EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JUN 13 2017

The Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na
Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GL#34-17-620

Speaker Benjamin J.F. Cruz

JUN 13 2017

Time: 1055 [ ] AM [ ] PM File No.

Received By:

2017 JUN 13 AM 11:38

Dear Mr. Speaker:

Transmitted herewith is Bill No. 37-34 (LS), **"AN ACT TO *AMEND* §§ 77703(a) AND (b), 77705(a) AND (b), AND 77710(a) OF ARTICLE 7, CHAPTER 77, DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, AS *ADDED* BY PUBLIC LAW 33-191, RELATIVE TO CERTAIN BUSINESS PRIVILEGE TAX CREDITS FOR THE REHABILITATION AND IMPROVEMENT OF THE HARMON INDUSTRIAL PARK ROADWAY,"** which was signed into law on June 7, 2017, as **Public Law 34-10.**

Senseramente,

EDDIE BAZA CALVO
Governor of Guam

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 37-34 (LS), "AN ACT TO *AMEND* §§ 77703(a) AND (b), 77705(a) AND (b), AND 77710(a) OF ARTICLE 7, CHAPTER 77, DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, AS *ADDED* BY PUBLIC LAW 33-191, RELATIVE TO CERTAIN BUSINESS PRIVILEGE TAX CREDITS AND USE EXCISE TAX CREDITS FOR THE REHABILITATION AND IMPROVEMENT OF THE HARMON INDUSTRIAL PARK ROADWAY,"** was on the 26th day of May 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 26TH day of MAY, 2017, at 5:25 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: JUN 07 2017

Public Law No. 34-10

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

Bill No. 37-34 (LS)
As amended by the Committee on
Appropriations and Adjudication;
and further amended on the Floor.

Introduced by: FRANK B. AGUON JR.
Thomas C. Ada
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* §§ 77703(a) AND (b), 77705(a) AND (b), AND 77710(a) OF ARTICLE 7, CHAPTER 77, DIVISION 2, TITLE 12, GUAM CODE ANNOTATED, AS *ADDED* BY PUBLIC LAW 33-191, RELATIVE TO CERTAIN BUSINESS PRIVILEGE TAX CREDITS AND USE EXCISE TAX CREDITS FOR THE REHABILITATION AND IMPROVEMENT OF THE HARMON INDUSTRIAL PARK ROADWAY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 77703(a) and (b) of Article 7, Chapter 77, Division 2, Title 12, Guam Code Annotated, as *added* by Public Law 33-191, are hereby *amended* to read:

"**§ 77703. Cap on Business Privilege Tax Credits for the Rehabilitation and Improvement of the Harmon Industrial Park Roadway.**

(a) The total amount of credits against unpledged business privilege taxes for the rehabilitation and improvement of the Harmon Industrial Park Roadway authorized herein *shall not* exceed One Million Dollars ($1,000,000) over a five (5) year period. For the first (1st) year, which initiates on October 1, 2017, up to Seventy-five Thousand Dollars ($75,000) in tax credits *shall* be authorized. For years two (2), three (3), and four (4), which initiate on October 1, 2018, October 1, 2019, and October 1, 2020, respectively, no more than Two Hundred Fifty Thousand Dollars ($250,000) in tax credits *shall* be authorized for each year of the program. For the fifth (5th) and final year, which initiates on October 1, 2021, no more than One Hundred Seventy-five Thousand Dollars ($175,000) in tax credits *shall* be authorized.

(b) If, at the expiration of the five (5) year period authorized pursuant to this Article, there are still unclaimed authorized tax credits, *I Liheslaturan Guåhan* may, in its discretion, extend the eligible period until such time that all eligible tax credits are exhausted."

Section 2. § 77705(a) and (b) of Article 7, Chapter 77, Division 2, Title 12, Guam Code Annotated, as *added* by Public Law 33-191, are hereby *amended* to read:

"**§ 77705. Cap on Use Excise Tax Credits for the Rehabilitation and Improvement of the Harmon Industrial Park Roadway.**

(a) The total amount of credits against use excise taxes, not inclusive of those pledged for the Healthy Futures Fund, for the rehabilitation and improvement of the Harmon Industrial Park Roadway authorized herein *shall not* exceed Three Million Dollars ($3,000,000) over a five (5) year period. For the first (1st) year, which initiates on October 1, 2017, up to Two Hundred Twenty-five Thousand Dollars ($225,000) in tax credits *shall* be authorized. For years two (2), three (3), and four (4), which initiate on October 1, 2018, October 1, 2019, and October 1, 2020, respectively, no more than Seven Hundred Fifty Thousand Dollars ($750,000) in tax credits *shall* be authorized for each year of the program. For the fifth (5th) and final year, which initiates on October 1, 2021, no more than Five Hundred Twenty-five Thousand Dollars ($525,000) in tax credits *shall* be authorized.

(b) If, at the expiration of the five (5) year period authorized pursuant to this Article, there are still unclaimed authorized tax credits, *I Liheslaturan Guåhan* may, in its discretion, extend the eligible period until such time that all eligible tax credits are exhausted."

Section 3. § 77710(a) of Article 7, Chapter 77, Division 2, Title 12, Guam Code Annotated, as *added* by Public Law 33-191, is hereby *amended* to read:

"**§ 77710. Architectural and Engineering Design.**

(a) Prior to the approval of any tax credits under §§ 77702 and 77704 of this Article, as well as the initiation of any rehabilitation or improvement projects identified in this Article, up to Three Hundred Thousand Dollars ($300,000) *shall* be expended for an Architectural and Engineering Design for the Harmon Industrial Park Roadway project identified in this Article. This design must identify all the projects, including the total costs that would qualify under the tax credits of this Act. The design must be completed *no later than* May 1, 2018."

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

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