



FILE COPY

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

October 28, 2015

The Honorable Edward J.B. Calvo  
*I Maga'låhen Guåhan*  
*Ufisinan I Maga'låhi*  
*Hagåtña, Guam*

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 26-33 (COR), 134-33 (COR), 144-33 (COR), 145-33 (COR), 146-33 (COR), 164-33 (LS), 166-33 (LS), 169-33 (COR), 171-33 (COR), 174-33 (COR) and 176-33 (LS); and Substitute Bill Nos. 29-33 (COR), 76-33 (COR), 91-33 (LS), 137-33 (COR), 152-33 (COR), 175-33 (COR) and 181-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on October 27, 2015.

Sincerely,

  
TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (18)

OFFICE OF THE GOVERNOR  
CENTRAL FILES

  
RECEIVED BY  
TIME 4:22 DATE 10/28/15

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*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2015 (FIRST) Regular Session

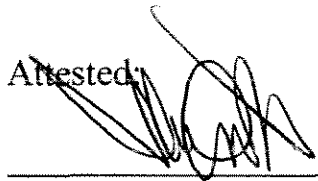
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 144-33 (COR)**, "AN ACT TO *ADD A NEW § 4123 TO CHAPTER 4 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FEDERAL RECEIPTS REPORTING REQUIREMENTS,*" was on the 27<sup>th</sup> day of October 2015, duly and regularly passed.



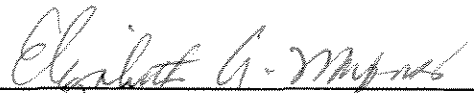
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28<sup>th</sup> day of October,  
2015, at 4:22 o'clock P.M.



Assistant Staff Officer  
*Maga'låhi's Office*

APPROVED:

EDWARD J.B. CALVO  
*I Maga'låhen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN***  
**2015 (FIRST) Regular Session**

**Bill No. 144-33 (COR)**

As amended by the Committee on  
Appropriations and Adjudication;  
and further amended on the Floor.

Introduced by:

Frank F. Blas, Jr.  
James V. Espaldon  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F.Q. San Nicolas  
Mary Camacho Torres  
N. B. Underwood, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW § 4123 TO CHAPTER 4 OF  
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO  
ESTABLISHING FEDERAL RECEIPTS REPORTING  
REQUIREMENTS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds  
3 that it is critical to the budgeting process that the government of Guam have a  
4 complete reporting of federal receipts received by designated state agencies, and  
5 that the report must contain a plan to operate the designated state agency in the

1 event federal receipts are reduced by certain amounts. Currently, this reporting  
2 process is non-existent, as well as any plans that could be implemented  
3 immediately in the event that the agency sees a decrease in federal funding.

4 It is, therefore, the intent of *I Liheslaturan Guåhan* to establish the use of  
5 federal receipts reporting requirements in the budgeting process.

6 **Section 2.** A new § 4123 is hereby *added* to Chapter 4 of Title 5, Guam  
7 Code Annotated, to read:

8 **“§ 4123. Federal Receipts Reporting Requirements.**

9 (a) Definitions.

10 As used in this Section:

11 (1) *Designated state agency* means an agency or  
12 authority of the government of Guam; and includes a  
13 department, institution, board, bureau, commission, council,  
14 committee of Guam government, branch, autonomous  
15 instrumentality, public corporation funded by public taxes or  
16 funds, or other public entity of the government of Guam.

17 (2) *Designated state agency does not* include the  
18 judicial branch, the legislative branch, or an office or other  
19 entity within the judicial branch or the legislative branch.

20 (3) *Federal receipts* means the federal financial  
21 assistance, as defined in 31 U.S.C. Sec. 7501, that is reported as  
22 part of a single audit.

23 (4) *Single audit* is as defined in 31 U.S.C. Sec. 7501.

24 (b) Federal Receipts Reporting Requirements.

25 (1) Designated state agencies *shall* each year, on or  
26 before October 31, prepare a report that:

1 (A) reports the aggregate value of federal  
2 receipts the designated state agency received for the  
3 preceding fiscal year;

4 (B) reports the aggregate amount of funds for  
5 federal matching grants in aid appropriated by *I*  
6 *Liheslaturan Guåhan* (the Guam Legislature) to the  
7 designated state agency for the preceding fiscal year;

8 (C) calculates the percentage that constitutes  
9 federal receipts of the total budget for the designated  
10 state agency received for that fiscal year; and

11 (D) develops a plan(s) for operating the  
12 designated state agency, and its affected federal  
13 program(s) if there is a reduction in the federal receipts  
14 that the designated agency receives.

15 (2) The designated state agencies *shall* submit the  
16 report to the Bureau of Budget and Management Research  
17 (BBMR) on or before November 1 of each year.

18 (3) The BBMR *shall*, on or before November 30 of  
19 each year, prepare a report that:

20 (A) compiles and summarizes the reports that  
21 the BBMR receives in accordance with Subsection (2);  
22 and

23 (B) compares the aggregate value of federal  
24 receipts each designated state agency received for the  
25 previous fiscal year to the aggregate amount of federal  
26 funds to the total budget of the designated state agency  
27 for that fiscal year.

1 (4) BBMR *shall*, as part of the report required by  
2 Subsection (3), compile a list of designated state agencies that  
3 do not submit a report as required by this Section.

4 (5) BBMR *shall* submit the report required by  
5 Subsection (3) to the legislative appropriations committee and  
6 the Speaker of *I Liheslaturan Guåhan* on or before December 1  
7 of each year.

8 (6) Upon receipt of the report required by Subsection  
9 (3), the legislative appropriations committee *shall* place the  
10 report on the agenda for review and consideration at the next  
11 committee meeting.

12 (7) When considering the report required by  
13 Subsection (3), the legislative appropriations committee may  
14 elect to:

15 (A) recommend that *I Liheslaturan Guåhan* (the  
16 Guam Legislature) reduce or eliminate the appropriations  
17 for a designated state agency;

18 (B) take no action; or

19 (C) take another action that a majority of the  
20 committee approves.”

21 **Section 3. Severability.** If any provision of this Act or its application to  
22 any person or circumstance is found to be invalid or contrary to law, such  
23 invalidity *shall not* affect other provisions or applications of this Act that can be  
24 given effect without the invalid provisions or application, and to this end the  
25 provisions of this Act are severable.