

**PUBLIC DEFENDER SERVICE CORPORATION**  
**Board of Trustees Regular Meeting**  
**Tuesday, October 23, 2012**  
**Conference Room,**  
**Public Defender Service Corporation**  
**12:30 p.m.**

**A G E N D A**

**I. Call to Order**

**II. Roll Call**

**III. Proof of Due Notice of Meeting:**

5 Working Days Notice: Marianas Variety, Friday, October 12, 2012  
48 Hours Notice: Marianas Variety, Friday, October 19, 2012

**IV. Determination of Quorum**

**V. Approval of Minutes: (Regular Meeting of August 28, 2012)**

**VI. Old/Unfinished Business:**

- A. Financial Status Update (PDSC and APD Allotment Releases)
- B. Domestic Violence Program Update
- C. Alternate Public Defender Update
- D. Director's Performance Review
- E. Resolution Nos. 04-12 and 05-12:  
Night Differential Policy (pending board approval)
- F. PDSC's Policy for Conflicts of Interest
- G. Formation of Task Force re: Development of  
Civil Division at PDSC

**VII. New Business:**

- A. Resolution No. 01-13  
(Request to Use Lapsed Funds to Cover Shortfalls  
of Legislative Appropriation for Fiscal Year 2013)
- B. Resolution No. 02-13  
(Request to Use Lapsed Funds for Purchase of  
Upgrade Software Version/Technical Support of  
APD's Case Management System)

- C. For Informational Purposes:  
Attendance at Tennessee Trial College:  
PDSC Attorney Suresh Sampath and  
APD Attorney Jeffrey Warfield
- D. NLADA Conference in Chicago (Executive Director's Attendance)
- E. Public Law 31-233 (Addition of §8113.1 to Chapter 8 of 5 GCA:  
Reporting Requirements for Boards and Commissions)

**VIII. Public Discussion**

**IX. Adjournment and Next Meeting Date**

## Palauan students in US

external economic shocks and employment generation. They encourage us to seek the opportunities to develop tourism operations on unique natural beauty and the vibrant cultures of these islands.”

### NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, October 23, 2012 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Bernadette S. N. Chargualaf at 475-3100.

BY CHIEF JUSTICE F. PHILIP CARBULLIDO  
Chairman

*This public notice is paid for with government funds.*

## Yap prisoners trained in sustainable gardening



**NEX Barracks**  
**NEX Apra Heights Mini Mart**  
**NEX Polaris Point Mini Mart**  
**Main Navy Exchange**  
**NEX Main Autoport**

**Day Buy Day Supermarket**  
**Bo-Ing Mart**  
**ALL Shell Service Stations**  
**ALL Circle K Service Stations**  
**ALL Mobil Service Station**  
**Maxi Mart**  
**Paradise Store**  
**The Village Pantry**  
**S.J. Market**  
**Rivera Castro Retail & Laundry**  
**Tonfon Corner Store**  
**Grand Market**  
**KNS II - Agana Heights**  
**7-Day Supermarket Harmon**  
**7-Day Supermarket Yona**  
**Agat Oriental Supermarket**  
**Home Plus Mart**  
**AAFB AAFES Service Station**  
**AAFB AAFES Food Court**

**Naval Hospital Mini Mart**  
**Naval Hospital Auto Port**  
**NCTAMS Mini Mart**  
**NCTAMS Autoport**  
**Orote Commissary**

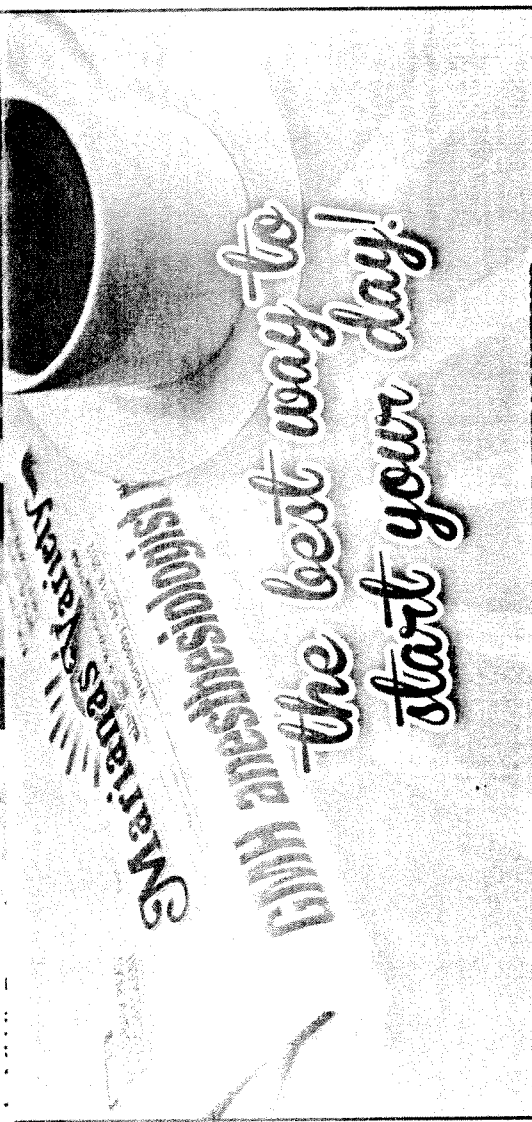
**AND GROWING!**

*Marianas Variety*  
The Largest & Most Convenient Supermarket

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## Syria envoy says bloodshed could spread

**BEIRUT (Reuters)** — The international mediator on Syria said on Wednesday its civil war risks spilling across borders to engulf



**NOW BEING SERVED AT THESE FINE LOCATIONS**

- |  |   |                             |
|--|---|-----------------------------|
| Balutan Queen Café (BOG Hagapna)             | Grill & Curry                                   | Nancy's Coffee Shop         |
| Best Seller Coffee Shop (GPO)                | Grumpy's Cure                                   | Pika's Café                 |
| Bob's Whispering Palm                        | Hafa Adai Café                                  | Port of Mocha (Iumon)       |
| Brown Bag Café                               | Hava Java                                       | Port of Mocha (Acanta Mall) |
| Café Serendipity (former Buz Café)           | Hebrew's Coffee Shop (Harvest Christian School) | Roasted Coffee Shop         |
| Coffee Beanery (Fountain Plaza)              | Infusion Coffee & Tea (Iumoning)                | Sugaromics                  |
| Coffee Beanery (GCU)                         | Infusion Coffee & Tea (Upper Iumon)             | The Tree Coffee Shop        |
| Coffee Beanery (Pacific Place)               | Island Girl Coffee Hut (dine thru)              | Top of the Rock (AKB)       |
| Coffee Beanery (Micronesian Mall 1st. floor) | Java Hut Café                                   | Tu'Re Coffee Shop           |
| Coffee Beanery (Micronesian Mall 2nd. floor) | Java Junction                                   | Vivian Coffee Shop          |
| Cup & Saucer                                 | Linda's Coffee Shop                             | Westin Resort Coffee Shop   |
| Denny's (Micronesian Mall)                   | Main Street Deli                                | Xpresso Coffee Shop (Iumon) |
| Denny's (Iumoning)                           | Mungi Town Café (Iumoning IP Coffee House)      |                             |

## US relied on small British firm for Benghazi security

**WASHINGTON/BENG-**... Benghazi, according to Reuters interviews.

Some of the guards sustained injuries and said they were ill-prepared to protect themselves or others when heavily armed

**USA/Reuters** to talk the Americans who spoke to us on many occasions that we needed more support in security, because it felt thin on the ground. But they didn't seem to be so worried," one guard said.

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**/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO**  
Chairman

*This public notice is paid for with government funds.*

**PUBLIC DEFENDER SERVICE CORPORATION  
BOARD OF TRUSTEES  
Regular Meeting of  
Tuesday, August 28, 2012  
12:55 PM  
PDSC Conference Room**

**MINUTES**

**I. CALL TO ORDER:**

This meeting was called to order by the Chairman, Chief Justice F. Philip Carbullido, at 12:55 p.m.

**II. ROLL CALL:**

Present: Chief Justice F. Philip Carbullido, Chairman  
Presiding Judge (Acting) James L. Canto II, Vice-Chairman  
Attorney Cynthia V. Ecube, GBA President  
Donna Muna-Quinata, Member

Absent: Presiding Judge Alberto C. Lamorena III (off-island)  
CathyAnn C. Gogue (off-island)

Others Present: Attorney Eric D. Miller, PDSC Executive Director  
Attorney Ana Maria Gayle, APD Supervising Attorney  
Bernadette S.N. Chargualaf, PDSC Administrative Director  
Cecilia A. T. Lizama, Chief Fiscal Officer  
Edbert J. Quintanilla, Personnel Specialist IV  
Cecelia M. Fernandez, Administrative Assistant  
Julito B. Tingson, Jr., MIS Administrator

**III. PROOF OF DUE NOTICE OF MEETING:**

“Notice of Public Meeting” was published in Marianas Variety on Friday, August 17, 2012 and Friday, August 24, 2012.

**IV. DETERMINATION OF QUORUM:**

With the presence of four (4) board members, a quorum was determined for this meeting.

**V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Tuesday, June 26, 2012 were adopted and approved subject to corrections.**

## VI. OLD BUSINESS:

- A. **Financial Status Update (PDSC and APD Allotment Releases):** Chief Fiscal Officer, Cecilia A.T. Lizama, reported that PDSC received the first half of August 2012, as of this date, which is 90% of the scheduled allotments. An additional \$60,000 was received to cover the appropriation for medical, dental and life insurance premiums; the funding source for this was supposed to be from the GWA Reimbursement Fund, which never materialized.

For Alternate Public Defender (APD), 91% of the scheduled allotment releases (through July 2012), have been received to date. A release for the first half of August 2012 is expected to be released later in the week.

Note: Chief Justice Carbullido related that he has received information relative to the Fiscal Year 2013 budget appropriation for the PDSC. Apparently, the legislature took Fiscal Year 2012 appropriation levels and rolled them over to Fiscal Year 2013, but subsequently cut approximately 5% (five percent) of that amount (under Miscellaneous Provisions). He directed the Corporation to review the numbers, and come up with an Action Plan as to how the impact of these shortages will be dealt with.

- B. **Domestic Violence Program Update:** Chief Fiscal Officer Cecilia A.T. Lizama informed those present that funding for the months of May and June 2012 were received. PDSC Operations Fund continues to provide advances for the program.
- C. **Alternate Public Defender Update:** APD Supervising Attorney Annie Gayle related that the APD's Fiscal Year 2013 Budget Request was approved by the Judicial Council on August 23, 2012.
- D. **Night Differential (Development and Implementation of Policy Governing Night Differential Pay):** PDSC Executive Director Miller presented the Corporation's proposed policy, which is parallel to the relevant statute on this subject. He also noted that a response to his request for a legal opinion from the Attorney General's office has not been received. This matter was tabled until the next board meeting in order to allow some time for members to review the proposed policy.
- E. **Director's Performance Review (5GCA §43201):** This item was deferred until the next board meeting due to CathyAnn Gogue being off-island at this time.
- F. **Representation of Current Clients in Related Protective Order Cases:** This agenda item was combined with item H (PDSC's Policy for Conflicts of Interest).
- G. **Resolution No. 13-12 (Continued Moratorium on Civil and Domestic Cases):** Addressing the high caseloads of PDSC attorneys, this resolution essentially continued the current moratorium on civil and domestic cases indefinitely.

Certain exceptions (i.e., uncontested guardianships, burial of expired bodies, and domestic cases involving violence or the threat of violence) may continue to be accepted by the Corporation (within prescribed eligibility criteria), through December 31, 2012 whereupon this matter will be revisited for further action.

- H. PDSC's Policy for Conflicts of Interest:** PDSC Director Eric Miller reported that the Conflicts Committee met and will meet again in early September to continue discussions on this matter, and to draft a proposal which will be presented at the next board meeting. Attorney Miller is conducting further research on this.

Chief Justice Carbullido directed that this item be kept on the agenda for the next meeting.

## **VII. NEW BUSINESS:**

- A. Formation of Task Force re: Development of Civil Division Within the PDSC:** PDSC Director Eric Miller presented this matter, and proposed that a Civil Division within the Corporation will be structured similar to the Alternate Public Defender. Administrative duties and costs will be shared with the PDSC, so operational expenses will be minimized. Current resources are inadequate for this project to materialize. However, if the legislature and/or federal grants are able to fund more attorney positions, as well as minimal administrative staff, this may be possible. The Task Force will continue to explore other funding sources for this program.

Chief Justice Carbullido reiterated the importance of this matter, and the high priority it is for the PDSC. While he is cognizant of the Corporation's priority with criminal cases, he supports any further endeavors to lift the present moratorium on civil cases. He directed that plans and ideas regarding this objective be presented to the legislature for the next budget cycle, and to push for additional funding in order to realize this goal.

Acting Presiding Judge James Canto was appointed Chairman of this Task Force; Attorney Cynthia Ecube will be submitting her recommendation of additional members to Director Eric Miller.

- B. For Informational Purposes: Purchase of Software Updates/Licenses for AbacusLaw (Case Management System):** PDSC MIS Administrator Julito Tingson informed those present that technical support upgrades for this software are necessary in order to maximize available services. Although some funding was requested for Fiscal Year 2013, we won't know the true amount available until after the budget bill is passed.

This item was deferred for thirty (30) days, pending the passage of the Fiscal Year 2013 Budget Bill by the legislature.

Judge Canto also invoked the possibility of looking into other case management software/systems for the PDSC.

- C. Retirement of Florenzo P. Fejeran, Chief Special Investigator and Cecilia A.T. Lizama, Chief Fiscal Officer:** The retirement of these PDSC employees on September 28, 2012 was announced, along with a celebration honoring them which is set for Thursday, September 27, 2012 at The View, Marriott Hotel from 6:00 to 11:00 p.m. Board members were invited.

**VIII. PUBLIC DISCUSSION:** None.

- IX. ADJOURNMENT AND NEXT MEETING DATE:** There being no further business up for discussion, this meeting was adjourned at 1:43 p.m. The next meeting was then tentatively scheduled for September 25, 2012 at 12:30 p.m.

Respectfully submitted,

  
BERNADETTE S.N. CHARGUALAF  
Secretary



## **Agenda Item #VI (D)**

**Director's Performance Review**

**5 GCA GOVERNMENT OPERATIONS  
CH. 43 BOARDS & COMMISSIONS**

reverted the name of the Guam Public School System to the Department of Education..

**§ 43202. Performance Reviews of Agency Heads.**

The governing Boards for all agencies, instrumentalities, *or* entities *shall* issue performance reviews of the Chief Executive selected for that agency six (6) months after appointment of the said Chief Executive and every twelve (12) months thereafter that the Chief Executive is retained by the Governing Board. Each performance review *shall* document the Chief Executive's performance, accomplishments, and the respective Governing Board's reasons for retaining the said Chief Executive.

**SOURCE:** Added by P.L. 27-20. Amended by P.L. 29-061:2 (Apr. 4, 2008).

**§ 43203. Publication of Performance Reviews.**

The performance reviews required under this Act *shall* be made public and the availability of these reviews *shall* be published by the respective Governing Boards issuing the aforementioned reviews by newspaper of general circulation *or* by radio *or* television which is reasonably calculated to provide notice of the facts it announces to the public at large and posted on the agency, instrumentality *or* entity's website.

**SOURCE:** Added by P.L. 27-20. Amended by P.L. 29-061:3 (Apr. 4, 2008).

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# **Agenda Item #VI (E)**

PDSC

Night Differential Policy

**DIRECTOR**  
Eric D. Miller



**ADMINISTRATIVE DIRECTOR**  
Bernadette S.N. Chargualaf

**PUBLIC DEFENDER SERVICE CORPORATION**  
*(Kotperasion Setbision Defensot Pubbleku)*

**GOVERNMENT OF GUAM**  
MVP Sinajana Commercial Building, Unit B  
779 Route 4, Sinajana, Guam 96910-5174  
Tel: (671) 475-3100 □ Fax: (671) 477-5844

**STAFF ATTORNEYS**  
Richard S. Dirx  
Jane L. Kennedy  
Terrance A. Long  
Loretta T. Gutierrez-Long  
Pablo M. Aglubat  
Raymond B. Ilagan  
Jocelyn M. Roden  
Peter J. Sablan  
Maria G. Fitzpatrick  
Rebecca M. Warfield  
Ali N. Nusbaum  
Suresh Sampath  
Brian E. Kegerreis  
Mikaela S. Henderson

**MEMORANDUM**

**TO:** Chief Justice F. Philip Carbullido  
Presiding Judge Alberto C. Lamorena III  
Attorney Cynthia Ecube  
Mrs. Donna Muna Quinata  
Ms. CathyAnn C. Gogue

**FROM:** Executive Director

**DATE:** October 19, 2012

**SUBJECT:** PDSC Night Differential Pay Policy

Attached you will please find our proposed PDSC Night Differential Pay Policy, setting forth provisions and procedures for this form of compensation as mandated by 4 GCA §6217.

We humbly ask for your favorable consideration and approval in order to ensure the PDSC's compliance with this respective statute.

Should you have any questions or desire further information, please do not hesitate to contact me.

**BEFORE THE BOARD OF TRUSTEES  
OF THE  
PUBLIC DEFENDER SERVICE CORPORATION (PDSC)  
RELATIVE TO  
NIGHT DIFFERENTIAL PAYMENTS  
FOR PDSC EMPLOYEES  
IN FISCAL YEAR 2012**

**Resolution No. 04-12**

- WHEREAS,** Public Law 30-105:2 was enacted, effective March 11, 2010, to amend §6217 of 4 GCA “for the purpose of ensuring that public employees that work at night receive night differential pay”; and
- WHEREAS,** a minimum of more than four (4) consecutive hours working within the time period of 6:00 p.m. and 7 a.m., in order to be entitled to night differential pay, was repealed; and
- WHEREAS,** §6217 of 4 GCA now declares “All employees of the government of Guam, except the department or agency heads and the Deputy Directors, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all periods worked between the hours of 6:00 p.m. and 6:00 a.m.”; and
- WHEREAS,** night differential payments are not customarily made by the agency due to the nature of work and services provided; and
- WHEREAS,** funds were neither requested nor approved to fund night differential payments to employees of the agency in the Fiscal Year 2012 Budget Request; and
- WHEREAS,** over three months ago, the PDSC requested an opinion from the office of the Attorney General of Guam relative to the eligibility of attorneys and/or exempt employees for night differential pay, and has yet to receive a reply; and
- WHEREAS,** it is the intent of the Board of Trustees to afford all employees equitable treatment and well-deserved compensation for all work performed, in compliance with all employment laws pertaining to the government of Guam; now therefore be it
- RESOLVED,** the Board of Trustees, at its duly-noticed, regular meeting on October 23, 2012 approved the Corporation’s policy with respect to night differential pay, which is incorporated herein and made a part thereof, and be it further

**RESOLVED,** the use of PDSC lapsed funds for night differential payments, not to exceed \$5,000 in Fiscal Year 2012, is hereby approved.

**DULY AND REGULARLY ADOPTED this 23rd day of October, 2012.**

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Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:

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BERNADETTE S.N. CHARGUALAF  
Secretary

**BEFORE THE BOARD OF TRUSTEES  
OF THE  
PUBLIC DEFENDER SERVICE CORPORATION (PDSC)  
RELATIVE TO  
NIGHT DIFFERENTIAL PAYMENTS  
FOR EMPLOYEES OF THE  
ALTERNATE PUBLIC DEFENDER  
IN FISCAL YEAR 2012**

**Resolution No. 05-12**

- WHEREAS,** Public Law 30-105:2 was enacted, effective March 11, 2010, to amend §6217 of 4 GCA “for the purpose of ensuring that public employees that work at night receive night differential pay”; and
- WHEREAS,** a minimum of more than four (4) consecutive hours working within the time period of 6:00 p.m. and 7 a.m., in order to be entitled to night differential pay, was repealed; and
- WHEREAS,** §6217 of 4 GCA now declares “All employees of the government of Guam, except the department or agency heads and the Deputy Directors, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all periods worked between the hours of 6:00 p.m. and 6:00 a.m.”; and
- WHEREAS,** night differential payments are not customarily made by the agency due to the nature of work and services provided; and
- WHEREAS,** funds were neither requested nor approved to fund night differential payments to employees of the agency in the Fiscal Year 2012 Budget Request; and
- WHEREAS,** over three months ago, the Public Defender Service Corporation requested a legal opinion from the office of the Attorney General of Guam relative to the eligibility of attorneys and/or exempt employees for night differential pay, and has yet to receive a reply; and
- WHEREAS,** it is the intent of the Board of Trustees to afford all employees equitable treatment and well-deserved compensation for all work performed, in compliance with all employment laws pertaining to the government of Guam; now therefore be it
- RESOLVED,** the Board of Trustees, at its duly-noticed, regular meeting on October 23, 2012 approved the PDSC’s policy with respect to night differential pay, which is incorporated herein and made a part thereof; and be it further

**RESOLVED,** the use of APD lapsed funds for night differential payments, not to exceed \$5,000 in Fiscal Year 2012, is hereby approved.

**DULY AND REGULARLY ADOPTED this 23rd day of October, 2012.**

---

Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:

---

BERNADETTE S.N. CHARGUALAF  
Secretary



**PUBLIC DEFENDER SERVICE CORPORATION  
NIGHT DIFFERENTIAL PAY POLICY**

**STATEMENT OF POLICY**

All PDSC employees, except the Executive Director, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all authorized periods worked between the hours of 6:00 pm and 6:00 am. (4 GCA §6217)

**ADMINISTRATIVE PROVISIONS**

- A. **Eligibility for Pay:** All PDSC employees, except the Executive Director, shall be entitled to night differential pay for all applicable authorized periods worked.
- B. **Applicable Hours/Periods Worked:** For the purpose of this policy, applicable hours/periods worked shall refer to any and all authorized hours worked by eligible employees between the hours of 6:00 pm and 6:00 am.
- a. **Authorized Hours Worked:** It shall be the responsibility of all supervisors to manage workloads of the Corporation in an effort to minimize the need for night differential payments. Night differential payments shall only be authorized for hours worked by eligible employees and required by the employee's supervisor, or higher authority, within the applicable period to respond to urgent needs of the Corporation which was not a result of the employee's negligence, as determined by the Director.
- b. **Unauthorized Hours Worked:** Work performed within the applicable period which could have been completed during normal business hours, was not required or authorized by the employee's supervisor or higher authority, or was a result of the employee's negligence, shall not be authorized for Night Differential Pay.
- C. **Approvals:** Prior to the commencement of any work to be performed by an eligible employee within the applicable period, it shall be the responsibility of the employee to obtain the necessary approval(s) from his/her supervisor and Director utilizing the form prescribed by the Personnel Office. (Director shall refer to the Executive Director for PDSC attorneys, Administrative Director for PDSC support staff employees or the APD Supervising Attorney for employees of the Alternate Public Defender.)
- D. **Night Differential Rate:** For all applicable approved periods worked, eligible employees shall be paid their regular wage plus ten percent (10%).
- a. Example: John Doe, Legal Clerk, worked from 8:00 am through 5:00 pm daily, Monday through Friday. Additionally, John Doe worked from 6:00 pm through 8:00 pm that same Friday. The hours worked from 8:00 am through 5:00 pm will be paid at his regular rate and the hours worked after 6:00 pm would be paid at the premium rate (Night Differential Pay). Since John Doe is paid \$10 per hour, his pay for the week shall be calculated as follows:

**PUBLIC DEFENDER SERVICE CORPORATION  
NIGHT DIFFERENTIAL PAY POLICY**

*REGULAR PAY* = Hourly Rate x Number of Regular Hours Worked

= \$10.00 per hour x 40 hours  
= \$400.00

*NIGHT DIFFERENTIAL PAY* = (Regular Rate + 10%) x Applicable Hours Worked

= (\$10.00 + 10%(\$10.00)) x 2 hours  
= \$11.00 x 2 hours  
= \$22.00

*TOTAL PAY* = Regular Rate + Night Differential Pay = \$400.00 + \$22.00 = \$422.00

- E. **Relation to Overtime, Compensatory/Straight Time, Holiday Pay:** Night Differential Pay is in addition to overtime, compensatory/straight time (in lieu of overtime) and holiday pay.

Should any provisions contained within this policy conflict with statute, the statute shall prevail and all remaining provisions shall continue in full force and effect.

Duly adopted and effective by the approval signatures and dates certified below.

---

(Signature & Date)

**ERIC D. MILLER**  
**PDSC Executive Director**

---

(Signature & Date)

**ANA MARIA C. GAYLE**  
**APD Supervising Attorney**

---

(Signature & Date)

**BERNADETTE S.N. CHARGUALAF**  
**Administrative Director**

*Prepared and concurred by:*

---

**EDBERT J. QUINTANILLA**  
**Personnel Specialist IV**

## REQUEST FOR NIGHT DIFFERENTIAL PAY

This application for Night Differential Pay is being requested as a mutual agreement between the employee and management before work is performed, unless otherwise approved by higher authority. All PDSC employees, except the agency heads, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all approved periods worked between the hours of 6:00 pm and 6:00 am. (4 GCA §6217)

<b>Employee Name</b>			<b>Payroll Number</b>		
<b>NIGHT DIFFERENTIAL PAY - APPLICABLE HOURS</b>					
Date	Description of work to be performed	Period of Time Worked		Total Hours Worked	
		From	To		
<b>A P P R O V A L S</b>					
		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
Employee's Signature		Supervisor's Signature		Director	
Date: _____		Date: _____		Date: _____	
<b>FOR PERSONNEL OFFICE USE ONLY</b>					
(A) REGULAR HOURLY RATE	(B) 10% OF REGULAR HOURLY RATE	(C) NIGHT DIFFERENTIAL HOURLY RATE (A + B)	(D) TOTAL APPLICABLE HOURS WORKED	(E) TOTAL NIGHT DIFFERENTIAL TO BE PAID  (C X D)	CERTIFIED BY (signature & date)

**ALL COMPLETED REQUESTS ARE TO BE ATTACHED TO THE EMPLOYEE'S TIMESHEET AND FILED IN THE EMPLOYEE'S PAYROLL JACKET.**

## **Agenda Item #VII (A)**

**Resolution No. 01-13  
(Request to Use Lapsed Funds  
To Cover Shortfalls in  
Legislative Appropriations for  
Fiscal Year 2013)**

**CHAPTER VII**  
**LEGAL SERVICES**

**PART II – PUBLIC DEFENDER SERVICE CORPORATION**

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

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

8           **Section 2. Transfer Authority for the Public Defender Service**  
9   **Corporation.** The Public Defender Service Corporation (PDSC) may transfer  
10   funds between appropriations made in Section 1, *provided*, that the PDSC notify *I*  
11   *Maga'lâhen Guâhan* and the Speaker of *I Liheslaturan Guâhan* *no later than*  
12   fifteen (15) working days before the transfer is made.

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

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

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

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

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

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

18 Effective October 1, 2012, the sum of Sixty-Seven Thousand Seventy-  
19 Three Dollars (**\$67,073**) is de-appropriated from the amounts appropriated  
20 from the General Fund in Chapter IX, Part I and are hereby re-appropriated  
21 to the Income Tax Refund Efficient Payment Trust Fund of Chapter 51, Title  
22 11 GCA for income tax refund payments.

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

12 GCA AUTONOMOUS AGENCIES  
CH. 11 PUBLIC DEFENDER SERVICE CORPORATION ACT

rights, including retirement and leave of such transferred employees, shall be governed by the provisions of § 11110 of this Chapter.

SOURCE: §60011 GC, as enacted by P.L. 13-51.

**§ 11113. Fiscal Authority Accounting; Expenditures.**

(a) There is hereby established a fund to be known as the "Public Defender Service Corporation Fund," which shall be maintained by the General Administrative Services of the Judicial Branch separate and apart from other funds of the Government, and independent records and accounts shall be maintained in connection therewith. Every quarter the financial statement of the Fund shall be furnished the Guam Legislature.

(b) All moneys received by the Corporation, from whatever source derived, shall be deposited in said Public Defender Service Corporation Fund in eligible banks as defined in §6311 of the Government Code.

(c) All expenditures shall be made from said Public Defender Service Corporation Fund.

(d) The Board shall adopt and maintain a uniform system of accounting.

SOURCE: §60012 GC, as enacted by P.L. 13-51.

**§ 11113.1. Lapses.**

The Public Defender Service Corporation shall be allowed to carry over all lapses from fiscal year to fiscal year, beginning with Fiscal Year 2000, notwithstanding any other provisions of law, or administrative provisions in public laws setting forth each fiscal year's budget. This provision shall remain in effect in all budgets hereafter, unless specifically amended or repealed by subsequent legislation. The language, notwithstanding any other provision of law, shall not constitute a specific repeal of this provision.

SOURCE: Added by P.L. 25-176:14.

**§ 11114. Transfer of Property.**

There is transferred to the Corporation all items of property now assigned to the Office of the Public Defender of Guam.

SOURCE: §60013 GC, as enacted by P.L. 13-51.

**§ 11115. Federal Landtakings: Legal Aid and Assistance.**

PUBLIC DEFENDER SERVICE CORP.

		A	B	C	D
AS400 Account Code	Appropriation Classification	General Fund FY 2012 Authorized Level	General Fund FY 2013 PDSC Budget Request	General Fund Recommended Adjustments	General Fund Adjusted FY 2013 Budget
<b>PERSONNEL SERVICES</b>					
111	Regular Salaries/Increments/Special Pay	2346542	2555902	(111501)	2444401
112	Overtime:	0	0	0	0
113	Benefits: (Ret, Ret DC D&D, Medicare)	803253	819106	(31516)	787590
114	Insurance Benefits (Medical / Dental):	111907	152699	(6808)	145891
115	Insurance Benefits ( Life):	15599	7956	(206)	7750
<b>TOTAL PERSONNEL SERVICES</b>		<b>3277301</b>	<b>3535663</b>	<b>(150031)</b>	<b>3385632</b>
<b>OPERATIONS</b>					
220	TRAVEL- Off-Island/Local Mileage Reim	0	20000	(20000)	0
230	CONTRACTUAL SERVICES:	96509	115390	(3181)	112209
233	OFFICE SPACE RENTAL:	271200	271200	0	271200
240	SUPPLIES & MATERIALS:	28700	28700	(3700)	25000
250	EQUIPMENT:	23100	30650	(12200)	18450
270	WORKERS COMPENSATION:	0	0	0	0
271	DRUG TESTING:	0	0	0	0
280	SUB-RECIPIENT/SUBGRANT:	0	0	0	0
290	MISCELLANEOUS:	20025	39320	(14040)	25280
<b>TOTAL OPERATIONS</b>		<b>439534</b>	<b>505260</b>	<b>(53121)</b>	<b>452139</b>
<b>UTILITIES</b>					
361	Power:	48000	48000	(18000)	30000
362	Water/ Sewer:	0	0	0	0
363	Telephone/ Toll:	31920	31920	(15000)	16920
<b>TOTAL UTILITIES</b>		<b>79920</b>	<b>79920</b>	<b>(33000)</b>	<b>46920</b>
450	<b>CAPITAL OUTLAY</b>	<b>0</b>	<b>6000</b>	<b>(6000)</b>	<b>0</b>
<b>TOTAL APPROPRIATIONS</b>		<b>3796755</b>	<b>4126843</b>	<b>(242152)</b>	<b>3884691</b>
FY 2013 Budget Bill					3601222
Shortfall ***					283469



**PUBLIC DEFENDER SERVICE CORPORATION  
PROJECTED FY 2013 EXPENDITURES**

**FY 2013 BUDGET PROJECTION**

111 Salaries

113 Benefits - Retirement, Medicare and DC D&D

Ins

114 Medical and Dental

115 Life

	<b>FY 2013</b>	<b>Adj</b>	<b>Adj FY 2013</b>
	<b>2555902</b>	<b>(111501)</b>	<b>2444401</b>
	<b>819106</b>	<b>(31516)</b>	<b>787590</b>
	<b>152699</b>	<b>(6808)</b>	<b>145891</b>
	<b>7956</b>	<b>(206)</b>	<b>7750</b>
	<b>3535663</b>	<b>(150031)</b>	<b>3385632</b>
	<b>0</b>		

**FY 2013 BUDGET PROJECTION**

220 Off-island travel

Director

Attorneys 3 x 5000

	<b>FY 2013</b>	<b>Adj</b>	<b>Adj FY 2013</b>
	<b>5000</b>	<b>-5000</b>	<b>0</b>
	<b>15000</b>	<b>-15000</b>	<b>0</b>
	<b>20000</b>	<b>-20000</b>	<b>0</b>

**FY 2013 BUDGET PROJECTION**

**230 Contractual**

	<b>FY 2013</b>	<b>Adj</b>	<b>Adj FY 2013</b>
Prof Dues- Malpractice Ins.	10,400	0	10,400
Equipment Rental Copy/Scanning/Faxing/Printing			
1250x 12= \$15,000	15000	0	15000
Westlaw Services \$1700 pdsc share x 12 mons add	23100	(2631)	20469
Lease of telephone system est \$1200 x 12	15600	(1200)	14400
currently at \$991.70 x 12= \$11900, don't know who will get the bid; leave at higher amt			
Lease of vehicle -Rav 4 \$605 x 12	7260	0	7260
Lease of vehicle- Corolla le\$460 *12	5520	0	5520
Vehicle insurance	3900	0	3900
Services for Surveillance Camera \$80 x 12	960	0	960
Content insurance	5000		5000
<b>Sub total -Director's Office</b>	<b>86740</b>	<b>(3831)</b>	<b>82909</b>
License for phone - proposed attorney	200	(200)	0
Abacus license for proposed attorney	300	(300)	0
<b>Sub total - Attorney</b>	<b>500</b>	<b>(500)</b>	<b>0</b>
Notary bonding 2 x 250	750	-250	500
License for phone - 1 new legal secretaries 200 x 1	200	-200	0
Abacus license for proposed 1 new leg secre 1 x 300	300	-300	0
<b>Sub total - Legal Secretaries</b>	<b>1,250</b>	<b>(750)</b>	<b>500</b>
Equipment Maintenance-Canon Archiving	4,500	-1100	3,400
Commercial Shredding of Documents		2000	2,000
<b>Sub total - Records</b>	<b>4,500</b>	<b>900</b>	<b>5,400</b>
Equipment Maint- Gets Business 250 x 2	500		500
<b>Sub total - Legal Clerical</b>	<b>500</b>	<b>0</b>	<b>500</b>
Equipment Rental			
Pitney Bowes 150 x 4	600		600
Equipment Maintenance \$250 x 4	1000	-1000	0
Purchase accounting software	1300		1300

Quickbooks payroll subscription	500		500
<b>Sub total - Fiscal</b>	<b>3400</b>	<b>(1,000)</b>	<b>2,400</b>
Adobe Acrobat X Suite	1300		1300
<b>Sub total - Personnel</b>	<b>1300</b>	<b>0</b>	<b>1,300</b>
Off-site Data Backup Solution service (online backup)	5000	-5000	0
Firewall Security Service (Sonic Wall)	1500		1500
Abacus Software Upgrade v12	7000	7000	14000
Norton Endpoint Security (50 users license) Anti virus	1500		1500
Internet Domain name and hosting web site	500		500
Server Hard Disk Software Diskkeeper	1200		1200
Fixed Asset Software	500		500
<b>Sub total - MIS</b>	<b>17200</b>	<b>2,000</b>	<b>19,200</b>

**Total Contractual**

**115,390**

**(3,181)**

**112,209**

**FY 2013 BUDGET PROJECTION**

**233 Office Space Rental**

Base rent 1.88333 x 12000sf = \$22,600 x 12

FY 2013	Adj	Adj FY 2013
<b>271200</b>	<b>0</b>	<b>271200</b>

**FY 2013 BUDGET PROJECTION**

**240 Supplies and Materials**

	FY 2013	Adj	Adj FY 2013
Director	3800	-490	3310
Attorneys	1600	-210	1390
Investigation	800	-100	700
Legal Secretaries	2700	-350	2350
Records/Property	600	-70	530
Process	800	-110	690
Legal Clerical	1200	-150	1050
Fiscal	11000	-1420	9580
Personnel	700	-90	610
MIS	5500	-710	4790
<b>Total Supplies</b>	<b>28700</b>	<b>-3700</b>	<b>25000</b>

**FY 2013 BUDGET PROJECTION**

**250 Small Equipment**

	<b>FY 2013</b>	<b>Adj</b>	<b>Adj FY 2013</b>
Executive desk new atty	800	-800	0
Executive chair - new atty	600	-600	0
4-drawer filing cabinet	500	-500	0
2-drawer filing cabinet	200	-200	0
Client chairs 2 ea x 250	500	-500	0
Book shelf 2 ea x 250	500	-500	0
Telephone instrument	300	-300	0
Computer work station	1800	-1800	0
<b>For new atty</b>			
4-drawer filing cabinet Ali, Brian, Mikaela,Suresh \$500 x 4	2000		2000
<b>Sub total - Attorney</b>	<b>7,200</b>	<b>(5,200)</b>	<b>2,000</b>
Desk 1 x 500	500	-500	0
Chair 1 x 400	400	-400	0
Client chairs 2 ea x 250	500	-500	0
Telephone instrument 1 x 300	300	-300	0
Computer work station 1 x 1800	1800	-1800	0
<b>Total of new secretaries</b>			
Computer work station for Vanessa Diaz	1800		1800
Client chair Cil Aquino	250		250
Secretarial Chair - Charmaine San Nicolas	400		400
<b>Sub total - Legal Secretaries</b>	<b>5,950</b>	<b>(3,500)</b>	<b>2,450</b>
Heavy duty shredder	3,500	-3500	0
<b>Sub total - Records</b>	<b>3,500</b>	<b>(3,500)</b>	<b>0</b>
Replace Computer work station for new software	1,800		1800
<b>Sub total - Fiscal</b>	<b>1,800</b>	<b>0</b>	<b>1,800</b>
Replace obsolete battery ups	1,600		1600
ID card scanner (to scan client driver's license)	600		600
Replace obsolete computers	10,000		10000
<b>Sub total - MIS</b>	<b>12,200</b>	<b>0</b>	<b>12,200</b>
<b>TOTAL SMALL EQUIPMENT</b>	<b>30,650</b>	<b>(12,200)</b>	<b>18,450</b>

<b>FY 2013 BUDGET PROJECTION</b>	<b>FY 2013</b>	<b>Adj</b>	<b>Adj FY 2013</b>
<b>#290 MISCELLANEOUS</b>			
Guam Bar Dues 300 x 16 +\$150+375 new atty	5325		5325
NACDL \$200,NLADA \$715	915		915
Training On-Island attys	12000	-8000	4000
Training On-Island staff	5000	-4500	500
Advertising Cost-Board Meeting \$300 x 16 = \$4800	5440	-640	4800
Advertising Cost-job announcement \$400 x 3	1600	-400	1200
Advertising Cost-Bids, RFP \$430 x 4=1720	3440	0	3440
Board Stipends 2 x \$50 x 16	1600	0	1600
Anticipated fees for Payroll	1300	0	1300
Legal Subscriptions	2100	-500	1600
Process Server Fees \$50 x 9	450	0	450
Other fees (police clearance, transcript copy)	150	0	150
<b>TOTAL MISCELLANEOUS</b>	<b>39320</b>	<b>-14040</b>	<b>25280</b>

**FY 2013 BUDGET PROJECTION**

**361 Power**

FY 2013	Adj	Adj FY 2013
48000	-18000	30000

Power \$4000 x 12

based on current \$2400 x 12=28800 round up \$30,000

**FY 2013 BUDGET PROJECTION**

**363 Telephone/Toll- Charge to Director's Office**

FY 2013	Adj	Adj FY 2013
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Telecom Service 2,635 x 12 mos  
currently paying \$730 x 12 = \$8760 , but don't  
know who will get the bid for FY 2013

Toll est \$25 per month

31620	-15000	16620
300		300

<b>31920</b>	<b>-15000</b>	<b>16920</b>
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**FY 2013 BUDGET PROJECTION**

**450 Capital Outlay >\$5000**

FY 2013	Adj	Adj FY 2013
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Data Storage Server

6000	-6000	0
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<b>TOTAL</b>	<b>4,126,843</b>	<b>(242,152)</b>	<b>3,884,691</b>
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FY 2013 Authorized Level 3601222

Shortfall 283,469

**BEFORE THE  
BOARD OF TRUSTEES OF THE  
PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE USE OF LAPSED FUNDS  
TO COVER BUDGETARY SHORTFALLS FOR OPERATIONS  
IN FISCAL YEAR 2013**

**RESOLUTION NO. PDSC 01-13**

- WHEREAS,** §11113.1 of 12 GCA authorizes the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** The PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** Public Law 31-233 ultimately appropriated **\$3,601,222** (\$3,796,755--\$195,533) to the PDSC for Fiscal Year 2013, which falls short of the funds required for the Corporation's fulfillment of its mandates and operational costs for this fiscal period; and
- WHEREAS,** PDSC has certain operational needs which are imperative for the compliance of certain accounting principles, and Guam law regarding increased rates for the government's share of retirement contributions, salary increments and/or pay adjustments for government employees, as well as the acquisition of various supplies and materials, and other purposes; and
- WHEREAS,** PDSC has re-evaluated its spending priorities, and has determined that in order to meet the above-described needs in support of PDSC client services and operations, the use of lapsed funds in Fiscal Year 2013 is necessary; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of October 23, 2012, hereby approves the Corporation's request for the expenditure of **\$283,469** of lapsed funds for the purposes described in the attached spreadsheet, which is made a part of this resolution, and such expenditures are to be implemented at the discretion of the PDSC Director, in consultation with the Chief Justice and Chairman of the Board, not to exceed the amount of **\$283,469** .



**DULY AND REGULARLY ADOPTED** this 23<sup>rd</sup> day of October, 2012.

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Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:

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BERNADETTE S.N. CHARGUALAF  
Secretary

## Agenda Item #VII (B)

Resolution No. 02-13  
(Request to Use Lapsed Funds  
for Purchase of Upgrade  
Software Version/  
Technical Support of  
APD's Case Management  
System)

# ALTERNATE PUBLIC DEFENDER

## Option1

VIP Plan for 36 months	Amount
<b>10 AbacusLaw Licenses</b>	<b>\$224.62</b> <b>/mo*</b>

Includes:

10 AbacusLaw Update Licenses from v19 to v21

10 VIP Updates and support for 36 months

5 1/2 Months Pro-rated support credit

This option includes:

- All new software updates for the term of the agreement
- Unlimited toll-free support for term of the agreement
- Price freeze for the term of the agreement
- Remote Installation and Setup (\$250 value – no charge)
- Migrating your data into the new version – no charge
- Implementation Consulting (\$250 value – no charge)
- Unlimited access to Live Webinar Training Classes and Training Videos
- 100 day, 100% money back guarantee (less S & H)
- Initial payment + shipping required to start

You can click on the following links to see what improvements we've made with the newer versions of the software:

[v20 New Features](#)

[v20 New Features Demo \(2 min.\)](#)

[v21 New Features](#)

[v21 New Features Demo \(5 min.\)](#)

### **Sync with your phone or tablet (extra cost)**

- Get all Abacus calendar and contact changes when you're out of the office
- Changes made on your phone are automatically put into Abacus in your office
- Entering billable time on your phone creates a bill slip in Abacus
- Special pricing offer for early adopters

**TOTAL COST FOR FY2013: \$2,695.44**

**BEFORE THE BOARD OF TRUSTEES  
OF THE  
PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE USE OF  
ALTERNATE PUBLIC DEFENDER LAPSED FUNDS  
TO PURCHASE SOFTWARE UPGRADES/  
TECHNICAL SUPPORT FOR  
THE CASE MANAGEMENT SYSTEM (ABACUS)**

**Resolution No. PDSC 02-13**

- WHEREAS,** the office of the Alternate Public Defender (APD), a separate division of the Public Defender Service Corporation (PDSC), was established through PDSC Board of Trustees Resolution No. 08-04; and
- WHEREAS,** the PDSC Board of Trustees approved the APD's Fiscal Year 2013 Budget Request through Board Resolution No. 08-12; and
- WHEREAS,** the 2012 Judicial Council of Guam subsequently approved the APD's Fiscal Year 2013 Budget Request through Resolution No. JC 12-013; and
- WHEREAS,** the Ninth Annual (Eighth Renewal) Agreement to Provide Attorney Services for Indigent Defendants was forwarded to Staff Attorney Bridget A. Keith in September 2012 (now pending approval and required signatures), affirming funding for the operations of the APD through Fiscal Year 2013; and
- WHEREAS,** due to continued budgetary constraints, the PDSC was directed to return to a "maintenance budget" for the Alternate Public Defender's FY2013 operations; and
- WHEREAS,** to this end, only mandatory increases (e.g., attorney pay adjustments, pay adjustments/salary increments, increases in the government's share of retirement, medical, dental and life insurance contributions, etc.), were provided for; and
- WHEREAS,** the cost of the annual contract for technical support services involving the APD's case management software (Abacus), was not provided for due to the spending reductions; and
- WHEREAS,** although the current contract is set to expire in March 2013, the PDSC has received information regarding price increases and the necessity of purchasing upgrades to the present software version in order to ensure continued technical support; and

**WHEREAS,** these services are critical to the operations of the APD, and recent communications with the respective vendor resulted in a price quote of \$2,695.44 for Fiscal Year 2013; and

**WHEREAS,** a review of the APD's finances has revealed that there are sufficient funds to accommodate this amount; now therefore be it

**RESOLVED,** the Board of Trustees of the Public Defender Service Corporation, in its meeting of October 23, 2012, hereby approves the Corporation's request for the expenditure of **\$2,695.44** of APD lapsed funds for the purpose of purchasing software upgrades/technical support services for APD's case management software (Abacus) throughout Fiscal Year 2013.

**DULY AND REGULARLY ADOPTED** this 23rd day of October, 2012.

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Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:

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BERNADETTE S.N. CHARGUALAF  
Secretary

## **Agenda Item #VII (E)**

**(Public Law 31-233:  
Addition of §8113.1 to  
Chapter 8 of GCA---  
Reporting Requirements  
For Boards and Commissions)**

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

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

9 **“§8113.1. Reporting Requirements for Boards and Commissions.**

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

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

23 **“§22109.1. On-line Electronic Access to Bank Account**  
24 **Information.** *All* banks receiving government funds for deposit in a  
25 government bank account established at said bank *shall* provide “READ  
26 ONLY” access to such bank accounts via said bank’s on-line banking  
27 website or via electronic access via other access source provided to the