

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
287-37 (LS)	Therese M. Terlaje Chris Barnett	AN ACT TO AUTHORIZE THE CHAMORRO LAND TRUST COMMISSION TO SUBDIVIDE AND ENTER INTO A COMMERCIAL LEASE OR LICENSE FOR A SUBDIVIDED PORTION OF LOT 7161-R1 IN THE MUNICIPALITY OF YIGO FOR THE OPERATION OF A RACEWAY; AND TO REPEAL PUBLIC LAW 34-142 IN ITS ENTIRETY.	4/29/24 2:47 p.m.	5/2/24	Committee on Health, Land, Justice, and Culture	Request: 5/2/24 5/13/24			Referred Version 5/2/24



COMMITTEE ON RULES

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

May 13, 2024

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

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

Subject: **Fiscal Note for Bill No. 287-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 287-37 (LS).

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. 287-37 (LS)**

AN ACT TO AUTHORIZE THE CHAMORRO LAND TRUST COMMISSION TO SUBDIVIDE AND ENTER INTO A COMMERCIAL LEASE OR LICENSE FOR A SUBDIVIDED PORTION OF LOT 7161-R1 IN THE MUNICIPALITY OF YIGO FOR THE OPERATION OF A RACEWAY; AND TO REPEAL PUBLIC LAW 34-142 IN ITS ENTIRETY.

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission (CLTC)	Dept./Agency Head: John Burch, Acting Director
Department's General Fund (GF) appropriation(s) to date:	\$717,115
Department's Other Fund(s) to date: CLTC Operations Fund (\$758,045) and CLT Survey & 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 2023 Unreserved Fund Balance		\$0	\$0
FY 2024 Adopted Revenues	\$0	\$0	\$0
FY 2024 Appro. (P.L. 37-42)	\$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	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / 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: Jason Baza **Date:** 5/10/24 **Director:** Lester L. Carlson, Jr. **Date:** MAY 13 2024
Jason Baza, BMA Supervisor Lester L. Carlson, Jr., Director

Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 287-37 (LS)

The proposed legislation intends to do the following: 1) authorize the Chamorro Land Trust Commission (CLTC) to subdivide Lot 7161-R1, in the municipality of Yigo, to separate the existing raceway infrastructure; 2) authorize the CLTC to enter into a commercial lease or license for the subdivided portion of Lot 7161-R1; 3) mandate the proceeds of the commercial lease or license for the subdivided portion of Lot 7161-R1 to be deposited into the Chamorro Land Trust Survey & Infrastructure Fund (CLTSIF); and 4) repeal P.L. 34-142 in its entirety.

Section 1 of the proposed legislation authorizes the lease/license of subdivided Lot 7161-R1 for a period of up to five (5) years. Further, terms and conditions of the lease/license shall comply with §75A122 of Title 21, Guam Code Annotated (GCA). §75A122(c)(5) of Title 21 GCA states that the minimum annual rent shall be no less than ten percent (10%) of the current appraisal of fair market value of the land that is to be leased.

Section 2 of the proposed legislation identifies additional terms and conditions of the lease/license of subdivided Lot 7161-R1.

Absent information from the CLTC relative to the current appraised value of Lot 7161-R1, as subdivided, the Bureau is unable to determine a projected annual lease/license payment from the lessee/licensee for deposit into the CLTSIF.