UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

35GL-19-0480
Speaker Tina Rose Muña Barnes

MAY 0 3 2019
Time 4:34 ( )AM (X)PM
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May 3, 2019

Honorable Tina Rose Muña-Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
Hagåtña, Guam 96910

RE: ***Bill No. 68-35 (COR), "An Act to Appropriate One Hundred Fifty Thousand Dollars ($150,000) From The General Fund to The Department of Administration For Continued Operation of The Guam Autism Center"***

Dear Madam Speaker:

I have signed Bill 68-35 into law as **Public Law 35-9**.

Although this bill is now law, it saddens me that it will not satisfy its intended purpose. This island understands the importance and necessity of the vital autism services provided by HunterSpeaks. This past April was Autism Awareness Month and it should have reminded us to pay better attention to these needs. Unfortunately, my signature today cannot give the immediate relief that was expected from Bill 68-35.

I am disappointed that this bill did not indicate a source for its appropriation. Instead, it directed an appropriation from any "excess General Fund revenues in FY 2019." The term "excess" was used as an adjective to mean what is commonly understood as "more than or above what is necessary, usual or specified." It is no secret that the Fiscal Year 2019 Budget had been fully allocated leaving no reserve or "excess." The result of this is a technical flaw effectively requiring the Department of Administration to wait until the end of Fiscal Year 2019, after all of the accounts have been reconciled, to determine if there is an "excess." If that was the Legislature's intent, please understand that this will not alleviate the urgent circumstances that the Guam Autism Center faces today.

I am proud of the hard work put in to instill financial discipline within the operations of the government of Guam. I am grateful that the Legislature recognizes the work and is optimistic of the financial projections. It is true. Our finances are tracking much more favorably than the outlook the government had nearly a year ago. However, that tracking is merely a snapshot of our fiscal health on a particular day. While I am hopeful of the best outcome, the government

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cannot rely on this snapshot to guarantee sufficient funds for the remainder of the fiscal year. It is certainly impossible, at this point, to determine an excess.

In the meantime, I will continue encouraging our community to support HunterSpeaks in any way it can. I have also requested from the First Gentleman that he consider donating proceeds from the Guam Island Fair and Liberation Day Carnival to HunterSpeaks.

Finally, I have taken it upon myself to submit a bill to address the immediate needs that were represented to the Legislature in support of Bill 68-35. In the attached proposal, the Legislature will find an identified, immediate and viable funding source to continue those vital autism services our community depends upon. I implore the Legislature to exercise haste in its sole power of appropriation and promptly introduce, publicly hear, and quickly pass my submission.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

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

This is to certify that **Bill No. 68-35 (COR), "AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS ($150,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER,"** was on the 29th day of April 2019, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30th day of April, 2019, at 10:31 o'clock A.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 5/2/2019

Public Law No. 35-9

2019-2553
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Elaine Tajalle

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 68-35 (COR)
As amended on the Floor.

Introduced by: Therese M. Terlaje
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Mary Camacho Torres

AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS ($150,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that a Guam Autism Center was authorized pursuant to the provisions of Public Law 33-227. *I Liheslaturan Guåhan* appropriated One Hundred Fifty Thousand Dollars ($150,000) to the Department of Administration for the non-profit organization, HunterSpeaks, in Fiscal Year 2018 pursuant to Chapter V, Section 1(g)(12) of Public

Law 34-42, as an initial investment by the government of Guam to set up the Guam Autism Center, prior to the establishment of the DISID Business Center and One Stop Community Resource and Wellness Center.

I Liheslaturan Guåhan further finds that in early November 2018, the Guam Autism Center has taken in its first group of clients and has begun billing health insurance providers under the *Hunter's Law of 2017* (Public Law 34-06) as a means of long-term sustainability. Initial seed funding has been utilized to cover the cost of training technicians, recruitment and operational costs. However, it may take approximately two (2) years before the Guam Autism Center is completely self-funded; and, seed funding will run out by April 2019. *I Liheslaturan Guåhan* further finds that the services provided by the HunterSpeaks non-profit organization for the Guam Autism Center are vital to the quality of life of children living with autism spectrum disorder in our community.

It is, therefore, the intent of *I Liheslaturan Guåhan* to appropriate additional funding to ensure the continuation of vital autism services provided by the HunterSpeaks non-profit organization.

Section 2. Appropriation. The sum of One Hundred Fifty Thousand Dollars ($150,000) is appropriated from any excess General Fund revenues in FY 2019 to the Department of Administration (DOA) for the Guam Autism Center, operated by the HunterSpeaks non-profit organization in Fiscal Year 2019. This appropriation *shall* be used by the government of Guam to provide payment for autism spectrum disorder services, training, and operation of the Guam Autism Center, and *shall not* be transferred, used, or expended for any other purpose than what is specified in this Act.

Section 3. Reporting Requirement. The HunterSpeaks non-profit organization *shall* submit a status report every ninety (90) days to the Speaker of *I*

Liheslaturan Guåhan on the utilization of funds appropriated by this Act until such funds are fully expended.

I MINA' TRENTAI SINGKO NA LIHESLATURAN GUAHAN
2019 (FIRST) Regular Session

Bill No. _____-35

Introduced by:

By request of *I Maga'hån Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam

AN ACT TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS ($150,000) FROM THE HEALTHY FUTURES FUND TO THE DEPARTMENT OF ADMINISTRATION FOR CONTINUED OPERATION OF THE GUAM AUTISM CENTER AND TO REPEAL PUBLIC LAW 35-9 IN ITS ENTIRETY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan* finds that a Guam Autism Center was authorized pursuant to the provisions of Public Law 33-227. *I Liheslaturan Guåhan* appropriated One Hundred Fifty Thousand Dollars ($150,000) to the Department of Administration for the non-profit organization, HunterSpeaks, in Fiscal Year 2018 pursuant to Chapter V, Section 1(g)(12) of Public Law 34-42, as an initial investment by the government of Guam to set up the Guam Autism Center, prior to the establishment of the DISID Business Center and One Stop Community Resource and Wellness Center.

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~~**Section 3. Reporting Requirements.** The HunterSpeaks non-profit organization *shall* submit a status report every ninety (90) days to the Speaker of *I Liheslaturan Guåhan* on the utilization of funds appropriated by this Act until such funds are fully expended.~~

Section 5. Effective Date. This Act *shall* become effective upon enactment.