with the intent of the executive order and the meaning of the phrase "to freeze ... salary step increases." The act of freezing is "to cause to be fixed and unable to increase" *Black's Law Dictionary* 691 (9th ed.) What is it that is intended to be fixed and unable to increase? In the absence of the executive order the Department of Administration, in accordance with Section 6202, would have increased the salary of each government employee on pre-determined dates if his or her job performance was rated satisfactory. Therefore, it is the salary of each public employee that is the subject of the freeze. The Governor's intent and the end in mind is to keep salaries constant and the means is a directive to the Department of Administration to withhold payment of the increases mandated by Section 6202. The result is that until the rescission of the order all salaries will remain constant and shall not increase. Although the thing that is frozen is total payroll, the term "freeze" will hereafter be used to mean an order to withhold payment of salary step increases.

In our view the Governor of Guam has authority to withhold the payment of step increments but he has no authority to remove the obligation to pay them. In a nutshell, the argument for this conclusion is that entitlement to pay increments for satisfactory job performance was the law when Executive Order 2012-14 was promulgated and has been the law for more than sixty years. See Guam Gov't Code § 4103–4104 (1952). The Governor must faithfully execute the laws, 48 U.S.C. § 1423d, and he may not issue an executive order that is in conflict with a statute, *id.* § 1422.

The Guam Legislature has delegated its authority to the Governor to freeze salaries in the sense that he may order the withholding of increases for a period of time. Under Section 4109 of Title 5 the Director of the Bureau of Budget and Management Research may "withhold ... planned expenditures at any time during the appropriations period ... if receipts ... will be insufficient to meet authorized expenditure levels...." 5 G.C.A. § 4109(c)(3). (Expenditures that are necessary to provide adequate public education are the only

exception.) This provision is part of the laws governing program budgeting and financial management, found at 5 G.C.A. §§ 4101–4121. (In context of the present question, the "authorized expenditure level" appears to be the total authorized expenditures for the executive branch.)

Several preliminary questions are raised by Executive Order 2011-14 read in relation to Section 4109: (1) Does the power of the BBMR Director belong to the Governor?; (2) Before the issuance of the executive order did BBMR make the necessary finding in accordance with Section 4109(c)(3)?; (3) If so, was Executive Order 2011-14 based upon the findings of BBMR?; and (4) does the withholding of a planned expenditure remove a pre-existing obligation to expend money? First, since the BBMR Director is appointed by the Governor and is within the Office of the Governor, we will presume that the Governor in his own office may implement the delegated power. Second, we will presume that BBMR made such a finding or could retroactively make such a finding. There is abundant evidence in the public record and executive materials regarding the shortfalls in revenue. Third, although the executive order did not recite any BBMR finding for support, we will assume that it need not do so if BBMR did or could make the finding and the executive recites such a financial fact, as Executive Order 2011-14 did.

Of course, the fourth question is the question for which you seek legal guidance. The expenditure of money by the executive branch is either optional or a requirement of the law. For example, under Section 4109 the Governor could withhold expenditures for an authorized capital improvement project before any contractual obligation has arisen. But the payment to employees for services rendered is not optional but rather a requirement of the law in effect at the time of the service. The decision to withhold payment of a legal obligation does not remove the obligation; it can only defer payment to a later time unless the obligee waives it, the passage of time bars his power to enforce it, or other reasons. We have found no Guam court that has interpreted or applied Section 4109, but have found five other jurisdictions that have adopted the same statute. From those five jurisdictions only one reported case has been found, *McBean v. Gov't of the State*, 1995 V.I. Lexis 21 (Terr. Ct. St. T. and St. J. 1995), which was an action by public employees of the Virgin Islands challenging the decision of the Governor of the Virgin Islands to rollback pay raises for which monies had been appropriated in an appropriation bill entitled Act 6035. While upholding the rollback based upon the Governor's finding that receipts could not meet authorized expenditures for the fiscal year, the court noted with approval that "[the Governor and the Government of the Virgin Islands] have acknowledged that the Act 6035 salary increases remain an outstanding debt of the Government to its employees and that they will be paid once funds become available." *Id.* at *19.

The power to control the departments of the executive branch does not extend to suspending the compensation laws and annulling statutory obligations to pay. The Guam Supreme Court held in *dicta* that this power includes the power of expenditure. *In re Request of Governor Carl T. C. Gutierrez, Relative to the Organicity and Constitutionality of Public Law 26-35*, 2002 Guam 1, ¶ 38. The court noted with approval a statement from *Opinion of the Justices*, 376 N.E.2d 1217, 1221 (Mass. 1978) to the effect that spending is essentially an executive function that necessarily includes the authority to use discretion in applying its available resources in achieving the purposes and objectives of the law. *Id.* at ¶ 39. In the *Opinion of*

the Justices the court held that the Governor had the authority by way of impoundment to expend less than appropriated amounts. Thus, *In re Request of Governor Gutierrez* is not authority for a power to suspend the compensation laws.

The only other remaining power that we see is the power and duty to refuse payment of a claim for which no appropriation exists. For example, in *Sherwin v. Camacho,* CV 222-10 (Super. Ct. Guam Apr. 22, 2010), the Superior Court denied a petition for a writ compelling the government to pay a 10% pay raise to law enforcement officers, but in that case there was no showing that an appropriation existed from which to pay it. Public funds may not be expended without legislative authorization and an appropriation from which to pay them. 5 G.C.A. § 7103. As noted, there was an appropriation for the pay increments that would arise in fiscal year 2012.

Many state cases are in accord with our analysis of this question and none have been found upholding an executive power to suspend the compensation laws for public employees. Regarding municipal employees it has been held that if the compensation has been properly fixed by law, its recovery may be had irrespective of whether the legislative body of a municipality appropriates a sufficient, or insufficient sum, or nothing, to pay such salaries. *La. Lilley v. City of Shreveport*, 163 So. 722, 723 (La. App. 2d Cir. 1935); *Crowley v. City of Boston*, 173 N.E.2d 647, 649 (Mass. 1961); *Coleman v. Kansas City*, 173 S.W.2d 572, 574 (Mo. 1943); *McEvoy v. Mayor and Council of Borough of Cliffside Park*, 199 A.2d 397, 400 (N.J. Super. L. Div. 1964); *Flike v. Strobel*, 297 N.Y.S. 412, 413 (N.Y. App. Div. 4th Dept. 1937). Regarding state employees it was held that the Governor of Kentucky had no authority to suspend the state compensation laws granting pay increments to public employees. *Baker v. Fletcher*, 204 S.W.3d 589 (Ky. 2006). It should be noted that the Organic Act of Guam is silent with respect to suspensions of laws except for the writ of habeas corpus. 48 U.S.C. § 1421b(l).[2]

[2] The question whether the Legislature has the power to suspend compensation laws retroactively is a question that is not presented by your letter. We do not here suggest the answer, but will note that the Legislature has the power to suspend laws. The Guam Legislature did so retroactively in Public Law No. 27-106. Some state constitutions state expressly that *only* the Legislature may suspend or authorize the suspension of the execution of a law. In one case it was held that the Legislature may retroactively suspend statutes if that is their expressed intent. *Beshear v. Haydon Bridge Co.*, 304 S.W.3d 682 (Ky. 2010).

CONCLUSION

For the foregoing reasons, we conclude that there is no statutory, inherent, or implied executive power in the office of the Governor to freeze pay increments. The Governor may acquire such power only by legislative grant. Section 4109(c)(3) grants this power to the Director of BBMR and thus to the Governor. The Governor may freeze pay increments by executive order. However, the freeze does not remove the obligation, and unless the Legislature removes the obligation by law, frozen increments must be eventually paid, either from existing appropriations that may be lawfully drawn upon or by a new appropriation.

Buenas Yan Saluda!

OFFICE OF THE ATTORNEY GENERAL
Leonardo M. Rapadas, Attorney General of Guam

By: 
MONTY R. MAY
Assistant Attorney General

FY 2012 GENERAL FUND BUDGET v. 10 + 2 PAYROLL EXPENDITURES OF EXECUTIVE AGENCY

LABOR COST DISTRIBUTION DATA
GENERAL FUND

	BUDGET	BBMR FY2012 PROJECTION (10 MONTHS ACTUAL + 2 MONTHS PROJECTED)						
	FY 2012 Total PL 31-75	FY2012 111	112	113	114	115	FY 2012 Total	VARIANCE BUDGET TO ACTUAL
OFFICE OF THE GOVERNOR	$3,232,164	$2,423,188	$0	$738,182	$102,785	$6,374	$3,270,528	($38,364)
COMMISSION ON DECOLONIZATION	$87,146	$110,718	$0	$33,899	$3,704	$79	$148,399	($61,253)
ANCESTRAL LANDS COMMISSION	$168,658	$123,098	$0	$37,590	$10,400	$455	$171,543	($2,886)
GOVERNMENT HOUSE	$480,585	$228,866	$0	$68,945	$1,499	$2,395	$301,705	$178,879
BUREAU OF INFO TECHNOLOGY	$172,570	$96,029	$0	$29,159	$8,054	$237	$133,479	$39,091
MEDICAL REFERRAL OFFICE	$54,470	$39,998	$0	$12,388	$1,683	$152	$54,221	$249
BUREAU OF WOMEN'S AFFAIRS								
GUAM LIAISON OFFICE, WASHINGTON	$144,030							$144,030
OFFICE OF HOMELAND SECURITY								
VETERAN'S AFFAIRS OFFICE	$275,887	$218,424	$0	$66,898	$4,719	$741	$290,782	($14,895)
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN							$0	
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN	$931,622	$542,694	$0	$166,539	$35,760	$1,243	$746,235	$185,386
GUAM STATE CLEARINGHOUSE								
BUDGET & MANAGEMENT	$1,052,679	$695,520	$0	$190,857	$29,290	$1,500	$917,168	$135,511
CIVIL SERVICE COMMISSION	$684,189	$487,310	$0	$149,038	$19,848	$1,187	$657,382	$26,807
DEPARTMENT OF ADMINISTRATION	$6,631,048	$4,605,814	$0	$1,358,945	$241,275	$17,096	$6,223,131	$407,917
DEPARTMENT OF REVENUE & TAXATION	$8,013,725	$5,482,240	($724)	$1,623,805	$483,481	$26,025	$7,614,827	$398,898
BUREAU OF STATISTICS AND PLANS	$1,181,642	$810,461	$0	$242,555	$55,171	$3,753	$1,111,941	$69,701
DEPARTMENT OF PUBLIC WORKS	$9,022,817	$6,556,119	$0	$1,991,640	$484,992	$28,441	$9,061,192	($38,375)
GUAM POLICE DEPARTMENT	$25,264,176	$16,771,331	$1,081,645	$4,634,272	$903,837	$48,420	$23,439,505	$1,824,671
CORRECTIONS	$14,554,630	$9,634,179	$825,211	$2,653,159	$648,182	$29,984	$13,790,715	$763,915
DEPARTMENT OF AGRICULTURE	$2,502,939	$1,622,828	$5,995	$485,286	$89,872	$5,037	$2,209,018	$293,921
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	$4,047,308	$1,884,302	$0	$566,103	$120,409	$6,888	$2,577,702	$1,469,606
GUAM PUBLIC LIBRARY	$1,029,834	$377,320	$0	$115,866	$27,288	$2,209	$522,683	$507,151
DEPARTMENT OF YOUTH AFFAIRS	$3,651,617	$2,433,656	$106,474	$700,685	$164,872	$8,392	$3,414,079	$237,538
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	$4,658,750	$3,254,151	$23,395	$878,880	$192,348	$11,668	$4,360,443	$298,307
DEPARTMENT OF LABOR / AHRD	$942,343	$650,873	$0	$189,407	$29,653	$2,213	$872,146	$70,197
DEPARTMENT OF PARKS AND RECREATION	$2,853,722	$1,645,961	$0	$469,526	$115,065	$7,259	$2,237,811	$615,911
DEPARTMENT OF INTEGRATED SERVICES FOR IN	$509,113	$283,340	$0	$86,164	$12,316	$910	$382,730	$126,383
DEPARTMENT OF LAND MANAGEMENT								
CHIEF MEDICAL EXAMINER - ADMIN	$348,802	$257,296	$0	$78,073	$12,039	$451	$347,859	$943
DEPARTMENT OF CHAMORRO AFFAIRS	$699,723	$756,207	$0	$230,911	$48,952	$3,657	$1,039,726	($340,003)
DEPARTMENT OF MILITARY AFFAIRS	$296,414	$99,834	$0	$30,274	$1,988	$287	$132,383	$164,031
GUAM FIRE DEPARTMENT	$26,910,076	$17,289,610	$2,496,205	$5,219,943	$930,647	$48,213	$25,984,618	$925,457
EDUCATION SURUHANU								
PBS GUAM	$530,562	$266,836	$0	$80,310	$24,526	$1,084	$372,756	$157,806
GUAM COMMISSION FOR EDUCATOR CERTIFICATION (GCEC)	$159,564	$120,933	$0	$36,827	$9,518	$393	$167,671	($8,107)
Grand Total	**$121,092,804**	**$79,769,138**	**$4,538,201**	**$23,166,128**	**$4,814,171**	**$266,742**	**$112,554,380**	**$8,538,424**

SOURCES:
FY2012 DOA FINANCIAL MANAGEMENT SYSTEM (AS400) & BBMR PROJECTIONS FOR AUG & SEP 2012
FY 2012 BUDGETED FROM PL 31-77

Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land
Ph.: (671) 473-4236/7
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FY2012 BUDGETED INCREMENT PAYMENTS

	AMOUNT
OFFICE OF THE GOVERNOR	$0.00
COMMISSION ON DECOLONIZATION	$0.00
ANCESTRAL LANDS COMMISSION	$981.00
MEDICAL REFERRAL OFFICE	$0.00
VETERAN'S AFFAIRS OFFICE	$3,659.00
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN	$0.00
GUAM STATE CLEARINGHOUSE	$0.00
BUREAU OF BUDGET & MANAGEMENT RESEARCH	$7,415.00
CIVIL SERVICE COMMISSION	$7,877.00
DEPARTMENT OF ADMINISTRATION	$43,685.00
DEPARTMENT OF REVENUE & TAXATION	$66,851.60
BUREAU OF STATISTICS AND PLANS	$7,049.00
DEPARTMENT OF PUBLIC WORKS	$82,521.02
GUAM POLICE DEPARTMENT	$125,046.00
DEPARTMENT OF CORRECTIONS	$104,907.79
DEPARTMENT OF AGRICULTURE	$16,718.00
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	$14,675.18
GUAM PUBLIC LIBRARY	$12,853.00
DEPARTMENT OF YOUTH AFFAIRS	$17,926.00
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	$24,102.00
DEPARTMENT OF LABOR / AHRD	$9,435.00
DEPARTMENT OF PARKS AND RECREATION	$27,087.75
DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS	$3,422.00
CHIEF MEDICAL EXAMINER - ADMIN	$1,051.00
DEPARTMENT OF CHAMORRO AFFAIRS	$2,558.00
DEPARTMENT OF MILITARY AFFAIRS	$0.00
GUAM FIRE DEPARTMENT	$125,806.80
PBS GUAM	$4,697.00
GUAM COMMISSION FOR EDUCATOR CERTIFICATION (GCEC)	$0.00
	$710,324.14
GUAM ELECTION COMMISSION	$0.00
GUAM LEGISLATURE	$0.00
ATTORNEY GENERAL OF GUAM	$46,980.71
MAYORS COUNCIL OF GUAM	$1,654.00
UNIFIED JUDICIARY	$178,787.52
DEPARTMENT OF EDUCATION	$1,277,378.00
OFICE OF PUBLIC ACCOUNTABILITY	$9,253.00
GUAM MEMORIAL HOSPITAL	$1,237,949.76
UNIVERSITY OF GUAM	$215,345.00
PUBLIC DEFENDER SERVICE CORPORATION	$36,001.00
GUAM COMMUNITY COLLEGE	$107,077.80
GRAND TOTAL	$3,110,426.79

Sign-In Sheet
SPECIAL ECONOMIC SERVICE Meeting
August 17, 2012 - 4:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Hilbert Perez		BSP	4:00pm
Benita Manglona		DOA	4 pm
KARL PANGELINAN		GEDA	4 PM
GARY Hiles		DOL	4 pm
Debi Phillips		GVB	4:05
Chris Budasi		OFB	4:08
Sen ben c. pangelinan		leg.	
Sen Tina Rose Muña Barnes		Legislature	
John Rios		BBMR	4:08
John Camacho		DRT	4:10

CHAPTER XIV
COST ACCOUNTS
PART II – GOVERNMENT OF GUAM AGENCIES' UTILITY COST ACCOUNTS

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* that the power and water/sewer costs appropriations for Fiscal Year 2012 cover the reasonably expected increases or decreases in power and water/sewer rates utilizing the actual costs, by agency, as submitted by the Guam Power Authority and the Guam Waterworks Authority.

Section 2. Utility Cost Account. There is hereby created a Utility Cost Account. All appropriations to the Utility Cost Account in this Act and subsequent Acts for power and water/sewer of departments or agencies *shall* be released from the Utility Cost Account monthly at the rate of one-twelfth (1/12) of the total appropriation and used *exclusively* by the Department of Administration for payments of utility charges for the specified departments or agencies. The Utility Cost Account *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

Section 3. Agency Expenses Appropriated to Utility Cost Account Administered by the Department of Administration. Funds provided in this Section are hereby appropriated from the General Fund and Special Funds to the Utility Cost Account administered by the Department of Administration as outlined in this Section and further delineated by fund source in Appendix II for each government of Guam agency in Fiscal Year 2012. The appropriations and deposits to the Utility Cost Account *shall* apply to the following departments and agencies for Fiscal Year 2012:

	Power	Water
Ancestral Lands Commission	$4,700	$600
Veteran's Affairs Office	$11,000	$1,032

Government of Guam General Fund Revenue FY 2010 to FY 2013

GENERAL FUND REVENUES	[A] FY 2010 Audited	[B] FY 2011 Audited	[C] FY 2012 REVENUE TRACKING (10 months actual + 2 months projected)	[D] Bill 426-31 FY 2013 Executive Budget Request	[E] Bill 426-31 FY 2013 Executive Budget Request Modified	[F] Change from FY2012 to FY2013
INCOME TAX						
Individual			97,428,691	73,469,937	73,469,937	-24.6%
Corporation			99,973,074	115,700,007	115,700,007	15.7%
Withholding			211,081,860	204,643,469	204,643,469	-3.1%
SUBTOTAL INCOME TAX	**239,251,660**	**282,409,535**	**408,483,625**	**393,813,413**	**393,813,413**	
Gross Receipts Tax	188,621,364	200,047,641	216,867,060	228,751,346	228,751,346	5.5%
Other Taxes	3,490,942	2,549,493	2,578,636	3,847,425	3,847,425	49.2%
Licenses, Fees, and Permits	6,504,000	5,735,762	4,793,772	5,070,909	5,070,909	5.8%
Use of Money and Property	138,000	183,100	3,276,853	808,896	808,896	-75.3%
FEDERAL SOURCES						
Section 30			53,125,949	53,451,519	53,125,949	0.0%
Immigration Fees			1,870,983	0	1,540,992	-17.6%
Other Federal Sources			309,890	0	255,234	-17.6%
SUBTOTAL FEDERAL SOURCES	**44,245,000**	**54,730,485**	**55,306,822**	**53,451,519**	**54,922,175**	**-0.7%**
Department Charges	4,445,000	3,071,018	3,114,742	1,861,714	1,861,714	-40.2%
Section 2718 Funds			6,200,000	7,500,000	7,500,000	21.0%
GRAND TOTAL	**486,695,966**	**548,727,034**	**700,621,510**	**695,105,222**	**696,575,878**	**-0.6%**
Provision for Tax Refunds			**(105,000,000)**	**(100,000,000)**	**(100,000,000)**	-4.8%
Increase/Decrease over previous year	486,695,966	548,727,034 12.7%	595,621,510 8.5%	595,105,222 -0.1%	596,575,878 0.2%	0.2%

NOTES:
Audited numbers exclude DOE revenue and Contributions from component units revenue

Office of Finance and Budget
ofb@guamlegislature.org

ACTC CLAIM REIMBURSEMENTS
BY FISCAL YEAR AND TAX YEAR FILING

Sum of ACTC_REIMB	TAX YEAR							ESTIMATED	Grand
FISCAL YEAR	2005	2006	2007	2008	2009	2010	2011	2012	Total
2006	$794,271								$794,271
2007	$5,161,300	$1,045,693							$6,206,993
2008	$2,253,968	$4,623,428	$1,531,135						$8,408,531
2009	$764,617	$3,179,398	$6,058,969	$2,631,122					$12,634,106
2010	$43,461	$99,205	$922,061	$5,900,000	$2,591,909				$9,556,635
2011	$6,291	$52,653	$620,209	$652,383	$5,233,762	$7,080			$6,572,378
2012	$5,661	$14,978	$37,009	$2,260,012	$7,943,456	$15,751,037	$12,988,881		$39,001,033
Grand Total	$9,029,570	$9,015,355	$9,169,382	$11,443,517	$15,769,126	$15,758,117	$12,988,881		$83,173,949
ACTC Claims by Tax Year	$9,308,855	$9,335,622	$9,888,687	$12,528,486	$16,754,695	$16,393,647	$16,221,473	$16,456,605	$106,888,070
Total Remaining ACTC Claims available for reimbursement 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012	$279,286	$320,267	$719,305	$1,084,968	$985,569	$635,530	$3,232,592	$16,456,605	$23,714,122

Government of Guam General Fund Revenue FY 2010 to FY 2013

	[A]	[B]	[C]	[D]	[E]	[F]
GENERAL FUND REVENUES	**FY 2010 Audited**	**FY 2011 Audited**	**FY 2012 REVENUE TRACKING (9 months actual + 3 months projected)**	**Bill 426-31 FY 2013 Executive Budget Request**	**Bill 426-31 FY 2013 Executive Budget Request Modified**	**Change from FY2012 to FY2013**
INCOME TAX						
Individual			98,259,344	73,469,937	73,469,937	-25.2%
Corporation			100,534,774	115,700,007	115,700,007	15.1%
Withholding			201,079,929	204,643,469	204,643,469	1.8%
SUBTOTAL INCOME TAX	**239,251,660**	**282,409,535**	**399,874,047**	**393,813,413**	**393,813,413**	
Gross Receipts Tax	188,621,364	200,047,641	212,194,720	228,751,346	228,751,346	7.8%
Other Taxes	3,490,942	2,549,493	2,671,612	3,847,425	3,847,425	44.0%
Licenses, Fees, and Permits	6,504,000	5,735,762	4,905,703	5,070,909	5,070,909	3.4%
Use of Money and Property	138,000	183,100	3,366,591	808,896	808,896	-76.0%
FEDERAL SOURCES						
Section 30			53,125,949	53,451,519	53,125,949	0.0%
Immigration Fees			1,666,339	0	1,523,060	-8.6%
Other Federal Sources			298,863	0	273,165	-8.6%
SUBTOTAL FEDERAL SOURCES	**44,245,000**	**54,730,485**	**55,091,151**	**53,451,519**	**54,922,175**	**-0.3%**
Department Charges	4,445,000	3,071,018	3,403,869	1,861,714	1,861,714	-45.3%
Section 2718 Funds			6,200,000	7,500,000	7,500,000	21.0%
GRAND TOTAL	**486,695,966**	**548,727,034**	**687,707,693**	**695,105,222**	**696,575,878**	**1.3%**
Provision for Tax Refunds			**(105,000,000)**	**(100,000,000)**	**(100,000,000)**	-4.8%
Increase/Decrease over previous year	486,695,966	548,727,034 12.7%	582,707,693 6.2%	595,105,222 2.1%	596,575,878 2.4%	2.4%

NOTES:
Audited numbers exclude DOE revenue and Contributions from component units revenue

Office of Finance and Budget
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ACTC CLAIM REIMBURSEMENTS
BY FISCAL YEAR AND TAX YEAR FILING

Sum of ACTC_REIMB	TAX YEAR							ESTIMATED	Grand
FISCAL YEAR	2005	2006	2007	2008	2009	2010	2011	2012	Total
2006	$794,271								$794,271
2007	$5,161,300	$1,045,693							$6,206,993
2008	$2,253,968	$4,623,428	$1,531,135						$8,408,531
2009	$764,617	$3,179,398	$6,058,969	$2,631,122					$12,634,106
2010	$43,461	$99,205	$922,061	$5,900,000	$2,591,909				$9,556,635
2011	$6,291	$52,653	$620,209	$652,383	$5,233,762	$7,080			$6,572,378
2012	$5,661	$14,978	$37,009	$2,260,012	$7,943,456	$15,751,037	$12,988,881		$39,001,033
Grand Total	$9,029,570	$9,015,355	$9,169,382	$11,443,517	$15,769,126	$15,758,117	$12,988,881		$83,173,949
ACTC Claims by Tax Year	$9,308,855	$9,335,622	$9,888,687	$12,528,486	$16,754,695	$16,393,647	$16,221,473	$16,456,605	$106,888,070
Total Remaining ACTC Claims available for reimbursement 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012	$279,286	$320,267	$719,305	$1,084,968	$985,569	$635,530	$3,232,592	$16,456,605	$23,714,122

Office of Finance and Budget
ofb@guamlegislature.org

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan*, the Guam Legislature, adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I. GENERAL FUND REVENUES	**AMOUNT**
A. TAXES	
Income Tax	
Corporate	$115,700,007
Individual	$73,469,937
Withholding Taxes, Interest and Penalties	$204,643,469
Provision for Tax Refund Payments	($100,000,000)
TOTAL INCOME TAXES	**$293,813,413**
Business Privilege Tax	$228,751,346
GMHA Pharmaceutical Fund	
(§26208 of 11 GCA)	($9,150,054)
Tiyan Credit	($4,670,139)
Other Taxes	$3,847,425
TOTAL BUSINESS PRIVILEGE TAX	**$218,778,578**
TOTAL TAXES	**$512,591,991**
B. FEDERAL SOURCES	
Federal Income Tax Collection	
(Section 30 Funds); Immigrant Fees	$54,951,519
Overpayment Reconciliation (3 of 4)	($1,500,000)
TOTAL FEDERAL SOURCES	**$53,451,519**

		C. USE OF MONEY AND PROPERTY	**$808,896**
		D. LICENSES, FEES AND PERMITS	
		Licenses, Fees and Permits	$5,070,909
		Licenses, Fees and Permits (Better Public Service Fund) (Ch. 161 of 11 GCA)	($507,091)
		TOTAL LICENSES, FEES, AND PERMITS	**$4,563,818**
		E. DEPARTMENT CHARGES	**$1,861,714**
		F. SECTION 2718 FUND	**$7,500,000**
		TOTAL GENERAL FUND REVENUE	**$580,777,938**
		2% GENERAL FUND RESERVE	
		(Appropriations Cap of 98% of General Fund Revenue; §22436, Chapter 22 of Title 5 GCA)	($11,615,559)
		TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$569,162,379**
	II.	**SPECIAL FUND REVENUES**	
		A. Air Pollution Control Special Fund	$184,422
		B. Better Public Service Fund	1,390,554
		C. Chamorro Land Trust Operations Fund	1,023,596
		D. Corrections Revolving Fund	855,661
		E. Customs, Agriculture and Quarantine Inspection Services Fund	9,156,099
		F. DPW Building and Design Fund	500,769

Comment [OFB1]: Add in credit of $3,264,296 to account for rent payments for GIAA. C&Q Fund will reflect the net revenue.

G.	Enhanced 911 Emergency Reporting System Fund	1,650,630
H.	Environmental Health Fund	687,441
I.	Fire, Life and Medical Emergency Fund	73,065
J.	Guam Contractors License Board Fund	862,450
K.	Guam Environmental Trust Fund	331,869
L.	Guam Highway Fund (GHF)	18,442,618
	(a) GHF (Better Public Service Fund; Ch. 161 of 11 GCA)	(883,463)
	(b) GHF (Public Transit Fund Fund; §26503 of 11 GCA)	(349,210)
	Total Guam Highway Fund	17,209,945
M.	GMHA Pharmaceuticals Fund	9,150,054
N.	Guam Plant Inspection & Permit Fund	85,412
O.	Public Transit Fund)	349,210
P.	Healthy Futures Fund	14,601,686
Q.	Indirect Cost Fund	1,826,894
R.	Land Survey Revolving Fund	3,227,764
S.	Manpower Development Fund	2,111,624
T.	Police Services Fund	538,858
U.	Professional Engineers, Architects, and Land Surveyors Board Fund	307,282
V.	Public School Library Resources Fund	670,328

Comment [OFB2]: Add in Guam Board of Accountancy $424,100

W.	Public Recreation Services Fund	186,098
X.	Safe Streets Fund	241,000
Y.	School Lunch/Child Nutritional Meal Reimbursement Fund – Federal Sources (100% Federal Grant)	10,069,218
Z.	Solid Waste Operations Fund	19,939,600
AA.	Street Light Fund	3,590,261
AB.	Tax Collection Enhancement Fund	686,717
AC.	Territorial Education Facilities Fund	30,483,566
AD.	Tourist Attraction Fund	23,168,200
AE.	Water Protection Fund	66,461
AF.	Water Research and Development Fund	73,321
	TOTAL SPECIAL FUND REVENUE	**$155,300,055**
III.	**FEDERAL MATCHING GRANTS-IN-AID REVENUES**	
	Federal Grants-In-Aid Requiring Local Match:	
A.	Agriculture	$288,500
B.	Chamorro Affairs	307,500
C.	Guam Community College	1,057,472
D.	Guam Police	726,136
E.	Integrated Services for Individuals with Disabilities	2,992,651
F.	Labor	43,800

Comment [OFB3]: Add DOE School Lunch Program Cash Collections $1,095,090

G. Mental Health and Substance Abuse	225,862	
H. Military Affairs	1,547,700	
I. Office of Attorney General	11,509,528	
J. Public Health and Social Services	26,438,879	Comment [OFB4]: Number will be modified to reflect the updated number according to DPHSS
K. University of Guam	2,943,706	
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE	**$48,081,734**	
REVENUE SUMMARY:		
TOTAL GENERAL FUND REVENUE	**$569,162,379**	
TOTAL SPECIAL FUND REVENUE	**$155,300,055**	
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE	**$48,081,734**	
GRAND TOTAL	**$772,544,168**	

Sign-In Sheet
SPECIAL ECONOMIC SERVICE Meeting
August 3, 2012 - 3:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
KARL PANGELINAN		GEDA	3:15 PM
Anthony BLAZ		DOA	3:15 pm
John Camacho		DRT	3:15 PM
John Kios		BBMR	"
FRANK Cooper-Nurse		OPA	"
Rachel Field	Rachel Field	OPA	"
ben pangelinan		Legislature	"
chris Budasi		OFB	"
Albert Perez		BBMR	"
Debi Phillips		GVB	"
GARY Hiles		DOL	3:00 pm

Special Economic Service Meeting

August 3, 2012 – 3:00pm

I Mina'trentai Unu Na Liheslaturan Guåhan
Public Hearing Room
155 Hesler Place
Hagåtña, Guam 96910

AGENDA

I. Overview on Tourism (Debi Phillips)
   a. Projected FY2012 - 10 months actual + 2 months projected
   b. FY2013 forecast
   c. Report the impact of tourism expenditures on Guam's economy and employment, including projections of tourism expenditures on Guam, on Guam's economic growth, employment, tax revenues, and other variables, for the next year compared with the previous five (5) years; identify significant tourism expenditures or potential expenditures coming into Guam affecting tourism as well as the impact of the changes in these expenditures.
      i. Such information shall be compiled in a report, certified by a majority of the members of the Special Economic Service, and submitted to the Speaker of I Liheslaturan Guåhan

II. Overview on Employment (Gary Hiles)
   a. Projected FY2012 - 10 months actual + 2 months projected
   b. FY2013 forecast/outlook
   c. Report the impact of federal expenditures, including projections of federal expenditures on Guam, on Guam's economic growth, employment, tax revenues, and other variables, for the next year compared with the previous five (5) years; identify significant federal expenditures or potential expenditures on Guam affecting military bases, installations, active duty and retired military personnel within Guam, as well as any impact of the changes in these expenditures.
      i. Such information shall be compiled in a report, certified by a majority of the members of the Special Economic Service, and submitted to the Speaker of I Liheslaturan Guåhan;

Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land
324 West Soledad Avenue
Hagåtña, Guam 96910

Special Economic Service Meeting

August 3, 2012 – 3:00pm

III. Report the long-range forecasts of revenues and expenditures for each of the five (5) years immediately beyond the budget year. (BBMR)

   i. Such information shall be compiled in a report, certified by a majority of the members of the Special Economic Service and submitted to the Speaker of I Liheslaturan Guåhan.

IV. Presentation of FY2013 Provision for Tax Refund Calculations (DRT)

V. New Business

   a. Next meeting date and time

VI. Adjourn

Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land
324 West Soledad Avenue
Hagåtña, Guam 96910

Economic Outlook for Guam

Fiscal Year 2013

Summary

The Guam economy is anticipated to be characterized by continuing stability for FY 2013 without major expansion or contraction. There is the potential for modest expansion as well as exposure to risks which could impair economic performance. Continuation of the recovery in the Japan visitor sector from the March 11, 2011 Japan natural disaster in the latter half of 2011 combined with expansion from other Asian markets resulted in a first quarter Fiscal Year 2012 General Fund revenue increase of 4.8 percent over the first quarter of Fiscal Year 2011. This followed a strong Fiscal Year 2011 closing which showed total revenues up by $44.2 million or 7.7 percent from Fiscal Year 2010. These comparisons are based on gross revenues before provisions for refunds. Revenues, however, remained below budget due to the Japan downturn and delay in defense buildup projects related to relocation of Marines from Okinawa to Guam.

In FY 2013, continued recovery in the Japan tourist sector and expansion in other markets may off-set some of the reductions in federal operational expenditures and defense contracting appropriations anticipated due to budgetary constraints, increasing deficits and political considerations. The amount of such reductions for Guam remains to be seen. The President's FY 2013 federal budget should provide substantial insight when it is introduced early this year but the actual amounts and Guam's share of the sacrifice won't be settled until the Defense Appropriation and other operational budgets are passed later in the year.

In FY 2013 construction activity is expected to remain relatively stable near the levels of the last several years with the annual dollar value of construction in the $500 million range and industry employment about 6,000. While a number of Department of Defense projects related to the Marine relocation projects are on hold, a sufficient number of large projects, federal, local and private, with multi-year construction schedules have already been contracted to ensure continued relatively stable industry activity in FY 2013. Well over a billion dollars in appropriations from the United States and Japan combined are currently available for various buildup related projects and infrastructure. This provides some upside potential for the construction industry and the economy as a whole should issues regarding the buildup in Japan and the United States be resolved permitting at least some of the planned but stalled projects to proceed.

Tourism

The collection of tourism related industries comprise a major share of Guam's economy. These include air and ground transportation, hotels, eating and drinking establishments, retail and services as well other industries and sectors including wholesale trade and government services. As tourism is sensitive to a number of economic and other factors and the economy of Guam is heavily reliant on tourism, the industry volatility can have significant impact on the future outlook.

For the first quarter of FY 2012, Japan visitor arrivals had recovered to pre-tsunami levels, although for the calendar comparison from 2010 to 2011 Japan arrivals were down 7.8 percent. If at least the 2010 level of arrivals is maintained, the annual arrival numbers for Japan visitors for 2012 and 2013 would rise by 7.8 percent from the depressed CY 2011 levels. Guam Visitor Bureau projects the number of visitors to be up by 10.6 percent from FY 2011 to FY 2012, rising to 1.2 million visitors annually. Further expansion beyond the 2010 levels may be possible since 2010 arrivals were weak due to the global financial and economic situation and there has been growth in other markets.

While other tourist markets are relatively small in comparison to Japan, they have shown significant increases. On an annual basis from CY 2010 to CY 2011, in percentage terms, visitors from Korea have increased 10.7, Taiwan 43.3, China 48.0, Australia 23.9 and Hong Kong 29.0 percent.

For FY 2011 the weighted hotel occupancy rate was 70 percent indicating that the industry has the ability to expand measurably in the future with the current hotel capacity in place. Available room capacity increased with the reopening of the Guam Aurora Resort and Spa in December 2011 and is expected to increase further when the Outrigger Bayview Hotel tower, under construction, is completed. The Tumon Bay Shopping Center construction which was well underway may be again proceeding as the Guam Land Use Commission reinstated the project's permits November 10, 2011. The Versace Towers condominium project at Oka Point remains stalled. The industry, which recorded 1,149,978 arrivals in CY 2011, continues to operate well below the 1.4 million visitors accommodated in FY 1997.

Two very recent developments hold promise for the industry; one, the recent approval of admission of Russian visitors with parole authority and two, the President's tourism initiative.

Until January 2011, Russian visitors had to obtain a visa to enter Guam. Despite years of lobbying to include China and Russia in the Guam visa waiver program, the request has not been granted. A visa waiver would reduce the administrative delay and process necessary to book a visit to Guam and subsequently facilitate an increase in the number of visitors. In November 2011, the Department of Homeland Security did grant Guam's request for parole authority for

Russian visitors to enter the island visa free. The number of Russian visitors to Guam in CY 2011 was 632. Natalia Bespalova, general manager of Guam Voyage, a Russian tour agency was quoted in a Pacific Daily News story saying she expects the number to at least triple in the first year. To assess the short term future potential of the Russian market in Guam, a look at the Commonwealth of the Northern Marianas Islands provides some perspective; after decades of promoting the Russian market, Russian tourists account for only one percent of the total arrivals whereas Chinese nationals account for ten percent of the market.

To promote a strategy to increase tourists coming to the United States, President Obama directed the State Department in January 2012 to accelerate its ability to process visas by 40 percent in China and Brazil this year. It is estimated that there are 50 million outbound travelers from Mainland China every year. In a special briefing by the U.S. Department of State, it was indicated that the United States issued more than one million U.S. visas for Chinese applicants during Fiscal Year 2011 which represents a 34 percent increase over last year. The goal is to expand capacity to adjudicate more than 2.2 million visas by 2013; over the next year 50 more processing staff positions will be added in China. Visas are issued to nearly 90 percent of all Chinese applicants. The number of Guam arrivals from Mainland China in CY 2011 was 7,068 without a visa waiver in effect. The numbers could increase further with expedited visa approvals and marketing to the over one million Chinese nationals with existing U.S. travel visas which are good for one year. The Mainland China market would grow even faster if parole authority for visa free entrance or a visa waiver program were implemented. Parole authority to provide visa-free entry is a step in promoting this market. However, it is a discretionary authority which could be revoked, so it may be less conducive to long term investment and development than inclusion in a visa waiver program.

Construction

Two of the best available indicators of future construction activity on Guam are the funds appropriated or planned for such projects and the building permits or construction contracts for them. Federal funds appropriated for military construction on Guam as well as Japan Funds appropriated for U.S. based projects related to relocation of U.S. Marines from Okinawa to Guam are shown in chart 1 below.

Chart 1
APPROPRIATIONS

Fiscal Year (FY):	2007	2008	2009	2010	2011	2012
U.S. DOD Military Construction	192,246	345,000	180,000	737,654	176,030	83,600
Japan - Fiscal Year (JFY)			336,000	500,000	582,000	93,000
Combined:	192,246	345,000	516,000	1,237,654	758,030	176,600

The peak year for appropriations for defense construction projects was 2010 and has subsequently declined in both 2011 and 2012. A number of military buildup projects planned for appropriations in the FY 2012 budget were deleted from the final defense authorization law. The new law does not affect previous military construction appropriations from prior years which remain available.

Since a great deal of the funds appropriated have not yet been contracted, the declining appropriation levels are not yet reflected in declining construction levels but could be in years beyond 2013. Construction activity more closely follows construction contracts and for civilian construction, building permits. The values of these indicators shown in the chart below.

Chart 2
BUILDING PERMITS & CONSTRUCTION CONTRACTS

Calendar Year	2007	2008	2009	2010	2011
Building Permits	305,853	210,295	299,057	184,837	211,097
U. S. Military Construction Contracts	136,747	346,589	148,823	370,413	334,597
Japan Funded Military Contracts					89,720[1]
TOTAL:	442,600	556,884	447,880	555,250	635,414

Note: [1] Budgeted amount. The full amount of MACC indefinite contracts is not recorded in the above figures, only task orders for specific projects.

Based on the dollar value of the combination of projects expected to proceed as indicated by Building Permits and Construction Contracts, construction would be expected to remain relatively steady in FY 2012 and FY 2013. Of course, if issues delaying the projects for which funds have already been appropriated are resolved, construction could increase but probably not tremendously in the FY 2013 timeframe due to the long lead times involved in such major projects getting underway. Also, should a number of the contracted and permitted projects encounter further setbacks, total construction could begin to decline. Timing of the commencement of new projects is also a critical consideration. To maintain current construction levels, projects will need to be well underway soon to replace major projects recently completed including the new sanitary landfill and the new JFK high school.

The Guam Regional Medical City began clearing property for the new Hospital construction project in Dededo this January 2012. Construction is scheduled to begin in April and the construction cost alone is expected to be $150 million with project completion in April 2014. This is believed to be the largest single private sector construction project on Guam since the construction of the Leo Palace Resort in Manenggon Hills, Yona more than a decade ago.

In preparation for the military buildup associated with relocation of Marines from Okinawa to Guam, on March 11, 2010 the Navy awarded six companies each an indefinite delivery,

indefinite-quantity, multiple award construction (MACC) contracts for construction, renovation and maintenance of shore-based facilities on Guam. The combined value for all six contracts is $100 million. The contract contains four options periods, which if exercised, would increase the cumulative contract value to $500 million. Request for proposals for MACC contracts for Japan funded or Mamizu projects initially due December 1, 2010, in the amount of $3 billion dollars have been delayed a number of times. According to amendment 20 to the solicitation by Naval Facilities Engineering Command Pacific, effective September 23, 2011, "the evaluation of offers is temporarily placed on hold and the government will request updated proposals within 180 days or by March 20, 2012." Following the receipt of proposals there will be an evaluation period so the MACC award seems unlikely to be issued until late FY 2012 at the earliest.

A new Defense spending blueprint presented by U.S. Defense Secretary Leon Panetta January 05, 2012 outlines how the Pentagon will adjust its strategy and budgets for the next five years to achieve the first $260 billion in savings towards meeting the goals of the August debt ceiling. It is not yet clear how Guam will be affected by the spending reduction and shifting of resources, however, the Statement on Defense Strategic Guidance states that "we are also rebalancing our global posture and presence, emphasizing the Pacific and the Middle East."

Tax Refund/COLA Bond Disbursement

The revenue impact of the December 2011 release of approximately $198 million for prior years' tax refunds and 16.8 million dollars for cost-of living-allowance payments for Government of Guam retirees has not yet been recognized, for the most part, in the government accounting statements through December 31, 2011 since the additional business activity as the result of these disbursements would be reported on the Business Privilege Tax reports due January 20 for the month of December. Also as a result of this disbursement, a federal reimbursement for tax credits refunded is expected in February 2012 in an amount to exceed $20 million. These extra ordinary receipts should not be factored into the starting point for economic projections for FY 2013 activity. However, an additional bond authorization of $100 million for 2011 tax year refunds could be issued in late FY 2012 or FY 2013 and that could provide an additional revenue source for FY 2013. Legislation requires that the Series B part of the bond requires approval by a local deficit reduction commission which has not occurred to date. Bill No. 423-31, an act to authorize the issuance of bonds for the payment of income tax refunds authorized in P.L. 31-76 as expeditiously as possible and adjust property tax valuations to increase the debt ceiling to permit the implementation of the authority to issue bonds for this purpose was introduced in February.

Federal Expenditures

Federal expenditures and obligations for FY 2010 reached an all-time record high of just over $2 billion divided nearly equally between Defense and Non Defense categories. This occurred primarily due to the combination of record level defense construction contracts related to the relocation of Marines and the construction of a new Naval Hospital, the largest single project in the FY 2010 defense construction appropriations act for Guam. Non Defense spending was also unusually high due to economic stimulus grants. It is nearly certain that the federal funding appropriation and expenditure levels for Guam will decline, from the latest comprehensive figures for FY 2010, in both the Defense and Non Defense categories in FY 2011, FY 2012 and FY 2013. Information from appropriation level reductions particularly for defense construction in FY 2011 and FY 2012 indicate that the magnitude of overall reductions in future federal appropriations or expenditures on Guam will be considerable for these years. The full effect of the cuts may not be felt immediately as some of FY 2010's record high obligations may carry over and become expenditures in subsequent years. Expenditure categories such as retirement benefits and employee wages and benefits are generally subject to less variability than grant and procurement contract categories. During the latest six month period between June 30, 2011 and December 31, 2011, $89.0 million of the $236.8 million in federal economic stimulus funds awarded to the Government of Guam under the American Recovery and Reinvestment Act (ARRA) were obligated or expended. Grant funds recently obligated will initiate economic activity including construction and payments for them in the near future.

Marine Corps Relocation to Guam & Deficit Reduction

An array of projects to support U.S. military plans to prepare to move about 8,000 marines to Guam represent the major source of potential new federal expenditures on Guam. Critical issues in both the U.S. and Japan have relocation projects on hold although other defense construction projects are proceeding. Japan must determine how to proceed with a Marine Corps Air Station Futenma replacement facility over strong public objection. Concerns by U.S. Senators are causing the Department of Defense to review and revise its realignment plans for U.S. forces in the Pacific. Senator McCain commented that "The conference report directs the Secretary of Defense to pause further spending on Guam in support of the relocation of 8,500 United States Marines from Okinawa until Congress has had an ability to examine." He also indicated that "The final agreed-upon provision requires a study to offer views and suggestions from a range of regional experts on current and emerging U.S. national security interests in the Pacific and options for the alignment of realignment of U.S. military forces in the region."

On February 8, 2012 the United States and Japan agreed to proceed with plans to transfer U.S. troops from Okinawa which has been in limbo in part because the transfer was linked to the closure and replacement of the Marine Corps Air Station Futenma. The agreement, however,

nearly halfed the scope of the transfer from 8,500 to 4,700 Marines with the remaining 3,300 rotating among Australia, Hawaii and the Philippines. That agreement cannot proceed until the study required by Congress has been completed and cannot proceed fully until additional funds are appropriated.

The Joint Select Committee on Deficit Reduction, referred to as the Supercommittee, created by the Budget Control Act of 2011, came to the conclusion that it was not possible for them to make any bipartisan agreement on cutting the federal deficit, thus triggering the law's requirement for automatic federal budget cuts in FY 2013. The deficit reduction measures will be split between the national security and domestic arenas. President Obama stated that he will veto any attempt by Congress to cancel the automatic sequester.

The President's budget proposal for 2013 will result in troop cuts of one to two percent for the four services. The budget also proposes $101.9 million in military construction projects for Guam as well as $140 million in utility and other infrastructure projects outside the military bases. If enacted into law as proposed this would approximately triple the FY 2012 level of federal funds appropriated for construction. Given the cuts that were made to last year's budget request and the opposition this year's proposal has received so far, it seems doubtful that the entire request will be authorized. However, Robert Hale, Under Secretary of Defense (comptroller) indicated in briefings about the budget, that a supplemental request might be made as plans for the realignment are solidified. Until such plans are solidified and funds are appropriated for it, the realignment buildup will remain in the indeterminate future. While a major buildup is downsized and again delayed, substantial federal defense infrastructure construction spending which is already appropriated or contracted continues at a level likely to be sufficient to maintain current levels of construction and along with steady visitor arrivals, aggregate economic activity on Guam.

Gary Hiles
Chief Economist
Department of Labor

Note: This Economic Outlook has been updated to reflect the latest events since it was released as a section of the FY 2013 Executive Budget Request in January.

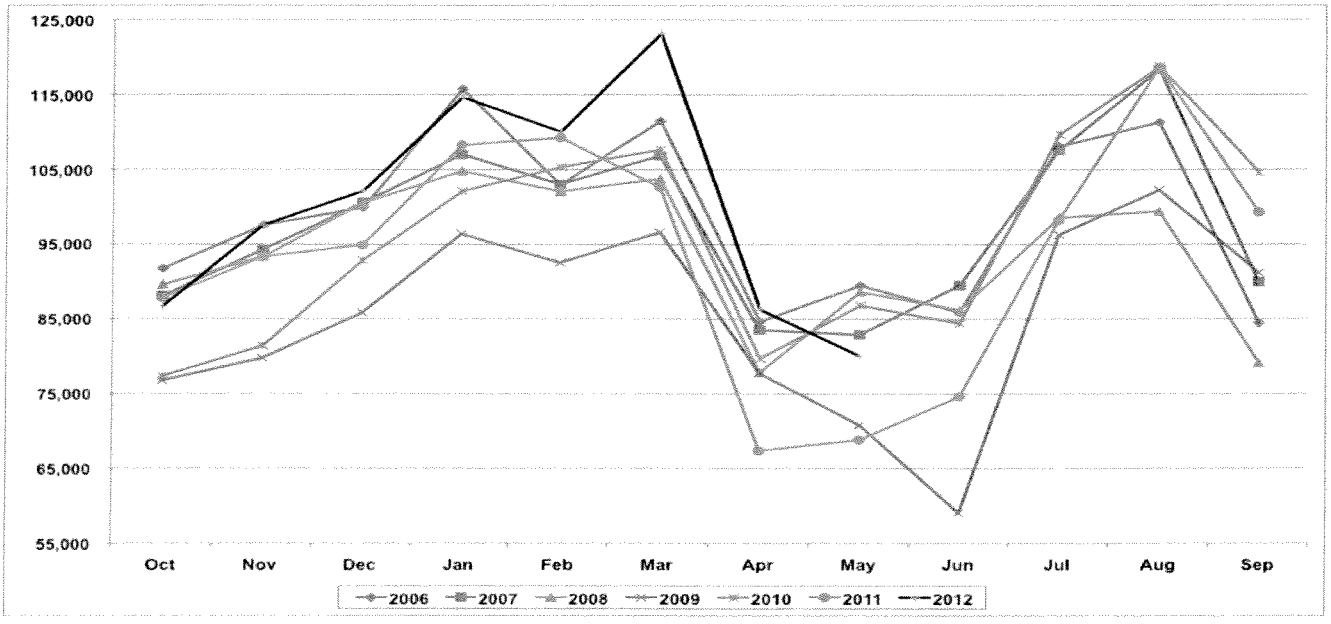
Tourism Sector Review and Outlook

Arrivals during the first, second and third quarters for Fiscal Year 2012 posted +9.1% growth over the same period in 2011 (818,913 vs. 750,634). FY2012 arrivals (October 2011-May 2012) posted an average growth rate of 6.7%.

In comparison to the same period in FY2010 and FY2011, FYTD2012 (Oct 2011-May 2012) arrivals from Japan posted +7.3% (2012 vs. 2011) and +2.2% (2012 vs. 2010) while visitors (2012 vs. 2011) from Korea and Taiwan posted increases of +16.8% and +61.5, respectively. Growth in the smaller markets were led by Hong Kong (+9.7%), Russia (+259.2%), Australia (+15.7%) and China (+43.1%). These four markets alone, which made up just 2.1 of our arrivals mix, grew +29.8% and added 17,021 to the FYTD 2012 visitor count.

ARRIVALS	*Oct-May 2012*	*Oct-May 2011*	*Oct-May 2010*
Japan	*589,120*	*549,186*	*576,594*
Korea	*101,598*	*86,974*	*65,449*
Taiwan	*32,127*	*19,888*	*16,541*
Hong Kong	*6,304*	*5,746*	*3,332*
China	*6,304*	*4,406*	*3,491*
Russia	*1,451*	*404*	*325*
US Mainland/HI	*42,483*	*39,592*	*37,476*
Australia	*2,962*	*2,559*	*1,971*
Philippines	*7,205*	*8,093*	*8,892*
OTHERS	*29,359*	*33,786*	*32,010*
TOTAL OCT-MAY	*818,913*	*750,634*	*746,081*

VISITORS TO GUAM: FY2006-FYTD2012



Japan

Airlift capacity and frequency from Japan has decreased by 9.7% (October 2011-June 2012) in total seats compared to the same period in 2011. Sendai Airport, engulfed by Japan's March 11 tsunami, started receiving lifeline flights on April 13, 2011 after Self- Defense Forces and the U.S. military helped clear uprooted trees, houses and about 5,000 vehicles thrown about by rushing water. In June 2011, domestic flights were allowed followed by the first international charter flight to leave Sendai for Guam on July 25. All regular flight service began on October 2, 2011.

Seat reductions for the period from July to September 2012 are in: Sapporo (310), Tokyo (27,621) and Okayama (155). The seat capacity is expected to increase as demand increases.

Japan's economy is still picking up slowly while difficulties continue to prevail due to the Great East Japan Earthquake. The Japan government stated on July 23, 2012, that the slow recovery is continuing on robust consumer spending and reconstruction after last year's earthquake, but there are signs of slowdown in overseas economies that is spreading and posing risks (Reuters). Japan's economy, the world's third-largest, is set to grow 2.2 percent in the year to next March, according to a Reuters poll of economists, slightly slower than the 2.3 percent pace seen in a similar survey in June.

The continuing obvious challenge for 2012 and beyond is sustaining or growing Guam's share of market while working with our travel industry partners to improve destination yields. This can be done by lengthening visitor stays, attracting more affluent visitors, creating more events or purchasing opportunities, and promoting higher value tours in today's domestic environment.

Korea

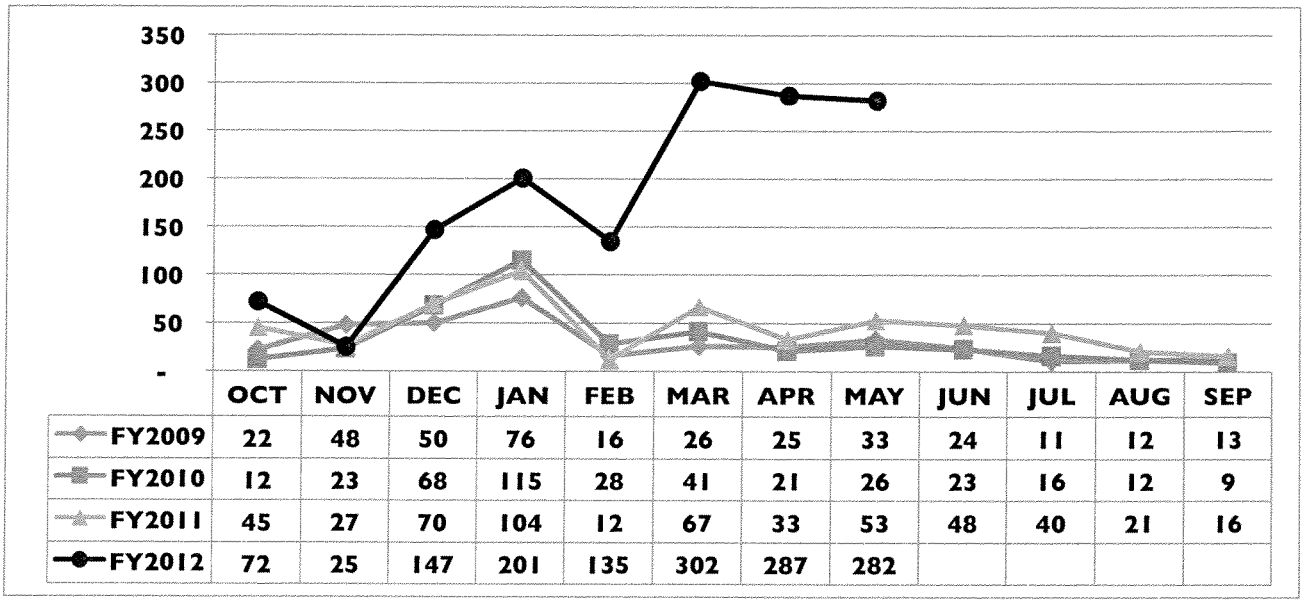
The number of Korean visitors continues to improve, as FYTD (Oct 2011-May 2012) posted a +16.8% increase (101,598 visitors). Visitors from Korea posted growth from October 2011-April 2012 while posting a 9.6% drop in May 2012.

The entry of low cost carrier Jin Air last April heightened Guam's consumer awareness, improved market reach and penetration, and afforded consumer choices not previously available. Jeju Air is planning to launch seven to eleven flights a week (800-737, 186 seats, 1,302-2,046 seats weelkly) from Incheon to Guam starting in late September and initially three flights a week (800-737, 186 seats, 558 seats weekly) from Pusan to Guam in October.

Other Markets

While small in number compared to Japan and Korea, the smaller markets made up 14% of FYTD2011 visitors and gained +4% in additional arrivals. Taiwan (+29.1%), the U.S. -3.6%), Hong Kong (+66.0%), Micronesia (+3.4%), Russia (+29.6%), Australia (+28.9%), and the Philippines (-10.1%) all contributed to the fiscal year to date (October-May) visitor count of 818,913. These markets not only add incremental income to the island, they provide market diversification value and aircraft utilization opportunities. The Department of Homeland Security on November 23, 2011 granted visa parole authority for Russian visitors to come to Guam. Parole authority allows tourists to enter the island on a case-by-case basis, without the need for a visa. The parole allows Russian visitors to stay in the Mariana Islands for up to 45 days total.

RUSSIAN VISITORS TO GUAM



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
FY2009	22	48	50	76	16	26	25	33	24	11	12	13
FY2010	12	23	68	115	28	41	21	26	23	16	12	9
FY2011	45	27	70	104	12	67	33	53	48	40	21	16
FY2012	72	25	147	201	135	302	287	282				

China

China posted a FYTD (Oct-May) increase of 42.8% more visitors (6,213). The 2012 summer charter flight schedule includes 2 flights from Beijing (306 seats) and 3 flights from Shanghai (465 seats). The Chinese National Day flight schedule includes 3 flights from Shanghai (465 seats), while 5 flights (775 seats) are scheduled for the 2013 Chinese New Year. We continue to have a presence in this market in anticipation of a more favorable non-immigrant visa process that awaits a U.S. Department of Homeland Security decision regarding the Visa Waiver Program authorized by P.L. 110-229. Priming this market is an important long-term objective because of the volume and revenue impact it will bring to Guam's future tourism viability. Indeed, a favorable resolution by DHS can very quickly open direct air service and 60,000 Chinese visitors annually within five years.

FY 2012 charter flights from Beijing in July and August will add 310 seats, while flights from Shanghai will add 620 seats. FY2013 charters (October, January, February) will add 1,085 seats.

Outlook

Our original forecast for FY2012 arrivals was 1,286,925 and has since been adjusted slightly lower to 1,228,370 visitors. With year-to date (Oct 2011-June 2012) hotel occupancy tax collections (unaudited) at $18,300.274.06, $24 million in HOT collections for FY2012 is projected.

For FY2013, 1.3 million visitors is projected along with an improvement in hotel average room rates, both of which bode well for an increase in the Tourist Attraction Fund in 2013. On the strength of this increase and firming average room rates, we forecast hotel occupancy tax collections to be $25 million.

FISCAL YEAR PERIOD	ALL VISITORS TO GUAM	LOCAL SPEND	LOCAL SPEND PER PERSON (with 1.75 Multiplier)	FISCAL YEAR HOTEL OCCUPANCY TAXES	JOBS SUSTAINED
2004	1,156,199	$500	$1,011,674,125	$17,653,670	10,054
2005	1,210,147	$650	$1,376,542,213	$18,991,231	10,523
2006	1,217,111	$1,100	$2,342,938,675	$19,572,406	18,870
2007	1,223,290	$1,100	$2,354,833,250	$20,952,407	18,966
2008	1,179,246	$1,100	$2,270,048,550	$21,007,283	18,283
2009	1,053,248	$1,100	$2,027,502,400	$19,045,167	16,329
2010	1,170,857	$1,100	$2,253,899,725	$21,715,569	18,153
2011	1,147,134	$1,100	$2,208,232,950	$23,050,767	17,785
2012	*1,285,126*	*$1,100*	*$2,473,867,550*	*$24,175,003*	*19,924*
2013	*1,300,000*	*$1,100*	*$2,502,500,000*	*$25,000,000*	*20,155*

ASSUMPTIONS:

• 2012~2013: Japan visitors up 8.4% and 5.0%, respectively for FY2012 and FY2013 from previous year with Japan outbound normalizing; improved global economy, growth in emerging China & Russia markets (assuming visa waiver or expedited regional visa processing is in place)

•Local spend estimated to be at $1,100 per person (2005~2010) Guam TSA, April 2012

•Local spending of 64.5 visitors to support one local job

NOTES:

• Avg Room Rate: varies

• Pax in Hotels: varies

• Avg. Stay: 2010 = 3.0 days, 2011 = 3.0 days

• Pax Per Room: 2.5

• Daily room rate: FY2012: 30% at $196, 70% at $110, FY2013: 20% at $198, 80% at $112

• Room inventory (8,844) reflects loss of rooms from Fujita (217), Sotetsu Tropicana (198), Guam Garden Villa (111), Sherwood Resort Guam (335) re-opening as Bellagio Suites & Spa with 170 rooms. Tasi Beach Resort & Spa (owners: Ysrael) 400 rooms - opening 2013

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Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-95	0	0	0
Feb-95	0	0	0
Mar-95	0	0	0
Apr-95	0	0	0
May-95	0	0	0
Jun-95	0	0	0
Jul-95	0	0	0
Aug-95	0	0	0
Sep-95	14,309,000	6,370,000	20,679,000
Oct-95	0	0	0
Nov-95	0	0	0
Dec-95	0	0	0
1995	14,309,000	6,370,000	**20,679,000**
Jan-96	0	0	0
Feb-96	0	0	0
Mar-96	0	0	0
Apr-96	0	0	0
May-96	0	0	0
Jun-96	0	0	0
Jul-96	0	0	0
Aug-96	18,148,345	0	18,148,345
Sep-96	0	0	0
Oct-96	5,640,000	0	5,640,000
Nov-96	0	0	0
Dec-96	7,049,194	0	7,049,194
1996	30,837,539	0	**30,837,539**
Jan-97	0	0	0
Feb-97	0	0	0
Mar-97	0	0	0
Apr-97	8,021,201	0	8,021,201
May-97	7,849,942	0	7,849,942
Jun-97	0	0	0
Jul-97	0	0	0
Aug-97	0	0	0
Sep-97	0	0	0
Oct-97	0	0	0
Nov-97	0	0	0
Dec-97	0	0	0
1997	15,871,143	0	**15,871,143**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-94	0	0	0
Nov-94	0	0	0
Dec-94	8,138,417	0	8,138,417
Jan-95	0	0	0
Feb-95	0	0	0
Mar-95	0	0	0
Apr-95	0	0	0
May-95	0	0	0
Jun-95	0	0	0
Jul-95	0	0	0
Aug-95	0	0	0
Sep-95	14,309,000	6,370,000	20,679,000
1995	22,447,417	6,370,000	**28,817,417**
Oct-95	0	0	0
Nov-95	0	0	0
Dec-95	0	0	0
Jan-96	0	0	0
Feb-96	0	0	0
Mar-96	0	0	0
Apr-96	0	0	0
May-96	0	0	0
Jun-96	0	0	0
Jul-96	0	0	0
Aug-96	18,148,345	0	18,148,345
Sep-96	0	0	0
1996	18,148,345	0	**18,148,345**
Oct-96	5,640,000	0	5,640,000
Nov-96	0	0	0
Dec-96	7,049,194	0	7,049,194
Jan-97	0	0	0
Feb-97	0	0	0
Mar-97	0	0	0
Apr-97	8,021,201	0	8,021,201
May-97	7,849,942	0	7,849,942
Jun-97	0	0	0
Jul-97	0	0	0
Aug-97	0	0	0
Sep-97	0	0	0
1997	28,560,337	0	**28,560,337**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-98	0	0	0
Feb-98	0	0	0
Mar-98	0	0	0
Apr-98	0	11,290,000	11,290,000
May-98	0	0	0
Jun-98	0	0	0
Jul-98	0	0	0
Aug-98	0	7,631,902	7,631,902
Sep-98	0	0	0
Oct-98	0	0	0
Nov-98	0	0	0
Dec-98	0	0	0
1998	0	18,921,902	**18,921,902**
Jan-99	12,464,595	0	12,464,595
Feb-99	0	0	0
Mar-99	0	0	0
Apr-99	11,563,295	0	11,563,295
May-99	0	0	0
Jun-99	0	0	0
Jul-99	0	0	0
Aug-99	0	0	0
Sep-99	0	0	0
Oct-99	0	0	0
Nov-99	38,500,000	0	38,500,000
Dec-99	0	5,246,145	5,246,145
1999	62,527,890	5,246,145	**67,774,035**
Jan-00	0	0	0
Feb-00	0	0	0
Mar-00	5,040,000	0	5,040,000
Apr-00	9,846,800	15,600,000	25,446,800
May-00	15,248,982	0	15,248,982
Jun-00	0	0	0
Jul-00	0	0	0
Aug-00	0	0	0
Sep-00	0	0	0
Oct-00	0	0	0
Nov-00	0	0	0
Dec-00	0	27,488,000	27,488,000
2000	30,135,782	43,088,000	**73,223,782**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-97	0	0	0
Nov-97	0	0	0
Dec-97	0	0	0
Jan-98	0	0	0
Feb-98	0	0	0
Mar-98	0	0	0
Apr-98	0	11,290,000	11,290,000
May-98	0	0	0
Jun-98	0	0	0
Jul-98	0	0	0
Aug-98	0	7,631,902	7,631,902
Sep-98	0	0	0
1998	0	18,921,902	**18,921,902**
Oct-98	0	0	0
Nov-98	0	0	0
Dec-98	0	0	0
Jan-99	12,464,595	0	12,464,595
Feb-99	0	0	0
Mar-99	0	0	0
Apr-99	11,563,295	0	11,563,295
May-99	0	0	0
Jun-99	0	0	0
Jul-99	0	0	0
Aug-99	0	0	0
Sep-99	0	0	0
1999	24,027,890	0	**24,027,890**
Oct-99	0	0	0
Nov-99	38,500,000	0	38,500,000
Dec-99	0	5,246,145	5,246,145
Jan-00	0	0	0
Feb-00	0	0	0
Mar-00	5,040,000	0	5,040,000
Apr-00	9,846,800	15,600,000	25,446,800
May-00	15,248,982	0	15,248,982
Jun-00	0	0	0
Jul-00	0	0	0
Aug-00	0	0	0
Sep-00	0	0	0
2000	68,635,782	20,846,145	**89,481,927**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-01	0	0	0
Feb-01	0	0	0
Mar-01	0	0	0
Apr-01	0	0	0
May-01	0	0	0
Jun-01	0	0	0
Jul-01	0	0	0
Aug-01	0	0	0
Sep-01	0	0	0
Oct-01	0	25,397,761	25,397,761
Nov-01	0	0	0
Dec-01	0	0	0
2001	0	25,397,761	**25,397,761**
Jan-02	0	0	0
Feb-02	0	0	0
Mar-02	0	0	0
Apr-02	0	0	0
May-02	0	0	0
Jun-02	0	0	0
Jul-02	13,487,770	0	13,487,770
Aug-02	0	0	0
Sep-02	24,430,658	0	24,430,658
Oct-02	0	0	0
Nov-02	0	0	0
Dec-02	0	33,500,000	33,500,000
2002	37,918,428	33,500,000	**71,418,428**
Jan-03	19,193,627	0	19,193,627
Feb-03	13,464,000	0	13,464,000
Mar-03	0	0	0
Apr-03	0	5,700,000	5,700,000
May-03	0	0	0
Jun-03	0	15,377,953	15,377,953
Jul-03	0	21,801,156	21,801,156
Aug-03	0	0	0
Sep-03	64,828,067	0	64,828,067
Oct-03	0	0	0
Nov-03	0	0	0
Dec-03	0	0	0
2003	97,485,694	42,879,109	**140,364,803**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-00	0	0	0
Nov-00	0	0	0
Dec-00	0	27,488,000	27,488,000
Jan-01	0	0	0
Feb-01	0	0	0
Mar-01	0	0	0
Apr-01	0	0	0
May-01	0	0	0
Jun-01	0	0	0
Jul-01	0	0	0
Aug-01	0	0	0
Sep-01	0	0	0
2001	0	27,488,000	**27,488,000**
Oct-01	0	25,397,761	25,397,761
Nov-01	0	0	0
Dec-01	0	0	0
Jan-02	0	0	0
Feb-02	0	0	0
Mar-02	0	0	0
Apr-02	0	0	0
May-02	0	0	0
Jun-02	0	0	0
Jul-02	13,487,770	0	13,487,770
Aug-02	0	0	0
Sep-02	24,430,658	0	24,430,658
2002	37,918,428	25,397,761	**63,316,189**
Oct-02	0	0	0
Nov-02	0	0	0
Dec-02	0	33,500,000	33,500,000
Jan-03	19,193,627	0	19,193,627
Feb-03	13,464,000	0	13,464,000
Mar-03	0	0	0
Apr-03	0	5,700,000	5,700,000
May-03	0	0	0
Jun-03	0	15,377,953	15,377,953
Jul-03	0	21,801,156	21,801,156
Aug-03	0	0	0
Sep-03	64,828,067	0	64,828,067
2003	97,485,694	76,379,109	**173,864,803**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-04	0	0	0
Feb-04	0	0	0
Mar-04	15,688,833	0	15,688,833
Apr-04	0	0	0
May-04	0	0	0
Jun-04	0	0	0
Jul-04	0	0	0
Aug-04	22,764,600	0	22,764,600
Sep-04	0	0	0
Oct-04	0	0	0
Nov-04	0	0	0
Dec-04	31,282,531	0	31,282,531
2004	69,735,964	0	**69,735,964**
Jan-05	0	0	0
Feb-05	0	0	0
Mar-05	10,793,000	0	10,793,000
Apr-05	0	0	0
May-05	0	0	0
Jun-05	0	0	0
Jul-05	0	0	0
Aug-05	0	0	0
Sep-05	29,195,000	0	29,195,000
Oct-05	0	0	0
Nov-05	0	0	0
Dec-05	0	0	0
2005	39,988,000	0	**39,988,000**
Jan-06	0	0	0
Feb-06	11,580,422	0	11,580,422
Mar-06	81,338,932	0	81,338,932
Apr-06	0	0	0
May-06	0	0	0
Jun-06		0	0
Jul-06	0	0	0
Aug-06	39,211,970	0	39,211,970
Sep-06	0	35,900,000	35,900,000
Oct-06	0	0	0
Nov-06	0	0	0
Dec-06	0	0	0
2006	132,131,324	35,900,000	**168,031,324**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-03	0	0	0
Nov-03	0	0	0
Dec-03	0	0	0
Jan-04	0	0	0
Feb-04	0	0	0
Mar-04	15,688,833	0	15,688,833
Apr-04	0	0	0
May-04	0	0	0
Jun-04	0	0	0
Jul-04	0	0	0
Aug-04	22,764,600	0	22,764,600
Sep-04	0	0	0
2004	38,453,433	0	**38,453,433**
Oct-04	0	0	0
Nov-04	0	0	0
Dec-04	31,282,531	0	31,282,531
Jan-05	0	0	0
Feb-05	0	0	0
Mar-05	10,793,000	0	10,793,000
Apr-05	0	0	0
May-05	0	0	0
Jun-05	0	0	0
Jul-05	0	0	0
Aug-05	0	0	0
Sep-05	29,195,000	0	29,195,000
2005	71,270,531	0	**71,270,531**
Oct-05	0	0	0
Nov-05	0	0	0
Dec-05	0	0	0
Jan-06	0	0	0
Feb-06	11,580,422	0	11,580,422
Mar-06	81,338,932	0	81,338,932
Apr-06	0	0	0
May-06	0	0	0
Jun-06	0	0	0
Jul-06	0	0	0
Aug-06	39,211,970	0	39,211,970
Sep-06	0	35,900,000	35,900,000
2006	132,131,324	35,900,000	**168,031,324**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-07	0	0	0
Feb-07	0	0	0
Mar-07	0	0	0
Apr-07	52,085,820	42,680,000	94,765,820
May-07	41,981,000	0	41,981,000
Jun-07	0	0	0
Jul-07	0	0	0
Aug-07	0	0	0
Sep-07	0	0	0
Oct-07	0	0	0
Nov-07	0	0	0
Dec-07	0	0	0
2007	94,066,820	42,680,000	**136,746,820**
Jan-08	0	0	0
Feb-08	0	0	0
Mar-08	48,029,000	24,588,717	72,617,717
Apr-08	0	36,239,200	36,239,200
May-08	0	0	0
Jun-08	0	52,687,000	52,687,000
Jul-08	0	0	0
Aug-08	41,956,600	0	41,956,600
Sep-08	0	48,550,331	48,550,331
Oct-08	0	0	0
Nov-08	43,838,018	0	43,838,018
Dec-08	0	0	0
2008	133,823,618	162,065,248	**295,888,866**
Jan-09	0	0	0
Feb-09	0	0	0
Mar-09	0	0	0
Apr-09	0	53,787,000	53,787,000
May-09	18,108,971	0	18,108,971
Jun-09	50,000,000	0	50,000,000
Jul-09	0	0	0
Aug-09	13,892,789	0	13,892,789
Sep-09	0	13,034,000	13,034,000
Oct-09	0	0	0
Nov-09	0	0	0
Dec-09	0	0	0
2009	82,001,760	66,821,000	**148,822,760**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-06	0	0	0
Nov-06	0	0	0
Dec-06	0	0	0
Jan-07	0	0	0
Feb-07	0	0	0
Mar-07	0	0	0
Apr-07	52,085,820	42,680,000	94,765,820
May-07	41,981,000	0	41,981,000
Jun-07	0	0	0
Jul-07	0	0	0
Aug-07	0	0	0
Sep-07	0	0	0
2007	94,066,820	42,680,000	**136,746,820**
Oct-07	0	0	0
Nov-07	0	0	0
Dec-07	0	0	0
Jan-08	0	0	0
Feb-08	0	0	0
Mar-08	48,029,000	24,588,717	72,617,717
Apr-08	0	36,239,200	36,239,200
May-08	0	0	0
Jun-08	0	52,687,000	52,687,000
Jul-08	0	0	0
Aug-08	41,956,600	0	41,956,600
Sep-08	0	48,550,331	48,550,331
2008	89,985,600	162,065,248	**252,050,848**
Oct-08	0	0	0
Nov-08	43,838,018	0	43,838,018
Dec-08	0	0	0
Jan-09	0	0	0
Feb-09	0	0	0
Mar-09	0	0	0
Apr-09	0	53,787,000	53,787,000
May-09	18,108,971	0	18,108,971
Jun-09	50,000,000	0	50,000,000
Jul-09	0	0	0
Aug-09	13,892,789	0	13,892,789
Sep-09	0	13,034,000	13,034,000
2009	125,839,778	66,821,000	**192,660,778**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals
Jan-10	0	0	0
Feb-10	0	0	0
Mar-10	0	52,740,248	52,740,248
Apr-10	0	0	0
May-10	0	18,724,000	18,724,000
Jun-10	0	33,681,000	33,681,000
Jul-10	0	6,607,000	6,607,000
Aug-10	0	0	0
Sep-10	7,305,846	251,354,635	258,660,481
Oct-10	0	0	0
Nov-10	0	0	0
Dec-10	0	0	0
2010	7,305,846	363,106,883	**370,412,729**
Jan-11	0	0	0
Feb-11	0	0	0
Mar-11	0	0	0
Apr-11	9,121,560	73,177,000	82,298,560
May-11	0	0	0
Jun-11	82,548,088	44,666,000	127,214,088
Jul-11	0	9,582,000	9,582,000
Aug-11	0	0	0
Sep-11	0	25,502,681	25,502,681
Oct-11	0	0	0
Nov-11	0	0	0
Dec-11	0	0	0
2011	91,669,648	152,927,681	**244,597,329**
Jan-12	0	0	0
Feb-12	0	0	0
Mar-12	7,363,353	0	7,363,353
Apr-12	10,172,938	25,757,172	35,930,110
May-12	0	0	0
Jun-12	30,047,253	0	30,047,253
Jul-12	0	35,218,634	35,218,634
Aug-12	0	0	0
Sep-12	0	0	0
Oct-12	0	0	0
Nov-12	0	0	0
Dec-12	0	0	0
2012	47,583,544	60,975,806	**108,559,350**

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals
Oct-09	0	0	0
Nov-09	0	0	0
Dec-09	0	0	0
Jan-10	0	0	0
Feb-10	0	0	0
Mar-10	0	52,740,248	52,740,248
Apr-10	0	0	0
May-10	0	18,724,000	18,724,000
Jun-10	0	33,681,000	33,681,000
Jul-10	0	6,607,000	6,607,000
Aug-10	0	0	0
Sep-10	7,305,846	251,354,635	258,660,481
2010	7,305,846	363,106,883	**370,412,729**
Oct-10	0	0	0
Nov-10	0	0	0
Dec-10	0	0	0
Jan-11	0	0	0
Feb-11	0	0	0
Mar-11	0	0	0
Apr-11	9,121,560	73,177,000	82,298,560
May-11	0	0	0
Jun-11	82,548,088	44,666,000	127,214,088
Jul-11	0	9,582,000	9,582,000
Aug-11	0	0	0
Sep-11	0	25,502,681	25,502,681
2011	91,669,648	152,927,681	**244,597,329**
Oct-11	0	0	0
Nov-11	0	0	0
Dec-11	0	0	0
Jan-12	0	0	0
Feb-12	0	0	0
Mar-12	7,363,353	0	7,363,353
Apr-12	10,172,938	25,757,172	35,930,110
May-12	0	0	0
Jun-12	30,047,253	0	30,047,253
Jul-12	0	35,218,634	35,218,634
Aug-12	0	0	0
Sep-12	0	0	0
2012	47,583,544	60,975,806	**108,559,350**

Guam Department of Labor, Bureau of Labor Statistics

Source: Department of Defense Contracts Archive

Individual Contract Amounts of $5 Million plus - 1994 to 2012 Released: July 31, 2012

Construction

Calendar Year

Month/Year	Local Based Companies	Off-Island Companies	CY Totals

Fiscal Year

Month/Year	Local Based Companies	Off-Island Companies	FY Totals

Note 1: A $4,000,000,000 multiple award construction contract was awarded on May 11, 2010 consisting of seven contracts to seven different companies;
May figures reflect the amount awarded for **Task Order 0001** in Guam. Original total contract dollar value was $23,405,000 - with 80% of all work on contract to be performed in Guam and total dollar value shown prorated accordingly.
Task Order 0002 was awarded on September 29 and 30, 2010 respectively in the amounts of $7,223,135 and $85,999,000.
Task Order JQ01 was awarded on April 6, 2011 and June 28, 2012 in the amounts of $73,177,000 and $30,047,253 respectively.

Note 2: A $100,000,000 multiple award construction contract was awarded on Aug 5, 2010 to six different companies;
Aug figures *do not* reflect the amount awarded for Task Order 0001 in Guam. Original total contract dollar value was $188,141.
Task Order 0002 was awarded on April 6, 2011 in the amount of $9,121,560.
Task Order 0003 was awarded on July 28, 2011, April 20 and 27, 2012 in the amounts of $9,582,000; $6,739,442; and $9,49,730.
Task Order 0004 was awarded on September 1 and 12, 2011 in the amounts of $16,875,681 and $8,627,000 respectively.
Task Order 0005 was awarded on March 30, 2012 in the amount of $7,363,353.
Task Order 0006 was awarded on April 27, 2012 in the amount of $10,172,938.
Task Order 0009 was awarded on April 26, 2012 in the amount of $9,527,000.

Department of Labor
Bureau of Labor Statistics
Government of Guam

SUMMARY

BUILDING AND CONSTRUCTION PERMITS (Thousands of Dollars)
FY 1996 - 2012
Source: Department of Public Works, Government of Guam
Revised: April 6, 2012

Type of Construction	FY 2012		FY 2011		FY 2010		FY 2009		FY 2008		FY 2007		FY 2006		FY 2005		FY 2004		FY 2003		FY 2002		FY 2001		FY 2000	
	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value
Residential	106	19,063	199	40,455	371	60,808	287	42,404	357	62,637	323	91,054	300	59,289	273	36,943	240	26,444	387	31,717	195	18,953	249	22,734	402	38,475
	39	1,807	110	4,444	127	6,239	161	8,015	167	7,052	130	5,556	121	4,466	147	6,940	278	9,936	644	23,857	127	4,391	105	3,884	121	4,419
Apartments and	1	1,350	6	15,670	5	28,494	1	3,500	6	3,170	5	4,947	2	3,750	1	392	2	858	1	203	1	250	1	212	4	2,350
Dormitories	3	255	1	13	0	0	5	2,553	4	10,190	13	837	5	343	1	135	4	164	1	179	5	613	4	158	1	66
Hotel	1	750	0	0	0	0	0	0	0	0	3	52,460	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	1	80	3	934	1	200	0	0	8	3,070	7	3,365	8	6,760	9	1,705	1	6,000	7	2,314	5	13,124	1	2,565	7	6,243
Condominiums	0	0	0	0	1	76,500	1	680	2	22,200	3	7,180	2	3,500	0	0	0	0	1	776	0	0	0	0	2	9,666
	0	0	1	848	1	37	2	495	6	217	1	30	1	49	3	2,750	3	1,169	2	100	6	869	11	12,688	0	0
Commercial	18	12,464	10	9,611	14	5,592	16	31,740	9	5,786	15	24,026	16	9,257	7	8,948	16	15,772	9	3,060	8	2,608	12	24,229	14	8,447
	21	4,843	88	8,694	51	7,258	69	13,077	84	11,208	90	9,951	98	25,065	79	15,115	108	11,464	96	18,873	55	4,939	101	9,534	91	14,616
Industrial	2	9,496	0	0	4	1,879	3	20,600	1	750	0	0	1	90	0	0	2	3,210	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	1	210	0	0	0	0	0	0	0	0	1	289	0	0	0	0
Religious and	2	202	2	1,136	0	0	0	0	2	1,330	2	2,797	6	7,622	5	5,638	2	3,201	1	1,000	4	2,282	5	2,231	0	0
Non-Profit	0	0	2	417	1	50	3	377	0	0	0	0	0	0	4	980	3	551	5	2,836	3	296	1	250	3	421
Other	5	1,790	5	11,559	2	45	2	2,430	4	6,641	8	45,918	2	1,877	3	1,117	6	5,304	7	2,841	0	0	0	0	0	0
	0	0	6	2,570	3	695	3	597	6	290	5	2,077	1	230	2	486	0	0	1	500	0	0	0	0	0	0
Government of Guam	36	18,330	63	84,236	53	76,487	61	116,268	78	55,298	88	38,943	118	61,116	158	58,764	92	20,537	26	19,023	44	30,302	61	44,461	79	33,787
Miscellaneous	265	5,037	440	36,206	478	14,465	501	19,735	633	20,456	600	30,630	516	11,965	515	25,159	592	16,097	388	13,235	349	9,984	531	33,283	554	33,753
Total	500	75,467	936	216,794	1,112	278,749	1,115	262,471	1,367	210,295	1,294	319,981	1,197	195,379	1,207	165,072	1,349	120,707	1,576	120,514	803	88,900	1,082	156,229	1,278	152,243

N= New A = Addition

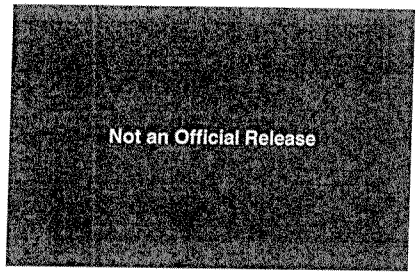
NOTE: FY 2012 DATA - October 2011 to March 2012.

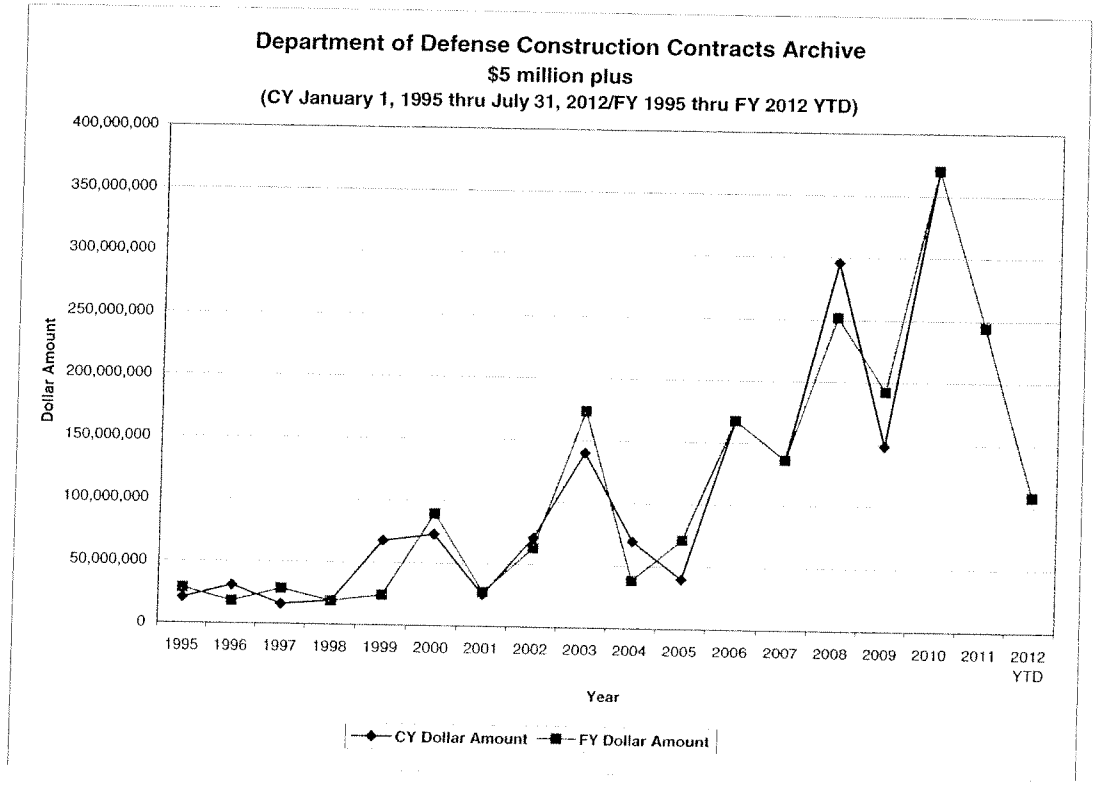
Department of Defense Construction Contracts Archive

Individual Contract Amounts of $5 Million plus

Year	CY Dollar Amount	FY Dollar Amount
1995	20,679,000	28,817,417
1996	30,837,539	18,148,345
1997	15,871,143	28,560,337
1998	18,921,902	18,921,902
1999	67,774,035	24,027,890
2000	73,223,782	89,481,927
2001	25,397,761	27,488,000
2002	71,418,428	63,316,189
2003	140,364,803	173,864,803
2004	69,735,964	38,453,433
2005	39,988,000	71,270,531
2006	168,031,324	168,031,324
2007	136,746,820	136,746,820
2008	295,888,866	252,050,848
2009	148,822,760	192,660,778
2010	370,412,729	370,412,729
2011	244,597,329	244,597,329
2012 YTD	108,559,350	108,559,350

Source: U.S. Department of Defense Website





Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013		***Covers tax years 2011/2012***	
2008 Total Individual Refunds	**	$ 96,811,326	
2009 Total Individual Refunds	**	$ 114,000,000	
2010 Total Individual Refunds	**	$ 113,500,000	
Total Individual Refunds		$ 324,311,326	
Average Individual Annual Refunds			$ 108,103,775
2008 Total Corporate Refunds		$ 4,238,173	
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 112,341,948
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 116,691,948
PROVISION FOR REFUNDS PER BUDGET FOR FY 2013			116,691,948

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013		***Covers tax years 2011/2012***	
2008 Total Individual Refunds	**	$ 96,811,326	
2009 Total Individual Refunds	**	$ 101,161,326	
2010 Total Individual Refunds	**	$ 105,511,326	
Total Individual Refunds		$ 303,483,978	
Average Individual Annual Refunds			$ 101,161,326
2008 Total Corporate Refunds		$ 4,238,173	
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 105,399,499
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 109,749,499
PROVISION FOR REFUNDS PER BUDGET FOR FY 2013			109,749,499

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013		***Covers tax years 2011/2012***	
2008 Total Individual Refunds	**	$ 96,811,326	
2009 Total Individual Refunds	**	$ 89,000,000	
2010 Total Individual Refunds	**	$ 88,500,000	
Total Individual Refunds		$ 274,311,326	
Average Individual Annual Refunds			$ 91,437,109
2008 Total Corporate Refunds		$ 4,238,173	
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 95,675,281
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 100,025,281
PROVISION FOR REFUNDS PER BUDGET FOR FY 2013			100,000,000

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

General Fund
Statement of Revenues, Expenditures
& Changes in Fund Balance
June 30, 2012

	Per 401
REVENUES:	
Taxes	381,940,933.20
Licenses, fees & permits	3,973,849.10
Use of money & properties	2,796,180.28
Federal contributions	41,409,608.89
Other	1,111,381.09
Suspense	0.00
Total Revenues	431,231,952.56
EXPENDITURES:	
General government	22,666,776.79
Protection of Life & property	56,734,718.96
Public health	11,488,430.51
Community service	6,508,999.22
Recreation	1,665,988.35
Individual & collective rights	7,686,666.18
Transportation	0.00
Education	137,298,369.70
Protection of environment & res	0.00
Economic development	2,417,493.82
Transfer to persons	56,184.82
Capital projects	0.00
Interest (Debt Service)	28,583,155.89
Principal	3,405,000.00
Z & X reimburseable expense	0.00
Total Expenditures	278,511,784.24
REVENUE OVER(UNDER) EXPENDITURES	152,720,168.32
OTHER SOURCES (USES):	
Bond proceeds	357,415,960.82
Transfer in	3,850,953.32
Transfer out	-158,121,244.00
Other sources	2,384,692.11
Other uses (TR Int/Non-Appn)	-17,119,851.39
Total sources (uses)	188,410,510.86
Special Items:	
COLA Settlement	0.00
EITC Settlement	0.00
	0.00
REVENUE & OTHER SOURCES OVER (UNDER) EXPEND & OTHERS USES AND SPECIAL ITEMS:	341,130,679.18
	0.00
BEGINNING FUND BALANCE (DEFICIT)	-368,234,425.00
ADJUSTMENTS TO FUND BALANCE	0.00
ENDING FUND BALANCE (DEFICIT)	-27,103,745.82

EXPENDITURES BY DEPARTMENT
AND FUNCTION

DEPT.	FUNCTION	ANNUAL
	GENERAL GOVERNMENT	
02	Office of the Governor	3,669,688.14
03	Office of the Lt Governor	530,368.40
04	BBMR	704,813.15
05	Civil Service	553,144.78
06	Administration	7,585,080.93
08	Revenue & Tax	6,668,234.58
10	Public Works	2,491,191.81
11	Dept. of Law	0.00
29	Land Management	464,255.00
		22,666,776.79
	PROTECTION OF LIFE/PROPERTY	
04	BBMR	5,231,205.69
11	Law	17,032,584.55
12	Guam Police	11,584,773.08
13	Corrections	2,556,944.41
20	Youth Affairs	0.00
27	Civil Defense	244,476.23
30	Chief Med Exam	0.00
32	Customs & Quarantine Fund	20,084,735.00
42	Guam Fire	56,734,718.96
	PUBLIC HEALTH	
17	PHS&SS	4,462,960.49
21	Health Planning	0.00
23	Mental Health/Substance Abuse	7,025,470.02
		11,488,430.51
	COMMUNITY SERVICE	
17	PHS&S	5,535,063.33
18	Library	347,161.29
26/21	DISID(DVR)/Health Planning	626,774.60
36	Chamorro Affairs/Museum	0.00
40	CAHA	0.00
10	Public Works - Street Lights	0.00
		6,508,999.22
	RECREATION	
25	Parks & Recreation	1,665,988.35
	TRANSPORTATION	
10	Public Works	0.00
		0.00

	PUBLIC EDUCATION	
10	Public Works- Bus Operations	3,674,799.57
49	Office of the Education Saruhanu	**133,321,547.47**
63	K.G.T.F.	188,708.01
	G. D.O.E	0.00
79	Guam Commission for Educator Comm	113,314.65
		137,298,369.70
	INDIVID & COLLECTIVE RIGHTS	
02	Comm on Self-Determination	82,823.30
07	Election Commission	413,193.15
15	A.H.R.D.	0.00
24	Labor	682,363.49
28	Mayor's Council	5,169,163.98
36	Guam Museum/Chamorro Affairs	1,243,356.25
37	Military Affairs	95,766.01
43	Women's Affairs	0.00
		7,686,666.18
	PROTECT'N OF ENVIRON & RES	
10	Public Works- Solid Waste	0.00
22	G.E.P.A.	0.00
34	Guam Energy Office	0.00
		0.00
	ECONOMIC DEVELOPMENT	
09	Planning	790,850.65
14	Commerce	0.00
16	Agriculture	1,626,643.17
70	Visitors Bureau	0.00
		2,417,493.82
	Typhoon Recovery	0.00
	Claims and Judgments	0.00
	Transfers to Persons	56,184.82
	Capital Projects Fund	0.00
	Interest	28,583,155.89
	Principal	3,405,000.00
	TOTAL EXPENDITURES	278,511,784.24

TRANSFER OUT:	
Abandoned Vehicle & Streetlights	0.00
Aquaculture Development Fund	0.00
CAHA - OET/CEF	0.00
Chamorro Land Trust	0.00
Cost of Living Allowances	7,248,908.33
Cost Pool - Utilities	5,235,367.18
Cost Pool - Health Insurance Benefits	4,054,404.08
Health Insurance Benefits funded by Bond	7,231,505.33
Court Order Child Support	453,723.64
F.G.I.A. Fund	13,945,497.55
FHR Fund - First Time Homeowners	0.00
Firefighter Equipment	0.00
General Obligation Bonds -1993	0.00
General Obligation Bonds -1994	0.00
General Obligation Bonds -1995	0.00
General Obligation Bonds -2007	0.00
2008 Short Term Financing	3,151,659.78
Government Claims Fund	100,000.00
Govt of Guam Retirement fund	10,912,390.86
Govt of Guam Retirement fund (GDOE/GMHA)	17,814,945.45
GSA Inventory Revolving Fund	0.00
Guam Board of Accountancy	0.00
Guam Museum	0.00
Guam Tasi Trade about SeaFaring	0.00
Guam Housing Corp Loan Revolving Fund	0.00
Guam Housing Corporation	0.00
Guam Public School System Every Child Fund	0.00
Guam Power Authority	0.00
Guam P.E.A.L.S.	0.00
Guam Quincentinial	0.00
Guam Public Library	0.00
Guam Legal Service	0.00
G.C.C.	10,769,462.00
G.E.D.C.A.	0.00
G.H.U.R.A.-Astumbo Garden	0.00
G.M.H.A.	2,459,323.42
GMHA Pharmaceutical Fund	3,414,666.00
G.M.T.A.	0.00
G.P.A.	0.00
Hagatna Restoration & Redevelopment	0.00
MIP Payment Fund	10,927,876.94
MIP/Medicaid Fund	0.00
Legislature	5,795,442.02
GFD Lease Purchase and Program	0.00
Off-Island Resident	0.00
Off-Island Sports Fund	0.00
Program Deviation Fund	0.00
Private School Textbooks	0.00
Printing Revolving Fund	0.00
Public Auditor	819,155.46
Public Defender	2,907,557.00
P.U.A.G.	0.00
Sanctuary, Inc.	0.00
Small Business Financing Assistance	0.00
Superior Court	18,564,077.55
Typhoon Paka Emergency Fund	0.00
Territorial Educational Fund	0.00
Territorial Highway Fund	0.00
Public Service Fund	0.00
Water Revenue System Bond	0.00
GOB 2009 SERIES A PRINCIPL DSF	0.00
INTEREST-GOB 2009 SERIES A	0.00
Supplemental Annuity Fund	9,070,000.00
Residential Treatment Fund	712,760.33
U.O.G.	21,984,701.00
Limited Obligation Sect. 30, Series 2001A	0.00
Workmen's Compensation Fund	547,820.08
TOTAL TRANSFER OUT	158,121,244.00
TOTAL EXPENDITURES & TRANSFER OUT	436,633,028.24

SES meeting 8/3/12

Bureau of Budget and Management Research
Ten-year General Fund Revenues & Expenditures Forecast - Fiscal Years 2012-2017
Military Buildup $5.0 Billion in Construction with Economic Initiatives

DRAFT

ADOPTED

B

	Fiscal Year 2012 Projected	Fiscal Year 2013 Projected	Fiscal Year 2014 Projected	Fiscal Year 2015 Projected	Fiscal Year 2016 Projected	Fiscal Year 2017 Projected
Revenues	0/	1/	2/	2/, 3/ & 4/	2/, 3/ & 4/	2/, 3/ & 4/
Tax - Corporate	111,802,336	115,700,007	118,014,007	120,374,287	122,781,773	125,237,408
Individual	81,651,368	73,469,937	74,939,336	76,438,122	77,966,885	79,526,223
Withholding Taxes	209,256,708	204,643,469	208,736,338	212,911,065	217,169,286	221,512,672
Income Tax (Military Buildup)			0	15,909,540	32,419,440	42,025,200
Less: Provision for Tax Refund	(105,000,000)	(100,000,000)	(103,189,973)	(109,448,330)	(116,605,093)	(121,144,914)
Business Privilege Tax	207,264,171	214,931,153	219,229,776	223,614,372	228,086,659	232,648,392
GRT (Military Buildup)				10,606,360	21,612,960	28,016,800
Other Taxes	3,529,781	3,847,425	3,924,374	4,002,861	4,082,918	4,164,577
Licenses, fees and permits	4,999,813	4,563,818	4,655,094	4,748,196	4,843,160	4,940,023
Use of Money and property	672,804	808,896	825,074	841,575	858,407	875,575
Section 30 Federal income tax collection	50,228,855	53,451,519	54,520,549	55,610,960	56,723,180	57,857,643
Additional Section 30 (Military Buildup)				14,805,000	15,249,150	15,706,625
Immigration fees	1,850,178	1,861,714	1,898,948	1,936,927	1,975,666	2,015,179
Economic Initiatives			5,500,250	5,610,255	5,722,460	5,836,909
Tax Revenues on existing military projects			12,950,100	14,656,923	21,082,518	21,293,343
Section 2718	7,545,989	7,500,000	6,375,000	5,418,750	4,605,938	3,915,047
2% Reserve	(11,476,040)	(11,615,559)	(12,167,577)	(13,160,737)	(13,971,506)	(14,488,534)
Total Revenues	562,325,963	569,162,379	596,211,296	644,876,127	684,603,801	709,938,169
Expenditures	5/		6/	6/	6/	6/
General government	57,723,674	58,102,855	59,264,912	60,746,535	62,265,198	63,821,828
Protection of life and property	86,690,225	93,609,000	95,481,180	98,345,615	101,295,984	104,334,863
Public Health	64,809,826	67,955,036	69,314,137	71,393,561	73,535,368	75,741,429
Community Services	2,631,339	1,235,770	1,260,485	1,291,998	1,324,297	1,357,405
Recreation	2,883,722	3,264,707	3,330,001	3,413,251	3,498,582	3,586,047
Individual and collective rights	13,359,614	15,445,013	15,753,913	16,147,761	16,551,455	16,965,241
Education	185,014,383	184,845,591	188,542,503	196,084,203	203,927,571	212,084,674
Economic Development	4,094,512	3,774,013	3,849,493	3,945,731	4,044,374	4,145,483
Component Units	86,437,937	84,433,907	86,122,585	88,275,650	90,482,541	92,744,605
Miscellaneous appropriations	29,279,523	24,422,668	24,911,121	25,533,899	26,172,247	26,826,553
Debt Services /a	48,238,203	32,073,819	38,953,064	47,545,140	47,544,888	54,224,827
Total Expenditures	581,162,958	569,162,379	586,783,395	612,723,344	630,642,506	655,832,955
Total revenue over (under) expenditures	(18,836,995)	0	9,427,901	32,152,784	53,961,295	54,105,214
Addition to long term debt	343,000,000					
Transfer in /b	34,877,067	35,748,994	36,642,719	37,558,787	38,497,756	39,460,200
Transfer out	(71,506,455)	(70,076,326)	(68,674,799)	(67,301,303)	(65,955,277)	(64,636,172)
Other sources						
Other uses						
Total sources (- uses)	(36,629,388)	(34,327,332)	(32,032,081)	(29,742,517)	(27,457,521)	(25,175,972)
Net change in fund balance (- deficits)	287,533,617	(34,327,332)	(22,604,180)	2,410,267	26,503,774	28,929,242
Add back 2% Reserve -	11,476,040	11,615,559	12,167,577	13,160,737	13,971,506	14,488,534
Fund balances (- deficits) at beginning of year	(372,106,934)	(73,097,277)	(95,809,050)	(106,245,652)	(90,674,648)	(50,199,368)
Fund balances (- deficits) at end of year	(73,097,277)	(95,809,050)	(106,245,652)	(90,674,648)	(50,199,368)	(6,781,592)

FOOTNOTES:

0/ FY 2012 is based on Adopted Budget .

1/ FY 2013 Executive Budget Request.

2/ Revenues assume a 2.0% growth rate; Expenditures during military assume a 2.5% growth with exceptions made to Education (4%), Health and Public Safety (3%).

3/ Impact of Military Buildup assumed to start on 2015 . Projected revenues assume a reduced Buildup with 10% tax revenues for GRT and Income Tax.

4/ Section 30 increase resulting from Marine relocation.

5/ FY 2012 annual deficit include $18.3M bond proceeds (Health Insurance) and $503k Tobacco Back Assets - not part of adopted revenues. Proceeds from RAF Bond Series A and Series B.

6/ Expenditures - Debt Service considers new Series A & B - Tax Refund Bond beginning 2014 and 2015 respectively.

/a School Improvement financing initiatives are currently being contemplated. Amount of financing and debt service requirements have yet to be determined.

/b Transfers in/out. The Government is adopting GASB 54 effective FY 2011. Management is still assessing the impact of GASB 54 and has yet to complete its assessment or to have the Independent auditors review the change in methodology. However, management does believe that the impact will be positive to the General Fund as defined. Transfer out assumes improved revenue projections on Special Funds reducing the impact on the General Fund.

Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013		***Covers tax years 2011/2012***	
2008 Total Individual Refunds	**	$ 96,811,326	
2009 Total Individual Refunds	**	$ 114,000,000	
2010 Total Individual Refunds	**	$ 113,500,000	
Total Individual Refunds		$ 324,311,326	
Average Individual Annual Refunds			$ 108,103,775
2008 Total Corporate Refunds		$ 4,238,173	
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 112,341,948
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 116,691,948

PROVISION FOR REFUNDS PER BUDGET FOR FY 2013	116,691,948

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013		***Covers tax years 2011/2012***	
2008 Total Individual Refunds	**	$ 96,811,326	
2009 Total Individual Refunds	**	$ 101,161,326	
2010 Total Individual Refunds	**	$ 105,511,326	
Total Individual Refunds		$ 303,483,978	
Average Individual Annual Refunds			$ 101,161,326
2008 Total Corporate Refunds		$ 4,238,173	
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 105,399,499
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 109,749,499

PROVISION FOR REFUNDS PER BUDGET FOR FY 2013	109,749,499

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

Department of Revenue & Taxation
Estimated Provision for Refund

REVISED 7/24/2012

Fiscal Year Ending 9/30/2013

Covers tax years 2011/2012

2008 Total Individual Refunds	**		
2009 Total Individual Refunds	**	$ 96,811,326	
2010 Total Individual Refunds	**	$ 89,000,000	
		$ 88,500,000	
Total Individual Refunds		$ 274,311,326	
Average Individual Annual Refunds			$ 91,437,109
2008 Total Corporate Refunds			
2009 Total Corporate Refunds	**	$ 4,238,173	
2010 Total Corporate Refunds	**	$ 4,238,173	
		$ 4,238,173	
Total Corporate Refunds		$ 12,714,518	
Average Corporate Annual Refunds			$ 4,238,173
Subtotal			$ 95,675,281
Increases Due to New Tax Laws/Changes			
Earned Income Credit		$ 2,350,000	
Additional Child Tax Credit		$ 2,000,000	
Total Increases:			$ 4,350,000
ESTIMATED PROVISIONS FOR REFUND			$ 100,025,281
PROVISION FOR REFUNDS PER BUDGET FOR FY 2013			100,000,000

** Estimated total computed based on average of prior years; Processing of corporate returns is incomplete

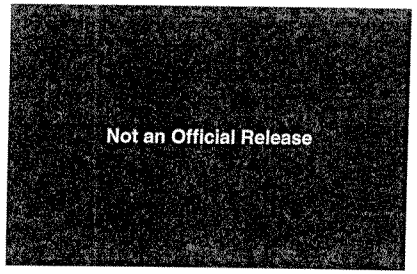
NOTE: Tax years 2008 to 2010 were used for estimation. Amount shown is total refunds processed plus the balance of the estimated outstanding shown on the refund liability report. In addition, most of the new refundable credits such as MWPC, FTHBC and the AOT were removed beginning in tax year 2011. The tax changes for TY 2011, if any, have yet to be release

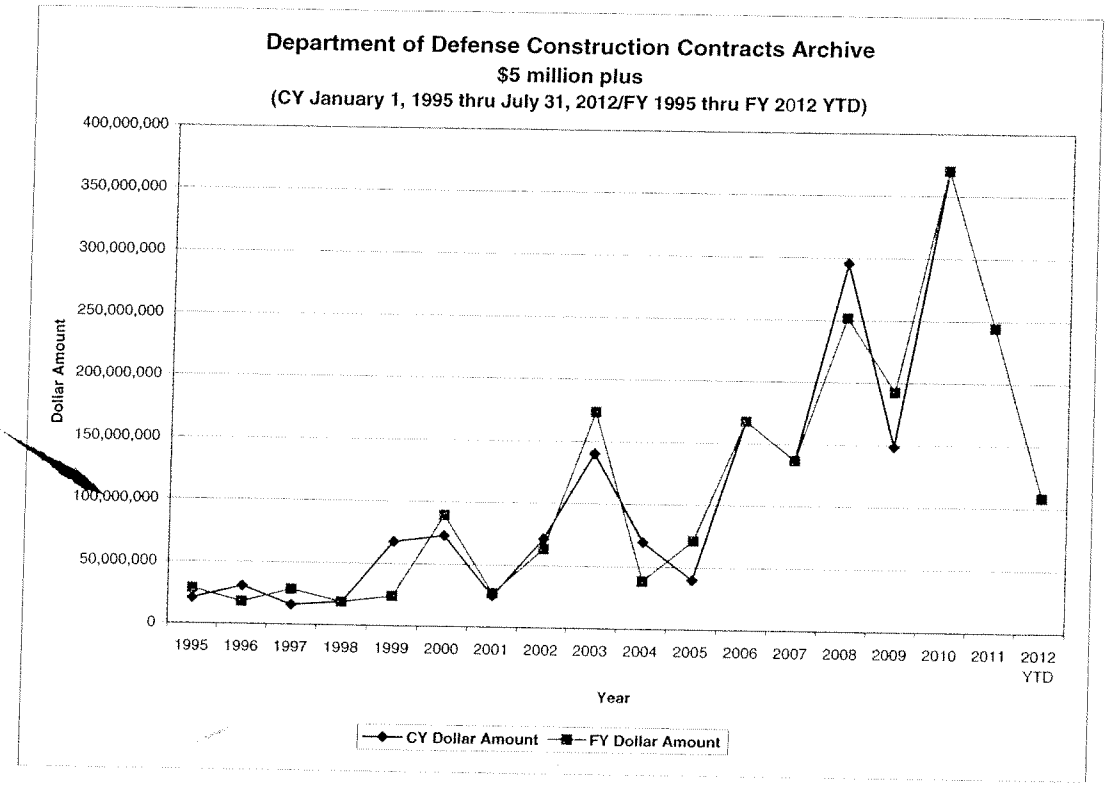
Department of Defense Construction Contracts Archive

Individual Contract Amounts of $5 Million plus

Year	CY Dollar Amount	FY Dollar Amount
1995	20,679,000	28,817,417
1996	30,837,539	18,148,345
1997	15,871,143	28,560,337
1998	18,921,902	18,921,902
1999	67,774,035	24,027,890
2000	73,223,782	89,481,927
2001	25,397,761	27,488,000
2002	71,418,428	63,316,189
2003	140,364,803	173,864,803
2004	69,735,964	38,453,433
2005	39,988,000	71,270,531
2006	168,031,324	168,031,324
2007	136,746,820	136,746,820
2008	295,888,866	252,050,848
2009	148,822,760	192,660,778
2010	370,412,729	370,412,729
2011	244,597,329	244,597,329
2012 YTD	108,559,350	108,559,350

Source: U.S. Department of Defense Website





Special Economic Service Meeting

August 15, 2012 at 3:00pm

Public Hearing Room

PRINT NAME	SIGNATURE	AGENCY	TIME
STEPHEN GUERRERO		BBHR	3:30
William		BBMR	3:00
Marie Benito		DRT	3:00
Tony Blaz		DOA	3:00
GIANFRANCO ROSARIO		DOA	3:00
KARL PANGELINAN		GEDA	3:00
GARY Hiles		DOL	3:00
R F BROOKS		OPA	3
Debi Phillips		GVB	3pm
Albert Perez		BSP	3pm
Sen. ben gangdi		Ly.	3pm

FY 2013 Budget Hearing Sign-In Sheet
MAYORS' COUNCIL OF GUAM
June 25, 2012 - 9:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Angel R. Sablan		MCoG	9:00am
Melissa Savares		MCOG	9 AM
R. PCHOFFMANN		MCOG	9:15 am
[illegible]		MCOG	9:15 AM
Carol S. Tayama	Carol S. Tayama	MCOG	9:15

FY 2013 Budget Hearing Sign-In Sheet
OFFICE OF PUBLIC ACCOUNTABILITY
June 25, 2012 - 10:30 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
RODALYN MARQUEZ		OPA	11:10
DORIS FLORES BROOKS		OPA	11:10
JOY BULATAO	jbulatao	OPA	11:10
Jerrick Hernandez		OPA	11:10

FY 2013 Budget Hearing Sign-In Sheet
GUAM ELECTION COMMISSION
June 25, 2012 - 1:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Pangelinan, Maria		Guam Election	

FY 2013 Budget Hearing Sign-In Sheet
GUAM MEMORIAL HOSPITAL AUTHORITY
June 27, 2012 - 9:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
ROY M VEGA		GMH	9:00
ANICETO INFANTE JR		GMHA	9:00 AM
FLORENCIA LIZAMA		GMHA	900 AM

FY 2013 Budget Hearing Sign-In Sheet
GUAM COMMUNITY COLLEGE
June 28, 2012(S) ~~June 27, 2012~~ - 9:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	AGENCY	TIME
DR. MARY A.Y. OKADA, Ed.D.	GCC	9:00 AM
GINA Y. RAMOS, Board of Trustees Chairperson	GCC	9:00 AM
CARMEN K. SANTOS, Vice President of Finance & Admin	GCC	9:00 AM

FY 2013 Budget Hearing Sign-In Sheet
PUBLIC DEFENDER SERVICE CORPORATION
~~June 27, 2012 - 1:00 pm~~ June 28, 2012
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Eric D. Mathews		PDSC	1:00 PM
BERNADETTE SN CHARGUALAF		PDSC	1:00 p.m.
Cecilia A.T. Lizama		PDSC	1:00 pm
Edbert J. Quintanilla		PDSC	1:00 pm
JOEY GOGUE		PDSC	1:00 p.m.
FLORENZO P. Fejeran		PDSC	1:01 pm.
VANESSA LUJAN		PDSC	1:02 pm
Michael E. Gogue		PDSC	1:00pm
Ray Serafico		PDSC	1:05 p.m.
JULITO TINGSON		PDSC	1:07 pm

Sign-In Sheet
Budget Hearing on the FY 2013 Executive Budget Request
August 15, 2012 - 1:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
PEDRO A. LEON GUERRERO JR.		GUAM CUSTOMS	1:08 pm
PHILIP TORRES		GIAA	1:08 pm
CHARLES H. ADA II		GIAA	1:08 PM
WILLIAM TSUTSUI FENG		BBMR	1:08 pm

Sign-In Sheet
FY 2013 BUDGET HEARING
Guam Visitors Bureau
August 3, 2012 - 2:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
Joann Camacho		GVB	1:10pm
JON NATHAN DENIGHT		GVB	2:03 pm
MONTE MESA		GVB	2:05 pm
Bruce Kloppenburg		GVB	205
RIZK SAAD		GVB	2:05
Jennifer Crisostomo Camacho		GVB	2:00PM
NATHAN TAIMANGLO		GVB	
N. Oscar Miyashita		GVB	2:10pm

GUAM VISITORS BUREAU
50th ANNIVERSARY · 1963 - 2013

August 03, 2012

The Honorable Vicente (ben) Pangelinan
Senator
I Mina'trentai Unu Na Liheslatura Guåhan
324 W. Soledad Ave. Suite 100
Hagåtña, Guam 96910

RE: Testimony for GVB FY2013 Budget

Håfa Adai Senator Pangelinan!

Si Yu'os Ma'ase to all the Senators of the 31st Guam Legislature for supporting GVB and the tourism industry on Guam.

We recently updated our economic impact study on tourism and I would like to highlight some of the data:

- In 2010, tourism economy sales tallied $1.4 billion.
- The economic activity sustained 14,000 jobs, 29% of Guam's total employment.
- Including indirect and induced impacts, tourism in Guam generated $150 million in taxes.

As you can see, tourism is vital to Guam's economy and we need to continue to grow and develop our visitor industry, especially in light of the slowdown in the military buildup. For fiscal year 2012, we are on pace to achieve 1.2 million total visitors arrival. For Fiscal year 2013, we are targeting 1.3-million visitor arrivals-a 100,000 increase. Each visitor to Guam spends around $1,100, so that increase would result in an ADDITIONAL ONE HUNDRED and TEN MILLION dollars of economic impact for our island.

In order to reach that goal, GVB is requesting a budget increase of 26%. The majority of the increase is to fund overseas marketing in the new source markets of Russia and China, and to expand efforts in existing markets of Japan, Korea and Taiwan. We have seen a surge in Russian visitors since January when we became visa free, and there is a lot of work to be done in this totally new market. We also need to continue to promote Guam in China, the fastest growing market in the world, regardless if visa waiver is or is not granted because of the tremendous potential.

One challenge we face is the continued decline of the dollar, which decreases our buying power in our source markets. Moreover, our competitors are aggressively investing in tourism, trying to take our market share—Hawaii for example, spent $8 million in Japan marketing in 2011, receiving a little over a million visitors. In contrast, for fiscal year 2012, GVB had a Japan marketing budget of 5 million, the lowest in 15 years. We are on pace for around nine hundred thousand arrivals from Japan this fiscal year, but it will be difficult to increase arrivals moving forward at the current funding level.

GUAM VISITORS BUREAU | SETBISION BISITAN GUAHAN
401 Pale San Vitores Road | Tumon, Guam 96913 | (671) 646-5278 | www.visitguam.org

GUAM

GVB is also working to improve and brand Guam as a destination, developing and promoting our unique Chamorro culture on island and internationally, creating and executing special events and supporting sports tourism, and ensuring our visitors safety and satisfaction. More and more, GVB and the tourist attraction fund is called upon to fund special projects like road and beach cleaning.

The Bureau's operating expenses are very low with administrative expenses accounting for less than 14% of our budget. The rest of GVB's funds goes into marketing Guam overseas and improving our destination for visitors and locals, making our island a better place to live, work, play and visit. Increasing GVB's budget is an investment in our tourism industry—demonstrating that our government is serious about improving our economy—This investment will ultimately pay dividends in the form of more jobs and economic opportunity for the people of Guam.

Dangkulo' Na Si Yu'os Ma'ase! May God bless you and may God bless Guam!

Si Yu'os Ma'ase,

JOANN G. CAMACHO
General Manager

Cc: All Senators of the 31st Guam Legislature

GUAM VISITORS BUREAU | SETBISION BISITAN GUAHAN
401 Pale San Vitores Road | Tumon, Guam 96913 | (671) 646-5278 | www.visitguam.org

GUAM

Preliminary May 2012 Visitor Arrivals
Total: 82,697 (17.3%)

% Market Mix	Origin	Pax	% to LY
67.1%	Japan	55,457	22.5%
14.0%	Korea	11,613	7.7%
7.1%	US/Hawaii	5,881	22.1%
3.9%	Taiwan	3,196	16.1%
0.5%	China	453	26.5%
0.3%	Russia	282	432.1%

Source: Guam Customs Forms. Compiled by the Guam Visitors Bureau

FYTD2012 Arrivals
October 2011 – May 2012
Total: 818,913 (9.1%)

% Market Mix	Origin	Pax	% to LY
71.9%	Japan	589,120	7.3%
12.4%	Korea	101,598	16.8%
5.2%	US/Hawaii	42,483	7.3%
3.9%	Taiwan	32,127	61.5%
0.8%	China	6,304	43.1%
0.2%	Russia	1,451	259.2%

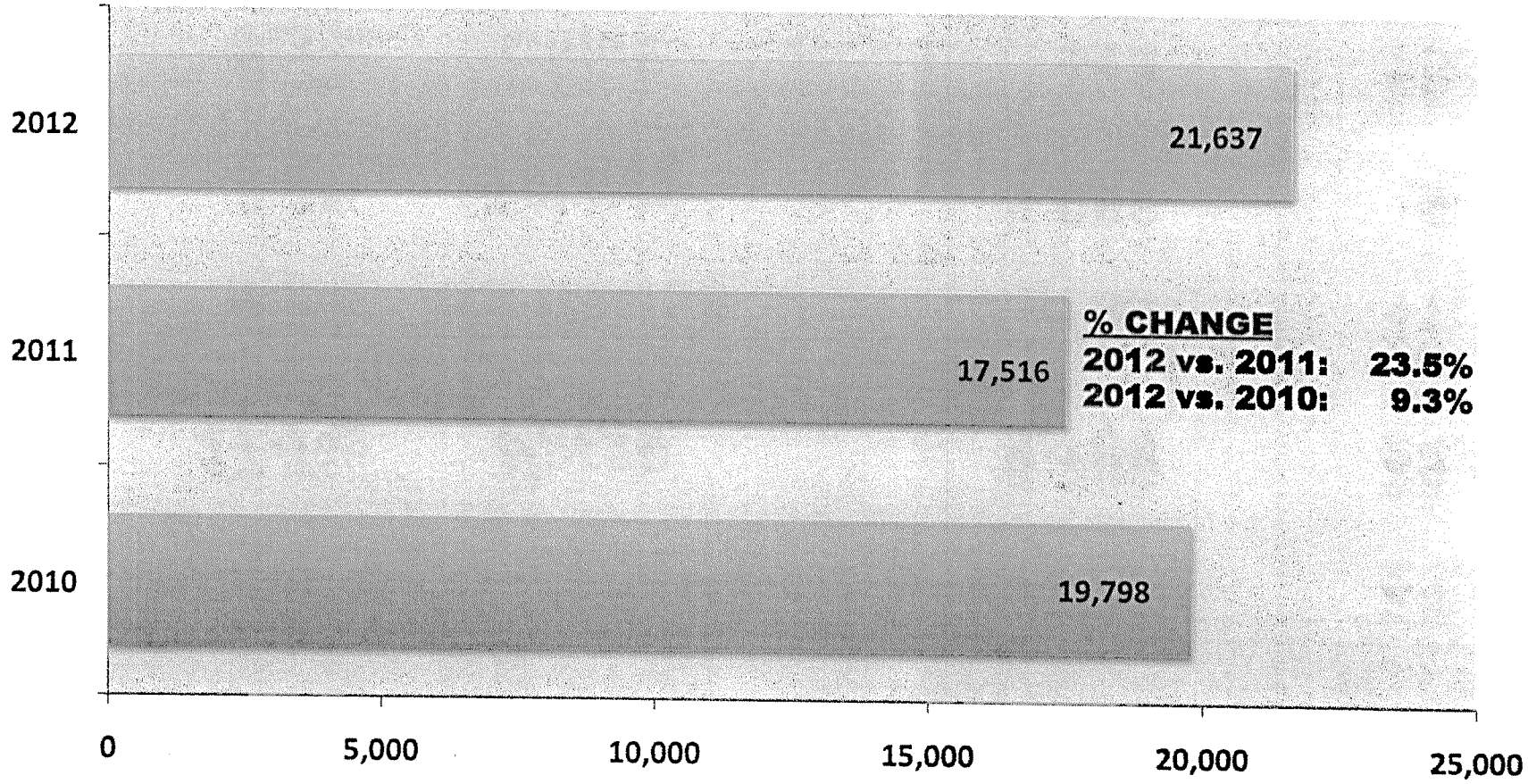
Source: Guam Customs Forms. Compiled by the Guam Visitors Bureau

MTD2012 Arrivals
June 1 – 11
Total: 32,659 (22.2%)

% Market Mix	Origin	Pax	% to LY
66.3%	Japan	21,637	23.5%
17.7%	Korea	5,786	24.4%
5.5%	US/Hawaii	1,784	17.6%
3.3%	Taiwan	1,088	-4.1%
0.3%	China	114	75.4%
0.5%	Russia	169	525.9%

Source: Civilian Air Arrivals Only. Guam Customs Forms. Compiled by the Guam Visitors Bureau

MTD Japan Arrivals, June 1 - 11



Source: Civilian Air Arrivals Only. Guam Customs Forms. Compiled by the Guam Visitors Bureau

Guam Visitors Bureau
Visitor Arrival Summary
MAY 2012 (as of July 6, 2012)

	May-11	May-12	% from LY
Civilian Air Arrivals[a]	68,800	80,034	16.3%
Civilian Sea Arrivals[a]	592	310	-47.6%
Armed Forces Air Arrivals[a]	959	2,196	129.0%
Armed Forces Sea Arrivals[a1]	120	157	30.8%
TOTAL VISITOR ARRIVALS	70,471	82,697	17.3%

ORIGIN OF AIR ARRIVALS (Civilian & Armed Forces)	May-11	May-12	% from LY
JAPAN	**45,259**	**55,457**	**22.5%**
Kanto (Tokyo)	22,168	26,863	21.2%
Chubu (Nagoya)	6,297	7,367	17.0%
Kinki (Osaka)	8,745	10,531	20.4%
Koshinetsu	1,057	1,449	37.1%
Hokuriko	656	976	48.8%
Tohoku	550	1,880	241.8%
Kyushu	2,053	2,176	6.0%
Chugoku	1,425	1,689	18.5%
Hokkaido	920	903	-1.8%
Shikoku	850	727	-14.5%
Okinawa/Miya	488	583	19.5%
Other	50	313	526.0%
KOREA	**10,779**	**11,613**	**7.7%**
Seoul	5,971	6,297	5.5%
Incheon	676	743	9.9%
Chungbuk	87	167	92.0%
Chungnam	290	313	7.9%
Gangwon	96	144	50.0%
Jeonbuk	108	137	26.9%
Gyeonbuk	296	272	-8.1%
Gyeonggi	2,374	2,495	5.1%
Jeonnam	153	234	52.9%
Gyeongnam	446	541	21.3%
Other	282	270	-4.3%
TAIWAN	**2,752**	**3,196**	**16.1%**
Taipei	1,698	2,020	19.0%
Kaohsiung	114	214	87.7%
Taichung	486	410	-15.6%
Taoyuan, Miaoli, Hsinehu	241	386	60.2%
Other	213	166	-22.1%
CHINA, P.R.C.	**358**	**453**	**26.5%**
Beijing	67	114	70.1%
Shanghai	47	104	121.3%
Guangzhou	64	15	-76.6%
Other	180	220	22.2%
U.S. MAINLAND	**3,946**	**4,844**	**22.8%**
HAWAII	**871**	**1,037**	**19.1%**
CNMI	**1,176**	**1,408**	**19.7%**
PALAU	**352**	**312**	**-11.4%**
FSM	**927**	**903**	**-2.6%**
RMI	**112**	**85**	**-24.1%**
PHILIPPINES	**1,246**	**1,240**	**-0.5%**
AUSTRALIA	**499**	**253**	**-49.3%**
CANADA	**70**	**63**	**-10.0%**
EUROPE	**90**	**85**	**-5.6%**
HONG KONG	**910**	**647**	**-28.9%**
THAILAND	**34**	**27**	**-20.6%**
VIETNAM	**10**	**0**	**-**
RUSSIA	**53**	**282**	**432.1%**
OTHER/UNKNOWN	**315**	**325**	**3.2%**

VISITOR INDUSTRY STATISTICS			
JGTA Air Arrivals	38,133	49,923	30.9%
Hotel Occupancy Taxes	$1,400,380.76	n.a.	n.a.
Weighted Hotel Occupancy Rate	58%	n.a.	n.a.
Weighted Hotel Room Rate	$116	n.a.	n.a.

Guam Visitors Bureau
May 2012 Visitor Arrival Summary
Calendar Year-to-Date 2011/2012 • Fiscal Year-to-Date 2011/2012
as of July 6, 2012

	CY YTD 2011 (Jan~May '11)	CY YTD 2012 (Jan~May '12)	% from LY	FY YTD 2011 (Oct '10~May '11)	FY YTD 2012 (Oct '11~May '12)	% from LY
Air Arrivals[a]	463,341	523,269	12.9%	742,439	814,145	9.7%
Sea Arrivals[a1]	6,620	2,327	-64.8%	8,195	4,768	-41.8%
TOTAL VISITOR ARRIVALS	469,961	525,596	11.8%	750,634	818,913	9.1%
ORIGIN OF AIR ARRIVALS (Civilian & Armed Forces)	CY YTD 2011 (Jan~May '11)	CY YTD 2012 (Jan~May '12)	% from LY	FY YTD 2011 (Oct '10~May '11)	FY YTD 2012 (Oct '11~May '12)	% from LY
JAPAN	342,009	381,583	11.6%	549,186	589,120	7.3%
Kanto (Tokyo)	159,814	185,457	16.0%	258,081	284,976	10.4%
Chubu (Nagoya)	46,322	48,316	4.3%	73,674	73,220	-0.6%
Kinki (Osaka)	75,077	76,188	1.5%	117,131	116,867	-0.2%
Koshinetsu	9,207	10,473	13.8%	15,424	17,485	13.4%
Hokuriko	5,051	5,729	13.4%	7,709	8,638	12.1%
Tohoku	7,906	13,365	69.0%	14,641	20,311	38.7%
Kyushu	11,470	12,764	11.3%	19,224	21,184	10.2%
Chugoku	10,385	10,727	3.3%	17,706	18,305	3.4%
Hokkaido	9,336	9,805	5.0%	13,598	14,174	4.2%
Shikoku	5,178	4,676	-9.7%	8,499	7,828	-7.9%
Okinawa/Miya	1,496	3,007	101.0%	2,371	4,448	87.6%
Other	767	1,076	40.3%	1,128	1,684	49.3%
KOREA	53,373	64,002	19.9%	86,974	101,598	16.8%
Seoul	27,239	33,568	23.2%	44,664	52,806	18.2%
Incheon	3,298	3,818	15.8%	5,380	6,032	12.1%
Chungbuk	643	898	39.7%	1,200	1,425	18.8%
Chungnam	1,794	1,977	10.2%	2,827	3,227	14.1%
Gangwon	514	883	71.8%	899	1,306	45.3%
Jeonbuk	672	1,016	51.2%	1,147	1,589	38.5%
Gyeonbuk	1,435	1,728	20.4%	2,394	2,794	16.7%
Gyeonggi	11,215	14,230	26.9%	18,774	22,653	20.7%
Jeonnam	1,660	1,306	-21.3%	2,306	2,159	-6.4%
Gyeongnam	3,079	2,854	-7.3%	4,340	4,636	6.8%
Other	1,824	1,724	-5.5%	3,043	2,971	-2.4%
TAIWAN	13,383	21,245	58.7%	19,888	32,127	61.5%
Taipei	8,547	13,398	56.8%	12,578	19,998	59.0%
Kaohsiung	662	1,446	118.4%	1,180	2,048	73.6%
Taichung	2,113	2,963	40.2%	3,020	4,674	54.8%
Taoyuan, Miaoli, Hsinehu	1,261	2,217	75.8%	1,953	3,563	82.4%
Other	800	1,221	52.6%	1,157	1,844	59.4%
CHINA	3,232	4,241	31.2%	4,406	6,304	43.1%
Beijing	691	1,147	66.0%	951	1,663	74.9%
Shanghai	942	1,355	43.8%	1,345	2,222	65.2%
Guangzhou	320	175	-45.3%	395	301	-23.8%
Other	1,279	1,564	22.3%	1,715	2,118	23.5%
U.S. MAINLAND	20,916	21,777	4.1%	32,354	35,017	8.2%
HAWAII	4,462	4,780	7.1%	7,238	7,466	3.2%
CNMI	7,156	6,299	-12.0%	11,536	10,806	-6.3%
PALAU	1,322	1,359	2.8%	2,141	2,373	10.8%
FSM	4,170	3,814	-8.5%	6,658	6,357	-4.5%
RMI	512	445	-13.1%	795	670	-15.7%
PHILIPPINES	4,453	4,216	-5.3%	8,093	7,205	-11.0%
AUSTRALIA	1,767	1,963	11.1%	2,559	2,962	15.7%
CANADA	342	346	1.2%	529	587	11.0%
EUROPE	695	677	-2.6%	1,105	1,061	-4.0%
HONG KONG	3,563	3,313	-7.0%	5,746	5,880	2.3%
THAILAND	178	157	-11.8%	259	228	-12.0%
VIETNAM	42	42	0.0%	65	56	-13.8%
RUSSIA	264	1,207	357.2%	404	1,451	259.2%
OTHER/UNKNOWN	1,502	1,803	20.0%	2,503	2,877	14.9%
VISITOR INDUSTRY STATISTICS						
JGTA Air Arrivals	304,728	340,208	11.6%	493,609	525,095	6.4%
Hotel Occupancy Taxes	$10,317,099.27	$11,816,374.57	14.5%	$15,223,030.22	$16,805,530.70	10.4%
Weighted Hotel Occupancy Rate	71%	n.a.	n.a.	68%	n.a.	n.a.
Weighted Hotel Room Rate	$111	n.a.	n.a.	$111	n.a.	n.a.

Note: CY YTD is Calendar Year-to-Dates and FY YTD is Fiscal Year-to-Date. [1]2011/2 visitor arrivals may exclude Armed Forces sea arrival statistics and may not be comparable to figures last year. Visitor statistics will be updated once the data is made available. Armed Forces sea arrivals exclude HP (home ported) or MSC (military sea command) personnel. Detailed breakdown available upon request. Source: [a]Civilian air & sea arrivals air arrivals. Customs Declaration Forms, Customs & Quarantine Agency. Processed by the Guam Visitors Bureau [b]Armed forces sea arrivals, Navy Port Control. [c]Japan Guam Travel Association, [d]Hotel Occupancy Tax collections are unaudited. Department of Administration, Government of Guam [e]Guam Hotel & Restaurant Association

Guam Visitors Bureau
Setbision Bisitan Guahan
HOTEL OCCUPANCY TAX COLLECTIONS (unaudited)
Updated as of 28 June 2012

	2005	2006	2007	2008	2009	2010	2011	2012
January	$1,515,942.64	$1,719,904.15	$1,802,916.36	$2,171,613.34	$1,856,616.47	$1,956,684.71	$2,021,235.50	$2,703,694.50
February	$1,464,321.17	$1,998,222.52	$2,122,069.13	$2,230,705.64	$2,000,489.12	$2,154,982.68	$2,416,005.07	$2,697,697.61
March	$1,732,081.99	$1,609,352.75	$1,903,326.74	$1,839,584.01	$1,763,475.18	$1,966,825.13	$2,304,934.86	$2,292,825.58
1st Quarter	**$4,712,345.80**	**$5,327,479.42**	**$5,828,312.23**	**$6,241,902.99**	**$5,620,580.77**	**$6,078,492.52**	**$6,742,175.43**	**$7,694,217.69**
April	$2,018,984.33	$1,883,713.60	$1,900,363.96	$1,887,701.23	$1,751,672.89	$1,910,016.70	$2,062,094.17	$2,156,336.27
May	$1,403,783.07	$1,401,260.62	$1,675,660.82	$1,599,861.56	$1,324,195.04	$1,392,834.50	$1,512,829.67	$1,965,820.61
June	$1,571,417.91	$1,378,819.21	$1,510,398.72	$1,720,492.09	$1,235,752.19	$1,559,729.58	$1,554,241.98	
2nd Quarter	**$4,994,185.31**	**$4,663,793.43**	**$5,086,423.50**	**$5,208,054.88**	**$4,311,620.12**	**$4,862,580.78**	**$5,129,165.82**	**$4,122,156.88**
July	$1,367,035.55	$1,391,256.10	$1,400,379.40	$1,454,972.94	$1,201,337.17	$1,624,499.55	$1,304,006.04	
August	$1,686,991.26	$1,871,761.63	$1,846,860.39	$1,848,029.91	$1,622,792.69	$1,980,481.70	$1,980,407.69	
September	$2,160,274.87	$2,590,358.95	$2,654,295.63	$2,417,625.56	$2,200,784.93	$2,709,544.64	$2,816,686.74	
3rd Quarter	**$5,214,301.68**	**$5,853,376.68**	**$5,901,535.42**	**$5,720,628.41**	**$5,024,914.79**	**$6,314,525.89**	**$6,101,100.47**	
October	$1,374,610.47	$1,327,078.90	$1,319,123.14	$1,397,577.05	$1,451,511.24	$1,995,270.65	$1,813,320.21	
November	$1,361,602.92	$1,369,205.07	$1,515,287.51	$1,338,695.55	$1,490,651.69	$1,248,525.32	$1,531,689.28	
December	$1,501,304.08	$1,524,226.99	$1,589,323.80	$1,501,822.61	$1,491,700.24	$1,662,134.98	$1,644,146.64	
4th Quarter	**$4,237,517.47**	**$4,220,510.96**	**$4,423,734.45**	**$4,238,095.21**	**$4,433,863.17**	**$4,905,930.95**	**$4,989,156.13**	
CY[2] YTD (Jan~May)	**$8,135,113.20**	**$8,612,453.64**	**$9,404,337.01**	**$9,729,465.78**	**$8,696,448.70**	**$9,381,343.72**	**$10,317,099.27**	**$11,816,374.57**
CY[2] Total	**$19,158,350.26**	**$20,065,160.49**	**$21,240,005.60**	**$21,408,681.49**	**$19,390,978.85**	**$22,161,530.14**	**$22,961,597.85**	**n.a.**
FY[2] (Oct~May)	**$12,205,511.33**	**$12,849,971.11**	**$13,624,847.97**	**$14,153,200.23**	**$12,934,543.91**	**$13,815,206.89**	**$15,223,030.22**	**$16,805,530.70**
FY[3] Total	**$18,991,230.92**	**$20,082,167.00**	**$21,036,782.11**	**$21,594,320.73**	**$19,195,210.89**	**$21,689,462.36**	**$22,878,372.67**	**n.a.**

Source: Division of Accounts, Department of Administration. Compiled by the GVB Research Department. Note: HOT collections reflect unaudited figures.
[1] **Year-to-Date**
[2] **Calendar Year**
[3] **Fiscal Year**

SEAT CAPACITY BY MARKET, FISCAL YEAR 2008~2012

Revised 27 June 2012

JAPAN	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	98,611	95,302	100,376	107,864	99,336	106,126	100,360	104,738	102,249	104,856	112,391	102,995	**1,235,204**
2009	98,611	95,796	102,972	106,751	94,560	107,218	91,692	97,963	93,551	107,764	115,477	103,364	**1,215,719**
2010	103,003	100,779	122,921	129,369	119,453	144,658	120,012	115,369	112,363	122,977	138,089	126,333	**1,455,326**
2011	91,524	87,660	93,692	110,153	98,558	126,388	81,244	79,470	73,398	97,359	114,227	100,782	**1,154,455**
2012	84,194	82,135	99,298	88,490	77,147	89,893	79,897	81,439	78,058	69,941	93,403	88,160	**1,012,055**
% CHG	-8.0%	-6.3%	6.0%	-19.7%	-21.7%	-28.9%	-1.7%	2.5%	6.3%	-28.2%	-18.2%	-12.5%	-12.3%

KOREA	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	11,438	9,030	12,035	17,156	15,879	9,331	9,632	13,545	12,341	15,077	19,610	12,943	**158,017**
2009	13,023	9,030	10,648	12,369	10,752	9,321	8,880	9,176	8,880	12,945	14,741	8,880	**128,645**
2010	9,176	10,275	10,726	12,853	10,804	9,176	10,860	16,268	14,280	20,341	21,215	15,932	**161,906**
2011	15,525	14,280	14,944	17,294	15,553	14,756	14,146	15,948	15,621	20,319	22,950	14,372	**195,708**
2012	14,756	15,986	18,160	19,355	15,609	16,631	17,163	17,446	18,622	23,013	26,118	21,300	**224,159**
% CHG	-5.0%	11.9%	21.5%	11.9%	0.4%	12.7%	21.3%	9.4%	19.2%	13.3%	13.8%	48.2%	14.5%

TAIWAN	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,860	1,240	1,395	2,170	3,133	1,395	1,395	1,395	2,635	4,185	2,945	2,456	**26,204**
2009	2,763	2,763	2,763	4,349	2,611	2,763	2,763	2,763	2,456	2,763	2,763	2,763	**34,283**
2010	2,763	2,456	2,763	2,763	4,023	2,456	2,456	2,763	2,763	5,997	4,000	2,763	**37,966**
2011	2,745	2,440	2,745	4,727	4,101	2,745	2,440	3,204	4,738	8,846	6,248	4,456	**49,435**
2012	5,013	5,013	4,456	8,919	6,144	4,912	5,217	5,526	5,217	7,352	7,051	5,526	**70,346**
% CHG	82.6%	105.5%	62.3%	88.7%	49.8%	78.9%	113.8%	72.5%	10.1%	-16.9%	12.9%	24.0%	42.3%

HONG KONG	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,240	1,395	1,240	1,395	1,395	1,395	1,240	1,395	1,240			**13,330**
2009													**0**
2010							1,395	1,240	1,240	1,395	1,395	1,240	**7,905**
2011	1,395	1,395	1,240	1,395	1,240	1,240	1,395	1,395	1,240	1,395	1,395	1,395	**16,120**
2012	3,256	310	1,395	1,395	1,240	1,395	1,240	1,395	1,395	1,395	1,240	1,395	**17,051**
% CHG	133.4%	-77.8%	12.5%	0.0%	0.0%	12.5%	-11.1%	0.0%	12.5%	0.0%	-11.1%	0.0%	5.8%

CHINA	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008		155											**155**
2009													**0**
2010		465											**465**
2011	310	1,085	0	155	310			153	153	459		153	**2,778**
2012	1,683	1,224	1,071	1,226									**5,204**
% CHG	442.9%	12.8%	#DIV/0!	691.0%	-100.0%	#DIV/0!	#DIV/0!	-100.0%	-100.0%	-100.0%	#DIV/0!	-100.0%	87.3%

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

NARITA (NRT)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	55,087	52,917	55,409	56,342	51,545	55,215	53,593	55,358	56,302	57,722	59,373	56,010	**664,873**
2009	55,087	53,566	57,889	59,582	51,800	56,575	51,333	53,738	52,984	51,709	51,460	52,932	**648,655**
2010	55,081	48,009	59,681	63,154	58,856	65,953	67,834	55,690	54,090	58,683	63,681	59,360	**710,072**
2011	48,620	46,980	50,698	56,121	48,855	61,193	38,022	37,969	36,095	51,419	60,031	52,208	**588,211**
2012	48,484	47,278	60,349	48,252	43,031	51,873	45,904	46,557	44,760	33,839	50,388	51,810	**572,525**
% CHG	**-0.3%**	**0.6%**	**19.0%**	**-14.0%**	**-11.9%**	**-15.2%**	**20.7%**	**22.6%**	**24.0%**	**-34.2%**	**-16.1%**	**-0.8%**	**-2.7%**

SEASONAL CHARTER HANEDA (HND)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													**0**
2009										8,475	8,940	1,695	**19,110**
2010			1,110					1,138		2,325	4,805	4,738	**14,116**
2011						906						465	**1,371**
2012			261										**261**
% CHG													**-26.1%**

OSAKA (KIX)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	15,252	14,760	15,380	19,840	19,600	21,581	19,261	20,150	18,841	19,819	24,463	19,360	**228,307**
2009	15,252	14,760	15,489	16,262	15,344	20,511	12,807	14,631	18,212	21,168	27,580	20,556	**212,572**
2010	15,434	19,910	26,242	26,970	24,360	26,568	20,530	23,153	26,868	29,264	29,264	27,491	**296,054**
2011	15,097	13,985	14,911	23,900	23,217	37,722	21,263	22,373	20,400	21,080	28,714	22,344	**265,006**
2012	21,140	21,527	24,428	24,428	19,546	22,210	21,128	22,172	20,588	23,082	30,150	23,640	**274,039**
% CHG	**40.0%**	**53.9%**	**63.8%**	**2.2%**	**-15.8%**	**-41.1%**	**-0.6%**	**-0.9%**	**0.9%**	**9.5%**	**5.0%**	**5.8%**	**3.4%**

NAGOYA (NGO)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	15,252	14,760	15,380	15,407	13,931	14,915	15,416	15,435	14,396	15,070	15,225	14,760	**179,947**
2009	15,252	14,760	15,489	15,252	13,776	15,407	14,997	15,644	13,055	15,252	14,632	15,471	**178,987**
2010	20,088	19,995	22,558	23,900	23,217	37,722	21,263	22,678	20,400	21,080	28,714	22,344	**283,959**
2011	15,097	13,985	14,911	15,097	13,001	13,857	14,209	10,730	9,928	15,252	15,252	14,760	**166,079**
2012	15,252	14,760	15,585	15,252	14,268	15,252	14,760	15,252	14,760	15,252	15,252	14,760	**180,405**
% CHG	**1.0%**	**5.5%**	**4.5%**	**1.0%**	**9.7%**	**10.1%**	**3.9%**	**42.1%**	**48.7%**	**0.0%**	**0.0%**	**0.0%**	**8.6%**

FUKUOKA (FUK)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	4,805	4,650	5,372	4,960	4,495	4,805	4,650	5,270	4,495	4,495	5,115	4,650	**57,762**
2009	4,805	4,650	5,115	4,650	4,340	4,805	4,650	5,115	3,255	4,030	4,805	4,805	**55,025**
2010	4,495	4,495	4,340	4,650	4,185	4,805	4,650	4,960	4,650	4,805	4,805	4,650	**55,490**
2011	4,805	4,650	5,267	4,805	4,340	4,805	4,340	4,955	4,340	4,805	4,805	4,650	**56,567**
2012	4,805	4,650	4,805	4,805	4,495	4,805	4,650	4,805	4,650	4,805	4,805	4,650	**56,730**
% CHG	**0.0%**	**0.0%**	**-8.8%**	**0.0%**	**3.6%**	**0.0%**	**7.1%**	**-3.0%**	**7.1%**	**0.0%**	**0.0%**	**0.0%**	**0.3%**

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

SENDAI (SDJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	2,790	2,635	2,790	2,790	2,635	2,790	2,480	2,635	2,790	2,635	2,635	2,635	**32,240**
2009	2,790	2,790	2,790	2,635	2,635	2,790	2,325	2,790	1,240	2,170	2,635	2,635	**30,225**
2010	2,480	2,325	2,170	2,480	2,480	2,635	1,395	1,860	1,240	1,550	1,395	2,635	**24,645**
2011	2,480	2,635	2,635	2,015	2,325	930	SDJ Ariport closed following 3/11/11 tsunami			310	0	620	**13,950**
2012	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,395	1,395	**16,275**
% CHG	**-43.8%**	**-52.9%**	**-47.1%**	**-30.8%**	**-46.7%**	**50.0%**				**350.0%**		**125.0%**	**16.7%**

SAPPORO (CTS)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,395	1,395	4,185	2,480	2,790	1,240	1,395	1,395	1,240	1,395	1,395	**21,700**
2009	1,395	1,395	1,395	4,030	2,635	2,790	1,395	1,395	1,395	1,085	1,395	1,240	**21,545**
2010	1,240	2,170	2,635	4,030	2,480	2,635	1,240	1,240	1,240	1,395	1,240	1,240	**22,785**
2011	1,240	1,395	1,240	4,030	3,100	3,255	1,240	1,085	1,240	1,240	1,395	1,395	**21,855**
2012	1,395	1,395	1,395	2,790	2,480	2,790	1,395	1,240	1,395	1,395	1,240	1,240	**20,150**
% CHG	**12.5%**	**0.0%**	**12.5%**	**-30.8%**	**-20.0%**	**-14.3%**	**12.5%**	**14.3%**	**12.5%**	**12.5%**	**-11.1%**	**-11.1%**	**-7.8%**

OKAYAMA (OKJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,395	1,550	1,240	1,395	1,395	1,085	1,395	1,240	1,240	1,395	1,395	**16,120**
2009	1,395	1,240	1,705	1,395	1,240	1,395	1,395	1,550	1,085	1,395	1,395	1,085	**16,275**
2010	1,395	1,395	1,240	1,395	930	1,395	775	1,395	1,240	1,395	1,395	1,240	**15,190**
2011	1,395	1,395	1,395	1,395	1,240	1,240	620	963	620	1,240	1,395	1,395	**14,293**
2012	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,240	1,395	**16,120**
% CHG	**0.0%**	**-11.1%**	**0.0%**	**0.0%**	**0.0%**	**12.5%**	**125.0%**	**28.8%**	**125.0%**	**12.5%**	**-11.1%**	**0.0%**	**12.8%**

NIIGATA (KIJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,240	1,395	1,395	1,550	1,240	1,395	1,395	1,395	1,240	1,240	1,395	1,395	**16,275**
2009	1,240	1,395	1,395	1,395	1,240	1,395	1,240	1,395	1,085	1,240	1,240	1,395	**15,655**
2010	1,395	1,240	1,085	1,395	1,240	1,395	930	1,240	1,395	1,085	1,240	1,240	**14,880**
2011	1,395	1,395	1,240	1,395	1,240	1,085	930	620	0	773	1,395	1,240	**12,708**
2012	1,395	1,085	1,240	1,240	1,240	1,395	1,240	1,395	1,395	1,240	1,395	1,240	**15,500**
% CHG	**0.0%**	**-22.2%**	**0.0%**	**-11.1%**	**0.0%**	**28.6%**	**33.3%**	**125.0%**	**#DIV/0!**	**60.4%**	**0.0%**	**0.0%**	**22.0%**

HIROSHIMA	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,395	1,550	1,550	1,240	1,240	1,240	1,705	1,550	1,395	1,240	1,395	**16,895**
2009	1,395	1,240	1,705	1,550	1,240	1,395	1,395	1,395	1,240	1,240	1,395	1,395	**16,585**
2010	1,395	1,240	1,550	1,395	1,240	1,240	1,395	1,550	1,240	1,395	1,395	1,395	**16,430**
2011	1,395	1,240	1,395	1,395	1,240	1,395	620	775	775	1,240	1,240	1,395	**14,105**
2012	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,395	1,240	1,395	1,395	1,395	**16,275**
% CHG	**0.0%**	**0.0%**	**0.0%**	**0.0%**	**0.0%**	**0.0%**	**125.0%**	**80.0%**	**60.0%**	**12.5%**	**12.5%**	**0.0%**	**15.4%**

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

OKINAWA	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2011												310	**310**
2012	2,790	2,480	2,635	2,790	2,635	2,635	1,395	1,395	1,240	1,395	1,395	1,395	**24,180**
% CHG												**350.0%**	**7700.0%**

LOCAL CITY CHARTER

KUMAMOTO (KMJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													**0**
2009								155					**155**
2010													**0**
2011													**0**
2012													**0**
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

LOCAL CITY CHARTER

KOMATSU (KMQ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													**0**
2009													**0**
2010													**0**
2011													**0**
2012													**0**
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

LOCAL CITY CHARTER

MATSUYAMA (MYJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													**0**
2009													**0**
2010			155										**155**
2011													**0**
2012													**0**
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

LOCAL CITY CHARTER

TOYAMA (TOY)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008			155		310						155		**620**
2009					155		155	155				155	**620**
2010			155		310			155			155		**775**
2011													**0**
2012													**0**
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

LOCAL CITY CHARTER

TAKAMATSU (TAK)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													0
2009						155							155
2010						310							310
2011													0
2012													0
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

LOCAL CITY CHARTER

MATSUMOTO (MMJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008					465								465
2009					155								155
2010					155								155
2011													0
2012													0
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

LOCAL CITY CHARTER

IBARAKI (MMJ)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													0
2009													0
2010								310					310
2011													0
2012													0
% CHG	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

INCHEON (ICN)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	11,438	9,030	11,739	15,232	15,879	9,331	9,632	13,545	12,341	14,147	18,060	12,943	**153,317**
2009	13,023	9,030	10,493	11,904	10,752	9,321	8,880	9,176	8,880	12,569	13,613	8,880	**126,521**
2010	9,176	10,275	10,416	11,768	10,804	9,176	10,860	16,268	14,280	20,153	20,087	15,932	**159,195**
2011	15,525	14,280	14,756	15,236	14,237	14,756	14,146	15,948	15,621	20,170	22,056	14,372	**191,103**
2012	14,756	15,390	16,443	18,610	15,609	16,631	17,163	17,446	18,622	22,737	25,152	21,300	**219,859**
% CHG	**-5.0%**	**7.8%**	**11.4%**	**22.1%**	**9.6%**	**12.7%**	**21.3%**	**9.4%**	**19.2%**	**12.7%**	**14.0%**	**48.2%**	**15.0%**

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

PUSAN (PUS)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008			296	1,924						930	1,550		4,700
2009			155	465						376	1,128		2,124
2010			310	1,085						188	1,128		2,711
2011			188	1,128	1,316					149	894		3,675
2012		596	1,717	745						276	966		4,300
% CHG			813.3%	-34.0%						85.2%	8.1%		17.0%

GWANGJU (MWX)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008													0
2009													0
2010													0
2011				930									930
2012													0
% CHG													

SHANGHAI (SHG)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008		155								155			310
2009													0
2010		465											465
2011	155	310											465
2012	1,224	1,224	1,071	1,071									4,590
% CHG	689.7%	294.8%											887.1%

BEIJING (PEK)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2010		465											465
2011	155	310		155	310				153	153		153	1,389
2012	153			155									308
% CHG	-1.3%			0.0%									-77.8%

SHENYANG (SHE)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2011		155						153		306			614
2012	306												306
% CHG													-50.2%

HANGZHOU	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2011		310											310
2012													0
% CHG													

SEAT CAPACITY BY GATEWAY, FISCAL YEAR 2008~2012

Revised 27 June 2012

TAIPEI (TPE)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,860	1,240	1,395	2,170	3,133	1,395	1,395	1,395	2,635	4,185	2,945	2,456	**26,204**
2009	2,763	2,763	2,763	4,355	2,611	2,763	2,763	2,763	2,456	2,763	2,763	2,763	**34,289**
2010	2,456	2,763	2,763	2,745	4,017	2,440	2,440	2,745	2,745	5,981	3,982	2,745	**37,822**
2011	2,745	2,440	2,745	4,727	4,101	2,745	2,440	3,204	4,738	8,846	6,248	4,456	**49,435**
2012	5,013	5,013	4,456	8,919	6,144	4,912	5,217	5,526	5,217	7,352	7,051	5,526	**70,346**
% CHG	**82.6%**	**105.5%**	**62.3%**	**88.7%**	**49.8%**	**78.9%**	**113.8%**	**72.5%**	**10.1%**	**-16.9%**	**12.9%**	**24.0%**	**42.3%**

HONG KONG (HKG)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,395	1,240	1,395	***Note: CS suspends twice***		**13,485**
2009	***weekly service effective July 28, 2008.***												**0**
2010	***Note: CS resumes twice weekly flights on April 2, 2010.***						1,395	1,240	1,240	1,395	1,395	1,240	**7,905**
2011	1,395	1,395	1,240	1,395	1,240	1,240	1,395	1,395	1,240	1,395	1,395	1,395	**16,120**
2012	3,256	310	1,395	1,395	1,240	1,395	1,240	1,395	1,395	1,395	1,240	1,395	**17,051**
% CHG	**133.4%**	**-77.8%**	**12.5%**	**0.0%**	**0.0%**	**12.5%**	**-11.1%**	**0.0%**	**12.5%**	**0.0%**	**-11.1%**	**0.0%**	**5.8%**

NOTE: CS suspends Hong Kong/Guam direct route effective July 28, 2008. On April 2, 2010, CS resumes direct flight service twice weekly (Tuesdays & Saturdays). Fly Guam launches indirect service from Hong Kong via Saipan thrice weekly (Tuesdays, Fridays & Sundays, local time) beginning March 5, 2011.

MANILA (MNL)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	9,500	8,890	9,650	9,500	8,735	9,650	9,195	9,195	9,345	9,500	9,345	9,345	**111,850**
2009	9,195	9,345	9,500	9,505	8,580	9,495	9,195	9,500	9,190	9,350	9,495	9,040	**111,390**
2010	9,505	9,190	9,345	9,660	8,580	9,500	9,820	10,275	9,660	10,280	9,965	9,515	**115,295**
2011	10,145	9,680	10,740	10,740	9,820	10,745	10,745	10,585	10,290	10,900	10,585	10,285	**125,260**
2012	10,895	10,590	10,595	10,895	10,440	10,905	10,590	10,905	11,050	10,895	10,750	10,595	**129,105**
% CHG	**7.4%**	**9.4%**	**-1.4%**	**1.4%**	**6.3%**	**1.5%**	**-1.4%**	**3.0%**	**7.4%**	**0.0%**	**1.6%**	**3.0%**	**8.6%**

CAIRNS (CNS)	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL
2008	1,395	1,395	1,240	1,240	1,395	1,395	1,420	1,395	1,395	1,240	1,395	1,395	**16,300**
2009	1,395	1,240	1,395	1,395	1,240	1,240	2,790	2,635	2,790	2,790	2,635	2,480	**24,025**
2010	2,795	2,790	2,480	2,635	2,480	2,480	2,945	2,480	1,240	2,790	2,790	2,015	**29,920**
2011	1,395	1,240	1,860	2,480	2,325	3,565	1,550	1,395	1,240	2,015	2,790	1,395	**23,250**
2012	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,240	1,395	1,395	1,395	1,240	**16,120**
% CHG	**0.0%**	**0.0%**	**-25.0%**	**-43.8%**	**-46.7%**	**-60.9%**	**-10.0%**	**-11.1%**	**12.5%**	**-30.8%**	**-50.0%**	**-11.1%**	**-22.3%**

Source: Airline flight schedules. Compiled by the GVB Research Department

TOURISM ECONOMICS

AN OXFORD ECONOMICS COMPANY

For more information:

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About Tourism Economics

- Tourism Economics, headquartered in Philadelphia, is an Oxford Economics company dedicated to providing high value, robust, and relevant analyses of the tourism sector that reflects the dynamics of local and global economies. By combining quantitative methods with industry knowledge, Tourism Economics designs custom market strategies, project feasibility analysis, tourism forecasting models, tourism policy analysis, and economic impact studies.
- Our staff have worked with over 100 destinations to quantify the economic value of tourism, forecast demand, guide strategy, or evaluate tourism policies.
- Oxford Economics is one of the world's leading providers of economic analysis, forecasts and consulting advice. Founded in 1981 as a joint venture with Oxford University's business college, Oxford Economics is founded on a reputation for high quality, quantitative analysis and evidence-based advice. For this, it draws on its own staff of 40 highly-experienced professional economists; a dedicated data analysis team; global modeling tools; close links with Oxford University, and a range of partner institutions in Europe, the US and in the United Nations Project Link.
- For more information: info@tourismeconomics.com.

Selected recent economic impact clients

Associations / Companies

Center for Exhibition Industry Research (Economic Impact of Visa Restrictions)

DMAI (Event Impact Calculator for 80 CVBs)

US Travel Association (Impact of travel promotion)

InterContinental Hotels

States

California

Georgia

Maryland

New York

North Carolina

Ohio

Pennsylvania

Wisconsin

Cities

Baltimore, MD

Columbus, OH

Kansas City, MO

London, United Kingdom

New York City

Omaha, NE

Orlando, FL

Philadelphia, PA

Pittsburgh, PA

Rockford, IL

Countries / Provinces

Bahamas

Bermuda

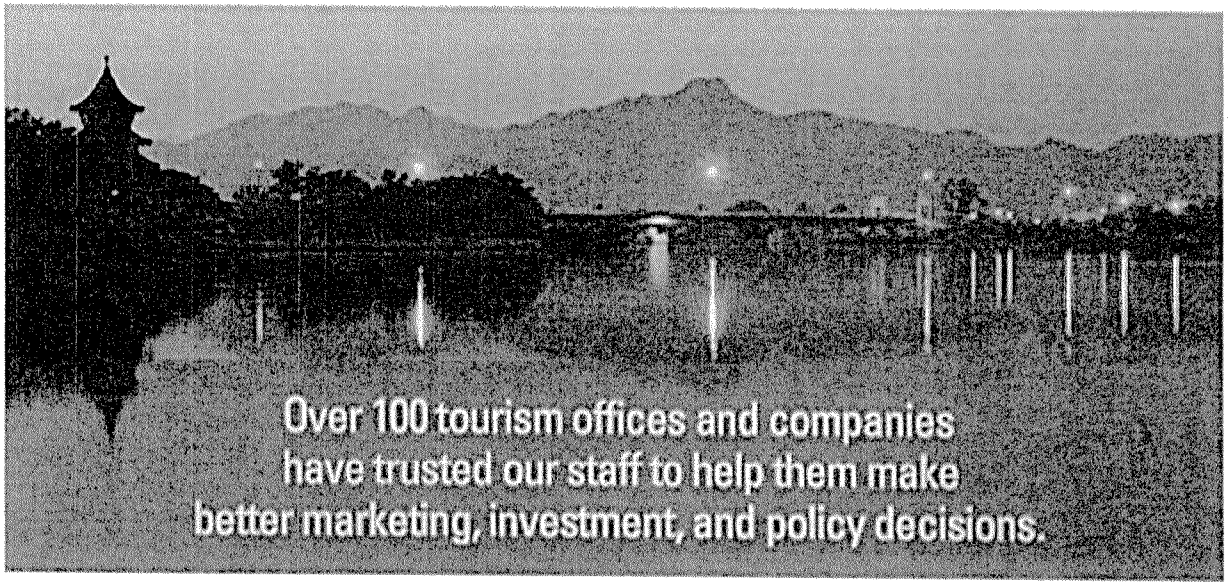
Cayman Islands

Dubai

Ontario Canada

St. Lucia

United Kingdom



Definitions

- **Direct Impact**: The economic impact – including jobs and income – from the initial sales made by travelers. Examples include sales made by travelers at lodging properties, souvenir shops, restaurants, gas stations, amusement parks, museums, etc.
- **Indirect Impact**: The economic impact from the production, employment, and income occurring in other businesses/industries that supply the businesses making initial/direct sales to travelers. Examples include a restaurant"s food supplier or a hotel"s laundry service.
- **Induced Impact**: The economic impact from the spending by households in the local economy as the result of the earnings from a business that directly or indirectly interacts with travelers. Examples include a hotel desk clerk using the wages he earned to pay for his groceries or the accountant who works for a company that supplies napkins to a restaurant frequented by travelers using her wages to purchase flowers from her local florist.

Why Sales and GDP differ

- Tourism industry sales in Guam equals $1.3B yet GDP only measures $550 million. Why??

- What is GDP?: Gross domestic product (GDP). The market value of goods and services produced by labor and property in Guam

  - Guam gets GDP credit for tourism sales that end up in payments to labor that work in the hotels, restaurants and retail stores and that boost the profits of the local shops that serve tourists.

  - Guam does NOT get GDP credit from the cost of the gasoline or food or retail items that come from off-island to supply the gas stations, restaurants and shops that sell to tourists.

  - Guam does NOT get credit for business profits from off-island companies. As an example, K-Mart profits leave the island.

Because of these reasons, Sales will always be higher than GDP.

Methods and data sources

- An IMPLAN model was compiled for the Hawaii TSA. This traces the flow of visitor-related expenditures through the local economy and their effects on employment, wages, and taxes. IMPLAN also quantifies the indirect (supplier) and induced (income) impacts of tourism.
- All results are benchmarked and cross-checked and adjusted based on the following:
  - US Bureau of Labor Statistics and Bureau of Economic Analysis (employment and wages by industry)
  - US Census (business sales by industry)

- The source of the employment and wage data is the Regional Economic Information System (REIS), Bureau of Economic Analysis, U.S. Department of Commerce. All employment rankings are based on Bureau of Labor Statistics (ES202/QCEW) data.

Methods and data sources

- Visitor expenditure estimates are calculated using data from Japan and Korean exit surveys provided by Guam Visitors Bureau. These are broken out by sectors (lodging, transport at destination, food & beverage, retail, and recreation).
- Tourism Economics then adjusts these levels of spending based on a range of known measures of tourism activity:
  - Overseas visitor spending (source: OTTI, TE)
  - Canada visitor spending (source: Statistics Canada, TE)
  - Bed tax receipts
  - Spending on air travel which accrues to all airports and locally-based airlines
  - Gasoline purchases by visitors (source: TE calculation)
  - Smith Travel Research data on hotel revenues
  - Construction Value by McGraw-Hill Construction
  - Industry data on employment, wages, GDP, and sales (source: BEA, BLS, Census)

Methodology and Background



TOURISM ECONOMICS

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Tourism economy tax generation

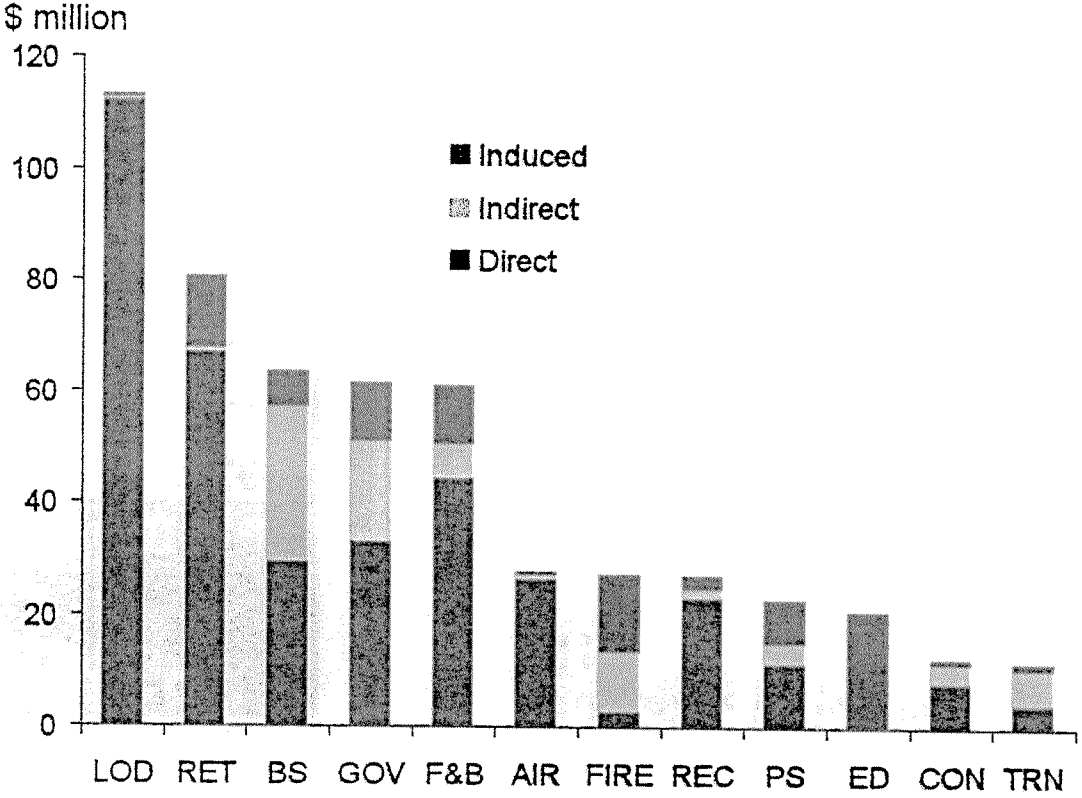
Traveler Generated (US$ Million)	
Tax Type	2010
Corporate	9.6
Indirect Business	8.4
Personal Income	20.1
Social Security	36.5
Hotel Occupancy Tax	21.8
Gross Receipts Tax	41.9
Special Revenues	10.2
TOTAL	148.5

- Taxes of $148.5 million ($140.5 million) were directly and indirectly generated by tourism in 2010.
- Hotel occupancy taxes rose to $21.8 million.
- Each household in Guam would need to be taxed an additional $3,100 ($270) per year to replace the tourism taxes received by the government of Guam.

Tourism economy labor income

- While direct spending is the largest contributor of labor income, labor income from the tourism supply chain in business services and finance sectors is a major contributor.
- Secondary benefits are realized across the entire economy through the supply chain and incomes as they are spent.

Total Tourism Labor Income Impact



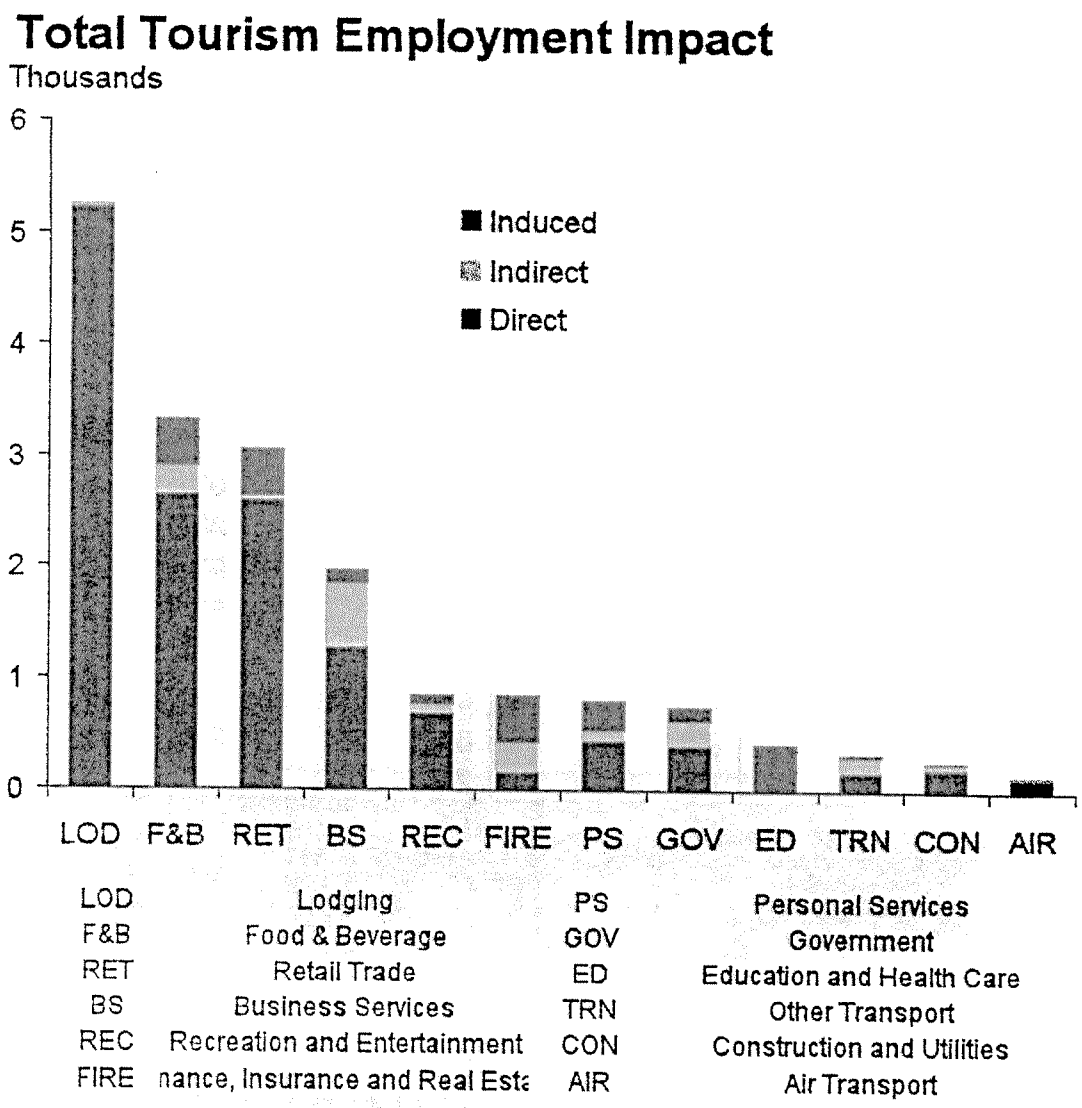
LOD	Lodging	FIRE	Finance, Insurance and Real Estate
RET	Retail Trade	REC	Recreation and Entertainment
BS	Business Services	PS	Personal Services
GOV	Government	ED	Education and Health Care
F&B	Food & Beverage	CON	Construction and Utilities
AIR	Air Transport	TRN	Other Transport

Tourism economy labor income

Total Tourism Labor Income Impact (US$ Million)	Direct	Indirect	Induced	Total
Agriculture, Fishing, Mining	-	0.4	0.7	1.1
Construction and Utilities	8.3	3.0	1.3	12.6
Manufacturing	-	1.8	1.7	3.5
Wholesale Trade	-	1.6	3.7	5.3
Air Transport	26.6	0.3	0.7	27.7
Other Transport	4.5	6.1	1.2	11.7
Retail Trade	67.0	0.4	13.4	80.8
Gasoline Stations	1.0	0.0	0.6	1.6
Communications	-	2.4	1.5	3.9
Finance, Insurance and Real Estate	2.9	10.4	14.0	27.3
Business Services	29.4	27.5	6.5	63.4
Education and Health Care	-	0.0	20.8	20.8
Recreation and Entertainment	23.3	1.3	2.4	27.0
Lodging	112.4	0.2	0.6	113.2
Food & Beverage	44.4	5.8	10.9	61.1
Personal Services	11.6	3.3	7.9	22.9
Government	33.0	17.7	10.8	61.5
TOTAL	364.4	82.5	98.8	545.7

Tourism economy employment

- The restaurant, lodging, and retail sectors employed the most persons in the tourism sector.
- Secondary benefits are realized across the entire economy through the supply chain and incomes as they are spent.



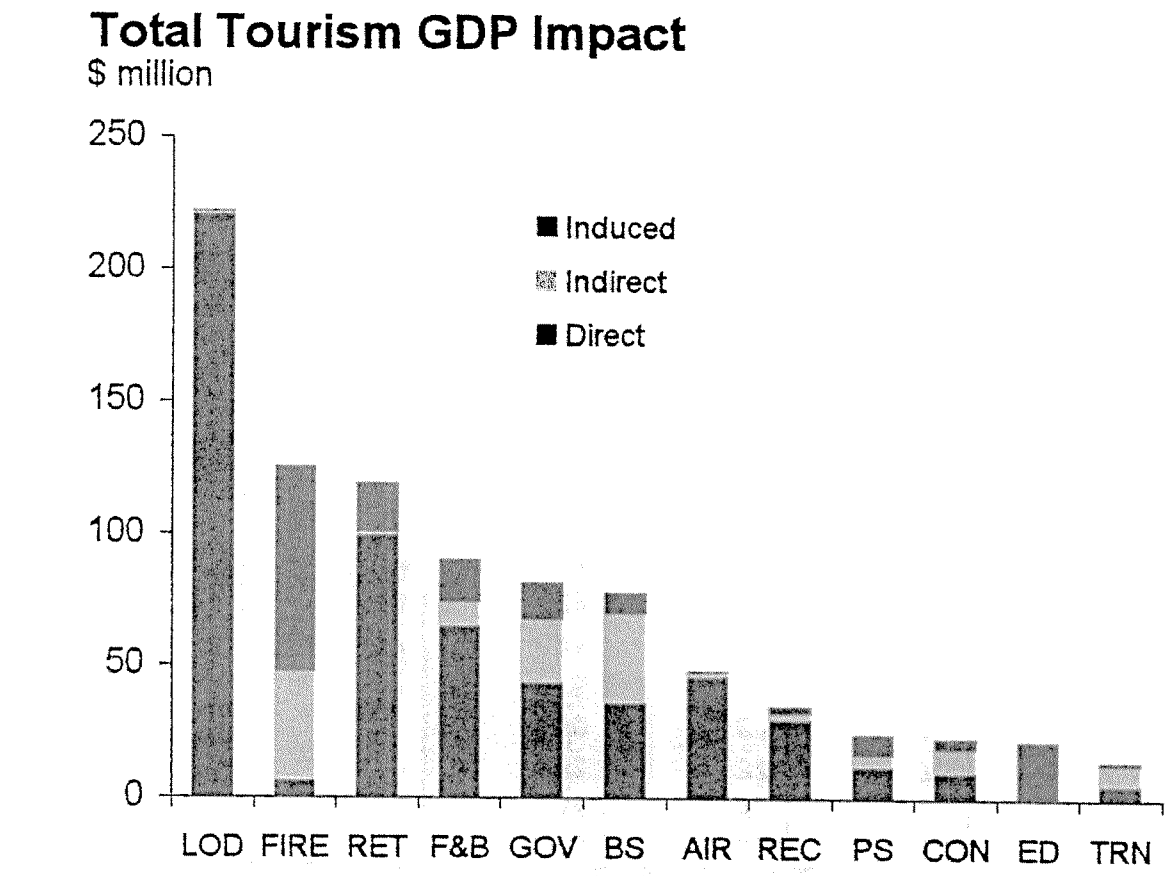
Tourism economy employment

Total Tourism Employment Impact				
	Direct	Indirect	Induced	Total
Agriculture, Fishing, Mining	-	23	32	55
Construction and Utilities	211	36	15	261
Manufacturing	-	33	37	70
Wholesale Trade	-	30	69	99
Air Transport	127	5	11	143
Other Transport	177	123	28	328
Retail Trade	2,613	12	441	3,065
Gasoline Stations	77	1	18	96
Communications	-	37	26	63
Finance, Insurance and Real Estate	165	256	435	856
Business Services	1,272	560	135	1,966
Education and Health Care	-	1	418	419
Recreation and Entertainment	697	69	91	856
Lodging	5,231	5	12	5,248
Food & Beverage	2,656	242	423	3,321
Personal Services	448	83	274	805
Government	409	213	130	753
TOTAL	14,081	1,736	2,596	18,413

- The tourism sector directly and indirectly supported 18,413 jobs, or 31% of all employment in Guam last year.

Tourism economy GDP impact

- All sectors of the Guam economy benefit from tourism activity directly and/or indirectly.



Tourism economy GDP impact

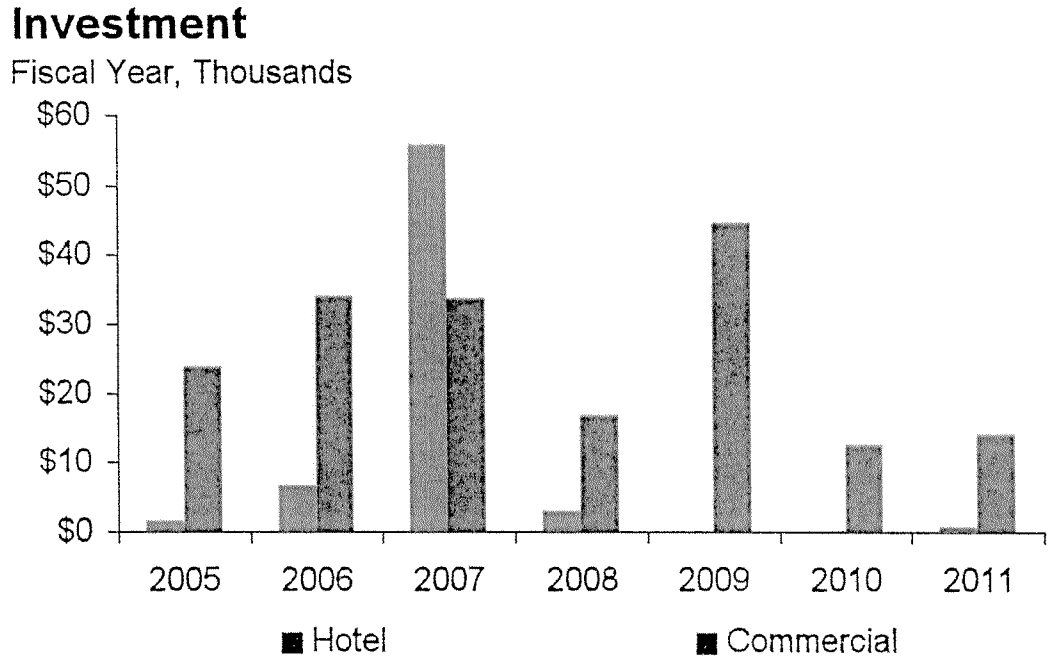
Total Tourism GDP (Value Added) Impact (US$ Million)	Direct	Indirect	Induced	Total
Agriculture, Fishing, Mining	-	0.4	0.8	1.2
Construction and Utilities	10.2	8.6	4.2	23.0
Manufacturing	-	4.4	3.4	7.8
Wholesale Trade	-	2.8	6.6	9.4
Air Transport	46.6	0.6	1.2	48.4
Other Transport	5.9	7.1	1.6	14.6
Retail Trade	99.9	0.6	18.9	119.3
Gasoline Stations	1.7	0.0	1.0	2.7
Communications	-	6.3	4.1	10.3
Finance, Insurance and Real Estate	6.7	40.4	78.5	125.6
Business Services	36.6	33.3	7.9	77.8
Education and Health Care	-	0.0	22.1	22.1
Recreation and Entertainment	30.3	1.6	3.1	34.9
Lodging	220.9	0.5	1.1	222.5
Food & Beverage	65.5	8.6	16.0	90.2
Personal Services	12.5	3.6	8.3	24.4
Government	43.8	23.4	14.3	81.5
TOTAL	580.4	142.7	193.1	916.2

Tourism economy GDP impact

- Total tourism economy sales include capital investment and general government support of tourism. By this broad definition, tourism activity directly contributed $580 million to GDP in 2010.

- In total, including all direct tourism demand, indirect and induced impacts, the tourism sector generated GDP of $915 million. This is 20.4% of the island economy.

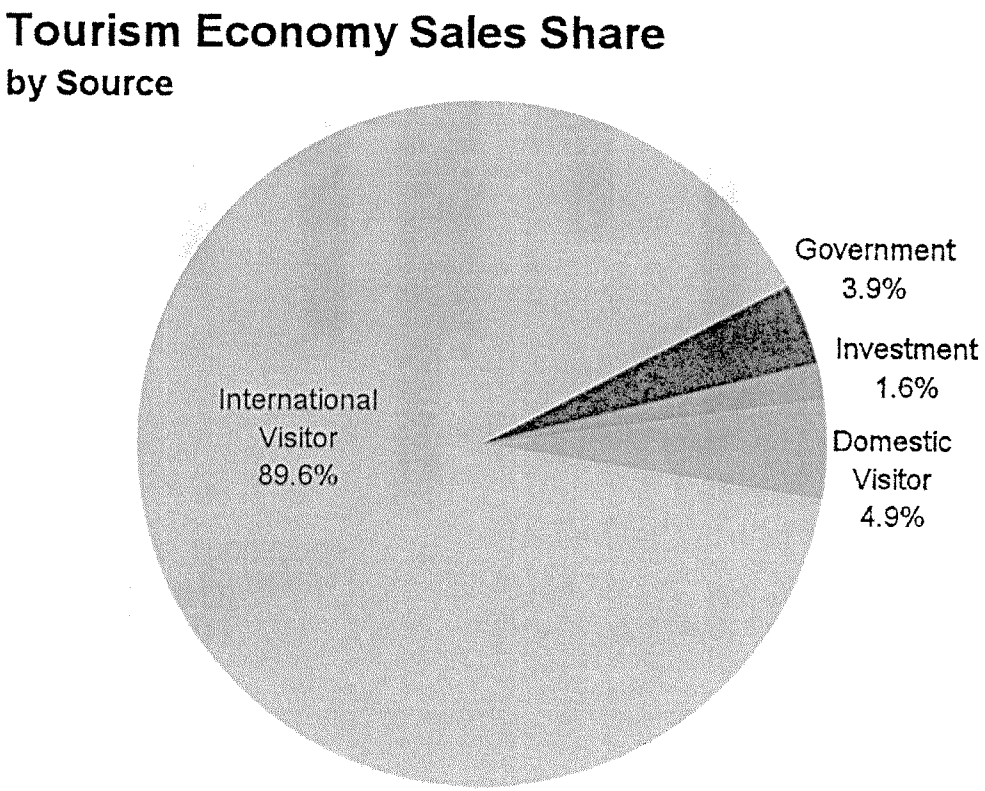
Tourism capital investment



Source : Tourism Economics, GVB

- Tourism-related capital investment reached its peak in 2007.
- Falling visitor numbers and the recession brought investment in new hotel properties to a standstill in both 2009 and 2010.
- Capital investment grew only slightly from the recessionary levels in 2009 as construction remain subdued.

Tourism economy sales by source



- International visitor markets comprise the majority (90%) of tourism sales in Guam.
- Domestic visitor markets contributed 5% of tourism sales last year.
- Governmental spending in support of tourism contributed 4% of tourism sales.

Tourism industry and economy sales

- The direct impact of tourism is driven by tourism industry sales only. This allows for apples-to-apples comparisons with other industries.

- The total economic impact of tourism includes investment in support of tourism, government spending and non-visitor private consumption expenditures (PCE).

Tourism Sales, 2010 Guam	Industry	Economy
Lodging	$393.0	$393.0
Food	$134.4	$134.4
Recreation	$169.5	$169.5
Shopping	$453.2	$453.2
Air	$133.8	$133.8
Other Transport	$40.0	$40.0
Non-Visitor PCE	$0.0	$0.0
Investment	$0.0	$23.0
Government	$33.8	$54.2
TOTAL	$1,357.9	$1,401.2

Tourism economy sales

- The Tourism Satellite Account looks at a broader range of tourism-related expenditures.

2010 Tourism Economy Sales (US$ Million)				
Domestic Visitor	International Visitor	Gov't Support	CAPEX	Total
$68.4	$1,255.6	$54.2	$23.0	$1,401.2

- Non-visitor private consumption expenditures (PCE) represent tourism consumer durables such as an RV, boat, or furniture for a vacation home.
- Government support for tourism includes the airport operations and GVB spending and other budget items in broad support of tourism.
- Capital investment (CAPEX) includes construction of hotels and attractions, as well as tourism equipment and infrastructure.
- Total tourism economy sales tallied $1.4 billion in 2010.

Guam Tourism Economy Impacts

(direct, indirect, and induced)



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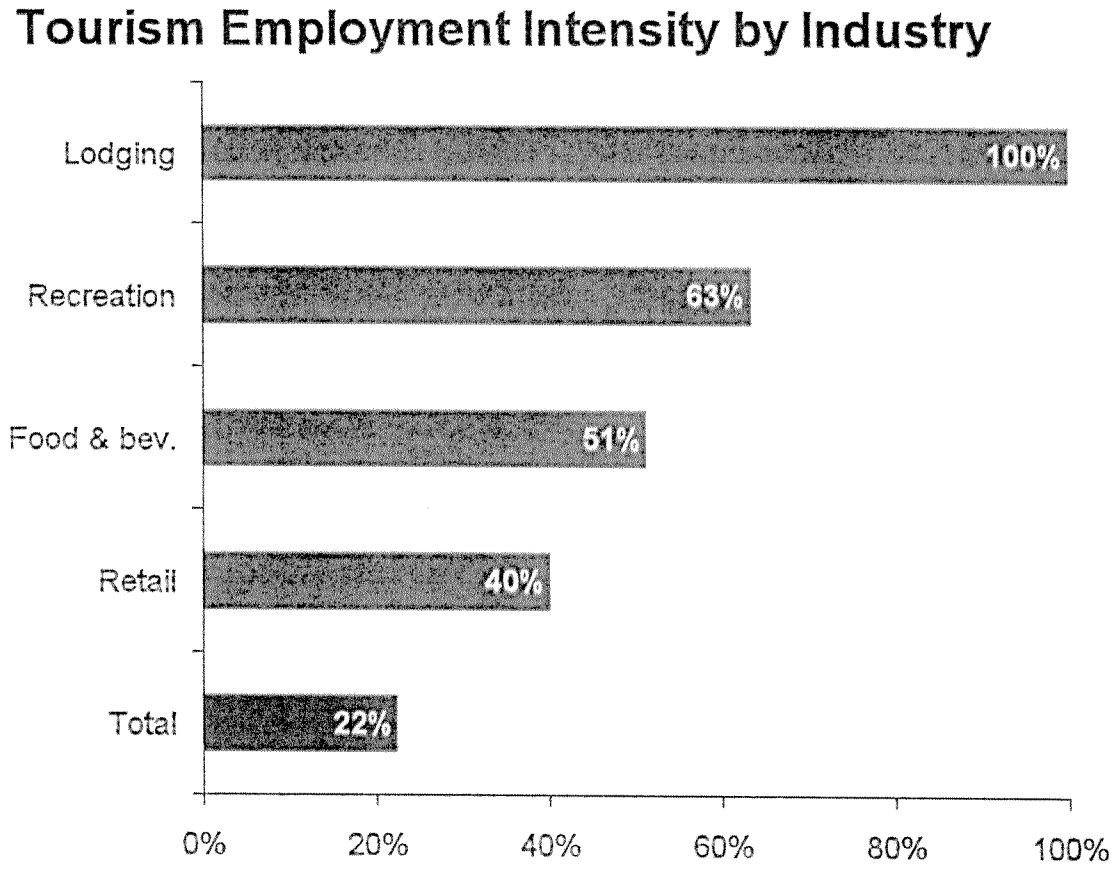
Ranking tourism employment

- The Guam tourism industry directly employed 13,716 persons in 2010. This narrow measurement of tourism includes only those jobs directly supported by visitor activity and allows for inter-industry ranking.
- On this basis, tourism is the largest employer on the Island of Guam.

Employment Ranking Guam		
Rank	Industry	2010
1	**Tourism**	**13,716**
2	Government of Guam	12,054
3	Accommodation and Food Services	10,340
4	Construction	6,974
5	Retail Trade	6,497
6	Federal Government	3,841
7	Administrative and Support and Waste Management ar	3,395
8	Transportation and Warehousing	2,634
9	Health Care and Social Assistance	2,537
10	Professional, Scientific, and Technical Services	2,443
11	Wholesale Trade	1,842
12	Finance and Insurance	1,812
13	Other Services (except Public Administration)	1,733
14	Manufacturing	1,525
15	Information	1,478

Tourism intensity for key sectors

- Tourism generates a significant share of industry activity. Nearly two-thirds of all recreation, half of food & beverage, and 40% of retail employment is sustained by tourism activity.

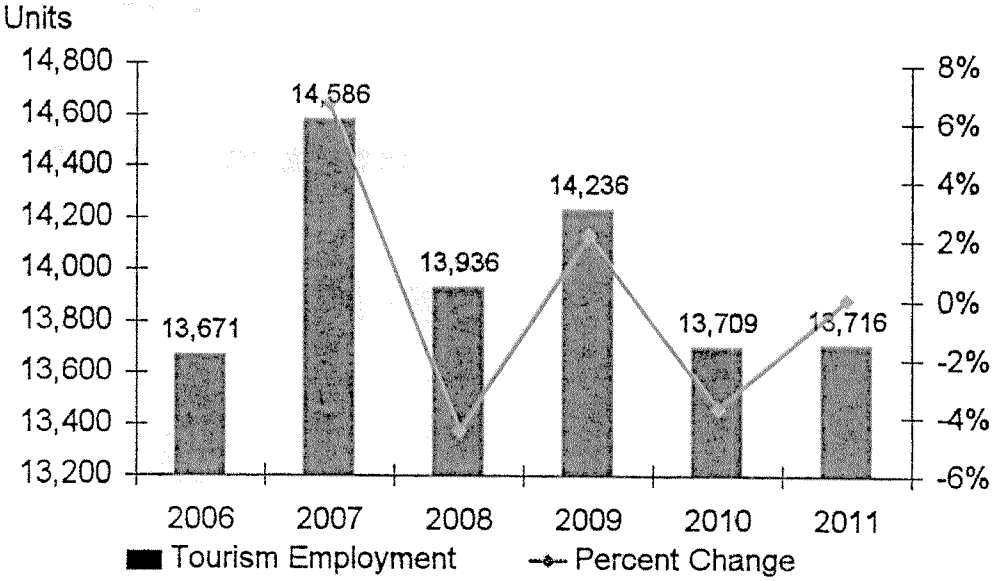


Signs of a tourism employment recovery

Tourism Employment						
	2006	2007	2008	2009	2010	2011
Tourism Employment	13,671	14,586	13,936	14,236	13,709	13,716
Percent Change		6.7%	-4.5%	2.2%	-3.7%	0.1%

- While spending recovered, tourism employment still lags previous highs as employers hesitate to hire new workers.
- However, 2011 data show the beginnings of an employment recovery.

Tourism Employment



Source : Tourism Economics

Why sales and GDP differ

- Tourism industry sales in Guam equals $1.3 billion while GDP only measures $554 million.

- GDP (Gross domestic product) is less than sales because it measures only the locally-produced value of goods and services consumed by visitors

  - This includes the local labor, capital depreciation, and the profits of tourism-related companies that are based in Guam.

  - The costs of imported goods (gasoline, food or retail goods) that come from out-of-state are excluded from the GDP calculation.

  - In addition, business profits from non-local companies are also excluded. For example, Hyatt profits leave the economy.

Tourism industry impacts

Tourism Impacts	GDP	Jobs
Agriculture, Fishing, Mining	-	-
Construction and Utilities	-	-
Manufacturing	-	-
Wholesale Trade	-	-
Air Transport	46.6	127
Other Transport	5.9	177
Retail Trade	99.9	2,613
Gasoline Stations	1.7	77
Communications	-	-
Finance, Insurance and Real Estate	6.7	165
Business Services	36.6	1,272
Education and Health Care	-	-
Recreation and Entertainment	30.3	697
Lodging	220.9	5,231
Food & Beverage	65.5	2,656
Personal Services	12.5	448
Government	27.3	256
TOTAL	553.7	13,716

- Tourism GDP is the value added of those sectors directly interacting with travelers.
- The narrow definition of the tourism industry counts only tourism consumption, which excludes capital investment and general government support of tourism. This definition is consistent with economic accounts for other industries.
- On this basis, tourism industry GDP was $554 million in 2010, accounting for 12% of total Guam GDP.

Guam Tourism Industry Impacts
(Direct)



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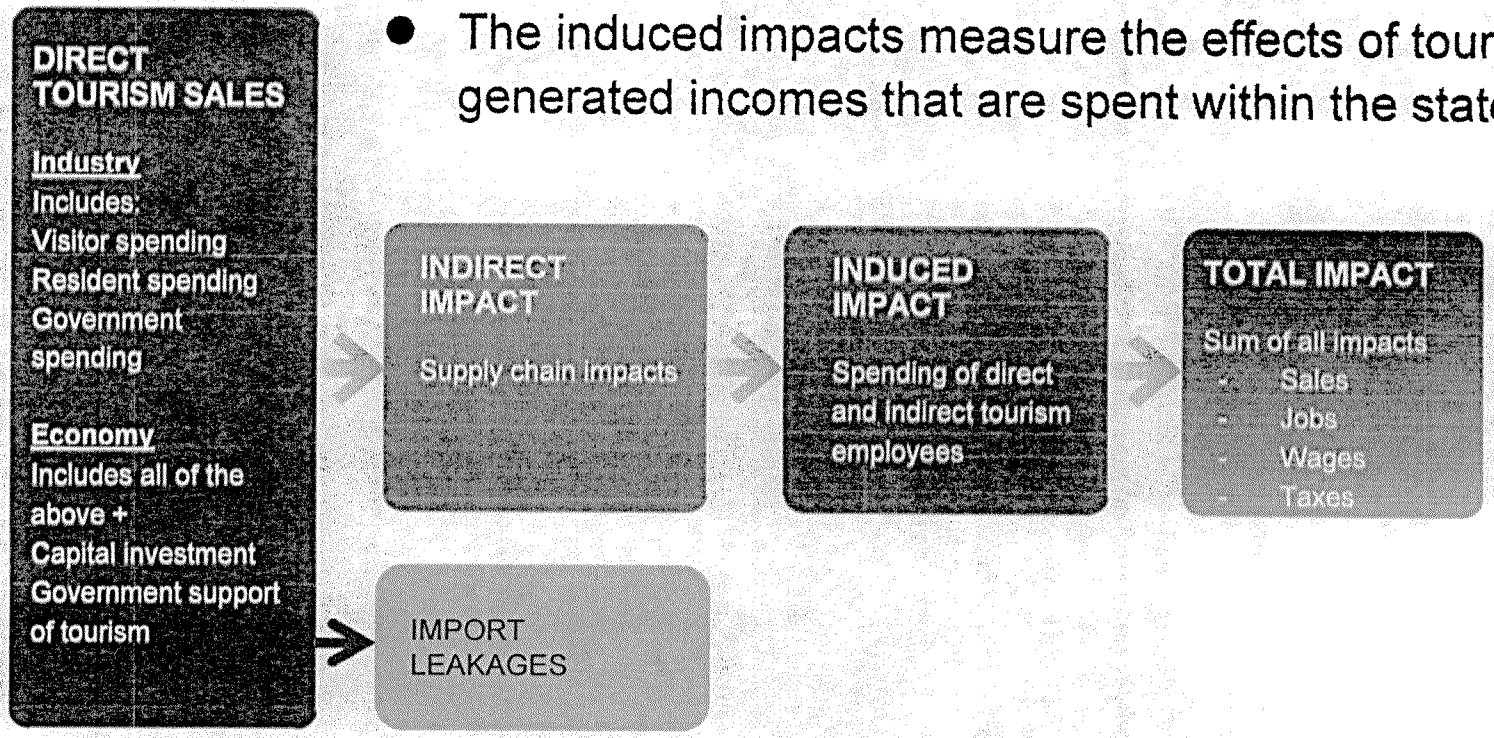
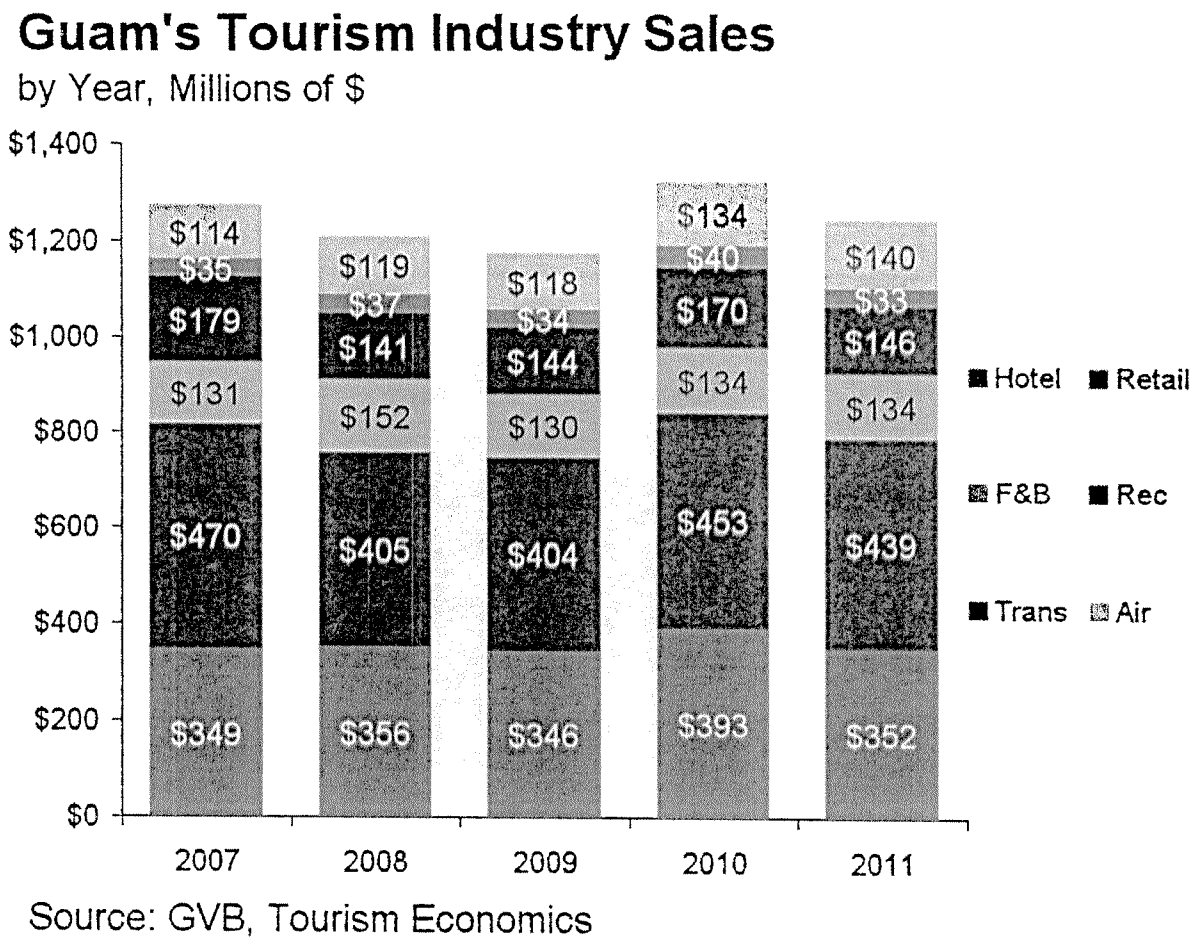
Translating sales into impact

- Direct tourism sales flow through the Guam economy, generating GDP, jobs, wages, and taxes.
- The indirect impacts measure supply chain (b2b) activity generated by tourism sales.
- The induced impacts measure the effects of tourism-generated incomes that are spent within the state.



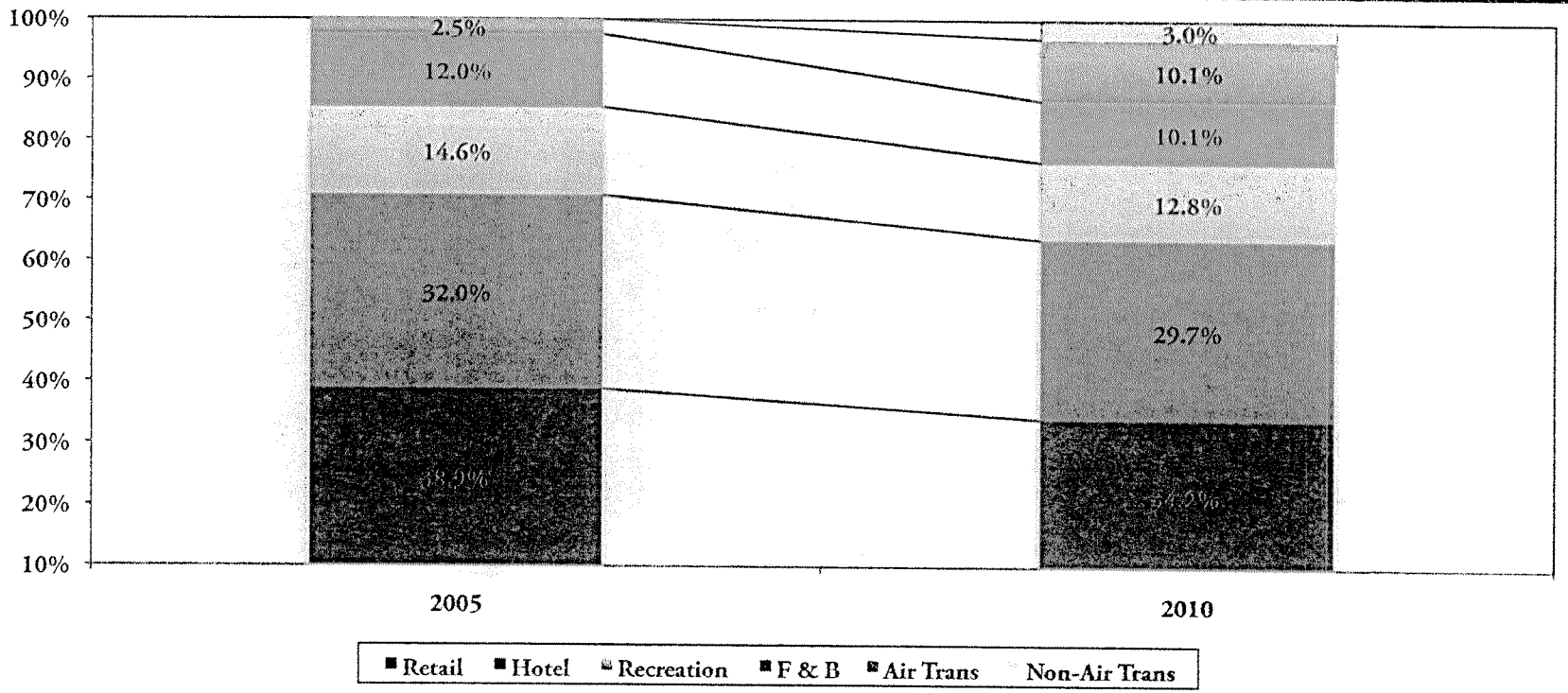
Tourism spending by sector



Source: GVB, Tourism Economics

- Visitor spending at hotels rose to almost $400 million in 2010.
- Retail spending began to recover in 2010 but remains below historic levels.

Tourism spending by sector



- Shopping is a major draw – in 2010, 34% (39%) of the visitor dollar was spent shopping.

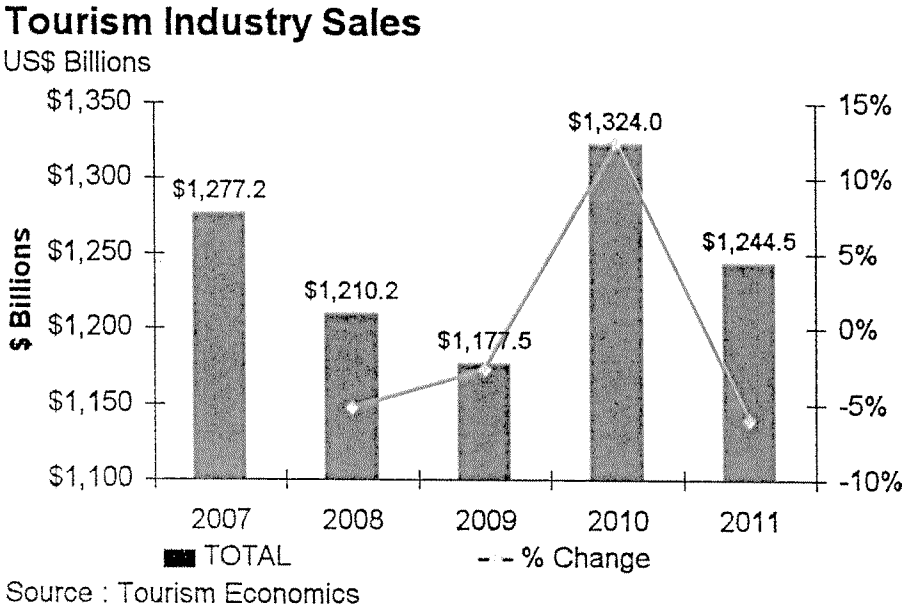
- Accommodations, including food and beverage onsite, captured the second largest share of spending in Guam with 40% in 2012 and 44% in 2005.

A recovery in tourism spending

- Tourism spending rebounded from the effects of the recession, increasing 12.4% in 2010.

- Tourism spending reached pre-recession levels with this rebound.

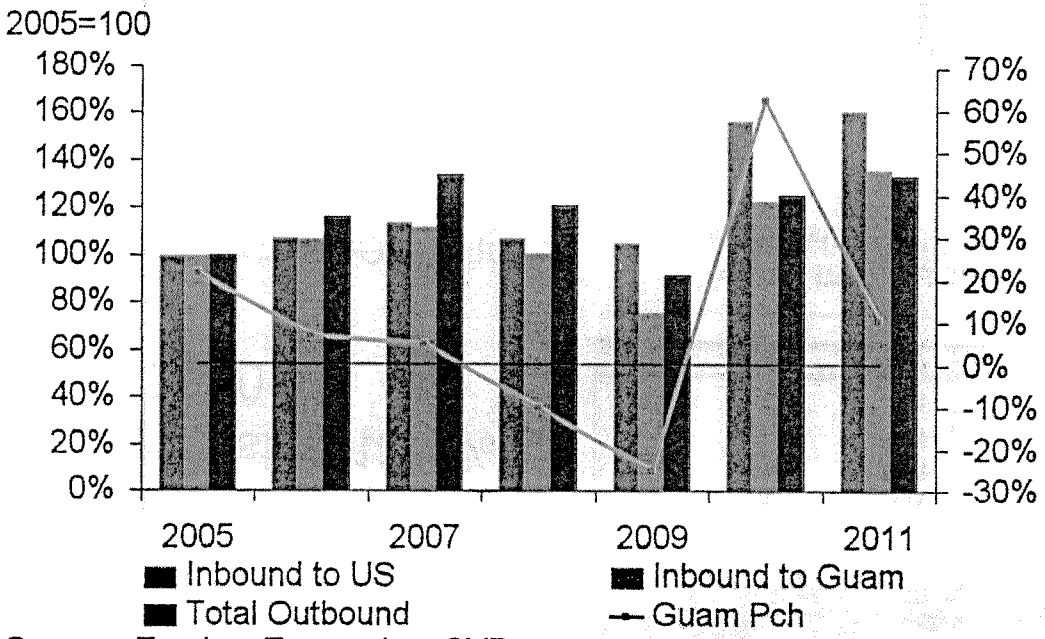
Tourism Industry Sales (US$ Million)						
Sector	2007	2008	2009	2010	2011	% Change
Hotel	$349	$356	$346	$393	$352	13.6%
Retail	$470	$405	$404	$453	$439	12.1%
F&B	$131	$152	$130	$134	$134	3.0%
Rec	$179	$141	$144	$170	$146	17.5%
Trans	$35	$37	$34	$40	$33	17.3%
Air	$114	$119	$118	$134	$140	12.9%
TOTAL	$1,277	$1,210	$1,178	$1,324	$1,244	12.4%



Source : Tourism Economics

Perspective on the Korean market

Visit Share and Growth - Korea

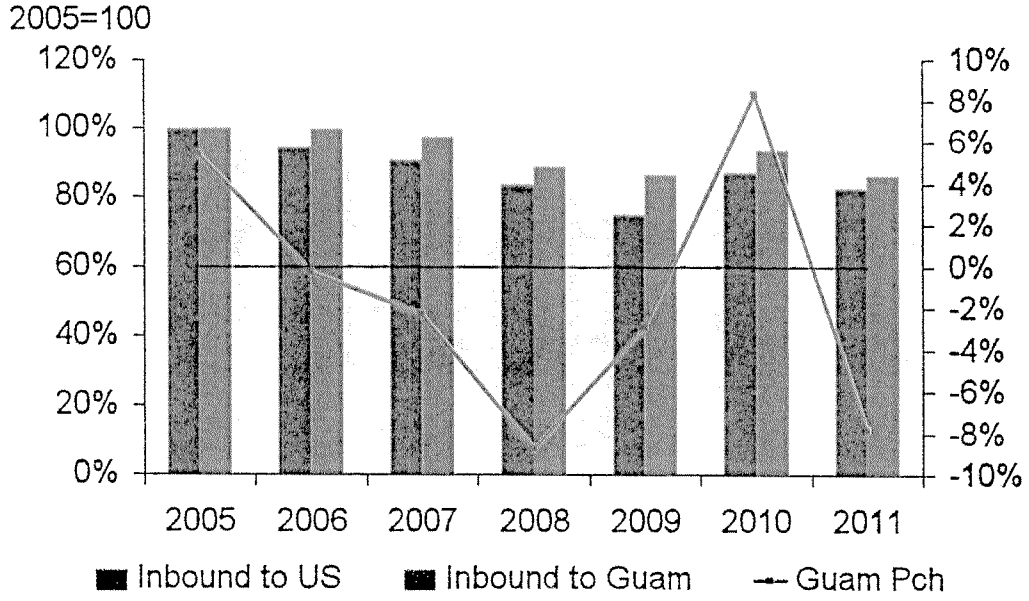


Source : Tourism Economics, GVB

- Guam kept pace with Korean outbound to the US through 2008.
- Korea joined US visa-waiver program in late 2008, resulting in large increases in travel to the US in 2010 and 2011.
- Once the market settled, Guam has gained back some of the Korean market share.

Perspective on the Japanese market

Visit Share and Growth - Japan



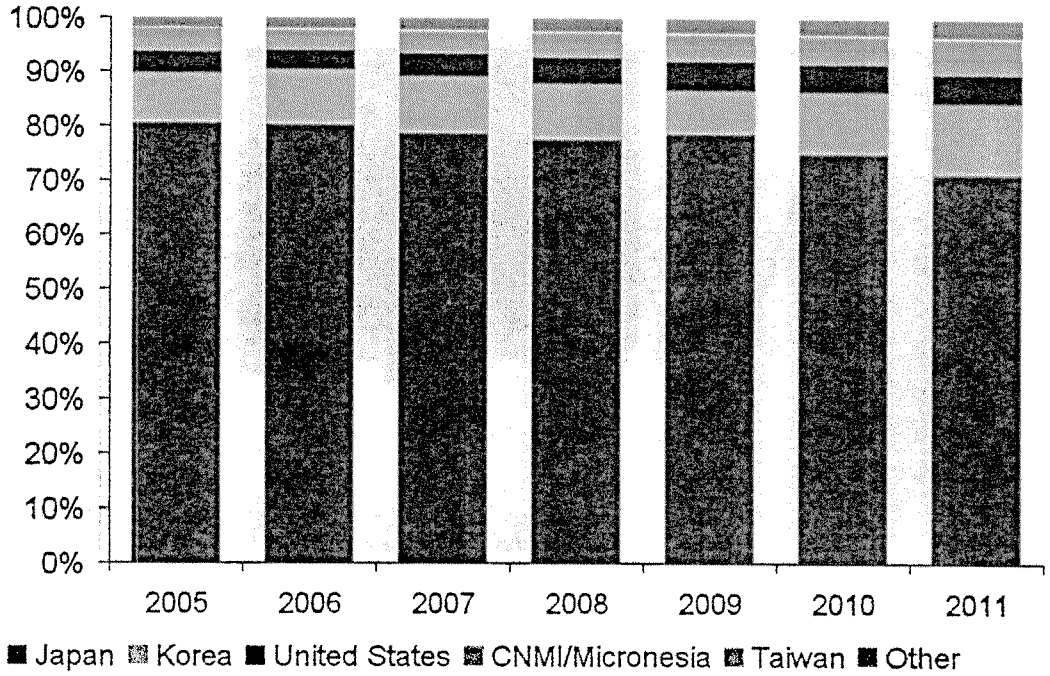
Source : Tourism Economics, GVB

- Declines in Japanese visitation are not unique to Guam, Japanese inbound to US has fallen even more.
- By indexing Japanese visitation to 2005 levels, the chart shows Guam has outperformed Japanese visitation to the US as a whole.
- Guam's share of Japanese visitors to the US grew from 24.6% in 2005 to 26.4% in 2010.

Visitation by market

Guam Air Visitation

by Year, Millions



Source: GVB

- Visitation has slowly been diversifying away from the dominant Japanese visitor.
- The percentage of Japanese visitors fell to 75% in 2010 while Korea grew to over 11% of total visitation.

Key trends in 2010

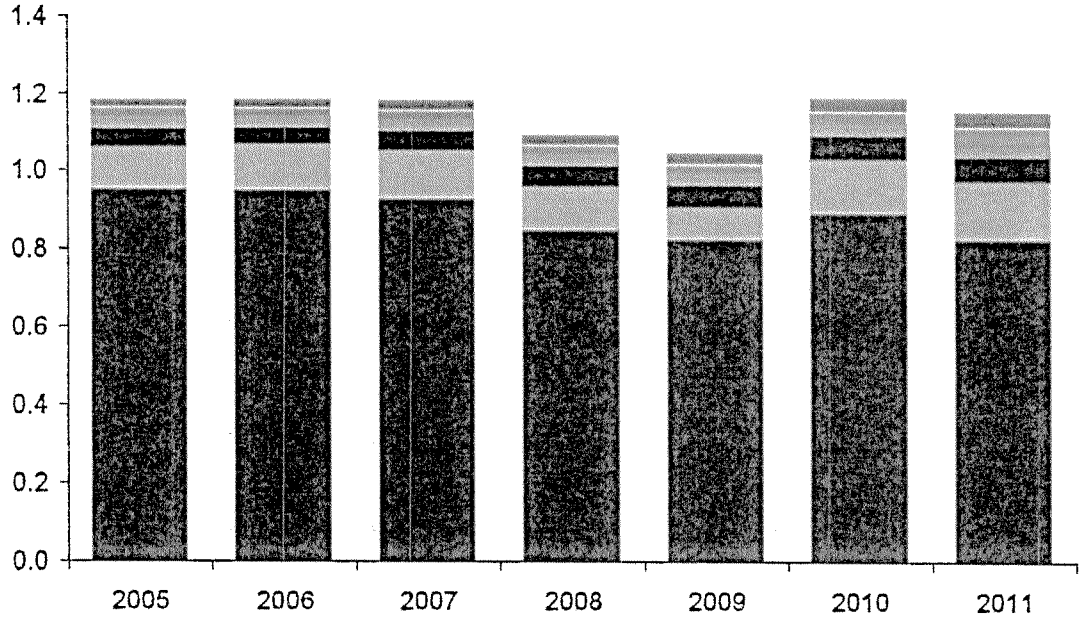
- Visitation grew 13.7% in 2010.
- Japanese visitation grew 8.3% but growth was led by Korean (62%) and Taiwanese (42%) visitors.
- Per party spending grew for both Japanese and Korean visitors.
- Visitor spending in Guam rose by 12.4% in 2010. Spending increases were highest in accommodations and recreational sectors.
- Retail spending growth has not matched that of other sectors.

Since the last report

- Guam tourism has evolved over the past five years:
  - Diversification away from the Japanese market: in 2005, 80% of visitors were from Japan, in 2010, 75% of visitors were from Japan (while overall visitation levels remained the same)
  - Expansion of markets
    - Relaxing of restrictions on Korean, Russian and (hopefully soon) Chinese markets.
    - Non-traditional markets now make up 1.3% of visitors, up from 0.7% in 2005.
  - Impact of financial crisis and recession of 2008-9
    - Guam saw visitation declines of 7% each year.
  - The recovery of 2010

Visitor trends

Guam Air Visitation
by Year, Millions



Source: GVB

- After falling from its pre-recession highs in 2005, visitation grew 13.7% in 2010.
- This rebound brought visitation to 1.2 million, representing a full recovery to 2007 levels.
- Korea and US visitor arrivals reached highs not seen in at least a decade.

External environment

- Over the past half-decade, tourism has been tested by a volatile world economy:
  - Global financial crisis and ensuing recession
  - Commodity and oil price rises
  - Sharp exchange rate fluctuations
- And visitation to Guam has been affected by regional events:
  - Natural disasters
  - Opening of new source markets
- Guam visitor numbers reflect these changes.

Detailed Island Results



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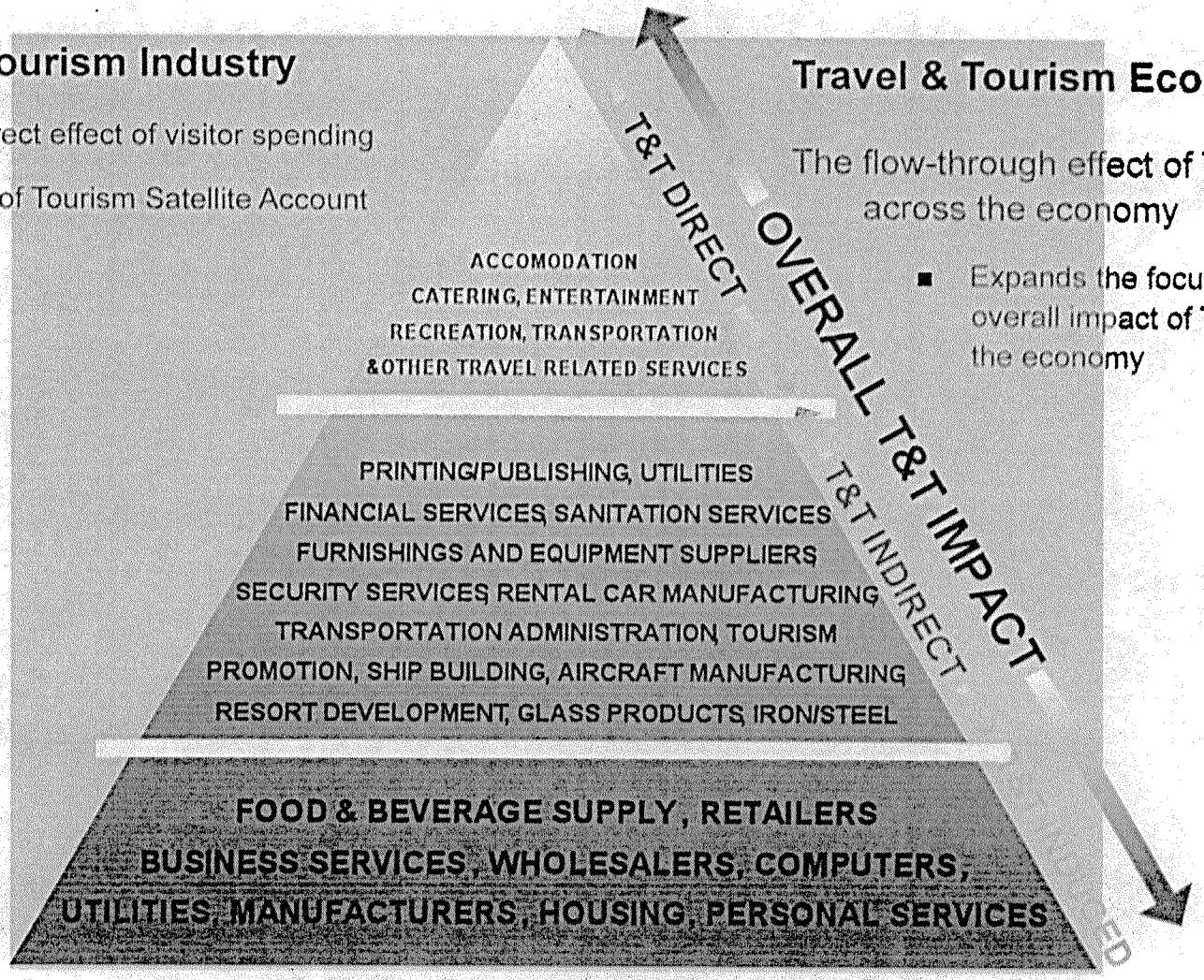
Illustrating the concepts

Travel & Tourism Industry

- The direct effect of visitor spending
- Focus of Tourism Satellite Account



Travel & Tourism Economic Impact

The flow-through effect of T&T all demand across the economy

- Expands the focus to measure the overall impact of T&T on all sectors of the economy

Important definitions

1. **Tourism Industry:** Measures the value of traveler activity within "tourism characteristic industries". This concept measures only the direct impact of visitor-related spending in the travel industry.

2. **Tourism Economy:** Includes the "tourism industry" plus government spending and capital investment in support of tourism. This is the basis of the total economic impact analysis, including direct, indirect and induced impacts.

Benefits of a TSA

- Enables comparisons of the importance of tourism to other sectors of the economy in terms of GDP, employment, and income.
- Allows for benchmarking to other destinations.
- Tracks the economic contribution of tourism over time.
- Monitors strength by tracking capital investment .
- Allows for extension analysis for of the full impact of tourism.

The Tourism Satellite Account

- The TSA was conceived by the UN World Tourism Organization and has since been ratified by the UN, Eurostat, and OECD.
- The standard has been adopted by over fifty countries around the world and a growing number of US States.
- The TSA deals with the challenge of measuring tourism in two important ways:
  - Defines the tourism economy
  - Provides methodology for calculating tourism GDP in a way that is consistent with economic accounts

Why is this a challenge?

- Most economic sectors such as financial services, insurance, or construction are easily defined within a country's national accounts statistics.

- Tourism is not so easily measured because it is not a single industry. It is a demand-side activity which affects multiple sectors to various degrees.

- Tourism spans nearly a dozen sectors including lodging, recreation, retail, real estate, air passenger transport, food & beverage, car rental, taxi services, travel agents…

Why quantify the tourism economy?

- By monitoring tourism's economic impact, policy makers can make informed decisions regarding the funding and prioritization of tourism development.
- It can also carefully monitor its successes and future needs.
- In order to do this, tourism must be measured in the same categories as other economic sectors – i.e. tax generation, employment, wages, and gross domestic product.

Structure of Analysis



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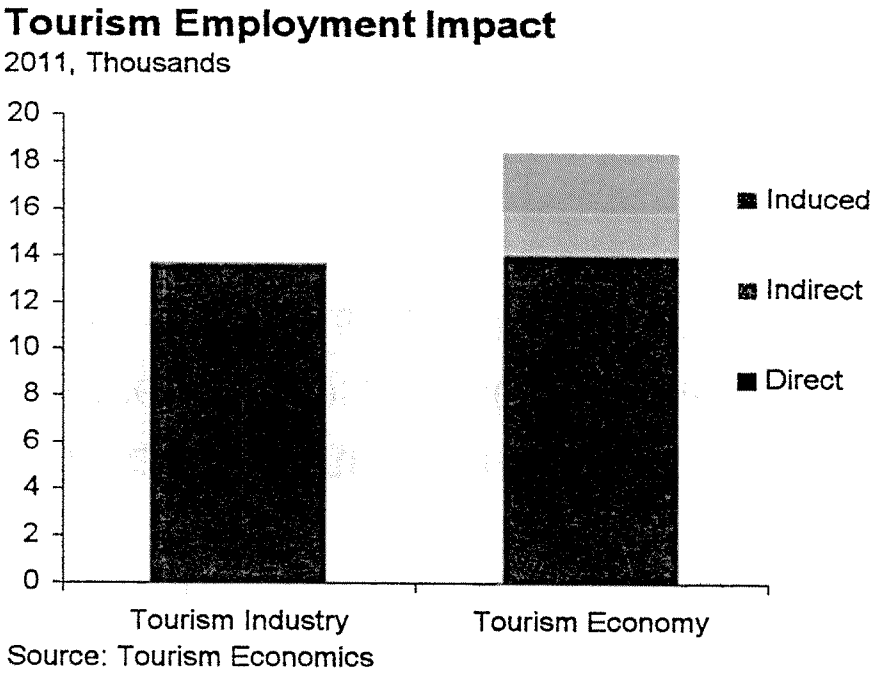
Industry specifics for 2010

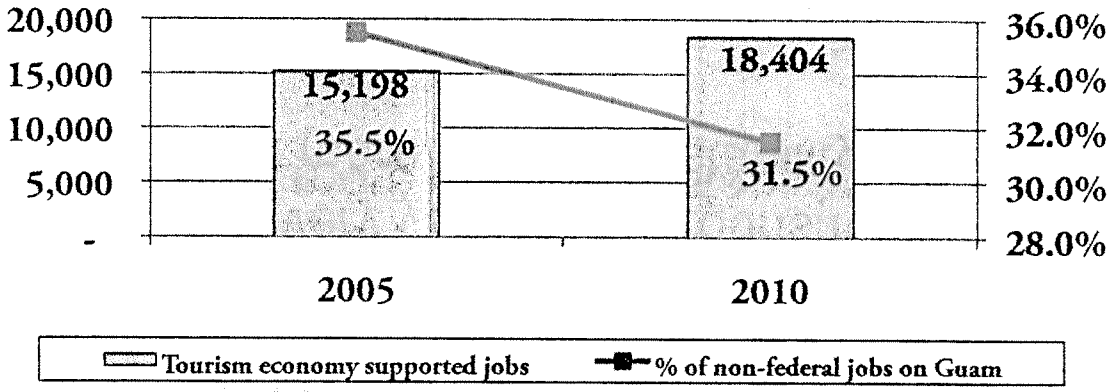
- 2010 proved to be a classic recovery year for the tourism industry. With lower travel prices and a bit more economic stability, travel rebounded.
- Visits reached highs not seen since 2005.
- Korea and US visitors reached highs not seen in over a decade.
- As in most recoveries, employment growth did not match spending growth. Business sales may have recovered but the still-uncertain economic environment subdued tourism sector hiring and investing.

Tourism impact summary: employment

- Tourism **industry** sales directly supported 13,700 (10,419) jobs in 2010.
- The tourism **economy**, including direct, indirect and induced impacts, supported 18,404 (15,198) jobs. This is 31.5% (35.5%) of all non-federal jobs on the island.



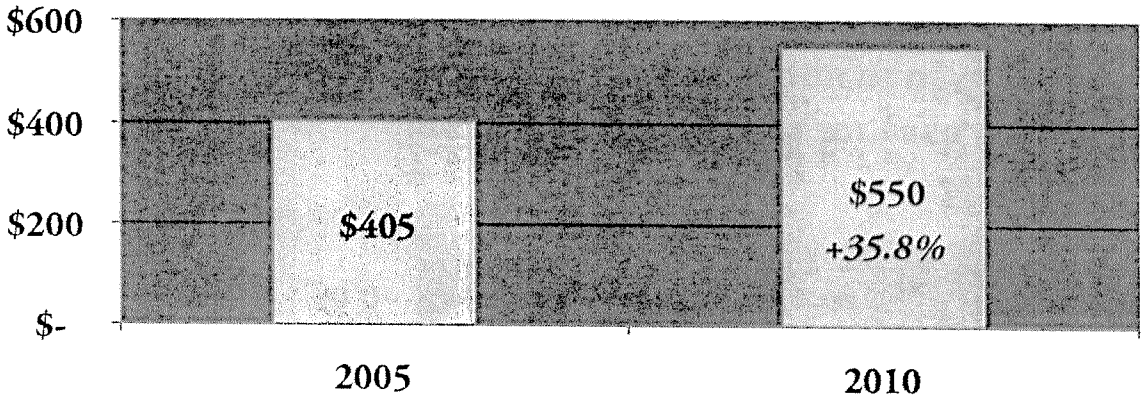
Source: Tourism Economics



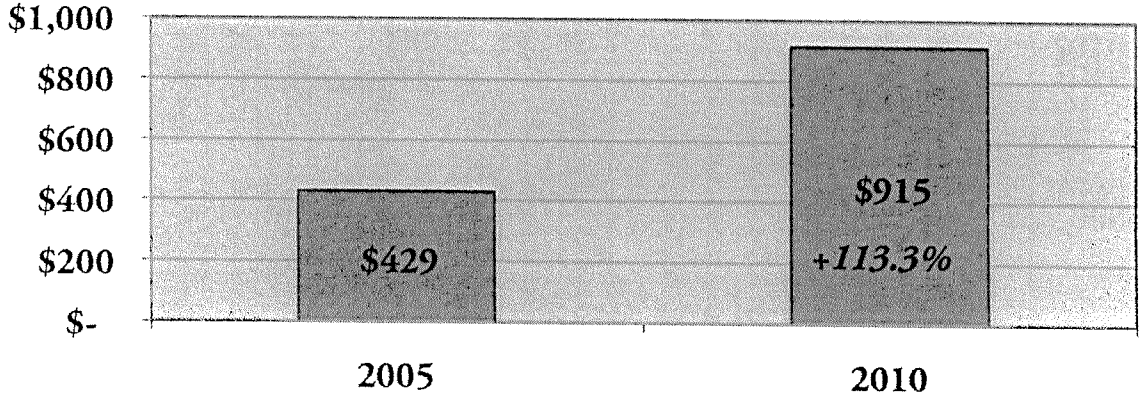
Tourism impact summary: GDP

- The tourism industry directly generated $550 million ($404.8 million) of Guam's GDP in 2010.
- The broader tourism economy, including direct, indirect and induced impacts, generated GDP of $915 million ($429 million). This is 20.4% (21%) of Guam's economy.

Tourism industry directly generated $$$ (millions) of Guam's GDP



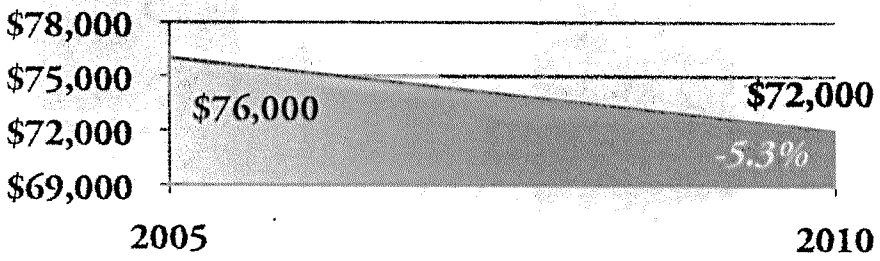
Broader tourism economy (direct, indirect, induced impacts) directly generating GDP



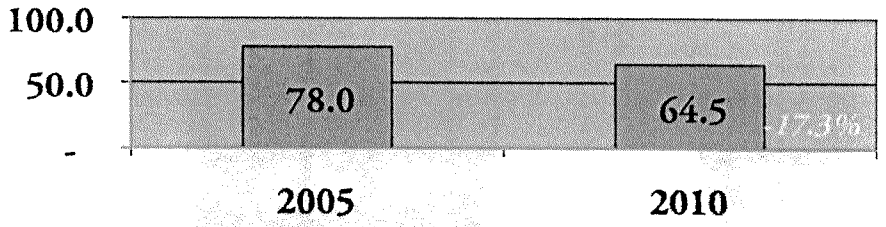
The elevator speech

- Each visitor to Guam spends around $1,100 on-island.
- For every $72,000 ($76,000) in visitor spending on-island, one job on Guam is supported.
- It takes the spending of 64.5 (78) visitors to support a job on Guam.
- Each visitor on Guam adds $125 ($120) in tax revenues to the Government of Guam.
- The number of jobs supported by tourism on Guam is equal to putting two people in every hotel room on Guam AND having 3,000 people left over to serve them!!

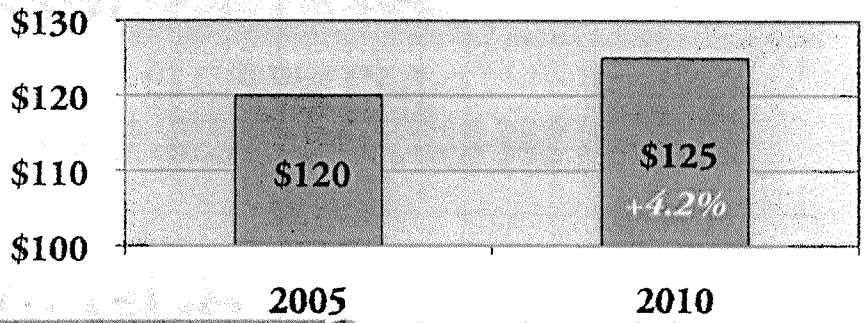
Local visitor spending on-island that supports one job on Guam



It takes the spending of this many visitors to support a job on Guam



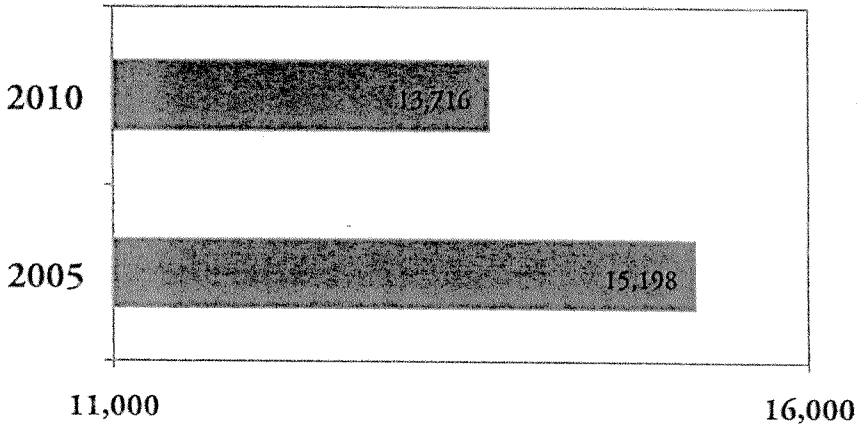
Tax revenue generated for each Guam visitor to the Government of Guam



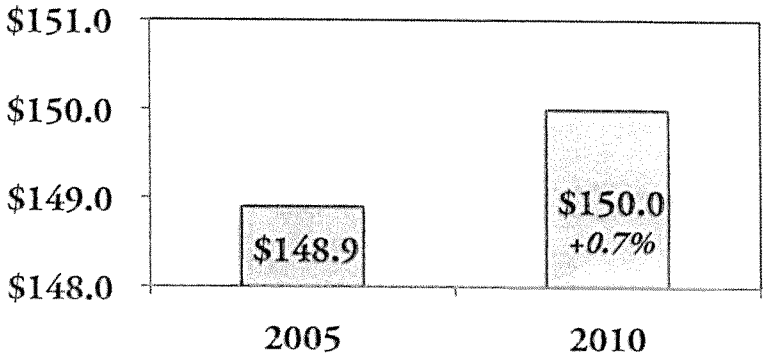
Key impact results, continued

- This economic activity sustained 13,716 jobs (15,198, -9.8%), both directly and indirectly, representing 29% (24.3%) of total employment.
- The tourism sector directly represented $800 million ($429.3 million) of Guam's Gross Domestic Product (GDP) in 2010.
- Including indirect and induced impacts, tourism in Guam generated $150 million ($148.9 million,+0.7%) in taxes.
- Hotel occupancy taxes jumped over 12% to $21.8 million in 2010.

Employment: Direct, Indirect, Induced

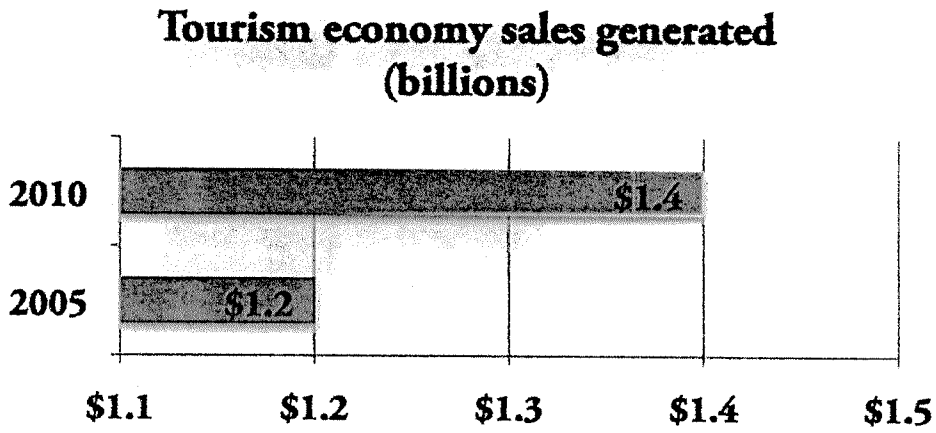


Tourism economy tax generation (millions) Direct, Indirect, Induced)



Key impact results

- Tourism is an integral component of the Guam economy.
- The global economy has gone through a full economic cycle since the last analysis of the visitor economy in 2005. Guam tourism performance has broadly followed economic trends: spending and visitation hit their plateau in 2006 and 2007 and then declined in 2008 and 2009 with a tourism recovery in 2010.
- The industry signaled its recovery in 2010 with a 12.4% rise in visitor spending.
- In 2010, total tourism economy sales in Guam tallied $1.4 billion, up 16.7% compared to 2005 ($1.2 billion).



Overview

In comparison to the 2005 report, this report uses several new sources of data that did not exist previously, as such there will be some definitional differences that make comparisons with that report. Data in ( ) denotes 2005 data.



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The Economic Impact of Tourism in Guam

Tourism Satellite Account
Calendar Year 2010

April 2012

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Chris Budasi

From: Chris Budasi <chris.budasi@gmail.com>
Sent: Sunday, August 19, 2012 5:54 AM
To: 'Senator Ben Pangelinan (senben@guam.net)'; 'Vicente C. Pangelinan (ctzenben@guam.net)'
Subject: Section 2718

Senator,
I ran a three scenarios on the participating contract refund. The current MLR is tracking 55% after 9 months.

Scenario 1, 80% MLR = $3,700,000 rebate. No requirement to give any rebate back to employees. (25% employee share = $925,000)
Scenario 2, 73% MLR = $8,633,333 rebate. No requirement to give any rebate back to employees. (25% employee share = $2,158,333)
Scenario 3, 66% MLR = $14,060,000 rebate. No requirement to give any rebate back to employees. (25% employee share = $3,515,000)

I believe the number will fall between scenario 1 and scenario 2 (closer to 2). If the government does not share the rebate then a MLR of 74.864% will need to be achieved to reach the revenue estimate. If the employees share in the rebate then an MLR of 71.485% must be achieved to reach the revenue estimate.

FY2012 Guam Visitor Arrivals, By Air and Sea

Verified figures as of 7/19/12

CIVILIAN AIR

2012	October	November	December	January	February	March	April	May[p]	June	July	August	September	Total
JAPAN	61,589	70,375	74,734	80,295	84,042	98,769	60,837	54,938					585,579
KOREA	10,696	13,198	13,665	16,477	13,593	10,747	11,480	11,477					101,333
TAIWAN	4,078	3,709	3,095	7,015	3,816	3,255	3,963	3,196					32,127
U.S. MAINLAND	2,829	3,532	3,853	3,223	3,320	3,695	3,256	3,537					27,245
HAWAII	794	790	707	719	699	934	838	908					6,389
CNMI	1,647	1,376	1,468	1,144	1,057	1,450	1,237	1,368					10,747
PALAU	418	282	314	220	226	305	295	312					2,372
FSM	841	776	926	753	664	779	715	903					6,357
RMI	81	88	56	44	55	170	91	85					670
PHILIPPINES	954	1,031	990	458	527	757	1,206	1,234					7,157
AUSTRALIA	316	322	298	340	254	306	382	234					2,452
CANADA	62	88	91	67	69	85	62	63					587
EUROPE	85	153	146	125	130	168	168	83					1,058
HONG KONG	684	1,023	860	747	692	622	605	647					5,880
THAILAND	29	21	21	16	32	20	29	27					195
CHINA, P.R.C.	1,236	392	407	2,519	326	397	502	434					6,213
VIETNAM	7	2	5	16	14	9	3	-					56
RUSSIA	72	25	147	201	135	302	287	282					1,451
OTHER/UNKNOWN	281	389	351	307	347	382	317	306					2,680
TOTAL	86,699	97,572	102,134	114,686	109,998	123,152	86,273	80,034	0	0	-	-	800,548

Source: Civilian air arrivals, Customs Declaration Forms, Customs & Quarantine Agency.

CIVILIAN SEA

2012	October	November	December	January	February	March	April	May[p]	June	July	August	September	Total
JAPAN	2	-	3	379	-	362	1	235					982
KOREA	-	-	-	-	-	-	-	-					-
TAIWAN	1	-	-	-	-	1	-	-					2
U.S. MAINLAND	11	24	43	14	6	384	34	5					521
HAWAII	3	-	2	8	-	11	-	1					25
CNMI	32	9	16	8	5	-	30	48					148
PALAU	-	-	-	-	-	-	-	-					-
FSM	-	-	1	-	-	-	6	-					7
RMI	-	-	-	-	-	2	-	-					2
PHILIPPINES	198	7	-	4	1	25	49	2					286
AUSTRALIA	1,809	1	-	2	-	43	-	-					1,855
CANADA	13	-	1	2	-	145	-	-					161
EUROPE	38	-	-	1	2	42	212	-					295
HONG KONG	-	-	-	-	-	-	-	-					-
THAILAND	19	-	-	-	-	-	-	-					19
CHINA, P.R.C.	27	3	1	-	-	18	-	-					49
VIETNAM	-	-	-	-	-	-	-	-					-
RUSSIA	1	-	-	-	-	-	2	-					3
OTHER/UNKNOWN	133	7	14	34	-	25	2	19					234
TOTAL	2,287	51	81	452	14	1,058	336	310	-	-	-	-	4,589

Source: Civilian sea arrivals, Customs Declaration Forms, Customs & Quarantine Agency.

Compiled by the GVB Research Department

FY2012 Guam Visitor Arrivals, By Air and Sea

Verified figures as of 7/19/12

ARMED FORCES AIR	2012	October	November	December	January	February	March	April	May[p]	June	July	August	September	Total
	JAPAN	197	347	295	343	828	772	240	519					3,541
	KOREA	-	36	1	30	58	4	-	136					265
	TAIWAN	-	-	-	-	-	-	-	-					-
	U.S. MAINLAND	879	1,156	991	901	776	1,063	699	1,307					7,772
	HAWAII	139	152	104	148	81	148	176	129					1,077
	CNMI	4	2	10	-	2	1	-	40					59
	PALAU	-	-	-	1	-	-	-	-					1
	FSM	-	-	-	-	-	-	-	-					-
	RMI	-	-	-	-	-	-	-	-					-
	PHILIPPINES	8	3	3	5	-	10	13	6					48
	AUSTRALIA	37	-	26	-	317	60	51	19					510
	CANADA	-	-	-	-	-	-	-	-					-
	EUROPE	-	-	-	-	-	1	-	2					3
	HONG KONG	-	-	-	-	-	-	-	-					-
	THAILAND	-	-	-	-	-	33	-	-					33
	CHINA, P.R.C.	6	7	15	-	14	23	7	19					91
	VIETNAM	-	-	-	-	-	-	-	-					-
	RUSSIA	-	-	-	-	-	-	-	-					-
	OTHER/UNKNOWN	10	19	24	22	41	51	11	19					197
	TOTAL	1,280	1,722	1,469	1,450	2,117	2,166	1,197	2,196	0	0	0	0	13,597

Source: Armed Forces air arrivals, Customs Declaration Forms, Customs & Quarantine Agency.

FY2012	October	November	December	January	February	March	April	May[p]	June	July	August	September	Total
Civilian Air	86,699	97,572	102,134	114,686	109,998	123,152	86,273	80,034					800,548
Civilian Sea	2,287	51	81	452	14	1,058	336	310					4,589
Armed Forces Air	1,280	1,722	1,469	1,450	2,117	2,166	1,197	2,196					13,597
Armed Forces Sea	10	0	12	0	0	0	0	157					179
TOTAL AIR ARRIVALS	87,979	99,294	103,603	116,136	112,115	125,318	87,470	82,230					814,145
TOTAL SEA ARRIVALS	2,297	51	93	452	14	1,058	336	467					4,768
TOTAL (AIR + SEA ARRIVALS)	90,276	99,345	103,696	116,588	112,129	126,376	87,806	82,697					818,913

Source: Armed Forces sea arrivals, Customs Declaration Forms, Customs & Quarantine Agency.

Compiled by the GVB Research Department

Sign-In Sheet
FY 2013 Executive Budget Hearing
August 1, 2012 - 9:00 am
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
WILLIAM TAITINGFONG		BBMR	
John Ribs		"	
John Camacho		DRT	
John AB Pangelinan		BBMR	

GENERAL FUND EXECUTIVE AGENCY PAYROLL EXPENDITURES BY OBJECT CLASS FY2012
9.5 MONTHS ACTUAL (20.5 PAY PERIODS) AND 2.5 MONTHS PROJECTED (5.5 PAY PERIODS)

	ACTUAL PAYROLL EXPENDITURES PPE 10/9/2012 TO 7/16/2012						PPE 7/14/2012 TO PPE 9/22/2012 (ACTUAL PPE 10/6/2012)					
	111	112	113	114	115	Grand Total	111	112	113	114	115	Total Payroll Projection
OFFICE OF THE GOVERNOR												
OFFICE OF THE GOVERNOR (+ Wash. Lia. Offc.)	1,918,922		583,992	79,950	5,020	2,587,883	504,266	0	154,190	22,835	1,354	3,270,528
COMMISSION ON DECOLONIZATION	75,184		23,014	2,341	47	100,585	35,534	0	10,885	1,363	32	148,399
ANCESTRAL LANDS COMMISSION	97,066		29,642	7,831	358	134,897	26,032	0	7,948	2,569	97	171,543
GOVERNMENT HOUSE	181,159		54,231	1,458	832	237,680	47,707	0	14,714	41	1,563	301,705
BUREAU OF INFO TECHNOLOGY	82,701		25,089	6,596	205	114,591	13,328	0	4,070	1,458	32	133,479
MEDICAL REFERRAL OFFICE	31,537		9,766	1,327	120	42,750	8,461	0	2,622	356	32	54,221
VETERAN'S AFFAIRS OFFICE	170,027		52,007	3,760	580	226,374	48,397	0	14,891	959	161	290,782
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN	425,245		130,372	29,457	1,017	586,090	117,449	0	36,167	6,303	226	746,235
BBMR	577,908		168,228	23,731	1,351	771,219	117,612	0	22,629	5,559	149	917,168
CIVIL SERVICE COMMISSION	386,358		118,176	15,634	929	521,096	100,952	0	30,862	4,214	258	657,382
DEPARTMENT OF ADMINISTRATION	3,664,672		1,071,185	193,733	13,551	4,943,142	941,142	0	287,760	47,542	3,545	6,223,131
DEPARTMENT OF REVENUE & TAXATION	4,277,349	(834)	1,253,777	285,651	15,487	5,831,430	1,204,891	110	370,028	197,830	10,538	7,614,827
BUREAU OF STATISTICS AND PLANS	630,313		188,085	32,450	2,224	853,073	180,148	0	54,470	22,721	1,529	1,111,941
DEPARTMENT OF PUBLIC WORKS	5,228,897	0	1,588,341	379,920	22,248	7,219,406	1,327,222	0	403,299	105,072	6,193	9,061,192
GUAM POLICE DEPARTMENT	13,296,305	614,031	3,676,181	713,955	38,177	18,338,649	3,475,026	467,614	958,091	189,882	10,243	23,439,505
CORRECTIONS	7,561,608	787,613	2,079,624	511,344	23,602	10,963,791	2,072,571	37,598	573,535	136,838	6,382	13,790,715
DEPARTMENT OF AGRICULTURE	1,257,958	4,834	376,114	71,194	4,008	1,714,108	364,870	1,161	109,172	18,678	1,029	2,209,018
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	1,454,977		436,701	93,870	5,330	1,990,878	429,325	0	129,402	26,539	1,558	2,577,702
GUAM PUBLIC LIBRARY	244,607		74,768	17,518	1,435	338,328	132,713	0	41,098	9,770	774	522,683
DEPARTMENT OF YOUTH AFFAIRS	1,945,685	88,445	553,719	129,089	6,555	2,723,493	487,971	18,029	146,966	35,783	1,837	3,414,079
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	2,607,703	338	700,330	154,257	9,313	3,471,942	646,448	23,057	178,550	38,091	2,355	4,360,443
DEPARTMENT OF LABOR / AHRD	494,955		146,817	22,745	1,697	666,214	155,918	0	42,590	6,908	516	872,146
DEPARTMENT OF PARKS AND RECREATION	1,333,055		374,295	91,970	5,699	1,805,019	312,906	0	95,231	23,095	1,560	2,237,811
DEPARTMENT OF INTEGRATED SERVICES FOR IN	224,216		68,193	9,968	719	303,096	59,124	0	17,971	2,348	191	382,730
CHIEF MEDICAL EXAMINER - ADMIN	202,868	0	61,573	9,470	354	274,265	54,428	0	16,500	2,569	97	347,859
DEPARTMENT OF CHAMORRO AFFAIRS	672,667		205,589	44,385	3,302	925,942	83,540	0	25,322	4,567	355	1,039,726
DEPARTMENT OF MILITARY AFFAIRS	78,631		23,756	530	223	103,140	21,203	0	6,518	1,458	64	132,383
GUAM FIRE DEPARTMENT	13,465,069	2,187,375	4,058,964	558,902	28,957	20,299,267	3,824,541	308,830	1,160,979	371,745	19,256	25,984,618
PBS GUAM	208,475		62,664	18,929	826	290,894	58,361	0	17,646	5,597	258	372,756
GUAM COMMISSION FOR EDUCATOR CERT. (GCEC)	94,948		28,984	7,505	296	131,733	25,985	0	7,843	2,013	97	167,671
TOTAL	62,891,067	3,681,802	18,224,179	3,519,468	194,461	88,510,977	16,878,071	856,399	4,941,949	1,294,703	72,281	112,554,380

SOURCES:
FY2012 DOA FINANCIAL MANAGEMENT SYSTEM (AS400)

GENERAL FUND EXECUTIVE AGENCY PAYROLL EXPENDITURES BY OBJECT CLASS FY2012
8 MONTHS ACTUAL (20.5 PAY PERIODS) AND 4 MONTHS PROJECTED (5.5 PAY PERIODS)

	ACTUAL PAYROLL EXPENDITURES PPE 10/9/2012 TO 7/16/2012						E 7/30/2012 TO PPE 9/30/2012 (ACTUAL PPE 10/8/21					
	111	112	113	114	115	Grand Total	111	112	113	114	115	Total Payroll Projection
OFFICE OF THE GOVERNOR												
OFFICE OF THE GOVERNOR (Inclus. Of Wash. Lia. Offc	1,918,922		583,992	79,950	5,020	2,587,883	504,266	0	154,190	22,835	1,354	3,270,528
COMMISSION ON DECOLONIZATION	75,184		23,014	2,341	47	100,585	35,534	0	10,885	1,363	32	148,399
ANCESTRAL LANDS COMMISSION	97,066		29,642	7,831	358	134,897	26,032	0	7,948	2,569	97	171,543
GOVERNMENT HOUSE	181,159		54,231	1,458	832	237,680	47,707	0	14,714	41	1,563	301,705
BUREAU OF INFO TECHNOLOGY	82,701		25,089	6,596	205	114,591	13,328	0	4,070	1,458	32	133,479
MEDICAL REFERRAL OFFICE	31,537		9,766	1,327	120	42,750	8,461	0	2,622	356	32	54,221
VETERAN'S AFFAIRS OFFICE	170,027		52,007	3,760	580	226,374	48,397	0	14,891	959	161	290,782
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN	425,245											
OFFICE OF SEGUNDU NA MAGA'LAHEN GUAHAN	425,245		130,372	29,457	1,017	586,090	117,449	0	36,167	6,303	226	746,235
BBMR	577,908		168,228	23,731	1,351	771,219	117,612	0	22,629	5,559	149	917,168
CIVIL SERVICE COMMISSION	386,358		118,176	15,634	929	521,096	100,952	0	30,862	4,214	258	657,382
DEPARTMENT OF ADMINISTRATION	3,664,672		1,071,185	193,733	13,551	4,943,142	941,142	0	287,760	47,542	3,545	6,223,131
DEPARTMENT OF REVENUE & TAXATION	4,277,349	(834)	1,253,777	285,651	15,487	5,831,430	1,204,891	110	370,028	197,830	10,538	7,614,827
BUREAU OF STATISTICS AND PLANS	630,313		188,085	32,450	2,224	853,073	180,148	0	54,470	22,721	1,529	1,111,941
DEPARTMENT OF PUBLIC WORKS	5,228,897	0	1,588,341	379,920	22,248	7,219,406	1,327,222	0	403,299	105,072	6,193	9,061,192
GUAM POLICE DEPARTMENT	13,296,305	614,031	3,676,181	713,955	38,177	18,338,649	3,475,026	467,614	958,091	189,882	10,243	23,439,505
CORRECTIONS	7,561,608	787,613	2,079,624	511,344	23,602	10,963,791	2,072,571	37,598	573,535	136,838	6,382	13,790,715
DEPARTMENT OF AGRICULTURE	1,257,958	4,834	376,114	71,194	4,008	1,714,108	364,870	1,161	109,172	18,678	1,029	2,209,018
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES	1,454,977		436,701	93,870	5,330	1,990,878	429,325	0	129,402	26,539	1,558	2,577,702
GUAM PUBLIC LIBRARY	244,607		74,768	17,518	1,435	338,328	132,713	0	41,098	9,770	774	522,683
DEPARTMENT OF YOUTH AFFAIRS	1,945,685	88,445	553,719	129,089	6,555	2,723,493	487,971	18,029	146,966	35,783	1,837	3,414,079
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE	2,607,703	338	700,330	154,257	9,313	3,471,942	646,448	23,057	178,550	38,091	2,355	4,360,443
DEPARTMENT OF LABOR / AHRD	494,955		146,817	22,745	1,697	666,214	155,918	0	42,590	6,908	516	872,146
DEPARTMENT OF PARKS AND RECREATION	1,333,055		374,295	91,970	5,699	1,805,019	312,906	0	95,231	23,095	1,560	2,237,811
DEPARTMENT OF INTEGRATED SERVICES FOR IN	224,216		68,193	9,968	719	303,096	59,124	0	17,971	2,348	191	382,730
CHIEF MEDICAL EXAMINER - ADMIN	202,868	0	61,573	9,470	354	274,265	54,428	0	16,500	2,569	97	347,859
DEPARTMENT OF CHAMORRO AFFAIRS	672,667		205,589	44,385	3,302	925,942	83,540	0	25,322	4,567	355	1,039,726
DEPARTMENT OF MILITARY AFFAIRS	78,631		23,756	530	223	103,140	21,203	0	6,518	1,458	64	132,383
GUAM FIRE DEPARTMENT	13,465,069	2,187,375	4,058,964	558,902	28,957	20,299,267	3,824,541	308,830	1,160,979	371,745	19,256	25,984,618
PBS GUAM	208,475		62,664	18,929	826	290,894	58,361	0	17,646	5,597	258	372,756
GUAM COMMISSION FOR EDUCATOR CERTIFICATION (	94,948		28,984	7,505	296	131,733	25,985	0	7,843	2,013	97	167,671
TOTAL	63,316,312	3,681,802	18,224,179	3,519,468	194,461	88,510,977	16,878,071	856,399	4,941,949	1,294,703	72,281	112,554,380

GENERAL FUND OPERATIONS EXPENDITURES BY OBJECT CLASS FY2012
(INCLUDING APPROPRIATION PAYMENTS TO SEMI-AUTONOMOUS AGENCIES)
10 MONTHS ACTUAL AND 2 MONTHS PROJECTED

1 **OFFICE OF THE GOVERNOR (incl Lt Gov's Ofc, Med Ref Ofc, BIT, Govt Hs & Wash Liaison Ofc)**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.	$12,626.03	$2,578.72	$5,838.44	$13,215.87	$23,531.64	$1,120.26	$2,924.94	$3,446.50	$14,256.35	$15,252.54	10,669.86	10,669.86	$116,131.01
230	CONTRACTUAL SERVICES	$0.00	$45,124.13	$71,690.67	$51,489.14	$63,870.70	$80,529.57	$57,618.30	$57,884.07	$24,474.93	$26,927.41	170,271.54	170,271.53	$820,151.99
233	OFFICE SPACE RENTAL	$0.00	$0.00	$9,147.80	$0.00	$4,475.25	$0.00	$2,382.25	$2,382.25	$2,382.25	$2,382.25	5,923.97	5,923.98	$35,000.00
240	SUPPLIES & MATERIALS	$780.22	$912.10	$2,776.35	$2,866.24	$2,853.13	$2,352.85	$2,006.34	$5,731.46	$3,545.57	$2,718.06	32,183.34	32,183.34	$90,909.00
250	EQUIPMENT	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$5,539.00	$9,044.49	$2,062.00	$0.00	24,537.26	24,537.26	$65,720.01
270	WORKERS COMP BENEFIT	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
271	DRUG TESTING CHARGES	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
290	MISCELLANEOUS	$184.10	$33,514.54	$18,740.09	$937.49	$17,696.73	$16,824.02	$3,374.91	$1,479.32	($9,612.47)	$41,447.18	36,444.05	36,324.04	$197,354.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL						$20,472.03	$1,000.00	$0.00	$9,307.24	$3,131.72	5,544.51	5,544.50	$45,000.00
TOTAL		$13,590.35	$82,129.49	$108,193.35	$68,508.74	$112,427.45	$121,298.73	$74,845.74	$79,968.09	$46,415.87	$91,859.16	$285,574.53	$285,454.51	$1,370,266.01

2 **BBMR**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES													$0.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS											1,410.00	1,410.00	$2,820.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL													$0.00
TOTAL		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,410.00	$1,410.00	$2,820.00

3 **CIVIL SERVCE COMMISSION**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES	$0.00	$0.00	$0.00	$1,816.08	$7,585.18	$0.00	$2,212.71	$0.00	$910.98	$894.99	1,802.51	1,802.51	$17,024.96
233	OFFICE SPACE RENTAL	$0.00	$0.00	$14,245.00	$14,245.00	$0.00	$11,016.00	$5,508.00	$5,508.00	$5,508.00	$5,508.00	8,262.00	8,262.00	$78,062.00
240	SUPPLIES & MATERIALS	$0.00	$0.00	$0.00	$160.00	$0.00	$0.00	$0.00	$217.50	$0.00	$0.00	100.00	100.00	$577.50
250	EQUIPMENT													$0.00

270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS	$0.00	$2,200.00	$2,100.00	$1,700.00	$0.00	$3,550.00	$1,650.00	$1,450.00	$2,800.00	$900.00	900.00	900.00	$18,150.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$0.00	$1,442.08	$0.00	$0.00	$0.00	$2,390.41	$0.00	$1,722.26	$2,181.11	$0.00	152.00	152.00	$8,039.86
TOTAL		$0.00	$3,642.08	$16,345.00	$17,921.08	$7,585.18	$16,956.41	$9,370.71	$8,897.76	$11,400.09	$7,302.99	$11,216.51	$11,216.51	$121,854.32

4 **DEPARTMENT OF ADMINISTRATION**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.	$0.00	$17,606.46	$0.00	$0.00	$173.34	$0.00	$0.00	$0.00	$9,160.84	$0.00	(26,940.64)	-	$0.00
230	CONTRACTUAL SERVICES	$0.00	$1,902.00	$16,134.40	$126,557.45	$163,620.90	$54,005.26	$41,682.11	$134,856.15	$98,800.64	$150,737.76	47,671.37	47,671.37	$883,639.41
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$1,336.58	$1,076.74	$1,073.49	$1,152.55	$2,808.26	$1,530.13	$6,470.09	$2,747.87	$2,279.23	$1,516.02	1,783.00	1,783.00	$25,556.96
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$402,390.29	$838,061.62	$700,532.73	$568,397.69	$414,804.03	$572,664.65	$563,659.50	$413,047.83	$200,000.00	$200,000.00	541,506.00	541,506.00	$5,956,570.34
362	WATER/SEWER	($3,456.77)	$34,045.38	$122,885.77	$82,200.08	$69,954.79	$74,148.95	$61,558.63	$117,517.77	$2,954.24	$189.72	62,428.00	62,428.00	$686,854.56
363	TELEPHONE/TOLL	$27,866.89	$58,994.38	$27,875.29	$27,944.77	$27,921.50	$27,940.67	$27,962.43	$27,960.34	$27,951.56	$28,086.84	31,500.00	31,500.00	$373,504.67
TOTAL		$428,136.99	$951,686.58	$868,501.68	$806,252.54	$679,282.82	$730,289.66	$701,332.76	$696,129.96	$341,146.51	$380,530.34	$657,947.73	$684,888.37	$7,926,125.94

5 **DEPARTMENT OF REVENUE AND TAXATION**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	150,000.00	150,000.00	$300,000.00
233	OFFICE SPACE RENTAL	$0.00	$84,809.14	$0.00	$176,297.94	$84,809.14	$0.00	$84,809.14	$169,618.28	$169,618.28	$0.00	127,214.00	127,214.00	$1,024,389.92
240	SUPPLIES & MATERIALS	$0.00	$0.00	$95.33	$0.00	$0.00	$1,128.00	$462.20	$0.00	$0.00	$0.00	1,588.00	1,588.00	$4,861.53
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$160.00	60.00	60.00	$280.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL													$0.00
TOTAL		$0.00	$84,809.14	$95.33	$176,297.94	$84,809.14	$1,128.00	$85,271.34	$169,618.28	$169,618.28	$160.00	$278,862.00	$278,862.00	$1,329,531.45

6 **BUREAU OF STATISTICS AND PLANS**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES													$0.00
233	OFFICE SPACE RENTAL	$0.00	$3,340.00	$1,670.00	$1,670.00	$1,670.00	$1,670.00	$1,670.00	$1,670.00	$1,670.00	$0.00	2,505.00	2,505.00	$20,040.00
240	SUPPLIES & MATERIALS													$0.00

250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$0.00	$606.78	$251.25	$1,156.80	$0.00	$0.00	$749.16	$268.53	$203.32	$226.60	2,655.00	2,655.96	$8,773.40
TOTAL		$0.00	$3,946.78	$1,921.25	$2,826.80	$1,670.00	$1,670.00	$2,419.16	$1,938.53	$1,873.32	$226.60	$5,160.00	$5,160.96	$28,813.40

7 **DEPARTMENT OF PUBLIC WORKS**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES											35,070.00	3,188.00	$38,258.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$541.11	$387.07	$406.28	$1,249.04	$535.32	($2,583.50)		($535.32)			5,440.00	495.00	$5,935.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL											3,018.00	275.00	$3,293.00
TOTAL		$541.11	$387.07	$406.28	$1,249.04	$535.32	($2,583.50)	$0.00	($535.32)	$0.00	$0.00	$43,528.00	$3,958.00	$47,486.00

8 **GUAM POLICE DEPARTMENT**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES													$0.00
233	OFFICE SPACE RENTAL								$96,652.00			224,113.00		$320,765.00
240	SUPPLIES & MATERIALS	$41,551.06	$40,129.64	$40,260.08	$35,441.14	$37,593.85	$46,350.72	$46,528.33	$42,806.18	$37,659.35		61,996.00	61,996.00	$492,312.35
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT			$1,322.88	$4,984.48		$1,246.12			$4,984.48	($1,092.60)	4,277.00	4,277.00	$19,999.36
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS			$44,559.00										$44,559.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL		$4,462.40	$4,462.40	$4,462.40	$8,924.80	$3,253.25		$6,506.50			6,029.00	6,029.00	$44,129.75
TOTAL		$41,551.06	$44,592.04	$90,604.36	$44,888.02	$46,518.65	$50,850.09	$46,528.33	$145,964.68	$42,643.83	($1,092.60)	$296,415.00	$72,302.00	$921,765.46

9 **CORRECTIONS**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.			$4,025.00								487.00	488.00	$5,000.00
230	CONTRACTUAL SERVICES		$7,882.04	$78,039.57	$143,569.42	$174,106.94	$63,683.82	$394,226.81	$74,818.29	$1,056,383.28	$8,105.37	467,068.16	467,068.16	$2,934,951.86
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$6,248.72	$6,032.02	$17,192.70	$19,995.55	$8,817.91	$7,030.17	$8,267.36	$7,326.04	$7,059.48		84,176.87	84,176.87	$256,323.69

250	EQUIPMENT											5,000.00	5,000.00	$10,000.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS		$66,500.00			($350.00)						840.00	840.00	$67,830.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL					$851.29		$21,193.65				18,727.54	18,727.53	$59,500.01
TOTAL		$6,248.72	$80,414.06	$99,257.27	$163,564.97	$183,426.14	$70,713.99	$423,687.82	$82,144.33	$1,063,442.76	$8,105.37	$576,299.57	$576,300.56	$3,333,605.56

10 **DEPARTMENT OF AGRICULTURE**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.					$3,132.76	$1,275.00					992.24		$5,400.00
230	CONTRACTUAL SERVICES	$48.72	$47.30	$1,661.09		$1,446.26	$1,450.03	$2,038.77	$622.92			3,354.19	1,720.73	$12,390.01
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS		$138.31	$375.56	$215.99	$1,474.17	$624.33	$1,185.41	$2,099.06	$1,384.13		5,457.80	1,045.24	$14,000.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS											227,517.00		$227,517.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$396.26	$264.99	$269.77		$442.90	$329.31	$347.73		$749.19	$295.75	13,659.08	1,245.02	$18,000.00
TOTAL		$444.98	$450.60	$2,306.42	$215.99	$6,496.09	$3,678.67	$3,571.91	$2,721.98	$2,133.32	$295.75	$250,980.31	$4,010.99	$277,307.01

11 **DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES		$85,407.11	$709,701.29	$854,515.12	$1,307,470.05	$713,080.81	$774,322.26	$355,600.26	$136,372.23	$241,147.24	2,309,947.77	2,309,947.77	$9,797,511.91
233	OFFICE SPACE RENTAL			$50,490.00	$48,830.00	$35,930.00	$4,664.00	$58,310.00	$35,930.00	$22,588.80	$5,550.00	78,643.60	78,643.60	$419,580.00
240	SUPPLIES & MATERIALS	$1,650.92	$1,095.77	$8,578.29	$2,827.09	$7,973.10	$2,261.29	$9,556.88	$31,496.13	$20,565.26	$14,550.25	103,077.70	103,077.70	$306,710.38
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT			$81.42	$217.12	$189.98	$54.28			$217.12	($54.28)	1,147.18	1,147.18	$3,000.00
271	DRUG TESTING CHARGES									$40.00		36.50	36.50	$113.00
290	MISCELLANEOUS	$1,197,229.06	$1,238,738.88	$1,979,046.40	$1,245,730.89	$2,873,238.27	$599,488.12	$2,232,056.91	$20,939.10	$1,907,801.07	$1,964,470.61	1,968,057.18	1,968,057.18	$19,194,853.67
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL						$247,226.22		$94,896.39	$8,408.52	$0.00	23,572.94	23,572.94	$397,677.01
TOTAL		$1,198,879.98	$1,325,241.76	$2,747,897.40	$2,152,120.22	$4,224,801.40	$1,566,774.72	$3,074,246.05	$538,861.88	$2,095,993.00	$2,225,663.82	$4,484,482.87	$4,484,482.87	$30,119,445.97

12 **GUAM PUBLIC LIBRARY**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES	$207.00	$1,376.99	$5,105.62	$2,668.82	$24,936.04	$8,983.30	$2,241.00	$1,073.54	$2,534.53	$927.46	48,400.49		$98,454.79
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$358.27	$93.50	$67.94	$225.41	$941.54	$200.20	$482.19	$112.53	$216.58	$139.37	3,593.74		$6,431.27

250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL				$5,307.95	$61.33	$1,589.67		$1,733.21	$148.93		14,859.51		$23,700.60
TOTAL		$565.27	$1,470.49	$5,173.56	$8,202.18	$25,938.91	$10,773.17	$2,723.19	$2,919.28	$2,900.04	$1,066.83	$66,853.74	$0.00	$128,586.66

13 **DEPARTMENT OF YOUTH AFFAIRS**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES			$4,232.19	$6,073.06	$2,593.57	$4,715.30	$2,145.80	$5,252.53	$579.38	$2,022.63	6,244.77	6,244.77	$40,104.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$2,588.12	$2,662.45	$16,033.43	$4,503.58	($12,967.74)	$298.17	$11,559.65	$9,256.66	($24,753.00)	$13,983.72	37,377.40	38,973.56	$99,516.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$2,755.82	$88.53	$5,515.50	$3,202.38	$1,013.96	$890.85	$3,896.14	$1,994.78	$1,835.82		11,153.11	11,153.11	$43,500.00
TOTAL		$5,343.94	$2,750.98	$25,781.12	$13,779.02	($9,360.21)	$5,904.32	$17,601.59	$16,503.97	($22,337.80)	$16,006.35	$54,775.28	$56,371.44	$183,120.00

14 **DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES		$87,484.67	$721,960.25	$394,792.04	$376,274.53	$525,593.74	$269,865.90	$487,850.51	$368,947.34	$166,426.79	1,248,293.00		$4,647,488.77
233	OFFICE SPACE RENTAL			$24,165.00	$8,055.00	$8,055.00	$8,055.00	$8,055.00	$8,055.00	$8,055.00	$8,055.00	8,055.00	8,055.00	$96,660.00
240	SUPPLIES & MATERIALS		$4,269.37	$38,228.26	$158,376.99	$86,679.24	$18,883.62	$193,404.45	$41,016.01	$814.73	$6,293.88	47,104.00		$595,070.55
250	EQUIPMENT					$2,192.40						4,617.00		$6,809.40
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS							$130.00			$54,205.59	81.00		$54,416.59
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL		$12,356.94	$6,064.97	$4,362.39	$5,167.44	$6,032.41	$6,221.13	$5,906.40	$6,797.16	$6,285.76	6,542.00	6,542.00	$72,278.60
TOTAL		$0.00	$104,110.98	$790,418.48	$565,586.42	$478,368.61	$558,564.77	$477,676.48	$542,827.92	$384,614.23	$241,267.02	$1,314,692.00	$14,597.00	$5,472,723.91

15 **DEPARTMENT OF LABOR**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES	746.50	(746.50)		3,324.19	535.23	290.65	459.64	2,205.79	2,127.46	1,460.51	25,158.11	5,384.43	$40,946.01

233	OFFICE SPACE RENTAL			25,274.58	9,658.49	9,658.50		9,658.50	24,249.51	(1,103.17)	4,923.23	16,791.18	16,791.18	$115,902.00
240	SUPPLIES & MATERIALS				303.80	159.98	198.00	306.33	232.78	181.74	202.36	12,903.45	655.57	$15,144.01
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS	523.28	3,928.33	2,674.76	4,058.66	4,026.85	3,273.03	3,815.44	3,059.90	2,875.90	2,310.44	11,553.41		$42,100.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL					1,944.43	1,858.64	1,392.00		10,871.29		6,854.18	4,225.47	$27,146.00
TOTAL		$1,269.78	$3,181.83	$27,949.34	$17,345.14	$16,324.99	$5,620.32	$15,631.91	$29,747.98	$14,953.22	$8,896.54	$73,260.32	$27,056.65	$241,238.01

16 **DEPARTMENT OF PARKS AND RECREATION**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES							$6,806.66	$8,146.11	$5,500.00		18,259.00	18,258.00	$56,969.77
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$5,502.21	$4,923.68									(9,425.89)		$1,000.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$2,217.05	$2,231.32	$2,226.42	$2,254.60	$2,312.85	$2,235.09	$2,430.30				5,682.00	5,682.00	$27,271.63
TOTAL		$7,719.26	$7,155.00	$2,226.42	$2,254.60	$2,312.85	$2,235.09	$9,236.96	$8,146.11	$5,500.00	$0.00	$14,515.11	$23,940.00	$85,241.40

17 **DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES				$800.00	$82.75	$130.94	$23.75	$472.75	$156.50	$1,134.25	54,141.00		$56,941.94
233	OFFICE SPACE RENTAL		$9,843.90	$19,687.80	$9,843.90	$9,843.90		$9,843.90	$9,843.90	$19,687.80		14,767.00	14,767.00	$118,129.10
240	SUPPLIES & MATERIALS	$44.00	$68.75	$48.15	$28.44	$40.60	$94.64	$262.34	$32.80	$501.65	$36.99	649.00		$1,807.36
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS				$31,695.80	$4,227.57	$909.76	$6,865.68	$10,020.80	$4,626.47	$165.69	492,921.00		$551,432.77
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL		$27.00	$28.04	$55.04							10,246.00		$10,356.08
TOTAL		$44.00	$9,939.65	$19,763.99	$42,423.18	$14,194.82	$1,135.34	$16,995.67	$20,370.25	$24,972.42	$1,336.93	$572,724.00	$14,767.00	$738,667.25

18 **CHIEF MEDICAL EXAMINER**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection

220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.											2,511.50	2,511.50	$5,023.00
230	CONTRACTUAL SERVICES			$1,568.00					$1,200.00			20,887.00	20,887.00	$44,542.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$188.90	$133.42	$131.57	$175.63	$187.67	$247.05	$200.30	$203.09	$282.03		271.67	271.67	$2,293.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL			$546.04	$31.95	$126.60	$116.20	$116.00	$129.94	$242.40		635.44	635.44	$2,580.01
TOTAL		$188.90	$133.42	$2,245.61	$207.58	$314.27	$363.25	$316.30	$1,533.03	$524.43	$0.00	$24,305.61	$24,305.61	$54,438.01

19 **DEPARTMENT OF CHAMORRO AFFAIRS**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES			$12,390.53	$4,865.71	$5,038.84	$44,929.27	$11,388.71	$11,155.50	$9,670.46	($54,505.68)	8,159.87		$53,093.21
233	OFFICE SPACE RENTAL				$47,815.92		$26,662.61	$2,556.25	$29,218.86	$34,433.53	$2,556.25	23,192.43	23,192.43	$189,628.28
240	SUPPLIES & MATERIALS	$43.89	$28.96	$44.22		$45.49	$43.45	$1,085.00	$3,019.18	$3,006.36		2,739.18		$10,055.73
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS	$2,617.09	$4,582.32	$832.94	$49,555.39	$13,144.33	$3,453.61	$6,712.87	$2,709.76	$4,603.88	$68,784.93	113,501.44	71,501.44	$342,000.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL			$788.13	$402.25	$1,451.88		$1,451.88	$1,451.88	$1,740.69	$2,903.76	589.93		$10,780.40
TOTAL		$2,660.98	$4,611.28	$14,055.82	$102,639.27	$19,680.54	$75,088.94	$23,194.71	$47,555.18	$53,454.92	$19,739.26	$148,182.85	$94,693.87	$605,557.62

20 **DEPARTMENT OF MILITARY AFFAIRS**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.						$557.50			$382.50		380.00	380.00	$1,700.00
230	CONTRACTUAL SERVICES	$75.00	$0.00	$0.00	$2,865.70	$176.50	$250.00	$0.00	($2,525.45)	$0.00	$0.00	1,529.15	1,529.15	$3,900.05
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$281.31	$449.90	$332.03	$695.54	($388.65)	$591.01	($28.69)	($805.47)	$338.78	$0.00	1,074.67	1,074.67	$3,615.10
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS	$8,769.38	$5,977.19	$25,586.58	$49,058.23	$26,405.29	$78,800.69	$34,679.59	$20,788.12	$40,741.67	$38,560.79	89,530.73	89,530.74	$508,429.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$286.99	$2.60	$38.60	($271.59)				$152.82	$2.60	$2.60	2,945.00	2,944.00	$6,103.62
TOTAL		$9,412.68	$6,429.69	$25,957.21	$52,347.88	$26,193.14	$80,199.20	$34,650.90	$17,610.02	$41,465.55	$38,563.39	$95,459.55	$95,458.56	$523,747.77

21 **GUAM FIRE DEPARTMENT**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection

220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES		$10,319.75	$9,343.75	$7,337.35	$19,208.37	$22,493.23	$2,056.10	$48,385.08	$10,227.26	$54,967.98	90,000.00	90,000.00	$364,338.87
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$21,896.60	$18,615.65	$24,690.70	$24,989.83	$28,649.92	$34,666.78	$23,187.18	$19,302.51	$7,276.19	$6,166.99	43,484.00	43,484.00	$296,410.35
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT			$525.00	$2,100.00		$525.00			$2,100.00	($525.00)	2,267.00	2,267.00	$9,259.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS				$87,850.00		($700.00)			$350.00		350.00	350.00	$88,200.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL					$6,179.31			$5,243.62	$1,716.72	$1,755.26	15,053.00	15,052.09	$45,000.00
TOTAL		$21,896.60	$28,935.40	$34,559.45	$122,277.18	$54,037.60	$56,985.01	$25,243.28	$72,931.21	$21,670.17	$62,365.23	$151,154.00	$151,153.09	$803,208.22

22 **PBS GUAM**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES			$21,666.00										$21,666.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS													$0.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL													$0.00
TOTAL		$0.00	$0.00	$21,666.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$21,666.00

23 **GUAM COMMISSION FOR EDUCATOR CERTIFICATION (GCEC)**

OBJ CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES													$0.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS													$0.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL													$0.00
TOTAL		$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

24 **ANCESTRAL LANDS COMMISSION**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES	$168.85	$167.35	$159.75	$162.15	$159.75	$159.75	$159.75				951.33	951.33	$3,040.01
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS		$68.09		$49.13	$53.07	$245.99	$309.91	$53.54			3,643.14	3,643.14	$8,066.01
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL	$149.99	$149.99	$139.59	$145.51	$140.31	$140.31	$140.16	$57.94	$67.60		1,134.30	1,134.30	$3,400.00
TOTAL		$318.84	$385.43	$299.34	$356.79	$353.13	$546.05	$609.82	$111.48	$67.60	$0.00	$5,728.77	$5,728.77	$14,506.02

25 **COMMISSION ON DECOLONIZATION**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES											2,840.00		$2,840.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS							$999.99						$999.99
250	EQUIPMENT						$72.45							$72.45
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL		$799.31				($50.16)		$20.41	$37.85	$102.05	1,090.54		$2,000.00
TOTAL		$0.00	$799.31	$0.00	$0.00	$0.00	$22.29	$999.99	$20.41	$37.85	$102.05	$3,930.54	$0.00	$5,912.44

26 **VETERANS AFFAIRS**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES		$3,600.00				$1,103.00			$11,360.00		400.00	400.00	$16,863.00
233	OFFICE SPACE RENTAL													$0.00
240	SUPPLIES & MATERIALS	$683.34	$799.49	$1,570.29	$922.24	$928.84	$1,245.26	$1,154.69	$1,235.75	$898.34	$660.64	1,157.00	1,157.00	$12,412.88
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL									$4,292.69				$4,292.69
TOTAL		$683.34	$4,399.49	$1,570.29	$922.24	$928.84	$2,348.26	$1,154.69	$1,235.75	$16,551.03	$660.64	$1,557.00	$1,557.00	$33,568.57

27 **DEPARTMENT OF LAND MANAGEMENT**

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.													$0.00
230	CONTRACTUAL SERVICES													$0.00
233	OFFICE SPACE RENTAL	$92,851.00	$46,425.50	$46,425.50		$92,851.00	$46,425.50	$46,425.50	$46,425.50	$46,425.50	$46,425.50		46,425.50	$557,106.00
240	SUPPLIES & MATERIALS													$0.00
250	EQUIPMENT													$0.00
270	WORKERS COMP BENEFIT													$0.00
271	DRUG TESTING CHARGES													$0.00
290	MISCELLANEOUS													$0.00
361	POWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
362	WATER/SEWER	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	-	-	$0.00
363	TELEPHONE/TOLL													$0.00
TOTAL		$92,851.00	$46,425.50	$46,425.50	$0.00	$92,851.00	$46,425.50	$46,425.50	$46,425.50	$46,425.50	$46,425.50	$0.00	$46,425.50	$557,106.00

GRAND TOTALS

OBJ_CLASS	OC	2011-10	2011-11	2011-12	2012-01	2012-02	2012-03	2012-04	2012-05	2012-06	2012-07	2012-08	2012-09	Total Operations Projection
220	TRAVEL-OFF ISL/LOCAL MILEAGE REIMB.	$12,626.03	$20,185.18	$9,863.44	$13,215.87	$26,837.74	$2,952.76	$2,924.94	$3,446.50	$23,799.69	$15,252.54	($11,900.04)	$14,049.36	$133,254.01
230	CONTRACTUAL SERVICES	$1,246.07	$242,564.84	$1,653,653.11	$1,600,836.23	$2,147,105.61	$1,521,398.67	$1,567,248.27	$1,186,998.05	$1,728,044.99	$600,246.71	$4,710,449.26	$3,295,324.75	$20,255,116.56
233	OFFICE SPACE RENTAL	$92,851.00	$144,418.54	$191,105.68	$316,416.25	$247,292.79	$98,493.11	$229,218.54	$429,553.30	$309,265.99	$75,400.23	$509,467.18	$331,779.69	$2,975,262.30
240	SUPPLIES & MATERIALS	$83,695.25	$81,884.91	$151,904.67	$254,178.19	$166,385.70	$115,408.16	$307,399.95	$165,548.30	$61,256.42	$46,268.28	$441,784.07	$377,114.76	$2,252,828.66
250	EQUIPMENT	$0.00	$0.00	$0.00	$0.00	$2,192.40	$72.45	$5,539.00	$9,044.49	$2,062.00	$0.00	$34,154.26	$29,537.26	$82,601.86
270	WORKERS COMP BENEFIT	$0.00	$0.00	$1,929.30	$7,301.60	$189.98	$1,825.40	$0.00	$0.00	$7,301.60	($1,671.88)	$7,691.18	$7,691.18	$32,258.36
271	DRUG TESTING CHARGES	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$40.00	$160.00	$96.50	$96.50	$393.00
290	MISCELLANEOUS	$1,209,322.91	$1,355,441.26	$2,073,539.77	$1,470,586.46	$2,938,389.04	$705,599.23	$2,289,285.40	$60,447.00	$1,954,186.52	$2,170,845.23	$2,941,695.81	$2,167,503.40	$21,336,842.03
361	POWER	$402,390.29	$838,061.62	$700,532.73	$568,397.69	$414,804.03	$572,664.65	$563,659.50	$413,047.83	$200,000.00	$200,000.00	$541,506.00	$541,506.00	$5,956,570.34
362	WATER/SEWER	($3,456.77)	$34,045.38	$122,885.77	$82,200.08	$69,954.79	$74,148.95	$61,558.63	$117,517.77	$2,954.24	$189.72	$62,428.00	$62,428.00	$686,854.56
363	TELEPHONE/TOLL	$33,673.00	$81,426.32	$48,206.00	$49,054.45	$56,538.60	$314,424.90	$66,900.58	$148,045.02	$76,554.69	$42,790.34	$181,643.08	$137,070.36	$1,236,327.33
GRAND TOTALS		$1,832,347.78	$2,798,028.05	$4,953,620.47	$4,362,186.82	$6,069,690.68	$3,406,988.28	$5,093,734.81	$2,533,648.26	$4,365,466.14	$3,149,481.17	$9,419,015.29	$6,964,101.26	$54,948,309.00

SOURCES:
FY2012 DOA FINANCIAL MANAGEMENT SYSTEM (AS400)

Sign-In Sheet
FY 2013 Budget Hearing - BBMR
July 26, 2012 - 9:00 am to 5:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
William Tait/Kyle Flynn		BBMR	9-10 am
John Roy Pangelinan		✓	✓
John Rios		"	"
Stephen Guerrero		"	"

Public Hearing
Bill 426-31 (COR)
July 26, 2012 – 9:00am

I Mina'trentai Unu Na Liheslaturan Guåhan
Public Hearing Room
155 Hesler Place
Hagåtña, Guam 96910

AGENDA

I. FY 2012 General Fund Expenditures by Executive Branch Agency
   a. Projected Payroll Expenditures by Object Category - 20.5 Pay Periods Actual + 5.5 Pay Periods Projected
      i. 111 Regular Salary/Increments (use template)
      ii. 112 Overtime/Special Pay (use template)
      iii. 113 Benefits (use template)
      iv. 114 Medical And Dental Insurance (use template)
      v. 115 Life Insurance (use template)
   b. 10 + 2 Projected Expenditures by Object Category
      i. 220 Travel-Off Isl/Local Mileage Reimb.
      ii. 230 Contractual Services
      iii. 233 Office Space Rental
      iv. 240 Supplies & Materials
      v. 250 Equipment
      vi. 270 Workers Comp Benefit
      vii. 271 Drug Testing Charges
      viii. 280 Sub-Recipient/Subgrant
      ix. 290 Miscellaneous
      x. 361 Power
      xi. 362 Water/Sewer
      xii. 363 Telephone/Toll
      xiii. 450 Capital Outlay
   c. 15% Reserve release - how much and when
      i. Department of Education
      ii. University of Guam
      iii. Guam Community College
      iv. Attorney General
      v. Public Defender Service Corporation
      vi. Office of Public Accountability
      vii. Unified Courts
      viii. Guam Legislature
      ix. MIP
      x. Medicaid
      xi. Executive Branch

Public Hearing
Bill 426-31 (COR)
July 26, 2012 – 9:00am

II. FY 2013 General Fund Expenditures by Executive Branch Agency
   a. Projected Payroll Expenditures by Object Category
      i. 111 Regular Salary/Increments (use template)
      ii. 112 Overtime/Special Pay (use template)
      iii. 113 Benefits (use template)
      iv. 114 Medical And Dental Insurance (use template)
      v. 115 Life Insurance (use template)
   b. Projected Expenditures by Object Category
      i. 220 Travel-Off Isl/Local Mileage Reimb.
      ii. 230 Contractual Services
      iii. 233 Office Space Rental
      iv. 240 Supplies & Materials
      v. 250 Equipment
      vi. 270 Workers Comp Benefit
      vii. 271 Drug Testing Charges
      viii. 280 Sub-Recipient/Subgrant
      ix. 290 Miscellaneous
      x. 361 Power
      xi. 362 Water/Sewer
      xii. 363 Telephone/Toll
      xiii. 450 Capital Outlay

Sign-In Sheet
Budget Hearing - Bureau of Budget and Management Research
July 25, 2012 - 9:00 am to 5:00 pm
Public Hearing Room, I Liheslaturan Guahan

PRINT NAME	SIGNATURE	AGENCY	TIME
John Rios		BBMR	
STEPHEN GUERRERO		BBMR	9:10AM
WILLIAM TAITINGFONG		BBMR	9:10AM
John AB Pangelinan		BBMR	9:10 AM
GOOPY ROSARIO		POA	10 AM

Public Hearing
Bill 426-31 (COR)

July 25, 2012 – 9:00am

I Mina'trentai Unu Na Liheslaturan Guåhan
Public Hearing Room
155 Hesler Place
Hagåtña, Guam 96910

AGENDA

I. FY 2012 General Fund Revenues (BBMR)
   a. 8 + 4 Projected Revenues
   b. Expected draw down rate for Series B Bond proceeds not used for Income Tax Refunds and Retirement Fund debt.

II. FY 2012 Special Fund Revenues (BBMR)
   a. 8 + 4 Projected Revenues
      i. Healthy Futures Fund
      ii. Guam Highway Fund
      iii. Territorial Educational Facilities Fund
      iv. Tourist Attraction Fund
      v. Solid Waste Operations Fund
      vi. Air Pollution Control Fund
      vii. Better Public Service Fund
      viii. Chamorro Land Trust Operations Fund
      ix. Corrections Revolving Fund
      x. Customs, Agriculture and Quarantine Inspection Fund
      xi. DPW Building and Design Fund
      xii. Enhanced 911 Emergency Reporting System Fund
      xiii. Environmental Health Fund
      xiv. F.L.A.M.E fund
      xv. Guam Contractors License Board Fund
      xvi. Guam Environmental Trust Fund
      xvii. Guam Plant Inspection and Permit Fund
      xviii. Indirect Cost Fund
      xix. Land Survey Revolving Fund
      xx. Manpower Development Fund
      xxi. Police Services Fund
      xxii. P.E.A.L.S. Fund
      xxiii. Public Recreation Services Fund
      xxiv. Public Transit Fund
      xxv. Public School Library Resources Fund
      xxvi. Safe Streets Fund
      xxvii. Street Light Fund
      xxviii. Tax Collection Enhancement Fund
      xxix. Water Protection Fund
      xxx. Water Research and Development Fund

Public Hearing
Bill 426-31 (COR)
July 25, 2012 – 9:00am

III. FY 2013 General Fund Revenues Projected (BBMR)
   a. IRS Tax Code changes effective FY2013 and its effect on FY2013 revenue collections.
   b. Other support for increase in projections.
   c. Analysis of Additional Child Tax Credit (ACTC) collection for last five years and expected ACTC collections from FY2013.
   d. Repayment of ARRA Make Work Pay Tax Credit Overpayment
   e. Section 2718 Fund Projection

IV. FY 2013 Special Fund Revenues Projected (BBMR)
   a. Healthy Futures Fund
   b. Guam Highway Fund
   c. Territorial Educational Facilities Fund
   d. Tourist Attraction Fund
   e. Solid Waste Operations Fund

V. Income Tax Refunds as of June 30, 2012 (DOA and Department of Revenue and Taxation)

Answers to questions not answered from April 6, 2012 letter for oversight hearing on income tax refunds

Regarding the **Income Tax Refund liability**, please prepare answers, reports, documentation, etc. for the following:

i. Please provide the Income Tax Refund liability as of June 30, 2012. In addition, please provide the corresponding **system-generated** report that illustrates income tax returns processed by tax year. This report was being submitted to the Guam Legislature but the Department of Revenue and Taxation stopped submitting it. The last submitted report was June 6, 2011.

ii. Please provide the Income Tax Refund liability as of June 30, 2012. In addition, please provide the corresponding report that illustrates income tax returns processed by tax year. This report was last submitted to the Guam Legislature by the Department of Revenue and Taxation on January 3, 2012.

iii. Please provide copies of the written policies and procedures for handling income tax refund checks that are unclaimed?

iv. What is the total number and amount of unclaimed income tax refund checks by tax year?

v. How much of bond proceeds are still available due to unclaimed income tax refund checks for the following bonds:

1. Business Privilege Tax Bonds Series 2011A $198,000,000
2. General Obligation Bonds Series 2009A $112,000,000
3. General Obligation Bond Series 2007A $19,900,000

Public Hearing
Bill 426-31 (COR)
July 25, 2012 – 9:00am

vi. Please provide a detailed accounting for your respective departments of how much overtime or compensatory time was compensated to employees for the distribution of income tax refund checks at three shopping centers in December 2011.

vii. Please provide the Committee a copy of the actual Income Tax Refund Efficient Payment Trust Fund Monthly **Bank Statements** for the period October 2011 through June 2012.

VI. Presentation of FY2013 Income Tax Refund Provision
   a. Five years of Provision calculations by category (individual and corporate)

VII. Presentation of FY2013 Debt Service Continuing Appropriations three (3) year comparison FY2010 to FY2013
   a. General Fund
   b. Special Fund

VIII. Presentation of FY2013 Debt Service/Leaseback Continuing Appropriations or Tax Credits
   a. Tiyan Lease
   b. Okkodo High School Expansion
   c. Public Law 31-229 (Repairs of Public Schools)

Testimony on the Budget Bill 426-31 (COR): Fiscal Year 2013

July 25, 2012

Testimony before the Committee on Appropriations

Mr. Chairman, Senator Pangelinan, and Members of the Committee, thank you for the opportunity to testify on Bill 426-31 also known as the Fiscal Year 2013 Executive Budget. I have recently received your confirmation letter of today's Budget Hearings with an Agenda containing additional items to be presented during this hearing. I would like to start by providing a brief highlight of what is contained in the Executive Budget and then continue with discussions on the items listed on the Agenda.

The proposed Executive budget for fiscal year 2013 is $772.5 million. Projected Revenues include $569.2M or 73.6% in General Fund, $155.3M or 20.1% in Special Funds and $48M or 6.3% in Federal Matching. In light of the constraints facing our government, this request represents an increase of only .86% or $6.6M from the $765.9M approved in fiscal year 2012 Appropriation Act.

For Education - A request is being made for an appropriation level of $268.7M or 34.8% of the total budget.

For Health - A request for an appropriation level of $124.2M or 16.1% of the total Budget.

For Public Safety - A request for an appropriation level of $95.8M or 12.4%.

The remaining 37% is allocated to the other agencies under the Executive Direction, Judicial and Legislative Branches of Government, Mayors Council of Guam and for miscellaneous and continuing appropriations.

Our Government's deficit–although starting to shrink–remains a moving target. During the current Fiscal Year, much of the decline in the deficit is because of the restructuring of past due tax refunds into long term debt. How much and how quickly the deficit declines will depend in part on how well the economy does over the next year or so. Probably more critical, though, will be the fiscal policy choices made by this Government as we face the substantial changes in the growing island population, increase demand for public services and spending policies that are slated to take effect within the next year. Thank you again.

Mr Chair, I would like to continue with discussion on the items listed on your agenda.

BBMR - I a.
(192)

BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A. RIOS
DIRECTOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

June 27, 2012

The Honorable Judith Won Pat
Speaker
I Mina'Trentai Unu Na Liheslaturan Guåhan
Thirty-First Guam Legislature
155 Hesler Place
Hagåtnå, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 6/27/12
Time 4:21 PM
Received by

Dear Speaker Won Pat:

Enclosed is the Consolidated Revenue/Expenditure Report for the period ending May 31, 2012. The same report is the actual Report which I noted in my June 20, 2012 letter to you indicating the report as not being available at the time. There are several statutes requiring monthly reports of revenues in addition to a report requiring both revenue and expenditure comparisons. In an effort to mitigate misunderstanding of the different amounts being reported, it was necessary to submit a "consolidated" report which contains all the comparative information pursuant to each of the statutory reporting requirements. In this format, it is evident that there are varying numbers due to the different "basis of comparison". It should be noted that the amounts reflected in this report are subject to internal audit and analysis and therefore are subject to change, which is the nature of these interim reports. However, it is submitted to meet compliance with each reporting mandate. It is important to note that the Department of Administration, Department of Revenue and Taxation and the Bureau of Budget and Management Research are continuing their efforts to improve the format, content and usefulness of this report.

Thank you for your consideration and should you have any questions, please do not hesitate to call me.

Sincerely,

JOHN A. RIOS

Enclosures

Certification of information contained in Enclosures subject to Note 1.
John A. Rios, Director, Bureau of Budget and Management Research
Benita A. Manglona, Director, Department of Administration
John P. Camacho, Director, Department of Revenue and Taxation

Government Of Guam
Consolidated Revenue / Expenditure Report /1
General Fund

	YTD ADOPTED Revenues Allocated vs. YTD ACTUAL Collections Ending Eight Months Ending May 31, 2012. Pursuant to 5GCA Ch. 4 §4109(c)(3) [due 20 days after month-end]			FY2012 ADOPTED Revenues vs. PROJECTED Revenues to Year End Pursuant to 2GCA, Ch. 13, §13109(a)(1) [due no later than 30 days after month-end]; 5GCA, Ch. 4 §4109(c)(3) [due no later than 20 days after month-end]; and P.L. 31-77, Ch. XIII, §5 [due no later than 30 days after month-end]		
	FY2012 Adopted Revenues for the Cumulative Period /6	FY2012 Actual Revenues for the Cumulative Period	Favorable (Unfavorable)	FY2012 Adopted Revenues (Full Year Projection) /7	FY2012 Revenue Tracking	Favorable (Unfavorable)
Income taxes:						
Individual	$ 62,792,521	$ 69,774,230	$ 6,981,709	$ 81,651,368	$ 83,035,846	$ 1,384,478
Corporation	65,350,657	60,135,934	(5,214,723)	111,802,336	105,128,775	(6,673,561)
Withholding	136,005,726	135,587,365	(418,361)	209,256,708	210,031,750	775,042
Withholding - COLA	0	596,874	596,874	0		0
Interest & penalties	0	1,911,543	1,911,543	0		0
Income Taxes	**264,148,904**	**268,005,946**	**3,857,042**	**402,710,412**	**398,196,370**	**(4,514,042)**
Business privilege taxes:						
Gross Receipts Taxes	142,220,988	144,008,093	1,787,105	215,900,178	218,819,587	2,919,409
Other Taxes:						
Admissions tax	0	319	319			0
Use tax	2,286,976	1,763,969	(523,007)	3,529,781	2,640,163	(889,618)
Business Privilege Taxes	**144,507,964**	**145,772,381**	**1,264,417**	**219,429,959**	**221,459,749**	**2,029,790**
Licenses, Fees & Permits	**1,090,324**	**1,044,702**	**(45,621)**	**5,547,355**	**5,808,012**	**260,657**
Use of Money & Property	**218,266**	**2,781,908**	**2,563,642**	**672,804**	**3,056,528**	**2,383,724**
Federal Sources	**33,093,625**	**36,970,868**	**3,877,243**	**50,228,855**	**55,348,200**	**5,119,345**
Department Charges:						
Agriculture	2,057	4,152	2,096			
Police & corrections	282	20	(262)			
Public works	169,629	23,430	(146,199)			
Public health	114,833	161,460	46,627			
Commerce	171,880	204,005	32,125			
Other charges	555,112	1,014,892	459,780			
Department Charges	**1,013,793**	**1,407,959**	**394,166**	**1,850,178**	**2,634,535**	**784,357**
Section 2718 Funds	**0**	**0**	**0**	**7,545,989**	**7,545,989**	**0**
TOTAL GENERAL FUND REVENUES	**$ 444,072,875**	**$ 455,983,765**	**$ 11,910,889**	**$ 687,985,552**	**$ 694,049,383**	**$ 6,063,831**
			2.68%			**0.88%**

Footnotes:

/1. Revenues are based on a modified accrual basis. During the year, revenues are recognized on a cash basis, but at year end an accrual is made in accordance with GASB 33.

/5. Section 30 is prorated for 12 months.

/6. Based on Adopted Revenues allocated per P.L. 31-077, Chapter I, Section 2(I).

/7. Based on Adopted Revenues P.L. 31-077, Chapter I, Section 2.

Note 1. Data contained herein are subject to change, as additional reconciliations are performed and obtained that substantiates the correct presentation of the underlying revenue transactions.

BBMR- II a.
(191)

Special Revenue Funds
As of Month end- May 31, 2012

Funds	A Public Law 31-77	B Tracking	C Difference (P.L./Tracking) (B-A)
Air Pollution Control	192,020.00	200,386.04	8,366.04
Better Public Services Fund	1,422,747.00	1,767,348.51	344,601.51
Chamorro Land Trust Operations	735,657.00	999,450.08	263,793.08
Corrections Revolving	915,203.00	791,082.08	(124,120.92)
Customs, Agriculture & Quarantine Inspection Services	7,911,999.00	8,988,046.02	1,076,047.02
DPW Building and Design Fund	504,712.00	673,441.36	168,729.36
Enhanced 911 Emergency Reporting System	1,608,278.00	1,729,907.09	121,629.09
Environmental Health	1,030,000.00	707,629.02	(322,370.98)
Guam Contractors License Board	852,725.00	819,608.30	(33,116.70)
Guam Environmental Trust	375,356.00	399,756.73	24,400.73
Guam Highway	17,152,782.00	21,820,306.39	4,667,524.39
GMHA Pharmaceuticals Fund	8,636,007.00	-	
Guam Plant Inspection & Permit	83,817.00	81,477.41	(2,339.59)
Healthy Futures	14,219,231.00	16,365,503.40	2,146,272.40
Indirect Cost Fund	1,826,894.00	861,541.63	(965,352.37)
Autonomous Agency Collections Fund	875,000.00	-	
Land Survey Revolving	2,885,837.00	2,673,041.35	(212,795.65)
Manpower Development	2,240,640.00	1,298,615.78	(942,024.22)
Police Services	581,860.00	495,646.98	(86,213.02)
Professional Engineers, Architects & Land Surveyors Board	244,062.00	318,516.67	74,454.67
Public Recreation Services	193,304.00	180,156.18	(13,147.82)
Safe Streets	241,000.00	29,484.38	(211,515.62)
School Lunch/SAE/Child Nutritional Meal Reimbursement	11,164,309.00	-	
Solid Waste Operations	13,781,645.00	18,206,049.84	4,424,404.84
Street Light	3,473,531.00	1,772,718.13	(1,700,812.87)
Territorial Education Facilities	21,619,104.00	20,652,042.75	(967,061.25)
Tourist Attraction	23,160,585.00	24,091,013.07	930,428.07
Water Protection	71,672.00	108,419.83	36,747.83
Water Research and Development	76,975.00	15,125.00	(61,850.00)
Fire, Life and Medical Emergency Fund	600,000.00	84,868.29	(515,131.71)
Tax Collection Enhancement Fund	696,830.00	772,941.55	76,111.55
Public Library Resources Fund	652,440.00	756,493.83	104,053.83
Guam Board of Accountancy	421,600.00	-	
Public Transit Fund	431,092.00	319,372.58	(111,719.42)
Total	**140,878,914.00**		
Total of Deductions from GHF and HFF	**0.00**		
Net	**140,878,914.00**		

BBMR FY2012 SPECIAL FUND REVENUE TRACKING

BBMR - III. C. (194)

Government of Guam
Department of Administration
Division of Accounts
Additional Child Tax Credit Summary Report
for Fiscal Year 2007, 2008, 2009, 2010 & 2011

Fiscal Year 2007

Date Received	Period		Amount
10/16/2006	1st Quarter	$	1,649,312.50
01/22/2007	2nd Quarter		2,102,361.40
05/07/2007	3th Quarter		1,688,349.05
08/23/2007	4th Quarter		1,595,925.34
Total		**$**	**7,035,948.29**

Fiscal Year 2008

Date Received	Period		Amount
11/01/2007	1st Quarter	$	2,201,749.30
02/11/2008	2nd Quarter		2,331,818.76
04/23/2008	3th Quarter		2,476,850.77
07/24/2008	4th Quarter		1,553,501.30
Total		**$**	**8,563,920.13**

Fiscal Year 2009

Date Received	Period		Amount
10/23/2008	1st Quarter	$	2,669,143.77
01/22/2009	2nd Quarter		2,721,657.21
04/15/2009	3th Quarter		1,487,609.86
07/16/2009	4th Quarter		3,345,968.48
Total		**$**	**10,224,379.32**

Fiscal Year 2010

Date Received	Period		Amount
10/16/2009	1st Quarter	$	5,392,877.85
01/21/2010	2nd Quarter		3,519,397.35
05/21/2010	3th Quarter		1,271,597.66
07/21/2010	4th Quarter		1,572,713.42
Total		**$**	**11,756,586.28**

Fiscal Year 2011

Date Received	Period		Amount
11/01/2010	1st Quarter	$	3,314,637.97
01/25/2011	2nd Quarter		3,143,348.07
04/27/2011	3th Quarter		758,094.12
07/19/2011	4th Quarter		1,698,334.48
Total		**$**	**8,914,414.64**

Cash Receipts for Fiscal Years		
FY'2007		7,035,948.29
FY'2008		8,563,920.13
FY'2009		10,224,379.32
FY'2010		11,756,586.28
FY'2011		8,914,414.64
Total	$	46,495,248.66

III C.
(294)

Dipåttamenton Kontribusion yan Adu'ånå
DEPARTMENT OF
REVENUE AND TAXATION
GOVERNMENT OF GUAM Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'låhi
RAY TENORIO, Lt. Governor Tiñente Gubetnadot

JOHN P. CAMACHO, Director
Direktot

MARIE M. BENITO, Deputy Director
Segundo Direktot

July 3, 2012

Internal Revenue Service
Revenue Financial Management
Attn: OS:CFO:R:S:I
1111 Constitution Avenue, NW
Washington, DC 20224
Attn: Greg Kane, Deputy CFO or Willa Williams

Dear Mr. Kane:

Transmitted herewith is the certification of Additional Child Tax Credit (ACTC) paid for the 2nd Quarter 2012 to qualifying Guam taxpayers. Supporting documents are included. Your assistance on this matter is greatly appreciated.

Sincerely,

JOHN P. CAMACHO
Director

Enclosures

Post Office Box 23607, Guam Main Facility, Guam 96921 • Tel. / Telifon: (671) 635-1817 • Fax / Faks: (671) 633-2643

III C.
(3 11)

Internal Revenue Service
CFO – Revenue Financial Management
1111 Constitution Avenue, NW
CNN Building, Suite 710, OS:CFO:R:S:I
Washington, DC 20224

Dear Sir/Madam:

Pursuant to Internal Revenue Code (IRC) 24(d), Additional Child Tax Credit, I hereby certify the following Additional Child Tax Credit overpayments for residents of GUAM, USA.

Entity Name: **GUAM, USA**
EIN#: **98-0018947**
Processing Year: **2012** Quarter: **2nd**

Tax Year(s): 2005, 2006, 2007, 2008, 2009, 2010 & 2011

Additional Child Tax Credit overpayment calculated: **$14,493,601.36**
Number of Individual Tax Returns where Additional Child Tax Credit overpayment was calculated: **10,582**

Contact Person(s):

Paul J. Terlaje, Administrator
Taxpayer Services Division

Telephone#: **(671) 635-1820/21**
Email address: **pterlaje@revtax.gov.gu**

Mailing address: **Department of Revenue and Taxation**
Government of Guam
P.O. Box 23607
Guam Main Facility, GU 96921

Sincerely,

Jol P. Camacho

John P. Camacho
Director

III c.

(404)

ADDITIONAL CHILD TAX CREDIT

2nd Quarter Report

(April 1 - June 30, 2012)

PROCESSING YEAR 2012

YEAR	FORM	COUNT	ACTC
2005	1040	1	$ 1,841.00
2005	1040A	1	$ 1,107.00
2006	1040	1	$ 1,127.00
2006	1040A	1	$ 705.00
2007	1040	3	$ 1,867.00
2007	1040A	5	$ 5,790.00
2008	1040	21	$ 18,543.00
2008	1040A	66	$ 63,470.00
2008	1040X	1	$ 702.00
2009	1040	56	$ 62,064.00
2009	1040A	251	$ 279,244.01
2010	1040	163	$ 181,034.00
2010	1040A	696	$ 845,183.59
2011	1040	1,591	$ 2,240,043.07
2011	1040A	7,690	$ 10,748,837.69
	1331	35	$ 42,043.00
TOTAL		10,582	$ 14,493,601.36

BBMR – IV
(1 of 1)

Government of Guam
2013 Special Revenue Fund Projection

Description	PL 31-77 FY 2012	Proposed FY2013	VARIANCE
Guam Highway Fund	**18,459,079**	**18,442,618**	**(16,461)**
Public Transit Fund (11GCA Ch 26, section 26503)	(431,092)	(349,210)	81,882
Better Public Services Fund (11GCA Ch 161)	(875,205)	(883,463)	(8,258)
UOG Capital Improvements Fund (11GCA Ch 26, section 26505)		-	-
Net Guam Highway Fund	**17,152,782**	**17,209,945**	**57,163**
Healthy Futures Fund	**14,219,231**	**14,601,686**	**382,455**
Cancer Trust Fund (PL 30-80, 11GCA Ch 26)	(1,849,398)	-	1,849,398
GMHA (PL 30-80, 11GCA Ch 26)	(1,479,519)	-	1,479,519
Guam Cancer Registry (PL 30-80, 11GCA Ch 26)	(123,293)	-	123,293
GMHA (PL 30-166, 11GCA Ch 26)	(1,000,000)	-	1,000,000
Net Healthy Futures Fund	**9,767,021**	**14,601,686**	**4,834,665**
Solid Waste Operations Fund	**13,781,645**	**19,939,600**	**6,157,955**
Territorial Education Facilities Fund	**21,619,104**	**30,483,566**	**8,864,462**
Tourist Attraction Fund	**23,160,585**	**23,168,200**	**7,615**

PDA – V
(1 of 1)

FY2012 TAX REFUNDS TO DATE

Month	Funding Source		Total
	General Fund	Bond	
Oct-11	5,921,559.11		5,921,559.11
Nov-11	1,475,167.08		1,475,167.08
Dec-11	12,733,116.49	198,000,000.00	210,733,116.49
Jan-12	2,255,454.04		2,255,454.04
Feb-12	116,146.46		116,146.46
Mar-12	-		-
Apr-12	298,518.40		298,518.40
May-12	363,287.57		363,287.57
Jun-12	32,027,924.41	60,000,000.00	92,027,924.41
Jul-12			-
Aug-12			-
Sep-12			-
Total	**55,191,173.56**	**258,000,000.00**	**313,191,173.56**

FY2012			
Total Refund/Int	313,191,173.56	Tax Refunds	302,207,519.48
Series A Bond	198,000,000.00	Interest	10,983,654.08
Series B1 Bond	60,000,000.00		313,191,173.56
General Fund	55,191,173.56		

Comparative Review Between FY 2012 Appropriation (P.L. 31-75/31-77) vs. FY 2013 Executive Request (Bill No. 426-31 COR)

		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
	EXECUTIVE DIRECTION																
1	OFFICE OF I MAGA'LAHEN GUAHAN AND I SEGUNDU NA MAGA'LAHEN GUAHAN	6,337,412	6,233,688	(103,724)	-1.64%	326,345	322,236	(4,109)	-1.26%	-	-	-	-	6,663,757	6,555,924	(107,833)	-1.62%
2	MEDICAL REFERRAL OFFICES (Included under Office of I Maga'lahen Guahan)	-	-	-		-	-	-		-	-	-	-	-	-	-	-
		6,337,412	6,233,688	(103,724)	-1.64%	326,345	322,236	(4,109)	-1.26%	-	-	-	-	6,663,757	6,555,924	(107,833)	-1.62%
3	COMMISSION ON DECOLONIZATION	239,613	239,613	-	0.00%	-	-	-	-	-	-	-	-	239,613	239,613	-	0.00%
4	CIVIL SERVICE COMMISSION	833,963	844,902	10,939	1.31%	-	-	-	-	-	-	-	-	833,963	844,902	10,939	1.31%
				-								-				-	
5	GUAM ELECTION COMMISSION	910,809	656,027	(254,782)	-27.97%	-	-	-	-	-	-	-	-	910,809	656,027	(254,782)	-27.97%
6	CONDUCT THE GENERAL ELECTION FOR 2013 (GUAM ELECTION COMM.)	-	100,000	100,000	100.00%	-	-	-	-	-	-	-	-	-	100,000	100,000	100.00%
		910,809	756,027	(154,782)	-16.99%	-	-	-	-	-	-	-	-	910,809	756,027	(154,782)	-16.99%
7	BUREAU OF BUDGET AND MANAGEMENT RESEARCH	1,058,320	1,058,320	-	0.00%	343,123	316,942	(26,181)	-7.63%	-	-	-	-	1,401,443	1,375,262	(26,181)	-1.87%
8	MILITARY AFFAIRS	673,834	702,054	28,220	4.19%	-	-	-	-	1,547,700	1,547,700	-	0.00%	2,221,534	2,249,754	28,220	1.27%
9	VETERAN'S AFFAIRS	344,718	322,229	(22,489)	-6.52%	-	-	-	-	-	-	-	-	344,718	322,229	(22,489)	-6.52%
10	BUREAU OF STATISTICS AND PLANS	1,218,033	1,155,643	(62,390)	-5.12%	-	-	-	-	-	-	-	-	1,218,033	1,155,643	(62,390)	-5.12%
	SUBTOTAL-EXECUTIVE DIRECTION	**11,616,702**	**11,312,476**	**(304,226)**	**-2.62%**	**669,468**	**639,178**	**(30,290)**	**-4.52%**	**1,547,700**	**1,547,700**	**-**	**0.00%**	**13,833,870**	**13,499,354**	**(334,516)**	**-2.42%**
	PUBLIC SAFETY																
1	GUAM POLICE DEPARTMENT	26,036,476	27,803,761	1,767,285	6.79%	581,860	538,858	(43,002)	-7.39%	726,136	726,136	-	0.00%	27,344,472	29,068,755	1,724,283	6.31%
2	GUAM FIRE DEPARTMENT	28,007,026	27,989,678	(17,348)	-0.06%	2,208,279	1,723,695	(484,584)	-21.94%	102,000	-	(102,000)	-100.00%	30,317,305	29,713,373	(603,932)	-1.99%
3	CORRECTIONS	15,836,100	20,776,981	4,940,881	31.20%	1,011,203	951,661	(59,542)	-5.89%	-	-	-	-	16,847,303	21,728,642	4,881,339	28.97%
								-				-				-	
4	YOUTH AFFAIRS	3,897,356	4,632,225	734,869	18.86%	351,786	-	(351,786)	-100.00%	-	-	-	-	4,249,142	4,632,225	383,083	9.02%
5	PROGRAMS FOR RUNAWAYS, HOMELESS, VICTIMS OF ABUSE (DYA)	346,325	346,325	-	0.00%	-	-	-	-	-	-	-	-	346,325	346,325	-	0.00%
		4,243,681	4,978,550	734,869	17.32%	351,786	-	(351,786)	-100.00%	-	-	-	-	4,595,467	4,978,550	383,083	8.34%
6	CHIEF MEDICAL EXAMINER	410,925	426,599	15,674	3.81%	-	-	-	-	-	-	-	-	410,925	426,599	15,674	3.81%
	SUBTOTAL-PUBLIC SAFETY	**74,534,208**	**81,975,569**	**7,441,361**	**9.98%**	**4,153,128**	**3,214,214**	**(938,914)**	**-22.61%**	**828,136**	**726,136**	**(102,000)**	**-12.32%**	**79,515,472**	**85,915,919**	**6,400,447**	**8.05%**
	HOMELAND SECURITY																
1	CUSTOMS AND QUARANTINE	-		-	-	7,911,999	9,156,099	1,244,100	15.72%	-	-	-	-	7,911,999	9,156,099	1,244,100	15.72%
2	GUAM HOMELAND SECURITY/OFFICE OF CIVIL DEFENSE	-		-	-	-		-	-	-	-	-	-	-	-	-	-
	SUBTOTAL-HOMELAND SECURITY	**-**	**-**	**-**	**-**	**7,911,999**	**9,156,099**	**1,244,100**	**15.72%**	**-**	**-**	**-**	**-**	**7,911,999**	**9,156,099**	**1,244,100**	**15.72%**
	HEALTH																
1	GUAM MEMORIAL HOSPITAL AUTHORITY	2,060,918	2,413,495	352,577	17.11%	8,636,007	9,150,054	514,047	5.95%	-	-	-	-	10,696,925	11,563,549	866,624	8.10%
2	OPERATIONAL EXPENSES (GMHA)	-	-	-	-	1,706,308	1,457,639	(248,669)	-14.57%	-	-	-	-	1,706,308	1,457,639	(248,669)	-14.57%
		2,060,918	2,413,495	352,577	17.11%	10,342,315	10,607,693	265,378	2.57%	-	-	-	-	12,403,233	13,021,188	617,955	4.98%
3	PUBLIC HEALTH AND SOCIAL SERVICES	34,256,408	36,314,519	2,058,111	6.01%	5,204,116	5,116,701	(87,415)	-1.68%	24,752,122	26,438,879	1,686,757	6.81%	64,212,646	67,870,099	3,657,453	5.70%
4	MIP PAYMENT REVOLVING FUND FOR MIP (PH&SS)	15,317,551	15,317,551	-	0.00%	-			-	-	-	-	-	15,317,551	15,317,551	-	0.00%
5	LOCAL MATCH REQUIREMENT FOR MEDICAID PROGRAM (PH&SS) (Included under	-	-	-	-	-			-	-	-	-	-	-	-	-	-
6	MEDICINES & VACANT POSITIONS FOR COMMUNITY HEALTH CENTERS	-	-	-	-	346,159	613,156	266,997	77.13%	-	-	-	-	346,159	613,156	266,997	77.13%
7	CANCER SCREENING, TREATMENT & SUPPORT SERVICES (PH&SS)	-	-	-	-	710,962	710,962	-	0.00%					710,962	710,962	-	0.00%
		49,573,959	51,632,070	2,058,111	4.15%	6,261,237	6,440,819	179,582	2.87%	24,752,122	26,438,879	1,686,757	6.81%	80,587,318	84,511,768	3,924,450	4.87%
8	DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES	1,295,647	1,235,770	(59,877)	-4.62%	513,881	694,763	180,882	35.20%	2,052,208	2,992,651	940,443	45.83%	3,861,736	4,923,184	1,061,448	27.49%

Comparative Review Between FY 2012 Appropriation (P.L. 31-75/31-77) vs. FY 2013 Executive Request (Bill No. 426-31 COR)

		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
9	MENTAL HEALTH AND SUBSTANCE ABUSE	11,346,827	14,183,926	2,837,099	25.00%	2,668,905	2,860,634	191,729	7.18%	225,862	225,862	-	0.00%	14,241,594	17,270,422	3,028,828	21.27%
10	RESIDENTIAL TREATMENT FUND (DOA)	1,200,000	1,200,000	-	0.00%	-	-	-	-	-	-	-	-	1,200,000	1,200,000	-	0.00%
	SUBTOTAL-HEALTH	**65,477,351**	**70,665,261**	**5,187,910**	**7.92%**	**19,786,338**	**20,603,909**	**817,571**	**4.13%**	**27,030,192**	**29,657,392**	**2,627,200**	**9.72%**	**112,293,881**	**120,926,562**	**8,632,681**	**7.69%**
	EDUCATION																
1	GUAM DEPARTMENT OF EDUCATION	179,639,344	180,692,640	1,053,296	0.59%	29,502,639	27,948,863	(1,553,776)	-5.27%	-	-	-	-	209,141,983	208,641,503	(500,480)	-0.24%
2	MAINTENANCE & INSURANCE FOR TIYAN CAMPUS LEASE (GDOE)	-	1,568,000	1,568,000	100.00%	-	-	-	-			-	-	-	1,568,000	1,568,000	100.00%
3	GUAM COMMISSION ON EDUCATOR CERTIFICATION (GCEC)	185,705	203,831	18,126	9.76%	-	-	-	-	-	-	-	-	185,705	203,831	18,126	9.76%
4	UNIVERSITY OF GUAM	25,687,121	25,688,064	943	0.00%	1,000,000	1,000,000	-	0.00%	2,943,706	2,943,706	-	0.00%	29,630,827	29,631,770	943	0.00%
5	GUAM COMMUNITY COLLEGE	13,299,517	13,301,611	2,094	0.02%	-		-	-	1,471,408	1,057,472	(413,936)	-28.13%	14,770,925	14,359,083	(411,842)	-2.79%
	SUBTOTAL-EDUCATION	**218,811,687**	**221,454,146**	**2,642,459**	**1.21%**	**30,502,639**	**28,948,863**	**(1,553,776)**	**-5.09%**	**4,415,114**	**4,001,178**	**(413,936)**	**-9.38%**	**253,729,440**	**254,404,187**	**674,747**	**0.27%**
	UTILITIES																
1	N/A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	FINANCE AND ADMINISTRATION																
1	DEPARTMENT OF ADMINISTRATION	7,929,113	7,786,778	(142,335)	-1.80%	907,425	1,157,716	250,291	27.58%	-	-	-	-	8,836,538	8,944,494	107,956	1.22%
2	GOVERNMENT CLAIMS FUND	100,000	100,000	-	0.00%	-	-	-	-	-	-	-	-	100,000	100,000	-	0.00%
3	GOVERNMENT OF GUAM ANNUAL SINGLE AUDIT	377,000	377,000	-	0.00%	36,000	36,000	-	0.00%	-	-	-	-	413,000	413,000	-	0.00%
	SUBTOTAL-FINANCE AND ADMINISTRATION	**8,406,113**	**8,263,778**	**(142,335)**	**-1.69%**	**943,425**	**1,193,716**	**250,291**	**26.53%**	-	-	-	-	**9,349,538**	**9,457,494**	**107,956**	**1.15%**
	NATURAL RESOURCES																
1	AGRICULTURE	2,718,396	2,520,287	(198,109)	-7.29%	83,817	85,412	1,595	1.90%	279,000	288,500	9,500	3.41%	3,081,213	2,894,199	(187,014)	-6.07%
2	GUAM ANIMALS IN NEED (GAIN) (AGRICULTURE)	98,083	98,083	-	0.00%	-	-	-	-	-	-	-	-	98,083	98,083	-	0.00%
		2,816,479	2,618,370	(198,109)	-7.03%	83,817	85,412	1,595	1.90%	279,000	288,500	9,500	3.41%	3,179,296	2,992,282	(187,014)	-5.88%
3	LAND MANAGEMENT (Per Reorg. Adv. #5, includes ALC and CLTC)	640,932	509,775	(131,157)	-20.46%	2,885,837	4,251,360	1,365,523	47.32%	-	-	-	-	3,526,769	4,761,135	1,234,366	35.00%
4	ANCESTRAL LANDS COMMISSION (Under DLM per Reorg. Adv.#5)	189,239	-	(189,239)	-100.00%	-	-	-	-	-	-	-	-	189,239	-	(189,239)	-100.00%
5	CHAMORRO LAND TRUST COMMISSION (Under DLM per Reorg. Adv.#5)	-	-	-	-	735,656	-	(735,656)	-100.00%	-	-	-	-	735,656	-	(735,656)	-100.00%
		830,171	509,775	(320,396)	-38.59%	3,621,493	4,251,360	629,867	17.39%	-	-	-	-	4,451,664	4,761,135	309,471	6.95%
6	GUAM ENVIRONMENTAL PROTECTION AGENCY	-	-	-	-	716,020	656,073	(59,947)	-8.37%	-	-	-	-	716,020	656,073	(59,947)	-8.37%
7	GUAM ENERGY OFFICE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		-	-	-	-	716,020	656,073	(59,947)	-8.37%	-	-	-	-	716,020	656,073	(59,947)	-8.37%
8	PARKS AND RECREATION	2,883,722	3,264,707	380,985	13.21%	933,132	186,098	(747,034)	-80.06%	-	-	-	-	3,816,854	3,450,805	(366,049)	-9.59%
	SUBTOTAL-NATURAL RESOURCES	**6,530,372**	**6,392,852**	**(137,520)**	**-2.11%**	**5,354,462**	**5,178,943**	**(175,519)**	**-3.28%**	**279,000**	**288,500**	**9,500**	**3.41%**	**12,163,834**	**11,860,295**	**(303,539)**	**-2.50%**
	LABOR																
1	DEPARTMENT OF LABOR	1,183,731	1,055,385	(128,346)	-10.84%	552,191	423,176	(129,015)	-23.36%	42,100	43,800	1,700	4.04%	1,778,022	1,522,361	(255,661)	-14.38%
2	WORKERS COMPENSATION FUND (LABOR)	798,593	798,593	-	0.00%	-		-	-	-	-	-	-	798,593	798,593	-	0.00%
3	PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS (PEALS) BOARD	-	-	-		244,062	307,282	63,220	25.90%	-	-	-	-	244,062	307,282	63,220	25.90%
4	CONTRACTORS LICENSE BOARD	-		-		852,724	862,450	9,726	1.14%	-	-	-	-	852,724	862,450	9,726	1.14%

Comparative Review Between FY 2012 Appropriation (P.L. 31-75/31-77) vs. FY 2013 Executive Request (Bill No. 426-31 COR)

		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
	SUBTOTAL-LABOR	**1,982,324**	**1,853,978**	**(128,346)**	**-6.47%**	**1,648,977**	**1,592,908**	**(56,069)**	**-3.40%**	**42,100**	**43,800**	**1,700**	**4.04%**	**3,673,401**	**3,490,686**	**(182,715)**	**-4.97%**
	TOURISM AND CULTURE																
1	CHAMORRO AFFAIRS (Per Reorg. Adv. #6, includes GCAHA,GPLS,PBS Guam)	960,721	3,192,052	2,231,331	232.26%	-	-	-	-	-	307,500	307,500	100.00%	960,721	3,499,552	2,538,831	264.26%
2	GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY	300,000	-	(300,000)	-100.00%	-	-	-	-	300,000	-	(300,000)	-100.00%	600,000	-	(600,000)	-100.00%
3	PBS GUAM (Guam Educational Telcommunication Corporation)	621,052	-	(621,052)	-100.00%	-	-	-	-	-	-	-	-	621,052	-	(621,052)	-100.00%
4	GUAM PUBLIC LIBRARY	1,335,692	-	(1,335,692)	-100.00%	-	-	-	-	-	-	-	-	1,335,692	-	(1,335,692)	-100.00%
5	GUAM TERRITORIAL BAND SOCIETY (GCAHA)	-	-	-		40,000	40,000	-	0.00%	-	-	-	-	40,000	40,000	-	0.00%
		3,217,465	3,192,052	(25,413)	-0.79%	40,000	40,000	-	0.00%	300,000	307,500	7,500	2.50%	3,557,465	3,539,552	(17,913)	-0.50%
	SUBTOTAL-TOURISM AND CULTURE	**3,217,465**	**3,192,052**	**(25,413)**	**-0.79%**	**40,000**	**40,000**	**-**	**0.00%**	**300,000**	**307,500**	**7,500**	**2.50%**	**3,557,465**	**3,539,552**	**(17,913)**	**-0.50%**
	HOUSING AND ECONOMIC DEVELOPMENT																
1	N/A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	TRANSPORTATION																
1	DEPARTMENT OF PUBLIC WORKS	9,022,816	10,436,028	1,413,212	15.66%	10,500,911	9,160,273	(1,340,638)	-12.77%	-	-	-	-	19,523,727	19,596,301	72,574	0.37%
2	GUAM SOLID WASTE AUTHORITY	-	-	-	-	6,446,626	7,759,106	1,312,480	20.36%	-	-	-	-	6,446,626	7,759,106	1,312,480	20.36%
3	GUAM REGIONAL TRANSIT AUTHORITY	-	-	-	-	3,240,645	3,905,899	665,254	20.53%	-	-	-	-	3,240,645	3,905,899	665,254	20.53%
4	PORT AUTHORITY OF GUAM	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	SUBTOTAL-TRANSPORTATION	**9,022,816**	**10,436,028**	**1,413,212**	**15.66%**	**20,188,182**	**20,825,278**	**637,096**	**3.16%**	**-**	**-**	**-**	**-**	**29,210,998**	**31,261,306**	**2,050,308**	**7.02%**
	REVENUE AND TAXATION																
1	DEPARTMENT OF REVENUE AND TAXATION	9,282,383	9,784,697	502,314	5.41%	2,119,578	2,077,271	(42,307)	-2.00%	-	-	-	-	11,401,961	11,861,968	460,007	4.03%
2	REVENUE AND TAXATION OPERATIONS (ADDITIONAL PERSONNEL COSTS)	968,260	-	(968,260)	-100.00%	-	-	-	-	-	-	-	-	968,260	-	(968,260)	-100.00%
		10,250,643	9,784,697	(465,946)	-4.55%	2,119,578	2,077,271	(42,307)	-2.00%	-	-	-	-	12,370,221	11,861,968	(508,253)	-4.11%
	SUBTOTAL-REVENUE AND TAXATION	**10,250,643**	**9,784,697**	**(465,946)**	**-4.55%**	**2,119,578**	**2,077,271**	**(42,307)**	**-2.00%**	**-**	**-**	**-**	**-**	**12,370,221**	**11,861,968**	**(508,253)**	**-4.11%**
	TOTAL - EXECUTIVE BRANCH	**$ 409,849,681**	**$ 425,330,837**	**$ 15,481,156**	**3.78%**	**$ 93,318,196**	**$ 93,470,379**	**$ 152,183**	**0.16%**	**$ 34,442,242**	**$ 36,572,206**	**$ 2,129,964**	**6.18%**	**$ 537,610,119**	**$ 555,373,422**	**$ 17,763,303**	**3.30%**
	MISCELLANEOUS APPROPRIATIONS																
	STUDENT SCHOLARSHIPS, FINANCIAL ASSISTANCE & PROGRAM ADMINISTRATION (UNIVERSITY OF GUAM):																
1	A. UOG SCHOLARSHIPS	$ 2,423,137	$ 2,423,137	-	0.00%	-	-	-	-	-	-	-	-	2,423,137	2,423,137	-	0.00%
2	B. A.C. YAMASHITA EDUCATOR CORPS (UOG)	1,176,221	1,176,221	-	0.00%	-	-	-	-	-	-	-	-	1,176,221	1,176,221	-	0.00%
3	AQUACULTURE DEVELOPMENT AND TRAINING CENTER (UOG)	125,254	125,254	-	0.00%	-	-	-	-	-	-	-	-	125,254	125,254	-	0.00%
4	WERI GUAM HYDROLOGIC SURVEY (UOG)	182,694	182,694	-	0.00%	-	-	-	-	-	-	-	-	182,694	182,694	-	0.00%
5	WERI WATER RESOURCE MONITORING PROGRAM (UOG)	155,626	155,626	-	0.00%	-	-	-	-	-	-	-	-	155,626	155,626	-	0.00%
6	SOIL & WATER CONSERVATION DISTRICT PROGRAM (UOG)	149,384	149,384	-	0.00%	-	-	-	-	-	-	-	-	149,384	149,384	-	0.00%
7	KPRG (PUBLIC RADIO) (UOG)	89,467	89,467	-	0.00%	-	-	-	-	-	-	-	-	89,467	89,467	-	0.00%
8	GUAMPEDIA FOUNDATION (UOG)	-	-	-	-	140,000	140,000	-	0.00%	-	-	-	-	140,000	140,000	-	0.00%
9	RHINOCEROS BEETLE PROGRAM (UOG)	-	-	-	-	200,000	200,000	-	0.00%	-	-	-	-	200,000	200,000	-	0.00%
	TOTAL MISCELLANEOUS - (UOG)	4,301,783	4,301,783	-	0.00%	340,000	340,000	-	0.00%	-	-	-	-	4,641,783	4,641,783	-	0.00%
9	UOG CAPITAL IMPROVEMENTS FUND (§26505(a), ARTICLE 5, CHAPTER 26 DIVISION 2 OF TITLE 11 GCA)	-	-	-	-	500,000	500,000	-	0.00%	-	-	-	-	500,000	500,000	-	0.00%

Comparative Review Between FY 2012 Appropriation (P.L. 31-75/31-77) vs. FY 2013 Executive Request (Bill No. 426-31 COR)

		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
10	ADMINISTRATION OF THE GUAM CANCER TRUST FUND (UOG)	-	-	-	-	1,421,923	1,822,048	400,125	28.14%	-	-	-	-	1,421,923	1,822,048	400,125	28.14%
11	LPN AND VOCATIONAL GUIDANCE PROGRAMS (GCC)	705,058	705,058	-	0.00%	-	-	-	-	-	-	-	-	705,058	705,058	-	0.00%
12	LODGING MANAGEMENT PROGRAM/PRO START (GCC)	-	-	-	-	24,154	24,154	-	0.00%					24,154	24,154	-	0.00%
13	APPRENTICESHIP PROGRAM (GCC)	-	-	-	-	1,688,448	1,688,448	-	0.00%					1,688,448	1,688,448	-	0.00%
	TOTAL MISCELLANEOUS - (GCC)	705,058	705,058	-	0.00%	1,712,602	1,712,602	-	0.00%	-	-	-	-	2,417,660	2,417,660	-	0.00%
14	INTERSCHOLASTIC SPORTS FUND (GDOE)	-	-	-	-	520,000	520,000	-	0.00%	-	-	-	-	520,000	520,000	-	0.00%
15	INTERSCHOLASTIC SPORTS BUSING SERVICES (GDOE)	-	-	-	-	92,000	92,000	-	0.00%	-	-	-	-	92,000	92,000	-	0.00%
16	HEALTH AND PHYSICAL EDUCATION ACTIVITIES (GDOE)	-	-	-	-	279,754	279,754	-	0.00%	-	-	-	-	279,754	279,754	-	0.00%
17	CHAMORU STUDIES DIVISION (GDOE)	381,120	381,120	-	0.00%	-	-	-	-	-	-	-	-	381,120	381,120	-	0.00%
	TOTAL MISCELLANEOUS - (GDOE)	381,120	381,120	-	0.00%	891,754	891,754	-	0.00%	-	-	-	-	1,272,874	1,272,874	-	0.00%
18	UTILITY COST FOR GPA PROMISSORY NOTE (GDOE)	2,400,000	-	(2,400,000)	-100.00%	-	1,600,000	1,600,000		-	-	-	-	2,400,000	1,600,000	(800,000)	-33.33%
19	FOR FY 2012 - TEXTBOOKS & COLLATERAL MATERIALS (FROM FY2013 REVENUE PER P.L. 31-75:10)(GDOE)	2,000,000	2,000,000	-	0.00%	-	-	-	-	-	-	-	-	2,000,000	2,000,000	-	0.00%
20	FOR FY 2013 - ADVANCED APPROPRIATION FOR TEXTBOOKS & COLLATERAL MATERIALS (FROM FY2014 REVENUE)(GDOE)	-	1,500,000	1,500,000	100.00%	-	-	-	-	-	-	-	-	-	1,500,000	1,500,000	100.00%
21	LESS OUT TEXTBOOK APPROPRIATON FROM FY2014 REVENUE	-	(1,500,000)	(1,500,000)	-100.00%	-	-	-	-	-	-	-	-	-	(1,500,000)	(1,500,000)	-100.00%
22	HIGH RISK STATUS FEDERAL GRANTS (GDOE)			-	-	250,000	-	(250,000)	-100.00%	-	-	-	-	250,000	-	(250,000)	-100.00%
23	EQUIPMENT FOR SPECIFIC SCHOOLS [$525,000 FROM SAR] (GDOE)			-	-	-	-	-	-	-	-	-	-	-	-	-	-
24	F.Q. SANCHEZ WORKING CAPITAL [$100,000 FROM 2007 TOBACCO BOND] (GDOE)			-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	POWER UTILITIES (361) FOR GDOE UTILITY COST DEBT SERVICE	408,214	-	(408,214)	-100.00%	-	-	-	-	-	-	-	-	408,214	-	(408,214)	-100.00%
26	POWER FOR GDOE (AUTONOMOUS AGENCY COLLECTIONS FUND)	-	-	-		875,000	-	(875,000)	-100.00%	-	-	-	-	875,000	-	(875,000)	-100.00%
27	REHABILITATION, DETOXIFICATION & PREVENTION SERVICES (MHSA)	839,040	839,040	-	0.00%	-	-	-	-	-	-	-	-	839,040	839,040	-	0.00%
28	OASIS EMPOWERMENT CENTER FOR WOMEN (MHSA)	50,000	50,000	-	0.00%	-	-	-	-	-	-	-	-	50,000	50,000	-	0.00%
	TOTAL MISCELLANEOUS - (MHSA)	889,040	889,040	-	0.00%	-	-	-	-	-	-	-	-	889,040	889,040	-	0.00%
29	AMENDED COMPREHENSIVE IMPLEMENTATION PLAN/PLAN OF ACTION (MHSA)	3,000,000	1,250,000	(1,750,000)	-58.33%	-	-	-	-	-	-	-	-	3,000,000	1,250,000	(1,750,000)	-58.33%
30	GUAM CANCER REGISTRY (PHSS)	-	-	-	-	142,092	121,470	(20,622)	-14.51%					142,092	121,470	(20,622)	-14.51%
31	ENVIRONMENTAL HEALTH FOR 15 ADDITIONAL POSITIONS (DPHSS)			-	-	291,345	-	(291,345)	-100.00%	-	-	-	-	291,345	-	(291,345)	-100.00%
32	ENVIRONMENTAL HEALTH FOR 15 ADDTL POSITIONS (DPHSS) USFB SANITARY INSPECTION REVENUE FUND			-	-	123,000	-	(123,000)	-100.00%	-	-	-	-	123,000	-	(123,000)	-100.00%
33	LINE OF CREDIT PAYMENT (GMHA) (§26603(d), ARTICLE 6, CHAPTER 26 OF TITLE 11 GCA)	-	-	-	-	1,000,000	1,000,000	-	0.00%	-	-	-	-	1,000,000	1,000,000	-	0.00%
34	REPROGRAMMING FOR APPROP FROM 2007 TOBACCO BOND PROCEEDS AND AVAILABLE INTEREST OF TOBACCO ASSET BACKED BONDS (GMHA)	413,433	-	(413,433)	-100.00%			-	-	-	-	-	-	413,433	-	(413,433)	-100.00%
35	MONITORING OF THE ISLANDS BEACHES (GEPA)	-	-	-	-	100,000	100,000	-	0.00%	-	-	-	-	100,000	100,000	-	0.00%
36	CLOSURE, MONITORING & OPENING OF LANDFILL (GEPA)	-	-	-	-	200,000	200,000	-	0.00%	-	-	-	-	200,000	200,000	-	0.00%

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		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
	TOTAL MISCELLANEOUS - (GEPA)	-	-	-	-	300,000	300,000	-	0.00%	-	-	-	-	300,000	300,000	-	0.00%
37	MAINTENANCE/REPAIR PUBLIC RESTROOMS (DPR)	-	-	-	-	400,166	400,166	-	0.00%	-	-	-	-	400,166	400,166	-	0.00%
38	MAINTENANCE OF POOL FACILITIES (DPR)	-	-	-	-	349,211	349,211	-	0.00%	-	-	-	-	349,211	349,211	-	0.00%
	TOTAL MISCELLANEOUS - (DPR)	-	-	-	-	749,377	749,377	-	0.00%	-	-	-	-	749,377	749,377	-	0.00%
39	TRAINING FOR ACCOUNTANTS / TRAINING & DEVELOPMENT (DOA)	-	-	-	-	-	30,000	30,000	100.00%	-	-	-	-	-	30,000	30,000	100.00%
40	SUPPLEMENTAL ANNUITY BENEFITS SPECIAL FUND (DOA)	11,696,303	11,696,303	-	0.00%	-	-	-	-	-	-	-	-	11,696,303	11,696,303	-	0.00%
41	COST OF LIVING ALLOWANCE (DOA)	6,770,500	6,770,500	-	0.00%	-	-	-	-	-	-	-	-	6,770,500	6,770,500	-	0.00%
42	SUPPORT OF CHILD IN CUSTODY - 19 GCA (DOA)	649,962	649,962	-	0.00%	-	-	-	-	-	-	-	-	649,962	649,962	-	0.00%
43	INTEREST ONLY FOR RETIREMENT GDOE & GMHA (DOA)	332,753	332,753	-	0.00%	-	-	-	-	-	-	-	-	332,753	332,753	-	0.00%
44	PAY GPA FOR INSTALLATION/OPERATIONS OF PUBLIC STREETLIGHTS (DOA)	-	-	-	-	6,009,203	7,300,000	1,290,797	21.48%	-	-	-	-	6,009,203	7,300,000	1,290,797	21.48%
45	HEALTH, DENTAL, LIFE INS OF CURRENT RETIREES (RETIREMENT FUND)	24,422,668	24,422,668	-	0.00%	-	-	-	-	-	-	-	-	24,422,668	24,422,668	-	0.00%
46	MEDICARE PREMIUMS (RETIREMENT FUND)	987,000	1,019,970	32,970	3.34%	-	-	-	-	-	-	-	-	987,000	1,019,970	32,970	3.34%
47	I MAGA'LAHI / I SEGUNDU NA MAGA'LAHI PENSIONS (RETIREMENT FUND)	232,515	242,845	10,330	4.44%	-	-	-	-	-	-	-	-	232,515	242,845	10,330	4.44%
48	ANNUITIES GUAM SUPERIOR COURT JUDGES & SUPREME JUSTICES (RETIREMENT FUND)	466,429	487,150	20,721	4.44%	-	-	-	-	-	-	-	-	466,429	487,150	20,721	4.44%
49	COURT APPOINTED ATTORNEY FEES (JUDICIARY)	745,433	745,433	-	0.00%	-	-	-	-	-	-	-	-	745,433	745,433	-	0.00%
50	ADULT AND JUVENILE DRUG COURTS (JUDICIARY)	651,277	651,277	-	0.00%	-	-	-	-	-	-	-	-	651,277	651,277	-	0.00%
51	FAMILY VISITATION CENTER (JUDICIARY)					145,000	145,000	-	-	-	-	-	-	145,000	145,000	-	0.00%
	TOTAL MISCELLANEOUS - (JUDICIARY)	1,396,710	1,396,710	-	0.00%	145,000	145,000	-	0.00%	-	-	-	-	1,541,710	1,541,710	-	0.00%
52	STREET MAINTENANCE & BEAUTIFICATION (MAYORS COUNCIL)	-	-	-	-	1,036,026	1,036,026	-	0.00%	-	-	-	-	1,036,026	1,036,026	-	0.00%
53	ISLAND-WIDE VILLAGE BEAUTIFICATION PROJECTS (MAYORS COUNCIL)	-	-	-	-	470,921	470,921	-	0.00%	-	-	-	-	470,921	470,921	-	0.00%
54	GROUNDS MAINTENANCE FOR SCHOOLS (MAYORS COUNCIL)	447,863	447,863	-	0.00%	-	-	-	-	-	-	-	-	447,863	447,863	-	0.00%
55	PUBLIC SAFETY & SCHOOL EDUCATION (MAYORS COUNCIL)	416,860	416,860	-	0.00%	-	-	-	-	-	-	-	-	416,860	416,860	-	0.00%
56	VETERINARIAN AND ANIMAL CONTOL SERVICES (MAYORS COUNCIL)	-	173,522	173,522	100.00%	-	-	-	-	-	-	-	-	-	173,522	173,522	100.00%
	TOTAL MISCELLANEOUS - (MAYORS COUNCIL)	864,723	1,038,245	173,522	20.07%	1,506,947	1,506,947	-	0.00%	-	-	-	-	2,371,670	2,545,192	173,522	7.32%
57	PAYMENT TO FEDERAL BUREAU OF PRISONS FOR CURRENT FY2013 (DOC)	676,457	696,000	19,543	2.89%	2,000,000	-	(2,000,000)	-100.00%	-	-	-	-	2,676,457	696,000	(1,980,457)	-74.00%
58	GUAM BOARD OF ACCOUNTANCY	-	-	-	-	421,600	-	(421,600)	-100.00%	-	-	-	-	421,600	-	(421,600)	-100.00%
59	RANKING STRUCTURE FOR CONSERVATION OFFICERS (AGRICULTURE)	60,000	-	(60,000)	-100.00%		-	-	-	-	-	-	-	60,000	-	(60,000)	-100.00%
60	REPAIR OF TALOFOFO INDOOR GYMNASIUM	148,829	-	(148,829)	-100.00%			-	-	-	-	-	-	148,829	-	(148,829)	-100.00%
61	EMERGENCY TAX REFUNDS (DRT) [SECTION 2718 FUNDS]	4,556,855	-	(4,556,855)	-100.00%		-	-	-	-	-	-	-	4,556,855	-	(4,556,855)	-100.00%
62	CHAMORRO LAND TRUST COMMISSION (EFFECTIVE 10/1/12 - FY2013)				-	875,000	-	(875,000)	-100.00%	-	-	-	-	875,000	-	(875,000)	-100.00%
	TOTAL - MISCELLANEOUS	$ 67,760,352	$ 58,280,107	$ (9,480,245)	-13.99%	$ 19,554,843	$ 18,019,198	$ (1,535,645)	-7.85%	$ -	$ -	$ -	$ -	$ 87,315,195	$ 76,299,305	$ (11,015,890)	-12.62%
	CONTINUING APPROPRIATIONS																

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		GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
		FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
	EXECUTIVE BRANCH																
1	**GENERAL OBLIGATION BONDS, SERIES 1993** (FOR EDUCATION CAPITAL PROJECTS; REAL PROPERTY TAXES PLEDGED; DUE FY 2018 AS FINAL YEAR; P.L. 29-19 AND P.L. 29-21, NET OF UOG BOND PAYMENT OBLIGATION $2,027,488) [$2,808,214]	-	$ -	-	-	2,808,214	2,799,549	(8,665)	-0.31%	-	-	-	-	2,808,214	2,799,549	(8,665)	-0.31%
2	**LIMITED OBLIGATION HIGHWAY REFUNDING BOND 2001 SERIES A** (P.L. 24-70; DUE FY 2012 AS THE FINAL YEAR; SOURCE OF PAYMENT FROM LIQUID FUEL TAXES) [$6,024,425]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	**LIMITED OBLIGATION (SECTION 30) BONDS, SERIES A, 2001 (SECTION 30 FUNDS)** (WATER SYSTEM REVENUE BOND; P.L. 26-58, AMENDED BY P.L. 26-59, SECTION 30 FUNDS PLEDGED; DUE FY 2012 AS FINAL YEAR)	9,825,631	-	(9,825,631)	-100.00%	-	-	-	-	-	-	-	-	9,825,631	-	(9,825,631)	-100.00%
4	**2002 SHORT TERM FINANCING (SECTION 30 FUNDS)** (LINE OF CREDIT; P.L. 26-84 AMENDED BY P.L. 26-122 AND P.L. 26-130; DUE FY 2012 AS THE FINAL YEAR; SOURCE OF PAYMENT SECTION 30 FUNDS)	1,281,818	1,717,449	435,631	33.99%	-	-	-	-	-	-	-	-	1,281,818	1,717,449	435,631	33.99%
5	**LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT) REVENUE BONDS, SERIES 2011A (TAF)** (REFUNDING OF LO INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, ACQUIRE, CONSTRUCT, OR EQUIP A NEW GUAM MUSEUM, PROJECTS THAT BENEFIT THE TOURISM INDUSTRY)	-	-	-	-	3,801,287	6,998,363	3,197,076	84.11%	-	-	-	-	3,801,287	6,998,363	3,197,076	84.11%
6	**2008 SHORT TERM FINANCING** (LINE OF CREDIT; P.L. 29-69 AMENDED BY P.L. 29-82 AND P.L. 29-87; DUE FY 2012 AS THE FINAL YEAR; SOURCE OF PAYMENT GENERAL FUND, SECONDARY SECTION 30 FUNDS)	3,470,840	-	(3,470,840)	-100.00%	-	-	-	-	-	-	-	-	3,470,840	-	(3,470,840)	-100.00%
7	**GENERAL OBLIGATION BONDS, SERIES 2007 A** (PARTIAL REFUNDING OF GOB, 1993 SERIES A, FUNDING CAPITAL PROJECTS AND CERTAIN OBLIGATIONS OF THE GOVERNMENT OF GUAM; DUE FY 2037 AS FINAL YEAR; P.L. 29-19 AND P.L. 29-21) [$7,874,700]	7,874,700	-	(7,874,700)	-100.00%	-	7,874,700	7,874,700	#DIV/0!	-	-	-	-	7,874,700	7,874,700	-	0.00%
8	**LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2009A** (TO FINANCE COST FOR THE NEW LANDFILL AND CLOSURE OF ORDOT DUMP; P.L. 30-1 AMENDED BY P.L. 30-7; DUE FY 2035 AS FINAL YEAR)	-	3,692,212	3,692,212		7,135,019	11,980,494	4,845,475	67.91%	-	-	-	-	7,135,019	15,672,706	8,537,687	119.66%
9	**GENERAL OBLIGATION BONDS, 2009 SERIES A** (TO FINANCE CERTAIN EXPENSES AFFECTING GENERAL FUND DEFICIT; P.L. 29-113 AMENDED BY P.L. 30-7; DUE FY 2040 AS FINAL YEAR) [$21,534,019]	21,436,781	21,532,221	95,440	0.45%	-	-	-	-	-	-	-	-	21,436,781	21,532,221	95,440	0.45%
10	**2010A, GUAM DEPARTMENT OF EDUCATION (JFK HIGH SCHOOL)** (P.L. 30-178; 5 GCA, Chapter 58A)	4,348,433	5,131,938	783,505	18.02%	-	-	-	-	-	-	-	-	4,348,433	5,131,938	783,505	18.02%
11	**DLM BUILDING CONSTRUCTION** (DLM LAND RESOURCES PUBLIC FACILITY LOAN PURSUANT TO P.L. 29-135) [96,882]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	TOTAL - CONTINUING APPROPRIATIONS	$ 48,238,203	$ 32,073,820	$ (16,164,383)	-33.51%	$ 13,744,520	$ 29,653,106	$ 15,908,586	115.74%	$ -	$ -	$ -	-	$ 61,982,723	$ 61,726,926	$ (255,797)	-0.41%

Comparative Review Between FY 2012 Appropriation (P.L. 31-75/31-77) vs. FY 2013 Executive Request (Bill No. 426-31 COR)

	GENERAL FUND				SPECIAL FUND				FEDERAL FUND MATCH				GRAND TOTAL			
	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %	FY 2012 Appropriation P.L. 31-75 & P.L. 31-77	FY 2013 Exec. Request Bill No. 426-31(COR)	Variance $	Variance %
EXECUTIVE BRANCH																
RESERVE FOR LEGISLATURE, UNIFIED JUDICIARY, PUBLIC DEF.SVCS. CORP., MAYORS COUNCIL, OPA, ATTORNEY GENERAL AND GVB	$ 55,324,722	$ 53,477,615	$ (1,847,107)	-3.34%	$ 17,319,352	$ 14,157,372	$ (3,161,980)	-18.26%	$ 6,392,529	$ 11,509,528	$ 5,116,999	80.05%	$ 79,036,603	$ 79,144,515	$ 107,912	0.14%
GRAND TOTAL	$ 581,172,958	$ 569,162,379	$ (12,010,579)	-2.07%	$ 143,936,911	$ 155,300,055	$ 11,363,144	7.89%	$ 40,834,771	$ 48,081,734	$ 7,246,963	17.75%	$ 765,944,640	$ 772,544,168	$ 6,599,528	0.86%

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
THIRTY FIRST GUAM LEGISLATURE
2012 (SECOND) REGULAR SESSION

BILL NO. 426-31 (COR)

Introduced by:

The Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs

by request of *I Maga'lahen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013, 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 2013"***. *Except* as otherwise provided by this Act, the appropriations made by this Act identifying Fiscal Year 2013 shall be available to pay for obligations incurred on *or* after October 1, 2012 but *no later than* September 30, 2013. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan*, the Guam Legislature, adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I.	GENERAL FUND REVENUES	AMOUNT
	A. TAXES	
	Income Tax	
	Corporate	$115,700,007
	Individual	$73,469,937
	Withholding Taxes, Interest and Penalties	$204,643,469
	Provision for Tax Refund Payments	($100,000,000)
	TOTAL INCOME TAXES	**$293,813,413**
	Business Privilege Tax	$228,751,346
	GMHA Pharmaceutical Fund	
	(§26208 of 11 GCA)	($9,150,054)
	Tiyan Credit	($4,670,139)
	Other Taxes	$3,847,425
	TOTAL BUSINESS PRIVILEGE TAX	**$218,778,578**
	TOTAL TAXES	**$512,591,991**
	B. FEDERAL SOURCES	
	Federal Income Tax Collection	
	(Section 30 Funds); Immigrant Fees	$54,951,519
	Overpayment Reconciliation (3 of 4)	($1,500,000)
	TOTAL FEDERAL SOURCES	**$53,451,519**
	C. USE OF MONEY AND PROPERTY	**$808,896**
	D. LICENSES, FEES AND PERMITS	
	Licenses, Fees and Permits	$5,070,909

		Licenses, Fees and Permits (Better Public	
		Service Fund) (Ch. 161 of 11 GCA)	($507,091)
		TOTAL LICENSES, FEES, AND PERMITS	**$4,563,818**
		E. DEPARTMENT CHARGES	**$1,861,714**
		F. SECTION 2718 FUND	**$7,500,000**
		TOTAL GENERAL FUND REVENUE	**$580,777,938**
		2% GENERAL FUND RESERVE	
		(Appropriations Cap of 98% of General Fund	
		Revenue; §22436, Chapter 22 of Title 5 GCA)	($11,615,559)
		TOTAL GENERAL FUND REVENUE	
		AVAILABLE FOR APPROPRIATION	**$569,162,379**
	II.	**SPECIAL FUND REVENUES**	
		A. Air Pollution Control Special Fund	$184,422
		B. Better Public Service Fund	1,390,554
		C. Chamorro Land Trust Operations Fund	1,023,596
		D. Corrections Revolving Fund	855,661
		E. Customs, Agriculture and Quarantine	
		Inspection Services Fund	9,156,099
		F. DPW Building and Design Fund	500,769
		G. Enhanced 911 Emergency Reporting System Fund	1,650,630
		H. Environmental Health Fund	687,441
		I. Fire, Life and Medical Emergency Fund	73,065
		J. Guam Contractors License Board Fund	862,450

K.	Guam Environmental Trust Fund	331,869
L.	Guam Highway Fund (GHF)	18,442,618
	(a) GHF (Better Public Service Fund; Ch. 161 of 11 GCA)	(883,463)
	(b) GHF (Public Transit Fund Fund; §26503 of 11 GCA)	(349,210)
	Total Guam Highway Fund	17,209,945
M.	GMHA Pharmaceuticals Fund	9,150,054
N.	Guam Plant Inspection & Permit Fund	85,412
O.	Public Transit Fund)	349,210
P.	Healthy Futures Fund	14,601,686
Q.	Indirect Cost Fund	1,826,894
R.	Land Survey Revolving Fund	3,227,764
S.	Manpower Development Fund	2,111,624
T.	Police Services Fund	538,858
U.	Professional Engineers, Architects, and Land Surveyors Board Fund	307,282
V.	Public School Library Resources Fund	670,328
W.	Public Recreation Services Fund	186,098
X.	Safe Streets Fund	241,000
Y.	School Lunch/Child Nutritional Meal Reimbursement Fund – Federal Sources (100% Federal Grant)	10,069,218

Z. Solid Waste Operations Fund		19,939,600
AA. Street Light Fund		3,590,261
AB. Tax Collection Enhancement Fund		686,717
AC. Territorial Education Facilities Fund		30,483,566
AD. Tourist Attraction Fund		23,168,200
AE. Water Protection Fund		66,461
AF. Water Research and Development Fund		73,321
TOTAL SPECIAL FUND REVENUE		**$155,300,055**
III. **FEDERAL MATCHING GRANTS-IN-AID REVENUES**		
Federal Grants-In-Aid Requiring Local Match:		
A. Agriculture		$288,500
B. Chamorro Affairs		307,500
C. Guam Community College		1,057,472
D. Guam Police		726,136
E. Integrated Services for Individuals with Disabilities		2,992,651
F. Labor		43,800
G. Mental Health and Substance Abuse		225,862
H. Military Affairs		1,547,700
I. Office of Attorney General		11,509,528
J. Public Health and Social Services		26,438,879
K. University of Guam		2,943,706
TOTAL FEDERAL MATCHING GRANTS-		

IN-AID REVENUE		**$48,081,734**
REVENUE SUMMARY:		
TOTAL GENERAL FUND REVENUE		**$569,162,379**
TOTAL SPECIAL FUND REVENUE		**$155,300,055**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE		**$48,081,734**
GRAND TOTAL		**$772,544,168**

Section 3. Debt Service Continuing Appropriations for Fiscal Year 2013. The following are continuing appropriations for debt service requirements:

A. GENERAL OBLIGATION BONDS, SERIES 1993 A
(For education capital projects; Real Property Taxes pledged; due FY 2018 as final year; P.L. 29-19 and P.L. 29-21, net of UOG Bond Payment Obligation $2,027,703) $2,799,549 **1/**

1/ Territorial Education Facilities Fund

B. 2002 SHORT TERM FINANCING (SECTION 30 FUNDS)
(Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130; due FY 2013 as the final year; source of payment Section 30 Funds) $1,717,449 **2/**

2/ General Fund

C. GENERAL OBLIGATION BONDS, SERIES 2007 A
(Partial refunding of GOB, 1993 Series A; funding capital projects and certain obligations of the Government of Guam; due FY 2037 as final year;

P.L. 29-19 and P.L. 29-21) $7,874,700 **4/**

4/ Territorial Education Facilities Fund

D. LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2009A

(To finance cost for the new landfill and the closure of Ordot Dump; P.L. 30-1 amended by P.L. 30-7; Due FY 2035 as final year) $15,672,706 **5/**

5/ General Fund ($3,692,212) and Solid Waste Operations Fund ($11,980,494)

E. GENERAL OBLIGATION BONDS 2009 SERIES A

(To finance certain expense affecting General Fund Deficit; P.L. 29-113 amended by P.L. 30-7; Due FY 2040 as final year) $21,532,221 **6/**

6/ General Fund

F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY HIGH SCHOOL PROJECT)

(P.L. 30-178; 5 GCA, Chapter 58A) $5,131,938 **7/**

7/ General Fund

G. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT), REVENUE BONDS, SERIES 2011A

(Refunding of LO Infrastructure Improvement Bonds, 1997 Series A; To acquire, construct, or equip a new

	Guam Museum, projects that benefit the	
	tourism industry)	$6,998,363 3/
	3/ Tourist Attraction Fund	
	GRAND TOTAL	**$61,726,926**

CHAPTER II

APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS

Section 1. Executive Branch Appropriations for Fiscal Year 2013. Five Hundred Twenty-six Million Six Hundred Seven Thousand Six Hundred Thirty-six Dollars **($526,607,636)** are appropriated for the operations of the Executive Branch for fiscal year ending September 30, 2013. This sum is composed of Four Hundred Eighteen Million Eight Hundred Seventy-three Thousand Seven Hundred Forty-nine Dollars **($418,873,749)** from the General Fund; Seventy-one Million One Hundred Sixty-one Thousand Six Hundred Eighty-one Dollars **($71,161,681)** from Special Funds; and Thirty-six Million Five Hundred Seventy-two Thousand Two Hundred Six Dollars **($36,572,206)** from Federal Matching Grants-in-Aid. The appropriation shall be expended as follows:

	General Fund	**Special Fund**	**Federal Fund Match**	**Total**
I. EXECUTIVE DIRECTION				
A. Office of I Maga'lahen Guåhan and I Segundu Na Maga'lahen Guåhan	$6,233,688	$322,236	1/	$6,555,924
B. Commission on Decolonization	239,613			239,613
C. Civil Service Commission	844,902			844,902

	General Fund	Special Fund		Federal Fund Match	Total
D. Guam Election Commission	756,027				756,027
E. Bureau of Budget and Management Research	1,058,320	316,942	1/		1,375,262
F. Military Affairs	702,054			1,547,700	2,249,754
G. Veterans Affairs	322,229				322,229
H. Bureau of Statistics and Plans	1,155,643				1,155,643
TOTAL EXECUTIVE DIRECTION	**$11,312,476**	**$639,178**		**$1,547,700**	**$13,499,354**
II. PUBLIC SAFETY					
A. Guam Police	27,803,761	538,858	2/	726,136	29,068,755
B. Guam Fire	27,989,678	1,723,695	3/		29,713,373
C. Corrections	20,776,981	951,661	4/		21,728,642
D. Youth Affairs	4,978,550				4,978,550
E. Chief Medical Examiner	426,599				426,599
TOTAL PUBLIC SAFETY	**$81,975,569**	**$3,214,214**		**$726,136**	**$85,915,919**

	General Fund	Special Fund		Federal Fund Match	Total
III. HOMELAND SECURITY					
A. Customs and Quarantine		9,156,099	5/		9,156,099
TOTAL HOMELAND SECURITY	**$0**	**$9,156,099**		$0	**$9,156,099**
IV. HEALTH					
A. Public Health and Social Services	51,632,070	6,440,819	6/	26,438,879	84,511,768
B. Integrated Services for Individuals with Disabilities	1,235,770	694,763	7/	2,992,651	4,923,184
C. Mental Health and Substance Abuse	14,183,926	2,860,634	7/	225,862	17,270,422
TOTAL HEALTH	**$67,051,766**	**$9,996,216**		**$29,657,392**	**$106,705,374**
V. EDUCATION					
A. Guam Department of Education	180,692,640	27,948,863	8/		208,641,503
B. Guam Commission on Educator Certification	203,831				203,831
C. University of Guam	25,688,064	1,000,000	9/	2,943,706	29,631,770

	General Fund	Special Fund		Federal Fund Match	Total
D. Guam Community College	13,301,611			1,057,472	14,359,083
TOTAL EDUCATION	**$219,886,146**	**$28,948,863**		**$4,001,178**	**$252,836,187**
VI. FINANCE AND ADMINISTRATION					
A. Administration	7,786,778	1,157,716	1/		8,944,494
TOTAL FINANCE AND ADMINISTRATION	**$7,786,778**	**$1,157,716**		$0	**$8,944,494**
VII. NATURAL RESOURCES					
A. Agriculture	2,618,370	85,412	10/	288,500	2,992,282
B. Land Management	509,775	4,251,360	11/		4,761,135
C. Guam Environmental Protection Agency		656,073	12/		656,073
D. Parks and Recreation	3,264,707	186,098	13/		3,450,805
TOTAL NATURAL RESOURCES	**$6,392,852**	**$5,178,943**		**$288,500**	**$11,860,295**
VIII. LABOR					
A. Labor	1,055,385	423,176	14/	43,800	1,522,361
B. Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS)		307,282	15/		307,282

	General Fund	Special Fund		Federal Fund Match	Total
C. Contractors License Board		862,450	16/		862,450
TOTAL LABOR	**$1,055,385**	**$1,592,908**		**$43,800**	**$2,692,093**
IX. TOURISM AND CULTURE					
A. Chamorro Affairs	3,192,052	40,000	17/	307,500	3,539,552
TOTAL TOURISM AND CULTURE	**$3,192,052**	$40,000		**$307,500**	**$3,539,552**
X. TRANSPORTATION					
A. Public Works	10,436,028	9,160,273	18/		19,596,301
TOTAL TRANSPORTATION	**$10,436,028**	**$9,160,273**		**$0**	**$19,596,301**
XI. REVENUE AND TAXATION					
A. Revenue & Taxation	9,784,697	2,077,271	19/		11,861,968
TOTAL REVENUE AND TAXATION	**$9,784,697**	**$2,077,271**		**$0**	**$11,861,968**
GRAND TOTAL	**$418,873,749**	**$71,161,681**		**$36,572,206**	**$526,607,636**

NOTES:

1/ Indirect Cost Fund

2/ Police Services Fund

3/ Enhanced 911 Emergency Reporting System Fund ($1,650,630) and Fire, Life, and Medical Emergency Fund ($73,065)

4/ Corrections Revolving Fund ($855,661) and Safe Streets Fund ($96,000)

5/ Customs, Agriculture and Quarantine Inspection Services Fund

6/ Environmental Health Fund ($687,441); and Healthy Futures Fund ($5,753,378)

7/ Healthy Futures Fund

8/ Public School Library Resources Fund ($670,328); School Lunch/Child Nutritional Meal Reimbursement Fund ($10,069,218) and Territorial Education Facilities Fund ($17,209,317)

9/ Territorial Education Facilities Fund

10/ Guam Plant Inspection and Permit Fund

11/ Land Survey Revolving Fund ($3,227,764) and Chamorro Land Trust Operations Fund ($1,023,596)

12/ Air Pollution Control Special Fund ($184,422); Guam Environmental Trust Fund ($331,869); Water Research and Development Fund ($73,321) and Water Protection Fund ($66,461)

13/ Public Recreation Services Fund

14/ Manpower Development Fund

15/ Professional Engineers, Architects and Land Surveyors Fund

16/ Guam Contractors License Board Fund

17/ Tourist Attraction Fund

18/ DPW Building and Design Fund ($500,769) and Guam Highway Fund ($8,659,504)

19/ Tax Collection Enhancement Fund ($686,717) and Better Public Service Fund ($1,390,554)

CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. Appropriations to the University of Guam. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Four Million Three Hundred One Thousand Seven Hundred Eighty-three Dollars (**$4,301,783**) is appropriated from the General Fund and the sum of Three Hundred Forty Thousand Dollars(**$340,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the following purposes:

(a) Student Scholarships, Financial Assistance Programs and Program Administration. Such appropriation in this Section is for: Merit Awards, Student Loans, Nurse Training Programs, Professional and Technical Awards, Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Programs, Pedro "Doc" Sanchez Scholarship Programs, John F. Quan Memorial Scholarship Program and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration.

(b) Dr. Antonio C. Yamashita Educator Corps. Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps and funds for the administration of said program pursuant to Chapter 18 of Title 17 of the Guam Code Annotated and §15107, Chapter 15 of Title 17 of the Guam Code Annotated, as *amended.*

The President of the University of Guam *shall* post on the University of Guam's website all reports mandated by this Act regarding the Dr. Antonio C. Yamashita Educator Corps.

(c) Aquaculture Development and Training Center. Such appropriation in this Section is for the purpose of funding the continued operations of the Aquaculture Development and Training Center.

(d) WERI's Guam Hydrologic Survey. Such appropriation in this Section is for the 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.

(e) WERI's Comprehensive Water Resource Monitoring Program. Such appropriation in this Section is to fund the Water and Environmental Research Institute of the Western Pacific (WERI). Such funds *shall* be used for the 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.

(f) Northern and Southern Soil and Water Conservation District Program. Such appropriation in this Section is for operations and activities of the Northern and Southern Soil and Water Conservation District (SWCD) Program and *shall* be equally divided between the Northern and Southern Soil Conservation Districts. 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 University of Guam *or* any other government entity.

(g) KPRG (Public Radio). Such appropriation in this Section is for KPRG (Public Radio) operations. The President of the University of Guam *shall* disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of Fiscal Year 2013, the General Manager of KPRG *shall* submit to the President of the University of Guam, and post on KPRG's website, all reports mandated by this Act.

(h) Guampedia Foundation. Such appropriation in this Section is for the operations of the Guampedia Foundation.

(i) Rhinoceros Beetle Program. Such appropriation in this Section is for the operations of the Rhinoceros Beetle Program.

Section 2. Appropriation to UOG for the Guam Cancer Trust Fund. For Fiscal Year 2013, the sum of One Million Eight Hundred Twenty-two Thousand Forty-eight Dollars **($1,822,048)** is appropriated from the Healthy Futures Fund to the University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of Article 6, Chapter 26 of Title 11 of the Guam Code Annotated. This appropriation shall be used to fund cancer screening, treatment, and support services for qualified applicants.

Section 3. University of Guam Capital Improvements Fund Continuing Appropriation. The sum of Five Hundred Thousand Dollars **($500,000)** is appropriated from the Guam Highway Fund to the University of Guam Capital Improvements Fund for the purpose of paying for the debt services pursuant to §16132, Chapter 16 of Title 17, Guam Code Annotated.

Section 4. Appropriation to the Guam Community College. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven

Hundred Five Thousand Fifty-eight Dollars (**$705,058**) is appropriated from the General Fund, the sum of Twenty-four Thousand One Hundred Fifty-four Dollars(**$24,154**) is appropriated from the Tourist Attraction Fund, and the sum of One Million Six Hundred Eighty-eight Thousand Four Hundred Forty-eight Dollars (**$1,688,448**) is appropriated from the Manpower Development Fund to the Guam Community College for the following training programs

(a) **Licensed Practical Nursing and Vocational Guidance Programs.** Such appropriation in this Section is to support the operations of the Licensed Practical Nursing Program and Vocational Guidance Program.

(b) **Lodging Management Program/Pro Start.** Such appropriation in this Section is for the Lodging Management Program/ProStart Program.

(c) **Apprenticeship Program.** Such appropriation in this Section is for the Guam Community College Apprenticeship Program. In addition to the authorization continued in §7120, Chapter 7 of Title 22 of the Guam Code Annotated, the appropriation herein shall be available and authorized to be used by the Guam Community College to fund the operations of other programs at the College, as approved by the Board and Administration of the College.

Section 5. Appropriation to the Guam Department of Education for Education Programs. . Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Three Hundred Eighty-one Thousand One Hundred Twenty Dollars (**$381,120**) is appropriated from the General Fund and the sum of Eight Hundred Ninety-one Thousand Seven Hundred Fifty-four Dollars (**$891,754**) is appropriated from the

Healthy Futures Fund to the Guam Department of Education for the following education programs:

(a) ***Chamoru*** **Studies.** Such appropriation in this Section to the *Chamoru* Studies Division administered by the Guam Department of Education (GDOE) is to be expended for personnel salaries and benefits, contractual services, supplies and materials, and equipment for the support and the implementation of the Content Standards and Performance Indicators of 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.

(b) Interscholastic Sports Fund. Such appropriation in this Section to the Interscholastic Sports Fund administered by the Guam Department of Education is to be expended pursuant to § 7108 of Title 17 of the Guam Code Annotated. Appropriations made herein *shall* be available to fund the Outrigger Canoe, Rugby, and other sports programs, to include the payment of head coaches, assistant coaches, league fees, busing services, and other expenses normally associated with a sport interscholastic program.

(c) Health and Physical Education Activities. Such Appropriation in this Section to GDOE is for the Guam Department of Education for Health and Physical Education programs, intramural sports, and similar activities,

Section 6. Guam Department of Education Textbooks and Collateral Materials. The following are appropriations to the Guam Department of Education (GDOE) for the purchase of textbooks, e-book readers and collateral materials, to include software, sheet music and music books, in accordance with the following terms and conditions:

(a) For Fiscal Year 2013, the sum of One Million Five Hundred Thousand Dollars **($1,500,000)** is appropriated from the General Fund from Fiscal Year 2014 revenues to the GDOE for the purchase of textbooks, e-book readers and related classroom instructional materials, to include software, sheet music and music books. The Superintendent of GDOE may, *if* necessary, through agreements with textbook vendors, defer payment for said materials until after October 1, 2013, but *no later than* December 31, 2013, with the full faith and credit of the Government of Guam.

(b) The Superintendent of GDOE *shall* order materials funded by this Section *no later than* March 1, 2013 for Fiscal Year 2014. The Bureau of Budget and Management Research *shall* release such allotments as are necessary to ensure that said materials are ordered by March 1, 2013. 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 of Title 17 of the Guam Code Annotated. All funds appropriated for said materials *shall not* be used for any other purpose.

(c) On the first (1st) day of each quarter of Fiscal Year 2013, the Superintendent of GDOE *shall* provide to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, and post on the GDOE website, a detailed report regarding all receipts and expenditures for textbooks, e-book readers and collateral classroom instructional materials, to include software, sheet music and music books. Said report *shall* be accompanied by the certified list of textbooks approved by the Guam Education Board (GEB) and all purchase orders issued. The report *shall* summarize:

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

(2) other information that may be useful *or* that is requested by *I Liheslaturan Guåhan* regarding the funds appropriated and authorized herein. Non-compliance with these reporting requirements by the Superintendent of GDOE *shall* result in the sanctions and penalties imposed by this Act.

Section 7. Summer School Fund. From the Summer School Fund established pursuant to §6119 of Article 1, Chapter 6, Division 1 of Title 17 of the Guam Code Annotated, such sums as are necessary to fund the operations of the Fiscal Year 2013 Summer School Programs are appropriated to the Guam Department of Education. The Superintendent of Education *shall* submit a detailed report to *I Maga'lahen 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 Guam Department of Education website. Such report *shall* include the following:

(1) Total revenues received, including identification of each revenue source;

(2) Total expenditures and encumbrance by object classification and by school; and

(3) The fund balance.

Section 8. Tiyan Lease Maintenance and Insurance Agreement. For Fiscal Year 2013, the sum of One Million Five Hundred Sixty-eighty Thousand Dollars

(**$1,568,000**) is appropriated from the General Fund to the Guam Department of Education for the payment of the Tiyan Lease Maintenance and Insurance agreement.

Section 9. Appropriation to the Guam Department of Education for GPA Promissory Note. The sum of One Million Six Hundred Thousand Dollars (**$1,600,000**) is appropriated from the Territorial Education Facilities Fund to the Guam Department of Education (GDOE) to pay Guam Power Authority (GPA) for the Guam Department of Education Promissory Note (the agreement between the GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the "installation payment agreement for past due electrical service") for Fiscal Year 2013.

Section 10. Appropriation to the Department of Mental Health and Substance Abuse. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Eight Hundred Eighty-nine Thousand Forty Dollars (**$889,040**) is appropriated from the General Fund to the Department of Mental Health and Substance Abuse for the following programs:

(a) Detoxification, Rehabilitation and Prevention Services. Such Appropriation in this Section is for outsourcing of drug and alcohol detoxification, rehabilitation, and prevention services, *provided* that the expenditure of such funds shall comply with §1421b (p) of Title 48 of the United States Code.

(b) Oasis Empowerment Center for Women Alcohol Substance and Homeless Program. Such appropriation in this Section is for the Oasis Empowerment Center for Women Alcohol Substance and Homeless Program.

Section 11. Department of Mental Health and Substance Abuse for the Amended Permanent Injunction and Plan of Action. Pursuant to Court Order No. CV

01-0041 CBM, the sum of One Million Two Hundred Fifty Thousand Dollars **($1,250,000)** is hereby appropriated from the General Fund to the Department of Mental Health and Substance Abuse for the payment of court ordered deposits that are due in Fiscal Year 2013 in accordance with the modified funding schedule, for the implementation of the Amended Permanent Injunction and Plan of Action.

Section 12. Guam Cancer Registry. Pursuant to §22603(d)(4), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, for Fiscal Year 2013, the sum of One Hundred Twenty-one Thousand Four Hundred Seventy Dollars **($121,470)** is appropriated from the Healthy Futures Fund to the Department of Public Health and Social Services (DPHSS) to maintain the Guam Cancer Registry pursuant to §3201.1, Article 2, Chapter 3 of Title 10 of the Guam Code Annotated.

Section 13. Appropriations to the Guam Environmental Protection Agency. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Three Hundred Thousand **($300,000)** is appropriated as follows:

(a) Beach Monitoring. The sum of One Hundred Thousand Dollars **($100,000)** is appropriated from the Tourist Attraction Fund to the Guam Environmental Protection Agency for the *sole* purpose of beach monitoring. This appropriation is *not* subject to transfer or use for any other purpose.

(b) Landfill Costs. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the Solid Waste Operations Fund to the Guam Environmental Protection Agency for costs in the closure, monitoring and opening of the island's landfills.

Section 14. Appropriations to the Department of Parks and Recreation. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven Hundred Forty-nine Thousand Three Hundred Seventy-seven Dollars (**$749,377**) is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation (DPR) for the following programs:

(a) Maintenance and Repair of Public Restrooms. Such appropriation in this Section is for the maintenance and repair of restroom facilities in public parks island-wide. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

(b) Maintenance of Pool Facilities. Such appropriation in this Section is for the maintenance of pool facilities for Fiscal Year 2013. These funds *shall* be used for the northern pool and the *Hagatña* pool. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

Section 15. Retirees' Supplemental Annuity Benefits and Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety-six Thousand Three Hundred Three Dollars (**$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2013, 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) hereof *shall* receive said Benefits *if* 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 Fiscal Year.

(c) The Director of Administration *shall* disburse to the retirees *or* their survivors, the supplemental annuity benefits provided for in Subsection (a) of this Section. The Government of Guam Retirement Fund *shall* provide the Director of Administration with the information he needs to effect disbursement.

(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 that *shall* continue to be administered by the Director of Administration and *shall not* be subject to *I Maga'lahen Guåhan's* transfer authority.

(e) For Fiscal Year 2013, 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) hereof who have retired from that entity multiplied by Four Thousand Two Hundred Thirty-Eight Dollars ($4,238). Prior to DOA's remittance to the Guam Retirement Fund, said remittances shall be paid from the entities listed above, to DOA on or before October 10, 2012. Said remittances shall not be subject to I Maga'låhen Guåhan's transfer authority.

(f) The sum of Twenty-four Million Four Hundred Twenty-two Thousand Six Hundred Sixty-eight Dollars **($24,422,668)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, to pay the following two (2) items for current retirees:

(1) Retiree group health, dental and life insurance premiums (to continue existing programs currently contained in the semi-monthly payments); and

(2) Retiree life insurance subsidy (to continue existing programs currently contained in the semi-monthly payments).

(g) For Fiscal Year 2013, 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 payments for retirees who have retired from those respective agencies. Prior to DOA's remittance to the Guam Retirement Fund, said remittances shall be paid from the entities listed above, to DOA on or before October 10, 2012. The agencies' remittances for

medical, dental and life insurance mandated herein are ex gratia payments, and are for Fiscal Year 2013 only.

(h) The sum of One Million Nineteen Thousand Nine Hundred Seventy Dollars **($1,019,970)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, to pay the cost of Medicare premiums for Government of Guam retirees and their survivors who are eligible to receive Social Security income benefits and who are required by the government of Guam Group Health Insurance Program to pay said premiums to participate therein.

(i) The sum of Two Hundred Forty-two Thousand Eight Hundred Forty-five Dollars **($242,845)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, for *I Maga'lahi* and *I Segundu na Maga'lahi/I Segundu na Maga'haga* Pensions.

(j) The sum of Four Hundred Eighty-seven Thousand One Hundred Fifty Dollars **($487,150)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, for retirement annuities for former judges and justices of the Superior Court and Supreme Court of Guam.

(k) The Government of Guam Retirement Fund 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 (g) hereof.

Section 16. Survivor Supplemental Annuity Additions. §8135(d) (6) of Title 4 of the Guam Code Annotated is *amended* to read:

"**(6)** the prospective payment of supplemental benefits for the period of [~~October 1, 2011, through September 30, 2012~~] October 1, 2012, through September 30, 2013 for Fiscal Year 2013 for survivors of those employees who retired *prior* to October 1, 1995, to be paid in the following manner:

(i) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in annual benefits formerly contained in various General Appropriation Acts.

(ii) *No* person eligible for Retiree Supplemental Annuity Benefits provided for in this Section *shall* receive such benefits *if* his regular annual retirement annuity *exclusive* of the supplemental amounts authorized hereby exceeds Forty Thousand Dollars ($40,000.00). No persons eligible for Retiree Supplemental Annuity Benefits *shall* receive more than the sum of Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 17. Disability Supplemental Annuity Additions. §8129(g) of Title 4 of the Guam Code Annotated is *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, 2011, and ending on September 30, 2012~~] October 1,

2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective non-cumulative supplemental annuity benefits as follows:

(1) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand Five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in *annual* benefits formerly contained in various General Appropriation Acts.

(2) *No* persons eligible for Retiree Supplemental Annuity Benefits provided for in Paragraph (g) of this Section *shall* receive such benefit *if* their regular annual retirement annuity, *excluding* survivor benefits, *prior* to the supplemental amounts herein exceeds Forty Thousand Dollars ($40,000.00). No persons eligible for Retiree Supplemental Annuity Benefits shall receive more than the sum of Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 18. Retirees Supplemental Annuity Additions. §8122(d) (6) of Title 4 of the Guam Code Annotated 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, 2011, and ending on September 30, 2012~~] October 1, 2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective, non-cumulative supplemental annuity benefits as follows:

(i) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand Five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in annual benefits formerly contained in various General Appropriation Acts.

(ii) *No* retiree who is eligible for Retiree Supplemental Annuity Benefits provided for in this Section *shall* receive such benefit *if* his regular annual retirement annuity, excluding the supplemental amounts authorized herein and survivor benefits, exceeds Forty Thousand Dollars ($40,000.00). A retiree who is eligible for Retiree Supplemental Annuity Benefits shall receive no more than Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 19. Residential Treatment Fund. The sum of One Million Two Hundred Thousand Dollars (**$1,200,000**) is appropriated from the General Fund to the Department of Administration (DOA) to pay 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 for Fiscal Year 2013. 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 to *I Maga'lahen 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 of Fiscal Year 2013 and post the same on the DOA website.

Section 20. Government Claims Fund. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the Department of Administration (DOA) for the Government Claims Fund for payment of approved government claims in Fiscal Year 2013. The Director of DOA shall, *no later than* thirty (30) days after the close of each quarter of Fiscal Year 2013, submit to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report describing expenditures made pursuant to the appropriations herein, and post the same on the Department's website.

Section 21. Government of Guam's Single Audit Reports.

(a) For Fiscal Year 2013, the sum of Three Hundred Seventy-seven Thousand Dollars (**$377,000**) is appropriated from the General Fund to the Department of Administration for the Government of Guam's General Purpose Financial Statement and the Single Audit Reports for Fiscal Year 2012 . The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(b) For Fiscal Year 2013, the sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Tourist Attraction Fund to the Department of Administration for the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit Reports for Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(c) For Fiscal Year 2013, the sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Guam Highway Fund to the Department of Administration for the

Government of Guam's Highway Fund Financial Statement and Single Audit Reports for Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

Section 22. Department of Administration Training and Continuing Education. For Fiscal Year 2013, the sum of Thirty Thousand Dollars **($30,000)** is appropriated from the Indirect Cost Fund to the Department of Administration (DOA) for training and continuing education of persons employed as government accountants, and in related positions. Of the amount appropriated in this Section, the amount of Ten Thousand Dollars ($10,000) shall be used for Department of Administration Training and Development Section for its training, equipment, and training facilities.

Section 23. Cost of Living Allowance (COLA).

(a) *I Maga'lahen Guåhan* shall provide a "Cost of Living Allowance" (COLA) of One Thousand One Hundred Dollars ($1,100) to each Government of Guam Retirement Fund retiree, or his/her survivor, who has retired as of September 30, 2012 for Fiscal Year 2013 to be prorated monthly. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred Dollars **($6,770,500)** is appropriated from the General Fund to the Department of Administration for Fiscal Year 2013, 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 One Thousand One Hundred Dollars ($1,100) to every Government of Guam Retirement Fund retiree who retired from each respective aforementioned agency

as of September 30, 2012, or his survivor, no later than November 1, 2012, unless the annuitant chooses in writing to receive bi-monthly payments from October 1, 2012 through September 30, 2013.

(c) Each agency mentioned in Subsection (b) shall remit to the General Fund the amount required for the implementation of Subsection (b) above no later than October 15, 2013 by each respective entity. No payments shall be made for this purpose until such time as these funds have been remitted.

Section 24. Support of Child in Custody. For Fiscal Year 2013, the sum of Six Hundred Forty-nine Thousand Nine Hundred Sixty-two Dollars **($649,962)** is appropriated from the General Fund to the Department of Administration for the *sole* purpose of paying orders of the court pursuant to §5116 of Title 19 of the Guam Code Annotated.

Section 25. Section 1 of Public Law 28-38 as amended is hereby further *amended* to read as follows:

"**Section 1.** Special Retirement Provisions for the Guam Department of Education (GDOE) and Guam Memorial Hospital Authority (GMHA). On the first day of the first month following the enactment hereof and on every first day of every month thereafter, the Department of Administration (DOA) *shall* compute and recognize interest owed for both the GDOE and GMHA retirement liabilities to the Government of Guam Retirement Fund (GGRF) equal to outstanding liability multiplied by the one twelfth (1/12) of the most recent historical five (5) year average annual rate of return of the defined benefit investment portfolio, inclusive of performance which yielded negative returns. Liability payments made by the

GDOE or GMHA *shall* be credited to the respective liability balance prior to the next month's interest calculations. The GGRF *shall not* be entitled to any additional interest for liabilities identified in this Section beyond what the DOA calculates on the first day of each month. The GGRF *shall* accept and approve for retirement any eligible employee of the GDOE or the GMHA upon condition that the respective agency's employer and employee contributions to the GGRF for the applicable fiscal year are current and paid in full as provided in Section 13, Chapter VI of Public Law 27-106. If the GDOE or GMHA fails to make current payments for the applicable fiscal year, the GGRF *shall* cease processing applications from employees of that agency until payment is made in full.

The GGRF and the DOA *shall* reconcile the annualized interest paid during the current fiscal year upon release of the GGRF rate of return performance report for Quarter ending September 30 for the same twelve (12) month period. The GGRF *shall* invoice the DOA for any underpayment of interest computed by subtracting actual interest payments from interest calculated using the current fiscal year monthly principal balances outlined in Section 1 and the twelve (12) month average rate of return for the same period.

On the first day of the first month following the enactment hereof and on every first day of every month thereafter, with a grace period of *no more than* ten (10) days, the Treasurer of Guam *shall* pay "interest only" payments for the GDOE deficiency to the GGRF and the Treasurer of Guam *shall* pay "interest only" payments for the GMHA deficiency to the GGRF on the first day of the first month following the enactment hereof and on every first day of every month

thereafter. The GGRF *shall* accept and approve for retirement any eligible employee of the GDOE or the GMHA upon the condition that the respective agency's employer and employee contributions to the GGRF for the applicable fiscal year are current and paid in full as provided in Section 13, Chapter VI of Public Law 27-106, including interest and penalties pursuant to § 8137 (c) of Title 4 of the Guam Code Annotated and interest at the actuarial rate determined in the latest completed actuarial valuation prepared for the Board of Trustees by the actuary appointed by the Board, which is seven and one-half (7.5%). If the Treasurer of Guam fails to make current payments as required by this Section or if GDOE or GMH fails to make current payments for the applicable fiscal year, the GGRF *shall* cease processing applications from employees of that agency until payment is made in full."

a) For Fiscal Year 2013, the sum of Three Hundred Thirty-two Thousand Seven Hundred Fifty-three Dollars **($332,753)** is appropriated from the General Fund to DOA for "interest only" payments for the GDOE and GMHA deficiency to the GGRF pursuant to this Section. Any balance remaining from this appropriation shall revert to the General Fund.

Section 26. Department of Labor for Workers Compensation Fund. The sum of Seven Hundred Ninety-eight Thousand Five Hundred Ninety-three Dollars **($798,593)** is appropriated from the General Fund to the Department of Labor for the Workers Compensation Fund for Fiscal Year 2013, for the Workers Compensation payments pursuant to §9144 of Title 22 of the Guam Code Annotated, including obligations incurred in past years and in the future. Said appropriations 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 his injury and the recovery there from may require. Said appropriations *shall not* be expended for disability compensation payments for Full-Time Equivalents (FTEs) funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars ($40,000) from said appropriations to pay for legal services for Workers Compensation hearings.

Section 27. Public Streetlights. The sum of Three Million Five Hundred Ninety Thousand Two Hundred Sixty-one Dollars **($3,590,261)** is appropriated from the Street Light Fund and the sum of Three Million Seven Hundred Nine Thousand Seven Hundred Thirty-nine Dollars **($3,709,739)** is appropriated from the Guam Highway Fund to the Department of Public Works for Fiscal Year 2013, to pay to the Guam Power Authority for the operation of public streetlights.

Section 28. Prior Years Cost of Care and Custody for Prisoners Confined in Federal Facilities. The sum of Six Hundred Ninety-six Thousand Dollars **($696,000)** is appropriated from the General Fund to the Department of Corrections for Fiscal Year 2013, for the payment of current year obligations for prisoners confined in federal facilities of the Federal Bureau of Prisons.

Section 29. Appropriation to Unified Judiciary Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of One Million Three Hundred Ninety-six Thousand Seven Hundred Ten Dollars **($1,396,710)** is appropriated from the General Fund and the sum of One Hundred Forty-five Thousand Dollars **($145,000)** is

appropriated from the Safe Streets Fund to the Unified Judiciary for the following programs:

(a) Court-Appointed Attorney Fees. Such appropriation in this Section is for the purpose of paying court-appointed attorney fees arising from the defense of indigent peoples for Fiscal Year 2013. Said funds *shall* be deposited into the Judicial Client Services Fund account, as created by Chapter 9.6, Division 1 of Title 7 of the Guam Code Annotated and *shall not* be subject to any transfer authority. Any unexpended funds appropriated herein *shall* be reverted to the General Fund at the end of Fiscal Year 2013.

(b) Adult and Juvenile Drug Courts. Such appropriation in this Section is for the operations of the Adult and Juvenile Drug Courts.

(c) Family Visitation Center. Such appropriation in this Section is to pay for contractual services for the operation of the Family Visitation Center, *provided,* that the Judiciary must comply with §18125(c) and (d) of Title 16 of the Guam Code Annotated, and §9211(b) of Title 7 of the Guam Code Annotated.

Section 30. Appropriations to the Mayors' Council of Guam. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of One Million Thirty-eight Thousand Two Hundred Forty-five Dollars (**$1,038,245**) is appropriated from the General Fund and the sum of One Million Five Hundred Six Thousand Nine Hundred Forty-seven Dollars (**$1,506,947**) is appropriated from the Tourist Attraction Fund to the Mayors' Council of Guam for the following programs.

(a) Streets Maintenance and Beautification. Such appropriation in this Section is for the maintenance and beautification of village secondary and tertiary roads,

and for the operations of Mayors' offices, but *not* for personnel costs. Said funds *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan* and *shall* be divided among the Village Mayors as follows:

(1) Each Mayor *shall* receive the sum of Twenty Thousand Dollars **($20,000)**; and

(2) The remaining balance of the fund *shall* be distributed to each Mayor *pro rata* based on the total road mileage in his village as a percentage of Guam's total road mileage in the 2006 Guam Roads Pavement Inventory of the Department of Public Works.

(b) Island-wide Village Beautification Projects. Such appropriation in this Section is for Island-wide Village Beautification Projects to include:

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

(2) The maintenance and repair of each village's main roads; and

(3) The planting and maintenance of each village's official flower 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, Chapter 5 of Title 5 of the Guam Code Annotated.

(c) Grounds Maintenance for Schools. Such appropriation in this Section is for the grounds maintenance of Guam Department of Education schools. Subject to approval and scheduling of the public school principals, the Mayors are responsible for

regular ground maintenance of Guam Department of Education school grounds in their respective districts where ground 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 scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

(d) Public Safety and Social Education Programs. Such appropriation in this Section is for the public safety and social education programs.

(e) Veterinarian and Animal Control Services. Such appropriation in this Section is for veterinarian and animal control services.

Section 31. Appropriations to the Guam Memorial Hospital Authority. Notwithstanding any other provision of law, the sum of Fourteen Million Twenty-one Thousand One Hundred Eighty-eight Dollars **($14,021,188)** is appropriated for Fiscal Year 2013 as follows:

(a) Two Million Four Hundred Thirteen Thousand Four Hundred Ninety-five Dollars **($2,413,495)** is appropriated from the General Fund to the Guam Memorial Hospital Authority to supplement its operations.

(b) Pursuant to §§ 26208 and 26208.1 of Chapter 26, Division 2 of Title 11 of the Guam Code Annotated, Nine Million One Hundred Fifty Thousand Fifty-four Dollars **($9,150,054)** is appropriated from the Guam Memorial Hospital Authority Pharmaceuticals Fund to the Guam Memorial Hospital Authority.

c) Pursuant to §26603(d)(3) of Chapter 26 of Title 11 of the Guam Code Annotated, One Million Four Hundred Fifty seven Thousand Six Hundred Thirty Nine

Dollars (**$1,457,639**) is appropriated from the Healthy Futures Fund to the Guam Memorial Hospital Authority for its operations.

d) Pursuant to §22603(d), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, One Million Dollars (**$1,000,000**) is appropriated from the Healthy Futures Fund to the Guam Memorial Hospital Authority for the line of credit pursuant to §80104(t), Chapter 80 Division 4 of Title 10 of the Guam Code Annotated.

Section 32. Appropriations to the Guam Regional Transit Authority. Notwithstanding any other provision of law, the sum of Three Million Nine Hundred Five Thousand Eight Hundred Ninety-nine Dollars (**$3,905,899**) is appropriated for Fiscal Year 2013 as follows:

a) Three Hundred Forty-nine Thousand Two Hundred Ten Dollars (**$349,210**) is appropriated from the Public Transit Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority pursuant to §26503(b), Chapter 26 of Title 11 of the Guam Code Annotated.

b) Three Million Five Hundred Fifty-six Thousand Six Hundred Eighty-nine Dollars (**$3,556,689**) is appropriated from the Guam Highway Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority.

Section 33. Guam Solid Waste Authority Appropriation. For Fiscal Year 2013, the sum of Seven Million Seven Hundred Fifty-nine Thousand One Hundred Six Dollars (**$7,759,106**) is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority pursuant to Public Law 31-20.

CHAPTER IV

MISCELLANEOUS PROVISIONS

Section 1. Retirement Option for Government of Guam Employees. A member of the Government of Guam Retirement Fund 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 Government of Guam Retirement Fund *shall* be paid by the Government.

This Section *shall not* restrict the continuing remittance of existing Retirement Fund contributions as required by law *or* by the Government of Guam Retirement Fund. By the fifteenth (15th) day of each month, the Director of the Government of Guam Retirement Fund *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 Public Law 28-38.

Section 2. Volunteers and Donations for Skinner Plaza, Plaza De Espana and Guam Congress Building. The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but *not* restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the Plaza De Espana, and the Guam Congress Building (also known as the Old Legislative Building).

Section 3. Temporary Employment of Retired Corrections Officers. The Department of Corrections may hire retired Guam Corrections Officers *if* a critical need arises. Retired corrections officers hired under this Section may receive their retirement

annuity while employed on this temporary basis. Officers may *only* be hired under this section only to fill positions left vacant because of military activation of corrections officers filling those positions and *shall* be terminated when the incumbent returns from military service. Retired officers may be hired *only* in the ranks of Corrections Officers Supervisor I, at Step 1 only, and *shall not* receive sick and annual leave. Officers hired under this section *shall* meet requirements for the position in question *except* for written examinations and the Director of Corrections *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, a retiree hired pursuant to this Section may continue to receive his annuity.

Section 4. Temporary Employment of Retired Guam Police Officers. The Guam Police Department may hire retired Guam Police Officers *if* a critical need arises because of military activation of police officers. 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 1, and shall not receive sick and annual leave. Officers hired under this Section shall first meet the requirements, except for written examinations, for the position in question and the Chief of Police shall certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to this Section hereto may continue to receive retirement benefits.

Section 5. Temporary Employment of Retired Guam Fire Fighters. The Guam Fire Department (GFD) may hire retired GFD firefighters *if* a critical need arises because of military activation of GFD firefighters. The retirees hired *shall* fill such a vacant position and shall be terminated when the incumbent returns from military service.

Retired fire personnel may be hired only at the ranks of Fire Specialist and below, only at Step 1, and shall not receive sick and annual leave. Retired firefighters hired under this Section shall first meet the requirements, except for written examinations, for the position in question and the Fire Chief shall certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to this Section hereto may continue to receive retirement benefits.

Section 6. Temporary Employment of Retired Customs and Quarantine Officers. The Customs and Quarantine Agency may hire retired Customs and Quarantine Officers when a critical need arises as a result of military activation of Customs officers *or* when vacancies cannot be filled within six (6) months because of the lack of qualified applicants. The retired officer *shall* fill such a vacant position and *shall* be terminated when the incumbent returns from military service *or* when a fully-qualified applicant is available. Retired officers may be hired *only* in the ranks of Customs Officer III and below, only at Step 1, and *shall* not receive sick and annual leave. Retirees hired pursuant to this Section *shall* meet requirements for the position in question, *except* for written examinations, and the Director of Customs *shall* certify that every retiree hired is fit for duty. The requirements of Article 3, Chapter 32 of Title 17 of the Guam Code Annotated, are waived for employment pursuant hereto *except* for §32304(b) (4). Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to receive their retirement benefits.

Section 7. Temporary Employment of Retired Department of Revenue and Taxation Employees. The Department of Revenue & Taxation may hire retired employees of the Department of Revenue & Taxation when a critical need arises in the

areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step 1 for the position in question and *shall* not receive sick and annual leave. Notwithstanding §8121(a), Chapter 8 of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to receive their retirement benefits.

Section 8. 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 9. 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 serve Medically Indigent Program clients.

Section 10. Transfer of Employees. Notwithstanding any other provision of law, and in recognition of personnel shortages in certain areas, *I Maga'lahen Guåhan* is authorized to transfer employees within *or* between any department *or* agency of the government of Guam, *except* that:

(a) This Section shall *not* apply to any employee of the Legislative *or* Judicial Branches of government;

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

(c) *No* employee *shall* be transferred if the employee has filed a viable grievance with the Civil Service Commission for discrimination based on political affiliation, gender, *or* sexual harassment, *unless* the employee consents to said transfer;

(d) No employee of an autonomous agency may be transferred to a line department *or* agency;

(e) *I Maga'lahi shall* transfer the funding authorized for that employee's position from the transferor agency to the transferee agency, including the Guam Memorial Hospital Authority, Department of Public Health and Social Services, and Department of Mental Health and Substance Abuse, unless the transfer is from a line agency to an autonomous agency; and

(f) 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.

Section 11. Moratorium on Compensation for Boards and Commissions. Notwithstanding any other provision of law, rule, or regulation, except for the Civil Service Commission, the Guam Education Policy Board, and the Consolidated Commission on Utilities, a moratorium is hereby placed on the compensation of all members of government boards and commissions for their attendance at hearings or meetings, through the end of Fiscal Year 2013.

Section 12. 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 2013.

(a) Subject to Chapter 5 of Title 5 of the Guam Code Annotated, 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 and the Public Defender Service Corporation 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 and the Executive Director of the Public Defender Service Corporation *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 Department of Mental Health and Substance Abuse 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 13. Repeal of Direct Deposit of Judiciary Appropriations. §22111 of Article 1, Chapter 22, Title 5, Guam Code Annotated, is hereby *repealed* in its entirety.

CHAPTER V

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 2013.

Section 2. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs, whose expiration dates extend *beyond* September 30, 2013, *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 of Title 4 of the Guam Code Annotated, the government rate of contribution to the Retirement Fund throughout Fiscal Year 2013 *shall* be thirty and nine hundredths percent **(30.09%)**.

Section 4. Autonomous Agency Revenues and Expenditures Reported to *I Maga'lahen Guåhan* and *I Liheslaturan Guåhan*. Notwithstanding any other provision of law, every autonomous and semi-autonomous agency *or* public corporation in the government of Guam *shall* report all revenues and expenditures for all funds under its purview and administration to the *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* 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. Special Fund Transfer. *I Maga'lahen Guåhan* is authorized to transfer to the General Fund any cash available from any appropriated Special Fund *or* Revolving Fund to fund the appropriations authorized by this Act.

All cash from Special funds *or* Revolving funds transferred to cover the appropriations authorized by this Act *shall* be promptly reimbursed to the Special *or* Revolving Fund from which it was withdrawn as cash becomes available.

Section 6. Transfer Authority of *I Maga'lahen Guåhan*. *I Maga'lahen Guåhan* is authorized to transfer funds between Fiscal Year 2013 General Fund Executive Branch appropriations, and within departments and agencies Special Fund Executive Branch appropriations for Fiscal Year 2013. This section does not apply to appropriations made to the Judiciary, *I Liheslaturan Guåhan*, and the Office of Finance and Budget.

Section 7. Independent Contractors. The Office of *I Maga'lahi,* the Office of *I Segundu Na Maga'lahen Guåhan* and the Guam State Clearinghouse may enter into agreements with independent contractors pursuant to Guam procurement laws.

Section 8. Facilities Insurance Requirements. Every department and agency of the government of Guam, as part of its appropriations for operations contained in this Act, may expend such sums as necessary for facilities insurance requirements.

Section 9. 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* 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 Five Thousand Dollars ($5,000) *or* more prior to awarding the contract therefore;

(c) Access to the overseeing department *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, 2013, for Fiscal Year 2013. The overseeing department *or* agency *shall* post the same on its website.

(f) 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 10. *Unless* otherwise specified in this Act:

(a) General Fund Reversion. All unexpended *or* unencumbered appropriations made from the General Fund pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2013.

(b) Tourist Attraction Fund Reversion. All unexpended *or* unencumbered appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2013.

(c) Healthy Futures Fund Reversion. All unexpended *or* unencumbered appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2013.

Section 11. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act may be expended for the payment of prior years' obligations, provided it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment.

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 2013:

(a) Guam Police Department - Police Services Fund

(b) Department of Corrections - Corrections Revolving Fund

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

(d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam

Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund

(e) Department of Land Management - Land Survey Revolving Fund and Chamorro Land Trust Operations Fund

(f) Department of Agriculture - Guam Plant Inspection and Permit 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 - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

(i) Guam Regional Transit Authority - Guam Regional Transit Authority Fund

(j) Department of Public Works - DPW Building and Design Fee Account

(k) Guam Contractors License Board - Guam Contractors License Board Fund Collections

(l) Department of Revenue and Taxation - Tax Collection Enhancement Fund

(m) Department of Public Health and Social Services - Guam Environmental Health Fund

(n) Department of Parks and Recreation - Public Recreation Services Fund

(o) Guam Department of Education - Public Library Resources Fund

(p) Department of Labor and the Guam Community College - Manpower Development Fund

Section 13. Guam Department of Education Plan Review. Section 26 of Chapter 2, Part I of Public Law 28-68, as *repealed* and *reenacted* by Section 20 of Chapter VI of Public law 29-02, is further *repealed* and *reenacted* to read as follows:

"Section 26. GDOE Compensation Plan Review. Section 2 of Public Law 28-036 is hereby *amended* to read as follows:

Section 2. GDOE Compensation Plan Review. The Director of Administration, in consultation with the Guam Department of Education (GDOE), immediately upon the enactment hereof, and every three (3) years thereafter, *shall* review and upgrade as needed the Compensation Plans of certificated teachers, guidance counselors, and school librarians of GDOE, to be competitive with the U.S. national average. Only full-time certificated teachers, full-time guidance counselors, and full-time school librarians of GDOE shall be entitled to additional compensation pursuant to this Section or the Director of Administration's review of the GDOE Compensation Plan. The Director of Administration *shall* enact the upgraded Compensation Plans of full-time certificated teachers, guidance counselors, and school librarians of GDOE after the commencement of its review."

Section 14. Severability. *If* any provision of this Act or its application to any person or circumstances is held invalid, the invalidity shall *not* affect other provisions or

applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No.426-31 (COR)
As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land

Introduced by: Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, by request of *I Maga'låhen Guåhan,* the Governor of Guam, in accordance with the Organic Act of Guam.

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, 2013, 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 2013.**" *Except* as otherwise provided by this Act, the appropriations made by this Act *shall* be available to pay for obligations incurred on or after October 1, 2012, but *no later than* September 30, 2013. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I.	GENERAL FUND REVENUES	AMOUNT
	TOTAL GENERAL FUND REVENUE	**$689,105,222**
	PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
	TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$589,105,222**
	A. TAXES	
	Income Tax	
	Corporate	$115,700,007
	Individual	$73,469,937
	Withholding Taxes, Interest and Penalties	$204,643,469
	Provision for Tax Refund Payments	($100,000,000)
	TOTAL INCOME TAXES	**$293,813,413**
	Business Privilege Tax	$228,751,346
	Business Privilege Tax (GMHA Pharmaceuticals Fund)	($9,150,054)
	Business Privilege Tax (CoreTech Tax Credit)	($4,670,139)
	Other Taxes	$3,847,425
	TOTAL TAXES	**$512,591,991**
	B. FEDERAL SOURCES	

Federal Income Tax Collection - Section 30	$53,155,293
Overpayment reconciliation of Section 30 (2 of 4)	($1,500,000)
Immigration Fees and Indirect Cost	$1,796,226
TOTAL FEDERAL SOURCES	**$53,451,519**
C. USE OF MONEY AND PROPERTY	**$808,896**
D. LICENSES, FEES, AND PERMITS	
Licenses, Fees and Permits	$5,070,909
Licenses, Fees and Permits (Better Public Service Fund)	($507,091)
TOTAL LICENSES, FEES AND PERMITS	**$4,563,818**
E. DEPARTMENT CHARGES	**$1,861,714**
TOTAL GENERAL FUND NET REVENUE COLLECTIONS	**$573,277,938**
2% GENERAL FUND RESERVE	($11,465,559)
(Appropriations Cap of 98% of General Fund Revenue; §22436, Chapter 22 of Title 5 GCA)	
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,812,379**
II. SPECIAL FUND REVENUES	**AMOUNT**
A. Air Pollution Control Special Fund	$184,422
B. Autonomous Agency Collections Fund	$0
C. Better Public Service Fund	$1,390,554
D. *Chamorro* Land Trust Operations Fund	$1,023,596
E. Corrections Revolving Fund	$855,661
F. Customs, Agriculture and Quarantine Inspection Services Fund	$9,156,099
Rent paid to Guam International Airport Authority	($3,264,296)
Total Customs, Agr. and Quarantine Inspection Services Fund	$5,891,803
G. DPW Building and Design Fund	$500,769

H. Enhanced 911 Emergency Reporting System Fund	$1,650,630
I. Environmental Health Fund	$687,441
J. Fire, Life and Medical Emergency Fund	$73,065
K. GMHA Pharmaceuticals Fund	$9,150,054
L. Guam Board of Accountancy Fund	$424,100
M. Guam Contractors License Board Fund	$862,450
N. Guam Environmental Trust Fund	$331,869
O. Guam Highway Fund	$18,422,618
Guam Highway Fund (Better Public Service Fund)	($883,463)
Guam Highway Fund (Public Transit Fund)	($349,210)
Total Guam Highway Fund	$17,209,945
P. Guam Plant Inspection and Permit Fund	$85,412
Q. Healthy Futures Fund	$14,601,686
R. Indirect Cost Fund	$1,826,894
S. Land Survey Revolving Fund	$3,227,764
T. Manpower Development Fund	$2,111,624
U. Police Services Fund	$538,858
V. Professional Engineers, Architects and Land Surveyors Board Fund	$307,282
W. Public Recreation Services Fund	$186,098
X. Public School Library Resources Fund	$670,328
Y. Public Transit Fund	$349,210
Z. Safe Streets Fund	$241,000
AA. Section 2718 Fund	$7,500,000
AB. School Lunch/ Child Nutritional Meal Reimbursement Fund	
Federal Sources (100% Federal Grant)	$10,069,218
Cash Collection (Department of Education)	$1,095,091
Total School Lunch/ Child Nutritional Meal Reimbursement Fund	$11,164,309

AC. Solid Waste Operations Fund	$19,939,600
AD. Street Light Fund	$3,590,261
AE. Tax Collection Enhancement Fund	$686,717
AF. Territorial Education Facilities Fund	$30,483,566
AG. Tourist Attraction Fund	$23,168,200
AH. Water Protection Fund	$66,461
AI. Water Research and Development Fund	$73,321
TOTAL SPECIAL FUND REVENUE	**$161,054,950**
III. FEDERAL MATCHING GRANTS-IN-AID	
Federal Grants-in-Aid Requiring Local Match:	
A. Agriculture	$288,500
B. Guam Community College	$1,057,472
C. Chamorro Affairs	$307,500
D. Guam Fire Department	$0
E. Guam Police Department	$726,136
F. Department of Integrated Services for Individuals with Disabilities	$2,992,651
G. Department of Labor	$43,800
H. Office of the Attorney General	$11,509,528
I. Department of Mental Health and Substance Abuse	$225,862
J. Department of Military Affairs	$1,547,700
K. Department of Public Health and Social Services	$26,438,879
L. University of Guam	$2,943,706
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
TOTAL GENERAL FUND REVENUE	**$673,277,938**
PROVISION FOR TAX REFUND PAYMENTS	($100,000,000)
2% GENERAL FUND RESERVE	($11,465,559)

TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**$561,812,379**
TOTAL SPECIAL FUND REVENUE	**$161,054,950**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	**$48,081,734**
GRAND TOTAL	**$770,949,063**

Section 3. Authorization to Pay and Prioritize the Payment of Tax Refunds by Enacting an Income Tax Payment System.

(a) Prioritization of Additional Child Tax Credit (ACTC) Reimbursements. The Provisional Set Aside for tax refunds includes the Additional Child Tax Credit (ACTC), which is a refundable tax credit that is reimbursed to Guam by the Federal Government after refund payments are made to Guam taxpayers that claim the ACTC. Lack of prioritization of ACTC refund payments creates lost opportunity for Guam to receive reimbursed ACTC funds that can then be used to pay more refunds or support the operations of the government.

(b) Prioritization of Earned Income Tax Credit Data. For future planning purposes, by December 31, 2012, the Director of the Department of Revenue and Taxation *shall* provide a report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan* certifying the total amount of EITC paid for each tax year and fiscal year dating back to Fiscal Year 2003. The report *shall* include the total number of EITC recipients categorized within the standard income brackets used by the IRS for reporting purposes.

(c) Prioritization of Tax Refund Payments.

Tax Year 2012 and Prior A Status Returns up to $100,000,000

Section 4. Prioritization of Revenue Collections in Excess of Monthly Collections.

(a) Income Tax Refunds.

(1) Within thirty (30) days upon enactment of this Act, the Department of Revenue and Taxation *shall* provide a full accounting of the total income tax liability of the government, and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

(2) The Director of the Bureau of Budget and Management Research *shall* create a General Fund twelve (12) month revenue budget based on the revenue estimates in Chapter I, Section 2, relative to a statistical weighting 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 enactment of this Act.

(3) Notwithstanding any other provision of law, monthly revenue collections in excess of the monthly revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(c) of this Act as income tax revenues are hereby appropriated for the payment of tax liabilities defined as: (A) Individual Income Tax Refund and Interest payment; and (B) Corporate Income Tax Refund and Interest payment, and hereby prioritized according to Chapter I, Section 3(c) of this Act.

(4) Available excess General Fund tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(5) The identification and recordation of available excess revenues *shall* be performed by the Department of Administration, in coordination with the Bureau of Budget and Management Research and the Department of Revenue and Taxation.

(6) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of income tax refunds through available excess revenues for the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan.*

Section 5. Prior Year Obligations and Future Obligation Proposals.

(a) Excess Available General Fund Tax Revenues. Notwithstanding any other provision of law, monthly revenue collections in excess of the monthly revenue budget in Chapter I, Section 4(a)(2) of this Act from the categories defined in Chapter I, Section 5(b) of this Act as General Fund tax revenues *shall* be appropriated for the payment of Prior Year Obligations and Future Obligation Proposals as defined and prioritized below:

(1) Fifty percent (50%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest obligations pursuant to Guam Federation of Teachers v. Government of Guam, et. al., Superior Court Case No. SP 0009-07.

(2) Forty percent (40%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment to the Internal Revenue Service Make Work Pay Overpayment liability pursuant to the May 29, 2009 Memorandum of Understanding

between the Department of Revenue and Taxation and the Internal Revenue Service.

(3) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest of prior year obligations to any employees identified in the report in Chapter I, Section 5(f) of this Act.

(4) Five percent (5%) of all excess collections identified in Chapter I, Section 5(c) of this Act *shall* be appropriated for payment of principal and interest of prior year obligations to all other claimants identified in the report in Chapter I, Section 5(f) of this Act

(b) General Fund tax revenues are defined as revenues reported by the Department of Administration on a cash basis for the General Fund. Available revenues for the purpose of this Act represent cash or cash instruments with a maturity term of *less than* ninety (90) days that are available and earned by the government of Guam within the current fiscal year.

(c) Excess General Fund tax revenues are available for expenditure when *no* third party claims, pledges, encumbrances, appropriations, or liens exist against such excess General Fund tax revenues. If any outside party asserts claims over such resources, the matter *shall* be resolved at the appropriate legal jurisdiction.

(d) The identification and recordation of excess revenues *shall* be performed by the Department of Administration, and *shall* provide any additional reports requested by the Office of Finance and Budget should the reporting requirements outlined in Chapter I, Section 4(a)(5) of this Act *not* provide adequate information to ascertain excess General Fund tax revenues. Excess revenues identified in Chapter I, Section 5(c) of this Act *shall* be

disbursed by the Department of Administration in accordance with the priorities outlined in Chapter I, Section 5(a) of this Act for payment of the prior year obligations.

(e) Thirty (30) days after the close of the current fiscal year, the Department of Administration *shall* provide a detailed reconciliation of the payment of the prior year obligations through excess General Fund revenues for the current fiscal year to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan.*

(f) Thirty (30) days after the close of the current fiscal year, the Department of Administration shall provide a detailed report to the Speaker of *I Liheslaturan Guåhan* delineating all recorded unpaid prior year obligations from fiscal years prior to September 30, 2012.

Section 6. Additional Child Tax Credit 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 less than* ten percent (10%) of all ACTC reimbursements received by the government of Guam shall be deposited into the General Fund and are hereby appropriated from the General Fund to fund vacancies and overtime for the Department of Revenue and Taxation (DRT) Income Tax Processing and Income Tax Enforcement Divisions and to fund DRT related data processing activities, services, inclusive of the Motor Vehicle Division for driver's license and vehicle registration issuance.

Section 6. Debt Service Continuing Appropriations. The following are continuing appropriations for debt service requirements:

A. GENERAL OBLIGATION BONDS, SERIES 1993 A
(For education capital projects; Real Property Taxes pledged;
due FY 2018 as final year; P.L. 29-19 and P.L. 29-21,
net of UOG Bond Payment Obligation $2,027,703) $2,799,549 **1/**

1/ Territorial Education Facilities Fund

B. 2002 SHORT TERM FINANCING
(SECTION 30 FUNDS)
(Line of Credit; P.L. 26-84 amended by P.L. 26-122
and P.L. 26-130; due FY 2013 as the final year;
source of payment Section 30 Funds) $1,717,449 **2/**

2/ General Fund

C. GENERAL OBLIGATION BONDS, SERIES 2007 A
(Partial refunding of GOB, 1993 Series A; funding
capital projects and certain obligations of the
Government of Guam; due FY 2037 as final year;
P.L. 29-19 and P.L. 29-21) $7,874,700 **3/**

3/ Territorial Education Facilities Fund

D. LIMITED OBLIGATION (SECTION 30)
BONDS, SERIES 2009A
(To finance cost for the new landfill and
the closure of Ordot Dump; P.L. 30-1 amended
by P.L. 30-7; Due FY 2035 as final year) $15,672,706 **4/**

4/ General Fund ($3,692,212) and Solid Waste Operations Fund ($11,980,494)

E. GENERAL OBLIGATION BONDS 2009 SERIES A
(To finance certain expense affecting General Fund
Deficit; P.L. 29-113 amended by P.L. 30-7;

Due FY 2040 as final year)	$21,532,221	**5/**
5/ General Fund		
F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY HIGH SCHOOL PROJECT)		
(P.L. 30-178; 5 GCA, Chapter 58A)	$5,131,938	**6/**
6/ General Fund		
G. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT), REVENUE BONDS, SERIES 2011A		
(Refunding of LO Infrastructure Improvement Bonds, 1997 Series A; To acquire, construct, or equip a new Guam Museum, projects that benefit the tourism industry)	$6,998,363	**7/**
7/ Tourist Attraction Fund		
GRAND TOTAL	**$61,726,926**	

CHAPTER II

EDUCATION

PART I – GUAM DEPARTMENT OF EDUCATION

Section 1. Legislative Findings and Intent. The Fiscal Year 2013 budget for the Guam Department of Education (GDOE) in this Act represents a status quo budget with the exception of organic retirement contribution growth and an increase in appropriations for Utilities. *I Liheslaturan Guahan* finds that the Fiscal Year 2013 revenue projections submitted by *I Maga'lahen Guahan* in the Executive Budget Request are sufficient to provide the necessary funding to the GDOE as outlined in this Act.

In the Fiscal Year 2013 Executive Budget Request submitted by the *I Maga'lahen Guåhan*, the GDOE appropriation levels were funded below the Fiscal Year 2012 authorized level expenditures; however, GDOE is not expected to spend all its appropriations. *I Liheslaturan Guahan's* intent is to prioritize education by maintaining the funding levels of the GDOE in the Fiscal Year 2013 as status quo from the current Fiscal Year 2012 authorized level expenditures.

On January 12, 2012, the school campus of Luis P. Untalan was shut down by the Department of Public Health and Social Services as a result of demerits received from an unannounced health inspection. The school campus was then temporarily moved to the former JFK campus at Tiyan and reopened on January 24, 2012. Just days before the shutdown of the Untalan campus, *I Maga'lahen Guåhan* and the Attorney General of Guam signed the amended 2009 lease agreement with Core Tech International to lease their Tiyan facility. The estimated amount of $4.6 million in tax credits per year will be given in lieu of cash for lease payments to Core Tech International. Furthermore, the amendment extends the terms of the original lease from 2019 to 2024.

I Liheslaturan Guahan recommends that the GDOE work together with the Executive Branch to find a solution to renovate the school campus of Untalan and ultimately return the school community back to their home campus in Barrigada, Guam. This is a fiscally responsible approach for the GDOE to take in the upcoming Fiscal Year 2013 that will help alleviate financial burdens of the government of Guam caused by the leakage of anticipated revenues to the General Fund from these tax credit offsets.

Furthermore, for the School Year 2012-2013, the GDOE has made it known that they plan to increase the contract cost of its School Lunch Program contract with Sodexo, the current contractor. The increase is estimated to be 30% greater than the current contract cost to the GDOE. The existing contract cost of $8.1 million dollars per year is expected to escalate to $11.5 million dollars for the upcoming school year. Historically, the School Lunch Program has been subsidized by local funds each year. The sum of the program's meal cash collection and federal reimbursements are not sufficient to sustain the cost of the program at this time.

I Liheslaturan Guahan recommends that the GDOE re-bid the School Lunch program contract at a more competitive rate because the GDOE does not have the financial capacity to incur an immediate cost increase for the next Fiscal Year without taking resources away from the classroom. This economic proposal would materialize in a large cost cutting measure that can be realized by the GDOE for Fiscal Year 2013.

Section 2. Appropriation. Pursuant to §§52101 and 52102 of Chapter 52, Division 2 of Title 11 GCA, the sum of Two Hundred Twelve Million Seven Hundred Thirty Thousand Three Hundred Sixty One Dollars (**$212,730,361**) is appropriated to the GDOE Operations Fund for Fiscal Year 2013. This sum is composed of One Hundred Eighty Two Million Six Hundred Twenty Seven

Thousand Four Hundred Six Dollars (**$182,627,406**) from the General Fund (including advanced appropriation from Public Law 31-75) and Thirty Million One Hundred Two Thousand Nine Hundred Fifty Five Dollars (**$30,102,955**) from Special Fund(s). This appropriation *shall* be expended in accordance with the cash disbursement schedules required by §52101(b), and in accordance with the object class allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$169,257,541
OPERATIONS OBJECT CATEGORIES (220 to 450)	$43,472,820
TOTAL	**$212,730,361**

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$182,627,406
TERRITORIAL EDUCATION FACILITIES FUND	$17,376,564
PUBLIC LIBRARY RESOURCES FUND	$670,328
HEALTHY FUTURES FUND	$891,754
SCHOOL LUNCH/CHILD NUTRI. MEAL REIMB. FUND	$11,164,309
TOTAL	**$212,730,361**

Section 4. *No less than* the sum of Three Hundred Eighty One Thousand One Hundred Twenty Dollars (**$381,120**) *shall be* allocated from the General Fund appropriation in Section 2 for the Chamoru Studies Division administered by the GDOE to be expended for personnel salaries and benefits, contractual services, supplies and materials, and equipment the support and the implementation of the Content Standards and Performance Indicators of 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. GDOE Miscellaneous Funding. The following amounts reflect additional funding appropriated to the GDOE:

(a) **Interscholastic Sports Fund.** (1) The sum of Five Hundred Thirty Thousand Dollars (**$530,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for the Interscholastic Sports Fund administered by the GDOE to be expended pursuant to §7108 of Chapter 17, Title 17 GCA. Appropriations made herein *shall* be available to fund the outrigger canoe, rugby, and other sports programs, to include the payment of head coaches, assistant coaches, league fees, and other expenses normally associated with interscholastic sports programs. (2) The sum of Ninety Two Thousand Dollars (**$92,000**) *shall be* allocated from the Healthy Futures Fund appropriation in Section 2 for busing services for interscholastic sports programs.

(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 for the GDOE for Health and Physical Education programs, intramural sports, and similar activities.

Section 6. JFK Maintenance and Insurance Agreement. The sum of One Million Five Hundred Sixty Eight Thousand Dollars (**$1,568,000**) *shall be* allocated from the Territorial Education Facilities Fund appropriation in Section 2 for the payment of the JFK Maintenance and Insurance Agreement.

Section 7. Textbooks and Collateral Materials. The following are appropriations to the GDOE for the purchase of textbooks, e-book readers, and collateral materials, to include software, sheet music, and music books 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 2014 revenues to the GDOE for the

purchase of textbooks, e-book readers and related classroom instructional materials to include software, sheet music, and music books. The Superintendent of GDOE may, if necessary, through agreements with textbook vendors, defer payment for said materials until after October 1, 2013 but no later than December 31, 2013 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 2013 no later than March 1, 2013. The Bureau of Budget and Management Research *shall* release such allotments as are necessary to ensure that said materials are ordered by March 1, 2013. 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 of FY 2013, 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 and expenditures for textbooks, e-book readers and collateral classroom instructional materials to include software, sheet music, and music books. Said report *shall* be accompanied by the certified list of textbooks approved by the GEB and a list or copies of all purchase orders issued. The report *shall* summarize:

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

teachers or students, and whether books are textbooks, e-books or workbooks; and

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

Non-compliance with these reporting requirements by the Superintendent of GDOE *shall* result in the sanctions and penalties imposed by this Act.

Section 8. JROTC Funds. The GDOE is hereby authorized to expend funds from the JROTC Fund for the sole purpose of expenditures related to the operations for the JROTC program.

Section 9. Summer School. Pursuant to §6119 of Chapter 6, Article 1, Division 2, Title 17 GCA, which established the Summer School fund, such sums as are necessary to fund the operations of the 2012 Summer School Program are hereby appropriated to the 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 10. 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.

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

Section 11. 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 2013, the Superintendent of GDOE *shall* provide a copy of the GG-1 or contract of employees hired for School Year 2012-2013.

(b) Thirty (30) days after the start of Fiscal Year 2013 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 12. Utilities Reduction Incentive. Each School Principal of the GDOE is encouraged to practice energy conservation within their respective schools. Any school whose Principal and staff is able to reduce their annual utility consumption by at least fifteen percent (15%) of their 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 13. Budgetary Transfer Authority for Guam Department of Education (GDOE). The Superintendent of the GDOE may transfer funds from the appropriations made to GDOE within object classes, except that no funds *shall* be transferred into the Personnel Services category, except as otherwise provided herein. If a surplus in funding exists within the appropriation for Increments and Promotions and Reclassifications, such amount may be used to support payment of prior year obligations.

Section 14. Cost Saving Incentive. The Superintendent of the GDOE is encouraged to implement a Cost Savings Plan to include, but not 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 payments of prior year obligations and the purchase of supplies and materials.

CHAPTER II

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. The funds *shall* be expended in accordance to the budget request submitted and the priorities stipulated by the University of Guam's 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. Appropriations to the University of Guam. The amounts in the Subsections below are appropriated from the respective Funds, and for the following purposes, to the University of Guam for Fiscal Year 2013:

(a) **General Fund and Territorial Education Facilities Fund Appropriations for Operations**. The sum of Twenty Five Million Six Hundred Eighty Eight Thousand Sixty Four Dollars (**$25,688,064**) is appropriated from the General Fund and the sum of One Million Dollars (**$1,000,000**) from the Territorial Education Facilities Fund to the University of Guam for its operations in Fiscal Year 2013.

(b) **Federal Matching Grants-in-Aid.** The sum of Two Million Nine Hundred Forty Three Thousand Seven Hundred Six Dollars (**$2,943,706**) is authorized from Federal Matching Grants-in-Aid to the University of Guam for its operations in Fiscal Year 2013.

Section 3. Appropriations to the University of Guam for Scholarships and Training Programs. The sum of Three Million Five Hundred Ninety Nine

Thousand Three Hundred Fifty Eight Dollars ($**3,599,358**) is appropriated from the General Fund for the following purposes:

(a) **Student Scholarships, Financial Assistance Programs and Program Administration.** Such appropriation in this Section is for: Merit Awards, Student Loans, Nursing Training Program, Professional and Technical Awards, Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Program, Pedro "Doc" Sanchez Scholarship Program, John F. Quan Memorial Scholarship Program, and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration subject to §15113 of Chapter 15, Article 1, Division 3, Title 17 GCA. The Nursing Training Program *shall* receive *no less than* Five Hundred Thousand Dollars (**$500,000**), and the Pedro "Doc" Sanchez Scholarship Program *shall* receive *no less than* Three Hundred Thousand Dollars (**$300,000**) of the appropriation contained herein, *except* that *if* a surplus exists, such remaining funds *shall* be distributed to fund other scholarship programs contained in this Subsection.

For new recipients of the student financial assistance programs contained in this Subsection beginning Academic Year 2013-2014, the stipends awarded in the respective programs *shall* be as follows:

(1) **Merit Awards.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month; Third- and Fourth-year

Students: Four Hundred Dollars (**$400**) per month; and Graduate Students: Five Hundred Dollars (**$500**) per month.

(2) **Nursing Training Program.** Award recipients are entitled to a monthly stipend to be disbursed in nine (9) monthly installments during the academic year, as follows: First- and Second-year Students: Two Hundred Dollars (**$200**) per month and Third- and Fourth-year Students: Four Hundred Dollars (**$400**) per month.

(b) **Dr. Antonio C. Yamashita Educator Corps.** Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps, and funds for the administration of said program pursuant to Chapter 18, Title 17 GCA, and §15107 of Chapter 15, Article 1, Division 3, Title 17 GCA, as amended.

Not more than ten percent (10%) of the total appropriation herein *shall* be used for the administration of this program. The President of the University of Guam *shall* post on the University of Guam's website all reports mandated by this Act regarding the Dr. Antonio C. Yamashita Educator Corps.

Section 4. Appropriation for the Aquaculture Development and Training Center. The sum of One Hundred Twenty Five Thousand Two Hundred Fifty Four Dollars (**$125,254**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 for the *sole* purpose of funding the continued operations of the Aquaculture Development and Training Center. Said funds *shall not* be transferred *or* used for any other purpose.

Section 5. Appropriation for WERI's Guam Hydrologic Survey. The sum of One Hundred Eighty Two Thousand Six Hundred Ninety Four Dollars (**$182,694**) is appropriated from the General Fund to the University of Guam for

Fiscal Year 2013 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. Appropriation for WERI's Comprehensive Water Resource Monitoring Program. The sum of One Hundred Fifty Five Thousand Six Hundred Twenty Six Dollars (**$155,626**) is appropriated from the General Fund to the University of Guam for Fiscal Year 2013 to fund the Water and Environmental Research Institute of the Western Pacific (WERI). Such funds *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. Appropriation to the University of Guam for the Northern and Southern Soil and Water Conservation Districts (SWCD) Program. The sum of One Hundred Forty Nine Thousand Three Hundred Eighty Four Dollars (**$149,384**) is appropriated from the General Fund to the University of Guam for the operations and activities of the Northern and Southern Soil and Water Conservation Districts (SWCD) Program for FY 2013, and *shall* be equally divided between the Northern and Southern Soil and Water Conservation Districts. 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 University of Guam *or* any other government entity. Such funds *shall not* be transferred *or* used for any other purpose.

Section 8. Appropriation to the University of Guam for KPRG (Public Radio). The sum of Eighty Nine Thousand Four Hundred Sixty Seven Dollars (**$89,467**) is appropriated from the General Fund to the University of Guam for the KPRG Fiscal Year 2013 operations. The President of the University of Guam *shall* disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of FY 2013, the General Manager of KPRG *shall* submit to the President of the University of Guam, and post on KPRG's website, all reports mandated by this Act.

Section 9. Appropriation to the Guampedia Foundation. The sum of One Hundred Forty Thousand Dollars (**$140,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the operations of the Guampedia Foundation. Notwithstanding the general provisions of §30107.1 of Title 11, Guam Code Annotated and this Act, this appropriation *shall* continue to be available until expended.

Section 10. Appropriation to the University of Guam for the Rhinoceros Beetle Program. The sum of Two Hundred Thousand Dollars ($**200,000**) is hereby appropriated from the Tourist Attraction Fund to the University of Guam for the FY 2013 operations of the Rhinoceros Beetle Program. Notwithstanding the general provisions of § 30107.1 of Chapter 30, Title 11 GCA and this Act, this Appropriation *shall* continue to be available until expended and is not subject to transfer or use for any other purpose.

Section 11. University of Guam Capital Improvements Fund Continuing Appropriation. The sum of Five Hundred Thousand Dollars (**$500,000**) is appropriated from the Guam Highway Fund to the University of Guam Capital Improvements Fund for the purpose of paying for the debt service pursuant to § 16132 of Chapter 16 Title 17 GCA.

Section 12. Program Revenue and Expenditure Reports. *No later than* thirty (30) days after the end of each fiscal quarter, the President of the University of Guam *shall* post on the University of Guam's 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 13. Program Annual Reports. The President of the University of Guam *shall* post on the University of Guam'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, contracts, and *shall* describe program accomplishments in the fiscal year reported.

Section 14. Scholarships, Financial Assistance and Other Reports. Sixty (60) days after the end of Fiscal Year 2013, the President of the University of Guam *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 University of Guam's website, a report of expenditures from appropriations made in this Act for student scholarships, student financial assistance, the Dr. Antonio C. Yamashita Educator Corps, and the Educator Corps Council. 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 15. Appropriation to the Guam Cancer Trust Fund. The sum of One Million Eight Hundred Twenty Two Thousand Forty Eight Dollars **($1,822,048)** is appropriated from the Healthy Futures Fund to the University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of Chapter 26, Article 6, Title 11, GCA. This appropriation *shall* be used to fund cancer screening, treatment and support services for Fiscal Year 2013.

Section 16. Transfer Authority for the University Of Guam. Appropriations for the operations of the University of Guam, contained in Section 2 of Part II of Chapter II of this Act *or* for the prior years, may be transferred by the President of UOG out of operations and into the appropriation for statutorily mandated scholarship programs contained in Section 3, Part II, Chapter II of this Act.

Section 17. Continuing Appropriation. The appropriations made to the Student Financial Assistance Program, the Dr. Antonio C. Yamashita Educator Corps and the University of Guam for Fiscal Year 2012 *shall not* lapse and *shall* continue until fully expended, to include payment of prior year obligations.

CHAPTER II

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 to 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 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. Appropriations to the Guam Community College. The amounts in the Subsections below are appropriated from the following Funds, and for the following purposes, to the GCC for Fiscal Year 2013:

(a) **General Fund Appropriation for Operations.** The sum of Thirteen Million Three Hundred One Thousand Six Hundred Eleven Dollars (**$13,301,611**) is appropriated from the General Fund to GCC for its operations in Fiscal Year 2013.

(b) **Appropriation to the Guam Community College LPN and Vocational Guidance Programs.** The sum of Seven Hundred Five Thousand Fifty Eight Dollars (**$705,058**) is appropriated from the General Fund to the GCC for Fiscal Year 2013 to support the operations of the Licensed Practical Nursing Program and the Vocational Guidance Program.

(c) **Appropriation to the Guam Community College 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 2013 for the Lodging Management Program/ProStart Program. Unexpended funds appropriated for the GCC Lodging Management Program/ProStart Program *shall not* lapse and *shall* remain available for use in succeeding fiscal years until all said sums are expended.

(d) **Federal Matching Grants-in-Aid.** The sum of One Million Six Hundred Eighty Eight Thousand Four Hundred Forty Eight Dollars (**$1,688,448**) is appropriated from the Manpower Development Fund to the GCC for the GCC Apprenticeship Program for Fiscal Year 2013. In addition to the authorization contained in §71720 of 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 program requirements and obligations have been fully funded.

(e) **Federal Matching Grants-in-Aid.** The sum of One Million Fifty Seven Thousand Four Hundred Seventy Two Dollars (**$1,057,472**) is authorized from Federal Matching Grants-in-Aid to the Guam Community College for its operations in Fiscal Year 2013.

Section 3. Reports. The President of 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.

CHAPTER II

PART IV – GUAM COMMISSION FOR EDUCATOR CERTIFICATION

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Commission for Educator Certification (GCEC) to expend their funds in accordance with the allocations by object class set forth in Section 3.

Section 2. Guam Commission for Educator Certification Appropriation for Fiscal Year 2013. The sum of Two Hundred Three Thousand Eight Hundred Thirty One Dollars (**$203,831**) is appropriated for the operations of the GCEC for fiscal year ending September 30, 2013. This sum is composed of Two Hundred Three Thousand Eight Hundred Thirty One Dollars (**$203,831**) from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$203,831
TOTAL	**$203,831**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 3. GCEC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$120,933	$121,693
OVERTIME	112	$0	$0
BENEFITS	113	$46,738	$51,976
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$14,100
OFF. RENTAL	233	$0	$6,000
SUP. & MAT.	240	$0	$1,062
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$4,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$4,800
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$167,671**	**$203,831**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER II

Part V – MISCELLANEOUS EDUCATIONAL PROVISIONS

Section 1. Purchasing in Economies of Scale. All agencies receiving appropriations pursuant to this Chapter *shall* take all measures necessary to reduce costs by purchasing services, supplies and materials to realize economies of scale.

Section 2. Local Funds Reimbursement. Funds appropriated to the Guam Department of Education (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 report to *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 2012 for federally-funded programs, 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.

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 to the budget request submitted and the priorities stipulated by the GMHA Board of Trustees (Board) and the GMHA's management.

I Liheslaturan Guåhan is resolved to continue to support and establish policies which are in the best interest of the GMHA and its mission. *I Liheslaturan Guåhan's* intent to reduce the credits applied against the appropriations to the GMHA Pharmaceuticals Fund towards the payment of bills for services incurred by qualified Medically Indigent Program (MIP) recipients will help increase GMHA revenues.

Furthermore, *I Liheslaturan Guåhan* broadened the scope of borrowing options available to the GMHA through the passing and enactment of Public Law 30-200, as amended by Public Law 30-235. Through such efforts, the GMHA was able to borrow Twelve Million Dollars (**$12,000,000**) in an effort to bring fiscal stability to the GMHA. *I Liheslaturan Guåhan* has provided its support to the GMHA with One Million Dollars (**$1,000,000**) per year from the Healthy Futures Fund in accordance with Public Law 30-166, towards providing the GMHA the ability to utilize these funds for the debt service payment for the Government of Guam General Obligation: Guam Memorial Hospital Authority Loan 2011.

Section 2. Guam Memorial Hospital Authority Pharmaceuticals Fund credit toward Medicaid payments *shall not exceed* the sum of Six Million Eight Hundred Sixty Two Thousand Five Hundred Forty One Dollars (**$6,862,541**) in Fiscal Year 2013. Billings in excess of the seventy five percent (75%) credit *shall*

be paid by other appropriated funds. The Department of Public Health and Social Services *shall* remit all adjudicated claims for processing for MIP payments in accordance with § 9902 of Chapter 9, Article 9, Title 10 GCA and Chapter III, Part II, Section 12 of this Act.

Section 3. Guam Memorial Hospital Authority Pharmaceuticals Fund Appropriation. Pursuant to §§26208 and 26208.1 of Chapter 26, Article 2, Title 11 GCA, the sum of Nine Million One Hundred Fifty Thousand Fifty Four Dollars (**$9,150,054**) is appropriated from the Guam Memorial Hospital Authority Pharmaceuticals Fund to the GMHA for Fiscal Year 2013.

Section 4. Guam Memorial Hospital Authority Healthy Futures Fund Appropriations.

(a) Pursuant to §§26208 and 26208.1 of Chapter 26, Article 2, Title 11 GCA, the sum of One Million Four Hundred Fifty Seven Thousand Six Hundred Thirty Nine Dollars (**$1,457,639**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013 operational expenses.

(b) Pursuant to §26603(d) of Chapter 26, Article 6, Title 11 GCA, the sum of One Million Dollars (**$1,000,000**) is appropriated from the Healthy Futures Fund to the GMHA for Fiscal Year 2013, for the line of credit pursuant to §80104 (t) of Chapter 80, Division 4, Title 10 GCA.

Section 5. Guam Memorial Hospital Authority General Fund Appropriation. The sum of Two Million Four Hundred Thirteen Thousand Four Hundred Ninety Five Dollars (**$2,413,495**) is appropriated from the General Fund to the GMHA for Fiscal Year 2013.

CHAPTER III

HEALTH

PART II – DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Health and Social Services (DPHSS) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Public Health and Social Services Appropriation for Fiscal Year 2013. The sum of Forty Million Seven Hundred Fifty Six Thousand One Hundred Ninety Six Dollars (**$40,756,196**) is appropriated for the operations of the DPHSS for fiscal year ending September 30, 2013. This sum is composed of Thirty Five Million Four Hundred Fifty Seven Thousand Six Hundred Twelve Dollars (**$35,457,612**) from the General Fund and Five Million Two Hundred Ninety Eight Thousand Five Hundred Eighty Four Dollars (**$5,298,584**) from Special Fund(s).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$35,457,612
HEALTHY FUTURES FUND	$4,611,143
ENVIRONMENTAL HEALTH FUND	$687,441
TOTAL	**$40,756,196**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$26,438,879

Section 3. DPHSS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,884,302	$3,375,856
OVERTIME	112	$0	$0
BENEFITS	113	$693,400	$1,352,625
TRAVEL	220	$0	$178,625
CONT. SERV.	230	$9,797,512	$11,603,276
OFF. RENTAL	233	$419,580	$561,750
SUP. & MAT.	240	$306,710	$729,207
EQUIPMENT	250	$0	$2,125
WRK. COMP.	270	$3,000	$3,000
DRUG TEST	271	$113	$940
SUBGRANT	280	$0	$0
MISC.	290	$19,194,854	$16,457,974
POWER	361	$0	$673,300
WATER/SEWER	362	$0	$25,900
PHONE/TOLL	363	$397,677	$443,036
CAP. OUTLAY	450	$0	$50,000
GRAND TOTAL		**$32,697,148**	**$35,457,612**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Medically Indigent Program (MIP) Appropriations.

(a) The sum of Fifteen Million Eight Hundred Twenty Two Nine Hundred Seven Dollars (**$15,822,907**) is appropriated from the General Fund to the Medically Indigent Program Payment Revolving Fund (MIPPR) for the MIP for Fiscal Year 2013.

(b) The sum of Three Hundred Fifty One Thousand Five Hundred Forty Nine Dollars ($**351,549**) from the General Fund and the sum of Six Hundred Forty Eight Thousand Four Hundred Fifty One Dollars (**$648,451**) from Healthy Futures Fund is appropriated to the MIPPR for the MIP to fund cancer screening, treatment and support services for Fiscal Year 2013.

(c) *No more than* fifteen percent (15%) of the appropriations from local fund sources in this Section are authorized to pay for FY 2012 Obligations of the MIP program.

Section 5. Medicaid Program. The sum of Eleven Million One Hundred Eighty Three Thousand One Hundred Ninety One Dollars (**$11,183,191**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Medicaid Program. The sum of Thirteen Million Six Hundred Sixty Nine Thousand Two Hundred Dollars (**$13,669,200**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013. *No more than* thirty percent (30%) of the appropriations from local fund sources in this Section is authorized to pay for FY 2012 Obligations for the Medicaid program.

Section 6. Children's Health Insurance Program (CHIP) Program. The sum of Two Million Four Thousand Five Hundred Four Dollars ($**2,004,504**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Children's Health Insurance Program, and Four Million Three Hundred Fifty Nine Thousand Nine Hundred Fourteen Dollars ($**4,359,914**) is

authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 7. Division of Senior Citizens. *No less than* the sum of Seven Million Five Hundred Ninety Thousand Three Hundred Thirty Three Dollars (**$7,590,333**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the programs of the Division of Senior Citizens, and Three Million Fifty Five Thousand Three Hundred Forty One Dollars (**$3,055,341**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for the operation of the Division of Senior Citizens programs to include the State Office on Aging, Adult Protective Services, Supportive Services, Congregate Meals, Home-Delivered Meals, Preventive Health, Medication Management, and National Family Caregiver Support Program in Fiscal Year 2013.

Section 8. Public Assistance Program Payments. *Up to* the sum of Three Million Five Hundred Six Thousand Two Hundred Fourteen Dollars (**$3,506,214**) from the General Fund appropriation in Section 2 is authorized as the local match for Federal Matching Grants-in-Aid to the DPHSS for Public Assistance Program payments and administration for Fiscal Year 2013. Four Million Five Hundred Fifty Five Thousand Four Hundred Sixty One Dollars (**$4,555,461**) is authorized from the Federal Matching Grants-in-Aid.

Section 9. Medicines and Vacant Positions for the DPHSS Community Health Centers. The sum Four Hundred Ninety Three Thousand Seven Hundred Eighty Four Dollars (**$493,784**) is appropriated from the Healthy Futures Fund to the DPHSS Community Health Centers for Fiscal Year 2013.

Section 10. Enhanced Allotment Plan. The sum of Six Hundred Fifty Three Thousand Six Hundred Ninety Seven Dollars (**$653,697**) from the General Fund appropriation in Section 2 is authorized as the local match requirement for the Enhanced Allotment Plan (Medicaid Part D) Program, and Seven Hundred

Ninety Eight Thousand Nine Hundred Sixty Three Dollars (**$798,963**) is authorized from Federal Matching Grants-in-Aid to the DPHSS for said purpose for Fiscal Year 2013.

Section 11. DPHSS Carry-Over Authorization. The unexpended balance of appropriations from the General Fund and Special Funds to the DPHSS for Fiscal Year 2012 *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 DPHSS's website. The Director of Administration *shall* pay MIP and Medicaid vendors on a first-in first-out basis.

Section 12. Appropriation to the Guam Cancer Registry. Pursuant to §26603(d)(4) of Chapter 26, Article 6, Title 11 GCA, the sum of One Hundred Twenty One Thousand Four Hundred Seventy Dollars (**$121,470**) is appropriated from the Healthy Futures Fund to the DPHSS to maintain the Guam Cancer Registry pursuant to §3201.1 of Chapter 3, Article 2, Title 10 GCA. The DPHSS *shall* provide funding to the University of Guam for services, supplies and/or materials in executing the Memorandum of Agreement between the University of Guam and the Department of Public Health and Social Services regarding the collection of data and the maintenance of the Guam Cancer Registry. Any funds pursuant to this Section *not* expended in Fiscal Year 2013 *shall* revert to the Guam Cancer Trust Fund.

Section 13. Prompt Payment of MIP Patient Claims Generated at the Guam Memorial Hospital Authority. The DPHSS *shall* process all MIP patient claims generated at the Guam Memorial Hospital Authority *no later than* forty-five

(45) days from receipt of said claim as required by § 9902 of Chapter 9, Article 1, Title 10 GCA.

CHAPTER III

PART III - DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Mental Health and Substance Abuse (DMHSA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Mental Health and Substance Abuse Appropriation for Fiscal Year 2013. The sum of Seventeen Million Forty Four Thousand Five Hundred Sixty Dollars (**$17,044,560**) is appropriated for the operations of the DMHSA for fiscal year ending September 30, 2013. This sum is composed of Fourteen Million One Hundred Eighty Three Thousand Nine Hundred Twenty Six Dollars (**$14,183,926**) from the General Fund and Two Million Eight Hundred Sixty Thousand Six Hundred Thirty Four Dollars (**$2,860,634**) from Special Fund(s).

The sum of Two Hundred Twenty Five Thousand Eight Hundred Sixty Two Dollars **($225,862)** of General Funds or Special Funds appropriated in this section is authorized as the Local Match for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$14,183,926
HEALTHY FUTURES FUND	$2,860,634
TOTAL	**$17,044,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$225,862

Section 3. DMHSA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,254,151	$5,872,326
OVERTIME	112	$23,395	$36,465
BENEFITS	113	$1,082,896	$2,403,343
TRAVEL	220	$0	$0
CONT. SERV.	230	$4,647,489	$3,983,643
OFF. RENTAL	233	$96,660	$156,600
SUP. & MAT.	240	$595,071	$758,152
EQUIPMENT	250	$6,809	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$54,417	$38,397
POWER	361	$0	$750,000
WATER/SEWER	362	$0	$50,000
PHONE/TOLL	363	$72,279	$135,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,833,167**	**$14,183,926**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

Section 4. Department of Mental Health and Substance Abuse – Detoxification & Rehabilitation Services. The sum of Eight Hundred Thirty Nine Thousand Forty Dollars (**$839,040**) is appropriated from the General Fund to the DMHSA for Fiscal Year 2013 for outsourcing of drug and alcohol detoxification, rehabilitation, and prevention services, *provided* that the expenditure of such funds *shall* comply with Title 48 USC §1421b(p).

Section 5. Oasis Empowerment Center for Women Alcohol Substance and Homeless Program. The sum of Fifty Thousand Dollars **($50,000)** is appropriated from the General Fund to the DMHSA for the Oasis Empowerment Center for Women Alcohol Substance and Homeless Program for Fiscal Year 2013.

Section 6. Re-appropriation of Unexpended and Unencumbered Appropriations to the Department of Mental Health and Substance Abuse for the Amended Permanent Injunction and Plan of Action. Up to the sum of Three Million Dollars **($3,000,000)** of the unexpended and unencumbered appropriation remaining as of September 30, 2012, from the appropriation contained in Section 5, Part III, Chapter III of Public Law 31-77 *shall not* lapse and is hereby re-appropriated to the to the DMHSA for Fiscal Year 2013 for the payment of court ordered deposits that are due in Fiscal Year 2013 in accordance with the modified funding schedule, for the implementation of the Amended Permanent Injunction and Plan of Action. This re-appropriation *shall not* be subject to transfer authority of *I Maga'låhi.*

Section 7. Expenditures Related to the Federal Management Team (FMT) Plan of Action (POA). For Fiscal Year 2013, funds reimbursed to the government of Guam from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account *shall* be deposited into and recorded in the existing Permanent Injunction –

DMHSA Fund. The sum of up to Ten Million Dollars (**$10,000,000**) is authorized from the Federal Management Team Community First Guam Federal Credit Union DMHSA Amended Permanent Injunction Trustee Account funds reimbursed to the government of Guam *only* to fund personnel and operational expenditures identified by the FMT POA as filed in the District Court of Guam under Case No. CV 01-0041.

CHAPTER III

PART IV - DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Integrated Services for Individuals with Disabilities (DISID) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

Section 2. Department of Integrated Services for Individuals with Disabilities Appropriation for Fiscal Year 2013. The sum of One Million Nine Hundred Thirty Thousand Five Hundred Thirty Three Dollars (**$1,930,533**) is appropriated for the operations of the DISID for fiscal year ending September 30, 2013. This sum is composed of One Million Two Hundred Thirty Five Thousand Seven Hundred Seventy Dollars (**$1,235,770**) from the General Fund and Six Hundred Ninety Four Thousand Seven Hundred Sixty Three Dollars (**$694,763**) from Special Fund(s).

The sum of Two Million Nine Hundred Ninety Two Thousand Six Hundred Fifty One Dollars **($2,992,651)** of General Funds or Special Funds appropriated in this section is authorized as the Local Match for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,235,770
HEALTHY FUTURES FUND	$694,763
TOTAL	**$1,930,533**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$2,992,651

Section 3. DISID General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$283,340	$353,319
OVERTIME	112	$0	$0
BENEFITS	113	$99,390	$135,686
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,942	$6,000
OFF. RENTAL	233	$118,129	$110,810
SUP. & MAT.	240	$1,807	$4,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$551,433	$609,955
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,356	$16,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,121,397**	**$1,235,770**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only

CHAPTER IV

UNIFIED JUDICIARY

Section 1. Appropriation. The amounts specified in this Section are appropriated and authorized from the General Fund and Federal Matching Grants-in-Aid to the Unified Judiciary for its operations in Fiscal Year 2013.

It is 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 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.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$23,341,886
FEDERAL MATCHING GRANTS-IN-AID	$0
SPECIAL FUNDS	$0
TOTAL	$23,341,886

Section 2. Court-Appointed Attorney Fees. The sum of Seven Hundred Forty Five Thousand Four Hundred Thirty Three Dollars (**$745,433**) is appropriated from the General Fund to the Unified Judiciary for the *sole* purpose of paying court-appointed attorney fees arising from the defense of indigent clients for Fiscal Year 2013. Said funds *shall* be deposited in the Judicial Client Services Fund account, as created by Chapter 9.6, Title 7GCA and *shall not* be subject to any transfer authority. Any unexpended funds appropriated herein *shall* revert to the General Fund at the end of FY 2013.

Section 3. Adult and Juvenile Drug Courts. The sum of Six Hundred Fifty One Thousand Two Hundred Seventy Seven Dollars (**$651,277**) is

appropriated from the General Fund to the Unified Judiciary for the operations of the Adult and Juvenile Drug Courts for Fiscal Year 2013.

Section 4. Family Visitation Center. The sum of One Hundred Forty Five Thousand Dollars (**$145,000**) is appropriated from the Safe Streets Fund, to the Unified Judiciary for Fiscal Year 2013, to pay for contractual services for the operation of the Family Visitation Center, *provided*, that the Judiciary must comply with §18125 (c) and (d) of Chapter 18, Article 1, Title 16 GCA, and §9211 (b) of Chapter 9, Article 2, Title 7 GCA.

Section 5. Transfer Authority of the Judiciary of Guam. The Unified Judiciary in FY 2013 is authorized to transfer funds from the appropriation made in Chapter IV Section 1 into the appropriations made in Chapter IV Sections 2, 3 and 4, but *shall not* transfer appropriations out from the appropriations made in Chapter IV Sections 2, 3 and 4 into Chapter IV Section 1.

Section 6. Judicial Building Fund FY 2014 Budget. The Unified Judiciary of Guam *shall* report its Judicial Building Fund FY 2014 Budget to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report, on or before June 30, 2013, and post the same on its website.

Section 7. Judicial Building Fund Revenues and Expenditures Reporting. For Fiscal Year 2013, the Unified Judiciary of Guam *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 a 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 8. Unified Judiciary Authorization to Fund any Operational Shortfall. The Judiciary of Guam is authorized to fund any operational shortfall for Fiscal Year 2013 from the Judicial Building Fund consistent with the covenants

and provisions of the Loan Documents between the Judiciary and the Bank of Guam.

CHAPTER V

EXECUTIVE BRANCH

Section 1. Authorization. The amounts specified in Subsections (a) through (cc) 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 its operations in Fiscal Year 2013.

(a) OFFICE OF I MAGA'LÅHEN GUÅHAN

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of *I Maga'lahen Guåhan* (GOV) to expend their funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Office of *I Maga'låhen Guåhan* Appropriations for Fiscal Year 2013. The sum of Six Million Five Hundred Fifty Five Thousand Nine Hundred Twenty Four Dollars **($6,555,924)** is appropriated for the operations of the Office of *I Maga'låhen Guåhan* for fiscal year ending September 30, 2013. This sum is composed of Six Million Two Hundred Thirty Three Thousand Six Hundred Eighty Eight Dollars **($6,233,688)** from the General Fund; Three Hundred Twenty Two Thousand Two Hundred Thirty Six Dollars **($322,236)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$6,233,688
INDIRECT COST FUND	$322,236
TOTAL	**$6,555,924**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GOV General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$3,330,775	$3,591,012
OVERTIME	112	$0	$0
BENEFITS	113	$1,175,393	$1,368,091
TRAVEL	220	$116,131	$99,000
CONT. SERV.	230	$820,152	$835,722
OFF. RENTAL	233	$35,000	$38,500
SUP. & MAT.	240	$90,909	$29,480
EQUIPMENT	250	$65,720	$26,125
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$197,354	$196,258
POWER	361	$0	$0
WATER/SEWER	362	$19,948	$0
PHONE/TOLL	363	$45,000	$49,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$5,896,382**	**$6,233,688**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(b) COMMISSION ON DECOLONIZATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Commission on Decolonization (COD) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Commission on Decolonization Appropriations for Fiscal Year 2013. The sum of Two Hundred Thirty Nine Thousand Six Hundred Thirteen Dollars **($239,613)** is appropriated for the operations of the Commission on Decolonization for fiscal year ending September 30, 2013. This sum is composed of Two Hundred Thirty Nine Thousand Six Hundred Dollars **($239,613)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$239,613
TOTAL	**$239,613**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) COD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$110,718	$155,000
OVERTIME	112	$0	$0
BENEFITS	113	$37,681	$66,523
TRAVEL	220	$0	$6,045
CONT. SERV.	230	$2,840	$9,045
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$0
EQUIPMENT	250	$72	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,000	$3,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$154,311**	**$239,613**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(c) GUAM ANCESTRAL LANDS COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Ancestral Lands Commission (GALC) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section3.

(2) Guam Ancestral Lands Commission Appropriations for Fiscal Year 2013. The sum of One Hundred Three Thousand Nine Hundred Fifty Seven Dollars **($103,957)** is appropriated for the operations of the Guam Ancestral Lands Commission for fiscal year ending September 30, 2013. This sum is composed of One Hundred Three Thousand Nine Hundred Fifty Seven Dollars **($103,957)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$103,957
TOTAL	**$103,957**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GALC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$123,098	$56,680
OVERTIME	112	$0	$0
BENEFITS	113	$48,445	$24,427
TRAVEL	220	$0	$0
CONT. SERV.	230	$3,040	$10,850
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$8,066	$3,600
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$8,400
POWER	361	$2,353	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$3,400	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$188,402**	**$103,957**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(d) VETERANS AFFAIRS OFFICE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Veterans Affairs Office (VAO) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Veterans Affairs Office Appropriations for Fiscal Year 2013. The sum of Three Hundred Twenty Two Thousand Two Hundred Twenty Nine Dollars **($322,229)** is appropriated for the operations of the Veterans Affairs Office for fiscal year ending September 30, 2013. This sum is composed of Three Hundred Twenty Two Thousand Two Hundred Twenty Nine Dollars **($322,229)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$322,229
TOTAL	**$322,229**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) VAO General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$218,424	$207,397
OVERTIME	112	$0	$0
BENEFITS	113	$72,358	$73,034
TRAVEL	220	$0	$0
CONT. SERV.	230	$16,863	$14,766
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$12,413	$7,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$9,843	$11,000
WATER/SEWER	362	$35,590	$1,032
PHONE/TOLL	363	$4,293	$8,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$369,784**	**$322,229**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Guam Veterans Cemetery Expansion Matching Grant. The sum of Three Hundred Ninety Thousand Dollars **($390,000)** is appropriated from the General Fund to the Veterans Affairs Office for the Guam Veterans Cemetery expansion in Piti, Guam.

Funding *shall* only be disbursed as a matching grant of public or private funds secured by the Veterans Affairs Office. The Veterans Affairs Office *shall* submit to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* evidence of matching grant funds secured prior to the certification of funds for disbursement, project plan(s), and subsequent invoices for projects (s) funded by said appropriation.

Section 1303, Title 5, Guam Code Annotated, *shall not* apply to the appropriation in this section. The appropriation in this section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

(e) BUREAU OF BUDGET AND MANAGEMENT RESEARCH

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Budget and Management Research (BBMR) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Bureau of Budget and Management Research Appropriations for Fiscal Year 2013. One Million Three Hundred Seventy Five Thousand Two Hundred Sixty Two Dollars **($1,375,262)** is appropriated for the operations of the Bureau of Budget and Management Research for fiscal year ending September 30, 2013. This sum is composed of One Million Fifty Eight Thousand Three Hundred Twenty Dollars **($1,058,320)** from the General Fund; Three Hundred Sixteen Thousand Nine Hundred Forty Two Dollars **($316,942)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,058,320
INDIRECT COST FUND	$316,942
TOTAL	**$1,375,262**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BBMR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$695,520	$775,448
OVERTIME	112	$0	$0
BENEFITS	113	$221,648	$276,210
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,820	$6,662
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$919,988**	**$1,058,320**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(f) CIVIL SERVICE COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Civil Service Commission (CSC) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Civil Service Commission Appropriations for Fiscal Year 2013. The sum of Eight Hundred Forty Four Thousand Nine Hundred Two Dollars **($844,902)** is appropriated for the operations of the Civil Service Commission for fiscal year ending September 30, 2013. This sum is composed of Eight Hundred Forty Four Thousand Nine Hundred Two Dollars **($844,902)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$844,902
TOTAL	**$844,902**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CSC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$487,310	$508,112
OVERTIME	112	$0	$0
BENEFITS	113	$170,073	$194,992
TRAVEL	220	$0	$0
CONT. SERV.	230	$17,025	$20,984
OFF. RENTAL	233	$78,062	$69,650
SUP. & MAT.	240	$578	$3,984
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$18,150	$36,400
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,040	$10,780
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$779,238**	**$844,902**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(g) DEPARTMENT OF ADMINISTRATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Administration (DOA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Administration Appropriations for Fiscal Year 2013. The sum of Eight Million Nine Hundred Forty Four Thousand Four Hundred Ninety Four Dollars **($8,944,494)** is appropriated for the operations of the Department of Administration for fiscal year ending September 30, 2013. This sum is composed of Seven Million Seven Hundred Fifty Six Thousand Seven Hundred Seventy Eight Dollars **($7,756,778)** from the General Fund; One Million One Hundred Eighty Seven Thousand Seven Hundred Sixteen Dollars **($1,187,716)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,756,778
INDIRECT COST FUND	$1,187,716
TOTAL	**$8,944,494**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$4,605,814	$4,874,641
OVERTIME	112	$0	$0
BENEFITS	113	$1,617,317	$1,861,805
TRAVEL	220	$0	$0
CONT. SERV.	230	$883,639	$644,332
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$25,557	$31,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$189,799	$0
WATER/SEWER	362	$1,097	$0
PHONE/TOLL	363	$373,505	$375,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$7,696,728**	**$7,786,778**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Support of Child in Custody (19 GCA § 5116). The sum of Six Hundred Forty Nine Thousand Nine Hundred Sixty Two Dollars (**$649,962**) is appropriated from the General Fund to the Department of Administration (DOA) for Fiscal year 2013 for the *sole* purpose of paying orders of the court pursuant to § 5116 of Chapter 5, Title 19 GCA.

(5) Residential Treatment Fund. The sum of One Million Two Hundred Thousand Dollars (**$1,200,000**) is appropriated from the General Fund to the DOA in Fiscal year 2013 to pay 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 of Fiscal Year 2013, and post the same on the DOA website.

(6) Government Claims Fund. The sum of One Hundred Thousand Dollars (**$100,000**) is appropriated from the General Fund to the DOA for the Government Claims Fund for payment of approved government claims in Fiscal year 2013. The Director of DOA *shall*, *no later than* thirty (30) days after the close of each quarter of Fiscal year 2013, 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 Department's website.

(7) Government of Guam's General Purpose Financial Statement and Single Audit Report. The sum of Three Hundred Seventy Seven Thousand

Dollars (**$377,000**) is appropriated from the General Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's General Purpose Financial Statement and the Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(8) Single Audit Report on the Tourist Attraction Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Tourist Attraction Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(9) Single Audit Report on the Guam Highway Fund. The sum of Eighteen Thousand Dollars (**$18,000**) is appropriated from the Guam Highway Fund to the DOA for the Fiscal Year 2012 Audit of the Government of Guam's Highway Fund Financial Statement and Single Audit Report. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(h) DEPARTMENT OF REVENUE AND TAXATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Revenue and Taxation (DRT) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Revenue and Taxation Appropriations for Fiscal Year 2013. Eleven Million Eight Hundred Sixty One Thousand Nine Hundred Sixty Eight Dollars **($11,861,968)** is appropriated for the operations of the Department of Revenue and Taxation for fiscal year ending September 30, 2013. This sum is composed of Nine Million Seven Hundred Eighty Four Thousand Six Hundred Ninety Seven Dollars **($9,784,697)** from the General Fund; Two Million Seventy Seven Thousand Two Hundred Seventy One Dollars **($2,077,271)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$9,784,697
BETTER PUBLIC SERVICE FUND	$1,390,554
TAX COLLECTION ENHANCEMENT FUND	$686,717
TOTAL	**$11,861,968**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DRT General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$5,482,240	$5,969,179
OVERTIME	112	$0	$366,463
BENEFITS	113	$2,133,311	$2,338,682
TRAVEL	220	$0	$0
CONT. SERV.	230	$300,000	$90,653
OFF. RENTAL	233	$1,024,390	$1,017,720
SUP. & MAT.	240	$4,862	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$280	$2,000
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$8,945,083**	**$9,784,697**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(i) BUREAU OF STATISTICS AND PLANS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Bureau of Statistics and Plans (BSP) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Bureau of Statistics and Plans Appropriations for Fiscal Year 2013. The sum of One Million One Hundred Fifty Five Thousand Six Hundred Forty Three Dollars **($1,155,643)** is appropriated for the operations of the Bureau of Statistics and Plans for fiscal year ending September 30, 2013. This sum is composed of One Million One Hundred Fifty Five Thousand Six Hundred Forty Three Dollars **($1,155,643)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,155,643
TOTAL	**$1,155,643**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) BSP General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$810,461	$819,217
OVERTIME	112	$0	$0
BENEFITS	113	$301,480	$300,035
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$20,040	$21,000
SUP. & MAT.	240	$0	$6,391
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$8,773	$9,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,140,754**	**$1,155,643**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(j) DEPARTMENT OF PUBLIC WORKS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Public Works (DPW) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Public Works Appropriations for Fiscal Year 2013. The sum of Nineteen Million Five Hundred Ninety Six Thousand Three Hundred One Dollars **($19,596,301)** is appropriated for the operations of the Department of Public Works for fiscal year ending September 30, 2013. This sum is composed of Ten Million Four Hundred Thirty Six Thousand Twenty Eight Dollars **($10,436,028)** from the General Fund; and Nine Million One Hundred Sixty Thousand Two Hundred Seventy Three Dollars **($9,160,273)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$10,436,028
GUAM HIGHWAY FUND	$8,659,504
TOTAL	**$19,596,301**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPW General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$6,556,119	$6,706,287
OVERTIME	112	$0	$0
BENEFITS	113	$2,505,073	$2,714,809
TRAVEL	220	$0	$22,983
CONT. SERV.	230	$38,258	$192,786
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$5,935	$161,761
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$500
DRUG TEST	271	$0	$1,875
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$775,704	$346,547
WATER/SEWER	362	$104,842	$216,000
PHONE/TOLL	363	$3,293	$72,480
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$9,989,224**	**$10,436,028**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(k) CONTRACTORS LICENSE BOARD

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Contractors License Board (CLB) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Contractors License Board Appropriations for Fiscal Year 2013. The sum of Eight Hundred Sixty Two Thousand Four Hundred Fifty Dollars **($862,450)** is appropriated for the operations of the Contractors License Board for fiscal year ending September 30, 2013. This sum is composed Eight Hundred Sixty Two Thousand Four Hundred Fifty Dollars **($862,450)** from the Special Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM CONTRACTORS LICENSE BOARD FUND	$862,450
TOTAL	**$862,450**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLB Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$329,102
OVERTIME	112	$0	$0
BENEFITS	113	$0	$138,799
TRAVEL	220	$0	$16,000
CONT. SERV.	230	$0	$167,640
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$76,120
EQUIPMENT	250	$0	$17,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$288
SUBGRANT	280	$0	$0
MISC.	290	$0	$9,600
POWER	361	$0	$25,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$12,000
CAP. OUTLAY	450	$0	$70,501
GRAND TOTAL		**$0**	**$862,450**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

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

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) PEALS Appropriations for Fiscal Year 2013. The sum of Three Hundred Seven Thousand Two Hundred Eighty Two Dollars **($307,282)** is appropriated for the operations of the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors for fiscal year ending September 30, 2013. This sum is composed of Three Hundred Seven Thousand Two Hundred Eighty Two Dollars **($307,282)** from the Special Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
PEALS FUND	$307,282
TOTAL	**$307,282**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PEALS Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$91,384
OVERTIME	112	$0	$0
BENEFITS	113	$0	$41,476
TRAVEL	220	$0	$4,775
CONT. SERV.	230	$0	$135,007
OFF. RENTAL	233	$0	$18,000
SUP. & MAT.	240	$0	$4,000
EQUIPMENT	250	$0	$2,400
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$40
SUBGRANT	280	$0	$0
MISC.	290	$0	$2,800
POWER	361	$0	$4,500
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,900
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,282**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

(m) GUAM POLICE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Police Department (GPD) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth Section 3.

(2) Guam Police Department Appropriations for Fiscal Year 2013. The sum of Twenty Eight Million Three Hundred Forty Two Thousand Six Hundred Nineteen Dollars **($28,342,619)** is appropriated for the operations of the Guam Police Department for fiscal year ending September 30, 2013. This sum is composed of Twenty Seven Million Eight Hundred Three Thousand Seven Hundred Sixty One Dollars **($27,803,761)** from the General Fund; Five Hundred Thirty Eight Thousand Eight Hundred Fifty Eight Dollars **($538,858)** from Special Funds. The sum of Five Hundred Twenty Six Thousand One Hundred Thirty Six Dollars **($526,136)** of General Funds or Special Funds appropriated in this subsection are authorized as the Local Match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,803,761
POLICE SERVICES FUND	$538,858
TOTAL	**$28,342,619**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$726,136

(3) GPD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$16,771,331	$18,136,431
OVERTIME	112	$1,081,645	$644,163
BENEFITS	113	$5,586,529	$6,831,522
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$300,593
OFF. RENTAL	233	$320,765	$364,400
SUP. & MAT.	240	$492,312	$366,604
EQUIPMENT	250	$0	$19,397
WRK. COMP.	270	$19,999	$20,000
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$44,559	$664,385
POWER	361	$678,444	$170,000
WATER/SEWER	362	$4,306	$50,000
PHONE/TOLL	363	$44,130	$236,266
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$25,044,020**	**$27,803,761**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(n) DEPARTMENT OF CORRECTIONS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Corrections (DOC) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Corrections Appropriations for Fiscal Year 2013. The sum of Twenty One Million Seven Hundred Twenty Eight Thousand Six Hundred Forty Two Dollars **($21,728,642)** is appropriated for the operations of the Department of Corrections for fiscal year ending September 30, 2013. This sum is composed of Twenty Million Seven Hundred Seventy Six Thousand Nine Hundred Eighty One Dollars **($20,776,981)** from the General Fund; Nine Hundred Fifty One Thousand Six Hundred Sixty One Dollars **($951,661)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$20,776,981
SAFE STREETS FUND	$96,000
CORRECTIONS INMATE REVOLVING FUND	$855,661
TOTAL	**$21,728,642**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DOC General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$9,634,179	$10,380,900
OVERTIME	112	$825,211	$970,527
BENEFITS	113	$3,331,325	$4,369,138
TRAVEL	220	$5,000	$0
CONT. SERV.	230	$2,934,952	$3,887,375
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$256,324	$310,935
EQUIPMENT	250	$10,000	$21,156
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$67,830	$75,950
POWER	361	$940,202	$350,000
WATER/SEWER	362	$221,859	$250,000
PHONE/TOLL	363	$59,500	$70,000
CAP. OUTLAY	450	$0	$91,000
GRAND TOTAL		**$18,286,382**	**$20,776,981**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Cost of Care and Custody for Prisoners Confined in Federal Facilities. The sum of Six Hundred Ninety Six Thousand Dollars **($696,000)** is appropriated from the General Fund for the payment of Fiscal Year 2013 obligations for prisoners confined in federal facilities of the Federal Bureau of Prisons.

(o) DEPARTMENT OF AGRICULTURE

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Agriculture (AGR) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Agriculture Appropriations for Fiscal Year 2013. Two Million Seven Hundred Three Thousand Seven Hundred Eighty Two Dollars **($2,703,782)** is appropriated for the operations of the Department of Agriculture for fiscal year ending September 30, 2013. This sum is composed of Two Million Six Hundred Eighteen Thousand Three Hundred Seventy Dollars **($2,618,370)** from the General Fund; Eighty Five Thousand Four Hundred Twelve Dollars **($85,412)** from Special Funds. The sum of Two Hundred Eighty Eight Thousand Five Hundred Dollars **($288,500)** of General Funds or Special Funds appropriated in this subsection are authorized as the Local Match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$2,618,370
GUAM PLANT INSPECTION AND PERMIT FUND	$85,412
TOTAL	**$2,703,782**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$288,500

(3) AGR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,622,828	$1,562,710
OVERTIME	112	$5,995	$11,480
BENEFITS	113	$580,195	$598,704
TRAVEL	220	$5,400	$6,620
CONT. SERV.	230	$12,390	$143,254
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$14,000	$65,724
EQUIPMENT	250	$0	$33,870
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$227,517	$9,008
POWER	361	$125,118	$118,000
WATER/SEWER	362	$15,300	$20,000
PHONE/TOLL	363	$18,000	$19,000
CAP. OUTLAY	450	$0	$30,000
GRAND TOTAL		**$2,626,743**	**$2,618,370**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(p) GUAM PUBLIC LIBRARY SYSTEM

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Public Library Systems (GPLS) to expend their funds in accordance with *I Liheslaturan Guåhan's* Executive Budget Request, Fiscal Year 2013 detailed agency budget allocations by object class set forth Section 3.

(2) Guam Public Library Systems Appropriations for Fiscal Year 2013. The sum of One Million Two Hundred Fifty Five Thousand Seven Hundred Twenty Eight Dollars **($1,255,728)** is appropriated for the operations of the Guam Public Library Systems for fiscal year ending September 30, 2013. This sum is composed of One Million Two Hundred Fifty Five Thousand Seven Hundred Twenty Eight Dollars **($1,255,728)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,255,728
TOTAL	**$1,255,728**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GPLS General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$377,320	$677,378
OVERTIME	112	$0	$0
BENEFITS	113	$145,363	$273,524
TRAVEL	220	$0	$0
CONT. SERV.	230	$98,455	$83,054
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$6,431	$30,000
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$103,367	$147,772
WATER/SEWER	362	$2,325	$7,000
PHONE/TOLL	363	$23,701	$37,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$756,962**	**$1,255,728**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(q) DEPARTMENT OF YOUTH AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Youth Affairs (DYA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Youth Affairs Appropriations for Fiscal Year 2013. The sum of Four Million Six Hundred Forty Six Thousand Four Hundred Dollars **($4,646,400)** is appropriated for the operations of the Department of Youth Affairs for fiscal year ending September 30, 2013. This sum is composed of Four Million Six Hundred Forty Six Thousand Four Hundred Dollars **($4,646,400)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$4,646,400
SPECIAL FUND	$0
TOTAL	**$4,646,400**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DYA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$2,433,656	$2,920,320
OVERTIME	112	$106,474	$58,953
BENEFITS	113	$873,949	$1,187,138
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,104	$139,730
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$99,516	$165,479
EQUIPMENT	250	$0	$29,230
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$400
SUBGRANT	280	$0	$0
MISC.	290	$0	$16,450
POWER	361	$33,670	$62,400
WATER/SEWER	362	$6,077	$22,800
PHONE/TOLL	363	$43,500	$43,500
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$3,636,946**	**$4,646,400**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Youth Program Appropriation. The sum of Three Hundred Thirty Two Thousand One Hundred Fifty Dollars **($332,150)** is appropriated from the General Fund to the Department of Youth Affairs (DYA) for Fiscal Year 2013 to fund programs contracted out to non-governmental organizations for youths who are runaways, homeless, or victims of abuse.

(r) GUAM ENVIRONMENTAL PROTECTION AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Environmental Protection Agency (GEPA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Guam Environmental Protection Agency Appropriations for Fiscal Year 2013. Six Hundred Fifty Six Thousand Seventy Three Dollars **($656,073)** are appropriated from various Special Funds for the operations of the Guam Environmental Protection Agency for fiscal year ending September 30, 2013. This sum is composed of Six Hundred Fifty Six Thousand Seventy Three Dollars **($656,073)** from the following Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
AIR POLLUTION CONTROL FUND	$184,422
GUAM ENVIRONMENTAL TRUST FUND	$331,869
WATER PROTECTION FUND	$66,461
WATER RESEARCH AND DEVELOPMENT FUND	$73,321
TOTAL	**$656,073**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GEPA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$303,607
OVERTIME	112	$0	$0
BENEFITS	113	$0	$114,801
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$103,020
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$37,145
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$60,000
WATER/SEWER	362	$0	$9,500
PHONE/TOLL	363	$0	$28,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$656,073**

(4) Closure, Monitoring, and Opening of the Island's Landfills. The sum of Two Hundred Thousand Dollars (**$200,000**) is hereby appropriated from the Solid Waste Operations Fund to the GEPA. The appropriation recognizes the duties and responsibilities of the Agency related to the closure, monitoring, and opening of the island's landfills.

(5) Beach Monitoring. The sum of One Hundred Thousand Dollars (**$100,000**) is hereby appropriated from the Tourist Attraction Fund to the GEPA for the *sole* purpose of beach monitoring. The Tourist Attraction Fund *shall* provide resources to the GEPA for tasks performed by the Agency related to the monitoring of the island's beaches and any other tourist infrastructure. As tourism represents a major contributor to the island's economy, this appropriation ensures that the island's beaches are safe for recreational and commercial use.

This appropriation *shall* continue to be available until expended. This appropriation is *not* subject to transfer or use for any other purpose.

(s) DEPARTMENT OF LABOR

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Labor (DOL) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Labor Appropriations for Fiscal Year 2013. The sum of One Million Four Hundred Seventy Eight Thousand Five Hundred Sixty One Dollars **($1,478,561)** is appropriated for the operations of the Department of Labor for fiscal year ending September 30, 2013. This sum is composed of One Million Fifty Five Thousand Three Hundred Eighty Five Dollars **($1,055,385)** from the General Fund; Four Hundred Twenty Three Thousand One Hundred Seventy Six Dollars **($423,176)** from Special Funds.

The sum of Forty Three Thousand Eight Hundred Dollars **($43,800)** of General Funds or Special Funds appropriated in this subsection are authorized as the Local Match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,055,385
MAN POWER DEVELOPMENT FUND	$423,176
TOTAL	**$1,478,561**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$43,800

(3) DOL General Funds Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$650,873	$667,999
OVERTIME	112	$0	$0
BENEFITS	113	$221,273	$242,809
TRAVEL	220	$0	$0
CONT. SERV.	230	$40,946	$40,549
OFF. RENTAL	233	$115,902	$26,004
SUP. & MAT.	240	$15,144	$14,520
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$42,100	$43,800
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$27,146	$19,704
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,113,384**	**$1,055,385**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Appropriation to the Worker's Compensation Fund. The sum of Seven Hundred Ninety Eight Thousand Five Hundred Ninety Three Dollars **($798,593)** is appropriated from the General Fund to the Department of Labor for the Worker's Compensation Fund for Fiscal Year 2013 for Worker's Compensation payments pursuant to § 9144 of Chapter 9, Title 22 GCA, including obligations incurred in past years and in the future. Said appropriation 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 his injury and the recovery there from may require. Said appropriation *shall not* be expended for disability compensation payments for FTE's funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars **($40,000)** from said appropriation to pay for legal services for Worker's Compensation hearings.

(t) DEPARTMENT OF PARKS AND RECREATION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Parks and Recreation (DPR) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Parks and Recreation Appropriations for Fiscal Year 2013. The sum of Three Million Four Hundred Fifty Thousand Eight Hundred Five Dollars **($3,450,805)** is appropriated for the operations of the Department of Parks and Recreation for fiscal year ending September 30, 2013. This sum is composed of Three Million Two Hundred Sixty Four Thousand Seven Hundred Seven Dollars **($3,264,707)** from the General Fund; One Hundred Eighty Six Thousand Ninety Eight Dollars **($186,098)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$3,264,707
PUBLIC RECREATION SERVICES FUND	$186,098
TOTAL	**$3,450,805**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DPR General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$1,645,961	$1,629,069
OVERTIME	112	$0	$0
BENEFITS	113	$591,850	$666,959
TRAVEL	220	$0	$0
CONT. SERV.	230	$56,970	$133,844
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$1,000	$57,000
EQUIPMENT	250	$0	$10,467
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$274,311	$350,000
WATER/SEWER	362	$216,053	$387,368
PHONE/TOLL	363	$27,272	$30,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$2,813,417**	**$3,264,707**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(4) Maintenance and Repair of Public Restrooms. The sum of Four Hundred Thousand One Hundred Sixty Six Dollars **($400,166)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance and repair of restroom facilities in public parks island-wide for Fiscal Year 2013. No later than thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation shall submit a quarterly report to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, the expenditures from this appropriation and post the same on the Department's website.

(5) Maintenance of Pool Facilities. The sum of Three Hundred Forty Nine Thousand Two Hundred Eleven Dollars **($349,211)** is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation for the maintenance of pool facilities for Fiscal Year 2013. These funds shall be used for the Northern Pool and the Hagatna Pool. No later than thirty (30) days after the end of every fiscal quarter, the Director of the Department of Parks and Recreation shall submit a quarterly report to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, the expenditures from this appropriation and post the same on the Department's website.

(u) DEPARTMENT OF LAND MANAGEMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Land Management (DLM) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Land Management Appropriations for Fiscal Year 2013. The sum of Three Million Six Hundred Thirty Three Thousand Five Hundred Eighty Two Dollars **($3,633,582)** is appropriated for the operations of the Department of Land Management for fiscal year ending September 30, 2013. This sum is composed of Four Hundred Five Thousand Eight Hundred Eighteen Dollars **($405,818)** from the General Fund and Three Million Two Hundred Twenty Seven Thousand Seven Hundred Sixty Four Dollars **($3,227,764)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$405,818
LAND SURVEY REVOLVING FUND	$3,227,764
TOTAL	**$3,633,582**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DLM General Fund Allocations for Fiscal Year 2013.

SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$0
OFF. RENTAL	233	$557,106	$405,818
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$557,106**	**$405,818**

(v) OFFICE OF THE CHIEF MEDICAL EXAMINER

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Office of the Chief Medical Examiner (CME) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Office of the Chief Medical Examiner Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty Six Thousand Five Hundred Ninety Nine Dollars **($426,599)** is appropriated for the operations of the Office of the Chief Medical Examiner for fiscal year ending September 30, 2013. This sum is composed of Four Hundred Twenty Six Thousand Five Hundred Ninety Nine Dollars **($426,599)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$426,599
TOTAL	**$426,599**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CME General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$257,296	$257,309
OVERTIME	112	$0	$0
BENEFITS	113	$90,563	$95,244
TRAVEL	220	$5,023	$8,440
CONT. SERV.	230	$44,542	$51,585
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$2,293	$6,396
EQUIPMENT	250	$0	$4,950
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$25
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$2,580	$2,650
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$402,297**	**$426,599**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(w) CUSTOMS AND QUARANTINE AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* that the Customs, Agriculture and Quarantine Agency (Customs and Quarantine) be fully funded by fees collected as a result of services provided to the visitor industry. The expenditures of Customs and Quarantine have increased significantly over the last three years due to two (2) ten percent (10%) increases to employee salaries and corresponding increases to retirement benefits and rent.

Customs and Quarantine has failed to implement fee increases during this time and as a result have required the following unbudgeted General Fund subsidy payments:

FY2009	$2,257,142
FY2010	$2,195,448
FY2011	$3,264,296

I Liheslaturan Guåhan finds that Customs and Quarantine has submitted a FY2013 budget request that increases the current expenditures by One Million Two Hundred Forty Four Thousand One Hundred Dollars ($1,244,100) or a 15.72% increase from its existing budget. There are no corresponding fee increases to remedy Customs and Quarantine current operating shortfall or the additional expenditures requested for FY2013.

I Liheslaturan Guåhan finds any General Fund subsidy to Customs and Quarantine unacceptable given the scarce General Tax Revenue resources available and therefore shall only authorize spending within the revenues generated by Customs and Quarantine.

I Maga'låhen Guåhan may use transfer authority to further subsidize Customs and Quarantine from other appropriations in the Executive Branch or may require Customs and Quarantine to raise its fees and become a self-sustained agency as

intended by *I Liheslaturan Guåhan* or may require Customs and Quarantine to reduce expenditures to align with available revenues.

(2) Customs and Quarantine Agency Appropriations for Fiscal Year 2013. The sum of Five Million Eight Hundred Ninety One Thousand Eight Hundred Three Dollars **($5,891,803)** is appropriated for the operations of the Customs and Quarantine for fiscal year ending September 30, 2013. This sum is composed of Five Million Eight Hundred Ninety One Thousand Eight Hundred Three Dollars **($5,891,803)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CUSTOMS, AGRICULTURE, AND QUARANTINE INSPECTION SERVICES FUND	$5,891,803
TOTAL	**$5,891,803**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(x) DEPARTMENT OF CHAMORRO AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Chamorro Affairs (DCA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Chamorro Affairs Appropriations for Fiscal Year 2013. The sum of Nine Hundred Ninety One Thousand Seven Hundred Fifty Dollars **($991,750)** is appropriated for the operations of the Department of Chamorro Affairs for fiscal year ending September 30, 2013. This sum is composed of Nine Hundred Ninety One Thousand Seven Hundred Fifty Dollars **($991,750)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$991,750
TOTAL	**$991,750**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) DCA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$756,207	$479,250
OVERTIME	112	$0	$0
BENEFITS	113	$283,520	$194,313
TRAVEL	220	$0	$0
CONT. SERV.	230	$53,093	$114,718
OFF. RENTAL	233	$189,628	$182,529
SUP. & MAT.	240	$10,056	$17,419
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$342,000	$0
POWER	361	$4,046	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$10,780	$3,521
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$1,649,330**	**$991,750**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(y) DEPARTMENT OF MILITARY AFFAIRS

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Department of Military Affairs (DMA) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Department of Military Affairs Appropriations for Fiscal Year 2013. The sum of Seven Hundred Two Thousand Fifty Four Dollars **($702,054)** is appropriated for the operations of the Department of Military Affairs for fiscal year ending September 30, 2013. This sum is composed of Seven Hundred Two Thousand Fifty Four Dollars **($702,054)** from the General Fund.

The sum of Seven Hundred Two Thousand Fifty Four Dollars **($702,054)** of General Fund or Special Funds appropriated in this subsection are authorized as the Local Match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$702,054
TOTAL	**$702,054**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$1,547,700

(3) DMA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$99,834	$216,476
OVERTIME	112	$0	$0
BENEFITS	113	$32,549	$79,094
TRAVEL	220	$1,700	$5,750
CONT. SERV.	230	$3,900	$27,096
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$3,615	$22,433
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$508,429	$11,322
POWER	361	$239,633	$325,344
WATER/SEWER	362	$0	$6,111
PHONE/TOLL	363	$6,104	$8,428
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$895,764**	**$702,054**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(z) GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Council on the Arts and Humanities Agency (CAHA) to expend their funds in accordance with *I Liheslaturan Guåhan's* Executive Budget Request Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Guam Council on the Arts and Humanities Agency Appropriations for Fiscal Year 2013. The sum of Three Hundred Forty Seven Thousand Five Hundred Dollars **($347,500)** is appropriated for the operations of the Guam Council on the Arts and Humanities Agency for fiscal year ending September 30, 2013. This sum is composed of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** from the General Fund; Forty Thousand Dollars **($40,000)** from Special Funds.

The sum of Three Hundred Seven Thousand Five Hundred Dollars **($307,500)** of General Funds or Special Funds appropriated in this subsection is authorized as the Local Match for Federal Matching Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$307,500
TOURIST ATTRACTION FUND	$40,000
TOTAL	**$347,500**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$307,500

(3) CAHA General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$89,109
OVERTIME	112	$0	$0
BENEFITS	113	$0	$38,672
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$26,559
OFF. RENTAL	233	$0	$35,000
SUP. & MAT.	240	$0	$1,756
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$97,530
MISC.	290	$0	$16,004
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$2,870
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$307,500**

*Tracking information for Fiscal Year 2012 ending General Fund expenditure projections not provided by BBMR.

(4) Guam Territorial Band. The Guam Territorial Band shall receive no less than Forty Thousand Dollars **($40,000)** from the Tourist Attraction Fund appropriation contained in Subsection (2) of this Subsection. Notwithstanding the general provisions of §30107.1 Title 11 Guam Code Annotated and this Act, this appropriation shall continue to be available until expended.

(aa) GUAM FIRE DEPARTMENT

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Fire Department (GFD) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Guam Fire Department Appropriations for Fiscal Year 2013. The sum of Twenty Nine Million Seven Hundred Thirteen Thousand Three Hundred Seventy Three Dollars **($29,713,373)** is appropriated for the operations of the Guam Fire Department for fiscal year ending September 30, 2013. This sum is composed of Twenty Seven Million Nine Hundred Eighty Nine Thousand Six Hundred Seventy Eight Dollars **($27,989,678)** from the General Fund; One Million Seven Hundred Twenty Three Thousand Six Hundred Ninety Five Dollars **($1,723,695)** from Special Funds.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$27,989,678
ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND	$1,650,630
FIRE, LIFE, AND MEDICAL EMERGENCY FUND	$73,065
TOTAL	**$29,713,373**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GFD General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$17,289,610	$18,429,699
OVERTIME	112	$2,496,205	$1,302,114
BENEFITS	113	$6,198,803	$7,070,495
TRAVEL	220	$0	$0
CONT. SERV.	230	$364,339	$212,893
OFF. RENTAL	233	$0	$105,000
SUP. & MAT.	240	$296,410	$338,910
EQUIPMENT	250	$0	$7,000
WRK. COMP.	270	$9,259	$20,000
DRUG TEST	271	$0	$3,500
SUBGRANT	280	$0	$0
MISC.	290	$88,200	$120,000
POWER	361	$194,015	$292,000
WATER/SEWER	362	$20,177	$64,067
PHONE/TOLL	363	$45,000	$24,000
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$27,002,018**	**$27,989,678**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(bb) GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION (PBS GUAM)

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Guam Educational Telecommunications Corporation (PBS Guam) to expend their funds in accordance with *I Maga'lahen Guåhan's* Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Guam Educational Telecommunications Corporation (PBS Guam) Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty Seven Thousand Seventy Two Dollars **($637,072)** is appropriated for the operations of the Guam Educational Telecommunications Corporation for fiscal year ending September 30, 2013. This sum is composed of Six Hundred Thirty Seven Thousand Seventy Two Dollars **($637,072)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$637,072
TOTAL	**$637,072**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) PBS Guam General Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY12 [1/ 2/]	FY13 ALLOC.
SAL/SPCL PAY	111	$266,836	$375,662
OVERTIME	112	$0	$0
BENEFITS	113	$105,920	$160,973
TRAVEL	220	$0	$0
CONT. SERV.	230	$21,666	$25,437
OFF. RENTAL	233	$0	$0
SUP. & MAT.	240	$0	$0
EQUIPMENT	250	$0	$0
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$0
POWER	361	$196,939	$75,000
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$591,361**	**$637,072**

[1/]Source: Bureau of Budget and Management Research for Fiscal Year 2012 ending General Fund expenditure projections submitted as of 08/01/12 using 10 months actual expenditures and 2 months of projections.

[2/]For information purposes only.

(cc) CHAMORRO LAND TRUST COMMISSION

(1) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the Chamorro Land Trust Commission (CLTC) to expend their funds in accordance with *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(2) Chamorro Land Trust Commission Appropriations for Fiscal Year 2013. The sum of Six Hundred Thirty Nine Thousand Nine Hundred Fifty Four Dollars **($639,954)** is appropriated for the operations of the Chamorro Land Trust Operations Fund for fiscal year ending September 30, 2013. This sum is composed of Six Hundred Thirty Nine Thousand Nine Hundred Fifty Four Dollars **($639,954)** from the Special Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
CHAMORRO LAND TRUST OPERATIONS FUND	$639,954
TOTAL	**$639,954**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) CLTC Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	*BBMR FY12	FY13 ALLOC.
SAL/SPCL PAY	111	$0	$225,723
OVERTIME	112	$0	$0
BENEFITS	113	$0	$110,118
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$175,000
OFF. RENTAL	233	$0	$48,000
SUP. & MAT.	240	$0	$16,800
EQUIPMENT	250	$0	$3,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$113
SUBGRANT	280	$0	$0
MISC.	290	$0	$7,200
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$54,000
GRAND TOTAL		**$0**	**$639,954**

*Tracking information for Fiscal Year 2012 ending expenditure projections not provided.

CHAPTER VI

LEGISLATIVE BRANCH

Section 1. Appropriation. The sum of Seven Million Four Hundred Forty Six Thousand Six Hundred Thirty Five Dollars (**$7,446,635**) is appropriated from the General Fund to *I Liheslaturan Guåhan* for its operations, including personnel services, for Fiscal Year 2013.

Section 2. Appropriation to the Office of Finance and Budget. The sum of Three Hundred Seventy Eight Thousand Seven Hundred Thirty Seven Dollars (**$378,737**) is appropriated from the General Fund to *I Liheslaturan Guåhan*, specifically for the Office of Finance and Budget (OFB) for its operations, including personnel services, for Fiscal Year 2013.

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) expend the funds in accordance with the appropriation in Chapter VII, Part I, Section 2. *I Liheslaturan Guåhan* supports the efforts of the OAG to acquire the appropriate technology to replace its aging APASI system. The OAG *shall* submit to the Speaker of *I Liheslaturan Guåhan*, a formal commitment letter from the respective grantor agency, pledging the total federal funds for the APASI system upgrade *prior to* any expenditures over Five Hundred Thousand Dollars **($500,000)** toward the APASI system upgrade.

Section 2. Appropriation for Fiscal Year 2013. The sum of Eleven Million Four Hundred Seventy Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** is appropriated to the Office of the Attorney General for fiscal year ending September 30, 2013. This sum is composed of Eleven Million Four Hundred Seventy Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** from the General Fund and *shall be* expended in accordance with the object class allocations outlined below:

PERSONNEL OBJECT CATEGORIES (111 to 115)	$8,056,186
OPERATIONS OBJECT CATEGORIES (220 to 450)	$3,423,374
TOTAL	**$11,479,560**

The sum of Eleven Million Four Hundred Seventy Nine Thousand Five Hundred Sixty Dollars **($11,479,560)** of General Funds or Special Funds appropriated in this subsection are authorized as the Local Match for Federal Grants-in-Aid.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$11,479,560
TOTAL	**$11,479,560**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$11,509,528

Section 3. Transfer Authority for the Office of the Attorney General (OAG). The OAG may transfer funds between appropriations in this Act for the OAG, *provided* that the OAG notifies *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) working days before the transfer is made, *except* that *no* funds *shall* be transferred to regular salaries (Object Class 111) and benefits (Object Class 113).

CHAPTER VII

LEGAL SERVICES

PART II – PUBLIC DEFENDER SERVICE CORPORATION

Section 1. Appropriation. The sum of Three Million Seven Hundred Ninety Six Thousand Seven Hundred Fifty Five Dollars (**$3,796,755**) is appropriated from the General Fund to the Public Defender Service Corporation for its operations, including personnel services, for Fiscal Year 2013.

Not more than Three Million Five Hundred Thirty Five Thousand Six Hundred Sixty Three Dollars **($3,535,663)** *shall be* expended for regular salaries (Object Class 111), overtime (Object Class 112), and benefits (Object Class 113).

Section 2. Transfer Authority for the Public Defender Service Corporation. The Public Defender Service Corporation (PDSC) may transfer funds between appropriations made in this Act for the PDSC, *provided* that the PDSC notify *I Maga'låhan Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) working days before the transfer is made.

CHAPTER VIII

MAYORS' COUNCIL OF GUAM

Section 1. Appropriation. Appropriations for Fiscal Year 2013. The sum of Eight Million Three Hundred Forty Four Thousand Seven Hundred Seventy Four Dollars **($8,344,774)** is appropriated for the operations of the Mayors' Council of Guam for fiscal year ending September 30, 2013. This sum is composed of Seven Million Five Hundred Seventy Eight Thousand Seven Hundred Sixty One Dollars **($7,578,761)** from the General Fund; Seven Hundred Sixty Six Thousand Thirteen Dollars **($766,013)** from Special Funds.

No more than Six Million Seven Hundred Twenty Four Thousand One Hundred Twenty Two Dollars **($6,724,122)** *shall be* expended for regular salaries (Object Class 111), overtime (Object Class 112), and benefits (Object Class 113). The total amount of Guam Highway Funds appropriated in this Section *shall be* expended for power (Object Class 361).

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$7,578,761
GUAM HIGHWAY FUND	$766,013
TOTAL	**$8,344,774**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

Section 2. Streets Maintenance and Beautification. The sum of One Million Thirty Six Thousand Twenty Six Dollars (**$1,036,026**) is appropriated from the unreserved fund balance of the Tourist Attraction Fund to the MCOG for Fiscal Year 2013 for the maintenance and beautification of village secondary and tertiary roads, and for the operations of the Mayors' offices, but *not* for personnel costs. 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**); and

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

Section 3. Island-Wide Village Beautification Projects. The sum of Four Hundred Seventy Thousand Nine Hundred Twenty One Dollars (**$470,921**) is appropriated from the Tourist Attraction Fund to the MCOG for Island-Wide Village Beautification Projects to include:

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

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

(c) 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, Chapter 5, Title 5, Guam Code Annotated.

Section 4. Grounds Maintenance for Schools. Subject to approval and scheduling of the public school principals, the Mayors are responsible for regular ground maintenance of Guam Department of Education school grounds in their respective districts where ground 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 scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

The sum of Four Hundred Forty Seven Thousand Eight Hundred Sixty Three Dollars **($447,863)** is appropriated from the General Fund to the MCOG Revolving Fund for the grounds maintenance of specified schools of the Department of Education, to be allocated as follows:

VILLAGE	SCHOOL	AMOUNT
Agana Heights	Agana Heights Elementary	$8,628
Agat	Marcial Sablan Elementary	$11,402
	Oceanview Middle	$16,749
Barrigada	P.C. Lujan Elementary	$8,881
	B.P. Carbullido Elementary	$7,449
	L.P. Untalan Middle	$0
Dededo	M.A. Ulloa Elementary	$13,049
	Wettengel Elementary	$17,103
	J.M. Guerrero Elementary	$14,570
	Liguan Elementary	$0
	Astumbo Elementary	$8,235
	Finegayan Elementary	$19,004
	V.S.A. Benavente Middle	$26,605
	Astumbo Middle	$0
	Okkodo High	$0

Inarajan	Inarajan Elementary	$5,866
	Inarajan Middle	$7,437
Mangilao	H.B. Price Elementary	$7,158
	George Washington High	$51,271
	Adacao Elementary	$0
Merizo	Merizo Elementary	$6,220
MTM	J.Q. San Miguel Elementary	$3,864
Ordot/Chalan Pago	Ordot/Chalan Pago Elementary	$12,909
	Agueda Johnston Middle	$14,583
Piti	Jose Rios Middle	$7,132
Santa Rita	H.S. Truman Elementary	$12,301
	Southern High	$39,275
	Alternative School	$4,206
Sinajana	C.L. Taitano Elementary	$4,232
Talofofo	Talofofo Elementary	$7,602
Tamuning	L.B. Johnson Elementary	$3,801
	Tamuning Elementary	$4,434
	Chief Brodie Elementary	$7,602
	JFK High School	$20,000
Umatac	F.Q. Sanchez Elementary	$0
Yigo	Upi Elementary	$9,502
	D.L. Perez Elementary	$16,470
	Machananao Elementary	$8,742
	F.B. Leon Guerrero Middle	$16,470
	Simon Sanchez High	$17,357
Yona	M.U. Lujan Elementary	$7,754
TOTAL FOR ALL VILLAGES		**$447,863**

Section 5. Public Safety and Social Education Programs. The sum of Four Hundred Sixteen Thousand Eight Hundred Sixty Dollars **($416,860)** is appropriated from the General Fund to the MCOG, with each village to receive Fifteen Thousand Dollars **($15,000)**, and with the remaining funds, if any to the MCOG, for Fiscal Year 2013, to be expended in accordance with plans approved by the MCOG or 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.

Section 6. Veterinarian & Animal Control Services.

(a) Legislative Intent. It is the intent of *I Liheslaturan Guåhan* for the MCOG to receive the exact amount of funding for Veterinarian and Animal Control services allocated in *I Maga'lahen Guåhan's*, Executive Budget Fiscal Year 2013 detailed agency budget allocations by object class set forth in Section 3.

(b) Appropriation. The sum of One Hundred Seventy Three Thousand Five Hundred Twenty Two Dollars **($173,522)** is appropriated from the General Fund to the MCOG for Veterinarian and Animal Control services in Fiscal Year 2013. The duties and responsibilities of the MCOG includes but is not limited to Controlling/Reducing the number of stray dogs and cats island-wide and pick-up and disposal of dead animals on Guam's thoroughfares.

The MCOG *shall* pass a resolution by October 20, 2012 to create a Veterinarian and Animal Control services budget which details revenue and expenditure distribution by village. Failure to pass a resolution by October

20, 2012 *shall* result in an automatic de-appropriation of One Hundred Seventy Three Thousand Five Hundred Twenty Two Dollars **($173,522)** from the MCOG General Fund appropriation and re-appropriation to the Department of Agriculture.

(c) Reporting. No later than thirty (30) days after the end of every fiscal quarter, the MCOG *shall* submit a quarterly report to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report, the expenditures from this appropriation and post the same on the MCOG website.

Section 7. Authority to Make Payments on Prior Year Obligations. Notwithstanding any other provision of Law, the Mayors' Council of Guam (MCOG) is hereby authorized to pay for prior year obligations incurred from its Fiscal Year 2013 appropriations.

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART I – OFFICE OF PUBLIC ACCOUNTABILITY

Section 1. Appropriations for Fiscal Year 2013. The sum of One Million Three Hundred Two Thousand Three Hundred Eighty Eight Dollars **($1,302,388)** is appropriated for the operations of the Office of Public Accountability for fiscal year ending September 30, 2013. This sum is composed of One Million Three Hundred Two Thousand Three Hundred Eighty Eight Dollars **($1,302,388)** from the General Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$1,302,388
TOTAL	**$1,302,388**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

CHAPTER IX

PUBLIC ACCOUNTABILITY, STANDARDS AND PRACTICES

PART II – GUAM BOARD OF ACCOUNTANCY

Section 1. Guam Board of Accountancy Appropriations for Fiscal Year 2013. The sum of Four Hundred Twenty Four Thousand One Hundred Dollars **($424,100)** is appropriated for the operations of the Guam Board of Accountancy for fiscal year ending September 30, 2013. This sum is composed of Four Hundred Twenty Four Thousand One Hundred Dollars **($424,100)** from the Special Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$0
GUAM BOARD OF ACCOUNTANCY FUND	$424,100
TOTAL	**$424,100**

For information purposes only:

FEDERAL MATCHING GRANTS-IN-AID	$0

(3) GBOA Special Fund Allocations for Fiscal Year 2013.

APPR. CLASS	OBJ. CLASS	BBMR FY2012	FY2013 ALLOC.
SAL/SPCL PAY	111	$0	$0
OVERTIME	112	$0	$0
BENEFITS	113	$0	$0
TRAVEL	220	$0	$0
CONT. SERV.	230	$0	$367,500
OFF. RENTAL	233	$0	$25,000
SUP. & MAT.	240	$0	$7,000
EQUIPMENT	250	$0	$5,000
WRK. COMP.	270	$0	$0
DRUG TEST	271	$0	$0
SUBGRANT	280	$0	$0
MISC.	290	$0	$19,600
POWER	361	$0	$0
WATER/SEWER	362	$0	$0
PHONE/TOLL	363	$0	$0
CAP. OUTLAY	450	$0	$0
GRAND TOTAL		**$0**	**$424,100**

CHAPTER X

GUAM VISITORS BUREAU

Section 1. Appropriation. The amounts below are appropriated from the Tourist Attraction Fund (TAF), *not* otherwise appropriated, to the Guam Visitors Bureau (GVB) for its operations in Fiscal Year 2013. This appropriation *shall* be expended in accordance with the allocations outlined in this Section.

SUMMARY OF APPROPRIATION

(a)	GENERAL ADMINISTRATION	$2,526,313
(b)	MARKETING	$9,104,882
(c)	PRINTING, PROMOTIONAL	$467,636
(d)	RESEARCH	$402,180
(e)	DESTINATION DEVELOPMENT	$1,521,373
TOTAL		**$14,022,385**

Section 2. Appropriation to GVB for Special Projects. The sum of One Million Two Hundred Fifteen Thousand Eight Hundred Fifty Five Dollars **($1,215,855)** is appropriated from the unreserved fund balance of the TAF to the GVB to fund the *Tumon* and *Hagåtña* Beach Cleaning, *Tumon* Landscaping, and Island-wide Roadways Maintenance projects in Fiscal Year 2013. After all of the foregoing projects within this Section are fully funded, the GVB Board of Directors *may* approve the use of the surplus funds for other Board-approved projects. Notwithstanding the general provisions of §30107.1, of Chapter 30, Title 11GCA, and this Act, this appropriation *shall* continue to be available until expended.

Section 3. Appropriation to GVB for *På'å Taotao Tåno'*. The sum of Eighty Thousand Dollars (**$80,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of *På'å Taotao Tano* to provide for the local match for the ANA Language Grant, the New *På'å* AmeriCorps, the *Guåhu*

Taotao Tåno' Annual Pageant, and the Northern Cultural Arts Program. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11GCA and this Act, this appropriation *shall* continue to be available until expended.

Section 4. Appropriation to GVB for the Historic *Inalåhan* Foundation. The sum of Thirty Thousand Dollars (**$30,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Historic *Inalåhan* Foundation. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11GCA and this Act, this appropriation *shall* continue to be available until expended.

Section 5. Appropriation to GVB for the Traditions Affirming our Seafaring Ancestry (TASA). The sum of Fifty Thousand Dollars (**$50,000**) is appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the TASA. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11GCA and this Act, this appropriation *shall* continue to be available until expended.

Section 6. Appropriation to GVB for the Tourism Education Council. The sum of Thirty Thousand Dollars **($30,000)** is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the Tourism Education Council. Notwithstanding the general provisions of §30107.1 of Chapter 30, Title 11 GCA and this Act, this appropriation *shall* continue to be available until expended.

Section 7. Appropriation to GVB for the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). The sum of Fifteen Thousand Dollars (**$15,000**) is hereby appropriated from the TAF to the GVB for the Fiscal Year 2013 operations of the *Håya* Cultural Preservation Foundation (*Sinangån-ta* Outreach). Notwithstanding the general provisions of §30107.1 of Chapter 30, 11 GCA and this Act, this appropriation *shall* continue to be available until expended.

Section 8. Appropriation to the Guam Visitors Bureau Rainy Day Fund. The sum of Two Hundred Thousand Dollars (**$200,000**) is hereby appropriated from the TAF to the GVB for deposit in the Rainy Day Fund, in accordance with the provisions set forth in Section 1(b) of Public Law 30-116, for the purposes cited therein. Notwithstanding the general provisions of §30107.1 of Chapter 30, 11 GCA and this Act, this appropriation *shall* continue to be available until expended, and is *not* subject to transfer *or* use for any other purpose.

CHAPTER XI

MISCELLANEOUS APPROPRIATIONS

Section 1. Income Tax Refund Appropriations. There *shall* be reductions throughout the government of Guam operations of not less than the sum of Fourteen Million Five Hundred One Dollars **($14,000,501)** that *shall* be used for the payment of income tax refunds.

(a) Reductions to Operations of the Executive Branch.

(1) Effective October 1, 2012, the sum of Two Million Six Hundred Two Thousand Nine Hundred Fifty Seven Dollars **($2,602,957)** is de-appropriated from any amounts appropriated from the General Fund in Chapter III and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

No more than Fifteen percent (15%) shall be de-appropriated from any eligible individual appropriation in Chapter III.

Notwithstanding any other provision of law and this Act, no funds *shall* be de-appropriated from the General Fund from Chapter III, Part II, Sections 4, 5, 6, and 7.

(2) Effective October 1, 2012, the sum of Eight Million Four Hundred Twenty Two Thousand Nine Hundred Twenty Dollars **($8,422,920)** is de-appropriated from any amounts appropriated from the General Fund in Chapter V and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA for income tax refund payments.

No more than Eight percent (8%) shall be de-appropriated from any individual eligible appropriation in Chapter V.

Notwithstanding any other provision of law and this Act, no funds *shall* be de-appropriated from the General Fund from Chapter V, Sections 1(d)(4), 1(g)(4), 1(g)(5), 1(g)(6) and 1(g)(7).

(b) Reductions to Operations of the Guam Legislature.

(1) Effective October 1, 2012, the sum of Three Hundred Eighty Three Thousand Five Hundred Two Dollars **($383,502)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(2) Effective October 1, 2012, the sum of Nineteen Thousand Five Hundred and Five Dollars **($19,505)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VI, Section 2 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(c) Reductions to Operations of the Unified Judiciary.

(1) Effective October 1, 2012, the sum of One Million Two Hundred Seventy Four Thousand Thirty Eight Dollars **($1,274,038)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IV, Section 1 and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA for income tax refund payments.

(d) Reductions to Operations of the Office of the Attorney General.

(1) Effective October 1, 2012, the sum of Five Hundred Ninety One Thousand One Hundred Ninety Seven Dollars **($591,197)** is de-appropriated from the amounts appropriated from the General Fund in

Chapter VII, Part I and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA for income tax refund payments.

(e) Reductions to Operations of the Public Defender Service Corporation.

(1) Effective October 1, 2012, the sum of One Hundred Ninety Five Thousand Five Hundred Thirty Three Dollars **($195,533)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VII, Part II and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA for income tax refund payments.

(f) Reductions to Operations of the Mayor's Council of Guam.

(1) Effective October 1, 2012, the sum of Four Hundred Forty Three Thousand Seven Hundred and Seventy Six Dollars **($443,776)** is de-appropriated from the amounts appropriated from the General Fund in Chapter VIII and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11, Guam Code Annotated for income tax refund payments.

(g) Reductions to Operations of the Office of Public Accountability.

(1) Effective October 1, 2012, the sum of Sixty Seven Thousand Seventy Three Dollars **($67,073)** is de-appropriated from the amounts appropriated from the General Fund in Chapter IX, Part I and are hereby re-appropriated to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA for income tax refund payments.

The Treasurer of Guam, as a ministerial duty, *shall* deposit One Million One Hundred One Thousand One Hundred Forty Eight Dollars **($1,101,148)** cash from

daily collections which is equal to one-twelfth of the total sum re-appropriated in this section by the last day of each month during Fiscal Year 2013 into the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title 11GCA.

The cash deposits mandated by this section *shall* be considered separate and apart from any required deposits in Title 11GCA, Chapters 50 and 51, and *shall not* be credited toward any required deposits in Title 11GCA, Chapters 50 and 51 identified in Chapter I, Section 2(I)(A) of this Act and Chapter I, Section 6(a) of this Act.

Section 1303, Title 5GCA, *shall not* apply to the re-appropriation in this section. The re-appropriation in this section *shall not* be subject to *I Maga'låhen Guåhan*'s transfer authority.

Section 2. Public Streetlights Appropriations.

(a) **Special Fund Appropriations.** The sum of Three Million Five Hundred Ninety Thousand Two Hundred Sixty One Dollars (**$3,590,261**) is appropriated from the Streetlight Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

(b) The sum of Three Million Seven Hundred Nine Thousand Seven Hundred Thirty Nine Dollars (**$3,709,739**) is appropriated from the Guam Highway Fund to the Department of Administration to pay the Guam Power Authority for the operation of public streetlights in Fiscal Year 2013.

Section 3. Appropriations to Retirees for Supplemental Annuity Benefits and for Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety Six Thousand Three Hundred Three Dollars (**$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2013 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) hereof *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 retiree 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 that *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 2013, 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) hereof 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, 2012, and April 15, 2013, respectively. Said remittances *shall not* be subject to *I Maga'låhen Guåhan's* transfer authority.

(f) The sum of Sixteen Million Nine Hundred Twenty Two Thousand Six Hundred Sixty Eight Dollars **($16,922,668)** is appropriated from the General Fund and Seven Million Five Hundred Thousand Dollars **($7,500,000)** is appropriated from the Section 2718 Fund to the GGRF to pay the following two (2) items for current retirees for Fiscal Year 2013 :

(1) Retiree group health, dental and life insurance premiums (to continue existing programs currently contained in the semi-monthly payments); and

(2) Retiree life insurance subsidy (to continue existing programs currently contained in the semi-monthly payments).

(g) For Fiscal Year 2013, 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 payments for retirees who have retired from those respective agencies. Said remittances *shall* be paid in two (2) equal installments on or before October 10, 2012, and on or before April 1, 2013, respectively. The agencies' remittances for medical, dental and life insurance mandated herein are *ex gratia* payments, and are for Fiscal Year 2013 *only*.

(h) For Fiscal Year 2013, the sum of One Million Nineteen Thousand Nine Hundred Seventy Dollars (**$1,019,970**) is appropriated from the General Fund to the GGRF to pay the cost of Medicare premiums for government of Guam retirees and their survivors domiciled on Guam, and 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.

(i) For Fiscal Year 2013, the sum of Two Hundred Forty Two Thousand Eight Hundred Forty Five Dollars (**$242,845**) 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.

(j) For Fiscal Year 2013, the sum of Four Hundred Eighty Seven Thousand One Hundred Fifty Dollars (**$487,150**) 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.

(k) 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 (g) hereof.

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

"(6) the prospective payment of supplemental benefits for the period of October 1, 2012 through September 30, 2013 for survivors of those employees who retired prior to October 1, 1995, to be paid in the following manner:

(i) 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.

(ii) *No* person eligible for Retiree Supplemental Annuity Benefits provided for in this Section *shall* receive such benefits if 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.

(iii) 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. Disability Supplemental Annuity Additions. §8129(g) of Chapter 8, Article 1, Title 4GCA is *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, 2012 and ending on September 30, 2013, 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 Paragraph (g) of this Section *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 6. Retirees Supplemental Annuity Additions. §8122(d)(6) of Chapter 8, Article 1, Title 4GCA 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, 2012 and ending on September 30, 2013, prospective, non-cumulative supplemental annuity benefits as follows:

(i) 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.

(ii) *No* retiree who is eligible for Retiree Supplemental Annuity Benefits provided for in this Section *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.

(iii) 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 7. 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 One Thousand One Hundred Dollars (**$1,100**) to each retiree of the GGRF who is retired as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012, *unless* the annuitant chooses in writing to receive bi-monthly payments from October 1, 2012 through September 30, 2013. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred Dollars (**$6,770,500**) 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 One Thousand One Hundred Dollars (**$1,100**) to every Government of Guam Retirement Fund retiree who retired from each respective aforementioned agency as of September 30, 2012, *or* his survivor, *no later than* November 1, 2012, *unless* the annuitant chooses in writing to receive bi-monthly payments from October 1, 2012 through September 30, 2013.

(c) Each agency mentioned in Subsection (b) *shall* reimburse the General Fund for any COLA paid by the Fund in Fiscal Year 2013 to retirees who have retired from that agency and their survivors, *no later than* December 31, 2012.

(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 8. Appropriation to Department of Education for GPA Promissory Note.

(a) The sum of One Million Four Hundred Thirty Two Thousand Seven Hundred Fifty Three Dollars (**$1,432,753**) is hereby appropriated from the Territorial Education Facilities Fund to the Department of Administration to pay the Guam Power Authority for the Guam Department of Education Promissory Note (the agreement between the GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the "installation payment agreement for the past due electrical service") in Fiscal Year 2013.

Section 9. Appropriations to the Guam Regional Transit Authority. The sum of Three Million Nine Hundred Five Thousand Eight Hundred Ninety Nine Dollars **($3,905,899)** is appropriated for its operations for Fiscal Year 2013 and is composed of the following:

a) Three Hundred Forty Nine Thousand Two Hundred Ten Dollars **($349,210)** from the Public Transit Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority pursuant to §26503(b) of Chapter 26, Article 5, Title 11 GCA;

b) Three Million Five Hundred Fifty Six Thousand Six Hundred Eighty Nine Dollars **($3,556,689)** from the Guam Highway Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority.

Section 10. Guam Election Commission Appropriation. The sum of Seven Hundred Fifty Six Thousand Twenty Seven Dollars **($756,027)** is appropriated from the General Fund to the Guam Election Commission for its operations during Fiscal Year 2013.

Section 11. Guam Solid Waste Authority Appropriation. For Fiscal Year 2013, the sum of Seven Million Seven Hundred Fifty Nine Thousand One Hundred Six Dollars **($7,759,106)** is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority pursuant to Public Law 31-20.

Section 12. Guam Farmers' Cooperative Association of Guam, Inc. Appropriation. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the General Fund to the University of Guam for the purpose of assisting the Guam Farmers' Cooperative Association of Guam, Inc. to progress with their "Action Plan," as submitted to *I Liheslaturan Guåhan* on March 16, 2009 for a farmer-driven initiative for food import substitution to promote local jobs and food security for the people of Guam and the development of a business

plan for the operation of a Farmer's Cooperative facility to be constructed in Dededo, funded by the Tourist Attraction Fund bond proceeds.

Section 13. Guam Football (Soccer) Association *I Liheslaturan Guåhan* finds pursuant to P.L. 24-33 as amended, the Guam Football (Soccer) Association was authorized to develop soccer facilities utilizing matching tax credit programs as authorized in Chapter 77, Article 3, Title 12 GCA, located in the northern and southern parts of Guam.

I Liheslaturan Guåhan further finds that the soccer fields have been instrumental in the expansion of football (soccer) throughout Guam. Due to the dedicated staff and volunteers, soccer has grown and continues to increase every year. Because of its increase popularity throughout the island, there is a continuing need to expand facilities for programs managed and operated by Guam Football (Soccer) Association.

Therefore, it is the intent of *I Liheslaturan Guåhan* to continue to support the Guam Football (Soccer) Association in its effort to continue developing soccer fields and facilities throughout the island to assist and further promote the sport of soccer and healthy lifestyles of Guam residents.

(a) §77305 of Chapter 77, Article 3, Title 12GCA is hereby *amended* to read as follows:

"§77305. Cap on BRT Credits for Design and Construction of the Soccer Stadium and Facilities.

The total amount of credits against Business Privilege Taxes for the design and construction of the soccer stadium and facilities authorized herein shall not exceed One Million Two Hundred Thousand Dollars ($1,200,000). The development of soccer facilities in the southern part of the island shall be funded using additional tax credits and/or matching funds secured."

CHAPTER XII

MISCELLANEOUS PROVISIONS

Section 1. Deficit Reduction. All unpaid prior year obligations, including obligations for tax refunds; vendor payables; back pay for employees or other obligations resulting from judgments or awards approved prior to FY 2013 by any regulatory body, court or administrative authority, which remain unpaid at the beginning of FY 2013, *unless* otherwise authorized, *shall* be paid from the un-appropriated General Fund revenues collected in excess of appropriations and reserved for deficit reduction pursuant to §22436 of Chapter 22, Article 4, Title 5 GCA. The obligations *shall* be paid in the order of when they were incurred, with the longest outstanding obligation being paid first and so forth. The Department of Administration *shall* transmit a copy of the cumulative prior year obligations on a quarterly basis to *I Maga'låhen Guåhan*, the Speaker of *I Liheslaturan Guåhan,* and the Office of Finance and Budget. If the Governor declares that the non-payment of prior year's obligation will disrupt essential services to a department or agency, he may utilize FY 2013 appropriations for the agency provided BBMR imposes a corresponding reserve and reduces the Department's current year allotment by the same amount.

Section 2. 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 GGRF, including the employee and employer retirement contributions. Any and all fees, interest at actuarial set assumed rate of return for fund investments 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.

Section 3. Volunteers and Donations for Skinner Plaza, *Plaza De España* and Guam Congress Building. The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but *not* restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the *Plaza De España*, and the Guam Congress Building (also known as the Old Legislative Building).

Section 4. Temporary Employment of Retired Corrections Officers. The Department of Corrections (DOC) may hire retired Guam Corrections Officers if a critical need arises. Retired corrections officers hired under this Section may receive their retirement annuity while employed on this temporary basis. Officers may *only* be hired under this Section to fill positions left vacant because of military activation of corrections officers or absence due to a long term disability status which has been certified by a medical doctor. The DOC may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in filling those positions and *shall* be terminated when the incumbent returns from military service. Retired 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 requirements for the position in question, except for written examinations, and the Director of DOC *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Chapter 8, Article 1, Title 4GCA, 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.

Section 5. 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, except for written examinations, and the Chief of Police of GPD *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Chapter 8, Title 4GCA, retirees hired temporarily pursuant to this Section may continue to receive retirement benefits. The GPD may pay for Civilian Volunteer Police Reserve stipends to the Police Reserve Officer to provide temporary services because of military activation of the 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.

Section 6. 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 fire personnel 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* first 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) of Chapter 8, Title 4GCA, 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.

Section 7. 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 or when vacancies cannot be filled within six (6) months because of the lack of qualified applicants. 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 or when a fully-qualified applicant is available. 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 requirements for the position in question, except for written examinations, and the Director of CQA *shall* certify that every retiree hired is fit for duty. The requirements of Chapter 51, Title 17GCA are waived for employment pursuant hereto except for §51104(b)(4). Notwithstanding §8121(a) of Chapter 8, Title 4GCA, 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.

Section 8. Temporary Employment of Retired Department of Revenue and Taxation Employees. The Department of Revenue & Taxation (DRT) may hire retired employees of the DRT when a critical need arises or absence due to a

long term disability status which has been certified by a medical doctor. The DRT may exercise this hiring authority provided its authorized budget for personnel is *not* exceeded in the areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step I for the position in question and *shall not* receive sick and annual leave. Notwithstanding §8121(a) of Chapter 8, Title 4GCA, 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.

Section 9. Government of Guam Health Insurance Program Enrollment for Employment Pursuant to Public Law 31-01. Any employee hired pursuant to Public Law 31-01 *shall only* be eligible to enroll in the Government of Guam Health Insurance Program as an active employee.

Section 10. 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 11. Advance Payments for Medical Services. In order to expedite acceptance of Medically Indigent Program (MIP) clients referred to medical facilities accredited by the Joint Commission for medical services approved by the MIP, the Director of Public Health and Social Services (DPHSS) may advance payments for said medical services or air ambulance program(s) established by Section 33, Chapter V of Public Law 28-150, and may establish escrow accounts for immediate and advance payment of medical services at hospitals and other medical facilities accredited by the Joint Commission determined by the Director of DPHSS to best serve MIP clients.

Section 12. 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 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 of government;

(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 discrimination based on political affiliation, gender, or sexual harassment, unless the employee consents to said 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, DMHSA, *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; and

(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.

(b) *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslatura* 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.

Section 13. Contracts Exceeding Funds Restriction. No agency *shall* contract or agree to spend any money for goods or services or in settlement of a lawsuit or claim in excess of the amount appropriated by the Legislature to that Agency for such goods, services, claim, or settlement, and BBMR *shall* not allot funds to that agency for the payment of any amount towards such goods, services, claim, or settlement if the total amount of the goods, services, claim, or settlement is more than the amount appropriated or amount allotted by BBMR. Any contract or agreement made in violation hereof shall be void. Any agency head or certifying officer who knowingly contracts or agrees to spend any money in excess of said allotments shall be guilty of a misdemeanor.

Section 14. Restrictions on Hiring of Unclassified Employees. *No* government funds of any kind or description may be expended for the employment or hiring of unclassified employees of the government of Guam, *except* for the following:

(a) Certified persons in the Guam Department of Education, as identified in §715(12) of 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 Department of Mental Health and Substance Abuse, 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 Army National Guard, the 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 Segundo Na Maga'låhen Guåhan* and the Guam State Clearinghouse, and department or agency heads, deputies 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, 2011, *shall* meet the minimum Knowledge, Abilities and Skills (KAS) associated with such position; and

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

Section 15. Board and Commission Meeting Stipends. Any compensation or stipend owed to a Board or Commission member for attending a regular or special meeting in FY 2013 *shall* be paid from the budget of the department or agency responsible for the administrative support and operations of such Boards or Commissions. 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 16. Contracts. Positions in the classified and unclassified service *shall not* be filled pursuant to a contractual arrangement, *except* as provided in this Section for FY 2013.

(a) Subject to Chapter 5, Title 5GCA, 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 and the Public Defender Service Corporation 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 let 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 and the Executive Director of the Public Defender Service Corporation *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; and the Department of Public Health and Social Services and the Department of Mental Health and Substance Abuse 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 17. Wireless Communications Restrictions. *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 Segundo 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 Department of Mental Health and Substance Abuse; law enforcement officials; on-call health professionals at the Guam Memorial Hospital Authority, the Department of Mental Health and Substance Abuse, and the Department of Public Health and Social Services; Village Mayors and Vice Mayors; GFD and EMS officials; on-call emergency management personnel; the Chief Medical Examiner, and the Guam Visitors Bureau.

Section 18. 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 to the Speaker of *I Liheslaturan Guåhan*, *no later than* June 30 of each year, the actual number of program completers and/or certificates issued for each 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 19. If any Cost Accounts created by this Act require existing automated postings within the Government of Guam Financial Management System to be manually duplicated to conform to the requirements in this Act the Department of Administration may instead report the details of the Cost Account outside the Financial Management System.

Section 20. As an incentive to conserve energy and water consumption, departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices of the Mayors Council of Guam, are hereby authorized to transfer any unexpended FY 2013 appropriations for utilities, to other expenditure categories within their respective budgets. Any unexpended utility funds *shall not* be subject to any transfer authority of *I Maga'lahi* (the Governor), and may be carried over and are authorized for use by the departments, agencies, and instrumentalities of the government of Guam, inclusive of the University of Guam, the Guam Community College, and all Mayoral Offices of the Mayors Council of Guam during succeeding fiscal years.

Section 21. Section 4302.3 of Chapter 4, Article 3, Chapter 4, Title 4 GCA is hereby *amended* to read:

"**§4302.3. Creation of the Section 2718 Fund.**

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Section 2718-Fund (hereinafter *Fund*). The Fund *shall* be separate and apart from all other funds of the government of

Guam, *shall* be kept in a separate bank account, and *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan* or *any* interfund transfers.

(b) All proceeds from rebates paid to and entitled to the government of Guam pursuant to Section 2718(b)(1)(A) of the Public Health Services Act, as amended by the Patient Protection and Affordable Care Act (PPACA), Public Law 111-148, *shall* be deposited in the ~~Section 2718~~ Funds.

(c) All proceeds from reductions in quarterly premiums for non-compliance with the requirements of Public Law 30-93 relative to disclosure of detailed claims utilization and cost information, *shall* be deposited in the ~~Section 2718~~ Fund.

(d) Notwithstanding the general provisions of 5 GCA § 22406 which require that unused and de-appropriated funds revert the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds appropriated from the ~~Section 2718~~ Fund *shall*, in all circumstances, and whether in whole or in part, be returned to the ~~Section 2718~~ Fund and *not* the General Fund.

(e) Notwithstanding the provisions of 5 GCA §21103, §21107 and §21110 or any other provision of Guam law to the contrary, all interest earned on the ~~Section 2718~~ Fund *shall* be returned to the ~~Section 2718~~ Fund.

(f) The Director of Administration *shall* submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned collected and expended from the ~~Section 2718~~ Fund and *shall* post such report on the Department's website.

(g) All proceeds as a result of an Experience Refund or a positive Actual Experience from the Experience Participation provisions in the Health Insurance Contract between the Health Insurance Provider and the government of Guam *shall* be deposited into the Fund. For the purposes of this Subsection (g), Target Experience means the amount calculated by multiplying (1) the total premiums

earned by the Health Insurance Provider for the full 12-month Plan Year ending the last day of the fiscal year under the Participating Policies issued to the government of Guam with respect to such Plan Year, by (2) a percentage not lower than eighty six percent (86%); Actual Experience means an amount calculated by subtracting from the Target Experience all claims incurred during such Plan Year under all the Participating Policies; and Experience Refund means a positive Actual Experience.

Section 22. Monthly Income Tax Refund Efficient Payment Trust Fund Bank Statements. Beginning with the month ended August 2012, the Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund monthly bank statements to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *no later than* twenty-five (25) days after the end of each month. The Director of Administration *shall* submit the Income Tax Refund Efficient Payment Trust Fund bank statements for the months of January 2011 through July 2012 to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget *no later than* ten (10) days after the enactment of this Act.

CHAPTER XIII

ADMINISTRATIVE PROVISIONS

Section 1. Authorization for Matching Requirements for Federal Grants-in-Aid. All departments are authorized to expend funds appropriated in this Act for matching requirements of Federal grants.

Section 2. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs whose expiration dates extend beyond September 30, 2013 *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) of Chapter 8, Article 1, Title 4 GCA, the government rate of contribution to the Government of Guam Retirement Fund throughout Fiscal Year 2013 *shall* be thirty and nine hundredths percent (30.09%).

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 in 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. Revenue Tracking Report. The Director of the Bureau of Budget and Management Research, in collaboration with the Director of Revenue and Taxation and the Director of the Department of Administration, *shall* determine, after the end of each month of the fiscal year, the revenue tracking for the balance of the fiscal year, based upon the actual collections of the preceding month, and prepare a statement comparing "actual" and "projected" revenues. Said

statement *shall* be certified as to its accuracy by each of the aforementioned Directors, and submitted to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and a written report, *no later than* thirty (30) days after the end of each month of the fiscal year. Said statements *shall* be posted monthly on the Bureau of Budget and Management Research's website. The Director of the Bureau of Budget and Management Research and the Director of *I Liheslaturan Guåhan* and the Office of Finance and Budget *shall* from time to time meet to revise, approve and implement changes to the format of the report.

Section 6. Prior Year Appropriations Report. *I Liheslaturan Guåhan* finds that in order to work effectively to reduce and manage the deficit of the government of Guam, it will need to repeal or de-appropriate past appropriations, which remain outstanding but *not* expended. To assist in this effort, the Department of Administration *shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on January 1, 2013 of all open continuing appropriations from *all* fiscal years prior to 2012, which have *not* been encumbered or fully expended as of the date of the report. Thereafter, quarterly updates to the report *shall* be submitted until unexpended appropriations from prior fiscal years are eliminated by repeal or other operation of law.

Section 7. Exemption from BBMR Allotment Release Control. §1303 of Chapter 1, Article 3, Title 5GCA, *shall not* apply to the *I Liheslaturan Guåhan* (including the Office of Finance and Budget), the Public Defender Service Corporation, and the Unified Judiciary of Guam. Said entities may draw against their respective appropriations as needed to meet their obligations in accordance with a drawdown schedule that said entities *shall* submit to the Director of the Department of Administration, *no later than* October 31, 2012. Failure to submit such drawdown schedule *shall* subject such entity to the allotment release control by the Bureau of Budget and Management Research.

Section 8. Special Fund Transfer. Unless specified in this Act, *I Maga'låhen Guåhan* is authorized to transfer to the General Fund any cash available from any appropriated Special Fund to fund the appropriations authorized by this Act. All cash amounts from Special Funds transferred to cover the appropriations authorized by this Act or any other Act or Law authorizing appropriations *shall* be promptly reimbursed to the Special Fund from which it was withdrawn within sixty (60) days after receipt of said funds. *I Maga'låhen Guåhan shall* submit a report to the Speaker of *I Liheslaturan Guåhan* on the fifth (5th) day of every month on all transfers and reimbursements made pursuant to this Section. Said report *shall* enumerate the amount of each transfer, identify the funds to and from which the transfer was made, the object class reduced by the transfer out and the object class receiving the transfer and state the purpose of each transfer. Unless otherwise restricted or specifically allowed by this Act, for FY 2013.

Notwithstanding any other provision of law, no funds *shall* be transferred out of the Chamorro Land Trust Operations Fund and the Guam Department of Education Operations Fund for Fiscal Year 2013 Special Fund appropriations made to the Guam Department of Education and the Chamorro Land Trust Commission.

Section 9. 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 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 10. 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 Five Thousand Dollars (**$5,000**) or more prior to awarding the contract therefore;

(c) Access to the overseeing department 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, 2013. The overseeing department or agency *shall* post the same on its website.

(f) 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 11. Fund Reversions. *Unless* otherwise specified in this Act:

(a) General Fund Reversion. All unexpended or unencumbered appropriations made from the General Fund pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2013.

(b) Tourist Attraction Fund Reversion. All unexpended or unencumbered appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2013.

(c) Healthy Futures Fund Reversion. All unexpended or unencumbered appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2013.

(d) Territorial Education Facilities Fund Reversion. All unexpended or unencumbered appropriations made from the Territorial Education Facilities Fund pursuant to this Act *shall* revert to the Territorial Education Facilities Fund on the last day of Fiscal Year 2013.

(e) Guam Highway Fund Reversion. All unexpended or unencumbered appropriations made from the Guam Highway Fund pursuant to this Act *shall* revert to the Guam Highway Fund on the last day of Fiscal Year 2013.

Section 12. Restriction on the Home Use of Government of Guam Vehicles. *Except* when expressly permitted by §1103(c) of 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.

Section 13. Transfer Authority of *I Maga'låhen Guåhan.* Unless otherwise restricted or specifically allowed by this Act, for FY 2013 *I Maga'låhen*

Guåhan is authorized to transfer *up to* five percent (5%) between Fiscal Year 2013 General Fund Executive Branch appropriations contained in Chapter V and in Parts II, III and IV of Chapter III of this Act; *provided* that notice of each transfer and justification therefore are delivered at least fifteen (15) working days before the transfer is made to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget.

Notwithstanding any other provision of law, no funds *shall* be transferred out of the Guam Department of Education Operations Fund for Fiscal Year 2013 General Fund appropriations made to the Guam Department of Education, the Unified Judiciary, *I Liheslaturan Guåhan*, the Office of Finance and Budget, the Mayors Council, the Public Defender Service Corporation, the Ancestral Lands Commission, and the Office of Public Accountability.

Section 14. Email Addresses Paid for with Government of Guam Funds. The Office of *I Maga'låhen Guåhan shall* create a list of all email 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 15. Combined Purchase of Textbooks. The Guam Department of Education, the University of Guam, and the Guam Community College *shall* together develop a more cost-effective method of purchasing textbooks for the government of Guam, in which the government would benefit from the economies of scale and combined purchasing power of the three (3) institutions. The joint proposal *shall* target implementation for School Year 2013-2014 and *shall* be submitted to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* January 15, 2013

Section 16. Uniform Allowances. Uniform allowances authorized in this Act *shall not* be less than One Hundred Fifty Dollars (**$150**) for the Fiscal Year,

and *shall* be issued to the employees *no later than* the end of the first quarter of FY 2013.

Section 17. Administration of Deficit Reduction. The Department of Administration is hereby designated the authority to receive and process claims submitted pursuant to Section 1 of Chapter XII of this Act.

Section 18. Government Staffing Pattern

(a) Staffing Pattern. *No later than* thirty (30) days after the end of each quarter of Fiscal Year 2013, 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 FY 2013 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 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 2013, the Director of the Department of Administration *shall* post the government wide line agency staffing pattern on the bit.guam.gov portal on the 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 FY 2013 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 salary and benefits, and the gross salary and benefits paid for during the quarter.

Section 19. Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report. The Director of the Department of Administration *shall* submit a Quarterly Statement of Revenues, Expenditures and Changes in Fund Balance Report to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report *no later than* thirty (30) days after the end of each quarter. Each quarterly report *shall* itemize (a) the Revenues by (1) Individual Income Taxes, (2) Corporate Taxes, (3) Withholding Taxes, (4) Interest and Penalties, (5) Gross Receipts Taxes, (6) Federal Sources, (7) Use of Money and Property, (8) Licenses, Fees and Permits, (9) Department Charges, and (10) Other Revenues; (b) the Expenditures by Department by Object Class; and (c) Other Sources (Uses) by Transfers In, Transfers Out, Other Sources, and Other Uses. The Transfers In *shall* be itemized by Fund transferred from and Transfers Out *shall* be itemized by Fund transferred to. Each monthly report *shall* be posted on the Department of Administration's website as a Microsoft Excel file *no later than* thirty (30) days after the end of each quarter.

Section 20. Monthly Cash Balance Reports for General and Special Funds. The Director of the Department of Administration *shall* submit a monthly report of beginning cash balances, cash deposits, cash withdrawals, and ending cash balances of the government of Guam General, Special Funds and Trust Funds and Accounts to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report *no later than* twenty (20) days after the end of each month. The Director *shall* prepare the report in the format that was prescribed and prepared by the Office of Finance and Budget in Fiscal Year 2012. Each monthly report *shall* itemize *all* General Fund and Special Fund cash

balances by bank, by bank account name, by bank account number, and by fund name.

Section 21. Reporting Requirements for Boards and Commissions. The governing Boards and Commissions of *all* agencies, public corporations, and departments of the government of Guam *shall* provide electronic copies of the monthly Board and Commission meeting agendas, approved minutes, and other attachments and addendums as discussed in each monthly meeting, to *I Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan no later than* fifteen (15) days after the end of said meeting and post the same on its website or the agency, public corporation, or department to which it governs. The audio recording of each meeting *shall be* provided to the Office of Public Accountability, within seven (7) calendar days after the meeting. The Office of Public Accountability *shall* post these audio files on its website upon receipt of audio files.

Section 22. On-line-Electronic Access to Bank Account Information. *All* banks receiving government funds for deposit in a government bank account established at said bank *shall* provide "READ ONLY" access to such bank accounts via said bank's on-line banking website or via electronic access via other access source provided to the Department of Administration, to the Office of Finance and Budget, and to the Office of Public Accountability.

Section 23. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act *may* be expended for the payment of prior years' obligations, provided it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment. The Director of the BBMR *shall* sign a certification letter stating no negative impact and submit it to the Speaker of *I Liheslaturan Guåhan* and the Office of Finance and Budget at least fifteen (15) calendar days before each payment is released.

Section 24. 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 2013 only for the purposes authorized by statute for those funds:

(a) Guam Police Department - Police Services Fund

(b) Department of Corrections - Corrections Revolving Fund

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

(d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund

(e) Department of Land Management - Land Survey Revolving Fund

(f) Chamorro Land Trust Commission – Chamorro Land Trust Operations Fund

(g) Department of Agriculture - Guam Plant Inspection and Permit Fund

(h) Board of Registration for Professional Engineers, Architects and Land Surveyors - Professional Engineers, Architects and Land Surveyors (PEALS) Board Fund

(i) Guam Fire Department - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

(j) Guam Regional Transit Authority - Guam Regional Transit Authority Fund

(k) Department of Public Works - DPW Building and Design Fee Account

(l) Guam Contractors License Board - Guam Contractors License Board Fund Collections

(m) Department of Revenue and Taxation - Tax Collection Enhancement Fund

(n) Department of Public Health and Social Services - Guam Environmental Health Fund

(o) Department of Parks and Recreation - Public Recreation Services Fund

(p) Guam Department of Education - Public Library Resources Fund

(q) Department of Labor and the Guam Community College - Manpower Development Fund

Section 25. 9 + 3 Expenditure Forecasts (FY2013 Run Rate). *No later than* July 20, 2013, the Branches and Agencies identified in the following subsections *shall* submit a written report and electronic Microsoft Excel file to *I Liheslaturan Guåhan* and the Office of Finance and Budget that contains 9 months of actual expenditures and 3 months of projected expenditures for Fiscal Year 2013:

(a) Executive Branch - the Bureau of Budget Management and Research. The Executive Branch 9 + 3 Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Agency by Fund Source by Object Class.

(b) Guam Legislature - Executive Director. The Guam Legislature Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(c) Unified Judiciary - Administrator. The Unified Judiciary Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(d) Office of the Attorney – Attorney General. The Office of the Attorney Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(e) Public Defender Service Corporation - Executive Director. The Public Defender Service Corporation Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(f) Mayor's Council of Guam - Executive Director. The Mayor's Council of Guam Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

(g) Office of Public Accountability – Public Auditor. The Office of Public Accountability Expenditure Forecast or FY2013 Run Rate *shall* be detailed by Fund Source by Object Class.

FY2013 Run Rate shall mean the estimated amount of expenditures for the entire fiscal year utilizing the nine (9) months of actual expenditures as of June 30, 2013 plus the three (3) months of projected expenditures through September 30, 2013 of each Branch or Agency.

Section 26. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are severable.

ATTACHMENT A
FISCAL NOTE ON BILL NO. 426-31 (COR)

Comparative of FY2012 Adopted Revenues (P.L. 31-77)
and FY2013 Executive Request (Bill No. 426-31 COR)

	A FY2012 Adopted Revenues As per Public Law 31-77	B FY2013 Executive Request Bill No. 426-31(COR) Projected Revenues	C (B-A) Variance $	D (C/A) Variance %
TOTAL GENERAL FUND REVENUE	**687,985,552**	**695,105,221**	7,119,669	1.03%
PROVISION FOR TAX REFUND PAYMENTS	**(105,000,000)**	**(100,000,000)**	5,000,000	-4.76%
TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**582,985,552**	**595,105,221**	12,119,669	**2.08%**
A. TAXES				
Income Tax				
Individual Income Tax	81,651,368	73,469,937	(8,181,431)	-10.02%
Corporate Income Tax	111,802,336	115,700,007	3,897,671	3.49%
Withholding Interests & Penalties	209,256,708	204,643,469	(4,613,239)	-2.20%
Provision for Tax Refund Payments	(105,000,000)	(100,000,000)	5,000,000	-4.76%
TOTAL INCOME TAXES	**297,710,412**	**293,813,413**	(3,896,999)	**-1.31%**
Business Privilege Tax	215,900,178	228,751,346	12,851,168	5.95%
GMHA Pharmaceuticals Fund	(8,636,007)	(9,150,054)	(514,047)	5.95%
Tiyan Credit (FY2011, per PL 30-196)	-	(4,670,139)	(4,670,139)	
Other Taxes	3,529,781	3,847,425	317,644	9.00%
TOTAL TAXES	**508,504,364**	**512,591,991**	4,087,627	**0.80%**
B. FEDERAL SOURCES			-	
Federal Income Tax Collection - Section 30	56,037,150	53,173,360	(2,863,790)	-5.11%
Overpayment Reconciliation of Section 30 (3 of 4)	(5,808,295)	(1,500,000)	4,308,295	-74.17%
Immigration Fees and Indirect Cost	-	1,778,159	1,778,159	
TOTAL FEDERAL SOURCES	**50,228,855**	**53,451,519**	3,222,664	**6.42%**
C. USE OF MONEY AND PROPERTY	**672,804**	**808,896**	136,092	**20.23%**
D. LICENSES, FEES AND PERMITS			-	
Licenses, Fees, & Permits	5,547,355	5,070,909	(476,446)	-8.59%
Better Public Services Fund	(547,542)	(507,091)	40,451	-7.39%
TOTAL LICENSES, FEES AND PERMITS	**4,999,813**	**4,563,818**	(435,995)	**-8.72%**
E. DEPARTMENT CHARGES	**1,850,178**	**1,861,714**	11,536	**0.62%**
F. SECTION 2718 FUNDS	**7,545,989**	**7,500,000**	(45,989)	**-0.61%**
TOTAL GENERAL FUND NET REVENUE COLLECTIONS	**573,802,003**	**580,777,938**	6,975,935	**1.22%**
2% GENERAL FUND RESERVE	**(11,476,040)**	**(11,615,559)**	(139,519)	**1.22%**
TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATION	**562,325,963**	**569,162,379**	**6,836,416**	**1.22%**
SPECIAL FUNDS				
Air Pollution Control	192,020	184,422	(7,598)	-3.96%
Autonomous Agency Collection Fund	875,000	-	(875,000)	-100.00%
Better Public Services Fund	1,422,747	1,390,554	(32,193)	-2.26%
Chamorro Land Trust Operations	735,657	1,023,596	287,939	39.14%
Corrections Revolving	915,203	855,661	(59,542)	-6.51%
Customs, Agriculture & Quarantine Inspection Services	7,911,999	9,156,099	1,244,100	15.72%
DPW Building and Design Fund	504,712	500,769	(3,943)	-0.78%
Enhanced 911 Emergency Reporting System	1,608,278	1,650,630	42,352	2.63%
Environmental Health	1,030,000	687,441	(342,559)	-33.26%
Fire, Life and Medical Emergency Fund	600,000	73,065	(526,935)	-87.82%
GMHA Pharmaceuticals Fund	8,636,007	9,150,054	514,047	5.95%
Guam Board of Accountancy	421,600	-	(421,600)	-100.00%

ATTACHMENT A
FISCAL NOTE ON BILL NO. 426-31 (COR)

Comparative of FY2012 Adopted Revenues (P.L. 31-77) and FY2013 Executive Request (Bill No. 426-31 COR)

	A FY2012 Adopted Revenues As per Public Law 31-77	B FY2013 Executive Request Bill No. 426-31(COR) Projected Revenues	C (B-A) Variance $	D (C/A) Variance %
Guam Contractors License Board	852,725	862,450	9,725	1.14%
Guam Environmental Trust	375,356	331,869	(43,487)	-11.59%
Guam Highway (Gross)	**18,459,079**	**18,442,618**	**(16,461)**	**-0.09%**
Public Transit Fund (11GCA Ch 26, section 26503)	(431,092)	(349,210)	81,882	-18.99%
Better Public Services Fund (11GCA Ch 161)	(875,205)	(883,463)	(8,258)	0.94%
Guam Highway Fund (Net)	**17,152,782**	**17,209,945**	**57,163**	**0.33%**
Guam Plant Inspection & Permit	83,817	85,412	1,595	1.90%
Healthy Futures	14,219,231	14,601,686	382,455	2.69%
Indirect Cost Fund	1,826,894	1,826,894	0	0.00%
Land Survey Revolving	2,885,837	3,227,764	341,927	11.85%
Manpower Development	2,240,640	2,111,624	(129,016)	-5.76%
Police Services Fund	581,860	538,858	(43,002)	-7.39%
Professional Engineers, Architects & Land Surveyors Board	244,062	307,282	63,220	25.90%
Public Recreation Services	193,304	186,098	(7,206)	-3.73%
Public Library Resources Fund	652,440	670,328	17,888	2.74%
Public Transit Fund	431,092	349,210	(81,882)	-18.99%
Safe Streets	241,000	241,000	0	0.00%
School Lunch/SAE/Child Nutritional Meal Reimbursement	11,164,309	10,069,218	(1,095,091)	-9.81%
Solid Waste Operations	13,781,645	19,939,600	6,157,955	44.68%
Street Light	3,473,531	3,590,261	116,730	3.36%
Tax Collection Enhancement Fund	696,830	686,717	(10,113)	-1.45%
Territorial Education Facilities	21,619,104	30,483,566	8,864,462	41.00%
Tourist Attraction	23,160,585	23,168,200	7,615	0.03%
Water Protection	71,672	66,461	(5,211)	-7.27%
Water Research and Development	76,975	73,321	(3,654)	-4.75%
TOTAL- SPECIAL FUNDS	**140,878,914**	**155,300,055**	**14,421,141**	**10.24%**
FEDERAL MATCHING GRANTS-IN-AID				
Agriculture	279,000	288,500	9,500	3.41%
Chamorro Affairs (Guam Council on the Arts & Humanities Agency) 1/	300,000	307,500	7,500	2.50%
Guam Community College	1,471,408	1,057,472	(413,936)	-28.13%
Guam Fire Department	102,000		(102,000)	-100.00%
Guam Police Department	726,136	726,136	0	0.00%
Integrated Services for Individuals with Disabilities	2,052,208	2,992,651	940,443	45.83%
Labor	42,100	43,800	1,700	4.04%
Office of the Attorney General	6,392,529	11,509,528	5,116,999	80.05%
Mental Health and Substance Abuse	225,862	225,862	0	0.00%
Military Affairs	1,547,700	1,547,700	0	0.00%
Department of Public Health and Social Services	24,752,122	26,438,879	1,686,757	6.81%
University of Guam	2,943,706	2,943,706	0	0.00%
TOTAL FEDERAL MATCHING GRANTS-IN-AID	**40,834,771**	**48,081,734**	**7,246,963**	**17.75%**

1/ - GCAHA under Dept. of Chamorro Affairs due to department re-organization.

COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
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Senator
Dennis G. Rodriguez, Jr.
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Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

February 22, 2012

MEMORANDUM

To: **Pat Santos**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**

Subject: **Referral of Bill Nos. 424-31(COR) thru 426-31 (COR), 427-31 (LS) & 428-31 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 424-31 (COR) through 428-31 (COR), 427-31 (LS) and 428-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

(5) Attachment

I Mina'Trentai Unu Na Liheslaturan Guahan

Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
426-31 (COR)	Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs at the request of *I Maga'Lahen Guahan*, in accordance with the Organic Act of Guam	AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.	02/21/12 9:34 a.m.	2/22/2012		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			

Bill Introduced/History
2/23/2012 8:30 AM

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
THIRTY FIRST GUAM LEGISLATURE
2012 (SECOND) REGULAR SESSION

2012 FEB 2 PM 3:34

BILL NO. 426-31 (COR)

Introduced by:

The Committee on Rules, Natural Resources, and Federal, Foreign & Micronesian Affairs
Ray J. Respicio

by request of *I Maga'lahen Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013, 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 2013"*. *Except* as otherwise provided by this Act, the appropriations made by this Act identifying Fiscal Year 2013 shall be available to pay for obligations incurred on *or* after October 1, 2012 but *no later than* September 30, 2013. *If* any appropriation in this Act is found contrary to federal law, all other portions of this Act *shall* remain valid.

Section 2. Estimated Revenues for Fiscal Year 2013. *I Liheslaturan Guåhan*, the Guam Legislature, adopts the following revenue estimates for Fiscal Year 2013 as the basis for the appropriations contained in this Act.

I.	GENERAL FUND REVENUES	AMOUNT
	A. TAXES	
	Income Tax	
	Corporate	$115,700,007
	Individual	$73,469,937
	Withholding Taxes, Interest and Penalties	$204,643,469
	Provision for Tax Refund Payments	($100,000,000)
	TOTAL INCOME TAXES	**$293,813,413**
	Business Privilege Tax	$228,751,346
	GMHA Pharmaceutical Fund	
	(§26208 of 11 GCA)	($9,150,054)
	Tiyan Credit	($4,670,139)
	Other Taxes	$3,847,425
	TOTAL BUSINESS PRIVILEGE TAX	**$218,778,578**
	TOTAL TAXES	**$512,591,991**
	B. FEDERAL SOURCES	
	Federal Income Tax Collection	
	(Section 30 Funds); Immigrant Fees	$54,951,519
	Overpayment Reconciliation (3 of 4)	($1,500,000)
	TOTAL FEDERAL SOURCES	**$53,451,519**
	C. USE OF MONEY AND PROPERTY	**$808,896**
	D. LICENSES, FEES AND PERMITS	
	Licenses, Fees and Permits	$5,070,909

		Licenses, Fees and Permits (Better Public	
		Service Fund) (Ch. 161 of 11 GCA)	($507,091)
		TOTAL LICENSES, FEES, AND PERMITS	**$4,563,818**
		E. DEPARTMENT CHARGES	**$1,861,714**
		F. SECTION 2718 FUND	**$7,500,000**
		TOTAL GENERAL FUND REVENUE	**$580,777,938**
		2% GENERAL FUND RESERVE	
		(Appropriations Cap of 98% of General Fund	
		Revenue; §22436, Chapter 22 of Title 5 GCA)	($11,615,559)
		TOTAL GENERAL FUND REVENUE	
		AVAILABLE FOR APPROPRIATION	**$569,162,379**
	II.	**SPECIAL FUND REVENUES**	
		A. Air Pollution Control Special Fund	$184,422
		B. Better Public Service Fund	1,390,554
		C. Chamorro Land Trust Operations Fund	1,023,596
		D. Corrections Revolving Fund	855,661
		E. Customs, Agriculture and Quarantine	
		Inspection Services Fund	9,156,099
		F. DPW Building and Design Fund	500,769
		G. Enhanced 911 Emergency Reporting System Fund	1,650,630
		H. Environmental Health Fund	687,441
		I. Fire, Life and Medical Emergency Fund	73,065
		J. Guam Contractors License Board Fund	862,450

K.	Guam Environmental Trust Fund	331,869
L.	Guam Highway Fund (GHF)	18,442,618
	(a) GHF (Better Public Service Fund; Ch. 161 of 11 GCA)	(883,463)
	(b) GHF (Public Transit Fund Fund; §26503 of 11 GCA)	(349,210)
	Total Guam Highway Fund	17,209,945
M.	GMHA Pharmaceuticals Fund	9,150,054
N.	Guam Plant Inspection & Permit Fund	85,412
O.	Public Transit Fund)	349,210
P.	Healthy Futures Fund	14,601,686
Q.	Indirect Cost Fund	1,826,894
R.	Land Survey Revolving Fund	3,227,764
S.	Manpower Development Fund	2,111,624
T.	Police Services Fund	538,858
U.	Professional Engineers, Architects, and Land Surveyors Board Fund	307,282
V.	Public School Library Resources Fund	670,328
W.	Public Recreation Services Fund	186,098
X.	Safe Streets Fund	241,000
Y.	School Lunch/Child Nutritional Meal Reimbursement Fund – Federal Sources (100% Federal Grant)	10,069,218

Z. Solid Waste Operations Fund		19,939,600
AA. Street Light Fund		3,590,261
AB. Tax Collection Enhancement Fund		686,717
AC. Territorial Education Facilities Fund		30,483,566
AD. Tourist Attraction Fund		23,168,200
AE. Water Protection Fund		66,461
AF. Water Research and Development Fund		73,321
TOTAL SPECIAL FUND REVENUE		**$155,300,055**
III.	**FEDERAL MATCHING GRANTS-IN-AID REVENUES**	
	Federal Grants-In-Aid Requiring Local Match:	
A. Agriculture		$288,500
B. Chamorro Affairs		307,500
C. Guam Community College		1,057,472
D. Guam Police		726,136
E. Integrated Services for Individuals with Disabilities		2,992,651
F. Labor		43,800
G. Mental Health and Substance Abuse		225,862
H. Military Affairs		1,547,700
I. Office of Attorney General		11,509,528
J. Public Health and Social Services		26,438,879
K. University of Guam		2,943,706
TOTAL FEDERAL MATCHING GRANTS-		

IN-AID REVENUE		**$48,081,734**
REVENUE SUMMARY:		
TOTAL GENERAL FUND REVENUE		**$569,162,379**
TOTAL SPECIAL FUND REVENUE		**$155,300,055**
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE		**$48,081,734**
GRAND TOTAL		**$772,544,168**

Section 3. Debt Service Continuing Appropriations for Fiscal Year 2013. The following are continuing appropriations for debt service requirements:

A. GENERAL OBLIGATION BONDS, SERIES 1993 A
(For education capital projects; Real Property Taxes pledged; due FY 2018 as final year; P.L. 29-19 and P.L. 29-21, net of UOG Bond Payment Obligation $2,027,703) $2,799,549 **1/**

1/ Territorial Education Facilities Fund

B. 2002 SHORT TERM FINANCING (SECTION 30 FUNDS)
(Line of Credit; P.L. 26-84 amended by P.L. 26-122 and P.L. 26-130; due FY 2013 as the final year; source of payment Section 30 Funds) $1,717,449 **2/**

2/ General Fund

C. GENERAL OBLIGATION BONDS, SERIES 2007 A
(Partial refunding of GOB, 1993 Series A; funding capital projects and certain obligations of the Government of Guam; due FY 2037 as final year;

P.L. 29-19 and P.L. 29-21) $7,874,700 **4/**

4/ Territorial Education Facilities Fund

D. LIMITED OBLIGATION (SECTION 30) BONDS, SERIES 2009A

(To finance cost for the new landfill and the closure of Ordot Dump; P.L. 30-1 amended by P.L. 30-7; Due FY 2035 as final year) $15,672,706 **5/**

5/ General Fund ($3,692,212) and Solid Waste Operations Fund ($11,980,494)

E. GENERAL OBLIGATION BONDS 2009 SERIES A

(To finance certain expense affecting General Fund Deficit; P.L. 29-113 amended by P.L. 30-7; Due FY 2040 as final year) $21,532,221 **6/**

6/ General Fund

F. GUAM DEPARTMENT OF EDUCATION (GDOE) SERIES 2010A CERTIFICATES OF PARTICIPATION (JOHN F. KENNEDY HIGH SCHOOL PROJECT)

(P.L. 30-178; 5 GCA, Chapter 58A) $5,131,938 **7/**

7/ General Fund

G. LIMITED OBLIGATION HOTEL OCCUPANCY TAX (HOT), REVENUE BONDS, SERIES 2011A

(Refunding of LO Infrastructure Improvement Bonds, 1997 Series A; To acquire, construct, or equip a new

Guam Museum, projects that benefit the		
tourism industry)	$6,998,363	3/
3/ Tourist Attraction Fund		
GRAND TOTAL	**$61,726,926**	

CHAPTER II

APPROPRIATIONS FOR EXECUTIVE BRANCH OPERATIONS

Section 1. Executive Branch Appropriations for Fiscal Year 2013. Five Hundred Twenty-six Million Six Hundred Seven Thousand Six Hundred Thirty-six Dollars **($526,607,636)** are appropriated for the operations of the Executive Branch for fiscal year ending September 30, 2013. This sum is composed of Four Hundred Eighteen Million Eight Hundred Seventy-three Thousand Seven Hundred Forty-nine Dollars **($418,873,749)** from the General Fund; Seventy-one Million One Hundred Sixty-one Thousand Six Hundred Eighty-one Dollars **($71,161,681)** from Special Funds; and Thirty-six Million Five Hundred Seventy-two Thousand Two Hundred Six Dollars **($36,572,206)** from Federal Matching Grants-in-Aid. The appropriation shall be expended as follows:

	General Fund	**Special Fund**	**Federal Fund Match**	**Total**
I. EXECUTIVE DIRECTION				
A. Office of I Maga'lahen Guåhan and I Segundu Na Maga'lahen Guåhan	$6,233,688	$322,236	1/	$6,555,924
B. Commission on Decolonization	239,613			239,613
C. Civil Service Commission	844,902			844,902

	General Fund	Special Fund		Federal Fund Match	Total
D. Guam Election Commission	756,027				756,027
E. Bureau of Budget and Management Research	1,058,320	316,942	1/		1,375,262
F. Military Affairs	702,054			1,547,700	2,249,754
G. Veterans Affairs	322,229				322,229
H. Bureau of Statistics and Plans	1,155,643				1,155,643
TOTAL EXECUTIVE DIRECTION	**$11,312,476**	**$639,178**		**$1,547,700**	**$13,499,354**
II. PUBLIC SAFETY					
A. Guam Police	27,803,761	538,858	2/	726,136	29,068,755
B. Guam Fire	27,989,678	1,723,695	3/		29,713,373
C. Corrections	20,776,981	951,661	4/		21,728,642
D. Youth Affairs	4,978,550				4,978,550
E. Chief Medical Examiner	426,599				426,599
TOTAL PUBLIC SAFETY	**$81,975,569**	**$3,214,214**		**$726,136**	**$85,915,919**

	General Fund	Special Fund		Federal Fund Match	Total
III. HOMELAND SECURITY					
A. Customs and Quarantine		9,156,099	5/		9,156,099
TOTAL HOMELAND SECURITY	**$0**	**$9,156,099**		$0	**$9,156,099**
IV. HEALTH					
A. Public Health and Social Services	51,632,070	6,440,819	6/	26,438,879	84,511,768
B. Integrated Services for Individuals with Disabilities	1,235,770	694,763	7/	2,992,651	4,923,184
C. Mental Health and Substance Abuse	14,183,926	2,860,634	7/	225,862	17,270,422
TOTAL HEALTH	**$67,051,766**	**$9,996,216**		**$29,657,392**	**$106,705,374**
V. EDUCATION					
A. Guam Department of Education	180,692,640	27,948,863	8/		208,641,503
B. Guam Commission on Educator Certification	203,831				203,831
C. University of Guam	25,688,064	1,000,000	9/	2,943,706	29,631,770

	General Fund	Special Fund		Federal Fund Match	Total
D. Guam Community College	13,301,611			1,057,472	14,359,083
TOTAL EDUCATION	**$219,886,146**	**$28,948,863**		**$4,001,178**	**$252,836,187**
VI. FINANCE AND ADMINISTRATION					
A. Administration	7,786,778	1,157,716	1/		8,944,494
TOTAL FINANCE AND ADMINISTRATION	**$7,786,778**	**$1,157,716**		$0	**$8,944,494**
VII. NATURAL RESOURCES					
A. Agriculture	2,618,370	85,412	10/	288,500	2,992,282
B. Land Management	509,775	4,251,360	11/		4,761,135
C. Guam Environmental Protection Agency		656,073	12/		656,073
D. Parks and Recreation	3,264,707	186,098	13/		3,450,805
TOTAL NATURAL RESOURCES	**$6,392,852**	**$5,178,943**		**$288,500**	**$11,860,295**
VIII. LABOR					
A. Labor	1,055,385	423,176	14/	43,800	1,522,361
B. Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS)		307,282	15/		307,282

	General Fund	Special Fund		Federal Fund Match	Total
C. Contractors License Board		862,450	16/		862,450
TOTAL LABOR	**$1,055,385**	**$1,592,908**		**$43,800**	**$2,692,093**
IX. TOURISM AND CULTURE					
A. Chamorro Affairs	3,192,052	40,000	17/	307,500	3,539,552
TOTAL TOURISM AND CULTURE	**$3,192,052**	$40,000		**$307,500**	**$3,539,552**
X. TRANSPORTATION					
A. Public Works	10,436,028	9,160,273	18/		19,596,301
TOTAL TRANSPORTATION	**$10,436,028**	**$9,160,273**		**$0**	**$19,596,301**
XI. REVENUE AND TAXATION					
A. Revenue & Taxation	9,784,697	2,077,271	19/		11,861,968
TOTAL REVENUE AND TAXATION	**$9,784,697**	**$2,077,271**		**$0**	**$11,861,968**
GRAND TOTAL	**$418,873,749**	**$71,161,681**		**$36,572,206**	**$526,607,636**

NOTES:

1/ Indirect Cost Fund

2/ Police Services Fund

3/ Enhanced 911 Emergency Reporting System Fund ($1,650,630) and Fire, Life, and Medical Emergency Fund ($73,065)

4/ Corrections Revolving Fund ($855,661) and Safe Streets Fund ($96,000)

5/ Customs, Agriculture and Quarantine Inspection Services Fund

6/ Environmental Health Fund ($687,441); and Healthy Futures Fund ($5,753,378)

7/ Healthy Futures Fund

8/ Public School Library Resources Fund ($670,328); School Lunch/Child Nutritional Meal Reimbursement Fund ($10,069,218) and Territorial Education Facilities Fund ($17,209,317)

9/ Territorial Education Facilities Fund

10/ Guam Plant Inspection and Permit Fund

11/ Land Survey Revolving Fund ($3,227,764) and Chamorro Land Trust Operations Fund ($1,023,596)

12/ Air Pollution Control Special Fund ($184,422); Guam Environmental Trust Fund ($331,869); Water Research and Development Fund ($73,321) and Water Protection Fund ($66,461)

13/ Public Recreation Services Fund

14/ Manpower Development Fund

15/ Professional Engineers, Architects and Land Surveyors Fund

16/ Guam Contractors License Board Fund

17/ Tourist Attraction Fund

18/ DPW Building and Design Fund ($500,769) and Guam Highway Fund ($8,659,504)

19/ Tax Collection Enhancement Fund ($686,717) and Better Public Service Fund ($1,390,554)

CHAPTER III

MISCELLANEOUS APPROPRIATIONS

Section 1. Appropriations to the University of Guam. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Four Million Three Hundred One Thousand Seven Hundred Eighty-three Dollars (**$4,301,783**) is appropriated from the General Fund and the sum of Three Hundred Forty Thousand Dollars(**$340,000**) is appropriated from the Tourist Attraction Fund to the University of Guam for the following purposes:

(a) Student Scholarships, Financial Assistance Programs and Program Administration. Such appropriation in this Section is for: Merit Awards, Student Loans, Nurse Training Programs, Professional and Technical Awards, Reserve Officer Training Corps (ROTC), Regent Scholarships, Marine Lab Graduate Assistance Programs, Early High School Admission Programs, Pedro "Doc" Sanchez Scholarship Programs, John F. Quan Memorial Scholarship Program and the administration of all student financial assistance programs. The President of the University of Guam *shall* allocate this appropriation in order to fund said student scholarships, financial assistance programs and program administration.

(b) Dr. Antonio C. Yamashita Educator Corps. Such appropriation in this Section is for the Dr. Antonio C. Yamashita Educator Corps. The President of the University of Guam *shall* disburse, pursuant to the directives and policies of the Educator Corps Council, stipends for the Dr. Antonio C. Yamashita Educator Corps and funds for the administration of said program pursuant to Chapter 18 of Title 17 of the Guam Code Annotated and §15107, Chapter 15 of Title 17 of the Guam Code Annotated, as *amended.*

The President of the University of Guam *shall* post on the University of Guam's website all reports mandated by this Act regarding the Dr. Antonio C. Yamashita Educator Corps.

(c) Aquaculture Development and Training Center. Such appropriation in this Section is for the purpose of funding the continued operations of the Aquaculture Development and Training Center.

(d) WERI's Guam Hydrologic Survey. Such appropriation in this Section is for the 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.

(e) WERI's Comprehensive Water Resource Monitoring Program. Such appropriation in this Section is to fund the Water and Environmental Research Institute of the Western Pacific (WERI). Such funds *shall* be used for the 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.

(f) Northern and Southern Soil and Water Conservation District Program. Such appropriation in this Section is for operations and activities of the Northern and Southern Soil and Water Conservation District (SWCD) Program and *shall* be equally divided between the Northern and Southern Soil Conservation Districts. 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 University of Guam *or* any other government entity.

(g) KPRG (Public Radio). Such appropriation in this Section is for KPRG (Public Radio) operations. The President of the University of Guam *shall* disburse the funds to KPRG. *No later than* thirty (30) days after the close of each fiscal quarter of Fiscal Year 2013, the General Manager of KPRG *shall* submit to the President of the University of Guam, and post on KPRG's website, all reports mandated by this Act.

(h) Guampedia Foundation. Such appropriation in this Section is for the operations of the Guampedia Foundation.

(i) Rhinoceros Beetle Program. Such appropriation in this Section is for the operations of the Rhinoceros Beetle Program.

Section 2. Appropriation to UOG for the Guam Cancer Trust Fund. For Fiscal Year 2013, the sum of One Million Eight Hundred Twenty-two Thousand Forty-eight Dollars **($1,822,048)** is appropriated from the Healthy Futures Fund to the University of Guam for the administration of the Guam Cancer Trust Fund, pursuant to §26603(d)(2) of Article 6, Chapter 26 of Title 11 of the Guam Code Annotated. This appropriation shall be used to fund cancer screening, treatment, and support services for qualified applicants.

Section 3. University of Guam Capital Improvements Fund Continuing Appropriation. The sum of Five Hundred Thousand Dollars **($500,000)** is appropriated from the Guam Highway Fund to the University of Guam Capital Improvements Fund for the purpose of paying for the debt services pursuant to §16132, Chapter 16 of Title 17, Guam Code Annotated.

Section 4. Appropriation to the Guam Community College. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven

Hundred Five Thousand Fifty-eight Dollars (**$705,058**) is appropriated from the General Fund, the sum of Twenty-four Thousand One Hundred Fifty-four Dollars(**$24,154**) is appropriated from the Tourist Attraction Fund, and the sum of One Million Six Hundred Eighty-eight Thousand Four Hundred Forty-eight Dollars (**$1,688,448**) is appropriated from the Manpower Development Fund to the Guam Community College for the following training programs

(a) **Licensed Practical Nursing and Vocational Guidance Programs.** Such appropriation in this Section is to support the operations of the Licensed Practical Nursing Program and Vocational Guidance Program.

(b) **Lodging Management Program/Pro Start.** Such appropriation in this Section is for the Lodging Management Program/ProStart Program.

(c) **Apprenticeship Program.** Such appropriation in this Section is for the Guam Community College Apprenticeship Program. In addition to the authorization continued in §7120, Chapter 7 of Title 22 of the Guam Code Annotated, the appropriation herein shall be available and authorized to be used by the Guam Community College to fund the operations of other programs at the College, as approved by the Board and Administration of the College.

Section 5. Appropriation to the Guam Department of Education for Education Programs. . Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Three Hundred Eighty-one Thousand One Hundred Twenty Dollars (**$381,120**) is appropriated from the General Fund and the sum of Eight Hundred Ninety-one Thousand Seven Hundred Fifty-four Dollars (**$891,754**) is appropriated from the

Healthy Futures Fund to the Guam Department of Education for the following education programs:

(a) ***Chamoru*** **Studies.** Such appropriation in this Section to the *Chamoru* Studies Division administered by the Guam Department of Education (GDOE) is to be expended for personnel salaries and benefits, contractual services, supplies and materials, and equipment for the support and the implementation of the Content Standards and Performance Indicators of 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.

(b) Interscholastic Sports Fund. Such appropriation in this Section to the Interscholastic Sports Fund administered by the Guam Department of Education is to be expended pursuant to § 7108 of Title 17 of the Guam Code Annotated. Appropriations made herein *shall* be available to fund the Outrigger Canoe, Rugby, and other sports programs, to include the payment of head coaches, assistant coaches, league fees, busing services, and other expenses normally associated with a sport interscholastic program.

(c) Health and Physical Education Activities. Such Appropriation in this Section to GDOE is for the Guam Department of Education for Health and Physical Education programs, intramural sports, and similar activities,

Section 6. Guam Department of Education Textbooks and Collateral Materials. The following are appropriations to the Guam Department of Education (GDOE) for the purchase of textbooks, e-book readers and collateral materials, to include software, sheet music and music books, in accordance with the following terms and conditions:

(a) For Fiscal Year 2013, the sum of One Million Five Hundred Thousand Dollars **($1,500,000)** is appropriated from the General Fund from Fiscal Year 2014 revenues to the GDOE for the purchase of textbooks, e-book readers and related classroom instructional materials, to include software, sheet music and music books. The Superintendent of GDOE may, *if* necessary, through agreements with textbook vendors, defer payment for said materials until after October 1, 2013, but *no later than* December 31, 2013, with the full faith and credit of the Government of Guam.

(b) The Superintendent of GDOE *shall* order materials funded by this Section *no later than* March 1, 2013 for Fiscal Year 2014. The Bureau of Budget and Management Research *shall* release such allotments as are necessary to ensure that said materials are ordered by March 1, 2013. 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 of Title 17 of the Guam Code Annotated. All funds appropriated for said materials *shall not* be used for any other purpose.

(c) On the first (1st) day of each quarter of Fiscal Year 2013, the Superintendent of GDOE *shall* provide to *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan*, and post on the GDOE website, a detailed report regarding all receipts and expenditures for textbooks, e-book readers and collateral classroom instructional materials, to include software, sheet music and music books. Said report *shall* be accompanied by the certified list of textbooks approved by the Guam Education Board (GEB) and all purchase orders issued. The report *shall* summarize:

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

(2) other information that may be useful *or* that is requested by *I Liheslaturan Guåhan* regarding the funds appropriated and authorized herein. Non-compliance with these reporting requirements by the Superintendent of GDOE *shall* result in the sanctions and penalties imposed by this Act.

Section 7. Summer School Fund. From the Summer School Fund established pursuant to §6119 of Article 1, Chapter 6, Division 1 of Title 17 of the Guam Code Annotated, such sums as are necessary to fund the operations of the Fiscal Year 2013 Summer School Programs are appropriated to the Guam Department of Education. The Superintendent of Education *shall* submit a detailed report to *I Maga'lahen 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 Guam Department of Education website. Such report *shall* include the following:

(1) Total revenues received, including identification of each revenue source;

(2) Total expenditures and encumbrance by object classification and by school; and

(3) The fund balance.

Section 8. Tiyan Lease Maintenance and Insurance Agreement. For Fiscal Year 2013, the sum of One Million Five Hundred Sixty-eighty Thousand Dollars

(**$1,568,000**) is appropriated from the General Fund to the Guam Department of Education for the payment of the Tiyan Lease Maintenance and Insurance agreement.

Section 9. Appropriation to the Guam Department of Education for GPA Promissory Note. The sum of One Million Six Hundred Thousand Dollars (**$1,600,000**) is appropriated from the Territorial Education Facilities Fund to the Guam Department of Education (GDOE) to pay Guam Power Authority (GPA) for the Guam Department of Education Promissory Note (the agreement between the GDOE and the Guam Power Authority signed on July 20, 2004, and referred to as the "installation payment agreement for past due electrical service") for Fiscal Year 2013.

Section 10. Appropriation to the Department of Mental Health and Substance Abuse. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Eight Hundred Eighty-nine Thousand Forty Dollars (**$889,040**) is appropriated from the General Fund to the Department of Mental Health and Substance Abuse for the following programs:

(a) Detoxification, Rehabilitation and Prevention Services. Such Appropriation in this Section is for outsourcing of drug and alcohol detoxification, rehabilitation, and prevention services, *provided* that the expenditure of such funds shall comply with §1421b (p) of Title 48 of the United States Code.

(b) Oasis Empowerment Center for Women Alcohol Substance and Homeless Program. Such appropriation in this Section is for the Oasis Empowerment Center for Women Alcohol Substance and Homeless Program.

Section 11. Department of Mental Health and Substance Abuse for the Amended Permanent Injunction and Plan of Action. Pursuant to Court Order No. CV

01-0041 CBM, the sum of One Million Two Hundred Fifty Thousand Dollars **($1,250,000)** is hereby appropriated from the General Fund to the Department of Mental Health and Substance Abuse for the payment of court ordered deposits that are due in Fiscal Year 2013 in accordance with the modified funding schedule, for the implementation of the Amended Permanent Injunction and Plan of Action.

Section 12. Guam Cancer Registry. Pursuant to §22603(d)(4), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, for Fiscal Year 2013, the sum of One Hundred Twenty-one Thousand Four Hundred Seventy Dollars **($121,470)** is appropriated from the Healthy Futures Fund to the Department of Public Health and Social Services (DPHSS) to maintain the Guam Cancer Registry pursuant to §3201.1, Article 2, Chapter 3 of Title 10 of the Guam Code Annotated.

Section 13. Appropriations to the Guam Environmental Protection Agency. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Three Hundred Thousand **($300,000)** is appropriated as follows:

(a) Beach Monitoring. The sum of One Hundred Thousand Dollars **($100,000)** is appropriated from the Tourist Attraction Fund to the Guam Environmental Protection Agency for the *sole* purpose of beach monitoring. This appropriation is *not* subject to transfer or use for any other purpose.

(b) Landfill Costs. The sum of Two Hundred Thousand Dollars **($200,000)** is appropriated from the Solid Waste Operations Fund to the Guam Environmental Protection Agency for costs in the closure, monitoring and opening of the island's landfills.

Section 14. Appropriations to the Department of Parks and Recreation. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of Seven Hundred Forty-nine Thousand Three Hundred Seventy-seven Dollars (**$749,377**) is appropriated from the Tourist Attraction Fund to the Department of Parks and Recreation (DPR) for the following programs:

(a) Maintenance and Repair of Public Restrooms. Such appropriation in this Section is for the maintenance and repair of restroom facilities in public parks island-wide. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

(b) Maintenance of Pool Facilities. Such appropriation in this Section is for the maintenance of pool facilities for Fiscal Year 2013. These funds *shall* be used for the northern pool and the *Hagatña* pool. *No later than* thirty (30) days after the end of every fiscal quarter, the Director of DPR *shall* submit a quarterly report of the expenditures from this appropriation to the Public Auditor and the Speaker of *I Liheslaturan Guåhan*, and post the same on DPR's website.

Section 15. Retirees' Supplemental Annuity Benefits and Other Costs.

(a) The sum of Eleven Million Six Hundred Ninety-six Thousand Three Hundred Three Dollars (**$11,696,303**) is appropriated from the General Fund to the Supplemental Annuity Benefits Special Fund for Fiscal Year 2013, 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) hereof *shall* receive said Benefits *if* 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 Fiscal Year.

(c) The Director of Administration *shall* disburse to the retirees *or* their survivors, the supplemental annuity benefits provided for in Subsection (a) of this Section. The Government of Guam Retirement Fund *shall* provide the Director of Administration with the information he needs to effect disbursement.

(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 that *shall* continue to be administered by the Director of Administration and *shall not* be subject to *I Maga'lahen Guåhan's* transfer authority.

(e) For Fiscal Year 2013, 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) hereof who have retired from that entity multiplied by Four Thousand Two Hundred Thirty-Eight Dollars ($4,238). Prior to DOA's remittance to the Guam Retirement Fund, said remittances shall be paid from the entities listed above, to DOA on or before October 10, 2012. Said remittances shall not be subject to I Maga'låhen Guåhan's transfer authority.

(f) The sum of Twenty-four Million Four Hundred Twenty-two Thousand Six Hundred Sixty-eight Dollars **($24,422,668)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, to pay the following two (2) items for current retirees:

(1) Retiree group health, dental and life insurance premiums (to continue existing programs currently contained in the semi-monthly payments); and

(2) Retiree life insurance subsidy (to continue existing programs currently contained in the semi-monthly payments).

(g) For Fiscal Year 2013, 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 payments for retirees who have retired from those respective agencies. Prior to DOA's remittance to the Guam Retirement Fund, said remittances shall be paid from the entities listed above, to DOA on or before October 10, 2012. The agencies' remittances for

medical, dental and life insurance mandated herein are ex gratia payments, and are for Fiscal Year 2013 only.

(h) The sum of One Million Nineteen Thousand Nine Hundred Seventy Dollars **($1,019,970)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, to pay the cost of Medicare premiums for Government of Guam retirees and their survivors who are eligible to receive Social Security income benefits and who are required by the government of Guam Group Health Insurance Program to pay said premiums to participate therein.

(i) The sum of Two Hundred Forty-two Thousand Eight Hundred Forty-five Dollars **($242,845)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, for *I Maga'lahi* and *I Segundu na Maga'lahi/I Segundu na Maga'haga* Pensions.

(j) The sum of Four Hundred Eighty-seven Thousand One Hundred Fifty Dollars **($487,150)** is appropriated from the General Fund to the Government of Guam Retirement Fund for Fiscal Year 2013, for retirement annuities for former judges and justices of the Superior Court and Supreme Court of Guam.

(k) The Government of Guam Retirement Fund 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 (g) hereof.

Section 16. Survivor Supplemental Annuity Additions. §8135(d) (6) of Title 4 of the Guam Code Annotated is *amended* to read:

"**(6)** the prospective payment of supplemental benefits for the period of [~~October 1, 2011, through September 30, 2012~~] October 1, 2012, through September 30, 2013 for Fiscal Year 2013 for survivors of those employees who retired *prior* to October 1, 1995, to be paid in the following manner:

(i) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in annual benefits formerly contained in various General Appropriation Acts.

(ii) *No* person eligible for Retiree Supplemental Annuity Benefits provided for in this Section *shall* receive such benefits *if* his regular annual retirement annuity *exclusive* of the supplemental amounts authorized hereby exceeds Forty Thousand Dollars ($40,000.00). No persons eligible for Retiree Supplemental Annuity Benefits *shall* receive more than the sum of Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 17. Disability Supplemental Annuity Additions. §8129(g) of Title 4 of the Guam Code Annotated is *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, 2011, and ending on September 30, 2012~~] October 1,

2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective non-cumulative supplemental annuity benefits as follows:

(1) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand Five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in *annual* benefits formerly contained in various General Appropriation Acts.

(2) *No* persons eligible for Retiree Supplemental Annuity Benefits provided for in Paragraph (g) of this Section *shall* receive such benefit *if* their regular annual retirement annuity, *excluding* survivor benefits, *prior* to the supplemental amounts herein exceeds Forty Thousand Dollars ($40,000.00). No persons eligible for Retiree Supplemental Annuity Benefits shall receive more than the sum of Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 18. Retirees Supplemental Annuity Additions. §8122(d) (6) of Title 4 of the Guam Code Annotated 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, 2011, and ending on September 30, 2012~~] October 1, 2012, and ending on September 30, 2013 for Fiscal Year 2013, prospective, non-cumulative supplemental annuity benefits as follows:

(i) Four Thousand Two Hundred Thirty-eight Dollars ($4,238.00) in Retiree Supplemental Annuity Benefits, known as the sum of One Thousand Two Hundred Dollars ($1,200.00), One Thousand Five Hundred Dollars ($1,500.00), Seven Hundred Dollars ($700.00), and Eight Hundred Thirty-eight Dollars ($838.00) in annual benefits formerly contained in various General Appropriation Acts.

(ii) *No* retiree who is eligible for Retiree Supplemental Annuity Benefits provided for in this Section *shall* receive such benefit *if* his regular annual retirement annuity, excluding the supplemental amounts authorized herein and survivor benefits, exceeds Forty Thousand Dollars ($40,000.00). A retiree who is eligible for Retiree Supplemental Annuity Benefits shall receive no more than Forty Thousand Dollars ($40,000.00) in combined retirement annuities and supplemental retirement annuities."

Section 19. Residential Treatment Fund. The sum of One Million Two Hundred Thousand Dollars (**$1,200,000**) is appropriated from the General Fund to the Department of Administration (DOA) to pay 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 for Fiscal Year 2013. 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 to *I Maga'lahen 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 of Fiscal Year 2013 and post the same on the DOA website.

Section 20. Government Claims Fund. The sum of One Hundred Thousand Dollars **($100,000)** is appropriated from the General Fund to the Department of Administration (DOA) for the Government Claims Fund for payment of approved government claims in Fiscal Year 2013. The Director of DOA shall, *no later than* thirty (30) days after the close of each quarter of Fiscal Year 2013, submit to the Speaker of *I Liheslaturan Guåhan*, in a Microsoft Excel file and written report describing expenditures made pursuant to the appropriations herein, and post the same on the Department's website.

Section 21. Government of Guam's Single Audit Reports.

(a) For Fiscal Year 2013, the sum of Three Hundred Seventy-seven Thousand Dollars **($377,000)** is appropriated from the General Fund to the Department of Administration for the Government of Guam's General Purpose Financial Statement and the Single Audit Reports for Fiscal Year 2012 . The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(b) For Fiscal Year 2013, the sum of Eighteen Thousand Dollars **($18,000)** is appropriated from the Tourist Attraction Fund to the Department of Administration for the Government of Guam's Tourist Attraction Fund Financial Statement and Single Audit Reports for Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

(c) For Fiscal Year 2013, the sum of Eighteen Thousand Dollars **($18,000)** is appropriated from the Guam Highway Fund to the Department of Administration for the

Government of Guam's Highway Fund Financial Statement and Single Audit Reports for Fiscal Year 2012. The Public Auditor *shall* administer said funds and *shall* oversee the annual audit.

Section 22. Department of Administration Training and Continuing Education. For Fiscal Year 2013, the sum of Thirty Thousand Dollars **($30,000)** is appropriated from the Indirect Cost Fund to the Department of Administration (DOA) for training and continuing education of persons employed as government accountants, and in related positions. Of the amount appropriated in this Section, the amount of Ten Thousand Dollars ($10,000) shall be used for Department of Administration Training and Development Section for its training, equipment, and training facilities.

Section 23. Cost of Living Allowance (COLA).

(a) *I Maga'lahen Guåhan* shall provide a "Cost of Living Allowance" (COLA) of One Thousand One Hundred Dollars ($1,100) to each Government of Guam Retirement Fund retiree, or his/her survivor, who has retired as of September 30, 2012 for Fiscal Year 2013 to be prorated monthly. The sum of Six Million Seven Hundred Seventy Thousand Five Hundred Dollars **($6,770,500)** is appropriated from the General Fund to the Department of Administration for Fiscal Year 2013, 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 One Thousand One Hundred Dollars ($1,100) to every Government of Guam Retirement Fund retiree who retired from each respective aforementioned agency

as of September 30, 2012, or his survivor, no later than November 1, 2012, unless the annuitant chooses in writing to receive bi-monthly payments from October 1, 2012 through September 30, 2013.

(c) Each agency mentioned in Subsection (b) shall remit to the General Fund the amount required for the implementation of Subsection (b) above no later than October 15, 2013 by each respective entity. No payments shall be made for this purpose until such time as these funds have been remitted.

Section 24. Support of Child in Custody. For Fiscal Year 2013, the sum of Six Hundred Forty-nine Thousand Nine Hundred Sixty-two Dollars **($649,962)** is appropriated from the General Fund to the Department of Administration for the *sole* purpose of paying orders of the court pursuant to §5116 of Title 19 of the Guam Code Annotated.

Section 25. Section 1 of Public Law 28-38 as amended is hereby further *amended* to read as follows:

"Section 1. Special Retirement Provisions for the Guam Department of Education (GDOE) and Guam Memorial Hospital Authority (GMHA). On the first day of the first month following the enactment hereof and on every first day of every month thereafter, the Department of Administration (DOA) *shall* compute and recognize interest owed for both the GDOE and GMHA retirement liabilities to the Government of Guam Retirement Fund (GGRF) equal to outstanding liability multiplied by the one twelfth (1/12) of the most recent historical five (5) year average annual rate of return of the defined benefit investment portfolio, inclusive of performance which yielded negative returns. Liability payments made by the

GDOE or GMHA *shall* be credited to the respective liability balance prior to the next month's interest calculations. The GGRF *shall not* be entitled to any additional interest for liabilities identified in this Section beyond what the DOA calculates on the first day of each month. The GGRF *shall* accept and approve for retirement any eligible employee of the GDOE or the GMHA upon condition that the respective agency's employer and employee contributions to the GGRF for the applicable fiscal year are current and paid in full as provided in Section 13, Chapter VI of Public Law 27-106. If the GDOE or GMHA fails to make current payments for the applicable fiscal year, the GGRF *shall* cease processing applications from employees of that agency until payment is made in full.

The GGRF and the DOA *shall* reconcile the annualized interest paid during the current fiscal year upon release of the GGRF rate of return performance report for Quarter ending September 30 for the same twelve (12) month period. The GGRF *shall* invoice the DOA for any underpayment of interest computed by subtracting actual interest payments from interest calculated using the current fiscal year monthly principal balances outlined in Section 1 and the twelve (12) month average rate of return for the same period.

On the first day of the first month following the enactment hereof and on every first day of every month thereafter, with a grace period of *no more than* ten (10) days, the Treasurer of Guam *shall* pay "interest only" payments for the GDOE deficiency to the GGRF and the Treasurer of Guam *shall* pay "interest only" payments for the GMHA deficiency to the GGRF on the first day of the first month following the enactment hereof and on every first day of every month

thereafter. The GGRF *shall* accept and approve for retirement any eligible employee of the GDOE or the GMHA upon the condition that the respective agency's employer and employee contributions to the GGRF for the applicable fiscal year are current and paid in full as provided in Section 13, Chapter VI of Public Law 27-106, including interest and penalties pursuant to § 8137 (c) of Title 4 of the Guam Code Annotated and interest at the actuarial rate determined in the latest completed actuarial valuation prepared for the Board of Trustees by the actuary appointed by the Board, which is seven and one-half (7.5%). If the Treasurer of Guam fails to make current payments as required by this Section or if GDOE or GMH fails to make current payments for the applicable fiscal year, the GGRF *shall* cease processing applications from employees of that agency until payment is made in full."

a) For Fiscal Year 2013, the sum of Three Hundred Thirty-two Thousand Seven Hundred Fifty-three Dollars **($332,753)** is appropriated from the General Fund to DOA for "interest only" payments for the GDOE and GMHA deficiency to the GGRF pursuant to this Section. Any balance remaining from this appropriation shall revert to the General Fund.

Section 26. Department of Labor for Workers Compensation Fund. The sum of Seven Hundred Ninety-eight Thousand Five Hundred Ninety-three Dollars **($798,593)** is appropriated from the General Fund to the Department of Labor for the Workers Compensation Fund for Fiscal Year 2013, for the Workers Compensation payments pursuant to §9144 of Title 22 of the Guam Code Annotated, including obligations incurred in past years and in the future. Said appropriations 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 his injury and the recovery there from may require. Said appropriations *shall not* be expended for disability compensation payments for Full-Time Equivalents (FTEs) funded by this Act. The Director of Labor may use *no more than* Forty Thousand Dollars ($40,000) from said appropriations to pay for legal services for Workers Compensation hearings.

Section 27. Public Streetlights. The sum of Three Million Five Hundred Ninety Thousand Two Hundred Sixty-one Dollars **($3,590,261)** is appropriated from the Street Light Fund and the sum of Three Million Seven Hundred Nine Thousand Seven Hundred Thirty-nine Dollars **($3,709,739)** is appropriated from the Guam Highway Fund to the Department of Public Works for Fiscal Year 2013, to pay to the Guam Power Authority for the operation of public streetlights.

Section 28. Prior Years Cost of Care and Custody for Prisoners Confined in Federal Facilities. The sum of Six Hundred Ninety-six Thousand Dollars **($696,000)** is appropriated from the General Fund to the Department of Corrections for Fiscal Year 2013, for the payment of current year obligations for prisoners confined in federal facilities of the Federal Bureau of Prisons.

Section 29. Appropriation to Unified Judiciary Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of One Million Three Hundred Ninety-six Thousand Seven Hundred Ten Dollars **($1,396,710)** is appropriated from the General Fund and the sum of One Hundred Forty-five Thousand Dollars **($145,000)** is

appropriated from the Safe Streets Fund to the Unified Judiciary for the following programs:

(a) Court-Appointed Attorney Fees. Such appropriation in this Section is for the purpose of paying court-appointed attorney fees arising from the defense of indigent peoples for Fiscal Year 2013. Said funds *shall* be deposited into the Judicial Client Services Fund account, as created by Chapter 9.6, Division 1 of Title 7 of the Guam Code Annotated and *shall not* be subject to any transfer authority. Any unexpended funds appropriated herein *shall* be reverted to the General Fund at the end of Fiscal Year 2013.

(b) Adult and Juvenile Drug Courts. Such appropriation in this Section is for the operations of the Adult and Juvenile Drug Courts.

(c) Family Visitation Center. Such appropriation in this Section is to pay for contractual services for the operation of the Family Visitation Center, *provided,* that the Judiciary must comply with §18125(c) and (d) of Title 16 of the Guam Code Annotated, and §9211(b) of Title 7 of the Guam Code Annotated.

Section 30. Appropriations to the Mayors' Council of Guam. Notwithstanding any other provision of law, for Fiscal Year 2013, the sum of One Million Thirty-eight Thousand Two Hundred Forty-five Dollars (**$1,038,245**) is appropriated from the General Fund and the sum of One Million Five Hundred Six Thousand Nine Hundred Forty-seven Dollars (**$1,506,947**) is appropriated from the Tourist Attraction Fund to the Mayors' Council of Guam for the following programs.

(a) Streets Maintenance and Beautification. Such appropriation in this Section is for the maintenance and beautification of village secondary and tertiary roads,

and for the operations of Mayors' offices, but *not* for personnel costs. Said funds *shall not* be subject to any transfer authority of *I Maga'lahen Guåhan* and *shall* be divided among the Village Mayors as follows:

(1) Each Mayor *shall* receive the sum of Twenty Thousand Dollars **($20,000)**; and

(2) The remaining balance of the fund *shall* be distributed to each Mayor *pro rata* based on the total road mileage in his village as a percentage of Guam's total road mileage in the 2006 Guam Roads Pavement Inventory of the Department of Public Works.

(b) Island-wide Village Beautification Projects. Such appropriation in this Section is for Island-wide Village Beautification Projects to include:

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

(2) The maintenance and repair of each village's main roads; and

(3) The planting and maintenance of each village's official flower 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, Chapter 5 of Title 5 of the Guam Code Annotated.

(c) Grounds Maintenance for Schools. Such appropriation in this Section is for the grounds maintenance of Guam Department of Education schools. Subject to approval and scheduling of the public school principals, the Mayors are responsible for

regular ground maintenance of Guam Department of Education school grounds in their respective districts where ground 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 scheduling with the public school principals, the Mayor may contract with a private entity to provide the services authorized by this Section.

(d) Public Safety and Social Education Programs. Such appropriation in this Section is for the public safety and social education programs.

(e) Veterinarian and Animal Control Services. Such appropriation in this Section is for veterinarian and animal control services.

Section 31. Appropriations to the Guam Memorial Hospital Authority. Notwithstanding any other provision of law, the sum of Fourteen Million Twenty-one Thousand One Hundred Eighty-eight Dollars **($14,021,188)** is appropriated for Fiscal Year 2013 as follows:

(a) Two Million Four Hundred Thirteen Thousand Four Hundred Ninety-five Dollars **($2,413,495)** is appropriated from the General Fund to the Guam Memorial Hospital Authority to supplement its operations.

(b) Pursuant to §§ 26208 and 26208.1 of Chapter 26, Division 2 of Title 11 of the Guam Code Annotated, Nine Million One Hundred Fifty Thousand Fifty-four Dollars **($9,150,054)** is appropriated from the Guam Memorial Hospital Authority Pharmaceuticals Fund to the Guam Memorial Hospital Authority.

c) Pursuant to §26603(d)(3) of Chapter 26 of Title 11 of the Guam Code Annotated, One Million Four Hundred Fifty seven Thousand Six Hundred Thirty Nine

Dollars (**$1,457,639**) is appropriated from the Healthy Futures Fund to the Guam Memorial Hospital Authority for its operations.

d) Pursuant to §22603(d), Article 6, Chapter 26 of Title 11 of the Guam Code Annotated, One Million Dollars (**$1,000,000**) is appropriated from the Healthy Futures Fund to the Guam Memorial Hospital Authority for the line of credit pursuant to §80104(t), Chapter 80 Division 4 of Title 10 of the Guam Code Annotated.

Section 32. Appropriations to the Guam Regional Transit Authority. Notwithstanding any other provision of law, the sum of Three Million Nine Hundred Five Thousand Eight Hundred Ninety-nine Dollars (**$3,905,899**) is appropriated for Fiscal Year 2013 as follows:

a) Three Hundred Forty-nine Thousand Two Hundred Ten Dollars (**$349,210**) is appropriated from the Public Transit Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority pursuant to §26503(b), Chapter 26 of Title 11 of the Guam Code Annotated.

b) Three Million Five Hundred Fifty-six Thousand Six Hundred Eighty-nine Dollars (**$3,556,689**) is appropriated from the Guam Highway Fund to the Guam Regional Transit Authority Fund for the operations of the Guam Regional Transit Authority.

Section 33. Guam Solid Waste Authority Appropriation. For Fiscal Year 2013, the sum of Seven Million Seven Hundred Fifty-nine Thousand One Hundred Six Dollars (**$7,759,106**) is appropriated from the Solid Waste Operations Fund to the Guam Solid Waste Authority pursuant to Public Law 31-20.

CHAPTER IV

MISCELLANEOUS PROVISIONS

Section 1. Retirement Option for Government of Guam Employees. A member of the Government of Guam Retirement Fund 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 Government of Guam Retirement Fund *shall* be paid by the Government.

This Section *shall not* restrict the continuing remittance of existing Retirement Fund contributions as required by law *or* by the Government of Guam Retirement Fund. By the fifteenth (15th) day of each month, the Director of the Government of Guam Retirement Fund *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 Public Law 28-38.

Section 2. Volunteers and Donations for Skinner Plaza, Plaza De Espana and Guam Congress Building. The Executive Director of *I Liheslaturan Guåhan* may receive donations, including, but *not* restricted to, donations of goods, materials and services, for the purpose of maintaining and renovating Skinner Plaza, the Plaza De Espana, and the Guam Congress Building (also known as the Old Legislative Building).

Section 3. Temporary Employment of Retired Corrections Officers. The Department of Corrections may hire retired Guam Corrections Officers *if* a critical need arises. Retired corrections officers hired under this Section may receive their retirement

annuity while employed on this temporary basis. Officers may *only* be hired under this section only to fill positions left vacant because of military activation of corrections officers filling those positions and *shall* be terminated when the incumbent returns from military service. Retired officers may be hired *only* in the ranks of Corrections Officers Supervisor I, at Step 1 only, and *shall not* receive sick and annual leave. Officers hired under this section *shall* meet requirements for the position in question *except* for written examinations and the Director of Corrections *shall* certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, a retiree hired pursuant to this Section may continue to receive his annuity.

Section 4. Temporary Employment of Retired Guam Police Officers. The Guam Police Department may hire retired Guam Police Officers *if* a critical need arises because of military activation of police officers. 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 1, and shall not receive sick and annual leave. Officers hired under this Section shall first meet the requirements, except for written examinations, for the position in question and the Chief of Police shall certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to this Section hereto may continue to receive retirement benefits.

Section 5. Temporary Employment of Retired Guam Fire Fighters. The Guam Fire Department (GFD) may hire retired GFD firefighters *if* a critical need arises because of military activation of GFD firefighters. The retirees hired *shall* fill such a vacant position and shall be terminated when the incumbent returns from military service.

Retired fire personnel may be hired only at the ranks of Fire Specialist and below, only at Step 1, and shall not receive sick and annual leave. Retired firefighters hired under this Section shall first meet the requirements, except for written examinations, for the position in question and the Fire Chief shall certify that every retiree hired is fit for duty. Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant to this Section hereto may continue to receive retirement benefits.

Section 6. Temporary Employment of Retired Customs and Quarantine Officers. The Customs and Quarantine Agency may hire retired Customs and Quarantine Officers when a critical need arises as a result of military activation of Customs officers *or* when vacancies cannot be filled within six (6) months because of the lack of qualified applicants. The retired officer *shall* fill such a vacant position and *shall* be terminated when the incumbent returns from military service *or* when a fully-qualified applicant is available. Retired officers may be hired *only* in the ranks of Customs Officer III and below, only at Step 1, and *shall* not receive sick and annual leave. Retirees hired pursuant to this Section *shall* meet requirements for the position in question, *except* for written examinations, and the Director of Customs *shall* certify that every retiree hired is fit for duty. The requirements of Article 3, Chapter 32 of Title 17 of the Guam Code Annotated, are waived for employment pursuant hereto *except* for §32304(b) (4). Notwithstanding §8121(a) of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to receive their retirement benefits.

Section 7. Temporary Employment of Retired Department of Revenue and Taxation Employees. The Department of Revenue & Taxation may hire retired employees of the Department of Revenue & Taxation when a critical need arises in the

areas of Tax Collection, Taxpayer Assistance, Tax Investigation, Auditing, and Tax Processing. Said retirees *shall* be hired at Step 1 for the position in question and *shall* not receive sick and annual leave. Notwithstanding §8121(a), Chapter 8 of Title 4 of the Guam Code Annotated, retirees hired temporarily pursuant hereto may continue to receive their retirement benefits.

Section 8. 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 9. 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 serve Medically Indigent Program clients.

Section 10. Transfer of Employees. Notwithstanding any other provision of law, and in recognition of personnel shortages in certain areas, *I Maga'lahen Guåhan* is authorized to transfer employees within *or* between any department *or* agency of the government of Guam, *except* that:

(a) This Section shall *not* apply to any employee of the Legislative *or* Judicial Branches of government;

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

(c) *No* employee *shall* be transferred if the employee has filed a viable grievance with the Civil Service Commission for discrimination based on political affiliation, gender, *or* sexual harassment, *unless* the employee consents to said transfer;

(d) No employee of an autonomous agency may be transferred to a line department *or* agency;

(e) *I Maga'lahi shall* transfer the funding authorized for that employee's position from the transferor agency to the transferee agency, including the Guam Memorial Hospital Authority, Department of Public Health and Social Services, and Department of Mental Health and Substance Abuse, unless the transfer is from a line agency to an autonomous agency; and

(f) 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.

Section 11. Moratorium on Compensation for Boards and Commissions. Notwithstanding any other provision of law, rule, or regulation, except for the Civil Service Commission, the Guam Education Policy Board, and the Consolidated Commission on Utilities, a moratorium is hereby placed on the compensation of all members of government boards and commissions for their attendance at hearings or meetings, through the end of Fiscal Year 2013.

Section 12. 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 2013.

(a) Subject to Chapter 5 of Title 5 of the Guam Code Annotated, 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 and the Public Defender Service Corporation 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 and the Executive Director of the Public Defender Service Corporation *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 Department of Mental Health and Substance Abuse 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 13. Repeal of Direct Deposit of Judiciary Appropriations. §22111 of Article 1, Chapter 22, Title 5, Guam Code Annotated, is hereby *repealed* in its entirety.

CHAPTER V

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 2013.

Section 2. Carryover of Local and Federal Matching Program Funds for Grants. The Local and Federal Matching Funds for programs, whose expiration dates extend *beyond* September 30, 2013, *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 of Title 4 of the Guam Code Annotated, the government rate of contribution to the Retirement Fund throughout Fiscal Year 2013 *shall* be thirty and nine hundredths percent **(30.09%)**.

Section 4. Autonomous Agency Revenues and Expenditures Reported to *I Maga'lahen Guåhan* and *I Liheslaturan Guåhan*. Notwithstanding any other provision of law, every autonomous and semi-autonomous agency *or* public corporation in the government of Guam *shall* report all revenues and expenditures for all funds under its purview and administration to the *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan Guåhan* 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. Special Fund Transfer. *I Maga'lahen Guåhan* is authorized to transfer to the General Fund any cash available from any appropriated Special Fund *or* Revolving Fund to fund the appropriations authorized by this Act.

All cash from Special funds *or* Revolving funds transferred to cover the appropriations authorized by this Act *shall* be promptly reimbursed to the Special *or* Revolving Fund from which it was withdrawn as cash becomes available.

Section 6. Transfer Authority of *I Maga'lahen Guåhan*. *I Maga'lahen Guåhan* is authorized to transfer funds between Fiscal Year 2013 General Fund Executive Branch appropriations, and within departments and agencies Special Fund Executive Branch appropriations for Fiscal Year 2013. This section does not apply to appropriations made to the Judiciary, *I Liheslaturan Guåhan*, and the Office of Finance and Budget.

Section 7. Independent Contractors. The Office of *I Maga'lahi,* the Office of *I Segundu Na Maga'lahen Guåhan* and the Guam State Clearinghouse may enter into agreements with independent contractors pursuant to Guam procurement laws.

Section 8. Facilities Insurance Requirements. Every department and agency of the government of Guam, as part of its appropriations for operations contained in this Act, may expend such sums as necessary for facilities insurance requirements.

Section 9. 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* 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 Five Thousand Dollars ($5,000) *or* more prior to awarding the contract therefore;

(c) Access to the overseeing department *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, 2013, for Fiscal Year 2013. The overseeing department *or* agency *shall* post the same on its website.

(f) 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 10. *Unless* otherwise specified in this Act:

(a) General Fund Reversion. All unexpended *or* unencumbered appropriations made from the General Fund pursuant to this Act *shall* revert to the General Fund on the last day of Fiscal Year 2013.

(b) Tourist Attraction Fund Reversion. All unexpended *or* unencumbered appropriations made from the Tourist Attraction Fund pursuant to this Act *shall* revert to the Tourist Attraction Fund on the last day of Fiscal Year 2013.

(c) Healthy Futures Fund Reversion. All unexpended *or* unencumbered appropriations made from the Healthy Futures Fund pursuant to this Act *shall* revert to the Healthy Futures Fund on the last day of Fiscal Year 2013.

Section 11. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act may be expended for the payment of prior years' obligations, provided it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment.

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 2013:

(a) Guam Police Department - Police Services Fund

(b) Department of Corrections - Corrections Revolving Fund

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

(d) Guam Environmental Protection Agency - Guam Environmental Protection Agency Funds: Air Pollution Control Special Fund, Guam

Environmental Trust Fund, the Water Protection Fund and the Water, Research and Development Fund

(e) Department of Land Management - Land Survey Revolving Fund and Chamorro Land Trust Operations Fund

(f) Department of Agriculture - Guam Plant Inspection and Permit 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 - Guam Fire Department Funds: Enhanced 911 Emergency Reporting System Fund and the Fire, Life and Medical Emergency Fund

(i) Guam Regional Transit Authority - Guam Regional Transit Authority Fund

(j) Department of Public Works - DPW Building and Design Fee Account

(k) Guam Contractors License Board - Guam Contractors License Board Fund Collections

(l) Department of Revenue and Taxation - Tax Collection Enhancement Fund

(m) Department of Public Health and Social Services - Guam Environmental Health Fund

(n) Department of Parks and Recreation - Public Recreation Services Fund

(o) Guam Department of Education - Public Library Resources Fund

(p) Department of Labor and the Guam Community College - Manpower Development Fund

Section 13. Guam Department of Education Plan Review. Section 26 of Chapter 2, Part I of Public Law 28-68, as *repealed* and *reenacted* by Section 20 of Chapter VI of Public law 29-02, is further *repealed* and *reenacted* to read as follows:

"Section 26. GDOE Compensation Plan Review. Section 2 of Public Law 28-036 is hereby *amended* to read as follows:

Section 2. GDOE Compensation Plan Review. The Director of Administration, in consultation with the Guam Department of Education (GDOE), immediately upon the enactment hereof, and every three (3) years thereafter, *shall* review and upgrade as needed the Compensation Plans of certificated teachers, guidance counselors, and school librarians of GDOE, to be competitive with the U.S. national average. Only full-time certificated teachers, full-time guidance counselors, and full-time school librarians of GDOE shall be entitled to additional compensation pursuant to this Section or the Director of Administration's review of the GDOE Compensation Plan. The Director of Administration *shall* enact the upgraded Compensation Plans of full-time certificated teachers, guidance counselors, and school librarians of GDOE after the commencement of its review."

Section 14. Severability. *If* any provision of this Act or its application to any person or circumstances is held invalid, the invalidity shall *not* affect other provisions or

applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.