

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) REGULAR SESSION

Bill No. 151 (EC)

Introduced by:

R.J. Respicio
J.P. Guthertz
v.c. pangelinan
T.R. Muña Barnes
D.L.G. Shimizu
J.T. WonPat (15)

AN ACT MODIFYING PROVISIONS RELATIVE TO THE CONTENT OF THE ANNUAL OPERATING BUDGET FOR THE GOVERNMENT OF GUAM BY AMENDING TITLE 5 GUAM CODE ANNOTATED CHAPTER 4 § 4013 RELATIVE TO THE RESPONSIBILITIES OF I MAGA'LAHEN GUÅHAN; AMENDING TITLE 2 GUAM CODE ANNOTATED CHAPTER 9 BY ADDING A NEW § 9101.1 RELATIVE TO FISCAL ACCOUNTABILITY OF I LIHESLATURAN GUÅHAN; AMENDING TITLE 2 GUAM CODE ANNOTATED CHAPTER 9 BY ADDING A NEW § 9110 RELATIVE TO FIRST-YEAR REVENUES FROM NEW OR INCREASED FEES, TAXES OR OTHER REVENUE ENHANCEMENTS; AND AMENDING TITLE 2 GUAM CODE ANNOTATED CHAPTER 13 § 13106 RELATIVE TO THE OFFICE OF FINANCE AND BUDGET.

17 PM 4:39 6/20/07

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Title 5 Guam Code Annotated Chapter 4 § 4013 is
3 *amended to read:*

4 "§ 4103. Responsibilities of I Maga'Lahen Guåhan [~~the~~
5 ~~Governor~~]. I Maga'Lahen Guåhan [~~the Governor~~] shall direct the
6 preparation and administration of the Annual Operating [~~territorial~~]

1 Budget for the Government of Guam. He shall evaluate the long
2 range program plans, request budget and alternatives to the island's
3 [~~territorial~~] agency policies and programs; and formulate, and
4 recommend for consideration a financial plan which shall cover
5 estimated receipts not to include proposed new or increased fees,
6 taxes or other revenue enhancements, and expenditures of the
7 Government of Guam for the General Fund and all special funds
8 whether or not their resources are annually appropriated by the
9 Legislature, including all grants, loans and moneys received from the
10 Federal government or other agencies both governmental and
11 nongovernmental. No such recommendation shall exceed estimated
12 revenues, adopted pursuant to 2 GCA Chapter 13 § 13106(b).
13 Revenue estimated to be derived from any tax or fee or other revenue
14 enhancement created or initially imposed in an Annual or
15 Supplemental Operating Budget bill shall not be factored into the
16 revenue estimates for the same Annual or Supplemental Operating
17 Budget."

18 **Section 2. Title 2 Guam Code Annotated Chapter 9 "Fiscal**
19 **Accountability Act of 1999" § 9101.1 is *added* to read:**

1 “§ 9101.1. Restrictions Against Revenue Estimates or
2 Appropriations Including New or Increased Revenue
3 Enhancements in Annual or Supplemental Operating Budget Bills.

4 (a) Revenue Estimates contained in any Annual or
5 Supplemental Operating Budget Bill for the Government of Guam
6 shall be exclusive of additional revenues projected to be derived from
7 new or increased taxes, fees or other revenue enhancements
8 contained within the same bill.

9 (b) Appropriations contained in any Annual or Supplemental
10 Operating Budget Bill for the Government of Guam shall not be
11 made from any revenues projected to be derived from new or
12 increased taxes, fees or other revenue enhancements contained
13 within the same bill.

14 **Section 3. Title 2 Guam Code Annotated Chapter 9 “Fiscal**
15 **Accountability Act of 1999” § 9110 is *added* to read:**

16 “§ 9110. Restrictions for New or Increased Revenue
17 Enhancements.

18 (a) Any revenues derived from new or increased taxes, fees or
19 other revenue enhancements contained in any bill shall for the first
20 year of implementation of said new or increased taxes, fees or other

1 revenue enhancements, be deposited into the Deficit Elimination
2 Fund.

3 (b) Should there be no deficit or debt of the Government of
4 Guam, the revenues described in subitem (a) of this § 9110 shall be
5 deposited into the Rainy Day Fund as provided in Title 5 Guam Code
6 Annotated Chapter 22 Article 9.

7 (c) Any revenues deposited into the Deficit Elimination Fund
8 and the Rainy Day Fund are subject to appropriation by the
9 Legislature.”

10 **Section 4. Title 2 Guam Code Annotated Chapter 13 “Office of**
11 **Finance and Budget” § 13106 is amended to read:**

12 **“§13106. Duties of Office. The Office of Finance and Budget**
13 **shall:**

14 (a) use all available resources to develop and adopt a model for
15 Guam's existing and projected economy which *shall* simulate the
16 effect of revenue raising, the effect of any proposed benefits, optional
17 revenue generation and the utility thereof;

18 (b) compile and provide to *I Liheslaturan Guåhan*; to *I Maga'lahi*;
19 and to the public; forecasts of revenues exclusive of proposals that
20 project additional revenues from new or increased taxes, fees or other
21 revenue enhancements contained within Annual or Supplemental

1 Operating Budget Bills; current and prior year expenditures, and
2 surpluses or deficits;

3 (c) assess the impact of federal expenditures in Guam; and

4 (d) perform such other duties as are assigned to it by the
5 Standing Rules of I *Liheslaturan Guåhan* or the Chairperson of the
6 Committee on Ways and Means.”

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