

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2022 (SECOND) Regular Session

VOTING RECORD

Bill 325-36 (COR) As amended by the Committee on General Government Operations, Appropriations, and Housing; further amended in the Committee of the Whole; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building July 26, 2022
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NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.					✓	✓
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telen Cruz Nelson					✓	✓
Senator Sabina Flores Perez					✓	✓
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedro" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

11

0

4

4

Aye

Nay

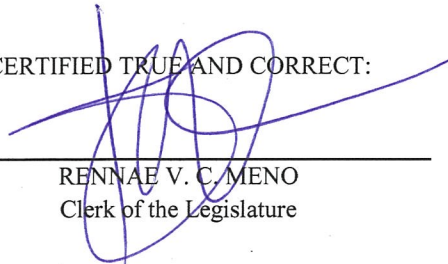
**Not
Voting/
Abstained**

**Out
During
Roll Call**

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

I MINA 'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 325-36 (COR)

As amended by the Committee on General Government Operations, Appropriations, and Housing; further amended in the Committee of the Whole; and further amended on the Floor.

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Introduced by:

Joe S. San Agustin
Tina Rose Muña Barnes
Telena Cruz Nelson
Clynton E. Ridgell
Jose "Pedo" Terlaje

AN ACT TO AMEND SECTION 2 AND SECTION 4(a) OF CHAPTER I, AND SECTION 2 OF PART I, CHAPTER III; AND ADD A NEW SECTION 21 TO CHAPTER XI, ALL OF PUBLIC LAW 36-54 (GENERAL APPROPRIATIONS ACT OF 2022), RELATIVE TO ESTABLISHING AND FUNDING THE PRUGRÅMAN AYUDA PARA I TAOTAO-TA ENERGY CREDIT PROGRAM.

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

2 **Section 1.** Section 2 of Chapter I (General Provisions) of Public Law 36-54
3 (the General Appropriations Act of 2022) is *amended* to read:

4 **"Section 2. Estimated Revenues for Fiscal Year 2022.**
5 Notwithstanding § 22436, Chapter 22, Title 5 GCA, *I Liheslaturan Guåhan*
6 adopts the following revenue estimates for Fiscal Year 2022 as the basis for
7 the appropriations contained in this Act.

8 **I. GENERAL FUND REVENUES AMOUNT**

9 **TOTAL GENERAL FUND REVENUE** **\$765,010,882**

1	GENERAL FUND PROVISION FOR TAX REFUND	
2	PAYMENTS	(\$67,974,116)
3	TOTAL GENERAL FUND REVENUE AVAILABLE	
4	FOR OPERATIONS	\$697,036,766
5	A. TAXES	
6	Income Tax	
7	Corporate	\$73,908,390
8	Individual	\$75,670,286
9	Withholding Taxes, Interest, and Penalties	\$237,531,525
10	Provision for Tax Refunds:	
11	Gross Provision for Tax Refund Payments	(\$145,000,000)
12	Earned Income Tax Credit Reimbursements	\$55,830,695
13	Healthcare Center of Excellence	(\$35,000,000)
14	New Department of Corrections Facility	(\$5,000,000)
15	Child Tax Credit Receipts	
16	(Advance and Regular)	\$35,105,424
17	Additional Child Tax Credit Reimbursements	\$26,089,765
18	General Fund Provision for Tax Refund	
19	Payments	(\$67,974,116)
20	TOTAL INCOME TAXES	\$319,136,085
21	Business Privilege Tax	
22	Business Privilege Tax	\$290,505,719
23	GMHA Pharmaceuticals Fund	\$17,982,304
24	Tax Credit: Rehabilitation and Improvements –	
25	Harmon Industrial Park Roadway [P.L. 33-191]	(\$175,000)
26	Other Taxes	\$4,105,379
27	TOTAL BUSINESS PRIVILEGE TAXES	\$276,453,794

1	TOTAL TAXES	\$595,589,879
2	B. FEDERAL SOURCES	
3	Federal Income Tax Collection – Section 30	
4	Funds	\$76,141,259
5	Immigration and Passport Fees	\$1,816,679
6	TOTAL FEDERAL SOURCES	\$77,957,938
7	C. USE OF MONEY AND PROPERTY	\$428,868
8	D. LICENSES, FEES, AND PERMITS	
9	Licenses, Fees, and Permits	\$3,507,616
10	Better Public Service Fund	(\$350,762)
11	TOTAL LICENSES, FEES, AND PERMITS	\$3,156,854
12	E. DEPARTMENT CHARGES	\$1,395,161
13	TOTAL GENERAL FUND REVENUE	\$678,528,700
14	2% GENERAL FUND RESERVE (DEFICIT REDUCTION/ RAINY DAY	
15	FUND)	\$13,570,574
16	TOTAL GENERAL FUND REVENUE	
17	AVAILABLE FOR APPROPRIATION	\$664,958,126
18	II. SPECIAL FUND REVENUES AMOUNT	
19	A. Air Pollution Control Special Fund	\$140,245
20	B. Banking and Insurance Enforcement Fund	\$478,857
21	C. Better Public Service Fund	\$1,291,037
22	D. <i>Chamorro</i> Land Trust Operations Fund	\$1,027,749
23	E. <i>Chamorro</i> Land Trust Survey and Infrastructure Fund	\$92,824
24	F. Contractors License Board Fund	\$711,228
25	G. Corrections Revolving Fund	\$1,121,019
26	H. Customs, Agriculture, and Quarantine Inspection	
27	Services Fund	\$2,738,473

1	I.	DPHSS Sanitary Inspection Revolving Fund	\$167,383
2	J.	Enhanced 911 Emergency Reporting System Fund	\$2,159,975
3	K.	Environmental Health Fund	\$1,390,435
4	L.	Fire, Life and Medical Emergency Fund	\$974,832
5	M.	GMHA Pharmaceuticals Fund	\$17,982,304
6	N.	Guam Ancestral Lands Commission Survey,	
7		Infrastructure, and Development Fund	\$408,553
8	O.	Guam Board of Accountancy Fund	\$789,780
9	P.	Guam Educational Facilities Fund	\$34,639,348
10	Q.	Guam Environmental Trust Fund	\$453,504
11	R.	Guam Highway Fund	\$21,841,583
12		Better Public Service Fund	(\$940,275)
13		Public Transit Fund	(\$297,483)
14		Total Guam Highway Fund	\$20,603,825
15	S.	Guam Invasive Species Inspection Fee Fund	\$623,691
16	T.	Guam Museum Fund	\$338,547
17	U.	Guam Plant Inspection and Permit Fund	\$97,393
18	V.	Health Professional Licensing Office Revolving Fund	\$296,921
19	W.	Healthy Futures Fund	\$42,820,945
20	X.	Host Community Fund	\$300,000
21	Y.	Indirect Cost Fund	\$1,340,140
22	Z.	Land Survey Revolving Fund	\$3,418,548
23	AA.	Limited Gaming Fund	\$1,397,717
24	AB.	Manpower Development Fund	\$5,606,400
25	AC.	Mental Health and Substance Abuse Services Fund	\$145,551
26	AD.	Office of Vital Statistics Revolving Fund	\$239,948
27	AE.	Pesticide Management Fund	\$99,104

1	AF.	Police Patrol Vehicle and Equipment Revolving Fund	\$318,520
2	AG.	Police Services Fund	\$928,439
3	AH.	Professional Engineers, Architects	
4		and Land Surveyors Board Fund	\$279,538
5	AI.	Public Recreation Services Fund	\$106,642
6	AJ.	Public School Library Resources Fund	\$763,194
7	AK.	Public Transit Fund	\$297,483
8	AL.	Rabies Prevention Fund	\$40,667
9	AM.	Recycling Revolving Fund	\$2,807,026
10	AN.	Safe Streets Fund	\$133,026
11	AO.	School Lunch/SAE/Child Nutritional Meal	
12		Reimbursement Fund - Federal Sources	
13		(100% Federal Grant)/Cash Collections	\$12,504,000
14	AP.	Solid Waste Operations Fund	\$18,967,560
15		Host Community Fund	(\$300,000)
16		Total Solid Waste Operations Fund	\$18,667,560
17	AQ.	Street Light Fund	\$4,226,064
18	AR.	Tax Collection Enhancement Fund	\$808,767
19	AS.	Tourist Attraction Fund	\$15,775,141
20	AT.	Water Protection Fund	\$102,742
21	AU.	Water Research and Development Fund	\$69,207
22		TOTAL SPECIAL FUND REVENUE	\$201,724,292
23	III. FEDERAL MATCHING GRANTS-IN-AID		
24	Federal Grants-in-Aid Requiring Local Match:		
25	A.	Guam Community College	\$523,126
26	B.	Guam Council on the Arts and Humanities Agency	\$309,300
27	C.	Guam Police Department	\$2,426,192

1	D.	Department of Agriculture	\$107,435
2	E.	Department of Integrated Services for Individuals	
3		with Disabilities	\$2,085,461
4	F.	Department of Labor	\$47,000
5	G.	Office of the Attorney General	\$6,426,000
6	H.	Department of Military Affairs	\$1,683,975
7	I.	Department of Public Health and Social Services	\$96,591,545
8	J.	University of Guam	\$4,863,758
9		TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	\$115,063,792
10		IV. REVENUE SUMMARY:	
11		TOTAL GENERAL FUND REVENUE	
12		AVAILABLE FOR APPROPRIATION	\$664,958,126
13		TOTAL SPECIAL FUND REVENUE	\$201,724,292
14		TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE	115,063,792
15		GRAND TOTAL	\$981,746,210”

16 **Section 2.** Section 2 of Part I, Chapter III (Health) of Public Law 36-54 (the
17 General Appropriations Act of 2022) is *amended* to read as follows:

18 **“Section 2. GMHA Pharmaceuticals Fund Appropriation.**
19 Pursuant to §§ 26208 and 26208.1 of Article 2, Chapter 26, Title 11 GCA, the
20 sum of Seventeen Million Nine Hundred Eighty-two Three Hundred Four
21 Dollars (**\$17,982,304**) is appropriated from the GMHA Pharmaceuticals Fund
22 to GMHA for Fiscal Year 2022. Notwithstanding §§ 26208.2 and 26208.3 of
23 Article 2, Chapter 26, Title 11 GCA, *I Maga'hågan Guåhan* is authorized to
24 determine that one hundred percent (100%) of the appropriation in this
25 Section can be expended for GMHA in FY 2022 as a direct subsidy; this
26 determination shall be made via Executive Order, issued no later than
27 September 1, 2022.”

1 **Section 3.** A new Section 21 is hereby *added* to Chapter XI (Miscellaneous
2 Appropriations) of Public Law 36-54 (the General Appropriations Act of 2022) to
3 read as follows:

4 **“Section 21. *Prugrâman Ayuda Para I Taotao-ta Energy Credit***
5 **Program; Establishment and Appropriation.**

6 (a) There is hereby established the *Prugrâman Ayuda Para I*
7 *Taotao-ta* Energy Credit Program. The purpose of the *Prugrâman Ayuda Para*
8 *I Taotao-ta* Energy Credit Program is to provide each of the Guam Power
9 Authority’s fifty-two thousand seven hundred sixty-two (52,762) residential,
10 master-metered, and commercial customers with a Five Hundred Dollars
11 (\$500) credit toward their account, to be disbursed One Hundred Dollars
12 (\$100) each month for the months of July, August, September, October, and
13 November 2022, and shall only be credited to the current billing of such
14 months. The sum of Twenty-six Million Three Hundred Eight-one Thousand
15 Dollars **(\$26,381,000)** is hereby appropriated from the General Fund to the
16 Guam Power Authority, and shall be disbursed to the Guam Power Authority
17 in five (5) equal monthly installments for the purposes of this Section. The
18 Guam Power Authority shall reflect the One Hundred Dollars (\$100) energy
19 credit on each customer’s billing statement pursuant to this Section. The
20 Department of Administration shall equally disburse this appropriation to the
21 Guam Power Authority for each of the five (5) months of July, August,
22 September, October, and November 2022.

23 (1) Validation of Master-Metered Accounts. The Guam
24 Power Authority shall, from all Master-Metered Accountholders,
25 obtain a notarized list of the number of active residential utility power
26 sub-accounts under that Master Meter to ensure the proper application
27 of the credit to the Master-Metered Account.

1 (b) Credits received from the *Prugrâman Ayuda Para I Taotao-ta*
2 Energy Credit Program shall be tax-exempt.

3 (c) Notwithstanding any other provision of law, rule, or regulation,
4 the amount authorized pursuant to this Section may be expended from funds
5 that may be available from the following:

6 (1) Fiscal Year 2021 excess General Fund revenues; and

7 (2) Fiscal Year 2022 General Fund appropriation as
8 authorized by this Act; and

9 (3) Any federal appropriations that can be used for the
10 purposes of this Act.

11 No local funds may be used for the *Prugrâman Ayuda Para I Taotao-*
12 *ta* Energy Credit Program as long as federal funds that can be used for the
13 purposes of this Act are available to encumber, obligate, or expend.”

14 **Section 4.** Section 4(a) of Chapter I (General Provisions) of Public Law 36-
15 54 (the General Appropriations Act of 2022) is *amended* to read:

16 **“Section 4. Suspension of Two Percent (2%) General Fund**
17 **Reserve (Deficit Reduction/ Rainy Day Fund).**

18 (a) Notwithstanding any other provision of law, rule, or regulation,
19 the requirement to deposit two percent (2%) of General Fund revenues into
20 the Rainy Day Fund pursuant to § 22436, Chapter 22, Title 5 GCA, is hereby
21 suspended for Fiscal Year 2022.

22 Nothing herein shall prevent *I Maga'hâgan Guâhan* from making such
23 deposits into the Rainy Day Fund as deemed necessary. Notwithstanding any
24 other provision of law, rule, or regulation, *I Maga'hâgan Guâhan* shall deposit
25 Fifteen Million Dollars (\$15,000,000) into the Rainy Day Fund from FY 2022
26 General Fund revenues which shall be reserved for additional pandemic relief
27 and recovery programs as authorized by *I Liheslatura*. General Fund revenues

1 collected in excess of the adopted revenues as the basis for the appropriations
2 contained in Public Law 35-99 and this Act shall be deposited as follows:
3 seventy percent (70%) of such excess revenue shall be deposited into the
4 Income Tax Refund Efficient Payment Trust Fund of Chapter 51 of Title 11
5 GCA, and thirty percent (30%) of such excess revenue shall be deposited into
6 the Rainy Day Fund; provided, that all excess revenue referenced herein shall
7 be subject to legislative appropriation.”

8 **Section 5. Severability.** If any provision of this Act or its application to any
9 person or circumstance is found to be invalid or contrary to law, such invalidity shall
10 not affect other provisions or applications of this Act that can be given effect without
11 the invalid provision or application, and to this end the provisions of this Act are
12 severable.

13 **Section 6. Effective Date.** This Act shall be effective upon enactment.