



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

NOV 13 2015

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 144-33 (COR), "AN ACT TO ADD A NEW § 4123 TO CHAPTER 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FEDERAL RECEIPTS REPORTING REQUIREMENTS," which was signed into law on the 9th day of November 2015, as **Public Law 33-86**.

2015 NOV 13 PM 4:52

Senseramente,


EDDIE BAZA CALVO

33-15-1084

Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 11/13/15
Time: 4:00 PM
Received By: esr

1084

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

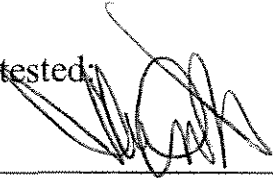
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÅHEN GUÅHAN

This is to certify that **Bill No. 144-33 (COR)**, "AN ACT TO *ADD* A NEW § 4123 TO CHAPTER 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FEDERAL RECEIPTS REPORTING REQUIREMENTS," was on the 27th day of October 2015, duly and regularly passed.



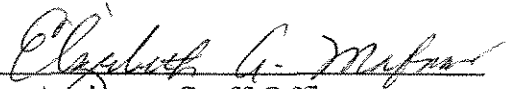
Judith T. Won Pat, Ed.D.
Speaker

Attested:



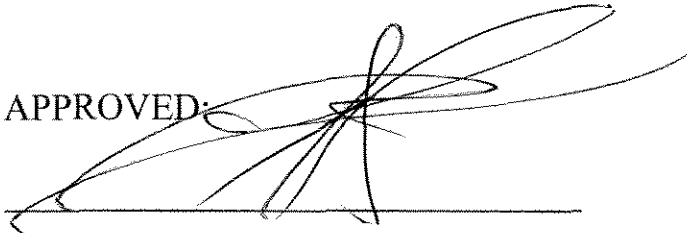
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28th day of October, 2015, at 4:28 o'clock P.M.



Assistant Staff Officer
Maga'låhi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: NOV 09 2015

Public Law No. 33-86

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 144-33 (COR)

As amended by the Committee on
Appropriations and Adjudication;
and further amended on the Floor.

Introduced by:

Frank F. Blas, Jr.
James V. Espaldon
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW § 4123 TO CHAPTER 4 OF
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING FEDERAL RECEIPTS REPORTING
REQUIREMENTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that it is critical to the budgeting process that the government of Guam have a
4 complete reporting of federal receipts received by designated state agencies, and
5 that the report must contain a plan to operate the designated state agency in the

1 event federal receipts are reduced by certain amounts. Currently, this reporting
2 process is non-existent, as well as any plans that could be implemented
3 immediately in the event that the agency sees a decrease in federal funding.

4 It is, therefore, the intent of *I Liheslaturan Guåhan* to establish the use of
5 federal receipts reporting requirements in the budgeting process.

6 **Section 2.** A new § 4123 is hereby *added* to Chapter 4 of Title 5, Guam
7 Code Annotated, to read:

8 **“§ 4123. Federal Receipts Reporting Requirements.**

9 (a) Definitions.

10 As used in this Section:

11 (1) *Designated state agency* means an agency or
12 authority of the government of Guam; and includes a
13 department, institution, board, bureau, commission, council,
14 committee of Guam government, branch, autonomous
15 instrumentality, public corporation funded by public taxes or
16 funds, or other public entity of the government of Guam.

17 (2) *Designated state agency does not* include the
18 judicial branch, the legislative branch, or an office or other
19 entity within the judicial branch or the legislative branch.

20 (3) *Federal receipts* means the federal financial
21 assistance, as defined in 31 U.S.C. Sec. 7501, that is reported as
22 part of a single audit.

23 (4) *Single audit* is as defined in 31 U.S.C. Sec. 7501.

24 (b) Federal Receipts Reporting Requirements.

25 (1) Designated state agencies *shall* each year, on or
26 before October 31, prepare a report that:

1 (A) reports the aggregate value of federal
2 receipts the designated state agency received for the
3 preceding fiscal year;

4 (B) reports the aggregate amount of funds for
5 federal matching grants in aid appropriated by *I*
6 *Liheslaturan Guåhan* (the Guam Legislature) to the
7 designated state agency for the preceding fiscal year;

8 (C) calculates the percentage that constitutes
9 federal receipts of the total budget for the designated
10 state agency received for that fiscal year; and

11 (D) develops a plan(s) for operating the
12 designated state agency, and its affected federal
13 program(s) if there is a reduction in the federal receipts
14 that the designated agency receives.

15 (2) The designated state agencies *shall* submit the
16 report to the Bureau of Budget and Management Research
17 (BBMR) on or before November 1 of each year.

18 (3) The BBMR *shall*, on or before November 30 of
19 each year, prepare a report that:

20 (A) compiles and summarizes the reports that
21 the BBMR receives in accordance with Subsection (2);
22 and

23 (B) compares the aggregate value of federal
24 receipts each designated state agency received for the
25 previous fiscal year to the aggregate amount of federal
26 funds to the total budget of the designated state agency
27 for that fiscal year.

1 (4) BBMR *shall*, as part of the report required by
2 Subsection (3), compile a list of designated state agencies that
3 do not submit a report as required by this Section.

4 (5) BBMR *shall* submit the report required by
5 Subsection (3) to the legislative appropriations committee and
6 the Speaker of *I Liheslaturan Guåhan* on or before December 1
7 of each year.

8 (6) Upon receipt of the report required by Subsection
9 (3), the legislative appropriations committee *shall* place the
10 report on the agenda for review and consideration at the next
11 committee meeting.

12 (7) When considering the report required by
13 Subsection (3), the legislative appropriations committee may
14 elect to:

15 (A) recommend that *I Liheslaturan Guåhan* (the
16 Guam Legislature) reduce or eliminate the appropriations
17 for a designated state agency;

18 (B) take no action; or

19 (C) take another action that a majority of the
20 committee approves.”

21 **Section 3. Severability.** If any provision of this Act or its application to
22 any person or circumstance is found to be invalid or contrary to law, such
23 invalidity *shall not* affect other provisions or applications of this Act that can be
24 given effect without the invalid provisions or application, and to this end the
25 provisions of this Act are severable.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

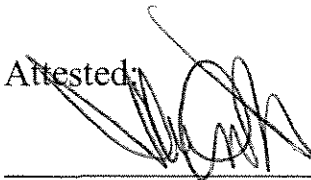
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 144-33 (COR)**, "AN ACT TO *ADD A NEW § 4123 TO CHAPTER 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FEDERAL RECEIPTS REPORTING REQUIREMENTS,*" was on the 27th day of October 2015, duly and regularly passed.



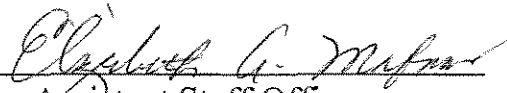
Judith T. Won Pat, Ed.D.
Speaker

Attested:



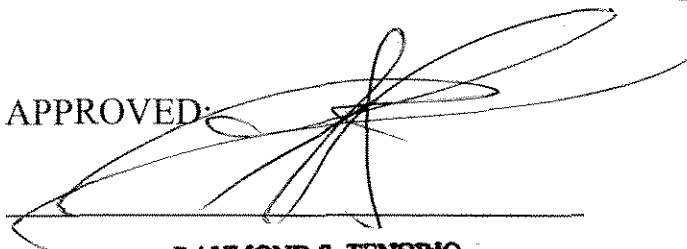
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28th day of October,
2015, at 4:28 o'clock P.M.



Assistant Staff Officer
Maga'låhi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: NOV 09 2015

Public Law No. 33-86

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 144-33 (COR)

As amended by the Committee on
Appropriations and Adjudication;
and further amended on the Floor.

Introduced by:

Frank F. Blas, Jr.
James V. Espaldon
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW § 4123 TO CHAPTER 4 OF
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING FEDERAL RECEIPTS REPORTING
REQUIREMENTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that it is critical to the budgeting process that the government of Guam have a
4 complete reporting of federal receipts received by designated state agencies, and
5 that the report must contain a plan to operate the designated state agency in the

1 event federal receipts are reduced by certain amounts. Currently, this reporting
2 process is non-existent, as well as any plans that could be implemented
3 immediately in the event that the agency sees a decrease in federal funding.

4 It is, therefore, the intent of *I Liheslaturan Guåhan* to establish the use of
5 federal receipts reporting requirements in the budgeting process.

6 **Section 2.** A new § 4123 is hereby *added* to Chapter 4 of Title 5, Guam
7 Code Annotated, to read:

8 **“§ 4123. Federal Receipts Reporting Requirements.**

9 (a) Definitions.

10 As used in this Section:

11 (1) *Designated state agency* means an agency or
12 authority of the government of Guam; and includes a
13 department, institution, board, bureau, commission, council,
14 committee of Guam government, branch, autonomous
15 instrumentality, public corporation funded by public taxes or
16 funds, or other public entity of the government of Guam.

17 (2) *Designated state agency does not* include the
18 judicial branch, the legislative branch, or an office or other
19 entity within the judicial branch or the legislative branch.

20 (3) *Federal receipts* means the federal financial
21 assistance, as defined in 31 U.S.C. Sec. 7501, that is reported as
22 part of a single audit.

23 (4) *Single audit* is as defined in 31 U.S.C. Sec. 7501.

24 (b) Federal Receipts Reporting Requirements.

25 (1) Designated state agencies *shall* each year, on or
26 before October 31, prepare a report that:

1 (A) reports the aggregate value of federal
2 receipts the designated state agency received for the
3 preceding fiscal year;

4 (B) reports the aggregate amount of funds for
5 federal matching grants in aid appropriated by *I*
6 *Liheslaturan Guåhan* (the Guam Legislature) to the
7 designated state agency for the preceding fiscal year;

8 (C) calculates the percentage that constitutes
9 federal receipts of the total budget for the designated
10 state agency received for that fiscal year; and

11 (D) develops a plan(s) for operating the
12 designated state agency, and its affected federal
13 program(s) if there is a reduction in the federal receipts
14 that the designated agency receives.

15 (2) The designated state agencies *shall* submit the
16 report to the Bureau of Budget and Management Research
17 (BBMR) on or before November 1 of each year.

18 (3) The BBMR *shall*, on or before November 30 of
19 each year, prepare a report that:

20 (A) compiles and summarizes the reports that
21 the BBMR receives in accordance with Subsection (2);
22 and

23 (B) compares the aggregate value of federal
24 receipts each designated state agency received for the
25 previous fiscal year to the aggregate amount of federal
26 funds to the total budget of the designated state agency
27 for that fiscal year.

1 (4) BBMR *shall*, as part of the report required by
2 Subsection (3), compile a list of designated state agencies that
3 do not submit a report as required by this Section.

4 (5) BBMR *shall* submit the report required by
5 Subsection (3) to the legislative appropriations committee and
6 the Speaker of *I Liheslaturan Guåhan* on or before December 1
7 of each year.

8 (6) Upon receipt of the report required by Subsection
9 (3), the legislative appropriations committee *shall* place the
10 report on the agenda for review and consideration at the next
11 committee meeting.

12 (7) When considering the report required by
13 Subsection (3), the legislative appropriations committee may
14 elect to:

15 (A) recommend that *I Liheslaturan Guåhan* (the
16 Guam Legislature) reduce or eliminate the appropriations
17 for a designated state agency;

18 (B) take no action; or

19 (C) take another action that a majority of the
20 committee approves.”

21 **Section 3. Severability.** If any provision of this Act or its application to
22 any person or circumstance is found to be invalid or contrary to law, such
23 invalidity *shall not* affect other provisions or applications of this Act that can be
24 given effect without the invalid provisions or application, and to this end the
25 provisions of this Act are severable.