

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
130-35 (COR)	<u>Therese M. Terlaje</u> By request of <i>I Moga'hågan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.	5/6/19 9:51 a.m.	5/29/19	Committee on General Government Operations, Appropriations, and Housing	6/11/19 11:00 a.m.	7/1/19 10:55 a.m.	Fiscal Note: 5/17/19	



SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on General Government Operations, Appropriations and Housing
I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

June 28, 2019

The Honorable Tina Muña Barnes
Speaker

I Mina' trentai Singko na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

PBL

VIA: The Honorable Régine Biscoe Lee
Chairperson, Committee on Rules

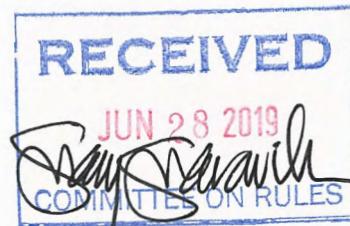
RE: Committee Report on Bill No. 130-35 (COR).

Hafa Adai Speaker Barnes:

Transmitted herewith is the Committee Report on **Bill No. 130-35 (COR) – As Introduced by Senator Therese M. Terlaje - (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.) - AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

Committee votes are as follows:

- 7 TO DO PASS
- ~~0~~ TO NOT PASS
- ~~0~~ TO REPORT OUT ONLY
- ~~0~~ TO ABSTAIN
- ~~0~~ TO PLACE IN INACTIVE FILE



RBL

Respectfully,

Joe S. San Agustin
Senator

Ran-Care Commercial Building CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913

Tel: 671-989-5445 * Fax: 671-969-6737 * senatorjoessanagustin@gmail.com

2019 JUN -1 AM 10:55 KC



Office of

SENATOR Joe S. San Agustin

I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

COMMITTEE REPORT

BILL NO. 130-35 (COR)

As Introduced by Senator Therese M. Terlaje (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.)

AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.

Committee Chairman: General Government Operations, Appropriations and Housing

*Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913
Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com*



SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on General Government Operations, Appropriations, and Housing
I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

Date June 28, 2019

MEMORANDUM

To: All Members
Committee on **General Government Operations, Appropriations, and Housing**

From: Senator Joe S. San Agustin
Committee Chairperson

Subject: Committee Report on Bill No. 130-35 (COR)

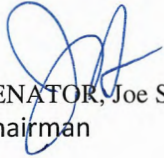
Transmitted herewith for your consideration is the Committee Report on **Bill No 130-35(COR) - As Introduced by Senator Therese M. Terlaje – (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.) AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

This report includes the following:

- Copy of COR Referral of Bill No 130-35 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimony & Supporting Documents
- Committee Report Digest
- Copy of Bill No 130-35 (COR) As Introduced
- Copy of Fiscal Note
- Funding Availability Note
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!


SENATOR, Joe S. San Agustin
Chairman

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Teleno Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgel
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

May 29, 2019

Senator Joe S. San Agust
Memb

Senator Jose "Pedo" Terlaj
Memb

Senator Therese M. Terlaj
Memb

Senator James C. Moyla
Memb

Senator Mary Camacho Torre
Member ar
Chair, Subcommittee on Protoc

MEMO

To: **Rennae Meno**
Clerk of the Legislature
Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Régine Biscoe Lee**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 130-35 (COR)**

Buenas yan Háfa adai.

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 130-35 (COR)**.

Please ensure that the subject bill is referred to the **Committee on General Government Operations, Appropriations, and Housing**, chaired by Senator Joe S. San Agustin.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Senator Régine Biscoe Lee
Chairperson, Committee on Rules



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
130-35 (COR)	<u>Therese M. Teriale</u> By request of <i>I Maga'hågan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.	5/6/19 9:51 a.m.	5/29/19	Committee on General Government Operations, Appropriations, and Housing			Fiscal Note: 5/17/19	



Catherine Leon Guerrero <cathy.sensorsa@gmail.com>

FIRST NOTICE: Public Hearing on Tuesday, 11 June 2019

1 message

Rose Mesa <rose.sensorsa@gmail.com>

Mon, Jun 3, 2019 at 10:06 AM

To: phnotice@guamlegislature.org

Cc: Tom Unsioq <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>, Management Information System <mis@guamlegislature.org>

Bcc: cathy.sensorsa@gmail.com

3 June 2019

MEMORANDUM

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: FIRST NOTICE: Public Hearing on Tuesday, 11 June 2019

Buenas yan Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations, and Housing will conduct a **Public Hearing on Tuesday, 11 June 2019, beginning at 2:00 pm** in the *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

Bill No. 130-35 (COR) - Therese M. Terlaje (By request of *I Maga'hågan Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.) **AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

Individuals who wish to submit written testimony may address Senator Joe S. San Agustin, and send it within forty-eight (48) hours to:

- Hand delivery to the Office of Senator Joe S. San Agustin at the Ran Care Building, 2nd Floor Suite 3 (CBU#203), 761 South Marine Drive, Tamuning, Guam 96931
- Email: senatorjoessanagustin@gmail.com

All government activities, programs, and services are accessible for people with disabilities in compliance with the Title II of the American with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact our office at 989-5445 or via email at senatorjoessanagustin@gmail.com.

UN DÅNGKOLO NA SI YU'OS MA'ÅSE'

Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

RoseMarie T. Mesa

Office Manager

I Mina'trentai Singko na Liheslaturan Guåhan

(Thirty-Fifth Guam Legislature)

Senator Joe S. San Agustin

Committee on General Government Operations,

Appropriations, and Housing

Office: 671-989-5445

Email: rose.senatorsa@gmail.com



Catherine Leon Guerrero <cathy.sensorsa@gmail.com>

TIME CHANGE - FIRST NOTICE: Public Hearing on Tuesday, 11 June 2019

1 message

Rose Mesa <rose.sensorsa@gmail.com>

Tue, Jun 4, 2019 at 1:14 PM

To: phnotice@guamlegislature.org

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>

Bcc: cathy.sensorsa@gmail.com

4 June 2019

MEMORANDUM

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: **TIME CHANGE** - FIRST NOTICE: Public Hearing on Tuesday, 11 June 2019***Buenas yan Håfa Adai!***

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations, and Housing will conduct a **Public Hearing on Tuesday, 11 June 2019, beginning at 11:00 am** in the *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

Bill No. 130-35 (COR) - Therese M. Terlaje (By request of *I Maga'hågan Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.) **AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

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Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

RoseMarie T. Mesa

Office Manager

I Mina'trentai Singko na Liheslaturan Guåhan

(Thirty-Fifth Guam Legislature)

Senator Joe S. San Agustin

Committee on General Government Operations,

Appropriations, and Housing

Office: 671-989-5445

Email: rose.senatorsa@gmail.com



Joe S. San Agustin <senatorjoessanagustin@gmail.com>

SECOND NOTICE: Public Hearing on Tuesday, 11 June 2019

1 message

Rose Mesa <rose.sensorsa@gmail.com>

6 June 2019 at 08:16

To: phnotice@guamlegislature.org

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>

6 June 2019

MEMORANDUM

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: SECOND NOTICE: Public Hearing on Tuesday, 11 June 2019

Buenas yan Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations, and Housing will conduct a **Public Hearing on Tuesday, 11 June 2019, beginning at 11:00 am** in the *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

Bill No. 130-35 (COR) - Therese M. Terlaje (By request of *I Maga'hågan Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.) **AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

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UN DANGKOLO NA SI YU'OS MA'ÅSE'

Very Respectfully,

RoseMarie T. Mesa

Office Manager

***I Mina'trentai Singko na Liheslaturan Guåhan
(Thirty-Fifth Guam Legislature)***

Senator Joe S. San Agustin

**Committee on General Government Operations,
Appropriations, and Housing**

Office: 671-989-5445

Email: rose.senatorsa@gmail.com

I Mina'trentai Singko Na Liheslaturan Guåhan

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admin@bbmr.guam.gov	daelene@senatorjpterlaje.com
admin@guamrealtors.com	dan.sensorsa@gmail.com
admin@weareguahan.com	danblas49@gmail.com
adrian.cruz@guam.gov	dcrisost@guam.gannett.com
agusto.aflague@gmail.com	diana.sensorsa@gmail.com
am800guam@gmail.com	divider_j_jimenez@hotmail.com
amcborja@gmail.com	dlmorcilla@hotmail.com
angela@senatorjpterlaje.com	dmgeorge@guampdn.com
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bertha.duenas@guam.gov	ehaimin@guamlegislature.org
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coaa.staff@guamlegislature.org	james.mcdonald@cqa.guam.gov

I Mina'trentai Singko Na Liheslaturan Guåhan

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kate.baltazar@gmail.com	mcarlson@guamlegislature.org
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I Mina'trentai Singko Na Liheslaturan Guåhan

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responsibleguam@gmail.com	stephen.senatorsa@gmail.com
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robert@postguam.com	tinamunabarnes@gmail.com
roland.senatorkelly@gmail.com	tjtaitano@cs.com
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roryforguam@gmail.com	tony.benavente@guam.gov
rosanne.ada@gddc.guam.gov	tritten@pstripes.asd.mil
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I Mina'trentai Singko Na Liheslaturan Guåhan

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zpangelinan@gmail.com

Updated as of 4.25.19



Office of

SENATOR Joe S. San Agustin

I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

PUBLIC HEARING

Tuesday, June 11, 2019

Guam Congress Building Public Hearing Room

AGENDA

11:00AM

- **BILL NO. 130-35 (COR)** – *As Introduced by: Therese M. Terlaje – (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.) AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.*

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Education, Finance and Taxation at 989-5445 or email at senatorjoessanagustin@gmail.com

UN DANGKOLO NA SI YU'OS MA'ASE'

Committee Chairman: General Government Operations, Appropriations, and Housing

***Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913
Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com***



Office of

SENATOR Joe S. San Agustin

I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

Public Hearing Sign-in Sheet

June 11, 2019 • @11:00AM • Guam Congress Building

BILL NO. 130-35 (COR) – *As Introduced by Senator Therese M. Terlaje - (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.) - AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.*

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Tanya Duenas	Hunterspeaks	Support	✓		487-5493	
Loren Brown		Support	✓		487-4747	
Vince Duenas		Support	✓			



Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Bill 130-35

2 messages

Lola Brown <[REDACTED]@hsguam.org>
To: senatorjoessanagustin@gmail.com

11 June 2019 at 09:50

Hafa Adai Senator San Agustin,

Kindly see my testimony in support of Bill 130-35, attached to this email.

--

Si Yu'us Ma'ase,

Inina (Lola) Rosario Brown, MEd, BCBA, LBA
Clinical Director
HunterSpeaks Guam
(671) [REDACTED]

 **Dear Senators.docx**
147K

Joe S. San Agustin <senatorjoessanagustin@gmail.com>
To: Joseph Mesngon <joe.senatorsa@gmail.com>

11 June 2019 at 10:15

More testimonials

[Quoted text hidden]

 **Dear Senators.docx**
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Dear Senators,

Our island's children with Autism Spectrum Disorder need your help. The current legislation providing \$50,000 and \$25,000 annual coverage depending on age has been crucial to bringing ABA therapy to the island, and we are grateful beyond measure. However, it is not enough. Many of our young children with ASD require intense levels of services, which means that their coverage will run out three quarters into the year, resulting in a lapse in services. These lapses in treatment are detrimental to the child's progress, and result in regression of skills and resurgence in challenging, often harmful behaviors. Without continuous, medically necessary levels of treatment, symptoms can and often do become more severe, and deficits more difficult to overcome.

ABA therapy is an evidence-based treatment endorsed by the US Surgeon General, the American Academy of Pediatrics, and the American Medical Association for the treatment of autism. It is a therapy based on the science of learning and behavior that increases behaviors that are helpful to the individual while decreasing behaviors that are harmful. ABA therapy can improve language and functional communication, daily living skills, and social skills, while decreasing challenging behaviors such as aggression and self-injury. While young children receiving early intervention typically require intensive ABA treatment (25-40 hours per week) that necessitates a large financial investment by insurance companies, as these children get older, the need for such intensive intervention decreases due to the incredible progress that ABA can facilitate. Our children on the spectrum require more treatment than the current caps allow, in order to avoid an even higher expense when they reach adulthood without the necessary life skills targeted through ABA.

After all, children with autism grow up to become adults with autism. The cost of raising a typically developing child from birth to age 18 is around \$230,000. Once that child reaches adulthood, he or she is capable of finding employment and providing for him or herself. Adults with autism are part of a very different picture: only 11% of adults with special needs are employed in the U.S. The remaining 89% depend on their families and on the government for financial support in the form of housing, food, and healthcare. The cost of supporting an individual with ASD is \$1.4 million; if the individual is also intellectually disabled, which many on the spectrum are, that cost increases to \$2.4 million. There are currently over 260 children in the Guam Department of Education with autism. We need not do the math to know that Guam cannot afford for its population with autism to grow up to become un- or under-employed.

Autism is not a disorder you can "grow out of," it is not a phase, and it will not pass. Fortunately, there is hope, and you, our esteemed representatives, have the power to provide that hope to our island's children and families by increasing the annual cap.

Reference Bill 130-135

Jacklyn Canada <[REDACTED]@gmail.com>
To: senatorjoessanagustin@gmail.com

11 June 2019 at 07:26

Hello, please find attached written testimony.

Thank you,
Jacklyn

 **testimony.docx**
14K

My name is Jacklyn Canada and I am here to provide testimony in support of the bill 130-35. For the past decade I have worked with individuals with autism spectrum disorder as a registered behavior technician providing medically necessary treatment. During this time I have had the opportunity to develop a skill set used to treat clients as young as 2 and as old as 26. I have worked in homes, clinics, classrooms, camps and have witnessed first hand the effects of applied behavior analysis. I have cried alongside parents for things that come naturally to other children such as the first time their child had a friend who was not simply playing along because they were told they had to.

The CDC states that autism affects one in every 59 children. There are no restrictions on age or geographical location. According to a 2018 demographics profile there are over 46,000 children between the ages of 1 and 14 in Guam. That leaves a minimum possibility of over 800 children who need treatment. Applied Behavior Analysis or ABA is recognized as the gold standard of treatment for autism by the American Medical Association. ABA is more than just behavioral therapy. It is a proven scientific method to teach all skills vital for individuals to integrate in our mainstream society. I could continue to speak numbers and science but many of us will be doing that today for you so instead I would like to talk about how this has personally affected and changed the life of someone very dear to me.

About 8 years ago my nephew was born, a beautiful healthy boy, his name Mason. Fast forward 3 years to a toddler with minimal language and delays in development across all domains, doctors without answers, a devastated family, a heartbroken mother, and a child who tantrumed and screamed but could not stand to be touched. By Mason's fourth birthday he started an intensive 40-hour week program all funded through his insurance. Quickly we started to see progress as language was coming and the ability to see what could be if we could find out how to reach him.

We spent hours at the table practicing rules, teaching social cues, learning life skills and more. Literally thousands of hours contriving situations to practice; social scenarios, artificial classroom environments, pretend birthday parties, practice trick-or-treating and community outings all for the hope that he could someday go into the community and tolerate when there was a strange noise like someone humming or a toilet flushing in the distance. Thousands of dollars well spent so that Mason could function on his own within our society.

Currently he attends a regular school without any additional support. He has a few friends and he can play with toys go to the park and be a kid. His life has been forever changed, and his family's life has changed forever. He will never have to go to a birthday party and be "that kid" again, all because of ABA.

We often hear that autism does not look like anything, but that's because it is everything. It's not the same for everyone, it's a spectrum disorder and there is no way to know how many hours an individual will require to reach their fullest potential but the hope is that we will always have the support to get there. I have not been on Guam long, but I have been here long enough to see that this island values its community. We often say it's never too late to make a change, but with the age cap we are telling some people that it is too late for them. We need to increase both the budget and the age cap to remove the limits of what we are saying our local community is worth and can achieve.

Thank you,
Jacklyn Canada



Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Support of Bill 130-35

Tiffany Rios <[REDACTED]@hsguam.org>

11 June 2019 at 09:12

To: "senatorjoessanagustin@gmail.com" <senatorjoessanagustin@gmail.com>

Respectfully
Tiffany Rios



Tiffany Rios Testimony .docx
15K

Support of Bill 130-35

My name is Tiffany Rios and I have been working with individuals on the Autism Spectrum Disorder (ASD) as a therapist for 11 years. I fell more and more in love with Applied Behavior Analysis (ABA) with every therapy session I conducted. It was amazing to watch a child who was 7 years old with babbling sounds eventually make his first word through mand training, "cookie", who previously would cry and drop to the floor kicking when he wanted a cookie. To teach a 17-year-old to grocery shop, pay for them on their own and appropriately ask those around him how their day was, who previously would take other people's items from their carts and pull items from shopper's hands. Help a 22-year-old eat a variety of food instead of their set 7 food items. To see a child, I had worked with a year later making request in full sentences, instead of one word request the previous year. All through the science of Applied Behavior Analysis (ABA).

In 2017, I moved to Guam from Illinois where I worked in an ABA therapeutic school and was an in-home therapist. I immediately started searching for Autism services and to my surprise only found HunterSpeaks. Soon after I met Vince and Tanya. The first thing I saw was a mother desperately looking for answers. I started working with Hunter in January of 2018, soon after that I met 3 more individuals with ASD. With each family I met my heart broke. I met a 6-year-old with no form of communication who was non vocal. I felt angry for the child and for their family. How could the child ask for a drink, snack, toy or even a hug? It was like someone taped their mouth shut and then was asking them why are you crying, why are you not listening? Tell me! Tell me! But how? How could they get even their basic needs across to their loved ones? The more families I talked with, the more my heart continued to break. It broke because I knew what ABA could do to help each child reach their highest potential.

In the past 11 years I have seen firsthand the benefits of ABA, such as increase in language and communication skills, improvement in joint attention, decrease in problem behaviors, and what I feel is super important, social skills. But I must ask, why Guam? Why would a family with a child with autism have to leave their home, families and island to get their child the recommend medical services prescribed by their doctor? Currently there is over 260 individuals on the Autism Spectrum Disorder from the ages of 3-21 just in the public schools.

What I do know from being a part of HunterSpeaks is who the people of Guam are. You all are fighters. I can best describe it as a family, where everyone looks out and supports one another. I have never met so many people who want to be involved, learn and support the therapy their child is in. It is exciting to watch a child 6 years old, who 3 months ago had no form of communication now tell us they want a drink and to swing. A child get your attention to help them. The amazing part is seeing them learn that their exchange of words have meaning and power.

Currently there is no cure for Autism Spectrum Disorder and ABA is the recommend treatment for those on the Autism Spectrum Disorder. Because of this, parents need continued funding and support as their children age, and their needs shift.

Respectfully,

Tiffany Rios, RBT

Resident of Santa Rita, Guan

June 11, 2019

Testimony of Support

Re: Bill 130-35

Hafa adai speaker, vice-speaker, senators.

My name is Dr. Vincent S. Duenas, CEO and co-founder of Hunterspeaks Organization. I ask you to kindly consider my testimony of support for Bill 130-35.

First and foremost, I would like to extend my sincerest appreciation to you all for hearing my concerns both as a parent of a young autistic boy Hunter as well as an advocate and leader in the autism community. I want to thank Senator Terlaje and Governor Lou Leon Guerrero for taking on the challenge of introducing such critical pieces of legislation, that if passed will be monumental to the future of our island's children suffering from autism spectrum disorder (ASD). As many of you know, ASD is one of the most prevalent and debilitating medical conditions that exists today. 1 in 59 kids in the United States will fall on the autism spectrum. That's 1 in 42 boys, and 1 in 189 girls. With those staggering odds, it is likely that most people will at some point if not already be touched by someone with the diagnosis.

When my wife Tanya and I first found out about Hunter it was a terrifying thing for us. Not knowing what his future would hold. Not having anyone to help navigate the maze of challenges we soon would face as a young family. We went through the motions here on Guam and found just scarce resources at best. Our only option after years of searching was to leave the beautiful island we called home.

We eventually ventured to Hawaii and toured an amazing autism center which we planned to enroll Hunter in full time. After seeing the kids there and the quality of care they were receiving, it troubled us that the children on Guam didn't have access to the same wonderful opportunities as everyone else. We were then faced with the dilemma of relocating and ignoring what was going on vs staying and sacrificing our only son. I think our choice is obvious and what led to the formation of Hunterspeaks.

The organization has worked tirelessly the past three years executing our strategic plan to improve services on the island. We have made tremendous progress with the help of our

government leaders past and present as well as those in the private sector and other community members. We were able to recruit Guam's first board certified behavior analyst (BCBA) and two registered behavior technicians (RBT), as well as train a handful more. There is still so much work to be done but definitely light at the end of the tunnel.

In November of 2018 we opened our doors at the temporary autism center in Upper Tumon providing ABA therapy for the first time locally. We now service 6 clients in a pilot program and hope to grow as quickly as possible. Of the 260 children we've identified already it is only a fraction of what needs to be. But everything good has to start somewhere. Getting our island up to speed with the rest of the world is an enormous task and we're certainly up for the challenge. But we can't do it alone.

Due to insufficient seed funding and delay in health insurance reimbursement, the critical service that we provide for individuals on the autism spectrum is at risk of being lost forever. The team we have assembled as well as the off-island interest we attract will be a once in a lifetime opportunity for Guam. Now is the time to make this happen! The funds appropriated through Bill 130-35 will provide a vital resource in ensuring that the autism center remains open and operational for years to come, providing access to care for families who previously had nowhere to turn. We were extremely humbled by the unanimous support on Bill 68-35 and pray that this will be a similar case. The future of our children lies in your hands. Thank you!

Dr. Vincent S. Duenas

CEO/Co-Founder

Hunterspeaks Organization



SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on General Government Operations, Appropriations, and Housing
I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

Committee Report Digest

I. OVERVIEW

Bill No 130-35(COR) was introduced on **May 06, 2019** by Senator Therese M. Terlaje - *(By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.)* - **AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

The Committee on General Government Operations, Appropriations, and Housing convened a public hearing on **Bill No 130-35(COR)** on **Tuesday, June 11, 2019** at *I Liheslatura's* Public Hearing Room.

Public Notice Requirements:

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on (First Notice), **Tuesday, June 04, 2019** (5-Day Notice), and again on (Second Notice) **Thursday, June 06, 2019** (48-Hour Notice).

(a) Committee Members and Senators Present:

Senator Joe S. San Agustin, Chairman
Senator James C. Moylan, Member
Senator Louise B. Muna, Member
Senator Therese M. Terlaje, Member

(b) Appearing before the Committee:

NONE

(c) Written Testimony Submitted:

- Inina (Lola) Rosario Brown, MED, BCBA, LBA, CLINICAL DIRECTOR
- Jacklyn Canada
- Tiffany Rios, RBT, Resident of Santa Rita
- Dr. Vincent S. Duenas, CEO and co-founder of Hunterspeaks Organization

II. SUMMARY OF TESTIMONY & DISCUSSION:

The public hearing was Called-to-Order @11:26AM.

Chairman Joe S. San Agustin: It is now 11:26, this public hearing has been called to order. Committee will hear and accept testimonies both oral and written on the following Bill 130-35 (COR) as introduced by Senator Therese M. Terlaje, and by request of the *Maga'hågan, Guåhan*, the Governor of Guam and according to the Organic Act of Guam an act to appropriate one hundred fifty thousand dollars (\$150,000) from the healthy futures fund to the Department of Administration for continued operation of the Guam Autism Center and to repeal public law 35-9 in its entirety. Announcements of Senators presence I have senator Moylan, I have the author of the bill Senator Therese M. Terlaje. The general rules for public hearing pop women shall be follows: Those testifying will be recognized in the order of sign-up on the sign-in sheet. Written testimony may be read. Lengthy written testimony should be summarized to about five minutes. Written testimony shall be submitted to the Committee. Please provide our legislative staff with your written testimony for photocopying. Testimony shall be confined to the substance. Persons will be allowed to present oral testimony only once. Once you're done you may be asked to remain in the room for questions or for additional testimony has may be desired by the members of the panel. I like to also recognize Senator Muna. Proper formed and decorum shall be practiced by all present in the public hearing for the proceedings. Individuals who failed to maintain proper form and decorum may be restricted from providing oral testimony and/or maybe asked to leave or to be escorted/removed from the room. Fair warning if there was not proper forum and decorum you'll not be as you will be removed. When you speak, please make sure that the microphone is on that you speak into the microphone. Please state your name for the record. I will now ask the author of the bill the sponsor Senator Terlaje to make her opening statement ma'am.

Senator Therese M. Terlaje: Thank you very much Mr. Chairperson, Senators San Agustin, thank you for holding this hearing and thank you Dr. Duenas and all of you who are here today for to support this bill again I thank you for your patience and your understanding with our efforts to get this funding for autism. On March 20 we introduced bill 68 that was the bill to appropriate \$150,000 from the general fund to DOA for the continued operation of the Guam Autism Center which was authorized by a previous law. The bill 68 appropriated a hundred and fifty thousand dollars from the general fund based on review of the general fund consolidated revenue expenditure reports which in March alone showed an increase in actual collections for the second quarter versus the adopted allocated revenues and it showed the actual collections exceeded adopted revenues by 1.2 million. During session discussions on the bill an amendment was made to have the appropriation come from and they put in the word excess FY 2019 general fund revenues that was to clarify that we weren't taking it from any existing appropriations but from what was being reflected in the CRE reports as coming in above what had already been allocated revenues. At that time there was no indication from the Department of Administration that the language of the introduced version of the bill was an issue or that it would present an issue to the immediate appropriation to the Guam Autism Center in fact we received positive feedback that they would do all they could to past us to get the money to the Autism Center. The Governor signed that bill into law but in her memorandum on public law 35

9 which approved bill 68, she said that the reason that regarded the ad excess language was a result she stated as the result of this is a technical flaw effectively requiring the Department of Administration to wait until the end of FY 2019 after all of the accounts have been reconciled to determine if there is an excess, she submitted an alternative bill which is now bill 130 before us to address funding and this case would take the funds from the FY 17. healthy future funds audited available fund balance the bill was introduced immediately on May 6. It was referred on May 29 and the committee chair has promptly held a hearing after the referral according to Director Birn of the Department of Administration upon inquiry from my office there is sufficient amount in the fund to pay for the Autism Center if this bill is passed so his estimates at that time worth was May 16 that there was a 483 sorry four million eight hundred thirty one thousand two hundred seventy four (\$4,831,274) balance but there was an encumbrance of four million five hundred four (\$4,504,000) I mean four million five hundred forty seven thousand eight hundred sixteen (\$4,547,816) were encumbered leaving available on that date two hundred and eighty three 458 (283,458). I've received no update to these amounts Mr. Chair so I'm hoping that these still hold valid or that there's at least one hundred and fifty thousand dollars (\$150,000) to available to cover what is asked for in this bill and if I could just remind the listening public that the bill again would give 150 thousand dollars (\$150,000) the first 150 thousand dollars (\$150,000) was given to this Autism Center in FY 2018 it was to stand up by program which was led by a hunter speaks nonprofit organization to provide autism services the at the Guam Autism Center and that would provide diagnostic and treatment services to families with children on the autism spectrum it's been established that the earlier the diagnosis of autism spectrum disorder and the earlier a child received treatment will yield the best results and outcome although children experiencing disabilities or differences can expect specialized education programs through the department of education professional intervention in terms of diagnosis and early intervention should occur at the earliest of ages. It's established that many children with some form of disorder can be diagnosed as early as the age of 2 the Guam Autism Center is the first service provider on Guam providing applied Behavioral Analysis therapy or ABA which is an evidence-based and gold standard therapy model prior to the opening of this Center. Families with autistic children have had to make the difficult decision sometimes to move off island to seek necessary services families residing off island are put in a position to weigh the well-being of their children against their longing to return home we've heard this testimony in previous hearings on the different reiterations of this bill Mr. Chair, the FY 18 appropriation was utilized and we've received financial documents from the organization which show that it was utilized to provide training of technicians the recruitment to pay operational costs and they've actually been able to train providers in this regard so we are expanding our services and I think that they the longer we are able they are able to continue the more we will be able to expand these services into the community hunter speaks has also started building health insurance under the hunters law as a means of long term sustainability so this \$150,000 is not something that they hopefully will need you know beyond this year or beyond next year and it it's really just a startup because they will be able to be self-sustaining that's the goal there for this bill is just to provide the additional financial support needed to keep the doors of this Guam Autism Center open for the rest of FY 19 Mr. Chairman and so I asked for my colleagues supports *Si Yu'os Ma'ãse*.

Chairman Joe S. San Agustin: Thank You senator Terlaje I just want to mention the number on I'm a hundred percent of support of this bill when it was the previous bill and if there was only any difference of opinion of cross the street that they wanted to I wish that told us that earlier but it would resolve this that's why as soon as Senator Terlaje introduced the bill I said we're going to put it on the we're going to have a public hearing as soon as it gets to me moved as fast as we could but I need to let everybody understand that whatever funds that exists in the Governor Of Guam if it's I give you a general example if it's 2016 and 2019 today money is rolled over every year it doesn't sit in 2016's books six things become 17 become 18 and 19 so they want if because the Governor asked that we use the section appropriation that's what it takes to get you funds then so be it I'm in full support to help the hunters program so I'm not going to stop and slow down this one as soon as this hearing is done we'll write out the committee report get it the Cors get it ready for session and we'll get this going and we can convince the speaker acting speaker to have a specially just to pass this then we do it it's the right thing to do okay and the folks present today is Tanya Duenas, is Lola Brown and Vince Duenas. I know you have submitted written testimony like you've done before in support of this I just want to make sure I mentioned that for the record we do have your testimony and if any of my colleagues present Senator Moylan or Senator Muna would like to speak Senator Muna.

Senator Louise B. Muna: Really just no questions I just want to thank you for your patience and I don't think that you have a shortage of support from any of us I'm just sorry that it's taking this long to make this happen but you have my full support you do thank you very much.

Chairman Joe S. San Agustin: Senator Moylan nothing? Senator Terlaje do you have anything?

Senator Therese M. Terlaje: I just I guess but like to know for the record that we have a May 16 fiscal note that the Chairs sharing with me that says that funds are still available so DOA is not here today to say otherwise but so I hope we have no further issues with this this very relatively small appropriation compared to what they have stated on the record and there recently as lapses and the Government of Guam and I want to commend you all for your continued work on this and I know you originally started this Center with dreams of you know some of the things that we talked about earlier you know keeping children here not having to decide to leave to really expand services and we've heard so much testimony and this bill and other bills regarding the number of children on Guam that we could really benefit from autism special services and how we are really only reaching a few of them at this point and those in the who are school age but that where our hopes and we still share your hopes and we are still offering you our support in any way possible to expand that to do what it is that we can so I want to thank you for your continued advocacy your continued hard work in this regard *Si Yu'os Ma'åse*. Thank You Mr. Chair.

Chairman Joe S. San Agustin: Thank You Senator Terlaje there being no one else to testify the committee will conclude this public hearing on bill number 130-35. The committee will continue to receive testimony today we will write up the committee report and submit this decor and if you have any testimony please address your written testimony to the committee on General Government Operation, Housing submit it via-email to senatorjoessanagustin@gmail.com *Si Yu'os Ma'åse* for your attendance and participate in today's hearing. And for those at home thank you for watching. The public hearing on bill 130-35 this hereby adjourn it is now 1141. thank you he's German

The public hearing was adjourned @11:41A.M.

COMMITTEE FINDINGS AND RECOMMENDATIONS:

The Committee on General Government Operations, Appropriations, and Housing, hereby reports out **Bill No. 130-35 (COR)** - *As Introduced by: Senator Therese M. Terlaje (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.)* - **AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.** with the recommendation TO DO PASS.

I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No., 130-35 (COR)

Introduced by:

Therese M. Terlaje 

By request of *I Maga'hågan Guåhan*, the
Governor of Guam, in accordance with
the Organic Act of Guam.

**AN ACT TO APPROPRIATE ONE HUNDRED FIFTY
THOUSAND DOLLARS (\$150,000) FROM THE
HEALTHY FUTURES FUND TO THE DEPARTMENT
OF ADMINISTRATION FOR CONTINUED
OPERATION OF THE GUAM AUTISM CENTER AND
TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

2019 NOV 13 10 51 AM
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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that a Guam Autism Center was authorized pursuant to the provisions of Public Law 33-227. *I Liheslaturan Guåhan* appropriated One Hundred Fifty Thousand Dollars (\$150,000) to the Department of Administration for the non-profit organization, HunterSpeaks, in Fiscal Year 2018 pursuant to Chapter V, Section 1(g)(12) of Public Law 34-42, as an initial investment by the government of Guam to set up the Guam Autism Center, prior to the establishment of the DISID Business Center and One Stop Community Resource and Wellness Center.

I Liheslaturan Guåhan further finds that in early November 2018, the Guam Autism Center has taken in its first group of clients and has begun billing health insurance providers under the *Hunter's Law of 2017* (Public Law 34-06) as a means of long-term sustainability. Initial seed funding has been utilized to cover the cost of

1 training technicians, recruitment and operational costs. However, it may take
2 approximately two (2) years before the Guam Autism Center is completely self-
3 funded; and, seed funding will run out by April 2019. *I Liheslaturan Guahan* further
4 finds that the services provided by the HunterSpeaks non-profit organization for the
5 Guam Autism Center are vital to the quality of life of children living with autism
6 spectrum disorder in our community.

7 It is, therefore, the intent of *I Liheslaturan Guahan* to appropriate additional
8 funding to ensure the continuation of vital autism services provided by the
9 HunterSpeaks non-profit organization from the audited fund balance of the Healthy
10 Futures Fund contained in the Fiscal Year 2017 Government of Guam General
11 Purpose Financial Statement and Single Audit Report.

12 **Section 2. Appropriation.** The sum of One Hundred Fifty Thousand Dollars
13 (\$150,000) is appropriated from the Fiscal Year 2017 audited available fund balance
14 of the Healthy Futures Fund in Fiscal Year 2019 to the Department of
15 Administration (DOA) for the Guam Autism Center, operated by the HunterSpeaks
16 non-profit organization in Fiscal Year 2019. This appropriation *shall* be used by the
17 government of Guam to provide payment for autism spectrum disorder services,
18 training, and operation of the Guam Autism Center, and *shall not* be transferred,
19 used, or expended for any other purpose than what is specified in this Act.

20 **Section 3. Reporting Requirements.** The HunterSpeaks non-profit
21 organization *shall* submit a status report every ninety (90) days to the Speaker of *I*
22 *Liheslaturan Guahan* on the utilization of funds appropriated by this Act until such
23 funds are fully expended.

24 **Section 4. Repeal of Public Law 35-9.** Public Law 35-9 is hereby repealed
25 in its entirety:

26 ~~“Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*~~
27 ~~finds that a Guam Autism Center was authorized pursuant to the provisions of~~

1 ~~Public Law 33-227. *I Liheslaturan Guåhan* appropriated One Hundred Fifty~~
2 ~~Thousand Dollars (\$150,000) to the Department of Administration for the~~
3 ~~non-profit organization, HunterSpeaks, in Fiscal Year 2018 pursuant to~~
4 ~~Chapter V, Section 1(g)(12) of Public Law 34-42, as an initial investment by~~
5 ~~the government of Guam to set up the Guam Autism Center, prior to the~~
6 ~~establishment of the DISID Business Center and One Stop Community~~
7 ~~Resource and Wellness Center.~~

8 ~~*I Liheslaturan Guåhan* further finds that in early November 2018, the~~
9 ~~Guam Autism Center has taken in its first group of clients and has begun~~
10 ~~billing health insurance providers under the *Hunter's Law of 2017* (Public~~
11 ~~Law 34-06) as a means of long-term sustainability. Initial seed funding has~~
12 ~~been utilized to cover the cost of training technicians, recruitment and~~
13 ~~operational costs. However, it may take approximately two (2) years before~~
14 ~~the Guam Autism Center is completely self-funded; and, seed funding will~~
15 ~~run out by April 2019. *I Liheslaturan Guåhan* further finds that the services~~
16 ~~provided by the HunterSpeaks non-profit organization for the Guam Autism~~
17 ~~Center are vital to the quality of life of children living with autism spectrum~~
18 ~~disorder in our community.~~

19 ~~It is, therefore, the intent of *I Liheslaturan Guåhan* to appropriate~~
20 ~~additional funding to ensure the continuation of vital autism services provided~~
21 ~~by the HunterSpeaks non-profit organization.~~

22 ~~**Section 2. Appropriation.** The sum of One Hundred Fifty Thousand~~
23 ~~Dollars (\$150,000) is appropriated from any excess General Fund revenues in~~
24 ~~FY 2019 to the Department of Administration (DOA) for the Guam Autism~~
25 ~~Center, operated by the HunterSpeaks non-profit organization in Fiscal Year~~
26 ~~2019. This appropriation *shall* be used by the government of Guam to provide~~
27 ~~payment for autism spectrum disorder services, training, and operation of the~~

1 ~~Guam Autism Center, and shall not be transferred, used, or expended for any~~
2 ~~other purpose than what is specified in this Act.~~

3 **Section 3. Reporting Requirement.** ~~The HunterSpeaks non-profit~~
4 ~~organization shall submit a status report every ninety (90) days to the Speaker~~
5 ~~of I Liheslaturan Guåhan on the utilization of funds appropriated by this Act~~
6 ~~until such funds are fully expended. ”~~

7 **Section 5. Effective date.** This Act *shall* become effective upon enactment.

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgell
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

May 17, 2019

Senator Joe S. San Agustin,
Member

Senator Jose T. Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and
Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chairperson, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 59-35 (COR)
Bill No. 95-35 (COR)
Bill No. 130-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 130-35 (COR)**

AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Administration	Dept./Agency Head: Edward Birn, Director
Department's General Fund (GF) appropriation(s) to date:	\$6,642,389
Department's Other Fund (Specify) appropriation(s) to date: Indirect Cost Fund & Limited Gaming Fund	\$1,054,013
Total Department/Agency Appropriation(s) to date:	\$7,696,402

Fund Source Information of Proposed Appropriation

	General Fund:	Healthy Futures Fund:	Total:
FY 2017 Unreserved Fund Balance		\$6,917,659	\$6,917,659
FY 2019 Adopted Revenues	\$0	\$41,419,667	\$41,419,667
FY 2019 Appro. (P.L. 34-116 thru _____)	\$0	(\$41,419,667)	(\$41,419,667)
Sub-total:	\$0	\$6,917,659	\$6,917,659
Less appropriation in Bill	\$0	(\$150,000)	(\$150,000)
Total:	\$0	\$6,767,659	\$6,767,659

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Healthy Futures Fund ^{1/}	\$0	\$150,000	\$0	\$0	\$0	\$0
Total	\$0	\$150,000	\$0	\$0	\$0	\$0

- | | | | |
|---|------------|-------------------------------|--------------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | | / / Yes | / X / No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | / X / N/A | / / Yes | / / No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | / X / N/A | / / Yes
/ / Yes
/ / Yes | / X / No
/ / No
/ X / No |
| 4. Will the enactment of this Bill require new physical facilities? | | / / Yes | / X / No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date | / / Other: | / X / Yes | / / No |

Analyst: <u>Jason Baza</u> Jason Baza, BMA III	Date: <u>5/16/19</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	Date: <u>MAY 16 2019</u>
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Notes:
1/ See attached comments.

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 130-35 (COR)**

The intent of the proposed legislation is to: 1) appropriate One Hundred Fifty Thousand Dollars (\$150K) to the Department of Administration (DOA) from the audited fund balance of the Healthy Futures Fund for the Guam Autism Center run by the non-profit organization Hunter Speaks, and 2) repeal Public Law 35-09 in its entirety. P.L. 35-09 appropriates the same amount from the General Fund. However, all adopted General Fund revenues are fully appropriated per P.L. 34-116 (FY 2019 Budget Act).

P.L. 35-09 cited the February 2019 Consolidated Revenue & Expenditure Report (CRER) as a source of available revenue, in which the report is projecting that the General Fund collections in FY19 will exceed adopted revenues by approximately \$19.9M. However, it is important to note that the CRER includes footnotes that cite collections from Additional Child Tax Credits (ACTC) (\$8,735,021) and non-recurring revenues from Individual and Corporate taxes (\$7,230,000). Collections from ACTC should not be considered revenue as statute requires 90% to be applied to tax refunds and 10% to the Department of Revenue and Taxation to fund operational requirements. Collections from non-recurring revenues represent the receipt of past due taxes which should not be considered new/excess revenue as this amount is part of our deficit which is then applied accordingly. After netting out ACTC and non-recurring revenues from the projected FY19 collection of \$19.9M over adopted revenues, the FY19 revenue tracking only reflects a \$4M projected increase over adopted General Fund revenues.

The proposed legislation's intent to repeal P.L. 35-09 would nullify the appropriation from the General Fund (projected excess revenues) and instead appropriate from the available unappropriated fund balance of the Healthy Futures Fund. Per the FY 2017 Government of Guam General Purpose Single Audit and Financial Statement, the Healthy Futures Fund has an available unappropriated fund balance of approximately \$6.9M. Per correspondence with the DOA Director, funds are still available from the Healthy Futures Fund audited unappropriated fund balance.

OFFICE OF FINANCE AND BUDGET
Committee on General Government Operations,
Appropriations and Housing
Tel: (671) 989-5445 / Fax: (671) 969-6737
Email: senatorjoessanagustin@gmail.com



I Mina'trentai Singko Na Leheslaturan Guahan
THE 35TH GUAM LEGISLATURE
Ran Care Bldg. Suite 5, 2nd Floor,
721 . Marine Corps. Dr., Tamuning Guam 96913

May 6, 2019

MEMORANDUM

To: Senator Joe S. San Agustin
Chairman, Committee on General Government Operations, Appropriations and Housing

From: Stephen J. Guerrero
Director, Office of Finance and Budget

Re: Funding Availability Note: Bill No. 130-35 (COR)

Hafa Adai Senator San Agustin!

Pursuant to the Standing Rules of the 35th Guam Legislature, the Committee on Appropriations and/or the Office of Finance and (OFB) shall determine in writing if the funding source cited in Appropriation or Authorization for Appropriations bills are sufficient.

The Office has received Bill No 130-35 (COR), AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY

Bill No 130-35 an act to appropriate \$150,000 to the Department of Administration for the Guam Autism Center, operated by the HunterSpeaks, a non-profit organization. The appropriated funding for this bill was based on the audited fund balance of the Healthy Futures Fund ending September 30, 2017. The ending balance of September 30, 2017 is Cash and cash equivalents of \$3,083,847. However, the audited financial statements as of September 30, 2018 is unavailable to determined the fund balance.

Thank you!

Stephen Guerrero



Office of
SENATOR Joe S. San Agustin

I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

COMMITTEE VOTE SHEET

BILL NO. 130-35 (COR) - Therese M. Terlaje (By request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.) **AN ACT TO APPROPRIATE ONE HUNDRED FIFTYTHOUSAND DOLLARS (\$150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.**

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Joe S. San Agustin <i>Chairman</i>		✓				
Senator Amanda L. Shelton <i>Vice Chairperson (Gen Govt Operations, Appr & Housing)</i>		✓ 6/28/19				
Speaker Tina Muña Barnes <i>Member</i>		✓				
Senator William M. Castro <i>Member</i>						
Senator Regine Biscoe Lee <i>Member</i>		✓				
Senator Kelly G. Marsh (Taitano), Ph.D. <i>Member.</i>						
Senator James C. Moylan <i>Member</i>		✓				
Senator Louise B. Muna <i>Member</i>						
Senator Clynton E. Ridgell <i>Vice Chairman (Appropriations)</i>						
Senator Jose T. Terlaje <i>Member</i>		6/28/19				
Senator Therese M. Terlaje <i>Member</i>		✓ 6/28/19				

Committee Chairman: General Government Operations, Appropriations, and Housing,

Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913

*Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com*