

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

Bill No. 182-32 (COR)

Introduced by:

Brant T. McCreadie
V. Anthony Ada
Chris M. Duenas
Aline A. Yamashita, Ph.D.
Tommy Morrison
Michael T. Limtiaco

AN ACT TO RESERVE THE TOTAL OF \$4,800,000 UPON THE MATURITY OF THE GOVERNMENT OF GUAM LIMITED OBLIGATION: BUSINESS PRIVELEGE TAX BONDS SERIES 2013C BOND TO FUND THE CONSTRUCTION OF A NEW MIDDLE SCHOOL, TO PROVIDE ADDITIONAL FUNDING FOR THE CONSTRUCTION OF A NEW SIMON SANCHEZ HIGH SCHOOL AND FOR OTHER PURPOSES.

2013 SEP 11 PM 12:29

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that in
3 FY2019 the Government of Guam Limited Obligation: Business Privilege Tax Bond Series
4 2013C is scheduled to mature, which will free up several million dollars for appropriation.

5 *I Liheslaturan Guåhan* further finds that in order to effectively plan and budget for
6 capital improvement projects, several years of advance preparation are necessary. As such,
7 it would be prudent for the government of Guam to reserve these yet to be accessible funds
8 for capital improvement projects at the Guam Department of Education to improve the
9 quality of education in the Territory. This will help alleviate most, if not all, of the past
10 impediments that have previously marred capital improvement projects.

1 *I Liheslaturan Guåhan* further finds that it recently passed Public Law 32-063, which
2 provides funding for the new construction and/or renovation of Simon Sanchez High
3 School. It is the intent of *I Liheslatura* to provide additional funds, through this act, to
4 complete the new construction and/or Simon Sanchez High School facility.

5 It is also the intent of *I Liheslaturan Guåhan* to reserve funds dedicated to debt service
6 for the Government of Guam Limited Obligation: Business Privilege Tax Bond Series at the
7 date of final maturity for the purposes of funding a new middle school for Guam.

8 **Section 2. Reservation of released funds from payment of debt service for Guam**
9 **Limited Obligation: Business Privilege Tax Bond Series 2013C for education projects**
10 **upon final maturity in FY2019.**

11 (a) The total amount of \$4,800,000, which shall be available for
12 appropriation at the maturity of the Government of Guam Limited Obligation:
13 Business Privilege Tax Bond Series 2013C in FY2019, shall immediately be reserved
14 annually for the Department of Education for the following purposes.

15 1) Up to \$3,800,000 annually, for the lease-back of a new middle school
16 facility, the location and design which shall be determined by the Department
17 of Education.

18 2) \$1,000,000 annually, to provide an additional appropriation in
19 §22405(q), sub item (5) to complete the replacement and/or renovation of a
20 new Simon Sanchez High School, as passed in Public Law 32-063.

21 (b) The Department of Education may enter into financial arrangements
22 for projects they identify in accordance with this act. The funds reserved in this Act
23 shall be committed to the debt service of any capital improvement projects entered
24 into as a result of this Act and shall be approved by *I Liheslaturan Guåhan* prior to
25 any funds being expended.”

1 **Section 3. Authorization to enter into lease lease-back arrangements for the**
2 **construction of new school facilities.**

3 “The government of Guam is hereby authorized to use the funding identified
4 in Section 2 to enter into long term leases for the construction of new education
5 facilities in accordance with Chapter 58, Title 5 Guam Code Annotated, also known
6 as “The Education Facilities Construction Initiative Act of 2001”.”

7 **Section 4. Effective Date.** This act shall be effective upon enactment.

8 **Section 5. Severability.** *If any provision of this Law or its application to any*
9 *person or circumstance is found to be invalid or contrary to law, such invalidity shall not*
10 *affect other provisions or applications of this Law which can be given effect without the*
11 *invalid provisions or application, and to this end the provisions of this Law are severable.*