

I Mina'trentai Siette 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
178-37 (COR)	Joe S. San Agustin Roy A. B. Quinata Dwayne T.D. San Nicolas William A. Parkinson	AN ACT TO ADD NEW §§75A126, 75A127, 75A128 and 75A129 TO CHAPTER 75A OF TITLE 21 DIVISION 2, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF THE CHAMORRO LAND TRUST ENDOWMENT FUND.	9/29/23 9:58 a.m.	10/4/23	Committee on Health, Land, Justice, and Culture	Request: 10/4/23 10/16/23			Referred Version 10/3/23



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

October 16, 2023

To: **Joaquin P. Taitague**
Substitute Clerk of the Legislature

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 178-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 178-37 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 178-37 (COR)**

AN ACT TO ADD NEW §§75A126, 75A127, 75A128 AND 75A129 TO CHAPTER 75A OF TITLE 21 DIVISION 2, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF THE CHAMORRO LAND TRUST ENDOWMENT FUND.

Department/Agency Appropriation Information	
Dept./Agency Affected: CHamoru Land Trust Commission	Dept./Agency Head: Alice Taijeron, Administrative Director
Department's General Fund (GF) appropriation(s) to date:	\$717,115
Department's Other Fund: CHamoru Land Trust Operations Fund (\$758,058) CLTC Survey and Infrastructure Fund (\$34,898)	\$792,943
Total Department/Agency Appropriation(s) to date:	\$1,510,058

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund:	Total:
FY 2022 Unreserved Fund Balance		\$0	\$0
FY 2023 Adopted Revenues	\$0	\$0	\$0
FY 2023 Appro. (P.L. 36-107 thru 36-XX)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	1/	\$0	\$0	\$0	\$0
Total	\$0	1/	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /X/ Yes // No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? // Yes /X/ No
If yes, will the program duplicate existing programs/agencies? // N/A // Yes /X/ No
Is there a federal mandate to establish the program/agency? // Yes /X/ No
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /X/ No
/X/ Requested agency comments not received by due date // Other: _____

Analyst: Anthony Qullugua, BMA Date: 10/13/23 Director: Lester L. Carlson, Jr., Director Date: OCT 16 2023

1/ Chamoru Land Trust Endowment Fund. See attached comments.

Bureau of Budget & Management Research
Comments on Bill No. 178-37 (COR)

Bill 178-37 (COR) is an act to add new §§75A1276, 75A127, 75A128, 75A129 to Chapter 75A of Title 21 Division 2, Guam Code Annotated, relative to the establishment of the Chamorro Land Trust Endowment Fund. The intent is to establish an endowment fund as a source of permanent and supplemental funding for the Chamorro Land Trust that utilizes only earnings of the fund with the corpus of the fund held in perpetuity. The proposed Bill also intends to allow the Chamorro Land Trust Commission to include an option for its commercial tenants to make payments of accelerated rent as a term and condition of a commercial lease.

Bill 178-37 (COR) would further authorize the CLTC to establish the Chamorro Land Trust Endowment Fund and any deposits be invested and re-invested by or under authority of the Board of Commissioners. The Board shall engage one or more custodians to assume responsibility for the physical possession of fund assets or evidence of assets. Lastly, Bill 178-37 allows the Board to engage an investment agent to serve as investment counsel and one or more investment agents to serve as investment manager(s) to manage asset classes identified by the Board upon the recommendation of investment counsel.

It should be noted that the Bureau had sought input on the proposed Bill No. 178-37 from the CLTC on 10/3/2023 and a follow up request on 10/6/2023, but has not received any official comments as of the date of this fiscal note. Absent any information from the CLTC, such as the number of commercial tenants able to pay accelerated rent, the amount of which commercial tenants intend to pay, or how the CLTC plans to manage its investments, the Bureau is unable to determine an estimated impact at this time.