

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
75-37 (LS) As amended by the Committee on General Government Operations and Appropriations	Joe S. San Agustin Tina Rose Muña Barnes Amanda L. Shelton Dwayne T. D. San Nicolas Roy A. B. Quinata William A. Parkinson	AN ACT TO ADD A NEW SECTION 13 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO PROVIDING ASSISTANCE FOR PRIVATE BUSINESSES IN THEIR RECOVERY FROM THE ECONOMIC EFFECTS OF THE COVID-19 PANDEMIC THROUGH A PROGRAM ESTABLISHED BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY.	3/7/23 9:25 a.m.	3/7/23	Committee on General Government Operations and Appropriations	Request: 3/7/23 3/14/23	3/23/23 2:00 p.m.	4/5/23 4:10 p.m.	As amended by the Committee on General Government Operations and Appropriations
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	4/24/23	AN ACT TO ADD A NEW SECTION 13 TO CHAPTER XI OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO PROVIDING ASSISTANCE TO PRIVATE BUSINESSES IN THEIR RECOVERY FROM THE ECONOMIC EFFECTS OF THE COVID-19 PANDEMIC THROUGH A PROGRAM ESTABLISHED BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY.	5/10/23	5/11/23	5/23/23	37-15	5/22/23	Received: 5/22/23 Messages and Communications Doc. No. 37GL-23-0546	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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

Transmitted via email to: speaker@guamlegislature.org

May 22, 2023

HONORABLE THERESE M. TERLAJE, *Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

37GL-23-0546
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

05-22-2023

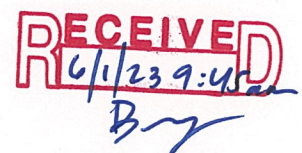
Time: 3:26 pm
Received: *[Signature]*

Re: Bill No. 75-37 (LS) - AN ACT TO ADD A NEW SECTION 13 TO CHAPTER XI OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO PROVIDING ASSISTANCE TO PRIVATE BUSINESSES IN THEIR RECOVERY FROM THE ECONOMIC EFFECTS OF THE COVID-19 PANDEMIC THROUGH A PROGRAM ESTABLISHED BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY

Hafa Adai Madame Speaker,

Without question, the COVID-19 pandemic impacted most sectors of industry on Guam. Though stalwart industries like tourism are steadily recovering, we have not achieved pre-pandemic levels, and many businesses our community relies on still struggle in the wake of COVID-19. Bill 75-37 seeks to provide additional assistance to these businesses through the Local Employers' Assistance Program ("LEAP"), which our Administration established in Executive Order 2021-25. This new infusion of funds will include an appropriation of up to Fifteen Million Dollars (\$15,000,000) of General Fund excess revenues collected above adopted levels for Fiscal Year 2023. I have further agreed to provide an additional Five Million Dollars (\$5,000,000) in American Rescue Plan ("ARP") funds towards businesses that continue to experience the adverse impact of the pandemic.

To date, my Administration has invested nearly \$160 million in ARP funds in direct aid to the people and businesses of Guam to mitigate against the impact of the COVID-19 pandemic. In addition to the original LEAP program, other programs utilizing ARP funding include the COVID-19 Bereavement Grant Program, the ALL RISE program, the GEDA Rent Relief Program, the GPA & GWA Utilities Offsets, the GEDA Economic Diversification Program, and Prugrãman Salãppe'. Our Administration ensured the success of the original LEAP program, dedicating \$25 million in initial ARP funding. Along with \$25 million in additional funding provided by the Legislature in Public Law 36-65, the LEAP program alone provided more than \$60.3 million to 925 businesses.



To: Therese M. Terlaje, *Speaker*, 37th Guam Legislature
Fr: Lourdes A. Leon Guerrero, *Governor of Guam*
Date: May 22, 2023
Re: Bill No. 75-37 (LS) nka P.L. 37-15

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While I am signing Bill 75-37 into law, in support of providing further aid to businesses still recovering from the impact of the COVID-19 pandemic, I must note that the newest Consolidated Revenue and Expenditure Report (“CRER”), issued today, reveals that the Legislature’s practice of appropriating from revenues collected in excess of adopted levels is threatening the stability of our government’s finances. The danger in committing revenues collected in excess of projected levels before the fiscal year actually closes is that it does not take into account unforeseen events that could occur in subsequent months which could result in a decline in collections that will essentially negate the excess collections of previous months.

In fact, the cumulative sum of the appropriations the Legislature has made to date already exceeds the adopted annual General Fund revenue levels and threatens to fast track us into a deficit situation. The CRER shows that the status of excess collections as of April 2023, is insufficient to support all the appropriations the Legislature has passed to date. This practice must end immediately. Our Administration has worked diligently to eliminate our deficit without borrowing, but the Legislature *must* control its spending if we have any hope of maintaining our hard-won fiscal health. Further, though I intend to contribute the \$5 million in ARP funds that I committed, if the excess revenues the Legislature is expecting will fund the new LEAP do not come to fruition, Bill 75-37 will become an underfunded mandate, and our government will *not* be able to meet its commitment to affected businesses. We simply cannot pay out monies we do not have.

As our island faces Typhoon Mawar in the coming days, it is critically important that we commit to a more disciplined approach to our government’s finances. Though I am doing everything in my power to secure federal assistance for anticipated typhoon recovery, the Federal Emergency Management Authority primarily works on a reimbursement basis, and our government will have to pay up front for recovery expenses. With four months left in the fiscal year, conservative spending and specifically refraining from the practice of appropriating against excess collections will be necessary to ensure our government can continue to meet its financial obligations and to prepare for unforeseen events, such as typhoons. Our people count on their leaders to protect and care for them, especially in times of emergency. We cannot afford to let them down when they need it the most.

Noting these reservations, I sign Bill 75-37 into law as ***Public Law No. 37-15***.

Senseremente,


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

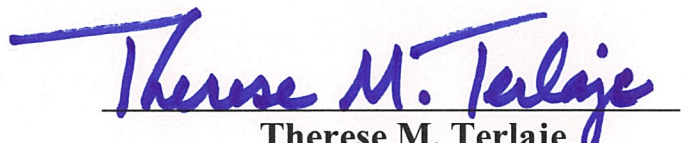
Enclosure: Bill No. 75-37 (LS) *nka P.L. No. 37-15*

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

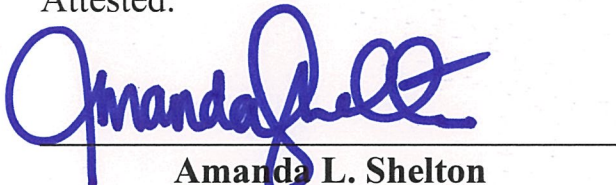
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

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


This is to certify that **Bill No. 75-37 (LS)**, “AN ACT TO ADD A NEW SECTION 13 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO PROVIDING ASSISTANCE TO PRIVATE BUSINESSES IN THEIR RECOVERY FROM THE ECONOMIC EFFECTS OF THE COVID-19 PANDEMIC THROUGH A PROGRAM ESTABLISHED BY THE GUAM ECONOMIC DEVELOPMENT AUTHORITY,” was on the 10th day of May 2023, duly and regularly passed.


Therese M. Terlaje
Speaker

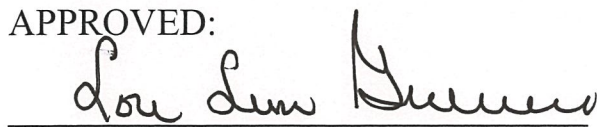
Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 11th day of May,
2023, at 2:35 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 22 MAY 2023

Public Law No. 37-15

Jessica Dydasco
RCVD AT CENTRAL FILE
MAY 11 '23 PM2:38
2023-19272

IMINA'TRENTAISJETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 75-37 (LS)

As amended by the Committee
on General Government Operations
and Appropriations.

Introduced by:

Joe S. San Agustin
Tina Rose Muña Barnes
Amanda L. Shelton
Dwayne T.D. San Nicolas
Roy A.B. Quinata
William A. Parkinson
Chris Barnett
Frank Blas, Jr.
Joanne Brown
Christopher M. Dueñas
Thomas J. Fisher
Jesse A. Lujan
Sabina Flores Perez
Telo T. Taitague
Therese M. Terlaje

**AN ACT TO ADD A NEW SECTION 13 TO CHAPTER
XI OF PUBLIC LAW 36-107 (GENERAL
APPROPRIATIONS ACT OF 2023), RELATIVE TO
PROVIDING ASSISTANCE TO PRIVATE
BUSINESSES IN THEIR RECOVERY FROM THE
ECONOMIC EFFECTS OF THE COVID-19
PANDEMIC THROUGH A PROGRAM ESTABLISHED
BY THE GUAM ECONOMIC DEVELOPMENT
AUTHORITY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that many of Guam's businesses in the restaurant and tourism industry are still

1 struggling to recover from the effects of the COVID-19 pandemic. Industry
2 professionals are seeking reprieve to assist their businesses to keep their doors open
3 and their employees working to support their families.

4 *I Liheslaturan Guåhan* further finds that a commitment from *I Maga'hågan*
5 *Guåhan* to utilize Five Million Dollars (\$5,000,000) available to her through the
6 American Rescue Plan funds will strengthen the government's support of these
7 businesses.

8 *I Liheslaturan Guåhan* further finds that the General Fund of the government
9 of Guam has achieved revenue collections in excess of projected levels for the First
10 Quarter of Fiscal Year 2023 and intends to utilize part of such revenues to fund this
11 program.

12 Therefore, it is the intent of *I Liheslaturan Guåhan* to appropriate up to the
13 sum of Fifteen Million Dollars (\$15,000,000) to the Department of Administration
14 to provide support to qualifying businesses in a program established by the Guam
15 Economic Development Authority similar to the Local Employers' Assistance
16 Program (Public Law 36-65), for a total funding of Twenty Million Dollars
17 (\$20,000,000).

18 **Section 2.** A new Section 13 is hereby *added* to Chapter XI (Miscellaneous
19 Appropriations) of Public Law 36-107 (the General Appropriations Act of 2023) to
20 read as follows:

21 **“Section 13. Appropriation to Department of Administration.**

22 (a) The sum of up to Fifteen Million Dollars (\$15,000,000)
23 from the General Fund excess revenues collected above the adopted
24 levels for Fiscal Year 2023 is hereby appropriated to the Department
25 of Administration for the purpose of funding a program established by
26 the Guam Economic Development Authority to support qualifying
27 businesses on Guam. Notwithstanding any other provision of law, rule,

1 or regulation, the appropriated sum of up to Fifteen Million Dollars
2 (\$15,000,000) set forth in this Section shall be immediately transferred
3 to the Department of Administration as soon as such funds become
4 available for the purpose of funding the program established by GEDA
5 to support qualifying businesses on Guam.

6 (1) The Department of Administration and the Guam
7 Economic Development Authority are authorized to establish an
8 assistance program to support businesses on Guam who continue
9 to experience the effects of the COVID-19 pandemic. These
10 entities may utilize the Local Employers' Assistance Program as
11 the guidelines for the assistance program or may adopt new
12 program guidelines. The Guam Economic Development
13 Authority shall publish reports on its website on a monthly basis
14 until such funds are fully expended and awarded pursuant to the
15 provisions of the assistance program.”

16 **Section 3. Effective Date.** This Act shall be effective upon enactment.