Guam Legislature Clerks <clerks@guamlegislature.org>

# Messages and Communications for Doc. Nos. 36GL-22-1903 through 1911*.

1 message

**Committee on Rules 36GL** <cor@guamlegislature.org> Wed, Apr 13, 2022 at 10:34 AM
To: Clerks <clerks@guamlegislature.org>, Rennae Meno <rennae@guamlegislature.org>
Cc: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

*Håfa Adai Clerks,*

Please see attached M&C Doc. No. 36GL-22-1903 to 1911 for processing:

| | | |
|---|---|---|
| 36GL-22-1903 | BILL NO. 169-36 (LS) nka P.L. No. 36-89 - An Act to Amend Appendix A, Appendix B, Appendix C, Appendix D, and Appendix E, All of Chapter 67, Title 9, Guam Code Annotated, Relative to Updating the List of Scheduled Controlled Substances Provided in the Guam Uniform Controlled Substances Act *. | Office of the Governor of Guam |
| 36GL-22-1904 | BILL NO. 247-36 (COR) nka P.L. No. 36-90 - An Act to Amend §§ 53101(d) and 53102, and to Add a New § 53109, All of Chapter 53, Title 11, Guam Code Annotated, Relative to Transferring the Authority to Implement the Guam Able Savings Program from the Department of Revenue and Taxation to the Department of Administration, and Authorizing the Governor to Identify and Transfer Up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to Implement the Program*. | Office of the Governor of Guam |
| 36GL-22-1905 | SUBSTITUTE BILL NO. 213-36 (COR) nka P.L. No. 36-91 - An Act to Add New Subsections (a) and (b) to § 8119 of Article 1, Chapter 8, Title 12, Guam Code Annotated, Relative to Establishing an Exemption to the Guam Power Authority for the Construction of New Forty-One (41) Megawatt Ultra-Low Sulfur Diesel Units on Lots 261 and 257, U.S. Navy Apra Harbor Reservation, and be Required to Comply with the Air Quality and Emissions Limitations Contained in the U.S. Environmental Protection Agency Clean Air Act of 1990*. | Office of the Governor of Guam |
| 36GL-22-1906 | BILL NO. 224-36 (COR) nka P.L No. 36-92 - An Act to Repeal Chapter 19, Division 3 of Title 30, Guam Administrative Rules and Regulations; and to Add a New Chapter 2 to Title 12, Guam Administrative Rules and Regulations, Relative to Clarifying Insurance Continuing Education*. | Office of the Governor of Guam |
| 36GL-22-1907 | SUBSTITUTE BILL NO. 41-36 (COR) nka P.L. No. 36-93 - An Act to Amend § 4210 of Article 2, Chapter 4, Title 19, Guam Code Annotated, Relative to Expediting Social Studies for Adoptions*. | Office of the Governor of Guam |
| 36GL-22-1908 | BILL NO. 68-36 (COR) nka P.L. No. 36-94 – An Act to Amend §§ 88103 and 88104, and to Add a New § 88103.1, All of Chapter 88, Title 5, Guam Code Annotated, Relative to Adding Youth Representation to *I Kumision I Fino' CHamoru Yan I Fina'na'guen I Historia Yan I Lina'la' I Taotao Tano'* (The Commission on CHamoru Language and the Teaching of the History and Culture of the Indigenous People of Guam), and Prohibiting Double Representation on *I Kumision*; and to Cite this Act as the "*Mahoben Para I Fino'-ta Act*"*. | Office of the Governor of Guam |
| 36GL-22-1909 | SUBSTITUTE BILL NO. 236-36 (COR) VETO - An Act to Amend § 5213 of Subarticle B, Article 3, Chapter 5, Title 5, Guam Code Annotated, Relative to Strengthening the Requirements of Small Purchases*. | Office of the Governor of Guam |
| 36GL-22-1910 | BILL NO. 123-36 (COR) VETO - An Act to Amend § 2108 of Chapter 2, Title 4, Guam Code Annotated, Relative to Requiring Employees Who Resign from Government of Guam Employment to Submit to Drug Testing to Retain Re-Employment Rights if said Resignation was Tendered Subsequent to the Employer's Announcement of Drug Testing*. | Office of the Governor of Guam |
| 36GL-22-1911 | BILL NO. 239-36 (COR) VETO - An Act to Add a New § 76206 to Article 2 of Chapter 76, Division 3, Title 11, Guam Code Annotated; and to Add a New § 13510 to Article 5 of Chapter 13, Title 19, Guam Code Annotated, Relative to Business License Requirements for Entities Engaging in Child Replacement Services*. | Office of the Governor of Guam |

**Electronic and Hard Copies received and attached.**

*Si Yu'os Ma'åse',*


**COMMITTEE ON RULES**
Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
*I Mina'trentai Sais Na Liheslaturan Guåhan*
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org



"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the individual responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and immediately delete any copies you may have received. Thank you."


---------- Forwarded message ---------
From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Wed, Apr 13, 2022 at 9:46 AM

Subject: Messages and Communications for 36GL-22-1903 to 1911
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

*Håfa Adai,*

Please see attached M&C Doc. No. 36GL-22-1903 to 1911.*

| | | |
|---|---|---|
| 36GL-22-1903 | BILL NO. 169-36 (LS) nka P.L. No. 36-89 - An Act to Amend Appendix A, Appendix B, Appendix C, Appendix D, and Appendix E, All of Chapter 67, Title 9, Guam Code Annotated, Relative to Updating the List of Scheduled Controlled Substances Provided in the Guam Uniform Controlled Substances Act.* | Office of the Governor of Guam |
| 36GL-22-1904 | BILL NO. 247-36 (COR) nka P.L. No. 36-90 - An Act to Amend §§ 53101(d) and 53102, and to Add a New § 53109, All of Chapter 53, Title 11, Guam Code Annotated, Relative to Transferring the Authority to Implement the Guam Able Savings Program from the Department of Revenue and Taxation to the Department of Administration, and Authorizing the Governor to Identify and Transfer Up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to Implement the Program.* | Office of the Governor of Guam |
| 36GL-22-1905 | SUBSTITUTE BILL NO. 213-36 (COR) nka P.L. No. 36-91 - An Act to Add New Subsections (a) and (b) to § 8119 of Article 1, Chapter 8, Title 12, Guam Code Annotated, Relative to Establishing an Exemption to the Guam Power Authority for the Construction of New Forty-One (41) Megawatt Ultra-Low Sulfur Diesel Units on Lots 261 and 257, U.S. Navy Apra Harbor Reservation, and be Required to Comply with the Air Quality and Emissions Limitations Contained in the U.S. Environmental Protection Agency Clean Air Act of 1990.* | Office of the Governor of Guam |
| 36GL-22-1906 | BILL NO. 224-36 (COR) nka P.L No. 36-92 - An Act to Repeal Chapter 19, Division 3 of Title 30, Guam Administrative Rules and Regulations; and to Add a New Chapter 2 to Title 12, Guam Administrative Rules and Regulations, Relative to Clarifying Insurance Continuing Education.* | Office of the Governor of Guam |
| 36GL-22-1907 | SUBSTITUTE BILL NO. 41-36 (COR) nka P.L. No. 36-93 - An Act to Amend § 4210 of Article 2, Chapter 4, Title 19, Guam Code Annotated, Relative to Expediting Social Studies for Adoptions.* | Office of the Governor of Guam |
| 36GL-22-1908 | BILL NO. 68-36 (COR) nka P.L. No. 36-94 – An Act to Amend §§ 88103 and 88104, and to Add a New § 88103.1, All of Chapter 88, Title 5, Guam Code Annotated, Relative to Adding Youth Representation to I Kumision I Fino' CHamoru Yan I Fina'na'guen I Historia Yan I Lina'la' I Taotao Tano' (The Commission on CHamoru Language and the Teaching of the History and Culture of the Indigenous People of Guam), and Prohibiting Double Representation on I Kumision; and to Cite this Act as the "Mahoben Para I Fino'ta Act".* | Office of the Governor of Guam |
| 36GL-22-1909 | SUBSTITUTE BILL NO. 236-36 (COR) VETO - An Act to Amend § 5213 of Subarticle B, Article 3, Chapter 5, Title 5, Guam Code Annotated, Relative to Strengthening the Requirements of Small Purchases.* | Office of the Governor of Guam |
| 36GL-22-1910 | BILL NO. 123-36 (COR) VETO - An Act to Amend § 2108 of Chapter 2, Title 4, Guam Code Annotated, Relative to Requiring Employees Who Resign from Government of Guam Employment to Submit to Drug Testing to Retain Re-Employment Rights if said Resignation was Tendered Subsequent to the Employer's Announcement of Drug Testing.* | Office of the Governor of Guam |
| 36GL-22-1911 | BILL NO. 239-36 (COR) VETO - An Act to Add a New § 76206 to Article 2 of Chapter 76, Division 3, Title 11, Guam Code Annotated; and to Add a New § 13510 to Article 5 of Chapter 13, Title 19, Guam Code Annotated, Relative to Business License Requirements for Entities Engaging in Child Replacement Services.* | Office of the Governor of Guam |

*Note: e-Delivery received April 12, 2022 at 9:46 a.m. Hard copies received April 12, 2022 at 11:31 a.m.*

*Si Yu'os Ma'åse'*,

Marie Cruz
Community Relations Liaison

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Brianne LG Dunstan** <brianne.dunstan@guam.gov>
Date: Tue, Apr 12, 2022 at 9:46 AM
Subject: Statements regarding Legislative bills passed on: April 1, 2022
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: GOVERNOR Lourdes A. Leon Guerrero <governor@guam.gov>, LT. GOVERNOR Joshua F. Tenorio <lt.governor@guam.gov>, Geraldine A. Cepeda <gcepeda@guamcourts.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, Lisa C. Ibanez <libanez@guamcourts.gov>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Stephanie G. Flores <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, <lester.carlson@bbmr.guam.gov>, BERTHA <bertha.duenas@guam.gov>, Eliza G. Dames (Chamber) <eliza.dames@guam.gov>, Shamra L.A. Chargualaf (Chamber) <shamra.chargualaf@guam.gov>, Josephine C. Cepeda (Chamber) <josephine.cepeda@guam.gov>, Kathleen C. Cepeda (COS) <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, Jessica Cruz (CF) <jessica.cruz@guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, Michael D. Weakley <michael.weakley@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>

*Hafa Adai* Madame Speaker,

Enclosed are copies of statements dated April 11, 2022, from the *Honorable,* Lourdes A. Leon Guerrero, regarding the following nine (9) bills:

- **BILL NO. 169-36 (LS) nka P.L. No. 36-89** - An Act to Amend Appendix A, Appendix B, Appendix C, Appendix D, and Appendix E, All of Chapter 67, Title 9, Guam Code Annotated, Relative to Updating the List of Scheduled Controlled Substances Provided in the Guam Uniform Controlled Substances Act
- **BILL NO. 247-36 (COR) nka P.L. No. 36-90** - An Act to Amend §§ 53101(d) and 53102, and to Add a New § 53109, All of Chapter 53, Title 11, Guam Code Annotated, Relative to Transferring the Authority to Implement the Guam Able Savings Program from the Department of Revenue and Taxation to the Department of Administration, and Authorizing the Governor to Identify and Transfer Up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to Implement the Program
- **SUBSTITUTE BILL NO. 213-36 (COR) nka P.L. No. 36-91** - An Act to Add New Subsections (a) and (b) to § 8119 of Article 1, Chapter 8, Title 12, Guam Code Annotated, Relative to Establishing an Exemption to the Guam Power Authority for the Construction of New Forty-One (41) Megawatt Ultra-Low Sulfur Diesel Units on Lots 261 and 257, U.S. Navy Apra Harbor Reservation, and be Required to Comply with the Air Quality and Emissions Limitations Contained in the U.S. Environmental Protection Agency Clean Air Act of 1990
- **BILL NO. 224-36 (COR) nka P.L No. 36-92** - An Act to Repeal Chapter 19, Division 3 of Title 30, Guam Administrative Rules and Regulations; and to Add a New Chapter 2 to Title 12, Guam Administrative Rules and Regulations, Relative to Clarifying Insurance Continuing Education
- **SUBSTITUTE BILL NO. 41-36 (COR) nka P.L. No. 36-93** - An Act to Amend § 4210 of Article 2, Chapter 4, Title 19, Guam Code Annotated, Relative to Expediting Social Studies for Adoptions
- **BILL NO. 68-36 (COR) nka P.L. No. 36-94 –** An Act to Amend §§ 88103 and 88104, and to Add a New § 88103.1, All of Chapter 88, Title 5, Guam Code Annotated, Relative to Adding Youth Representation to I Kumision I Fino' CHamoru Yan I Fina'na'guen I Historia Yan I Lina'la' I Taotao Tano' (The Commission on CHamoru Language and the Teaching of the History and Culture of the Indigenous People of Guam), and Prohibiting Double Representation on I Kumision; and to Cite this Act as the "Mahoben Para I Fino'ta Act"
- **SUBSTITUTE BILL NO. 236-36 (COR) VETO** - An Act to Amend § 5213 of Subarticle B, Article 3, Chapter 5, Title 5, Guam Code Annotated, Relative to Strengthening the Requirements of Small Purchases
- **BILL NO. 123-36 (COR) VETO** - An Act to Amend § 2108 of Chapter 2, Title 4, Guam Code Annotated, Relative to Requiring Employees Who Resign from Government of Guam Employment to Submit to Drug Testing to Retain Re-Employment Rights if said Resignation was Tendered Subsequent to the Employer's Announcement of Drug Testing
- **BILL NO. 239-36 (COR) VETO** - An Act to Add a New § 76206 to Article 2 of Chapter 76, Division 3, Title 11, Guam Code Annotated; and to Add a New § 13510 to Article 5 of Chapter 13, Title 19, Guam Code Annotated, Relative to Business License Requirements for Entities Engaging in Child Replacement Services

The original statements and bills will be delivered to your office today.

Respectfully,
--

**Brianne LG Dunstan**
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
*Office of Legal Counsel*
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

**9 attachments**

**36GL-22-1905.pdf**
551K

**36GL-22-1904.pdf**
517K

**36GL-22-1907.pdf**
468K

**36GL-22-1906.pdf**
824K

**36GL-22-1909.pdf**
628K

**36GL-22-1908.pdf**
637K

**36GL-22-1910.pdf**
473K

**36GL-22-1911.pdf**
461K

**36GL-22-1903.pdf**
1945K

**Speaker Therese M. Terlaje <speaker@guamlegislature.org>**

# Statements regarding Legislative bills passed on: April 1, 2022

**Brianne LG Dunstan** <brianne.dunstan@guam.gov> Tue, Apr 12, 2022 at 9:45 AM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, "Geraldine A. Cepeda" <gcepeda@guamcourts.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, "Lisa C. Ibanez" <libanez@guamcourts.gov>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, lester.carlson@bbmr.guam.gov, BERTHA <bertha.duenas@guam.gov>, "Eliza G. Dames (Chamber)" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf (Chamber)" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda (Chamber)" <josephine.cepeda@guam.gov>, "Kathleen C. Cepeda (COS)" <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, "Jessica Cruz (CF)" <jessica.cruz@guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, "Michael D. Weakley" <michael.weakley@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>

*Hafa Adai* Madame Speaker,

Enclosed are copies of statements dated April 11, 2022, from the *Honorable,* Lourdes A. Leon Guerrero, regarding the following nine (9) bills:

- **BILL NO. 169-36 (LS) nka P.L. No. 36-89** - An Act to Amend Appendix A, Appendix B, Appendix C, Appendix D, and Appendix E, All of Chapter 67, Title 9, Guam Code Annotated, Relative to Updating the List of Scheduled Controlled Substances Provided in the Guam Uniform Controlled Substances Act
- **BILL NO. 247-36 (COR) nka P.L. No. 36-90** - An Act to Amend §§ 53101(d) and 53102, and to Add a New § 53109, All of Chapter 53, Title 11, Guam Code Annotated, Relative to Transferring the Authority to Implement the Guam Able Savings Program from the Department of Revenue and Taxation to the Department of Administration, and Authorizing the Governor to Identify and Transfer Up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to Implement the Program
- **SUBSTITUTE BILL NO. 213-36 (COR) nka P.L. No. 36-91** - An Act to Add New Subsections (a) and (b) to § 8119 of Article 1, Chapter 8, Title 12, Guam Code Annotated, Relative to Establishing an Exemption to the Guam Power Authority for the Construction of New Forty-One (41) Megawatt Ultra-Low Sulfur Diesel Units on Lots 261 and 257, U.S. Navy Apra Harbor Reservation, and be Required to Comply with the Air Quality and Emissions Limitations Contained in the U.S. Environmental Protection Agency Clean Air Act of 1990

- **BILL NO. 224-36 (COR) nka P.L No. 36-92** - An Act to Repeal Chapter 19, Division 3 of Title 30, Guam Administrative Rules and Regulations; and to Add a New Chapter 2 to Title 12, Guam Administrative Rules and Regulations, Relative to Clarifying Insurance Continuing Education
- **SUBSTITUTE BILL NO. 41-36 (COR) nka P.L. No. 36-93** - An Act to Amend § 4210 of Article 2, Chapter 4, Title 19, Guam Code Annotated, Relative to Expediting Social Studies for Adoptions
- **BILL NO. 68-36 (COR) nka P.L. No. 36-94** – An Act to Amend §§ 88103 and 88104, and to Add a New § 88103.1, All of Chapter 88, Title 5, Guam Code Annotated, Relative to Adding Youth Representation to I Kumision I Fino' CHamoru Yan I Fina'na'guen I Historia Yan I Lina'la' I Taotao Tano' (The Commission on CHamoru Language and the Teaching of the History and Culture of the Indigenous People of Guam), and Prohibiting Double Representation on I Kumision; and to Cite this Act as the "Mahoben Para I Fino'ta Act"
- **SUBSTITUTE BILL NO. 236-36 (COR) VETO** - An Act to Amend § 5213 of Subarticle B, Article 3, Chapter 5, Title 5, Guam Code Annotated, Relative to Strengthening the Requirements of Small Purchases
- **BILL NO. 123-36 (COR) VETO** - An Act to Amend § 2108 of Chapter 2, Title 4, Guam Code Annotated, Relative to Requiring Employees Who Resign from Government of Guam Employment to Submit to Drug Testing to Retain Re-Employment Rights if said Resignation was Tendered Subsequent to the Employer's Announcement of Drug Testing
- **BILL NO. 239-36 (COR) VETO** - An Act to Add a New § 76206 to Article 2 of Chapter 76, Division 3, Title 11, Guam Code Annotated; and to Add a New § 13510 to Article 5 of Chapter 13, Title 19, Guam Code Annotated, Relative to Business License Requirements for Entities Engaging in Child Replacement Services

The original statements and bills will be delivered to your office today.

Respectfully,
--

**Brianne LG Dunstan**
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
*Office of Legal Counsel*
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

Doc Type: 36GL-22-1903-1911
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

04-12 2022

Time: 9:46 a.m.
Received:

COMMITTEE ON RULES
RECEIVED:
April 13, 2022
9:46 A.M.

**9 attachments**

- **Bill No. 247-36 (COR) nka P.L. 36-90.pdf** 169K — 36GL-22-1904
- **Sub. Bill No. 213-36 (COR) nka P.L. 36-91.pdf** 187K — 36GL-22-1905
- **Bill No. 224-36 (COR) nka P.L. 36-92.pdf** 314K — 36GL-22-1906
- **Sub. Bill No. 41-36 (COR) nka P.L. 36-93.pdf** 144K — 36GL-22-1907
- **Bill No. 68-36 (COR) nka P.L. 36-94.pdf** 226K — 36GL-22-1908
- **Sub. Bill No. 236-36 (COR) _VETO.pdf** 225K — 36GL-22-1909
- **Bill No. 123-36 (COR)_VETO.pdf** 148K — 36GL-22-1910
- **Bill No. 239-36 (COR)_VETO.pdf** 135K — 36GL-22-1911
- **Bill No. 169-36 (LS) nka P.L. 36-89.pdf** 853K — 36GL-22-1903

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

April 11, 2022

**HONORABLE THERESE M. TERLAJE**, *Speaker*
*I Mina'trentai Sais Na Liheslaturan Guåhan*
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

**Re:** **BILL NO. 247-36 (COR) – AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM**

*Hafa Adai* Madame Speaker,

Today, I sign Bill No. 247-36 into law as ***Public Law 36-90***. In 2014, Congress signed into law the *Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014* (ABLE Act), which establishes tax-advantaged savings accounts that eligible individuals can use to pay for qualified disability expenses. Pursuant to the ABLE Act, states establish ABLE programs through which eligible individuals can open ABLE accounts. Accordingly, in 2018, the Guam Legislature established the "Guam ABLE Savings Program" to provide savings accounts that empower families and people with eligible disabilities to support and save for their everyday needs. However, the prior Guam legislation presented challenges in implementing the Guam ABLE Savings Program because it identified Guam's Department of Revenue and Taxation (DRT) as the administering agency. This presents conflicts relating to DRT actions in seeking proposals for banking services, due to DRT being the agency regulating the banking industry.

To address those conflicts, this legislation authorizes Guam's Department of Administration (DOA) to implement the program, no later than October 1, 2022. Furthermore, I am authorized, per this legislation, to transfer $250,000 from the General Fund to the DOA for the program's implementation. As such, my Administration will execute the necessary work to ensure our families get the additional support they need to empower their loved ones with disabilities to save and invest in their future.

*Senseremente,*

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

Enclosure: Bill No. 247-36 (COR) *nka P.L. No. 36-90*

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*
**2022 (SECOND) Regular Session**

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

This is to certify that **Bill No. 247-36 (COR), "AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM,"** was on the 1st day of April 2022, duly and regularly passed.

Therese M. Terlaje
**Therese M. Terlaje**
**Speaker**

Attested:
Amanda Shelton
**Amanda L. Shelton**
**Legislative Secretary**

---

This Act was received by *I Maga'hågan Guåhan* this 1 day of April, 2022, at 9:39 o'clock P.M.

POS C C Chong
Assistant Staff Officer
*Maga'håga's* Office

APPROVED:
Lourdes A. Leon Guerrero
*I Maga'hågan Guåhan*

Date: 4/11/2022

Public Law No. 36-90

2022-1691
RCVD AT CENTRAL FILE
APR 4'22 AM8:57
Evelyn Fejeran

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*
**2022 (SECOND) Regular Session**

**Bill No. 247-36 (COR)**
As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the Floor.

Introduced by: James C. Moylan
Joe S. San Agustin
Amanda L. Shelton
Christopher M. Dueñas
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that Public Law 34-144, which was enacted on December 12, 2018, established the

Guam ABLE Savings Program. The statute, which was authored by former Senator Dennis Rodriguez, Jr. and Senator Joe S. San Agustin, was intended to assist individuals with a disability and their families through a tax-exempt savings program. Unfortunately, due to several hurdles, the Guam "Achieving a Better Life Experience" (ABLE) Act, has yet to be implemented.

One of the concerns raised was the appropriate entity to manage this program. Public Law 34-144 identified the Department of Revenue and Taxation (DRT) as the lead agency. However, because one of DRT's objectives is to regulate banking, it would be conflicting for the agency to seek proposals for banking services, as required pursuant to Public Law 34-144. Other U.S. states utilize their treasury entities for their ABLE Savings Program; hence, it would only be appropriate to transfer the authority of the Guam program to the Department of Administration.

Further, to implement the program, the entity would need some funding for various purposes, inclusive of hiring a Program Manager, and seeking consultants. This Act authorizes *I Maga'hågan Guåhan* (the Governor of Guam) to identify and transfer up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to the Department of Administration, which would be a transfer authority above what was afforded in Public Law 36-54 (FY 2022 Budget Act), and this would provide *I Maga'hågan Guåhan* with some flexibility in identifying the needed monies to get the program initiated.

**Section 2.** § 53101(d) of Chapter 53, Title 11, Guam Code Annotated, is hereby *amended* to read as follows:

"(d) *Director* means the Director of the Guam Department of Administration."

**Section 3.** § 53102 of Chapter 53, Title 11, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 53102. Guam ABLE Savings Program; Establishment.**

The Director shall establish the Guam ABLE Savings Program to provide for or facilitate individual savings accounts that empower individuals with a disability and their families to save private funds to support an individual with a disability. The Program shall be able to accept contributions to ABLE savings accounts opened pursuant to this Chapter, no later than October 1, 2022."

**Section 4.** A new § 53109 is hereby *added* to Chapter 53, Title 11, Guam Code Annotated, to read as follows:

"**§ 53109. Authorization to Identify and Transfer Funds for the Implementation of the Guam ABLE Savings Program.**

Notwithstanding any other provision of law, rule, or regulation to the contrary, *I Maga'hågan Guåhan* is hereby authorized to identify and transfer up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to the Department of Administration to assist in the implementation of the Guam ABLE Savings Program pursuant to this Chapter. The funds shall be used for, but are not limited to, the following purposes:

(a) engaging the services of consultants to assist in launching the program;

(b) engaging and hiring a Program Manager for the purposes of managing the Guam ABLE Savings Program; and

(c) to assist with associated start-up fees and overhead.

Notwithstanding any other provision of law, rule, or regulation to the contrary, the transfer authority authorized by this Section is in addition to the transfer authority provided under Public Law 36-54."

**Section 5. Severability.** If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall 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.

**Section 6. Effective Date.** This Act shall be effective upon enactment.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Doc Type: 36GL-22-1904
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

April 11, 2022

**HONORABLE THERESE M. TERLAJE**, *Speaker*
*I Mina'trentai Sais Na Liheslaturan Guåhan*
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

04-12 2022
Time: 11:31 a.m.
Received:

**Re:** **BILL NO. 247-36 (COR) – AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM**

*Hafa Adai* Madame Speaker,

Today, I sign Bill No. 247-36 into law as ***Public Law 36-90***. In 2014, Congress signed into law the *Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014* (ABLE Act), which establishes tax-advantaged savings accounts that eligible individuals can use to pay for qualified disability expenses. Pursuant to the ABLE Act, states establish ABLE programs through which eligible individuals can open ABLE accounts. Accordingly, in 2018, the Guam Legislature established the "Guam ABLE Savings Program" to provide savings accounts that empower families and people with eligible disabilities to support and save for their everyday needs. However, the prior Guam legislation presented challenges in implementing the Guam ABLE Savings Program because it identified Guam's Department of Revenue and Taxation (DRT) as the administering agency. This presents conflicts relating to DRT actions in seeking proposals for banking services, due to DRT being the agency regulating the banking industry.

To address those conflicts, this legislation authorizes Guam's Department of Administration (DOA) to implement the program, no later than October 1, 2022. Furthermore, I am authorized, per this legislation, to transfer $250,000 from the General Fund to the DOA for the program's implementation. As such, my Administration will execute the necessary work to ensure our families get the additional support they need to empower their loved ones with disabilities to save and invest in their future.

*Senseremente,*

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

**COMMITTEE ON RULES**
**RECEIVED:**
April 13, 2022
9:46 A.M.

Enclosure: Bill No. 247-36 (COR) *nka P.L. No. 36-90*

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*
**2022 (SECOND) Regular Session**

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

This is to certify that **Bill No. 247-36 (COR), "AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM,"** was on the 1st day of April 2022, duly and regularly passed.

Therese M. Terlaje
**Therese M. Terlaje**
**Speaker**

Attested:

Amanda Shelton
**Amanda L. Shelton**
**Legislative Secretary**

---

This Act was received by *I Maga'hågan Guåhan* this 1 day of April, 2022, at 9:39 o'clock P.M.

POS C C Chong
Assistant Staff Officer
*Maga'håga's* Office

APPROVED:

Lou Leon Guerrero
Lourdes A. Leon Guerrero
*I Maga'hågan Guåhan*

Date: 4/11/2022

Public Law No. 36-90

2022-1691
RCVD AT CENTRAL FILES
APR 4'22 AM8:57
Evelyn Fejeran

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*
**2022 (SECOND) Regular Session**

**Bill No. 247-36 (COR)**
As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the Floor.

Introduced by: James C. Moylan
Joe S. San Agustin
Amanda L. Shelton
Christopher M. Dueñas
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO *AMEND* §§ 53101(d) AND 53102, AND TO *ADD* A NEW § 53109, ALL OF CHAPTER 53, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TRANSFERRING THE AUTHORITY TO IMPLEMENT THE GUAM ABLE SAVINGS PROGRAM FROM THE DEPARTMENT OF REVENUE AND TAXATION TO THE DEPARTMENT OF ADMINISTRATION, AND AUTHORIZING THE GOVERNOR TO IDENTIFY AND TRANSFER UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000) FROM THE GENERAL FUND TO IMPLEMENT THE PROGRAM.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that Public Law 34-144, which was enacted on December 12, 2018, established the

Guam ABLE Savings Program. The statute, which was authored by former Senator Dennis Rodriguez, Jr. and Senator Joe S. San Agustin, was intended to assist individuals with a disability and their families through a tax-exempt savings program. Unfortunately, due to several hurdles, the Guam "Achieving a Better Life Experience" (ABLE) Act, has yet to be implemented.

One of the concerns raised was the appropriate entity to manage this program. Public Law 34-144 identified the Department of Revenue and Taxation (DRT) as the lead agency. However, because one of DRT's objectives is to regulate banking, it would be conflicting for the agency to seek proposals for banking services, as required pursuant to Public Law 34-144. Other U.S. states utilize their treasury entities for their ABLE Savings Program; hence, it would only be appropriate to transfer the authority of the Guam program to the Department of Administration.

Further, to implement the program, the entity would need some funding for various purposes, inclusive of hiring a Program Manager, and seeking consultants. This Act authorizes *I Maga'hågan Guåhan* (the Governor of Guam) to identify and transfer up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to the Department of Administration, which would be a transfer authority above what was afforded in Public Law 36-54 (FY 2022 Budget Act), and this would provide *I Maga'hågan Guåhan* with some flexibility in identifying the needed monies to get the program initiated.

**Section 2.** § 53101(d) of Chapter 53, Title 11, Guam Code Annotated, is hereby *amended* to read as follows:

"(d) *Director* means the Director of the Guam Department of Administration."

**Section 3.** § 53102 of Chapter 53, Title 11, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 53102. Guam ABLE Savings Program; Establishment.**

The Director shall establish the Guam ABLE Savings Program to provide for or facilitate individual savings accounts that empower individuals with a disability and their families to save private funds to support an individual with a disability. The Program shall be able to accept contributions to ABLE savings accounts opened pursuant to this Chapter, no later than October 1, 2022."

**Section 4.** A new § 53109 is hereby *added* to Chapter 53, Title 11, Guam Code Annotated, to read as follows:

"**§ 53109. Authorization to Identify and Transfer Funds for the Implementation of the Guam ABLE Savings Program.**

Notwithstanding any other provision of law, rule, or regulation to the contrary, *I Maga'hågan Guåhan* is hereby authorized to identify and transfer up to Two Hundred Fifty Thousand Dollars ($250,000) from the General Fund to the Department of Administration to assist in the implementation of the Guam ABLE Savings Program pursuant to this Chapter. The funds shall be used for, but are not limited to, the following purposes:

(a) engaging the services of consultants to assist in launching the program;

(b) engaging and hiring a Program Manager for the purposes of managing the Guam ABLE Savings Program; and

(c) to assist with associated start-up fees and overhead.

Notwithstanding any other provision of law, rule, or regulation to the contrary, the transfer authority authorized by this Section is in addition to the transfer authority provided under Public Law 36-54."

**Section 5. Severability.** If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall 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.

**Section 6. Effective Date.** This Act shall be effective upon enactment.