

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
152-36 (COR) As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the Floor.	Telo T. Taitague Sabina Flores Perez Joanne Brown Joe S. San Agustin	AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL ENABLING LEGISLATION OF SUCH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO OPA REPORT NO. 19-02.	6/16/21 1:00 p.m.	6/18/21	Committee on General Government Operations, Appropriations, and Housing	7/29/21 9:00 a.m.	10/11/21 9:32 a.m.	Request: 6/21/21 6/25/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	12/6/21	AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL ENABLING LEGISLATION OF EACH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND CONTAINED HEREIN, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO OPA REPORT NO. 19-02.	12/15/21	12/15/21	12/27/21	36-71	12/27/21	Received: 12/28/21 Mess and Comm. Doc. No. 36GL-21-1460	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

December 27, 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

Re: SUBSTITUTE BILL NO. 152-36 (COR) – An Act to Close Inactive Government of Guam Special Fund Accounts, and to *Repeal* Enabling Legislation of Each Inactive Government of Guam Special Fund Contained Herein, as Recommended by the Office of Public Accountability (OPA) Pursuant to OPA Report No. 19-02

Dear Madame Speaker,

For years, numerous Special Revenue Funds (“SRFs”) have existed as dormant or inactive at the Department of Administration. Generally, an SRF is defined as a government-established account that collects money for a specific project. Some SRFs have sat dormant for over half a decade, whereas many have sat as inactive. Currently, our government is managing over 80 dormant or inactive SRFs. At least 25 of these dormant or inactive accounts exist with less than one dollar balance. According to the OPA Report No. 19-02, the management of these SRFs may cause inflexibility and complexity in budgeting, accounting, monitoring, and financial management. To tackle these issues, the Office of the Public Auditor recommends closing several of these accounts. Furthermore, to advance the purpose of effective financial management, the Chief Advisor on Fiscal Discipline agrees that closing inactive or dormant SRFs is in the public's best interest. Substitute Bill No. 152-36 is now known as ***Public Law 36-71***.

Senseremente,


LOURDES A. LEON GUERRERO

Maga'hāgan Guåhan

Governor of Guam

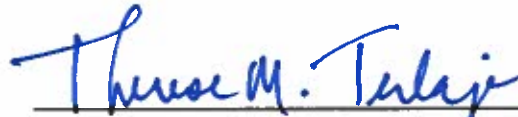
Enclosure: Substitute Bill No. 152-36 (COR) *nka P.L. No. 36-71*

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

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

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

This is to certify that **Substitute Bill No. 152-36 (COR)**, "AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO *REPEAL* ENABLING LEGISLATION OF EACH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND CONTAINED HEREIN, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO OPA REPORT NO. 19-02," was on the 15th day of December 2021, duly and regularly passed.



Therese M. Terlaje
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 15th day of December, 2021, at 6:50 o'clock P.M.



P01 D. Cruz
Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/27/2021

Public Law No. 36-71

RCVD AT CENTRAL FILES
DEC 16 '21 AM 9:28
2021-15262
Elaine Tajalle

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

Bill No. 152-36 (COR)

As amended by the Committee on General Government
Operations, Appropriations, and Housing; and substituted
and further amended on the Floor.

Introduced by:

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

**AN ACT TO CLOSE INACTIVE GOVERNMENT OF
GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL
ENABLING LEGISLATION OF EACH INACTIVE
GOVERNMENT OF GUAM SPECIAL FUND
CONTAINED HEREIN, AS RECOMMENDED BY THE
OFFICE OF PUBLIC ACCOUNTABILITY (OPA)
PURSUANT TO OPA REPORT NO. 19-02.**

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

2 **Section 1.** The accounts for the Government of Guam special funds
3 included in “Exhibit A,” attached hereto for reference, shall be closed, and the

1 sections of the public laws and the Guam Code Annotated contained in Sections 2
2 through 29 of this Act are hereby *repealed*.

3 (a) Any amounts remaining in the accounts for each special fund
4 repealed by this Act shall be deposited into the General Fund prior to closure.
5 Such amounts deposited into the General Fund shall be subject to legislative
6 appropriation.

7 (b) All new revenue and previously earmarked revenue for such
8 special funds and their respective accounts shall continue to be collected and
9 deposited into the General Fund for appropriation by *I Liheslaturan Guåhan*.

10 (c) All references within the Guam Code Annotated and the Guam
11 Administrative Rules and Regulations to any special fund repealed under this
12 Act shall have no effect.

13 (d) The Department of Administration shall be responsible for
14 ensuring the timely administration and compliance with the provisions herein,
15 and shall work with pertinent agencies and entities of the Government of
16 Guam whose funds are herein affected.

17 **Section 2.** § 51106 of Chapter 51, Title 17, Guam Code Annotated, is
18 hereby *repealed*.

19 **Section 3.** § 41601 of Chapter 41, Title 17, Guam Code Annotated, is
20 hereby *repealed*.

21 **Section 4.** § 41602 of Chapter 41, Title 17, Guam Code Annotated, is
22 hereby *repealed*.

23 **Section 5.** § 41603 of Chapter 41, Title 17, Guam Code Annotated, is
24 hereby *repealed*.

25 **Section 6.** § 41604 of Chapter 41, Title 17, Guam Code Annotated, is
26 hereby *repealed*.

1 **Section 7.** § 41605 of Chapter 41, Title 17, Guam Code Annotated, is
2 hereby *repealed*.

3 **Section 8.** Subsection (h) of Section 1(A) of Public Law 18-20 is hereby
4 *repealed*.

5 **Section 9.** § 60301 of Chapter 60, Title 5, Guam Code Annotated, is hereby
6 *repealed*.

7 **Section 10.** § 22422 of Chapter 22, Title 5, Guam Code Annotated, is hereby
8 *repealed*.

9 **Section 11.** § 67.414.1 of Chapter 67, Title 9, Guam Code Annotated, is
10 hereby *repealed*.

11 **Section 12.** Section 4 of Public Law 25-01 is hereby *repealed*.

12 **Section 13.** § 3129(c) of Chapter 3, Title 5, Guam Code Annotated, is hereby
13 *repealed*.

14 **Section 14.** Section 32 of Chapter III, Public Law 25-03, is hereby *repealed*.

15 **Section 15.** Section 23 of Chapter III, Public Law 25-72, as repealed and
16 reenacted by Public Law 25-98, is hereby *repealed*.

17 **Section 16.** Section 24 of Chapter III, Public Law 25-72, as repealed and
18 reenacted by Public Law 25-98, is hereby *repealed*.

19 **Section 17.** Section 26 of Chapter V, Public Law 25-164, is hereby *repealed*.

20 **Section 18.** § 61416 of Chapter 61, Title 5, Guam Code Annotated, is hereby
21 *repealed*.

22 **Section 19.** § 18108 of Chapter 18, Title 10, Guam Code Annotated, is
23 hereby *repealed*.

24 **Section 20.** Sections 33(b) and (e) of Chapter IV, Public Law 26-35, are
25 hereby *repealed*.

26 **Section 21.** § 85111 of Chapter 85, Title 5, Guam Code Annotated, is hereby
27 *repealed*.

1 **Section 22.** § 77124 of Chapter 77, Title 21, Guam Code Annotated, is
2 hereby *repealed*.

3 **Section 23.** Section 11 of Public Law 24-333 is hereby *repealed*.

4 **Section 24.** § 51107 of Chapter 51, Title 12, Guam Code Annotated, is
5 hereby *repealed*.

6 **Section 25.** § 4107 of Chapter 4, Title 17, Guam Code Annotated, is hereby
7 *repealed*.

8 **Section 26.** §§ 51A602 and 51A604 of Article 6, Chapter 51A, Title 10,
9 Guam Code Annotated, are hereby *repealed*.

10 **Section 27.** Section 3 of Public Law 27-35 is hereby *repealed*.

11 **Section 28.** § 22425(t)(7) of Chapter 22, Title 5, Guam Code Annotated, is
12 hereby *repealed*.

13 **Section 29.** Sections 3 and 4 of Public Law 24-285 are hereby *repealed*.

14 **Section 30.** Notwithstanding any law, rule, or regulation, the Government of
15 Guam special fund accounts for the Program Development Fund (P.L. 18-
16 20:1(A)(h)), the Law Enforcement Grant Trust Fund, the Agana Fractional Lot
17 Fund-ISF, and the Construction Dededo Precinct/Crime Lab Fund shall be closed
18 and the respective enabling laws, orders, or policies for such special funds are hereby
19 *repealed* and vacated.

20 **Section 31. Effective Date.** This Act shall be effective upon enactment. The
21 Department of Administration shall close the accounts for each Government of
22 Guam special fund repealed under this Act and comply with the provisions contained
23 herein no later than sixty (60) calendar days after the enactment of this Act.

24 **Section 32. Reporting Requirements.** The Department of Administration
25 shall provide a comprehensive written report to the Speaker of *I Liheslaturan*
26 *Guåhan* and *I Maga'hågan Guåhan* on the status and closure of the special fund

1 accounts subject to this Act no later than ninety (90) calendar days after the
2 enactment of this Act.

4 **Section 33. Severability.** If any provision of this Act or its application to any
5 person or circumstance is found to be invalid or contrary to law, such invalidity shall
6 not affect other provisions or applications of this Act that can be given effect without
7 the invalid provision or application, and to this end the provisions of this Act are
8 severable.

“EXHIBIT A”

Fund No.	Fund Name	GCA Citation or Public Law
107	POST Fund	17 GCA § 51106
216	Individuals with Disabilities Disaster Recovery Fund	17 GCA §§ 41601 through 41605
238	Program Development Fund	P.L. 18-20:1(A)(h)
243	Farmer’s and Fishermen’s Small Loan Revolving Fund	5 GCA § 60301
262	Infrastructure Improvement Fund	5 GCA § 22422
264	Drug Treatment and Enforcement Fund	9 GCA § 67.414.1
271	1999 South Pacific Games Revolving Fund	P.L. 25-01:4
274	Komitea Para Tiyan Fund	5 GCA § 3129(c)
277	Firefighters Equipment Replacement Fund	P.L. 25-03:III:32
278	Off-Island Travel Fund	P.L. 25-72:III:24, as repealed and reenacted by P.L. 25-98
280	Overtime Fund	P.L. 25-72:III:23, as repealed and reenacted by P.L. 25-98
286	Utility Bank Fund	P.L. 25-164:V:26
287	Livestock Fund	5 GCA § 61416
290	Barbering and Cosmetology Revolving Fund	10 GCA § 18108
296	Healthcare System Privatization Fund of DPH&SS	P.L. 26-35:IV:33(b) and (e)
305	Off-Island Educational Training and Cultural Enhancement Fund	5 GCA § 85111
308	Law Enforcement Grant Trust Fund	Unverifiable
309	Agana Fractional Lot Fund-ISF	Unverifiable
316	Sports Fund for Off-Island Travel	21 GCA § 77124
331	Puntan Dos Amantes Park Capital Improvement Trust Fund	P.L. 24-333:11
350	Construction Dededo Precinct/Crime Lab Fund	Unverifiable
503	Education Facilities Fund	12 GCA § 51107
606	Lost and Damaged Textbook Fund	17 GCA § 4107
609	Municipal Recycling Proceeds Fund	10 GCA §§ 51A602 and 51A604
610	Community Advancement Fund	P.L. 27-35:3
612	Guam Police Department Loan Fund	5 GCA § 22425(t)(7)
613	Guam Police Department Special Assessments Fund	P.L. 24-285:3, 4