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**MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE
2006 (SECOND) Regular Session**

Bill No. 305 EC

Introduced by:

A. B. Palacios, Sr.



AN ACT TO CLOSE DORMANT AND INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS; TO REPEAL THE ENABLING LEGISLATIONS THAT ESTABLISHED THESE ACCOUNTS; AND TO USE THE FUND BALANCES FROM THESE ACCOUNTS TO PAY OFF THE REMAINING BALANCE IN THE JUDICIAL BUILDING FUND LOAN COVENANT AND THE BALANCE OF WHICH SHALL THEN BE DEPOSITED INTO THE GENERAL FUND.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
2 finds that the Office of the Public Auditor, in its audit report of Government
3 of Guam Special Fund Accounts, has recommended for the closure of many
4 of the dormant and inactive funds accounts, which have recorded no
5 transaction for more than twelve months. Upon review of these accounts, it
6 has been determined that the purposes for which the accounts were
7 established have been fulfilled or were incorporated into different subsequent

1 accounts. The Office of the Public Auditor noted that the closure of these
2 inactive accounts would yield more than Five Million Dollars (\$5,000,000),
3 and at the same time would relieve the government of Guam of the obligation
4 to “keep and maintain the books” on these accounts.

5 *I Liheslaturan Guåhan* also finds that attempts were made to identify
6 funding for the design and construction of a forensic crime laboratory. The
7 sources that now fund the Guam Judicial Center, one of which are fines
8 collected from traffic citations, are committed until the obligation is paid up.
9 *I Liheslaturan Guåhan* notes that monies that may become available from the
10 closure of inactive fund accounts can be used to pay off the Judicial Building
11 Fund covenant obligation which is less than Five Million Dollars (\$5,000,000),
12 thus releasing the current JBF funding sources, which can then be tapped to
13 pay for the design and construction of the forensic crime laboratory.

14 It is the intent of *I Liheslaturan Guåhan* to close the dormant and inactive
15 fund accounts as recommended by the Office of the Public Auditor, to repeal
16 the enabling legislation for each of the accounts, and to use the aggregate
17 remaining balances of these accounts to pay off the current balance on the
18 Judicial Building Fund covenant obligation, and to deposit any balance to the
19 General Fund upon satisfaction of the Judicial Building Fund covenant
20 obligation.

21 **Section 2.** The following Government of Guam Special Fund
22 Accounts shall hereby be closed, and their respective enabling legislation
23 hereby repealed. Any fund balances remaining in said fund accounts shall be

1 applied towards paying off the current balance on the Judicial Building Fund
 2 covenant obligation. Any balance remaining after paying off the Judicial
 3 Building Fund obligation shall immediately be deposited into the General
 4 Fund. All revenues previously earmarked for these funds shall continue to
 5 be collected and credited to the General Fund. The Department of
 6 Administration shall be responsible for ensuring the timely administration
 7 and compliance of the provisions contained herein, and shall work
 8 collectively with the pertinent government entity whose funds are herein
 9 affected.

AS400 Fund Number	Fund Name	GCA Citation or Public Law
XX	Land Claims Fund	12 GCA §72104
107	Post Fund	17 GCA §32306
203	Wildlife Conservation	5 GCA §63130
204	Summer School Fund	17 GCA §6119
210	Land for the Landless	P.L. 22-63:1(b)
211	Plant Nursery Revolving	5 GCA §62202.1
216	Individuals w/Disabilities Disaster Recovery	17 GCA §41601
217	Safe Streets	16 GCA §18125
218	JROTC Fund	17 GCA §6118
223	Litter Control Revolving	10 GCA §51204

229	General Services Agency	E.O. 86-24
230	Vocational Rehabilitation Revolving Fund	E.O. 87-11
231	GFD Capital Outlay Revolving Fund	10 GCA §72106
234	Guam Housing Corporation Revolving	P.L. 20-210
236	Accessible Parking	5 GCA §50111(c)
238	Program Development	P.L. 18-20:1(h)
240	Aquaculture Development and Training Fund	5 GCA §70110
243	Farmers' and Fishermen's Loan Revolving	5 GCA §60301
244	Guam Museum	5 GCA §87136(h)
246	Drivers' Education	5 GCA §21120
248	Guam Beautification	21 GCA §77114.3
249	Municipal Litter and Defacement Fund	5 GCA §40131
250	Consumer Protection	5 GCA §32131
261	Notary Public Revolving	5 GCA §33106
262	Autonomous Agency Infrastructure Collections	5 GCA §22421
264	Drug Treatment and Enforcement	9 GCA §67.414.1
267	Dededo Buffer Strip Revolving	21 GCA §68901(c)
268	Typhoon Paka Emergency Fund	P.L. 24-117; E.O. 2002-02
269	Public Service Recovery	E.O. 98-12

271	1999 SPG Revolving Fund	P.L. 25-01:4
272	Controlled Substance Diversion	9 GCA §67.301
274	Komitea Para Tiyan	P.L. 24-59:IV:1
275	SW Medical Monitoring	10 GCA §33204
278	Off-Island Travel	P.L. 25-98:24
280	Overtime Fund	P.L. 25-98:23
285	Rabies Prevention	10 GCA §34307
286	Utility Bank Fund	P.L. 25-164:V:26
287	Livestock	5 GCA §61416
288	Rainy Day Fund	5 GCA §22901
289	Safe Drinking Water Fund	10 GCA §53308
290	Barbering and Cosmetology Fund	10 GCA §18108
295	GFD Lease-to-Purchase Program	P.L. 26-35:III:28
296	Healthcare Systems Privatization Fund	P.L. 26-35:IV:33(b)
298	Human Resources Services Recovery	E.O. 2002-01
301	Income Tax Rebate	12 GCA §58138
305	CAHA, OET and CEF Fund	5 GCA §85111
307	Guam Based Trust	4 GCA §4303
309	Agana Fractional Lots Program	
312	Farmers Small Loan Revolving	5 GCA §60309
313	Inmates Work Release	P.L. 21-75
314	State Agency for Surplus Property	

316	Off-Island Sports	21 GCA §77124
319	Community Development Fund	5 GCA §40119
321	Income Tax Efficiency Payment	11 GCA §51101
327	Taguag Memorial Cemetery	E.O. 85-07
328	District Improvement Fund	11 GCA §31102
331	Puntan Dos Amantes Park Trust	P.L. 24-333:11
350	Construction Dededo Precinct/Crime Lab	5 GCA §22425(t)
351	Land Acquisition Fund	21 GCA §60612
352	Guam Rehabilitation	P.L. 13-122
503	Education Facilities Fund	12 GCA §55107; 5 GCA §22425(l)
606	Lost and Damaged Textbooks	17 GCA §4107
608	Guam Plant Inspection and Permit	5 GCA §73302
609	Municipal Recycling Proceeds	10 GCA §51602
610	Community Advancement Fund	P.L. 27-035:3
611	Banking and Insurance Enforcement	11 GCA §103120
612	Guam Police Department Loan Fund	5 GCA §22425(t)(7)
613	GPD Special Assessments Fund	P.L. 24-285:3-4
614	Government Ethics Fund	5 GCA §10112

1 **Section 3. Effective date.** The closure of the aforementioned
2 Government of Guam Special Fund accounts and the provisions contained

1 herein shall be completed no later than sixty (60) days upon the enactment of
2 this Act.

3 **Section 4. Reporting requirements.** The Department of
4 Administration or the pertinent government of Guam entity administering
5 such fund accounts shall be tasked with providing a comprehensive written
6 report (which may be electronically transmitted) of the status and closure of
7 the fund accounts highlighted herein no later than ninety (90) days upon the
8 enactment of this Act, or within thirty (30) days upon the closure and transfer
9 of such fund account balances to the General Fund. Said report shall be
10 transmitted to the Speaker of *I Liheslaturan Guåhan*, to the Chairman of the
11 Finance Committee of *I Liheslaturan Guåhan*, and to *I Maga'lahen Guåhan*.

12 **Section 5. Funds appropriated to pay off the JBF covenant**
13 **obligation.** *I Liheslaturan Guåhan* hereby appropriates up to Five Million
14 Dollars (\$5,000,000) from any and all fund balances realized from the closure
15 of the special fund accounts listed in Section 2 of this Act, for the purpose of
16 paying off the Judicial Building Fund covenant obligation. Parties pertinent
17 to the processes required to pay off the covenant obligation shall work
18 together to accomplish this purpose.

19 **Section 6. Effective date.** This Act shall become effective on the date
20 of enactment.