






I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 60-37 (COR)

Introduced by:

Sabina Flores Perez 
Joe S. San Agustin 
Tina Rose Muña Barnes 
Chris Barnett 
Roy A.B. Quinata 

**AN ACT TO REPEAL AND REENACT § 7161 (a) AND (e)
AND TO AMEND § 7161 (b) ALL OF CHAPTER 7, TITLE
16, GUAM CODE ANNOTATED, RELATIVE TO
UPDATING THE STREET LIGHT FUND TO
AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS
TO FACILITATE INSTALLATION AND
MAINTENANCE, OPERATION AND REPAIR OR
REPLACEMENT OF STREET LIGHTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is currently a backlog of street light projects in need of installation, repair,
4 maintenance and operation in different villages.

5 *I Liheslatura* finds that Department of Public Works (DPW) is in charge of
6 building and maintaining a safe and efficient modern highway system and
7 developing comprehensive safety plans for Guam's roads and therefore would be a
8 prime candidate to being designated as the lead agency in addressing this backlog.

1 *I Liheslaturan Guåhan* intends to delegate the lead role to DPW of
2 coordinating streetlight installation, maintenance, and operation in coordination with
3 the Guam Power Authority, to achieve the timely installation, maintenance,
4 operation and repair or replacement of street lights.

5 **Section 2.** § 7161 (a) of Chapter 7, Title 16, Guam Code Annotated, is
6 hereby *repealed and reenacted* to read:

7 ~~“(a) There is established within the Treasury of Guam a fund to be known~~
8 ~~as the Street Light Fund, which shall be maintained separate and apart from~~
9 ~~any other funds, including the General Fund of the Government and~~
10 ~~independent records and accounts shall be maintained in connection~~
11 ~~therewith.~~

12 ~~(1) Money in the Street Light Fund shall be used to pay for the~~
13 ~~installation and operation of public street lights.~~

14 ~~(2) All revenues deposited in the Fund are reserved for use by the~~
15 ~~Guam Power Authority for payment for operation and installation of~~
16 ~~public street lights.”~~

17 “(a) There is hereby created a non-lapsing, revolving fund to be known as
18 the “Street Light Fund” (Fund) which shall be maintained separate and apart
19 from other funds of the Government of Guam and shall be kept in a separate
20 bank account and independent records and accounts shall be maintained in
21 connection therewith. Funds shall not be subject to any transfer authority of *I*
22 *Maga'hågan Guåhan* and shall remain in such account until expended by the
23 Department of Public Works (DPW) for purposes of this Section. The
24 Director of DPW shall have programmatic oversight of said Fund. All monies
25 collected under this Section shall be deposited in the Fund and shall not be
26 commingled with other funds of the Government of Guam. The Director of
27 Public Works shall submit quarterly collections and expenditure reports to *I*

1 *Liheslaturan Guåhan*. Monies in the Fund shall be expended for the following
2 purposes:

3 (1) To pay for the procurement, installation, operation, and
4 maintenance of public streetlights including the payments to the Guam
5 Power Authority for costs associated with the procurement, installation,
6 operation, maintenance or repair and replacement of street lights. The
7 Director of DPW shall consult with the Guam Power Authority and the
8 Guam Police Department and request a priority list, concerning
9 installation and repair of streetlights.

10 (2) Any other use of the Street Light Fund is subject to appropriation
11 by *I Liheslaturan Guåhan*.”

12 **Section 3.** § 7161 (b) of Chapter 7, Title 16, Guam Code Annotated, is
13 *amended* to read:

14 “(b) In addition to all other fees imposed by law, an additional Twenty-Five
15 Dollars (\$25.00) annual fee is imposed upon any vehicle subject to
16 registration under this Title which shall be deposited in the Treasury of Guam
17 to the credit of the Street Light Fund. This fee shall be collected at the same
18 time and in the same manner as the annual license and registration fee
19 provided for in this Title. Monies collected, herein, shall be deposited in the
20 Street Light Fund within Twenty (20) days following the end of the month for
21 which the fees are collected. The Director of Revenue and Taxation shall
22 submit quarterly collection reports to *I Liheslaturan Guåhan*.”

23 **Section 4.** § 7161 (e) of Chapter 7, Title 16, Guam Code Annotated, is
24 hereby *repealed and reenacted* to read:

25 ~~“(e) No funds from the Street Light Fund may be expended or encumbered~~
26 ~~without an appropriation by *I Liheslaturan Guåhan*.~~”

27 “(e) All monies in the “Street Light Fund” are continually appropriated to
28 the Department of Public Works to be expended in accordance with this

1 Section. The funds herein shall not be used for any other purpose unless
2 expressly authorized by *I Liheslaturan Guåhan*.”

3 **Section 5. Enactment Date.** This act shall be effective upon enactment.

4 **Section 6. Severability.** If any provision of this Act or its application
5 to any person or circumstance is found to be invalid or inorganic, such
6 invalidity shall not affect other provisions or applications of this Act that can
7 be given effect without the invalid provision or application, and to this end
8 the provisions of this Act are severable.