

I Mina'trentai Sais 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 |
|--|--|--|------------------------|--------------------|---|----------------------|---|---------------------------------|-------|
| 75-36 (COR) As substituted by the Committee on General Government Operations, Appropriations, and Housing. | James C. Moylan V. Anthony Ada Christopher M. Dueñas | AN ACT TO AMEND SECTIONS 2(c), 2(d)(1), 3, 4, 5, AND 6 OF PUBLIC LAW 35-136; AND SECTIONS 1(d), 2(a), 2(b), 4, 5, AND 6 OF THE "EXHIBIT A" OF PUBLIC LAW 35-136, AND TO REPEAL SECTION 2(d)(2) OF PUBLIC LAW 35-136, RELATIVE TO AMENDING PROVISIONS OF THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) PROGRAM OF 2021, INCLUDING INCREASING THE AMOUNT OF THE BENEFIT, REMOVING CERTAIN REQUIREMENTS TO APPLY, AMENDING THE AUTHORIZED BUDGET, AND EXTENDING THE DEADLINE FOR THE PAYOUT BY SIX (6) MONTHS. | 3/12/21 8:27 a.m. | 3/17/21 | Committee on General Government Operations, Appropriations, and Housing | 7/28/21 9:00 a.m. | 8/6/21 11:13 a.m. | Request: 3/18/21 3/19/21 | |
| | SESSION DATE | TITLE | DATE PASSED | TRANSMITTED | DUE DATE | VETOED | NOTES | | |
| | 8/2/21 | AN ACT TO AMEND SECTIONS 2(c), 2(d)(1), 3, 4, 5, AND 6, AND REPEAL SECTION 2(d)(2) OF PUBLIC LAW 35-136; AND AMEND SECTIONS 1(d), 4, 5, 6, AND 8 OF "EXHIBIT A" OF PUBLIC LAW 35-136, RELATIVE TO AMENDING PROVISIONS OF THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, TO INCLUDE INCREASING THE AMOUNT OF THE PAYMENT, REMOVING CERTAIN ELIGIBILITY REQUIREMENTS, AMENDING THE AUTHORIZED BUDGET, AND EXTENDING THE DEADLINE FOR THE PAYOUT BY SIX (6) MONTHS. | 8/6/21 | 8/7/21 | 8/19/21 | 8/16/21 | Received: 8/19/21 Mess and Comm. Doc. No. 36GL-21-0988 | | |
| | SESSION DATE | | DATE OVERRIDDEN | TRANSMITTED | PUBLIC LAW NO. | DATE ASSIGNED | NOTES | | |
| | 8/2/21 | | 8/31/21 | 8/31/21 | 36-53 | 9/2/21 | Received: 9/2/21 Mess and Comm. Doc. No. 36GL-21-1035 | | |

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

September 2, 2021

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

Doc Type: 36GL-21-1035
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
-09- 02 2021
Time: 5:15pm
Received: [Signature]

RE: **OVERRIDE of Substitute Bill No. 75-36 (COR)**

Hafa Adai Madame Speaker:

Enclosed is Substitute Bill No. 75-36 (COR) "AN ACT TO AMEND SECTIONS 2(c), 2(d)(1), 3, 4, 5, AND 6 AND REPEAL SECTION 2(d)(2) OF PUBLIC LAW 35-136; AND AMEND SECTIONS 1(d), 4, 5, 6 AND 8 OF "EXHIBIT A" OF PUBLIC LAW 35-136, RELATIVE TO AMENDING PROVISIONS OF THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, TO INCLUDE INCREASING THE AMOUNT OF THE PAYMENT, REMOVING CERTAIN ELIGIBILITY REQUIREMENTS, AMENDING THE AUTHORIZED BUDGET, AND EXTENDING THE DEADLINE FOR THE PAYOUT BY SIX (6) MONTHS which is *now known as Public Law No. 36-53*.

Senseremente,

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure: Override of Substitute Bill No. 75-36 (COR) nka P.L. 36-53

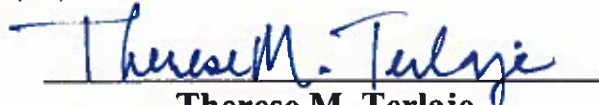
cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Compiler of Law

COMMITTEE ON RULES
RECEIVED:
September 3, 2021
8:00 A.M.


I MINA'TRENTAI SAIS NA LIHESLATURAN GUĀHAN
2021 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HĀGAN GUĀHAN*


This is to certify that Substitute Bill No. 75-36 (COR), "AN ACT TO AMEND SECTIONS 2(c), 2(d)(1), 3, 4, 5, AND 6, AND REPEAL SECTION 2(d)(2) OF PUBLIC LAW 35-136; AND AMEND SECTIONS 1(d), 4, 5, 6, AND 8 OF "EXHIBIT A" OF PUBLIC LAW 35-136, RELATIVE TO AMENDING PROVISIONS OF THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, TO INCLUDE INCREASING THE AMOUNT OF THE PAYMENT, REMOVING CERTAIN ELIGIBILITY REQUIREMENTS, AMENDING THE AUTHORIZED BUDGET, AND EXTENDING THE DEADLINE FOR THE PAYOUT BY SIX (6) MONTHS," was reconsidered by *I Liheslaturan Guāhan* and after such consideration, did agree, on the 31st day of August 2021, to pass said bill notwithstanding the veto of *I Maga'hāgan Guāhan* by a vote of thirteen (13) members.


Therese M. Terlaje
Speaker

Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hāgan Guāhan* this 31 day of Aug, 2021,
at 11:13 o'clock P.m.


Assistant Staff Officer
Maga'hāgan's Office

Public Law No. 36-53

2021-14531
RCUD AT CENTRAL FILES
SEP 1 '21 AM9:34

Evelyn Fejeran

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 75-36 (COR)

As substituted by the Committee on General Government Operations,
Appropriations, and Housing.

Introduced by:

James C. Moylan
V. Anthony Ada
Christopher M. Dueñas
Frank Blas Jr.
Joanne Brown
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
Mary Camacho Torres

AN ACT TO AMEND SECTIONS 2(c), 2(d)(1), 3, 4, 5, AND 6, AND REPEAL SECTION 2(d)(2) OF PUBLIC LAW 35-136; AND AMEND SECTIONS 1(d), 4, 5, 6, AND 8 OF "EXHIBIT A" OF PUBLIC LAW 35-136, RELATIVE TO AMENDING PROVISIONS OF THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, TO INCLUDE INCREASING THE AMOUNT OF THE PAYMENT, REMOVING CERTAIN ELIGIBILITY REQUIREMENTS, AMENDING THE AUTHORIZED BUDGET, AND EXTENDING THE DEADLINE FOR THE PAYOUT BY SIX (6) MONTHS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Governor Lou Leon Guerrero allowed Bill No. 340-35 (COR), the *Recovery*
4 *Income Support and Empowerment (RISE) Act of 2020*, to lapse into law as Public

1 Law 35-136 on December 29, 2020. The measure proposed a one (1)-time payment
2 of Eight Hundred Dollars (\$800) for eligible individuals and One Thousand Six
3 Hundred Dollars (\$1,600) for those filing joint returns, with specific eligibility
4 requirements in place. While funding options were noted in the legislation, no plan
5 of action was provided by the administration on if, or even when, the payouts would
6 take place as the new law stipulated.

7 Many qualified island residents have been waiting for the funds from the RISE
8 Act for months and, unfortunately, have yet to hear back from the administration on
9 any timelines. Bill No. 340-35(COR), introduced by former Senator Regine Biscoe-
10 Lee, was intended to help eligible families address critical needs. With a new federal
11 relief program providing adequate funding for Guam, the payout assistance from
12 P.L. 35-136 may finally be disbursed; however, because of the Government’s failure
13 to provide adequate information and timelines for qualified recipients, it is only
14 proper to provide a moderate increase in the payout to provide families with the
15 additional support.

16 The payout from the RISE Act would provide a much-needed economic
17 infusion for the island, and even if fifty percent (50%) of the funds are expended at
18 island businesses, nearly Nineteen Million Dollars (\$19,000,000) would circulate
19 within Guam’s economy. This would equate to a new tax base, along with additional
20 displaced employees being called back to work.

21 **Section 2.** Section 2(c) of Public Law 35-136 is hereby *amended* to read as
22 follows:

23 “(c) In the case of an eligible individual, there shall be allowed a one-
24 time payment up to the sum of One Thousand Dollars (\$1,000). In the case
25 of eligible individuals filing a joint return, there shall be allowed a one-time
26 payment up to the sum of Two Thousand Dollars (\$2,000), subject to Section
27 2(d)(1) of this Act.”

1 **Section 3.** Section 2(d)(1) of Public Law 35-136 is hereby *amended* to read
2 as follows:

3 “(d) Eligibility of RISE Program. Eligible individuals, to include
4 eligible individuals filing a joint return, are those Guam taxpayers who filed
5 returns in the tax year 2020. Such returns must be deemed validly filed and
6 processed by the Department of Revenue and Taxation.

7 (1) For purposes of this Section, the term eligible individual
8 means any individual other than:

- 9 (A) a nonresident alien individual;
- 10 (B) a deceased individual; or
- 11 (C) an estate or trust.”

12 **Section 4.** Section 2(d)(2) of Public Law 35-136 is hereby *repealed*.

13 **Section 5.** Section 3 of Public Law 35-136 is hereby *amended* to read as
14 follows:

15 “**Section 3. Implementation.** Upon enactment of this Act, the
16 Department of Revenue and Taxation shall implement the Program.”

17 **Section 6.** Section 4 of Public Law 35-136 is hereby *amended* to read as
18 follows:

19 “**Section 4. Delivery of Payments.** Notwithstanding any other
20 provision of law, or rule or regulation, the Director shall certify and disburse
21 payments pursuant to this Act. No payment shall be made or allowed under
22 this Act after June 30, 2022.”

23 **Section 7.** Section 5 of Public Law 35-136 is hereby *amended* to read as
24 follows:

25 “**Section 5. Funding.** Notwithstanding any other provision of law, or
26 rule or regulation, *I Maga'hågan Guåhan* is authorized to transfer up to the
27 amount needed to pay all qualified applicants pursuant to the requirements set

1 forth in this Act, plus any additional amount needed for administrative costs,
2 to the Department of Revenue and Taxation, for the purposes of this Act, as
3 may be available from the following:

4 (a) Fiscal Year 2021 General Fund appropriations; and

5 (b) any federal appropriations that can be used for the
6 purposes of this Act.

7 No local funds may be used for this Program as long as federal funds
8 that can be used for the purposes of this Act are available to encumber,
9 obligate, or expend. Any funds transferred pursuant to this Act shall only be
10 used for the purposes of this Act. Payments under this Act shall be required
11 only if payments can be funded under a federal coronavirus relief package or
12 such other federal funds as are appropriate and lawful.”

13 **Section 8.** Section 6 of Public Law 35-136 is hereby *amended* to read as
14 follows:

15 “**Section 6. Reporting.** Sixty (60) days from the implementation of
16 the Program, the Department of Revenue and Taxation and the Department of
17 Administration shall submit a report to the Speaker of *I Liheslaturan Guåhan*,
18 which shall include the cumulative amount of payments made under the
19 Recovery Income Support and Empowerment (RISE) Program, and the total
20 administrative costs to facilitate this Act. Following the initial report, the
21 Department of Revenue and Taxation and the Department of Administration
22 shall continue to provide reports to the Speaker of *I Liheslaturan Guåhan*,
23 pursuant to this Section every thirty (30) days until June 30, 2022.”

24 **Section 9.** Section 1(d) of the “Exhibit A” Rules and Regulations of Public
25 Law 35-136 is hereby *amended* to read as follows:

26 “(d) an individual other than:

27 (1) a nonresident alien individual;

1 (2) a deceased individual; or

2 (3) an estate or trust.”

3 **Section 10.** Section 4 of the “Exhibit A” Rules and Regulations of Public Law
4 35-136 is hereby *amended* to read as follows:

5 “**Section 4. Filing a Claim for Payment.** Eligible individuals must
6 register at the website specified by the Department of Revenue and Taxation
7 to fill out and submit the application online, along with the required
8 documents pursuant to Section 5, or must file an application and submit the
9 required documents in such other form as prescribed by the Director. The
10 Department of Revenue and Taxation shall continue to accept applications for
11 the *RISE Act of 2020*, pursuant to Public Law 35-136, for up to six (6) months
12 from the implementation date of the Program.”

13 **Section 11.** Section 5 of the “Exhibit A” Rules and Regulations of Public Law
14 35-136 is hereby *amended* to read as follows:

15 “**Section 5. Required Documents.** The following documentation
16 must be submitted to qualify for payment under the Program. Additional
17 documentation may be required, as deemed necessary, upon verification of
18 the documentation listed in this Section. These documents shall be subject to
19 review and verification. Applications will be processed, on a first-in, first-out
20 basis, only when they are completed, including all required documents.

21 (a) Completed Form 8821, *Tax information Authorization*, to
22 authorize the Department of Revenue and Taxation to inspect and
23 receive Guam Form 1040 Individual Income Tax Return and return
24 information for tax years 2020 and 2019 submitted by individuals, for
25 the purpose of administering the Program;

26 (b) Copy of Form SSA-1099 or Form RRB-1099, *Social*
27 *Security Benefit Statement*, for calendar year 2020, if an individual is

1 an SSB recipient who is not required to file tax return for tax years 2020
2 or 2019;

3 (c) Social security card number(s) for individuals; and

4 (d) Application for RISE Program.”

5 **Section 12.** Section 6 of the “Exhibit A” Rules and Regulations of Public Law
6 35-136 is hereby *amended* to read as follows:

7 “**Section 6. Payment Amount.** A one-time payment of One Thousand
8 Dollars (\$1,000) shall be allowed for each eligible individual; and Two
9 Thousand Dollars (\$2,000) in the case of eligible individuals filing a joint
10 return.”

11 **Section 13.** Section 8 of the “Exhibit A” Rules and Regulations of Public Law
12 35-136 is hereby *amended* to read as follows:

13 “**Section 8. Funding.** The maximum amount allowed to be paid under
14 the Program, not including administrative costs, shall be based on the total of
15 all qualified applicants who apply within the timelines pursuant to the *RISE*
16 *Act of 2020.*”

17 **Section 14. Severability.** If any provision of this Act or its application to any
18 person or circumstance is found to be invalid or contrary to law, such invalidity shall
19 not affect other provisions or applications of this Act that can be given effect without
20 the invalid provision or application, and to this end the provisions of this Act are
21 severable.

22 **Section 15. Effective Date.** This Act shall be effective upon enactment.