I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN

2020 (SECOND) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Vetoed Bill No. 333-35 (COR) Notwithstanding the veto of *I Maga'hågan Guåhan*, should the Bill be overridden?	**Speaker Antonio R. Unpingco Legislative Session Hall** **Guam Congress Building** **May 5, 2020**

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	√					
Senator Régine Biscoe LEE	√					
Senator Kelly G. MARSH (TAITANO), PhD	√					
Senator James C. MOYLAN	√					
Senator Louise B. MUÑA	√					
Speaker Tina Rose MUÑA BARNES	√					
Vice Speaker Telena Cruz NELSON	√					
Senator Sabina Flores PEREZ	√					
Senator Clynton E. RIDGELL	√					
Senator Joe S. SAN AGUSTIN	√					
Senator Amanda L. SHELTON		√				
Senator Telo T. TAITAGUE	√					
Senator Jose "Pedo" TERLAJE	√					
Senator Therese M. TERLAJE	√					
Senator Mary Camacho TORRES	√					

TOTAL:	14	1				
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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

Bill No. 333-35 (COR)
As substituted; and amended on the Floor.

Introduced by: Therese M. Terlaje
Sabina Flores Perez
James C. Moylan
Telena Cruz Nelson
Joe S. San Agustin
Mary Camacho Torres
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
Louise B. Muña
Tina Rose Muña Barnes
Clynton E. Ridgell
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje

AN ACT RELATIVE TO THE RAPID AND TRANSPARENT IMPLEMENTATION OF FEDERAL AND LOCAL ASSISTANCE PROGRAMS RELATED TO THE COVID-19 PANDEMIC.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that on March 27, 2020, President Trump signed into law H.R. 748, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), as U.S. Public Law 116-136, which provides an estimated Two Trillion Dollar stimulus package to states and territories to address the health and economic impacts of the COVID-19 pandemic.

I Liheslaturan Guåhan finds that the COVID-19 pandemic on Guam has crippled numerous private sector businesses and employees amid the necessary island-wide quarantine of the residents of Guam.

I Liheslaturan Guåhan further finds that the government of Guam must act swiftly to bring much-needed economic relief to the people of Guam and access the federal assistance opportunities of U.S. Public Law 116-136.

Section 2. *I Maga'hågan Guåhan,* or her designated representative, may hire temporary employees or temporarily redirect existing employees to implement and expedite federal and local programs related to U.S. Public Law 116-136 and to process tax refunds on an expedited basis. *I Maga'hågan Guåhan* shall submit a report to *I Liheslaturan Guåhan* on July 1, 2020, and monthly thereafter, of the number of temporary employees hired pursuant to this Section, the positions filled, the length of employment, the cost of said hiring, the source of funding, and the nature of the critical need that was filled.

Section 3. Within five (5) working days after the enactment of this Act, *I Maga'hågan Guåhan,* or her designated representative, shall reasonably attempt to execute all necessary Memoranda of Understanding and Memoranda of Agreement between the United States and Guam and establish all necessary programs to effectuate the provisions of U.S. Public Law 116-136. *I Maga'hågan Guåhan* and every director or agency head shall submit to *I Liheslaturan Guåhan* a copy of any agreement signed on behalf of the agency or the government of Guam within twenty-four (24) hours of signing on behalf of Guam, and shall submit a copy of the fully executed agreement within twenty-four (24) hours of receipt.

Section 4. The Department of Revenue and Taxation is authorized to implement any procedures necessary to implement the federal economic impact payments or cash assistance programs. In implementing the cash assistance procedures for the 2020 recovery rebates under U.S. Public Law 116-136, the

Department of Revenue and Taxation shall not allow any abatement, attachment, or garnishment of the economic impact payments, except for child support.

Section 5. *I Maga'hågan Guåhan*, through Executive Order 2020-07, required employers who reduced their workforce through employee terminations, layoffs, furloughs, or reductions in hours since January 1, 2020 and through the duration of the COVID-19 public health emergency, or extension thereof, to report such reductions to the Department of Labor (DOL) in a form prescribed by its Director in preparation for the implementation of the federal Pandemic Unemployment Insurance program. To assist the Department of Labor in collecting the required information detailed in E.O. 2020-07, the Department of Revenue and Taxation (DRT) may deny renewal of business licenses for any employer certified by DOL to be noncompliant with said reporting requirement; provided, that such denial is authorized only for the period of time that an employer fails to complete the reporting requirement. DRT shall not be authorized to deny renewals of business licenses beyond December 31, 2020.

Notwithstanding the Administrative Adjudication Law, the Department of Labor shall utilize any existing program or create separate rules for the implementation of the unemployment insurance program authorized in U.S. Public Law 116-136. Said rules shall be posted on the DOL website and shall be transmitted to the Speaker of *I Liheslaturan Guåhan* within fifteen (15) days of the enactment of this Act.

Section 6. Notwithstanding any other provision of law, any funds that may be subject to legislative authorization or appropriation for expenditures pursuant to Section 5001, Title V of U.S. Public Law 116-136 shall not be expended, earmarked, or set aside without a legislative appropriation and are not subject to transfer by *I Maga'håga*.

Section 7. *I Maga'hågan Guåhan* shall keep a full account of all COVID-19 expenses incurred by *I Maga'håga* funded by either local or federal funds and shall submit a report to the Speaker of *I Liheslaturan Guåhan* within twenty (20) days of the close of each calendar month. Reports shall include a clear description of the source of funds, such as transferred funds, lapsed funds, local appropriations, federal funds, or any other discernable fund type.

Section 8. The Public Auditor shall conduct semi-annual audits of all expenditures on Guam associated with U.S. Public Law 116-136, for compliance with all applicable local and federal laws, and may require information from government of Guam agencies or *I Maga'håga* necessary to complete the audits. *I Maga'hågan Guåhan* may allocate funds provided by the federal government to the Office of Public Accountability for the purposes of this Section.

Section 9. 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.