

*I Mina'trentai Sais Na Liheslaturan Guåhan*  
**BILL STATUS**

| BILL NO.  | SPONSOR   | TITLE  | DATE INTRODUCED       | DATE REFERRED      | CMTE REFERRED  | PUBLIC HEARING DATE   | DATE COMMITTEE REPORT FILED  | FISCAL NOTES  | NOTES |
|---|---|--|-----------------------|--------------------|--|-----------------------|--|---|-------|
| <b>259-36 (LS)</b><br>As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts, and further amended in the Committee of the Whole | Telo T. Taitague<br>Amanda L. Shelton<br>Sabina Flores Perez<br>Joanne Brown<br>Frank F. Blas, Jr.<br>Jose "Pedo" Terlaje | "ÁKTON GUMA" (GROUP USE MANÁMKO ACCOMMODATIONS) INCENTIVE ACT, AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING NEW SPECIAL QUALIFYING CERTIFICATE INCENTIVES FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS.                 | 2/21/22<br>12:21 p.m. | 3/2/22             | Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts | 5/2/22<br>9:00 a.m.   | 8/23/22<br>5:16 p.m.<br><br>As amended by the Committee on Economic Development, Agriculture, Power and Energy | Request: 3/2/22<br><br>3/14/22                                |       |
|   | <b>SESSION DATE</b>   | <b>TITLE</b>   | <b>DATE PASSED</b>    | <b>TRANSMITTED</b> | <b>DUE DATE</b>  | <b>PUBLIC LAW NO.</b> | <b>DATE SIGNED</b>   | <b>NOTES</b>  |       |
|   | 9/23/22   | AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A NEW SPECIAL QUALIFYING CERTIFICATE FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS; AND TO BE KNOWN AS THE "ÁKTON GUMA (GROUP USE MANÁMKO ACCOMMODATIONS) INCENTIVE ACT." | 9/30/22               | 9/30/22            | 10/12/22   | 36- 111               | 10/12/22   | Received: 10/12/22<br>Mess and Comm. Doc. No.<br>36GL-22-2665 |       |

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

October 12, 2022

**HONORABLE THERESE M. TERLAJE, Speaker**  
*I Mina'trentai Sais Na Liheslaturan Guāhan, 36<sup>th</sup> Guam Legislature*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

Doc Type: 36GL-22-2665  
OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

-10- 1 2 2022

Time: 4:38pm  
Received: [Signature]

**Re: BILL NO. 259-36 (LS) - AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A NEW SPECIAL QUALIFYING CERTIFICATE FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS; AND TO BE KNOWN AS THE "ĀKTON GUMA (GROUP USE MANĀMKO ACCOMMODATIONS) INCENTIVE ACT**

*Hafa Adai* Madame Speaker,

The Qualifying Certificate ("QC") Program administered by the Guam Economic Development Authority ("GEDA") is an important tool for incentivizing economic development on our island. The goal of Bill 259-36 is to expand the use of QCs to stimulate investment in housing development specifically to address the shortage in residential living facilities and communities for our island's elderly residents, most of whom live on a fixed income, and who may require assistance or care. As our leaders continue the challenging task of working to resolve the complex issues that contribute to housing insecurity on our island, it is important that we take time to identify the ways in which the more vulnerable members of our community will need additional attention and assistance, so that we may fashion programs to ensure they are not looked over or left behind. For these reasons, I believe Bill 259-36's intent merits support, and I am confident that GEDA will leverage the authority provided in this bill to attract investment into elderly residential housing and community development that will help our *manāmko* continue to live with the dignity, strength and independence that define their generation. For these reasons, I sign Bill No. 259-36 into law as **Public Law No. 36-111**.

*Senseremente,*

**LOURDES A. LEON GUERRERO**  
*Maga'hāgan Guāhan*  
Governor of Guam

**COMMITTEE ON RULES  
RECEIVED:**

October 13, 2022  
8:00 A.M.


Enclosure: Bill No. 259-36 (LS) *nka P.L. No. 36-111*

cc via email: *Honorable* Joshua F. Tenorio, Lt. Governor of Guam  
Compiler of Laws

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN**  
**2022 (SECOND) Regular Session**

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

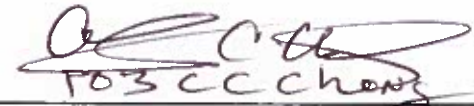
This is to certify that **Bill No. 259-36 (LS)**, "AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A NEW SPECIAL QUALIFYING CERTIFICATE FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS; AND TO BE KNOWN AS THE "ÅKTON GUMA (GROUP USE MANÅMKO ACCOMMODATIONS) INCENTIVE ACT," was on the 30<sup>th</sup> day of September 2022, duly and regularly passed.

  
\_\_\_\_\_  
**Therese M. Tenaje**  
**Speaker**

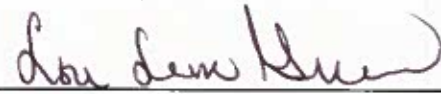
Attested:

  
\_\_\_\_\_  
**Amanda D. Shelton**  
**Legislative Secretary**

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This Act was received by *I Maga'hågan Guåhan* this 30<sup>th</sup> day of Sept.,  
2022, at 7:30 o'clock P.M.

  
\_\_\_\_\_  
**Assistant Staff Officer**  
**Maga'håga's Office**

APPROVED:

  
\_\_\_\_\_  
**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 10/12/2022

Public Law No. 36-111

**Georgiana**  
**Rodrigues**

2022-17525  
RCUD AT CENTRAL FILES  
OCT 3 '22 AM 10:32

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN**  
**2022 (SECOND) Regular Session**

**Bill No. 259-36 (LS)**

As amended by the Committee on Economic Development,  
Agriculture, Power and Energy Utilities, and the Arts;  
and further amended in the Committee of the Whole.

Introduced by:

Telo T. Taitague  
Amanda L. Shelton  
Sabina F. Perez  
Joanne S. Brown  
Frank Blas, Jr.  
Jose "Pedo" Terlaje  
V. Anthony Ada  
Christopher M. Dueñas  
James C. Moylan  
Tina Rose Muña Barnes  
Telena Cruz Nelson  
Clynton E. Ridgell  
Joe S. San Agustin  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A NEW SPECIAL QUALIFYING CERTIFICATE FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS; AND TO BE KNOWN AS THE "ÅKTON GUMA (GROUP USE MANÅMKO ACCOMMODATIONS) INCENTIVE ACT."**

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

2 **Section 1.** This Act shall be known as the "*Åkton GUMA*" (Group Use  
3 *Manåmko* Accommodations) Incentive Act."

1           **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that with the rising cost of housing for the growing population of seniors on fixed  
3 incomes in Guam, the need to plan to meet the changing needs of Guam’s growing  
4 *manåmko* population has become a vital necessity. Local incentives to promote the  
5 private development of elderly residential living communities are limited to federal  
6 housing subsidies for the elderly and federal development programs for eligible  
7 elderly developments.

8           Although specific federally supported opportunities exist to develop elderly  
9 residential living communities, St. Dominic’s, a nursing home built in 1987, is the  
10 only privately operated elderly continuum of care facility in Guam. Currently, Guam  
11 has no assisted care housing opportunities that fill the void between elderly  
12 independent living facilities and nursing home facilities. There is a recognition for  
13 developing privately owned and operated elderly residential living communities  
14 both locally and nationally.

15           Elderly residential care housing development is gaining recognition with  
16 investors, developers, and future residents alike. The trend is driven by the  
17 impending arrival of baby boomers to the senior living space and the broader shift  
18 from acute care to wellness and prevention, paving the way for more health-focused  
19 development to be integrated with traditional senior housing opportunities.

20           Land, construction, labor, and materials costs have skyrocketed, especially in  
21 2021, and in the face of tighter construction margins, a developer looking to build  
22 senior residential care development may find itself unable to get a community built.  
23 That is where subsidies such as tax credits and incentives become essential tools to  
24 make a development balance sheet work.

25           The Qualifying Certificate Program, created under Public Law 8-80 and  
26 amended by Public Laws 20-178 and 22-159, is an economic incentive tool that  
27 encourages investments to strengthen the island economy, enrich its growth, and

1 enhance the quality of life in Guam. The Qualifying Certificate Program has proven  
2 to be highly successful, ensuring the appropriate stimulation of legitimate  
3 investment of new economic development that is necessary to advance senior  
4 housing development in Guam.

5 Senior living development costs are averaging Two Hundred Fifty-six  
6 Thousand Dollars (\$256,000) per unit, or Two Hundred Eighty-three Dollars (\$283)  
7 per square foot, according to a report from the world's largest real estate services  
8 and investment firm Coldwell Banker Richard Ellis Group (CBRE). Guam relies  
9 heavily on importing resources, building materials, and labor costs that affect local  
10 developments and are mostly more expensive and possibly as much as forty percent  
11 (40%) higher in Guam.

12 Currently, the Guam Housing and Urban Renewal Authority (GHURA) has  
13 seven hundred fifty (750) public housing units, of which eighty-two (82) of those  
14 units are for the elderly. Additionally, GHURA has forty-nine (49) elderly units  
15 located throughout Guam; and this makes the total number of units for the elderly to  
16 be one hundred thirty-one (131). The Government of Guam receives funds from the  
17 U.S. Department of Housing and Urban Development (HUD) to administer housing  
18 for low-income residents at rents they can afford, and GHURA administers these  
19 funds for the Government of Guam. Developers need to leverage available federal  
20 and local tax incentive opportunities in developing and managing senior residences  
21 since there is a recognition that a significant need and a vacuum exists for Guam's  
22 elderly residential living opportunities.

23 The *Åkton GUMA* (Group Use *Manåmko* Accommodations) Incentive Act  
24 Qualifying Certificate provides developers with alternatives in providing needed  
25 *manåmko* residential living accommodations. Additionally, the Act attempts to  
26 migrate the development and operations of *manåmko* residential living

1 accommodations from the Government of Guam to non-profit and private sector  
2 operators.

3 The Act allows for new construction and substantial renovations of existing  
4 elderly residential accommodations that embrace independent or assisted care living.  
5 The tax incentives provided through GEDA's Qualifying Certificate Program enable  
6 developers to develop elderly low-income residential living facilities by partnering  
7 with federal and local funding and tax incentive opportunities and allows for the  
8 development of middle-income elderly residential facilities that do not qualify for  
9 coverage under available federal housing subsidies and tax incentive sources.

10 This Act allows the government to leverage solution-based objectives to  
11 private and non-profit entities to shoulder much of Guam's elderly housing vacuum.  
12 The *Akton GUMA* (Group Use *Manâmkô* Accommodations) Incentive Act allows  
13 developers to concurrently leverage federal and local funding and tax incentives to  
14 construct and operate elderly residential living housing for independent living,  
15 assisted care, and nursing home facilities. The Act also provides tax incentives for  
16 developing middle-income residential living homes as most federally subsidized  
17 programs, loans, and tax incentives are available for low-income elderly housing  
18 projects and their operations, and developers wishing to develop elderly middle-  
19 income residential living facilities are not eligible for most federal programs and  
20 incentives.

21 Therefore, this Act intends to embrace development of elderly residential  
22 living communities to meet future elderly housing needs that promote dignity,  
23 individuality, privacy, independence, and autonomy; and foster a continuum of care  
24 for the *manâmkos* of Guam.

25 **Section 3.** A new Article 3 is hereby *added* to Chapter 58 of Title 12, Guam  
26 Code Annotated, to read as follows:

27 **“ARTICLE 3**



1           **§ 58302.     Collaboration and Partnerships.**

2           The developer or operator shall reach out to Government of Guam agencies,  
3 federal agencies, and non-profit organizations to identify available funding and  
4 services that serve the elderly minorities and the elderly with disabilities, and  
5 provide an elderly continuum of care to eligible development covered by this Article.

6           **§ 58303.     Application of Article.**

7           (a)     An establishment seeking tax credits under this Article shall obtain and  
8 maintain the necessary licenses, permits and certificates, comply with zoning laws,  
9 federal laws, and obtain other governmental approvals required in the process of  
10 implementing the project.

11          (b)     A project covered by this Article shall comply with the Fair Housing  
12 Act for elderly housing projects.

13          (c)     The integration of all structural, building and operational requirements  
14 may optimize the integration of use in the project design and layout that may be  
15 productive in securing federal funding or federal loan guarantees to accomplish the  
16 same.

17           **§ 58304.     Definitions.**

18           For purposes of this Article, the following definitions shall apply:

19           (a)     *Affordable* where used in this Article shall be up to one hundred  
20 fifteen percent (115%) and less of the median income average threshold where  
21 rental dwellings are deemed affordable if the annual rent does not exceed  
22 thirty percent (30%) of the maximum income level for low income  
23 households, adjusted for household size. The income thresholds established  
24 herein may be adjusted by GEDA from time-to-time through an approved  
25 board resolution consistent with recommendations from the Guam Housing  
26 and Urban Renewal Authority and/or federal agencies, including, but not

1 (h) *Dwelling* shall be consistent with the definition contained in 21  
2 GCA § 61103(j).

3 (i) *Elderly* means individuals that are fifty-five (55) years of age or  
4 older.

5 (j) *Elderly Home or Housing* refers to an elderly dwelling,  
6 domicile, or space used as a permanent or semi-permanent residence for an  
7 individual, group or family.

8 (k) *Expansion or Renovation* means existing elderly residential  
9 living housing accommodations pursuant to this Article that may be eligible  
10 for this Special Qualifying Certificate if new capital investment is to be made  
11 that will either add to the building or significantly renovate the property.

12 (l) *Independent Living* refers to housing units and associated  
13 facilities designed for the elderly who are self-sufficient and require no on-  
14 site personal or health care services. An Independent Living housing unit  
15 consists of a room or group of rooms designed or intended to provide a  
16 habitable unit for one (1) or more persons with provisions for cooking, living,  
17 sanitation, and sleeping for the exclusive use of the household unit. Associated  
18 facilities may include substantial common and socializing areas and other  
19 amenities.

20 (m) *A Multiple-Family Dwelling* contains three (3) or more dwelling  
21 units. A dwelling unit shall be defined as one (1) or more rooms and a single  
22 kitchen, designed as a unit for occupancy by one (1) family for living and  
23 sleeping purposes. For the purposes of this Article, duplexes, townhomes,  
24 apartments, or condominiums shall be considered a multiple-family dwelling.  
25 A hotel shall not be considered a multiple-family dwelling unless the  
26 developer intends to substantially renovate the hotel use for elderly housing.

27 (n) *Nursing Home* shall be consistent with 10 GCA § 7102(a).

1 (o) *Project* refers to constructing or renovating structures or  
2 buildings for elderly residential living housing.

3 (p) *Property Value* means the current appraised value of the land and  
4 improvements. The developer shall bear the cost of such appraisal and an  
5 applicant may provide an appraisal completed within one hundred eighty  
6 (180) days prior to the date of application filing.

7 (q) *Property Tax Assessment* shall mean the real estate and  
8 improvement taxes assessed on the Project.

9 (r) *Renovation Cost* are expenses incurred from modernizing the  
10 elements within a structural part located on real property for elderly housing,  
11 whose total costs are no less than forty percent (40%) of the property value  
12 and that either:

- 13 (1) materially increases the value of the property;
- 14 (2) substantially prolongs the useful life of the property; or
- 15 (3) adapts the property to a new or better use for elderly  
16 residential living accommodations.

17 (s) *Residential Living* means a housing arrangement meeting ADA  
18 compliance and the Fair Housing Act for the elderly that is chosen voluntarily  
19 by persons fifty-five (55) years of age or over, or their authorized  
20 representative, where independent living accommodations, assisted care  
21 accommodations, and/or nursing home accommodations or any combination  
22 thereof, involving varying levels and intensities of care and supervision,  
23 protective supervision, or personal care are provided, based upon their varying  
24 needs that are located within the elderly housing facility.

25 (t) *Special Qualifying Certificate* shall refer to tax incentives on  
26 developments that are eligible or approved for the *Ákton GUMA* (Group Use  
27 *Manámko* Accommodations) Incentive Act.

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25 (t) *Special Qualifying Certificate* shall refer to tax incentives on  
26 developments that are eligible or approved for the *Ākton GUMA* (Group Use  
27 *Manāmkō* Accommodations) Incentive Act.

1 (u) *Senior Housing* means age-restricted residential housing  
2 intended and operated for occupancy by persons fifty-five (55) years of age  
3 or older.

4 (v) *Substantial Improvement* or *Substantial Renovation* means any  
5 combination of repairs, reconstruction, alteration, or improvements to a  
6 structure that is ADA compliant in which the cumulative cost equals or  
7 exceeds forty percent (40%) of the market value of the structure and real  
8 estate.

9 (w) *Supportive Services* means resources available to the resident in  
10 the community that helps to maintain their functional ability and meet their  
11 needs as identified in the individual resident assessment. Supportive services  
12 may include any of the following: medical, dental, and other health care  
13 services; transportation; recreational and leisure activities; social services; and  
14 counseling services.

15 (x) *Use* is the purpose for which land or a structure is designed,  
16 arranged, intended, occupied, or maintained.

17 (y) *Use Tax* is the tax that is levied on the landed value of or  
18 consumption of all property as defined by Chapter 28 of Title 11 GCA.

19 (z) *Zoning Law* refers to the Zoning Law of Guam, Chapter 601 of  
20 Title 21, Guam Code Annotated.

21 **§ 58305. Special Qualifying Certificate; Defined.**

22 Notwithstanding any other provision of law, rule, or regulation to the  
23 contrary, the Special Qualifying Certificate (QC) of the *Akton GUMA* (Group Use  
24 *Manamko* Accommodations) Incentive Act is a contract valid for a given period that  
25 is executed by *I Maga'hagan Guahan* (the Governor of Guam) upon the  
26 recommendation of the Authority. This QC shall be limited to the construction of  
27 new elderly residential living housing accommodations and/or the substantial

1 renovation of existing multiple-family dwellings where its use shall be for elderly  
2 residential living housing accommodations, as defined in this Article. The QC,  
3 once issued and unless suspended, rescinded, or revoked, shall constitute  
4 conclusive evidence of entitlement to the tax rebates, abatements, or exemptions  
5 set forth on its face.

6 (a) New Construction and Substantial Renovation/Improvement for  
7 Elderly Residential Living Accommodations Tax Rebate and Abatement.  
8 There shall be allowed to each developer for elderly residential living projects  
9 that exceed the affordable income threshold as shall be determined by the  
10 Authority, a tax rebate, exemption, and abatement in an amount equal to  
11 twenty-five percent (25%) of their total construction cost.

12 (b) New Construction and Substantial Renovation/Improvement  
13 for Affordable Elderly Residential Living Accommodations Tax Rebate and  
14 Abatement. There shall be allowed to each developer for the new construction  
15 or substantial renovation/improvement of affordable elderly residential  
16 living projects a tax rebate, exemption, and abatement in an amount equal to  
17 thirty percent (30%) of their total construction cost.

18 A tax rebate, exemption, and abatement as provided in Subsections (a)  
19 or (b), supra, can be applied by the developer at their discretion to the  
20 following taxes:

21 (1) up to one hundred percent (100%) Business Privilege Tax  
22 (BPT) abatement for twenty (20) years as long as the tax credits are  
23 available at the point they are taken. This BPT abatement shall not  
24 apply to the levy of three percentage points (3%), out of the total  
25 percentage points levied from time to time, of the BPT, the revenues  
26 from which are pledged to the Government of Guam Business Privilege  
27 Tax Bonds;

1                   (2) up to seventy-five percent (75%) Income Tax Rebate for  
2 twenty (20) years;

3                   (3) up to one hundred percent (100%) Real Property Tax  
4 Abatement for twenty (20) years; provided, that the fee simple owner  
5 taxpayer is the Qualifying Certificate beneficiary and that the real  
6 property is identified in their Qualifying Certificate; and

7                   (4) up to one hundred percent (100%) of Use Tax Exemption  
8 with respect to the property used to construct, furnish, and equip the  
9 new multiple-family dwelling. The exemption shall be claimed no later  
10 than one (1) year from the issuance of the facility's occupancy permit.

11           (c) Application Period. Eligible developers with new residential  
12 living developments applying for this special QC pursuant to Subsections (a)  
13 and (b), supra, shall file their application prior to issuance of the construction  
14 project building permit. Eligible developers with substantial  
15 renovation/improvement residential living projects applying for this special  
16 QC pursuant to Subsections (a) and (b), supra, shall be able to apply at any  
17 time, granted that for the purposes of calculating their tax benefit amount as  
18 provided in Subsections (a) and (b), supra, any construction costs invoiced  
19 prior to the official application submission date shall be deemed ineligible.

20           (d) Benefit Negotiations. The Authority has the sole authority to  
21 negotiate the terms of the QC. Negotiations shall be completed prior to the  
22 issuance of the housing project or multiple-family dwelling's building permit,  
23 if applicable.

24           (e) Any new construction or substantial renovation project as  
25 provided in this Article where the federal government offers tax credits,  
26 rebates, abatements, or exemptions shall remain eligible for this Special  
27 Qualifying Certificate.

1 (f) This Article shall be in compliance with the Arts in Public  
2 Buildings and Facilities pursuant to 1 GCA § 852.

3 **§ 58306. Fees.**

4 The Authority shall establish the fees for the Special Qualifying Certificate  
5 pursuant to this Article. As to the annual compliance monitoring fees, the fee shall  
6 be assessed annually until such time as the QC beneficiary has exhausted the total  
7 dollar amount of its QC benefit.

8 **§ 58307. Savings for the Tenants.**

9 If the purpose of the construction of a new elderly housing project or  
10 residential living facility, or the substantial renovation of an existing elderly  
11 residential living facility is for the developer to either resale, rent, or lease, as part  
12 of the application process for the QC, pursuant to this Article, the beneficiary  
13 shall provide a plan to the Authority as to how the approval of the QC shall translate  
14 to monetary savings for the tenants of the new or renovated residential care facility  
15 for the elderly. Failure to comply with this plan once the QC is approved and issued  
16 shall result in a suspension or revocation of the QC.

17 **§ 58308. Construction With Other Laws.**

18 Insofar as the provisions of the *Ákton GUMA* (Group Use *Manámko*  
19 Accommodations) Incentive Act are inconsistent with the provisions of any other  
20 laws or regulations, in whole or in part, the provisions of this Act shall be controlling;  
21 and in particular but not by way of limitation, except as may be provided in this  
22 Article, no provision of any law or regulation shall have cause or effect in carrying  
23 out the purpose of the provisions of the *Ákton GUMA* (Group Use *Manámko*  
24 Accommodations) Incentive Act unless *I Liheslatura* shall specifically so state.

25 **§ 58309. “Sunset” Provision.**

26 This Article shall take effect upon its approval by *I Maga'hágan Guáhan*  
27 and shall remain in effect for ten (10) years.

1           The GEDA Board, at its discretion, with input from *I Liheslatura* (the  
2 Legislature), the Guam Housing and Urban Renewal Authority, the Department of  
3 Public Health and Social Services, *I Maga'hågan Guåhan*, and the community, shall  
4 re-examine the effectiveness and need of the program to determine if it should be  
5 extended, and may extend the effectiveness of this Article for up to an additional  
6 five (5) years by adopting a resolution to such effect prior to the expiration date.  
7 Any QC issued under the conditions of this Article shall remain in full force and  
8 effect until its term expires or it is canceled on other grounds.”

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

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