

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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Bill No. 340-31 (cor)

Introduced by:

R.J. Respicio *[Signature]*
F.F. Blas Jr. *[Signature]*
B.J.F. Cruz *[Signature]*
V.A. Ada *[Signature]*

**AN ACT TO AMEND §§ 2101 AND 2101.1 AND TO ADD
A NEW § 2106 TO CHAPTER 2 OF TITLE 5 OF THE
GUAM CODE ANNOTATED RELATIVE TO THE
JURISDICTION OF THE GUAM STATE
CLEARINGHOUSE.**

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

2 **Section 1.** § 2101 of Chapter 2 of Title 5 of the Guam Code
3 Annotated is hereby *amended* as follows:

4 “§ 2101. **Creation of the Guam State Clearinghouse.** There is
5 within the Office of *I Segundu Na Maga'lahi* [Lieutenant Governor] a
6 bureau of the government of Guam which shall be known as the
7 ‘*Guam State Clearinghouse.*’

8 Notwithstanding any other provision of law to the contrary, the Guam
9 State Clearinghouse shall have exclusive purview at the Guam level
10 over all Federal aid programs, grants, loans, contracts, contributions,
11 appropriations, advances, direct Federal development and other
12 Federal funding sources for the government of Guam. The Guam
13 State Clearinghouse shall be headed by a Director, who shall be *I*
14 *Segundu Na Maga'lahi* [the Lieutenant Governor], who shall
15 determine the positions and staffing pattern of the Guam State

1 Clearinghouse.”

2 **Section 2.** §2101.1 of Chapter 2 of Title 5 of the Guam Code
3 Annotated is hereby *amended* as follows:

4 “§ 2101.1. **Duties and Responsibilities of the Guam State**
5 **Clearinghouse.** In addition to the duties and responsibilities of the
6 Guam State Clearinghouse as may be prescribed by *I Segundu Na*
7 *Maga’lahi* [the Lieutenant Governor], or by law, the Guam State
8 Clearinghouse shall also have the following duties and
9 responsibilities:

10 (a) Administer the initiation, coordination and review process
11 of all governmental activities within the government of Guam
12 involving Federal financial assistance.

13 (b) Ensure that government grant proposals for Federal
14 assistance are in accordance with plans, policies, programs, objectives
15 and procedures of the government of Guam.

16 (c) Ensure that proposed government projects for which Federal
17 financial assistance is sought are fiscally and environmentally sound
18 and are in compliance with all applicable Federal laws.

19 (d) Ensure that the government of Guam complies with all
20 applicable Federal laws relating to Federal financial assistance and
21 that there exists sound tracking, management, and financial
22 accountability for all Federal programs awarded to the government of
23 Guam.

24 (e) Perform cost analysis on all Federal aid programs, grants,
25 loans, contracts, contributions, advances, direct Federal development
26 *or* other Federal funding for the financial impact on the government of
27 Guam’s General Fund *or* special funds used to fund the local

1 matching requirement as prescribed by Federal law; and the financial
2 impact on the government of Guam of continuing the Federal program
3 by the government of Guam *if* the Federal funding expires. Said
4 analysis *shall* describe the indirect costs the grantee government
5 agency is eligible for, the amounts applied for and received from each
6 grant, the previous year's funding level and funding estimate for
7 future years. Said analyses *shall* be performed as an integral part of
8 the state clearinghouse process and submitted to the Speaker of *I*
9 *Liheslaturan Guåhan*, the Chairperson of the Special Accounting
10 Service, the Chairperson of the Special Economic Service and the
11 Director of the Bureau of Budget and Management Research within
12 fifteen (15) days after completion. The cost analyses required hereby
13 *shall* be included in *I Maga 'lahi*'s Executive Budget request pursuant
14 to Title 5 GCA §4107(b).

15 (f) With the exception of non-profit organizations, the Guam
16 Community College and the University of Guam, and notwithstanding
17 any other provision of law to the contrary, no application for any
18 Federal aid programs, grants, loans, contracts, contributions,
19 advances, direct Federal development, or other Federal funding shall
20 be submitted or deemed approved on behalf of the government of
21 Guam or any agency, division, office, department or instrumentality
22 thereof, or any public corporation, without the final approval of the
23 Director of the Guam State Clearinghouse.”