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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

May 4, 2015

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill Nos. 32-33(COR), 56-33(COR), 58-33(LS), 59-33(COR), 60-33(COR) and 62-33(LS); and Substitute Bill Nos. 14-33(COR), 52-33(COR) and 66-33(COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on May 1, 2015.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (9)

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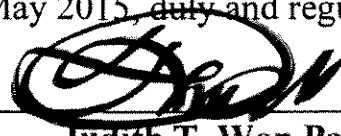
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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

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

This is to certify that Bill No. 56-33 (COR), "AN ACT TO AMEND SUBSECTION (f) AND ADD A NEW SUBSECTION (g) OF § 2101.1, AND TO AMEND § 2101.3 OF CHAPTER 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING THE INDEPENDENCE OF THE JUDICIARY OF GUAM RELATIVE TO THE RECEIPT OF FEDERAL FUNDS," was on the 1st day of May 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'lahaen Guåhan* this 4th day of May,
2015, at 4:15 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 56-33 (COR)

As amended on the Floor.

Introduced by:

FRANK B. AGUON, JR.
T. C. Ada
V. Anthony Ada
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
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 *AMEND* SUBSECTION (f) AND *ADD* A
NEW SUBSECTION (g) OF § 2101.1, AND TO *AMEND* §
2101.3 OF CHAPTER 2, TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO RECOGNIZING THE
INDEPENDENCE OF THE JUDICIARY OF GUAM
RELATIVE TO THE RECEIPT OF FEDERAL FUNDS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 hereby extends the recognition of judicial independence to the application, receipt
4 and administration of Federal funds.

1 **Section 2.** Subsection (f) is *amended* and a new Subsection (g) is *added* to
2 § 2101.1 of Chapter 2, Title 5, Guam Code Annotated, to read:

3 “(f) With the exception of the Judiciary of Guam, the Guam
4 Community College, the University of Guam, and the Guam Department of
5 Education, and notwithstanding any other provision of law to the contrary,
6 no application for any Federal aid programs, grants, loans, contracts,
7 contributions, advances, direct Federal development, or other Federal
8 funding shall be submitted or deemed approved on behalf of the government
9 of Guam or any agency, division, office, department or instrumentality
10 thereof, or any public corporation, without the final approval of the Director
11 of the Guam State Clearinghouse.

12 (g) The Judiciary of Guam, the Guam Community College, the
13 University of Guam, and the Guam Department of Education *shall* provide a
14 courtesy electronic or written copy of each grant application to the Guam
15 State Clearinghouse and *I Liheslaturan Guåhan*. Copies of all
16 communications between the Federal government grantor agency relative to
17 the grant application process with the Judiciary of Guam, the Guam
18 Community College, the University of Guam, or the Guam Department of
19 Education, including all subsequent communications regarding the
20 implementation and execution of the grant award, *shall* also be provided to
21 the Guam State Clearinghouse and *I Liheslaturan Guåhan*.”

22 **Section 3.** § 2101.3 of Chapter 2, Title 5, Guam Code Annotated, is
23 hereby *amended* to read:

24 “§ 2101.3. **Judiciary of Guam, UOG, GCC and DOE**
25 **Exemptions.**

26 The Judiciary of Guam, the University of Guam, the Guam
27 Community College, and the Guam Department of Education *shall* be

1 exempted from the provisions prescribed in Title 5 GCA §§ 2101, 2101.1
2 and 2101.2. However, the Administrator of the Courts, the Presidents of the
3 University of Guam and the Guam Community College, and the
4 Superintendent of the Guam Department of Education *shall* separately
5 perform the following duties and responsibilities:

6 (a) administer the initiation, coordination and review process
7 of all activities within the institution involving Federal financial
8 assistance;

9 (b) ensure that grant proposals for Federal assistance are in
10 accordance with plans, policies, programs, objectives and procedures
11 of the government of Guam;

12 (c) ensure that proposed projects for which Federal financial
13 assistance is sought are fiscally and environmentally sound and are in
14 compliance with all applicable Federal laws;

15 (d) ensure that the institution complies with all applicable
16 Federal laws relating to Federal financial assistance, and that there
17 exists sound tracking, management, and financial accountability for
18 all Federal programs awarded to the institution;

19 (e) perform a cost analysis on all Federal aid programs,
20 grants, loans, contracts, contributions, advances, direct Federal
21 development, or other Federal funding that the institution is applying
22 for, for the financial impact on the institution and the government of
23 Guam's General Fund or special funds used to fund the local
24 matching requirement as prescribed by Federal law; and the financial
25 impact on the institution and the government of Guam for the
26 continuation of the Federal program should the Federal funding expire

1 and require the government of Guam to financially assume the
2 program's operation one hundred percent (100%);

3 (f) provide a courtesy electronic or written copy of each
4 grant application to the Guam State Clearinghouse and *I Liheslaturan*
5 *Guåhan*, including all communications between the Federal
6 government grantor agency relative to the grant application process
7 and the subsequent implementation and execution of the grant award;
8 and

9 (g) the Administrator of the Courts, the Presidents of the
10 University of Guam and the Guam Community College, and the
11 Superintendent of the Guam Department of Education may delegate
12 any of the foregoing duties and responsibilities to any officers or
13 employees of their respective institution.”

14 **Section 4. Effective Date.** This Act *shall* take effect upon enactment.