


*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

Bill No. 214-32(ap)

Introduced by:

Michael F.Q. San Nicolas 

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**AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT  
OF GUAM AGENCIES AND INSTRUMENTALITIES TO  
APPLY PAYROLL DEDUCTIONS TO REGISTERED  
NON-PROFITS, BY *AMENDING* §20111 OF ARTICLE 1,  
CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.**

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

2 **Section 1. Short Title.** This Act *shall* be cited as the “Non-Profit Payroll  
3 Deduction Act.”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
5 that there are hundreds of registered non-profits which provide numerous services  
6 to our community. 501(c)(3) organizations are operated for religious, charitable,  
7 scientific, testing for public safety, literary, or educational purposes, to foster  
8 amateur sports competition, to promote the arts or to prevent cruelty to children or  
9 animals. Such non-profit organizations tend to receive a substantial portion of its  
10 income from the public, government or charitable endowments.

11 *I Liheslatura* finds that federal sequestration has had a negative impact on  
12 many non-profit organizations which serve the people of Guam. Even some of the  
13 best performing organizations have had major cuts to revenue which they need to  
14 operate at current service levels.

15 *I Liheslatura* further finds that contributions from the community, including  
16 government of Guam employees can have significant positive impacts to  
17 sustaining these vital organizations.

1 It is therefore the intent of *I Liheslatura* to allow employees of government  
2 of Guam agencies and instrumentalities to apply payroll deductions to registered  
3 non-profits, by *amending* Subsection (a) of §20111, Article 1, Chapter 20, Title 5,  
4 Guam Code Annotated.

5 **Section 3. Payroll Deductions to Non-Profits.** §20111 is hereby of of  
6 Article 1, Chapter 20, Title 5, Guam Code Annotated, is hereby *amended*, to read:

7 **“§ 20111. Payroll Deductions and Marketing within Government.**

8 (a) Payroll Deduction. The government of Guam may provide payroll  
9 deduction services to employees of the government as requested by an employee;  
10 however, if payroll deduction services are provided for payment to one of a class  
11 of businesses, it must be provided for payment to all members of the class.  
12 Notwithstanding any other provision to the contrary, upon request by an employee  
13 of an agency or instrumentality of the government of Guam, the relevant personnel  
14 office for the agency or instrumentality shall provide a payroll deduction service  
15 for such employee to contribute to a 501(c)(3) non-profit registered with the  
16 Department of Revenue and Taxation. Such deductions shall be reported on a  
17 cumulative basis on the pay stub of the employee, and shall be reported as a  
18 cumulative total on the employee’s W-2. Government of Guam employers shall  
19 make available a list of qualified 501(c)(3) registered non-profits as a physical  
20 copy or electronic format to government employees upon request. The list  
21 provided for in this Subsection shall be compiled from the current list of 501(c)(3)  
22 non-profit organizations registered with the Department of Revenue and Taxation  
23 not later than ninety (90) days from the enactment of this Act. Thereafter, the list  
24 of non-profits shall be updated annually by January 1<sup>st</sup>.

25 (b) Exclusivity of Marketing. The government of Guam may provide the  
26 opportunity for employees to have access to the marketing of certain products  
27 during working hours at government facilities; however if this access is provided

1 for one of a class of products, it must be provided for all members of the class. All  
2 501(c)(3) organizations registered with the Department of Revenue and Taxation  
3 may be provided access to market their programs during working hours and on  
4 government facilities. All such marketing programs shall not interrupt the  
5 provision of government services.”