

GOVERNMENT OF GUAM
Office of the Governor
Agana, Guam

EXECUTIVE ORDER NO. 63-14

REORGANIZATION OF THE DEPARTMENT OF FINANCE

WHEREAS, Section 9(c) of the Organic Act of Guam provides that the Governor shall, from time to time, examine the organization of the Executive Branch of the Government, and shall determine and carry out such changes as are necessary to promote effective management; and

WHEREAS, Section 5100 of the Government Code of Guam establishes a Department of Finance within the Executive Branch of the Government of Guam; and

WHEREAS, Executive Order No. 5-59 which promulgated the basic organization and functions of the Department of Finance has been amended several times; and

WHEREAS, additional functions have been prescribed for the Department of Finance since its initial establishment; and

WHEREAS, there exists a need for a central collection agency in addition to the Collection Enforcement Unit to insure that delinquent debts, liabilities, and obligations other than taxes owed to the Government of Guam, are collected and satisfied in an expeditious and economical manner; and

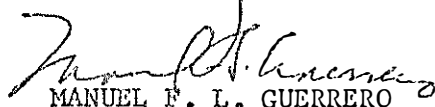
WHEREAS, there exist a need for a centralized inspection agency for all regulatory functions, including internal audit and personal inspection services; and

WHEREAS, the position of Treasurer of Guam, abolished by Executive Order No. 4-60 should be re-established;


NOW, THEREFORE, in view of the foregoing, it is hereby ordered as follows:

1. The attached organization and functions of the Department of Finance are hereby approved and promulgated, and shall be in force and effect as of the date hereof.
2. All prior memoranda and executive orders issued in conflict with the provisions of the attached organization and functions of the Department of Finance, including but not limited to, Executive Order No. 4-60 are hereby superseded.

Dated at Agana, Guam, this 15th day of July, 1963.


MANUEL F. L. GUERRERO
Governor of Guam

COUNTERSIGNED:


RANDOLPH G. SABLAN
Acting Secretary of Guam

ORGANIZATION AND FUNCTIONS OF THE DEPARTMENT OF FINANCE

Section 1. The Department of Finance shall consist of the Office of the Director, Division of Accounts, Division of Revenue and Taxation, Division of the Treasury, Division of Licenses and Registration, Division of Inspection, and the Division of Procurement and Supply.

Section 2. Office of the Director. The Office of the Director shall consist of the Administration Section, the Budget Section, and the Management Section. The Office of the Director shall be the supervising and policy making office for the Department of Finance. The Director of Finance shall be the head of the Department of Finance and the chief official of the Office of the Director. The Director shall be charged with the over-all administration of the Department of Finance and shall have general cognizance of all financial, budget and management functions for the Government. The Director shall also have general supervision of the receipt, deposit in authorized depositories and disbursement of all public funds. Ex Officio, the Director is the Insurance Commissioner of Guam, the Uniform Securities Act Administrator, the Tax Assessor. The Director is also the Alcoholic Beverage Control Administrator.

a. Administration Section. This Section shall be responsible for the overall administrative functions of the Department of Finance. It shall be responsible for preparation of the department's budget; for departmental allotment of funds and control of expenditures; for adequacy of staffing, equipment and supplies; for department records management; for maintenance of department procedural manuals; for supervision of program and workload reports; for preparation of the department's annual report, surveys of property, work requests; maintenance of centralized department mailing service; and allied functions.

b. Budget Section. This Section shall be responsible for the preparation, coordination and administration of an effective budget for the Government. The Section will prescribe procedures for developing work programs, expenditure estimates, and revenue estimates; prepare the Government of Guam budget document; revenue estimates and capital improvement programs; assist in legislative budget review; supervise appropriations, allotments, and personnel controls to assure maximum and proper utilization of funds; review and analyze expenditures to insure maximum economy and provide adequate budgetary controls over the use of funds.

c. Management Section. The Section shall be responsible for providing effective management improvement programs for the Government. The Section will analyze and develop methods and procedures, and prescribe management aids to facilitate review and evaluation of the Government of Guam's organizational and operational structure; prepare and maintain structural and functional organizational charts and manuals; conduct man-power utilization studies and estimate personnel requirements on the basis of anticipated workloads;

conduct management improvement programs such as methods improvements, property management, and management surveys of all organizational segments of the Government; responsible for the administration of the Records Management Act; responsible for the collection, arrangement and analysis of statistical data reflecting governmental operations; submit appropriate recommendations as a result of its review functions with a view toward improvement in effectiveness and economy; conduct or direct a survey of anticipated programs for the purpose of determining whether the Government as a whole should undertake them from the standpoint of organizational need; and assist in legislative review of the annual budget submission.

Section 3. Division of Accounts. The Division of Accounts shall consist of the Office of the Controller, the Accounting Branch and the Payroll Branch.

a. Office of the Controller. The Office of the Controller is charged with the maintenance of a system of accounts which reflect at all times the financial transactions of the Government and for submission to periodic reports setting forth the financial condition of the Government and the various funds thereof. The Controller shall be the supervising head of the Division of Accounts, and the Chief Official of the Office of the Controller. The Controller shall prescribe, develop and install accounting systems and procedures.

b. Accounting Branch. The Accounting Branch will consist of three subsections, namely; General, Machine, and Pre-Audit and Analysis Sections. Through its sections, the branch shall be responsible for the maintenance of a system of accounts for accounting of funds generated within the Government of Guam; process accounting documents through the various accounting ledgers; conduct pre-audits to insure accuracy and completeness of accounting transactions; prepare and render financial reports; act as the clearing branch for all financial transactions entered into by the Government of Guam.

c. Payroll Branch. The Payroll Branch shall prepare and process all payrolls for the Government. The Branch will prepare all Government payroll and public assistance grant checks. The Branch will also maintain earning, service and leave records for all Government employees.

Section 4. Division of Revenue and Taxation. This Division shall consist of the Office of the Commissioner, Collection Enforcement Unit, Income Tax Accounting and Processing Branch, Tax Audit Branch, Business Privilege Tax Branch and the Real Property Tax Branch.

e. Business Privilege Tax Branch. This Branch is responsible for the enforcement of the Business Privilege Tax Law, which includes the examining, assessing, accounting and processing phases of the monthly business privilege tax returns, seeking out delinquent returns, making refunds, and the necessary planning and application of adequate procedures to accomplish effective results. The Branch will also conduct an audit program, including field audit, and issue notices of adjustments permitting protests to adjustments if the taxpayer involved has not signified his acceptance of the results of the audit, and participate in any hearing of such protests.

f. Real Property Tax Branch. This Branch is responsible for the enforcement of the Real Property Tax Law. It makes appraisals and assessments of all taxable land and buildings; determines eligibility for home exemption; prepares assessment roll and the delinquent tax list; plans and institutes effective measures for adequate work programs; and exercises general supervision thereof.

Section 5. Division of the Treasury. The Division of the Treasury shall be responsible for the receipt, deposit in authorized depositories, and disbursement of all public funds and investments of such funds. The Chief Official of the Division of the Treasury shall be the Treasurer of Guam. He shall have supervision of the personnel and functions of the Division. The Treasurer of Guam shall issue receipts for all monies received by him and shall disburse funds only upon the presentation of properly certified vouchers. The Treasurer of Guam shall make such reports as are prescribed by the Director of Finance and shall perform such other related duties as are assigned from time to time. The Division of the Treasury shall also be responsible for the collection of all delinquent debts, liabilities, and obligations owed to the Government not assigned to other Departments and excepting tax liabilities. Any such debts, liabilities or obligations collected on behalf of any fund shall be deposited to the credit of the fund involved.

Section 6. Division of Licenses and Registration. The Division of Licenses and Registration shall be responsible for the issuance of such licenses and registration of such documents which are prescribed to be issued or registered by the Department of Finance, for the administration of the Insurance Law, the Uniform Securities Act, the Financial Responsibility Law, the Business License Law, the registration and licensing features of the Motor Vehicle Code and other duties as further stated herein. The Chief Official of the Division shall be the Commissioner of Licenses and Registration. He shall also be the Deputy Insurance Commissioner and Executive Secretary of the Cockpit License Board and the ABC Board. He shall have supervision of the personnel and functions of the Division. The Division is charged with the registration and licensing of motor vehicles and issuance of drivers' licenses under the Vehicle Code of Guam; the registration and issuance of licenses for domestic and foreign corporations; the registration and licensing of persons practicing the Healing Arts; the issuance of business, marriage, notary public, dog and such

a. Office of the Commissioner. The Office of the Commissioner shall be the supervising office for the Division of Revenue and Taxation. The Chief Official of the Division and of the Office of the Commissioner shall be the Commissioner of Revenue and Taxation who shall be charged with the supervision of the personnel and functions of the Division. Under authority vested in him by statute and as delegate of the Director of Finance, this officer is responsible for the administration of the tax laws of Guam, including the Guam Territorial Income Tax, Business Privilege Tax, Real Property Tax, Social Security Tax under arrangement with Federal Revenue Service, etc., and in connection therewith generally administers, plans, coordinates, controls and directs the activities of the division.

b. Collection Enforcement Unit. This unit is responsible for collection of delinquent income, business privilege, and real property tax accounts when referred by the Income Tax Accounting and Processing, Business Privilege Tax and Real Property Tax Branches, and for the application of the proper enforcement procedures thereon.

c. Income Tax Accounting and Processing Branch. This Branch is responsible for initiating and supervising an adequate program for taxpayer assistance, and for receiving, controlling and processing income and withholding and other tax returns and forms including Social Security Tax, and collecting the tax thereon. The Branch secures delinquent returns, processes income tax refunds, sets up and maintains ledger cards for income tax accounts and keeps records and submits accounting reports on income tax assessments and collections. The Branch will also conduct studies, make plans and institute effective measures for performing each work program; also the Branch will periodically review all activities to insure compliance with existing laws and regulations regarding taxes.

d. Tax Audit Branch. The Branch is responsible for the technical audit of income and selected business privilege tax returns and claims, and for the application of conference procedures directed towards securing agreements to the adjustments made, or for laying the basis for defense of the adjustments in event of informal hearing or appeal. The Branch will also issue reports of audits to taxpayers affected; issue preliminary notices to allow taxpayers time to file a written protest where adjustments have not been agreed; prepare statutory notices of adjustment in order to allow taxpayers to petition the District Court for a redetermination of any deficiency in tax which has not been accepted or agreed.

other licenses as are prescribed to be issued by the Director or Department of Finance; the registration of patents, copyrights and trademarks; and the registration of trust, receipts, chattel mortgages and any other documents required to be registered by the Director of the Department of Finance. The Division participates with the Division of Revenue and Taxation in the registration of coin operated amusement machines and collection of the vehicle transfer tax.

Section 7. Division of Inspection. The Division of Inspection shall be responsible for developing and maintaining a systematic and centralized inspection activity for the Government. The Division shall participate with the Department of Labor and Personnel in establishing an effective personnel inspection program with the view towards obtaining and maintaining the highest degree of ethical standards in the department and conduct of present and prospective employees and to eradicate improper and illegal practices in the government services. The Division shall be responsible for the audit of all financial funds and transactions of the Government and shall submit audit reports thereon; review and evaluate the systems of checks and balances used for internal accounting controls in terms of adequacy and effectiveness; recommends improvements in accounting and financial reporting systems as a result of internal reviews; conducts special analysis; checks and surveys of inventories, supplies and other related matters. The Division shall also perform enforcement and regulatory functions for the ABC Administrator under the ABC Act; participate with the Division of Revenue and Taxation in the enforcement of the Narcotic Drug Tax Laws and the Motor Vehicle Transfer Tax, and participate with the Division of Licenses and Registration in the enforcement of the Business License Law, Vehicle Code and various excise tax laws.

Section 8. Division of Procurement and Supply. The Division of Procurement and Supply shall be responsible for the administration of the Central Procurement and Warehousing Law. The Division will consist of the Office of the Chief, Control Branch and Storage Branch.

a. Office of the Chief. The Office of the Chief shall be responsible for the general supervision of the procurement of supplies and equipment for the government; maintenance of adequate supply and equipment inventory controls; and operation of central warehousing for storage of government supplies and equipment. The Chief Official of the Division of Procurement and Supply shall have general supervision of the personnel and functions of the Division.

b. Control Branch. This Branch, consisting of the Procurement Section, the Stock Control Section, and the Receipt Control Section, will process procurement, receipt and issue documents; maintain stock records; negotiate and prepare all purchase order contracts; prepare and issue bid invitations; maintain followup on requisitions and purchase deliveries, edit specifications; compute new shipment of merchandise; establish unit costs; and issue supply catalogues.

c. Storage Branch. This Branch shall be responsible for the proper storage and custody of all government supplies and equipment. The Branch will receive, check, store and issue all materials, supplies and equipment for the Government. The Branch will be responsible for hauling materials, supplies and equipment from the Port to the warehouse and from warehouse to the various departments; clearing all Government Bills of Lading; preparing claims for short or damaged merchandise, This Branch shall also maintain all Government of Guam and Federal Property Control records; conduct inventories and tag all incoming property; make physical audit of department property; handle equipment transfer, surplus property and sales; inspect and make minor repairs on office machines; conduct major overhauls on other machines.