

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
368-37 (LS)	Dwayne T.D. San Nicolas	AN ACT TO AMEND SUBSECTION (a)(7) OF SECTION 1, CHAPTER V, PUBLIC LAW 37-125, RELATIVE TO ALLOCATING FUNDS TO THE MAINTENANCE AND THE PROCUREMENT OF NECESSARY EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS' ADULT CORRECTION FACILITY (ACF) AND THE HAGÁTSA DETENTION FACILITY (HDF).	10/24/24 11:41 a.m.						

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

Bill No. 368-37 (LS)

Introduced by:

Dwayne T.D. San Nicolas 

AN ACT TO AMEND SUBSECTION (n)(7) OF SECTION 1, CHAPTER V, PUBLIC LAW 37-125, RELATIVE TO ALLOCATING FUNDS TO THE MAINTENANCE AND THE PROCUREMENT OF NECESSARY EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS' ADULT CORRECTION FACILITY (ACF) AND THE HAGÁTÑA DETENTION FACILITY (HDF).

BE IT ENACTED BY THE PEOPLE OF GUAM.

Section 1. Legislative Intent. *I Liheslaturan Guåhan* finds that the Department of Corrections (DOC) requires additional funding to address and remedy immediate safety concerns in two of its facilities, specifically the Adult Correction Facility (ACF) and the Hagåtña Detention Facility (HDF). The ACF and the HDF facilities are in dire need of maintenance, repair, and new security materials, vehicles, and equipment in order to ensure safety in these facilities. Public Law 37-125 provides DOC Five Million Dollars (\$5,000,000) for the construction of a new facility, but because DOC's existing facilities are in critical condition, it is more important to prioritize the repairs and maintenance of the existing facilities while a new facility is underway. By amending the agency's FY 2025 appropriation detailed in Public Law 37-125 and allocating funds to maintenance, repairs, and the procurement of equipment for their existing facilities, it will enable the DOC to

1 address the pressing issue of maintenance and repairs without having to receive
2 appropriation from other government sources.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend Public Law 37-
4 125 in order to allocate funds to address the dire need of maintenance, repairs, and
5 acquisition of equipment of the existing facilities operated by DOC. This legislation
6 will provide DOC the funding to address this issue without having to seek additional
7 appropriation from another government source.

8 **Section 2.** Subsection (n)(7) of Section 1, Chapter V, Public Law 37-125 is
9 hereby *amended* to read as follows:

10 “(7) Department of Corrections (DOC) Facilities Maintenance, Renovation,
11 and Procurement of Security Equipment Appropriation and Modernization Act
12 Appropriation. The sum of Five Million Dollars (\$5,000,000) is appropriated from
13 the General Fund and shall be expended for the renovation, maintenance, and repairs
14 of the DOC Adult Correction Facility (ACF) and Hagåtña Detention Facility (HDF),
15 procurement of security system materials, property, vehicles, and equipment for
16 ACF and HDF, and for the cost associated with the financing, design, construction,
17 maintenance and related expenses of the new Department of Corrections facility as
18 established by Public Law 36-57, the Department of Corrections Modernization Act
19 of 2021.”

20 **Section 3. Severability.** *If* any of the provisions of this Act or the application
21 thereof to any person or circumstance is held invalid, such invalidity *shall not* affect
22 any other provision or application of this Act which can be given effect without the
23 invalid provision or application, and to this end the provisions of this Act are
24 severable.

25 **Section 4. Effective Date.** This Act shall be effective upon enactment.