

*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
<b>351-35 (COR)</b>	James C. Moylan	AN ACT TO <i>ADD</i> ARTICLE 14 TO DIVISION 1, CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A <i>BUSINESS ECONOMIC SUPPORT PROGRAM</i> TO ASSIST THOSE MICRO BUSINESSES WHOSE OPERATIONS WERE CLOSED DUE TO THE GOVERNORS EXECUTIVE ORDER 2020-05, DUE TO THE COVID-19 PANDEMIC.	4/30/20 12:35 p.m.					5/19/20	

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

May 19, 2020

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedo" 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**  
Chair, Committee on Rules

**Re:** **Fiscal Notes**

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*Buenas yan Håfa adai.*

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

**Bill No. 322-35 (COR)**  
**Bill No. 329-35 (COR)**  
**Bill No. 342-35 (LS)**  
**Bill No. 349-35 (COR)**  
**Bill No. 350-35 (COR)**  
**Bill No. 351-35 (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. 351-35 (COR)**

**AN ACT TO ADD ARTICLE 14 TO CHAPTER 1, DIVISION 1, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A BUSINESS ECONOMIC SUPPORT PROGRAM TO ASSIST THOSE MICRO BUSINESSES WHOSE OPERATIONS WERE CLOSED DUE TO THE GOVERNOR'S EXECUTIVE ORDER NO. 2020-05, DUE TO THE COVID-19 PANDEMIC.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Government of Guam Wide	Dept./Agency Head: Lourdes A. Leon Guerrero, Governor
Department's General Fund (GF) appropriation(s) to date:	\$645,038,669
Department's Other Fund (Specify) appropriation(s) to date: All Special Funds per P.L. 35-36	\$246,417,630
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$891,456,299</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2019 Unreserved Fund Balance		\$0	\$0
FY 2020 Adopted Revenues	\$0	\$0	\$0
FY 2020 Appro. (P.L. 35-36)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2020 (if applicable)	FY 2021	FY 2022	FY 2023	FY 2024
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: Joaquin Guerrero, BMA III Date: 5/14/20 Director: Lester L. Carlson, Jr., Director Date: MAY 19 2020

Footnotes:  
1/ See attached comments.

Bureau of Budget and Management Research  
Comments on Bill No. 351-35 (COR)

The proposed legislation seeks to establish the “Business Economic Support Program”, which is intended for the distribution of unconditional, one-time cash payments to eligible micro businesses whose industry was considered non-essential pursuant to the Governor’s Executive Order No. 2020-05. These one-time cash payments would have the lowest denominator of the payout be no less than Two Thousand Dollars (\$2,000) and no higher than Ten Thousand Dollars (\$10,000) within the monetary tier to be included in the established rules for the administration of the Program. Furthermore, the Bill proposes to establish a fund to be known as the “Business Economic Support Fund” for the purpose of receiving deposits from which *I Maga’hāgan Guāhan* is authorized to transfer no more than Twenty Million Dollars (\$20,000,000) from the funds received pursuant to U.S. Public Law 116-136 (The Coronavirus Aid, Relief, and Economic Security Act) to pay for the CARES Economic Support Program. Should additional funds be required, *I Maga’hāga* shall request the approval from *I Liheslaturan Guāhan*. All funds deposited in the Fund shall not be subject to any transfer authority of *I Maga’hāga*, and any funds remaining shall be subject to an approval of the transfer by *I Liheslatura*. It should be noted that Bill Nos. 345-35 and 350-35 also request to add an Article 14 to Chapter 1, Division 1, Title 5 of the Guam Code Annotated.

Through the CARES Act, the federal government directed approximately One Hundred Seventeen Million Dollars (\$117,000,000) to Guam to address necessary expenditures incurred and projected due to the island’s response and recovery efforts for the public health emergency. These funds are to be used within the exclusive management of the Executive Branch. All grants and appropriations made by the United States federal government that provides one hundred percent (100%) of the funding to the Government of Guam for a specific project or purpose makes no provision for local legislative control. In accordance with Executive Order No. 2020-13, all agreements and invoices involving expenditures authorized pursuant to the public health emergency declared to respond to the COVID-19 pandemic shall be posted on the website of the Office of *I Maga’hāgan Guāhan* and shall be subject to review and be included in monthly reporting to *I Liheslaturan Guāhan*. Any reporting requirements to the respective federal grantors are already in place for recipient Executive Branch departments/agencies. A budget for this CARES Act funding was developed and is guided by the U.S. Department of the Treasury’s Guidance for State, Territorial, Local, and Tribal Governments that was issued on April 22, 2020. Within this budget that was transmitted to the Speaker of *I Liheslaturan Guāhan* on May 5, 2020, funding is already earmarked for COVID-19 related economic support, including Twenty Million Dollars (\$20,000,000) for the provision of grants to small businesses to reimburse costs of business interruption caused by required closures and Twenty Million Dollars (\$20,000,000) for public assistance payments to individuals under the *Prugrāman Salāppe’ Ayudon I Taotao* Program established pursuant to Executive Order No. 2020-12.