

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
15-34 (COR) As Corrected by the Prime Sponsor.	B. J.F. Cruz	AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT AND SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY.	2/1/17 10:17 a.m. AS CORRECTED 02/8/17 12:22 p.m.	02/09/17	Committee on Appropriations and Adjudication				



COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*
I Mina' Trentai Kuåtтро na Liheslaturan Guåhan • 34th Guam Legislature



MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Michael F.Q. San Nicolas**
Chairman of the Committee on Rules

Date: **February 9, 2017**

Re: **Referral of Bill No. 15-34 (COR), as corrected by the Prime Sponsor**

Buenas yan Håfa adai.

Please be advised that **Bill No. 15-34 (COR)** was returned to its Prime Sponsor due to its noncompliance with the Standing Rules (see (A)(1) of the pre-referral checklist) on January 24, 2017. The Prime Sponsor has made the necessary corrections to the subject bill, in accordance with the opinion of Legal Counsel.

As per my authority as Chairman of the Committee on Rules and subject to § 6.01(d)(1), Rule VI of our Standing Rules (see (B)(2), and (B)(3) of the pre-referral checklist), I am forwarding the subsequent referral of **Bill No. 15-34 (COR), as corrected by the Prime Sponsor**.

Please ensure that the subject bill, indicated with "As Corrected by the Prime Sponsor", is referred, in my name, to **Speaker Benjamin J.F. Cruz, Chairperson of the Committee on Appropriations and Adjudication**. I also request that the same be forwarded to the prime sponsor of the subject bill.

After committee review, the subject bill may be further referred by the Committee on Appropriations to the Principal Committee of subject matter jurisdiction, pursuant to § 6.01(d)(1), Rule VI of our Standing Rules.

Attached, please see the COR pre-referral checklist for your information, which shall be attached as a committee report item to the bill.

If you have any questions or concerns, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-6453.

Thank you for your attention to this important matter.

Respectfully,


Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules





COMMITTEE ON RULES

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I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



MEMO

To: Speaker Benjamin J.F. Cruz
From: Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules
Date: February 7, 2017
Re: Return of Bill No. 15-34 (COR) to Prime Sponsor

Buenas yan Håfa adai.

Please be advised that the Committee on Rules is unable to refer **Bill No. 15-34 (COR)** due to its inability to conform to the Standing Rules as to the "One Subject Matter" rule (See (A)(1) on Pre-Referral Checklist). 15 CR/P.

Please be further advised that a more detailed analysis is available from the Legal Bureau. Please contact Attorney Julian Aguon, Legislative Legal Counsel at guamlegislativecounsel@gmail.com.

The Committee on Rules will continue to retain this bill in the pre-referral process, subject to corrections as submitted by the Prime Sponsor.

Attached, please see the COR pre-referral checklist for your information, which shall be attached as a committee report item to the bill.

For guidance and questions, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-6453.

Thank you for your attention to this important matter.

Respectfully,


Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules



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COR MEMO R-6-020717



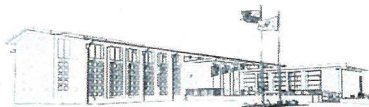
COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*
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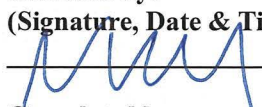
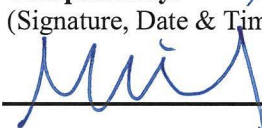


PRE-REFERRAL CHECKLIST

BILL NO. 15-34 (COR) AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT & SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY.		
(A) Legal Bureau	(1) One subject matter? [SR § 6.01(a), 2 GCA § 2108(a)] <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (Return to Prime Sponsor)	Notice to Legal Bureau: <u>02/01/17</u>
	(2) Conform to Standing Rules as to form and style? [SR §§ 6.02(b) and (d), 6.03(d)] <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)	Completed by Legal Bureau: <u>2/4/17 2:46pm</u>
(B) Office of Finance & Budget (OFB)	(1) Does the Bill contain appropriations or authorizations for appropriations from any fund sources? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Notice to OFB: <u>02/01/17</u>
	(2) Does the Bill contain an authorization to expend government funds? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Completed by OFB: <u>2/02/17 11:52am</u>
	(3) Does the Bill contain provisions that have potential fiscal impacts on the government of Guam budget? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
COR Action	Is the fiscal impact revenue negative to the government of Guam budget? <input checked="" type="checkbox"/> YES (Refer to Committee on Appropriations) <input type="checkbox"/> NO <input type="checkbox"/> N/A	Completed by: <u>[Signature] 4:47pm</u>



PRE-REFERRAL CHECKLIST

BILL NO. 15-34 (COR) AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT & SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY.		
(C) DEBT		
(1) SR § 6.01 (b)(1)(A) Land, Infrastructure, Building Projects, Capital Improvement Projects	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)	Received by: (Signature, Date & Time)  4:47 pm Completed by: (Signature, Date & Time)  2/7/17 4:48 pm
(2) SR § 6.01 (b)(1)(B) Refinancing of existing debt (not less than 2%)	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor)	
(3) SR § 6.01 (b)(2) Authorize public debt to fund operations of agency, instrumentality, public corporation	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES <input type="checkbox"/> NO (Return to Prime Sponsor) <input type="checkbox"/> Waived (per official state of emergency, as attached)	
COR Action	<input checked="" type="checkbox"/> Return to Prime Sponsor <input checked="" type="checkbox"/> Refer to: <i>Subj. to consider by prime sponsor, (AXI) refer to Appropriations as per (B)(2) @.</i>	



I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 15-34 (COR)
As Corrected by the Primary Sponsor

Introduced by: B.J.F. Cruz

**AN ACT TO REQUIRE THAT A COMPREHENSIVE
COST-BENEFIT AND SPACE UTILIZATION STUDY BE
CONDUCTED BY THE GOVERNMENT OF GUAM
PRIOR TO THE AUTHORIZATION, FUNDING, OR
CONSTRUCTION OF A UNIFIED GOVERNMENT
OFFICE FACILITY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Comprehensive Cost-Benefit and Space Utilization Study

Required. Notwithstanding any other provision of law, rule, or regulation, and prior to any further authorization for the construction of any government office space within the municipality of *Hagåtña* for the executive branch of the government of Guam, a Comprehensive Cost-Benefit and Space Utilization Study (the Study) *shall* first be conducted. The Study *shall* determine if it is cost-beneficial to the government of Guam to relocate certain government of Guam agencies currently leasing or renting office space as compared to continuing to lease or rent such office space under either their current terms or reasonably renegotiated terms. The Study *shall* contain, *at a minimum*, the following information:

(a) a comprehensive cost analysis of current government of Guam leases, including space requirements for all departments and/or agencies that

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1 are currently leasing or renting office space, available lease space and
2 market lease rates, ongoing operating and maintenance costs, one-time costs
3 upon relocation, lease periods, expected price escalation factors, cost
4 projections, and other relevant cost considerations;

5 (b) a comprehensive cost analysis on the construction of a
6 government office facility in the municipality of *Hagåtña*, including
7 building area, parking requirements, potential impact on current traffic in the
8 proposed location, impact on existing businesses and residents, construction
9 costs, construction timelines, ongoing operating and maintenance costs, one-
10 time costs upon relocation, additional income from subleases, if any,
11 construction and new building operating periods, expected price escalation
12 factors, cost projections, and other relevant cost considerations;

13 (c) a comprehensive cost-benefit analysis of various options,
14 including a status quo scenario. The options presented *shall* take into
15 consideration and enumerate the costs, potential benefits, and potential
16 limitations and drawbacks of each option; and

17 (d) a presentation of various financing alternatives for any
18 proposed government office facility, including, but not limited to, bond
19 issuance, commercial bank loan, and design, build, operate and transfer
20 schemes. The cost and benefits of each of the financing alternatives *shall*
21 also be presented. The Study required under this Section *shall* be subject to
22 the Guam Procurement Law, 5 GCA Ch. 5, and *shall* be procured through
23 the General Services Agency of the Department of Administration.

24 **Section 2. Funding.** *I Liheslaturan Guåhan shall* identify a funding
25 source and appropriation authorization in the Fiscal Year 2018 Budget Act to fund
26 the Comprehensive Cost-Benefit and Space Utilization Study required in Section 1
27 of this Act. Nothing herein shall prevent *I Maga'låhen Guåhan* from transferring

1 appropriations within his authority pursuant to Public Law 33-185, but if such
2 appropriations are transferred for the purpose of the study in Section 1, *I*
3 *Maga'låhen Guåhan* and the Director of the Bureau of Budget and Management
4 Research *shall* report said transfer to the Speaker of *I Liheslaturan Guåhan* within
5 five (5) days of effectuating said transfer.

6 **Section 3.** Nothing in this Act shall be construed so as to prevent, de-
7 authorize or otherwise abrogate the following authorizations:

8 (a) Public Law 29-135 (Department of Land Management
9 Building);

10 (b) Public Laws 30-201, 31-229, 31-277, 32-063, and 32-120
11 (University of Guam Student Services Center and Engineering Annex, and
12 Guam Community College Laboratory and Buildings);

13 (c) Public Laws 31-229, 32-120, and 32-121 (Guam Department of
14 Education Public Schools);

15 (d) Public Laws 32-204 and 33-151 (Guam Memorial Hospital
16 Authority Labor and Delivery Ward); and

17 (e) Public Law 33-66 (Unified Judiciary of Guam Judicial Building
18 Fund Refinancing and Related Buildings).

19 **Section 4. Effective Date.** This Act *shall* become effective upon
20 enactment.

21 **Section 5. Severability.** If any provision of this Act or its application to
22 any person or circumstance is held invalid, the invalidity *shall not* affect other
23 provisions or applications of this Act that can be given effect without the invalid
24 provision or application and to this end the provisions of this Act are severable.