

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
142-33 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO ASSESS AN ACCOUNT MANAGEMENT FEE TO ALL SPECIAL FUNDS ESTABLISHED SEPARATE AND APART FROM THE GENERAL FUND BY ADDING A NEW ARTICLE 7 TO CHAPTER 20 OF DIVISION 2, TITLE 5, GUAM CODE ANNOTATED.	7/07/15 8:39 a.m.	07/07/15	Committee on Appropriations and Adjudication			



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

July 7, 2015

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER


MEMORANDUM

Speaker
Judith T.P. Won Pat, Ed.D.
Member

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

Vice-Speaker
Benjamin J.F. Cruz
Member

From: Senator Thomas C. Ada 
Acting Chairperson of the Committee on Rules

Legislative Secretary
Tina Rose Muna Barnes
Member

Subject: Referral of Bill No. 142-33(COR)

Senator
Dennis G. Rodriguez, Jr.
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 142-33(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 Tres Na Liheslaturan Guåhan*.

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Si Yu'os Ma'åse!

Senator
Nerissa Bretania Underwood
Member

Attachment

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

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

Bill No. 142 -33 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. *DR*

AN ACT TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO ASSESS AN ACCOUNT MANAGEMENT FEE TO ALL SPECIAL FUNDS ESTABLISHED SEPARATE AND APART FROM THE GENERAL FUND BY ADDING A NEW ARTICLE 7 TO CHAPTER 20 OF DIVISION 2, TITLE 5, GUAM CODE ANNOTATED.

2015 JUL - 7 AM 8:39

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds
3 that there are nearly one hundred (100) special funds that have been created by the
4 Guam Legislature over the years. These special funds are intended to be separate
5 and apart from the transactions of the General Fund of the government of Guam.
6 These funds were primarily created to ensure revenues received are specifically
7 utilized for the purpose it was established. However, what has been ignored is the
8 administrative, human resource, and capital outlay costs required to properly
9 account and track these special funds.

10 These costs include unfunded expenses such as, but not limited to upgrades
11 to the financial systems, computers, network/stand-alone printers, payroll check
12 printer, accounts payable check printer, treasury check bursting, check signing
13 machine, treasury postage machine, and other associated costs for printer ink
14 cartridge toners, postage, envelopes and supplies required for, but not limited to the
15 issuance of tax refund checks, W-2 and 1099 forms, and other vendor checks.

1 It is therefore the intent of *I Liheslaturan Guahan* to assess a 2% Account
2 Management Fee on all existing special revenue funds cash collections and to
3 statutorily require that all future special funds legislatively created include a
4 provision that assess a 2% Account Management Fee that will be appropriated and
5 allocated to the Department of Administration.

6 **Section 2.** A new Article 7 is added to Chapter 20 of Division 2, Title 5,
7 Guam Code Annotated, to read:

8 **“Article 7**

9 **Special Funds Account Management Fee**

10 **§ 20701. Purpose.** To provide for the assessment of a two percent (2%)
11 Account Management Fee for all special funds managed by the Department of
12 Administration to offset the associated costs of fund management by the
13 Department.

14 **§ 20702. Assessment of Account Management Fee on all Government of**
15 **Guam Special Funds.** The Department of Administration shall be authorized to
16 assess a two percent (2%) Account Management Fee for the administration of all
17 Special Revenue Funds that have been created through legislative action. The
18 assessed funds shall be used by the Department of Administration as follows: 70%
19 for the Division of Accounts, 10% for Human Resources and Development, 10%
20 for the General Services Agency and 10% for the Data Processing Division. The
21 Divisions shall be authorized to utilize funds received through this fee assessment
22 to ensure proper management and accounting of all special funds.

23 The Divisions are hereby authorized to expend these funds as it sees
24 necessary, including but not limited to the recruitment of personnel directly
25 associated with the administration of these special funds, system upgrades,
26 computers, network printers, payroll check printer, accounts payable check printer,

1 treasury check bursting, signing and postage machines and associated costs for
2 postage and supplies.

3 **§ 20703. Requirement to include Account Management Fee.** Any
4 special accounts that are established and created separate and apart from the
5 government of Guam General Fund shall be deemed to include a provision that
6 assesses a two percent (2%) Account Management Fee that shall be used by the
7 Department of Administration to properly manage and track the activity of each
8 special fund and as further provided pursuant to this Article.

9 **§ 20704. Reporting requirement.** The Director of the Department of
10 Administration in coordination with the Administrator of each Division shall
11 submit, on an annual basis, to the Speaker of *I Liheslaturan Guahan* and *I*
12 *Maga'lahen Guahan* a report of any Account Management Fee it has assessed on a
13 special fund account as well as any funds it has expended as authorized pursuant to
14 this Article.”

15 **Section 3. Severability.** If any provision of this Act or its application to
16 any person or circumstance is found to be invalid or contrary to law, such
17 invalidity shall not affect other provisions or applications of this Act which can be
18 given effect without the invalid provisions or application, and to this end the
19 provisions of this Act are severable.

20 **Section 4. Effective Date.** This Act shall become immediately effective
21 upon enactment.

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