

Guam Legislature Clerks <clerks@guamlegislature.org>

Messages and Communications

1 message

Speaker's Office <speaker@guamlegislature.org>
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

04-28-20	5:45 PM	04-28-20	Substitute Bill No. 332-35 (COR), signed into law as Public Law 35-83; Substitute Bill No. 339-35 (COR), signed into law as Public Law 35-84.	Office of the Governor of Guam
04-28-20	5:45 PM	04-28-20	Bill No. 324-35 (COR), signed into law as Public Law 35-85.	Office of the Governor of Guam

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yang mensâhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensâhi. Si Yu'os ma'âse'.

2 attachments

Bill 332 & 339.pdf
4549K

Bill 324.pdf
2320K

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

Via Email: speaker@guamlegislature.org

April 28, 2020

GUAM LEGISLATURE
CENTRAL FILES
ACKNOWLEDGEMENT RECEIPT
Received by:
Date: 4.28.2020
@ 5:45p.

HONORABLE TINA ROSE MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 324-35 (COR) – An Act to Suspend the Two Percent (2%) General Fund Deposit into the Rainy Day Fund Requirement, as Mandated by 5 GCA § 22904, for Fiscal Year 2020

Dear Madame Speaker:

I appreciate the Legislature's efforts to provide me with the flexibility needed to respond to this public health emergency. Bill No. 324-35, which I have signed into law as ***Public Law No. 35-85***, acknowledges the unprecedented circumstances that COVID-19 has brought to our island. While there is a likelihood that the government may not achieve the revenue collections projected, this law will be helpful to mitigate any budgetary challenges this fiscal year.

Senseremente,

Lou Leon Guerrero

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

Enclosure(s): Bill No. 324-35 (COR) *nka Public Law No. 35-85*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

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

This is to certify that **Bill No. 324-35 (COR), "AN ACT TO SUSPEND THE TWO PERCENT (2%) GENERAL FUND DEPOSIT INTO THE RAINY DAY FUND REQUIREMENT, AS MANDATED BY 5 GCA § 22904, FOR FISCAL YEAR 2020,"** was on the 16th day of April 2020, 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 16th day of April, 2020, at 6:15 o'clock P.M.

C.J. UZAHA, GOVERNMENT HOUSE
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/28/2020

Public Law No. 35-85

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 324-35 (COR)
As amended on the Floor.

Introduced by: Mary Camacho Torres
Regine Biscoe Lee
William M. Castro
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
Therese M. Terlaje

AN ACT TO SUSPEND THE TWO PERCENT (2%) GENERAL FUND DEPOSIT INTO THE RAINY DAY FUND REQUIREMENT, AS MANDATED BY 5 GCA § 22904, FOR FISCAL YEAR 2020.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the economic impact of the coronavirus disease 2019 (COVID-19) will inevitably result in a decline in revenues collected for the General Fund, thereby inhibiting the government of Guam's ability to not only meet its adopted revenue levels for Fiscal Year 2020 but to also respond to the existing public health

emergency. Despite this likelihood, *I Liheslaturan Guåhan* finds that it remains a requirement under 5 GCA § 22904, to deposit two percent (2%) of the total revenues projected for the General Fund for each fiscal year into the Rainy Day Fund. Moreover, under 5 GCA § 22904, monies deposited into the Rainy Day Fund may only be transferred through legislative authorization, even if such monies were used for expenses caused by a Guam emergency. *I Liheslaturan Guåhan* understands that there continues to be large uncertainty surrounding the extent and duration of the COVID-19 pandemic and its impact to not only the government's revenue collections, but also to Guam's overall economy, and *I Liheslaturan Guåhan* desires to provide *I Maga'hågan Guåhan* with the ultimate flexibility to address this unprecedented public health emergency situation.

It is, therefore, the intent of *I Liheslaturan Guåhan* to suspend the two percent (2%) General Fund deposit requirement as mandated by 5 GCA § 22904.

Section 2. Suspension of Rainy Day Fund Deposit Requirement. Notwithstanding any other provision of law, or rule or regulation, the requirement to deposit into the Rainy Day Fund under 5 GCA § 22904, is hereby suspended for Fiscal Year 2020.

Nothing herein shall prevent *I Maga'hågan Guåhan* from making such deposits into the Rainy Day Fund as she deems necessary.

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

April 9, 2020

To: All Senators
From: Speaker Tina Rose Muña Barnes

RE: Waiver of Public Hearing Requirement – Bill no. 324-35

Dear Colleagues:

Buenas yan Hafa Adai! Pursuant to Section 1.02(b)(1)(ii) of our Standing Rules I hereby certify that emergency conditions exist involving danger to the public health or safety.

Furthermore, the public hearing requirement for Bill no. 324-35 (LS) is waived in accordance with 2 GCA § 2103(a).

Sinseru Yan Magahit,

Tina Rose Muña Barnes
Speaker, 35th Guam Legislature

Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671) 477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org

Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

REQUEST FOR PUBLIC HEARING WAIVER

Bill No: 324-35 **Authored By:** Mary Camacho Torres

Bill Title AN ACT TO SUSPEND THE TWO PERCENT (2%) GENERAL FUND DEPOSIT REQUIREMENT AS MANDATED BY § 22904, ARTICLE 9, CHAPTER 22 of TITLE 5 GUAM CODE ANNOTATED FOR FISCAL YEAR 2020

Does this Bill directly benefit the response efforts of the Government of Guam in its effort to protect the Health and Safety of the People of Guam from COVID-19?
Yes ✓ No _____

Does this Bill directly benefit residents of Guam during this economic crisis due to COVID-19?
Yes ✓ No _____

Does the enactment of this measure have a cost associated with it?
Yes _____ No ✓

If so, please provide the following:

Anticipated Cost: n/a
Funding Source: n/a

Based on PL 35-36 will current government revenues/operations be impacted by the reduction of the anticipated funding source?
n/a

Speaker Tina Rose Muña Barnes

APR 0 8 2020
Time 5:00 ( )AM (✓)PM
Received By: _____

Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671) 477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org

Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

If so, please identify the estimated dollar amount reduction in revenues and a corresponding aggregate amount in appropriation reductions in PL35-36. Such reductions shall be specifically identified by fund source, by department/agency, and/or by program or miscellaneous appropriation. Is there consent or support from its respective Directors on this measure?

n/a

Should we need to assemble in the Committee of the Whole, have the respective directors and stakeholders been contacted? (Please list each individual party separately):

Name/Title	Agency	Yes/No
n/a		

OFB/BBMR: Request made on March 30, 2020

1) Does the Office of Finance and Budget **OR** the Bureau of Budget Management and Research concur that the statements made regarding the fiscal impact of this proposed measure are accurate?
   Yes_____ No_____

2) Are funds available in the specified funding source to support this measure?
   Yes_____ No_____

Comments:_____

Name & Signature of Certifying individual from BBMR or OFB:

Name	Agency & Title	Signature & Date

Should this section be unattainable, please submit documentation that demonstrates an effort was made.

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Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

The above information is true and correct. This bill addresses an immediate emergency and I am requesting that the public hearing be waived.

Name of Main Author/Senator Making a request to waive Public Hearing Mary Camacho Torres

Signature _____ Date March 30, 2020

Note: Public concerns/comments that have been received with regards to this measure, or any other pertinent document/information can be attached to this document.

Attachments:

A. Bill 324-35 (COR)

B. Email to Office of Finance and Budget

C. _____

Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671) 477-2520/2521/Email: speaker@guamlegislature.org / Website: www.guamlegislature.org

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 324-35 (COR)

Introduced by: Mary Camacho Torres
Regine Biscoe Lee

AN ACT TO SUSPEND THE TWO PERCENT (2%) GENERAL FUND DEPOSIT REQUIREMENT AS MANDATED BY § 22904, ARTICLE 9, CHAPTER 22 OF TITLE 5 GUAM CODE ANNOTATED FOR FISCAL YEAR 2020.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslatura Guåhan* finds that the economic impact of the 2019 Novel Coronavirus (COVID-19) will inevitably result in a decline in revenues collected for the General Fund—inhibiting the government of Guam's ability to not only meet its adopted revenue levels for Fiscal Year 2020 but also respond to the existing Public Health Emergency. Despite this likelihood, *I Liheslatura Guåhan* finds that it remains a requirement under §22904, Article 9, Chapter 22 of Title 5 Guam Code Annotated, to deposit two percent (2%) of the total revenues projected for the General Fund for each fiscal year into the Rainy Day Fund. Moreover, under this Section, monies deposited into the Rainy Day Fund may only be transferred through legislative authorization, even if such monies were used for expenses caused by a Guam emergency. *I Liheslatura Guahan* understands that there continues to be large uncertainty surrounding the extent and duration of the COVID-19 pandemic and its impact to not only the government's revenue collections, but also Guam's overall economy. *I Liheslatura*

Guahan desires to provide *I Maga'hagan Guahan* the ultimate flexibility to address this unprecedented public health emergency situation. It is therefore the intent of *I Liheslatura Guåhan* to suspend the two percent (2%) General Fund deposit requirement as mandated by § 22904, Article 9, Chapter 22 of Title 5 Guam Code Annotated.

Section 2. Suspension of Rainy Day Fund Deposit Requirement. Notwithstanding any other provision of law, rule, or regulation, the requirement to deposit into the Rainy Day Fund under § 22904, Article 9, Chapter 22 of Title 5 Guam Code Annotated is hereby suspended for Fiscal Year 2020.

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.



Mary C. Torres <senatormary@guamlegislature.org>

Bill 324-25 (COR) Fiscal Impact

1 message

Senator Mary C. Torres <senatormary@guamlegislature.org> Mon, Mar 30, 2020 at 12:17 PM

To: stephen.senatorsa@gmail.com

Dear Office of Finance and Budget:

Please see attached bill which was introduced by Senators Torres and Lee today. Per the Speaker's instruction, the Office of Mary Camacho Torres respectfully requests the OFB's concurrence that the statements made regarding this measure's fiscal impact are, in fact, accurate.

Thank you.

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Office of Senator Mary Camacho Torres
Suite 807, DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
T: 475-6279 E:senatormary@guamlegislature.org

Bill No. 324-35 (COR).pdf
957K