

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

DEC 16 2013

Honorable Judith T. Won Pat, Ed.D  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

32-13-1086  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date: 12-18-13  
Time: 9:10 am  
Received by: [Signature]


2013 DEC 18 AM 9:42  
M

Dear Madame Speaker:

Attached is Bill No. 158-32 (COR), entitled, "**AN ACT TO REQUIRE EACH AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF GUAM TO DETERMINE PAYMENTS THAT CAN BE MADE THROUGH ITS WEBSITE, AND TO REQUIRE THE OFFICE OF TECHNOLOGY TO ESTIMATE THE COST OF IMPLEMENTING SUCH ONLINE PAYMENTS,**" which lapsed into law as **Public Law 32-103.**

Of concern in new Public Law 32-103 is the unfunded mandate imposed by new Public Law 32-103 upon Government of Guam agencies to review payments remitted through their websites and to determine whether such payments are "plausible" or "implausible" for online transactions. Because the terms "plausible" and "implausible" are undefined, agencies reviewing their payment transactions are not provided with objective, standardized benchmarks upon which to base their determination. In carrying out the requirements of Public Law 32-103, it is therefore anticipated that *I Liheslatura* will not only establish fair and accurate standards of plausibility, but also that it will provide sufficient support and appropriation to those agencies which accept online payments.

*Senseramente,*

  
EDDIE BAZA CALVO  
Governor of Guam

108.6

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

**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 158-32 (COR)**, "AN ACT TO REQUIRE EACH AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF GUAM TO DETERMINE PAYMENTS THAT CAN BE MADE THROUGH ITS WEBSITE, AND TO REQUIRE THE OFFICE OF TECHNOLOGY TO ESTIMATE THE COST OF IMPLEMENTING SUCH ONLINE PAYMENTS", was on the 12<sup>th</sup> day of November 2013, duly and regularly passed.



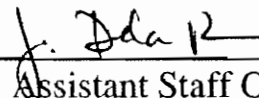
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 15<sup>th</sup> day of Nov.,  
2013, at 11:28 o'clock A.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: NOV 28 2013

Public Law No. 32-103

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

**Bill No. 158-32 (COR)**

As amended on the Floor.

Introduced by:

Michael F. Q. San Nicolas  
FRANK B. AGUON, JR.  
Tommy Morrison  
T. C. Ada  
V. Anthony Ada  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO REQUIRE EACH AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF GUAM TO DETERMINE PAYMENTS THAT CAN BE MADE THROUGH ITS WEBSITE, AND TO REQUIRE THE OFFICE OF TECHNOLOGY TO ESTIMATE THE COST OF IMPLEMENTING SUCH ONLINE PAYMENTS.**

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

2 **Section 1. Short Title.** This Act *shall* be referred to as the “Responsible  
3 Online Payments Act.”

1           **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that the people of Guam will benefit greatly from online payment opportunities  
3 that will save them time and reduce the wait times for residents who wish to avail  
4 themselves of government services in person. Additionally, road travel by residents  
5 to take care of business which may reasonably be accomplished online adds to  
6 traffic congestion on Guam’s roadways.

7           *I Liheslatura* further finds that every improvement to transactional efficiency  
8 and reduced traffic congestion results in economic benefits in the form of higher  
9 productivity, lower fuel consumption, and positive consumer morale.

10           It is, therefore, the intent of *I Liheslaturan Guåhan* to require that the  
11 Director of each agency review payments that are made to the respective agency to  
12 determine which could be made through each agency’s website.

13           **Section 3. Determination of Payments.** The Director or equivalent of  
14 each agency or instrumentality (hereinafter, agency) of the government of Guam,  
15 supported by the Department of Administration for line agencies of the  
16 government of Guam, *shall* make a review of all payments made through the  
17 normal course of business to the agency to determine which payments could be  
18 remitted through the agency’s website. All payments *shall* be determined as  
19 “plausible” or “implausible” for online transactions, with all “implausible”  
20 determinations requiring an explanation for such categorization. The findings  
21 thereof *shall* be reported to the Office of Technology, *I Liheslaturan Guåhan* and *I*  
22 *Maga’lahen Guåhan* no later than ninety (90) days following the enactment of this  
23 Act.

24           **Section 4. Estimation of Costs.** The Office of Technology *shall*, upon  
25 receipt of the findings of each agency or instrumentality of the government of  
26 Guam pursuant to Section 3 of this Act, estimate the costs associated with  
27 implementing “plausible” online payments as proposed pursuant to such findings,

1 and report the same to *I Liheslaturan Guåhan* and *I Maga'lahen Guåhan* within  
2 ninety (90) days following the receipt of the report of the agency.

3 **Section 5. Consideration for Action.** *I Liheslaturan Guåhan shall* review  
4 the cost estimates of implementing online payments as reported by the Office of  
5 Technology, and *shall* determine if “plausible” payments warrant an appropriation  
6 to allow for implementation. Those payments determined to be “implausible” *shall*  
7 be reviewed for policy solutions that may render such payments as “plausible” for  
8 online payment.