




*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
345-35 (COR)	James C. Moylan William M. Castro Louise B. Muña	AN ACT TO ADD ARTICLE 14 TO DIVISION 1, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CARES PANDEMIC FUND TO ASSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM US PUBLIC LAW 116-136 (THE CARES ACT).	4/17/20 4:45 p.m.						

***I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2020 (SECOND) Regular Session**

**Bill No.345-35 (COR)**

Introduced by:

James C. Moylan   
William M. Castro   
Louise B. Muna 

**AN ACT TO ADD ARTICLE 14 TO DIVISION 1, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING *THE CARES PANDEMIC FUND* TO ASSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM US PUBLIC LAW 116-136 (THE CARES ACT).**

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

**Section 1.** A new Article 14 is hereby *added* to Division 1, Chapter 1, Title 5, Guam Code Annotated, to read as follows:

**“ARTICLE 14**

**CARES PANDEMIC FUND**

**§ 14101. Fund Structure and Administration.**

(a) There is hereby created, separate, and apart from other funds of the government of Guam, a fund known as the “CARES Pandemic Fund” (hereinafter referred to in this Article as the Fund). The Fund shall not be commingled with the General Fund and shall be kept in a separate bank account, administered by the Department of Administration.

1        (b) The purpose of the Fund is to receive deposits pursuant to § 14101(e) of this  
2 Article to pay for the following programs pursuant to § 14101(c) of this Article.

3        (c) Notwithstanding any other provisions of the law, *I Maga'Hagan Guåhan* is  
4 hereby authorized to transfer from the Fund for any expenditure associated with  
5 the following:

6            (1) any necessary expenditures incurred due to the public health emergency  
7 in association with the COVID-19 Pandemic,

8            (2) to reimburse any expenditures to the General Fund or Special Funds, that  
9 were not budgeted for in Public Law 35-36, but were transferred and expended  
10 by *I Maga'Hagan Guåhan* for the purposes of addressing the COVID-19  
11 Pandemic; and

12            (3) to procure coronavirus test-kits.

13        (d) Notwithstanding any other provisions of the law, any expenditure from *the*  
14 *Fund*, other than what is specified in § 14101(c) shall require the authorization  
15 from *I Liheslaturan Guåhan*.

16        (e) Any funds received pursuant to U.S. Public Law 116-136, the Coronavirus  
17 Aid, Relief, and Economic Security Act (hereinafter referred to in this Article as  
18 *the CARES Act*), relative to direct federal assistance to the government of Guam to  
19 address the coronavirus pandemic related expenses, shall be deposited into the  
20 Fund.

21        (f) Funds deposited in *the Fund* shall not be subject to any transfer authority of *I*  
22 *Maga'Hagan Guåhan*, and any funds remaining shall be subject to an approval of  
23 the transfer by *I Liheslaturan Guåhan*.

24        (g) Notwithstanding any other provisions of the law, The Fund shall not be  
25 subject to any of the reporting requirements pursuant to Chapter 19, Title 10,  
26 Guam Code Annotated, and instead *I Maga'Hagan Guåhan* shall provide a report  
27 to the Speaker of *I Liheslaturan Guåhan*, no later than twenty (20) days from the

1 close of a month on any expenditures associated with the Fund and the remaining  
2 balances.”

3 **Section 2. Severability.** If any provision of this Act or its application to any  
4 person or circumstance is found to be invalid or contrary to law, such invalidity  
5 *shall not* affect other provisions or applications of this Act that can be given effect  
6 without the invalid provision or application, and to this end the provisions of this  
7 Act are severable.

8 **Section 3. Effective Date.** This Act *shall* become effective immediately upon  
9 enactment.