

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 63-32 (CP)

Introduced by:

Judith T. Won Pat, Ed.D.
A.A. Yamashita, Ph.D.
Tina R. Muna-Barnes

2013 MAR - 8 PM 5:27
J. Won Pat

AN ACT TO AMEND §22425(q) OF ARTICLE 4, CHAPTER 22, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING ADDITIONAL REVENUE DERIVED FROM THE VALUATION OF REAL PROPERTY, DUE TO COMMENCE DURING CALENDAR YEARS 2013 AND 2014, TOWARDS THE REPLACEMENT, OR RENOVATION OF, SIMON SANCHEZ HIGH SCHOOL, AND OTHER EDUCATION FACILITIES REQUIRING NEW CONSTRUCTION OR REHABILITATION; AND FOR OTHER EDUCATION-RELATED PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that the Department of Revenue and Taxation recently informed *I*
4 *Liheslatura's* Committee on Aviation, Ground Transportation, Regulatory
5 Concerns, and Future Generations, during an Oversight Hearing held in
6 early March 2013, that the process of completing a valuation of real

1 property is scheduled to commence with the issuance of a Request for
2 Proposal for applicable services.

3 *I Liheslatura* finds that the valuation of real property, which is
4 scheduled to occur during calendar years 2013 and 2014, is expected to
5 yield an upward adjustment of real property payments. Therefore, *I*
6 *Liheslaturan Guåhan* intends for the additional proceeds collected, as a result
7 of the anticipated real property valuation, to be appropriated from the
8 Territorial Education Facilities Fund for the purpose of funding education-
9 related priorities, including the replacement, or renovation of, Simon
10 Sanchez High School, and other education facilities requiring new
11 construction or rehabilitation; and, for other education purposes, including
12 the purchase of new school buses.

13 *I Liheslatura* further intends to authorize *I Maga'låhen Guåhan* to
14 pledge the additional proceeds as a source of payment for a General
15 Obligation bond, or municipal lease financing, secured for the purposes
16 stated herein.

17 **Section 2. Estimated Revenue Report Required.** No later than
18 thirty (30) days following the completion and approval of the valuation of
19 real property, the Director of Revenue and Taxation shall provide a written
20 estimate of the additional revenue that would accrue to the government of
21 Guam as a result of the most recent valuation of real property. The
22 estimate shall be transmitted immediately upon completion to *I*
23 *Liheslaturan Guåhan*.

1 **Section 3. Funding Authorized.** §22425(q) of Article 4, Chapter 22,
2 Division 2, Title 5, Guam Code Annotated, is hereby amended, to read:

3 “(q) Additional bonds for Northern the replacement, or renovation
4 of, Simon Sanchez High School, and other education facilities requiring
5 new construction or rehabilitation, and Asan Elementary School for other
6 education-related purposes. ~~In the event that the debt capacity of the~~
7 ~~government of Guam as limited under §11 of the Organic Act of Guam~~
8 ~~shall, as a result of the triennial property tax valuation now underway, be~~
9 ~~increased by no less than \$101,000,000 the aggregate principal amount of~~
10 ~~bonds authorized under this section shall be increased by \$101,000,000 and~~
11 ~~the following project shall be added to the projects listed in subsection (m)~~
12 ~~of this section:~~

- 13 (1) ~~Elementary School located in Asan, Guam~~ ———— \$15,000,000
14 (2) ~~Northern High School~~ ————— \$86,000,000

15 There is hereby appropriated from the Territorial Education Facilities
16 Fund up to sixty percent (60%) of the additional revenue derived as a result
17 of the most recent valuation of real property due to commence during
18 calendar years 2013 and 2014. I Maga'låhen Guåhan is authorized to utilize
19 this appropriation as a source of payment for a General Obligation bond
20 secured for the replacement, or renovation of, Simon Sanchez High School,
21 to include athletic facilities, and other education facilities requiring new
22 construction or rehabilitation. I Maga'låhen Guåhan is further authorized to
23 expend up to twenty percent (20%) of the additional revenue cited herein

1 to purchase new public school buses. In the event that the financing of the
2 projects envisioned in this Subsection are affected by the debt ceiling, the
3 Guam Economic Development Authority may pursue municipal lease
4 financing.

5 The balance of the revenue referenced herein shall remain available
6 to fund projects authorized in accordance with §22425(m) of Article 4,
7 Division 2, Chapter 22, Title 5, Guam Code Annotated.”

8 **Section 4. Severability.** If any provision of this Act or its
9 application to any person or circumstance is found to be invalid or contrary
10 to law, such invalidity shall not affect other provisions or applications of
11 this Act which can be given effect without the invalid provisions or
12 application, and to this end the provisions of this Act are severable.

13 **Section 5. Effective Date.** This Act shall be effective upon
14 enactment.