



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

15 DEC 2008

2008 DEC 19 PM 3:47

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Bente Nuebi Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No.375(EC), "AN ACT TO *AMEND* SUBSECTION (d) TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM BOARD OF ACCOUNTANCY" which was signed into law on December 2, 2008 as **Public Law 29-123**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,
Senator and Legislative Secretary

29-08-0965

12/15/08
5:05pm
12

2136

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

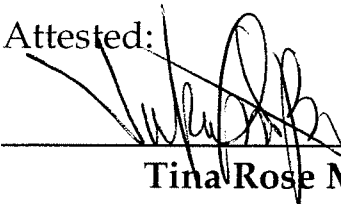
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 375 (EC), " AN ACT TO AMEND SUBSECTION (d) OF §35104 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM BOARD OF ACCOUNTANCY,"** was on the 21st day of November, 2008, duly and regularly passed.



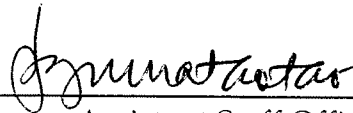
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 25 day of Nov., 2008, at
9:41 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 12-2-08

Public Law No. 29-123

I MINA'BENTE NUEBI NA LIHESLATURAN GUAHAN
2008 (SECOND) Regular Session

Bill No. 375 (EC)

As substituted by the
Author and amended.

Introduced by:

Edward J.B. Calvo
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D.

**AN ACT TO AMEND SUBSECTION (d) OF §35104 OF TITLE
22 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE
GUAM BOARD OF ACCOUNTANCY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Sub-item (d) of §35104 of Chapter 35 of Title 22 of the Guam Code Annotated is hereby *amended* to read:

“(d) Notwithstanding the Central Accounting Act, all fees and money collected by the Board under this Chapter *shall* be accounted for by the Board and deposited in a special fund known as the ‘Guam Board of Accountancy Fund.’ The Board *shall* maintain said Fund in a bank licensed to do business on Guam,

1 and funds therein *shall* be paid out only upon a request for payment, *or* requisition,
2 submitted by the Executive Director and countersigned by the Chairperson of the
3 Board, *or* some other member specifically designated by the Board. All monies in
4 this Fund are subject to legislative appropriation for the use of the Board in
5 performing its duties. Said monies *shall* be expended *solely* to administer the
6 provisions of this Chapter, and may include, but *shall not be limited to*, the cost of
7 investigations, taking testimony and procuring the attendance of witnesses before
8 the Board or its committees; all legal proceedings brought pursuant to this Chapter;
9 and educational programs for the benefit of the public and licensees and their
10 employees. On or before January 30, 2009 for Fiscal Year 2010 and January 30th
11 for each fiscal year thereafter, the Board *shall* approve and submit to *I Liheslatura*
12 its annual budget for the following fiscal year. *If* the Board fails to submit a budget
13 for the next fiscal year, or if *I Liheslatura* fails to approve the annual budget before
14 the next fiscal year, the current fiscal year's budget *shall* become law for the next
15 fiscal year, subject to legislative modification."

16 **Section 2. Guam Board of Accountancy Operations.** (a) The sum of
17 Four Hundred Ten Thousand Dollars (**\$410,000**) is appropriated from the Guam
18 Board of Accountancy Fund to the Guam Board of Accountancy for its
19 operations in Fiscal Year 2009.

20 (b) *No later than* thirty (30) days after the close of each fiscal
21 quarter of FY 2009, the Executive Director of the Guam Board
22 of Accountancy *shall* report all revenues and expenditures for
23 all funds under its purview and administration to the Speaker of
24 *I Liheslaturan Guåhan* and post the same on its website.

25 **Section 3.** Section 20 of Chapter VII of P.L. 29-113 is hereby *amended* to
26 read:

1 **"Section 20. Authorization for Payment of Prior Years'**
2 **Obligations.** Appropriations made in this Act *may* be expended for the
3 payment of prior years' obligations. *I Maga'lahaen Guåhan shall* deliver
4 notice to the Speaker of *I Liheslaturan Guåhan* of each such proposed
5 expenditure *no less than* fifteen (15) days *before* the expenditure. The
6 Office of the Attorney General, the Mayors' Council of Guam, the Office of
7 the Public Auditor, and the Judiciary of Guam *shall* deliver notice to the
8 Speaker of *I Liheslaturan Guåhan* of each proposed expenditure as
9 mandated in this Section. The expenditure will be effective *if no* action is
10 taken by *I Liheslaturan Guåhan*. Disapproval of any proposed expenditure
11 by *I Liheslatura shall* be *exempt* from 2 GCA §2103. At the end of each
12 quarter, each department *shall* report to *I Liheslatura*, and post on its
13 website, all payments of the previous quarter's prior year(s) obligations by
14 payee, date of payment, amount of payment, purpose of the expenditure and
15 the reason for non-payment in the *prior* year. The '*no less than* fifteen (15)
16 days' requirement in this Section *shall not* apply to payments of *prior* years'
17 obligations in the Medically Indigent Program and the Medicaid Program."