

I Mina'trentai Siete 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 |
|--------------|---|---|-----------------------|---------------|--|-----------------------------|----------------------|-----------------------------|-------|
| 234-37 (COR) | Joe S. San Agustin Tina Rose Muña Barnes Roy A. B. Quinata Dwayne T.D. San Nicolas | AN ACT TO AMEND §90.308 ARTICLE 7, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO INCREASING THE PLEDGE OR RESERVATION OF REVENUES OF THE DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021. | 1/29/24 12:37 p.m. | 1/31/24 | Committee on General Government Operations and Appropriations | Request: 1/31/24 2/28/24 | 2/29/24 9:00 a.m. | 3/19/24 2:05 p.m. | |
| | SESSION DATE | TITLE | DATE PASSED | TRANSMITTED | DUE DATE | NOTES | | | |
| | 4/19/24 | AN ACT TO AMEND § 90.308 OF ARTICLE 7, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PLEDGE OR RESERVATION OF REVENUES OF "THE DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021." | 4/26/24 | 4/26/24 | 5/8/24 | | | | |



COPY

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
Thirty-Seventh Guam Legislature

April 26, 2024

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

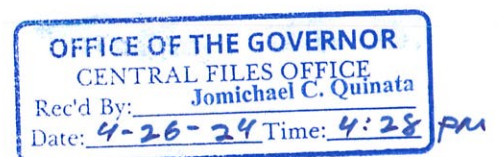
Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 85-37 (LS), 165-37 (COR), 198-37 (LS), 211-37 (COR), 234-37 (COR), 244-37 (COR), and 262-37 (LS)**, which were passed by *I Mina'trentai Siette Na Liheslaturan Guåhan* on April 26, 2024.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (7)

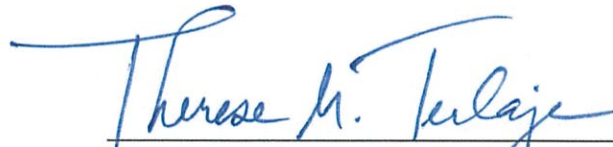


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I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

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

This is to certify that **Bill No. 234-37 (COR)**, “AN ACT TO *AMEND* § 90.308 OF ARTICLE 7, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PLEDGE OR RESERVATION OF REVENUES OF ‘THE DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021’,” was on the 26th day of April 2024, duly and regularly passed.



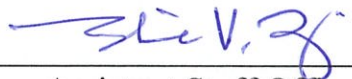
Therese M. Terlaje
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 26th day of April,
2024, at 4:28 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2024 (SECOND) Regular Session

Bill No. 234-37 (COR)

Introduced by:

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

AN ACT TO *AMEND* § 90.308 OF ARTICLE 7, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PLEDGE OR RESERVATION OF REVENUES OF “THE DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021.”

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

2 **Section 1.** § 90.308 of Article 7, Chapter 90, Title 9, Guam Code Annotated,
3 is hereby *amended* to read as follows:

4 **“§ 90.308. Pledge or Reservation of Revenues.**

5 (a) Rental payments under the lease and the lease-back may
6 be secured by a pledge or other reservation of revenues collected by the
7 government of Guam from the following:

1 (1) The sum of no more than Five Million Dollars
2 (\$5,000,000) from the revenues received pursuant to 11 GCA
3 Chapter 42, Earned Income Tax Credit will be available for
4 Fiscal Year 2022 only.

5 (2) The sum of no more than Fifteen Million Dollars
6 (\$15,000,000) from the General Fund shall be appropriated
7 annually thereafter.

8 (3) The Governor of Guam may use federal funds that
9 are made available to the government of Guam by the United
10 States federal government for the financing, design,
11 construction, and maintenance of the new Department of
12 Corrections facility.

13 (4) The use of other financing options is authorized for
14 the purpose of this Act, including, but not limited to, loans,
15 grants, bond financing, and other alternate funding options,
16 subject to legislative approval.

17 (b) Any amounts reserved or pledged as provided in this
18 Section shall be subject to annual appropriations for the purpose of
19 making lease-back payments. The revenues pledged or reserved and
20 thereafter received by the government of Guam or by any trustee,
21 depository, or custodian shall be deposited in a separate account and
22 shall be immediately subject to such reservation or the lien of such
23 pledge without any physical delivery thereof or further action, and such
24 reservation or the lien of such pledge shall be valid and binding against
25 all parties having claims of any kind in tort, contract or otherwise
26 against the government of Guam or such trustee, depository or
27 custodian, irrespective of whether the parties have notice thereof. The

1 instrument by which such pledge or reservation is created need be
2 recorded.”

3 **Section 2. Effective Date.** This Act shall be effective upon enactment.

4 **Section 3. Severability.** If any provision of this Act or its application to any
5 person or circumstance is found to be invalid or inorganic, such invalidity shall not
6 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.