

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
288-37 (LS) As amended by the Committee on Health, Land, Justice, and Culture; and further amended on the Floor	Therese M. Terlaje Sabina Flores Perez Telo T. Taitague Joanne M. Brown Chris Barnett Joe S. San Agustin Tina Rose Muña Barnes Frank Blas, Jr. Christopher M. Dueñas Roy A. B. Quinata Thomas J. Fisher Jesse A. Lujan Dwayne T.D. San Nicolas	AN ACT TO <i>AMEND</i> § 75124 AND § 75122(b)(5) OF CHAPTER 75, DIVISION 2, TITLE 21; AND § 75A124 AND § 75A122(b)(5) OF CHAPTER 75A, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO SECURE INFRASTRUCTURE FUNDING THROUGH THE U.S. DEPARTMENT OF AGRICULTURE'S RURAL UTILITIES SERVICE (RUS) TO INCLUDE THE SUBSTANTIALLY UNDERSERVED TRUST AREA (SUTA) INITIATIVE, UTILIZING PROCEEDS FROM THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND.	4/29/24 3:31 p.m.	5/2/24	Committee on Health, Land, Justice, and Culture	Request: 5/2/24 5/13/24	5/16/24 8:30 a.m.	6/14/24 4:27 p.m.	As amended by the Committee on Health, Land, Justice, and Culture
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
6/24/24	AN ACT TO <i>AMEND</i> §§ 75124 AND 75122(b)(5) OF CHAPTER 75, AND § 75A124 AND § 75A122(b)(5) OF CHAPTER 75A, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE <i>CHAMORRO</i> LAND TRUST COMMISSION TO SECURE INFRASTRUCTURE FUNDING THROUGH THE U.S. DEPARTMENT OF AGRICULTURE'S RURAL UTILITIES SERVICE (RUS) TO INCLUDE THE SUBSTANTIALLY UNDERSERVED TRUST AREA (SUTA) INITIATIVE, UTILIZING PROCEEDS FROM THE <i>CHAMORRO</i> LAND TRUST SURVEY AND INFRASTRUCTURE FUND.	7/10/24	7/10/24	7/22/24	37-114	7/22/24	Received: 7/22/24 Messages and Communications Doc. No. 37GL-24-2387		

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

Doc Type: **37GL-24-2387**
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

July 22, 2024

THE HON. THERESE M. TERLAJE, *Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

JUL 22 2024
Time: **6:40 pm**
Received:

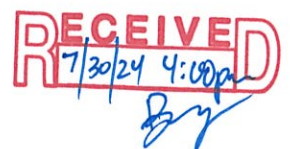
Re: Bill No. 288-37 (LS) - AN ACT TO AMEND §§ 75124 AND 75122(b)(5) OF CHAPTER 75, AND § 75A124 AND § 75A122(b)(5) OF CHAPTER 75A, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO SECURE INFRASTRUCTURE FUNDING THROUGH THE U.S. DEPARTMENT OF AGRICULTURE'S RURAL UTILITIES SERVICE (RUS) TO INCLUDE THE SUBSTANTIALLY UNDERSERVED TRUST AREA (SUTA) INITIATIVE, UTILIZING PROCEEDS FROM THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND.

Håfa Adai Madam Speaker,

Bill No. 288-37 authorizes the *Chamorro* Land Trust Commission (CLTC) to expend funds from its Survey and Infrastructure Fund to fund debt service for financing obtained through the U.S. Department of Agriculture's Rural Utilities Service (RUS) program, which includes the Substantially Underserved Trust Area (SUTA) Initiative. Both of these programs provide long-term loans at below-market rates to assist communities in developing the necessary utility infrastructure to allow for the construction of homes that are safe and sanitary.

Probably the single largest impediment to lease holders of leases from the CLTC is the lack of basic infrastructure. In addition to the obvious challenges of being unable to connect to the power grid or to water and sewer systems, the lack of basic infrastructure prevents lease holders from obtaining financing from most lenders.

Accessing the RUS and SUTA will provide Guam one more tool to extend needed utilities infrastructure to every one of Guam's citizens. Extending the needed utilities to all of our citizens will not only improve their standard of living but will also help reduce the damage to our environment that too often comes with development.

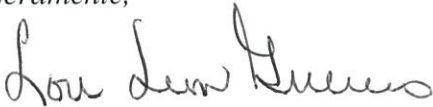


To: The Hon. Therese M. Terlaje, Speaker
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam
Date: July 22, 2024
Re: Bill No. 288-37 (LS)

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For these reasons I am signing Bill No. 288-37 into law as **Public Law 37-114**.

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 288-37 (LS) nka P.L. 37-114

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

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

This is to certify that **Bill No. 288-37 (LS)**, "AN ACT TO *AMEND* §§ 75124 AND 75122(b)(5) OF CHAPTER 75, AND § 75A124 AND § 75A122(b)(5) OF CHAPTER 75A, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE *CHAMORRO* LAND TRUST COMMISSION TO SECURE INFRASTRUCTURE FUNDING THROUGH THE U.S. DEPARTMENT OF AGRICULTURE'S RURAL UTILITIES SERVICE (RUS) TO INCLUDE THE SUBSTANTIALLY UNDERSERVED TRUST AREA (SUTA) INITIATIVE, UTILIZING PROCEEDS FROM THE *CHAMORRO* LAND TRUST SURVEY AND INFRASTRUCTURE FUND," was on the 10th day of July 2024, duly and regularly passed.



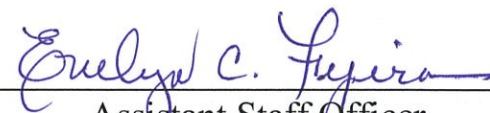
Therese M. Terfaje
Speaker

Attested:




Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 10th day of JULY,
2024, at 4:22 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: JULY 22, 2024

Public Law No. 37-114

2024-21949

OFFICE OF THE GOVERNOR	
CENTRAL FILES OFFICE	
Rec'd By:	Jomichael C. Quinata
Date:	7-10-24 Time: 4:22 PM

I MINA'TRENTAI SIETTE LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 288-37 (LS)

As amended by the Committee on
Health, Land, Justice, and Culture;
and further amended on the Floor.

Introduced by:

Therese M. Terlaje
Sabina Flores Perez
Telo T. Taitague
Joanne M. Brown
Chris Barnett
Joe S. San Agustin
Tina Rose Muña Barnes
Frank Blas, Jr.
Christopher M. Dueñas
Roy A. B. Quinata
Thomas J. Fisher
Jesse A. Lujan
Dwayne T.D. San Nicolas
William A. Parkinson
Amanda L. Shelton

AN ACT TO AMEND §§ 75124 AND 75122(b)(5) OF CHAPTER 75, AND § 75A124 AND § 75A122(b)(5) OF CHAPTER 75A, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO SECURE INFRASTRUCTURE FUNDING THROUGH THE U.S. DEPARTMENT OF AGRICULTURE'S RURAL UTILITIES SERVICE (RUS) TO INCLUDE THE SUBSTANTIALLY UNDERSERVED TRUST AREA (SUTA) INITIATIVE, UTILIZING PROCEEDS FROM THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that USDA has confirmed that Guam is eligible to participate in the U.S. Department

1 of Agriculture’s Rural Utilities Service (RUS) and Substantially Underserved Trust
2 Area (SUTA) Initiative. The program offers qualified applicants access to low-
3 interest financing to support critical infrastructure development. Qualified applicants
4 may seek assistance including Rural Electrification Direct and Guaranteed Loans;
5 High Energy Cost Grants; Water and Waste Disposal Direct and Guaranteed Loans;
6 Water and Waste Disposal Grants; Broadband Direct and Guaranteed Loans; and,
7 Telecommunications Infrastructure Direct and Guaranteed Loans.

8 It is, therefore, the intent of *I Liheslaturan Guåhan* to assist CLTC
9 beneficiaries in maximizing their residential or agricultural properties. Accordingly,
10 this Act proposes to authorize the CLTC to secure financing through the U.S.
11 Department of Agriculture’s Rural Utilities Service (RUS) to include the
12 Substantially Underserved Trust Area (SUTA) Initiative, utilizing revenues
13 generated from commercial lease agreements.

14 **Section 2.** § 75124 of Chapter 75, Division 2, Title 21, Guam Code
15 Annotated, is hereby *amended* to read:

16 **“§ 75124. The Chamorro Land Trust Survey and Infrastructure**
17 **Fund.**

18 The Chamorro Land Trust Commission shall create a special fund
19 called the Chamorro Land Trust Survey and Infrastructure Fund (Fund),
20 which shall be maintained separate and apart from any other funds and shall
21 not be subject to the transfer authority of *I Maga'låhen/Maga'hågan Guåhan*.

22 (a) Notwithstanding any other provision requiring the deposit
23 of proceeds to other funds, the Fund shall receive:

24 (1) the proceeds of all sales of bull cart trails,
25 substandard lots, irregular lots, remnants, splinter lots, fractional
26 lots, easement purchase remnants, and easement condemnation
27 remnants belonging to the government of Guam; and

1 (2) the proceeds of commercial leases or licenses
2 executed after October 2015.

3 (b) Expenditures from the Fund shall be made pursuant to a
4 resolution by the CLTC, and shall be restricted to the following
5 expenditures:

6 (1) for the subdivision, surveying, mapping and
7 registration of tracts of residential and agricultural land in the
8 CLTC property inventory; and

9 (2) for the construction of infrastructure, to include
10 access roads, water, and power utilities, to service CLTC
11 residential and agricultural tracts of land, including debt service
12 required for financing secured through the U.S. Department of
13 Agriculture's Rural Utilities Service (RUS) to include the
14 Substantially Underserved Trust Area (SUTA) Initiative. In
15 addition to the annual lease fee established by § 75108 of this
16 Chapter, the Commission may recover from lessees, the full cost
17 of SUTA funded investments which shall be prorated over the
18 life of duly executed lease agreements.

19 (c) The Commission shall report on a quarterly basis to the
20 Speaker of *I Liheslaturan Guåhan* as to the revenues collected and
21 expended from the Fund, including any and all financial agreements
22 secured through the U.S. Department of Agriculture's RUS and SUTA
23 Initiative, and post the same on the website of the Chamorro Land Trust
24 Commission. The Fund shall be subject to audit by the Guam Public
25 Auditor."

26 **Section 3.** § 75A124 of Chapter 75A, Division 2, Title 21, Guam Code
27 Annotated, is hereby *amended* to read:

1 **“§ 75A124. The Chamorro Land Trust Survey and Infrastructure**
2 **Fund.**

3 The Chamorro Land Trust Commission shall create a special fund
4 called the *Chamorro Land Trust Survey and Infrastructure Fund* (Fund),
5 which shall be maintained separate and apart from any other funds and shall
6 not be subject to the transfer authority of *I Maga'låhen/I Maga'hågan Guåhan*.

7 (a) Notwithstanding any other provision requiring the deposit
8 of proceeds to other funds, the Fund shall receive:

9 (1) the proceeds of all sales of bull cart trails,
10 substandard lots, irregular lots, remnants, splinter lots, fractional
11 lots, easement purchase remnants, and easement condemnation
12 remnants belonging to the government of Guam;

13 (2) the proceeds of commercial leases or licenses
14 executed after October 2015; and

15 (3) the proceeds of CLTC commercial submerged lands
16 license agreements, to include license fees, landing fees, fines,
17 and interest.

18 (b) Expenditures from the Fund shall be made pursuant to a
19 resolution by the CLTC, and shall be restricted to the following
20 expenditures:

21 (1) for the subdivision, surveying, mapping and
22 registration of tracts of residential and agricultural land in the
23 CLTC property inventory; and

24 (2) for the construction of infrastructure, to include
25 access roads, water, water, sewer, power utilities,
26 telecommunications resources, and subdivision improvements,
27 which include, but are not limited to, storm drainage facilities,

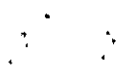
1 curbs, street gutters, and sidewalks, to service CLTC residential
2 and agricultural tracts of land, including debt service required for
3 financing secured through the U.S. Department of Agriculture’s
4 Rural Utilities Service (RUS) to include the Substantially
5 Underserved Trust Area (SUTA) Initiative. In addition to the
6 annual lease fee established by § 75A108 of this Chapter, the
7 Commission may recover from lessees, the full cost of RUS and
8 SUTA funded investments which shall be prorated over the life
9 of duly executed lease agreements.

10 (c) The Commission shall report on a quarterly basis to the
11 Speaker of *I Liheslaturan Guåhan* as to the revenues collected and
12 expended from the Fund, including any and all financial agreements
13 secured through the U.S. Department of Agriculture’s RUS and SUTA
14 Initiative, and post the same on the website of the Chamorro Land Trust
15 Commission. The Fund shall be subject to audit by the Guam Public
16 Auditor.”

17 **Section 4.** § 75122(b)(5) of Chapter 75, Division 2, Title 21, Guam Code
18 Annotated, is hereby *amended* to read:

19 “(5) Notwithstanding § 75105(b) of Chapter 75 of Title 21, Guam
20 Code Annotated, all income arising out of any lease or license of those
21 properties declared in this Subsection shall be credited to and deposited in the
22 Chamorro Land Trust Survey and Infrastructure Fund and Chamorro Home
23 Loan Fund in allocated amounts determined by the CLTC through the
24 adoption of a resolution.”

25 **Section 5.** § 75A122(b)(5) of Chapter 75A, Division 2, Title 21, Guam Code
26 Annotated, is hereby *amended* to read:



1 “(5) Notwithstanding § 75A105(b) of Chapter 75A of Title 21, Guam
2 Code Annotated, all income arising out of any lease or license of those
3 properties declared in this Subsection shall be credited to and deposited in the
4 Chamorro Land Trust Survey and Infrastructure Fund and the Chamorro
5 Home Loan Fund in allocated amounts determined by the CLTC through the
6 adoption of a resolution.”