


I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 211-38 (COR)

The introduced version may be obtained
through the Legislative Clerk's Office

Introduced by:

Eulogio Shawn Gumataotao 

**AN ACT TO *ADD* A NEW § 4109(g)(4) TO CHAPTER 4 OF
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
PRIORITIZING PUBLIC SAFETY SERVICES BY
RESTRICTING THE DE-APPROPRIATION OR
TRANSFER OF UNEXPENDED PRIOR FISCAL YEAR
APPROPRIATIONS FROM THE GUAM POLICE
DEPARTMENT, GUAM FIRE DEPARTMENT,
DEPARTMENT OF CORRECTIONS, AND GUAM
CUSTOMS AND QUARANTINE AGENCY TO THE
GENERAL FUND.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Substitute Bill No. 44-38 (COR), the General Appropriations Act of 2026,
4 includes continuing appropriation authority for multiple departments and agencies
5 of the government of Guam.

6 *I Liheslatura* recognizes that although the Office of Finance and Budget
7 (OFB) stated on August 19, 2025, during session deliberations on Substitute Bill No.
8 44-38 (COR) that the Guam Police Department (GPD) had an estimated \$2 million
9 in unspent appropriations, which OFB was confident GPD would spend by the end
10 of Fiscal Year 2025 primarily on overtime costs, the Chief of Police sent a letter
11 dated September 23, 2025 requesting the Committee on Public Safety, Emergency
12 Management, and Guam National Guard to preserve unexpended prior years'

1 General Fund appropriations authorized for a Law Enforcement Fallen Officers
2 Memorial. The Fiscal Year 2024 General Appropriations Act, Public Law 37-42,
3 appropriated \$500,000 to GPD for the purpose of designing, constructing, and
4 maintaining the Law Enforcement Fallen Officers Memorial dedicated to the fallen
5 officers who lost their lives in the line of duty.

6 *I Liheslatura* further finds that Section 11, Chapter IV (Unified Judiciary) of
7 Substitute Bill No. 44-38 (COR) adds a new § 2104 to Chapter 2 of Title 7, Guam
8 Code Annotated, authorizing that the allotted but unexpended balance of funds
9 appropriated to the Judiciary of Guam each fiscal year shall not lapse and shall
10 continue to be available until fully expended.

11 Consistent with the fiscal policy proffered in support of preserving
12 unexpended prior years' appropriations to the Judiciary of Guam, *I Liheslaturan*
13 *Guåhan* intends through this Act to establish the same continuing appropriation
14 authority for the Guam Police Department, Guam Fire Department, Department of
15 Corrections, and Guam Customs and Quarantine Agency. By restricting the de-
16 appropriation or transfer of unexpended prior fiscal year appropriations from these
17 public safety agencies to the General Fund, *I Liheslatura* ensures their respective
18 operations and immediate and long-term capital investments are prioritized within
19 the limits of legislative appropriations.

20 **Section 2.** A new § 4109(g)(4) is *added* to Chapter 4 of Title 5, Guam Code
21 Annotated, to read as follows:

22 “(g) Continuing Appropriations

23 (1) shall not be filled in the first quarter of the current fiscal year if the
24 Monthly Comparative Revenue and Expenditure Analysis Report filed pursuant to
25 5 GCA § 4109(c)(3) in September of the previous fiscal year indicates unfavorable
26 revenue collections to estimated revenues;

1 (2) shall not be filled after the first quarter of the current fiscal year if the
2 cumulative year-to-date current fiscal year deposits into the Income Tax Refund
3 Efficient Payment Trust Fund are less than the budgeted provision pursuant to the
4 monthly audits required pursuant to 11 GCA § 51106(b).

5 (3) may be filled for any current fiscal year expenses and shall automatically
6 de-appropriate the equal amount from the branch, agency or department from its
7 current fiscal year revenues appropriated. The de-appropriated revenues, if available
8 on September 1 of the current fiscal year, are reserved for the branch, agency or
9 department which may be expended by a new legislative appropriation.

10 (4) Notwithstanding any other provision of law, the allotted but unexpended
11 balance of funds appropriated to the Guam Police Department, Guam Fire
12 Department, Department of Corrections, and Guam Customs and Quarantine
13 Agency each fiscal year shall not lapse and shall continue to be available until fully
14 expended.”

15 **Section 3.** Notwithstanding any other provision of law, the allotted but
16 unexpended balance of funds appropriated to the Guam Police Department, Guam
17 Fire Department, Department of Corrections, and Guam Customs and Quarantine
18 Agency in Fiscal Year 2025, and prior fiscal years, shall not lapse and shall continue
19 to be available to these departments until fully expended.

20 **Section 4. Effective Date.** This Act shall become effective upon enactment.