

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
FLOOR AMENDMENTS/CHANGES
Bill/Resolution No. _____

B.J.F. Cruz
Senator Proposing Amendment

(1) AMEND SECTION 2 OF CHAPTER 1 AS FOLLOWS:

Section 2. Estimated Revenues for Fiscal Year 2012. *I Liheslaturan Guåhan* adopts the following revenue estimates for Fiscal Year 2012 as the basis for the appropriations contained in this Act.

I. GENERAL FUND REVENUES	AMOUNT
TOTAL GENERAL FUND REVENUE	\$671,256,014
	<u>\$678,802,003</u>

PROVISION FOR TAX REFUND PAYMENTS	(\$105,000,000)
TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	\$566,256,014
	<u>\$573,802,003</u>

A.	TAXES
Income Tax	
Corporate	\$111,802,336
Individual	\$81,651,368
Withholding Taxes, Interest and Penalties	\$209,256,708
Provision for Tax Refund Payments	(\$105,000,000)
TOTAL INCOME TAXES	\$297,710,412
Business Privilege Tax	\$212,900,178

Business Privilege Tax (GMHA Pharmaceuticals Fund)	(\$8,636,007)
Expiration of JFK Rent Tax Credit	\$3,000,000
Other Taxes	<u>\$3,529,781</u>
TOTAL TAXES	\$508,504,364
B. FEDERAL SOURCES	
Federal Income Tax Collection - Section 30	\$56,037,150
Overpayment reconciliation of Section 30 (2 of 4)	(\$5,808,295)
Immigration Fees and Indirect Cost	\$0
TOTAL FEDERAL SOURCES	\$50,228,855
C. USE OF MONEY AND PROPERTY	\$672,804
D. LICENSES, FEES, AND PERMITS	
Licenses, Fees and Permits	\$5,547,355
Licenses, Fees and Permits (Better Public Service Fund)	(\$547,542)
TOTAL LICENSES, FEES AND PERMITS	\$4,999,813
E. DEPARTMENT CHARGES	\$1,850,178
F. SECTION 2718 FUND	<u>\$7,545,989</u>
TOTAL GENERAL FUND NET REVENUE COLLECTIONS	\$671,256,014
	<u>\$678,802,003</u>
2% GENERAL FUND RESERVE	<u>(\$11,325,120)</u>
	<u>(\$11,476,040)</u>
 (Appropriations Cap of 98% of General Fund Revenue; §22436, Chapter 22 of Title 5 GCA)	
TOTAL GENERAL FUND REVENUE	
AVAILABLE FOR APPROPRIATION	\$554,930,893
	<u>\$562,325,962</u>

II. SPECIAL FUND REVENUES	AMOUNT
A. Air Pollution Control Special Fund	\$192,020
B. Autonomous Agency Collections Fund	\$875,000
C. Better Public Service Fund	\$1,422,747
D. <i>Chamorro</i> Land Trust Operations Fund	\$735,657
E. Corrections Revolving Fund	\$915,203
F. Customs, Agriculture and Quarantine Inspection Services Fund	\$7,911,999
G. DPW Building and Design Fund	\$504,712
H. Enhanced 911 Emergency Reporting System Fund	\$1,608,278
I. Environmental Health Fund	\$738,655
J. Fire, Life and Medical Emergency Fund	\$600,000
K. GMHA Pharmaceuticals Fund	\$8,636,007
L. Guam Board of Accountancy Fund	\$421,600
M. Guam Contractors License Board Fund	\$852,725
N. Guam Environmental Trust Fund	\$375,356
O. Guam Highway Fund	\$18,459,079
Guam Highway Fund (Better Public Service Fund)	(\$875,205)
Guam Highway Fund (Public Transit Fund)	(\$431,092)
Total Guam Highway Fund	\$17,152,782
P. Guam Plant Inspection and Permit Fund	\$83,817
Q. Healthy Futures Fund	\$14,219,231
R. Indirect Cost Fund	\$1,826,894
S. Land Survey Revolving Fund	\$2,885,837
T. Manpower Development Fund	\$2,240,640
U. Police Services Fund	\$581,860
V. Professional Engineers, Architects and Land Surveyors Board Fund	\$244,062
W. Public Recreation Services Fund	\$193,304

X. Public School Library Resources Fund	\$652,440
Y. Public Transit Fund	\$431,092
Z. Safe Streets Fund	\$241,000
AA. School Lunch/ Child Nutritional Meal Reimbursement Fund	
Federal Sources (100% Federal Grant)	\$10,069,218
Cash Collection (Department of Education)	\$1,095,091
Total School Lunch/ Child Nutritional Meal Reimbursement Fund	\$11,164,309
AB. Solid Waste Operations Fund	\$13,781,645
AC. Street Light Fund	\$3,473,531
AD. Tax Collection Enhancement Fund	\$696,830
AE. Territorial Education Facilities Fund	\$21,619,104
AF. Tourist Attraction Fund	\$23,160,585
AG. Water Protection Fund	\$71,672
AH. Water Research and Development Fund	<u>\$76,975</u>
TOTAL SPECIAL FUND REVENUE	\$140,587,569
III. FEDERAL MATCHING GRANTS-IN-AID	
Federal Grants-in-Aid Requiring Local Match:	
A. Agriculture	\$279,000
B. Guam Community College	\$1,471,408
C. Guam Council on the Arts and Humanities Agency	\$300,000
D. Guam Fire Department	\$102,000
E. Guam Police Department	\$726,136
F. Department of Integrated Services for Individuals with Disabilities	\$2,052,208
G. Department of Labor	\$42,100
H. Office of the Attorney General	\$6,392,529
I. Department of Mental Health and Substance Abuse	\$225,862
J. Department of Military Affairs	\$1,547,700

K. Department of Public Health and Social Services	\$24,752,122
L. University of Guam	\$2,943,706
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	\$40,842,272
IV. REVENUE AVAILABLE FOR OPERATIONS SUMMARY:	
TOTAL GENERAL FUND REVENUE	\$671,256,014
	<u>\$678,802,003</u>
PROVISION FOR TAX REFUND PAYMENTS	(\$105,000,000)
2% GENERAL FUND RESERVE	(\$11,325,120)
	<u>(\$11,476,040)</u>
TOTAL GENERAL FUND REVENUE	
AVAILABLE FOR APPROPRIATION	\$566,256,014
	<u>\$562,325,962</u>
TOTAL SPECIAL FUND REVENUE	\$140,587,569
TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUES	<u>\$40,842,272</u>
GRAND TOTAL	\$736,360,735
	<u>\$743,755,804</u>

(2) ADD A NEW SECTION TO CHAPTER XI – MISCELLANEOUS APPROPRIATIONS AS FOLLOWS:

Section ____. **Appropriation to Department of Education.** The sum of Two Million Eight Hundred-eight Thousand Two Hundred Fourteen Dollars (\$2,808,214) is hereby appropriated to the Department of Education for operations.

(3) ADD A NEW SECTION TO CHAPTER XI – MISCELLANEOUS APPROPRIATIONS AS FOLLOWS:

Section ____. **Appropriation for Emergency Tax Returns.** The sum of Four Million Five Hundred Fifty-six Thousand Eight Hundred Fifty-five Dollars (\$4,556,855) from the Section 2718 Fund is hereby appropriated to the Department of Revenue and Taxation to pay for Tax Refund obligations owed to individual tax payers that have filed special payment requests for medical, death and financial hardship needs.

(4) ADD A NEW SECTION TO CHAPTER XII – MISCELLANEOUS PROVISIONS AS FOLLOWS:

Section ____. **Section 2718 Fund.** A new section §4302.3. is hereby *added* to Chapter 4 of Title 4 of the Guam Code Annotated to read:

“§ 4302.3 . Creation of Section 2718 Fund.

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the Section 2718 Fund (hereinafter *Fund*). The fund shall be separate and apart from all other funds of the government of Guam, *shall* be kept in a separate bank account, and *shall not* be subject to any transfer authority of *I Maga’lahen Guåhan* or *any* interfund transfers.

(b) All proceeds from rebates paid to and entitled to the government of Guam pursuant to Section 2718(b)(1)(A) of the Public Health Services Act, as amended by the Patient Protection and Affordable Care Act (PPACA), Public Law 111-148, shall be deposited in the Section 2718 Fund.

(c) All proceeds from reductions in quarterly premiums for non-compliance with the requirements of Public Law 30-93 relative to the disclosure of detailed claims utilization and cost information, shall be deposited in the Section 2718 Fund.

(d) Notwithstanding the general provisions of 5 GCA § 22406 which require that unused and de-appropriated funds revert to the General Fund, or any other provision of Guam law to the contrary, all de-appropriated or unused funds

appropriated from the Section 2718 Fund shall, in all circumstances, and whether in whole or in part, be returned to the Section 2718 Fund and not the General Fund.

(e) Notwithstanding the provisions of 5 GCA §21103, §21107 and §21110 or any other provision of Guam law to the contrary, all interest earned on the Section 2718 Fund shall be returned to the Section 2718 Fund.

(f) The Director of Administration shall submit a report on a quarterly basis to the Speaker of *I Liheslaturan Guåhan* of the revenues and interest earned collected and expended from the Section 2718 Fund and shall post such report on the Department's website."

(5) ADD A NEW SECTION TO CHAPTER XII – MISCELLANEOUS PROVISIONS AS FOLLOWS:

Section ____. **Payment of Subscriber Rebates.** A new §4302.4. is hereby added to Chapter 4 of Title 4 of the Guam Code Annotated to read as follows:

“§4302.4. Payment of Subscriber Rebates. The Insurance & Banking Commissioner of Guam, in a manner compliant with the Patient Protection and Affordable Care Act, *shall* pay or cause to be paid, rebates to all eligible subscribers of the Government of Guam Group Health Insurance Program as required by §2718(b)(1)(A) of the Public Health Services Act, as amended by U.S. Public Law 111-148, the Patient Protection and Affordable Care Act (PPACA).”

(Below only for Clerk of Legislature's use and processing)

Date: _____ Floor Amendment No. _____

AMENDMENT PASSED: _____ Votes For: _____ Votes Against: _____ Failed: _____ Withdrawn: _____

APPROVED AS TO FORM PASSED _____ Concur (*Initial*) _____

____ Engrossment Staff

AUTHOR OF AMENDMENT

Clerk of Legislature