

I Mina'trentai Sietta Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
227-37 (COR) As amended by the Committee on General Government Operations and Appropriations	Joanne M. Brown Telo T. Taitague	AN ACT TO <i>AMEND</i> § 1909(i) RELATIVE TO ENHANCING THE INDEPENDENT STATUS OF THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) BY CONTINUOUSLY APPROPRIATING ONE-QUARTER (0.25) OF ONE PERCENT (1%) OF THE GOVERNMENT OF GUAM'S ANNUAL BUDGET TO THE OPA.	12/29/23 3:19 p.m.	1/3/24	Committee on General Government Operations and Appropriations	Request: 1/3/24 1/10/24	4/3/24 2:00 p.m.	5/15/24 3:49 p.m.	As amended by the Committee on General Government Operations and Appropriations
	SESSION DATE		TITLE		DATE PASSED	TRANSMITTED	DUE DATE	NOTES	
	5/28/24	AN ACT TO <i>AMEND</i> § 1909(i) OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING THE INDEPENDENT STATUS OF THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) BY CONTINUOUSLY APPROPRIATING ONE-QUARTER (0.25) OF ONE PERCENT (1%) OF THE GOVERNMENT OF GUAM'S ANNUAL BUDGET TO THE OPA.	5/31/24	5/31/24	6/12/24				



COPY

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
Thirty-Seventh Guam Legislature

May 31, 2024

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 109-37 (LS), 153-37 (LS), 183-37 (COR), 227-37 (COR), 240-37 (COR), 268-37 (COR), 274-37 (COR), 277-37 (LS), and 285-37 (LS)** which were passed by *I Mina'trentai Siette Na Liheslaturan Guåhan* on May 31, 2024.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (9)

5/31/24 5:22PM




I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

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

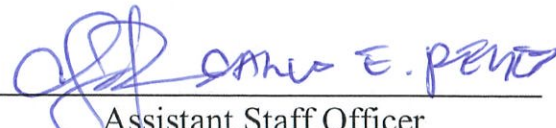
This is to certify that **Bill No. 227-37 (COR)**, “AN ACT TO *AMEND* § 1909(i) OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING THE INDEPENDENT STATUS OF THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) BY CONTINUOUSLY APPROPRIATING ONE-QUARTER (0.25) OF ONE PERCENT (1%) OF THE GOVERNMENT OF GUAM’S ANNUAL BUDGET TO THE OPA,” was on the 31st day of May 2024, duly and regularly passed.


Therese M. Terlaje
Speaker

Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 31ST day of MAY,
2024, at 5:22 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Regular Session

Bill No. 227-37 (COR)

As amended by the Committee on General
Government Operations and Appropriations.

Introduced by:

Joanne M. Brown
Telo T. Taitague
Chris Barnett
Frank Blas, Jr.
Christopher M. Dueñas
Thomas J. Fisher
Jesse A. Lujan
Tina Rose Muña Barnes
William A. Parkinson
Sabina Flores Perez
Roy A. B. Quinata
Joe S. San Agustin
Dwayne T.D. San Nicolas
Amanda L. Shelton
Therese M. Terlaje

**AN ACT TO *AMEND* § 1909(i) OF CHAPTER 19, TITLE 1,
GUAM CODE ANNOTATED, RELATIVE TO
ENHANCING THE INDEPENDENT STATUS OF THE
OFFICE OF PUBLIC ACCOUNTABILITY (OPA) BY
CONTINUOUSLY APPROPRIATING ONE-QUARTER
(0.25) OF ONE PERCENT (1%) OF THE GOVERNMENT
OF GUAM'S ANNUAL BUDGET TO THE OPA.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 historically, the Public Auditor was originally appointed for a term of six (6) years,
4 after which it became an elected position through the retention method. There was

1 no limit on the number of times in which voters could retain a Public Auditor in
2 office; and their salary and that of his or her staff was determined by the Civil Service
3 Commission, and the budget for the office came from the General Fund.

4 Before the expiration of the term of the first appointed Public Auditor, the
5 section on the election of the Public Auditor was repealed and replaced by a new
6 section calling for an independent Public Auditor elected by the people of Guam for
7 a term of four (4) years with the term limited to no more than two (2) consecutive
8 terms. Also, the budget of the Office of the Public Auditor was given a sustainable
9 funding source set at one quarter of one percent (.25%) of General Fund revenue.

10 Shortly after the election of the first Public Auditor, the law was further
11 amended to reduce the percentage of General Fund revenue to one hundred thirty-
12 four thousandths of one percent (.134%) for that budget year only. Thereafter, the
13 funding source reverted to the General Fund.

14 *I Liheslatura* finds that a truly independent Public Auditor requires the
15 position be an elected position and a reliable source of funding be provided. The
16 Public Auditor position is currently an elected position but the source of funding
17 being an appropriation from the General Fund does place a limit on the independence
18 of the Public Auditor on executing his or her duties and responsibilities.
19 Accordingly, it is the intent of *I Liheslatura* to provide a stable funding source to the
20 OPA.

21 **Section 2.** § 1909(i) of Chapter 19, Title 1, Guam Code Annotated, is
22 *amended* to read:

23 “(i) The Office of Public Accountability (OPA) shall receive a
24 continuing annual budget equal to, at minimum one-quarter (1/4) of one
25 percent (1%) of the total General Fund Available for Appropriation Revenues
26 of the Government of Guam, after all debt service requirements have been
27 met. General Fund Revenues are Income Taxes and Business Privilege Taxes;

1 Federal Sources, Section 30 funds include all customs duties and federal
2 income taxes, quarantine, passport, immigration and naturalization fees
3 collected in Guam; Use of Money and Property; Licenses, Fees and Permits;
4 Department Charges. The budget of the OPA shall be exempt from the Bureau
5 of Budget and Management Research budgetary allotment control generally
6 provided in 5 GCA § 1303. *I Maga'hågan Guåhan* shall not impound nor
7 transfer funds appropriated to the OPA. The OPA shall receive from the
8 Department of Administration no less than one twelfth (1/12) of its budget on
9 the first day of every month of each fiscal year. When more than two (2) pay
10 periods occur in one (1) month, the Department of Administration shall
11 release funds required for the purpose of meeting the operational needs of the
12 OPA for such month, subject to the availability of funds appropriated to the
13 OPA, to employ such necessary staff to carry out the functions and
14 responsibilities of the office; and for such employment, the Public Auditor
15 shall serve as the Office of Public Accountability's appointing authority for
16 all personnel employed at the Office of Public Accountability, hiring
17 employees from an established list of qualified applicants in accordance with
18 established criteria, and assigning, detailing, and transferring employees as
19 the Public Auditor deems necessary for the effective operations of the Office
20 of Public Accountability."