

*I Mina'trentai Sais Na Lihelaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
82-36 (COR)	James C. Moylan V. Anthony Ada Christopher M. Dueñas	AN ACT TO ADD ARTICLE 14 TO DIVISION 1, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE ECONOMIC RECOVERY AND ACCOUNTABILITY FUND TO ENSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM THE AMERICAN RESCUE PLAN ACT; AND TO CITE THIS ACT AS THE "ECONOMIC RECOVERY AND ACCOUNTABILITY ACT OF 2021".	3/12/21 3:57 p.m.	3/17/21	Committee on General Government Operations, Appropriations, and Housing			Request: 3/18/21  3/24/21	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÁTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

March 24, 2021

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**From:** **Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules

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

---

*Buenas yan Håfa adai.*

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

**Bill No. 77-36 (COR)**

**Bill No. 78-36 (COR)**

**Bill No. 80-36 (COR)**

**Bill No. 82-36 (COR)**

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

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.



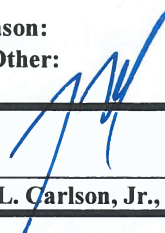
**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 82-36 (COR)**

**AN ACT TO ADD ARTICLE 14 TO DIVISION 1, CHAPTER 1, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO CREATING *THE ECONOMIC RECOVERY AND ACCOUNTABILITY FUND* TO ENSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM *THE AMERICAN RESCUE PLAN ACT*; AND TO CITE THIS ACT AS THE "*ECONOMIC RECOVERY AND ACCOUNTABILITY ACT OF 2021*."**

Department/Agency Appropriation Information	
Dept./Agency Affected: Government of Guam Wide	Dept./Agency Head: Honorable Lourdes A. Leon Guerrero, Governor of Guam
Department's General Fund (GF) appropriation(s) to date:	\$630,111,951
Department's Other Fund (Specify) appropriation(s) to date: All Special Funds per P.L. 35-99	\$210,717,690
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$840,829,641</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2020 Unreserved Fund Balance		\$0	\$0
FY 2021 Adopted Revenues	\$0	\$0	\$0
FY 2021 Appro. (P.L. 35-99)	\$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 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
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 dept/agency? If no, indicate reason: /X/ Yes / / No  
/X/ Requested agency comments not received by due date / / Other: 

Analyst:  Date: <u>3/22/21</u>	Director:  Date: <u>MAR 24 2021</u>
Joaquin Guerrero, BMA III	Lester L. Carlson, Jr., Director

Notes:  
1/ See attached comments.

Bureau of Budget and Management Research  
Comments on Bill No. 82-36 (COR)

The proposed legislation seeks to establish a fund to be known as the “*Economic Recovery and Accountability Fund*”, relative to assuring accountability and transparency with any local expenditures incurred by the Government of Guam for addressing and responding to the COVID-19 pandemic. The purpose of the Fund will be to receive deposits of any federal assistance received pursuant to the *American Rescue Plan*. Additionally, all funds deposited in the Fund shall not be subject to any transfer authority of *I Maga’hågan Guåhan*, other than for expenditures allowable by the *American Rescue Plan Act*.

Through the *American Rescue Plan Act*, the federal government will direct money to Guam to assist in the island’s COVID-19 response and recovery efforts. These funds are to be used within the exclusive management of the Executive Branch for specific purposes, and the oversight of such funds is given to the federal Office of the Inspector General. Furthermore, 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. Also, please be reminded that the emergency procurement of resources and services in response to the COVID-19 outbreak on Guam have been secured pursuant to *I Maga’håga’s* authority to make emergency purchases set forth in § 19403, Title 10 of the Guam Code Annotated. Lastly, 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’hågan Guåhan* and shall be subject to review and be included in monthly reporting to *I Liheslaturan Guåhan*. Any reporting requirements to the respective federal grantors are already in place for recipient Executive Branch departments/agencies.