

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
345-35 (COR)	James C. Moylan William M. Castro Louise B. Muña	AN ACT TO <i>ADD</i> ARTICLE 14 TO DIVISION 1, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CARES PANDEMIC FUND TO ASSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM US PUBLIC LAW 116-136 (THE CARES ACT)	4/17/20 4:45 p.m.					5/14/20	

Senator Régine Biscoe Lee
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Senator Amanda L. Shelton
Vice Chairperson

Speaker Tina Rose Muña Barnes
Member

Vice Speaker Telen Cruz Nelson
Member

Senator Kelly Marsh (Taitano), PhD
Member

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Member



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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN

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May 14, 2020

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Subject: Fiscal Note on Bill No. 345-35 (COR)

Buenas yan Håfa Adai,

Attached, please find the Fiscal Note for the following bill:

Bill No. 345-35 (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 matter.

Respectfully,

Senator Régine Biscoe Lee
Chair, Committee on Rules



Bureau of Budget & Management Research
Fiscal Note of Bill No. 345-35 (COR)

AN ACT TO *ADD* ARTICLE 14 TO CHAPTER 1, DIVISION 1, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO CREATING *THE CARES PANDEMIC FUND* TO ASSURE ACCOUNTABILITY AND TRANSPARENCY WITH ANY LOCAL EXPENDITURES INCURRED BY THE GOVERNMENT OF GUAM, ASSOCIATED WITH ANY DIRECT FEDERAL ASSISTANCE FROM U.S. PUBLIC LAW 116-136 (THE CARES ACT).

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
Total Department/Agency Appropriation(s) to date:	\$891,456,299

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
Total:	\$0	\$0	\$0

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
Total	1/	\$0	\$0	\$0	\$0	\$0

- 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: Joquin Guerrero, BMA III Date: 5/12/20 Director: Lester L. Carlson, Jr., Director Date: MAY 13 2020

Footnotes:

1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 345-35 (COR)

The proposed legislation seeks to establish a fund to be known as the “CARES Pandemic Fund”, relative to assuring accountability and transparency with any local expenditures incurred by the Government of Guam that were not budgeted for in Public Law 35-36 due to the public health emergency in association with the COVID-19 pandemic. The purpose of the Fund will be to receive deposits of any federal assistance received pursuant to U.S. Public Law 116-136 (The Coronavirus Aid, Relief, and Economic Security Act). Additionally, all funds deposited in the Fund shall not be subject to any transfer authority of *I Maga'hågan Guåhan*, and any funds remaining shall be subject to an approval of the transfer by *I Liheslaturan Guåhan*.

Through the Coronavirus Aid, Relief, and Economic Security Act, the federal government has directed 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. 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. These are appropriate expenditures under the April 22, 2020 Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments issued by the United States Department of the Treasury, which provides a non-exclusive list of eligible expenditures. 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.