

I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN
2012 (SECOND) Regular Session

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Bill No. 493-31(COR)

Introduced by:

J.T. Won Pat, Ed. *JTW*

**AN ACT TO AMEND SECTIONS 2101.1 AND 2101.3 OF
CHAPTER 2 OF TITLE 5 GCA, RELATIVE TO EXEMPTING
THE DEPARTMENT OF EDUCATION FROM PROVISIONS OF
THE GUAM STATE CLEARING HOUSE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 2101.1 of Chapter 5 of Title 5, Guam Code Annotated is hereby amended to read:

§ 2101.1. Duties and Responsibilities of the Guam State Clearinghouse.

(f) With the exception of the Guam Community College, ~~and~~ the University of Guam, and the Guam Department of Education and notwithstanding any other provision of law to the contrary, no application for any Federal aid programs, grants, loans, contracts, contributions, advances, direct Federal development, or other Federal funding shall be submitted or deemed approved on behalf of the government of Guam or any agency, division, office, department or instrumentality thereof, or any public corporation, without the final approval of the Director of the Guam State Clearinghouse.

Section 2. Sections 2101.3 of Chapter 5 of Title 5, Guam Code Annotated is hereby amended to read:

§ 2101.3. UOG, ~~and~~ GCC and DOE Exemptions.

The University of Guam, ~~and~~ the Guam Community College, and the Department of Education shall be exempted from the provisions prescribed in 5 GCA §§ 2101, 2101.1 and 2101.2. However, the Presidents of the University of Guam, ~~and~~ the Guam Community

1 College, and the Superintendent of the Department of Education shall separately perform
2 the following duties and responsibilities:

3 administer the initiation, coordination and review process of all activities within the
4 institution involving Federal financial assistance;

5 ensure that grant proposals for Federal assistance are in accordance with plans,
6 policies, programs, objectives and procedures of the government of Guam;

7 ensure that proposed projects for which Federal financial assistance is sought are
8 fiscally and environmentally sound and are in compliance with all applicable Federal laws;

9 ensure that the institution complies with all applicable Federal laws relating to
10 Federal financial assistance and that there exists sound tracking, management, and financial
11 accountability for all Federal Programs awarded to the institution;

12 perform cost analysis on all Federal aid programs, grants, loans, contracts,
13 contributions, advances, direct Federal development, or other Federal funding that the
14 institution is applying for, for the financial impact on the institution and the government of
15 Guam's General Fund or special funds used to fund the local matching requirement as
16 prescribed by Federal law; and the financial impact on the institution and the government
17 of Guam for the continuation of the Federal program should the Federal funding expire and
18 require the government of Guam to financially assume the program's operation one
19 hundred percent (100%); and

20 the Presidents of the University of Guam and the Guam Community College and the
21 Superintendent of the Department of Education may delegate any of the foregoing duties
22 and responsibilities to any officers or employees of their respective institution.