



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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Member

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Member

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V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

May 9, 2013

## Memorandum

To: **Rennae Meno**  
*Clerk of the Legislature*

From: **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

Subject: **Fiscal Notes**

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

Bill Nos.: 27-32(COR), 42-32(COR), 79-32(COR)

### WAIVERS:

Bill No. 48-32(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2013 MAY - 9 PM 4: 22

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR


**MAY 08 2013**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 27-32(COR), 42-32(COR), 79-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 48-32(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

  
JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 79-32**

**AN ACT TO AMEND §106119(K) OF CHAPTER 106, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE TRANSFER OF DORMANT AND UNCLAIMED BANK ACCOUNT FUNDS FROM THE TREASURER OF GUAM TO THE GUAM HOUSING CORPORATION'S HOUSING TRUST FUND**

Department/Agency Appropriation Information	
Dept./Agency Affected: Administration	Dept./Agency Head: Benita Manglona, Director
Department's General Fund (GF) appropriation(s) to date:	27,958,631
Department's Other Fund (Specify) appropriation(s) to date: ICF, GHF, TAF, and SLF	8,523,716
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$36,482,347</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes      /x/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A      / / Yes      / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /x/ N/A
- Does the Bill establish a new program/agency? / / Yes      / / No  
If yes, will the program duplicate existing programs/agencies? /x/ N/A      / / Yes      / / No  
Is there a federal mandate to establish the program/agency? / / Yes      /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes      /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes      / / No  
/ x / Requested agency comments not received as of the due date      / / Other:

Analyst: <u>John AB Pangelinan</u> Date: <u>5/6/13</u> Director: <u>John A. Rios</u> Date: <b>MAY 07 2013</b>
John AB Pangelinan, Acting Deputy Director      John A. Rios, Director

Footnotes:  
Please see attached file.

### Comments on Bill No. 79-32 (COR)

This proposed legislation is seeking to transfer dormant and unclaimed bank accounts from the Treasurer of Guam to the Guam Housing Trust Fund. A review of the dormant account reflects a running balance of \$2.2 Million; however, the transfer of funds from the an account held in trust by The Treasurer of Guam to the General Fund is based on when an dormant account is transferred into the Treasurer of Guam and from that transferred date a period of four years must elapse before a cash transfer can be made, in accordance with Government Accounting Practice and Procedures (GAPP).

Assuming that all of the available cash dormant account is available for the transfer, the common practice was to transfer the cash dollars into the General Fund for the purpose of paying General Fund obligations such as vendor payments, Income tax refunds, etc. Should this proposed legislation pass, the General Fund's ability to pay its obligations would be reduced by the same amount being transferred into the Housing Trust Fund.



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Member

April 19, 2013

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject: Re Referral of Bill No. 79-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **79-32(COR)**.

Please ensure that the subject bill is re referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment



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April 12, 2013

VIA FACSIMILE  
(671) 472-2825

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Note – Bill Nos. 79-32(COR), 81-32(COR), 82-32(COR),  
83-32(COR), 84-32(COR), 85-32(COR), 86-  
32(COR), and 87-32(COR)

*Håfa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio  
*Chairperson, Committee on Rules*

Attachments

Cc: Clerk of the Legislature

2013 APR 12 PM 4:16  
*HRW*

Bill Nos.	Sponsor	Title
79-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND S106911(k) OF CHAPTER 106, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE TRANSFER OF DORMANT AND UNCLAIMED BANK ACCOUNT FUNDS FROM THE TREASURER OF GUAM TO THE GUAM HOUSING CORPORATIONS'S HOUSING TRUST FUND.
80-32 (COR)	WITHDRAWN	
81-32 (COR)	Vicente (ben) Pangelinan	AN ACT TO PROVIDE HEALTH INSURANCE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES FOR FISCAL YEAR 2014
82-32 (COR)	Frank B. Aguon, jr.	AN ACT TO REPEAL CHAPTER 25 OF TITLE 8 GUAM CODE ANNOTATED
83-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND §77403, §77404, §77405 AND §77407 OF CHAPTER 77, ARTICLE 4, DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION, DEVELOPMENT, UPGRADING, REPAIR OR MAINTENANCE OF PUBLIC SCHOOL SPORTS FACILITIES.
84-32 (COR)	Vicente (ben) Pangelinan Tina Rose Muña Barnes	AN ACT TO ADD A NEW SUBSECTION (f) to SECTION 2, PART III, CHAPTER II OF PUBLIC LAW 31-233, RELATIVE TO THE APPROPRIATION TO THE GUAM COMMUNITY COLLEGE APPRENTICESHIP PROGRAM
85-32 (COR)	Vicente (ben) Pangelinan	AN ACT TO PROHIBIT THE USE OF GOVERNMENT FUNDS FOR THE APPEAL OF CIVIL CASE 1:11-CV-00008, REA MIALIZA O. PAESTE ET AL V. GOVERNMENT OF GUAM AND EDDIE BAZA CALVO, BENITA MANGLONA, AND JOHN CAMACHO, IN THEIR OFFICIAL CAPACITIES AND TO ADD A NEW SUBSECTION (i) TO SECTION 30109, CHAPTER 30 OF TITLE 5 GUAM CODE ANNOTATED.
86-32 (COR)	T.C. Ada	AN ACT TO ADD §10238 TO ARTICLE 2, CHAPTER 10 OF TITLE 12 GUAM CODE ANNOTATED TO AUTHORIZETHE JOSE D. LEON GUERRERO PORT AUTHORITY OF GUAM (PORT) TO WAIVE SOVEREIGN IMMUNITY TO SATISFY A PREREQUISITE FOR APPROVAL OF A \$10,000,000 COMMERCIAL LOAN
87-32 (COR)	T. A. Morrison, M. F. Q. San Nicolas, C. M. Duenas, B. J. F. Cruz, T. R. Muna Barnes	AN ACT TO AMEND §§3305 AND 3305.1 CHAPTER 3 OF 16GCA RELATIVE TO IMPLEMENTING A UNIVERSAL HELMET LAW.



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April 12, 2013

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Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson, Committee on Rules*

Attachments

Cc: Clerk of the Legislature

2013 APR 12 AM 10:14



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April 5, 2013

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject: Referral of Bill No. 79-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **79-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.


*Si Yu'os Ma'åse!*

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2013 (FIRST) Regular Session

Bill No. 79-32 (core)

Introduced by:

Judith T. Won Pat, Ed.D. 

---

AN ACT TO AMEND §106119(k) OF CHAPTER 106,  
TITLE 11, GUAM CODE ANNOTATED, RELATIVE  
TO AUTHORIZING THE TRANSFER OF DORMANT  
AND UNCLAIMED BANK ACCOUNT FUNDS FROM  
THE TREASURER OF GUAM TO THE GUAM  
HOUSING CORPORATION'S HOUSING TRUST  
FUND.

2013 APR - 5 AM 8:02



1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*  
3 finds that the implementation of P.L. 31-166, or the "*First-time Homeowner*  
4 *Assistance Program Act*", which was enacted in January 2012, recognized  
5 that the cost of a single-family home continues to be out of reach for a  
6 number of potential first-time homeowners. The anticipated realignment  
7 of U.S. Armed Forces in the region continues to invite potential growth in  
8 Guam's housing industry. Such real estate activity, however, may leave  
9 potential first-time homeowners with little to no options for realizing their  
10 dream of owning a home.

1            *I Liheslatura* further finds that the *First-time Homeowner Assistance*  
2 *Program Act* further recognized that additional legislation might be  
3 required, specifically designating revenue sources for the program, in  
4 order to assist as many qualified borrowers.

5            It is, therefore, the intent of *I Liheslaturan Guåhan* to provide an  
6 additional source of revenue to assist potential first-time homeowners and  
7 their families through the First-time Homeowner Assistance Program. *I*  
8 *Liheslatura* intends to authorize the transfer of dormant and unclaimed  
9 bank account funds from the Treasurer of Guam to the Guam Housing  
10 Corporation's *Housing Trust Fund*, by amending §106119(k) of Chapter 106,  
11 Title 11, Guam Code Annotated.

12            **Section 2. Dormant and Inactive Accounts and Unclaimed Funds.**  
13 §106119(k) of Chapter 106, Title 11, Guam Code Annotated, is hereby  
14 amended, to read:

15            **“§106119. Dormant and Inactive Accounts and Unclaimed Funds.**

16            (k) All funds transferred to the Treasurer of Guam pursuant to the  
17 provisions of this Section shall escheat to the Territory of Guam ~~five~~ one  
18 (51) years subsequent to the date such transfers occurred. The Treasurer of  
19 Guam shall deposit such funds into the *Housing Trust Fund* as established  
20 in Article 10 of Chapter 4, Title 12, Guam Code Annotated. Such funds  
21 shall be used in accordance with the provisions of the *First-time Homeowner*  
22 *Assistance Program Act.*”

1           **Section 3. Effective Date.** This Act shall be effective upon  
2 enactment.