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
295-36 (LS)	Joe S. San Agustin Tina Rose Muña Barnes Amanda L. Shelton Jose "Pedo" Terlaje V. Anthony Ada Frank Blas, Jr James C. Moylan	AN ACT TO TEMPORARILY WAIVE THE LEVY OF EXCISE TAXES, AUTOMOTIVE SURCHARGES, AND MASS TRANSIT AUTOMOTIVE SURCHARGES ON LIQUID FUEL FOR ONE HUNDRED EIGHTY (180) CALENDAR DAYS; TO AMEND SUBSECTION (j)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54 RELATIVE TO THE APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WORKS, AND TO AMEND SUBSECTION (dd)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54 RELATIVE TO THE APPROPRIATIONS FOR THE GUAM REGIONAL TRANSIT AUTHORITY.	4/25/22 9:11 a.m.	4/26/22	Committee on General Government Operations, Appropriations, and Housing		6/10/22 5:15 p.m. As amended by the Committee on General Government Operations, Appropriations, and Housing	Request: 4/26/22 5/4/22	6/16/2022

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES
6/17/22	AN ACT TO TEMPORARILY WAIVE THE LEVY OF EXCISE TAXES, AUTOMOTIVE SURCHARGES, AND MASS TRANSIT AUTOMOTIVE SURCHARGES ON LIQUID FUEL FOR ONE HUNDRED EIGHTY (180) CALENDAR DAYS; TO *AMEND* SUBSECTION (j)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC WORKS; AND TO *AMEND* SUBSECTION (dd)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE GUAM REGIONAL TRANSIT AUTHORITY.	6/17/22	6/21/22	7/2/22	36-105	6/21/22	Received: 6/21/22 Mess and Comm. Doc. No. 36GL-22-2164

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

June 21, 2022

Doc Type: 36GL-22-2164
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
06 21 2022
Time: 3:44PM
Received:

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: BILL NO. 295-36 (LS) – AN ACT TO TEMPORARILY WAIVE THE LEVY OF EXCISE TAXES, AUTOMOTIVE SURCHARGES, AND MASS TRANSIT AUTOMOTIVE SURCHARGES ON LIQUID FUEL FOR ONE HUNDRED EIGHTY (180) CALENDAR DAYS; TO *AMEND* SUBSECTION (j)(l) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC WORKS; AND TO *AMEND* SUBSECTION (dd)(l) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE GUAM REGIONAL TRANSIT AUTHORITY

Hafa Adai Madame Speaker,

Several factors have contributed to the recent rise in gas prices, not the least of which is the surge in the cost of crude oil resulting in large part from the war in Ukraine. The spike in gas prices has caused our current price at the pump to rise to $6.48 for regular unleaded, compared to $4.61 just one year ago. Our island is certainly not alone in experiencing the financial strain from the rising cost of fuel – the country and the world share this struggle. And it is true that the cost of fuel is anticipated to rise further in the coming months.

While efforts are underway nationally to stabilize gas prices, we must do what we can at the local level to alleviate the strain experienced by our community. This means studying the ways in which our government contributes to the price at the pump. Currently, our government charges an excise tax on liquid fuel, as well as automotive and mass transit automotive surcharges on liquid fuel that adds an additional few cents per gallon on top of what a person ordinarily pays for gas. These sums in turn are used to pay for government services, notably the maintenance of our secondary roads by the Department of Public Works, and the operational costs of the Guam Regional Transit Authority.

Bill No. 295-36 seeks to waive these taxes and surcharges for a period of one hundred eighty (180) days, and shifts the burden of funding the gap in revenue from the fuel tax and surcharges for the Highway Fund and the Public Transit Fund to the General Fund, preserving critical funding for

secondary road maintenance and public transportation. While there is more work to be done to achieve a comprehensive long-term solution to the rising cost of fuel, including a more meaningful transition to lifestyles that are less reliant on fossil fuels, every effort, however incremental, can help those in our community who need it today. For these reasons, I sign Bill No. 295-36 into law as ***Public Law No. 36-105***.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

RECEIVED
JUN 21 2022
3:58 P.M.
COMMITTEE ON RULES

Enclosure: Bill No. 295-36 (LS) *nka P.L. No. 36-105*

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
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. 295-36 (LS), "AN ACT TO TEMPORARILY WAIVE THE LEVY OF EXCISE TAXES, AUTOMOTIVE SURCHARGES, AND MASS TRANSIT AUTOMOTIVE SURCHARGES ON LIQUID FUEL FOR ONE HUNDRED EIGHTY (180) CALENDAR DAYS; TO *AMEND* SUBSECTION (j)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC WORKS; AND TO *AMEND* SUBSECTION (dd)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE GUAM REGIONAL TRANSIT AUTHORITY,"** was on the 17th day of June 2022, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda L. Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 21st day of JUNE, 2022, at 9:52 o'clock A.M.

Elsie V. Z.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 6/21/2022

Public Law No. 36-105

2022 - 16816
RCVD AT CENTRAL FILES
JUN 21 '22 AM9:52

Elaine Tajalle

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

Bill No. 295-36 (LS)
As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended in the Committee of the Whole.

Introduced by:

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

AN ACT TO TEMPORARILY WAIVE THE LEVY OF EXCISE TAXES, AUTOMOTIVE SURCHARGES, AND MASS TRANSIT AUTOMOTIVE SURCHARGES ON LIQUID FUEL FOR ONE HUNDRED EIGHTY (180) CALENDAR DAYS; TO *AMEND* SUBSECTION (j)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC WORKS; AND TO *AMEND* SUBSECTION (dd)(1) OF SECTION 1, CHAPTER V OF PUBLIC LAW 36-54, RELATIVE TO THE APPROPRIATIONS TO THE GUAM REGIONAL TRANSIT AUTHORITY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Title. This Act shall be known and may be cited as the *Gas Tax Relief Act.*

Section 2. Excise Tax on Liquid Fuel Temporarily Waived. Except for liquid fuel used for commercial aviation purposes, the levy of excise taxes on liquid fuel pursuant to § 26402 of Article 4, Chapter 26, Title 11, Guam Code Annotated, shall be waived for the period that this Act is in effect.

Section 3. Automotive Surcharge on Liquid Fuel Temporarily Waived. The levy of automotive surcharges on liquid fuel pursuant to § 26502 of Article 5, Chapter 26, Title 11, Guam Code Annotated, shall be waived for the period that this Act is in effect.

Section 4. Mass Transit Automotive Surcharge on Liquid Fuel Temporarily Waived. The levy of Mass Transit Automotive Surcharges on liquid fuel pursuant to § 26503(a) of Article 5, Chapter 26, Title 11, Guam Code Annotated, shall be waived for the period that this Act is in effect.

Section 5. Every person or business, whether engaged in the wholesale or retail of automotive fuel products and who are no longer subject to the levy of excise taxes, automotive surcharges, and mass transit automotive surcharges on liquid fuel, shall submit to the Speaker of *I Liheslaturan Guahan* and the Director of the Department of Revenue and Taxation a written declaration, under penalty of perjury, declaring that such relief or reduction from the levy of taxes and surcharges herein were in fact not collected from the consumer and are removed from the final cost of liquid fuel products for consumers. Such declaration shall be submitted monthly for the duration of the temporary waiver of taxes and surcharges herein.

Section 6. Appropriations to the Department of Public Works Amended. Subsection (j)(1) of Section 1, Chapter V of Public Law 36-54 is hereby *amended* to read:

"**(j) DEPARTMENT OF PUBLIC WORKS (DPW)**

(1) Appropriation. Notwithstanding any other provision of law, the sum of Nineteen Million Three Hundred Ninety-five Thousand Seven

Hundred Seven Dollars **($19,395,707)** is appropriated to the Department of Public Works (DPW) for its operations for Fiscal Year 2022. This sum is composed of Five Million Dollars **($5,000,000)** from the General Fund, Seven Million Five Hundred Thirty-seven Thousand One Hundred Eighty-three Dollars **($7,537,183)** from the Guam Highway Fund, and Six Million Eight Hundred Fifty-eight Thousand Five Hundred Twenty-four Dollars **($6,858,524)** from the Guam Educational Facilities Fund.

SUMMARY OF APPROPRIATION FUNDING SOURCE

GENERAL FUND	$5,000,000
GUAM HIGHWAY FUND	$7,537,183
GUAM EDUCATIONAL FACILITIES FUND	$6,858,524
TOTAL	**$19,395,707**"

Section 7. Appropriations to the Guam Regional Transit Authority Amended. Subsection (dd)(1) of Section 1, Chapter V of Public Law 36-54 is hereby *amended* to read:

"**(dd) Guam Regional Transit Authority (GRTA)**

(1) Appropriation. The sum of Two Million Six Hundred Ninety-four Thousand Six Hundred Thirty-One Dollars **($2,694,631)** is appropriated to the Guam Regional Transit Authority (GRTA) for its operations for Fiscal Year 2022. This sum composed of Two Million Five Hundred Fifty-three Thousand Eight Hundred Fifty-five Dollars **($2,553,855)** from the General Fund, and One Hundred Forty Thousand Seven Hundred Seventy-six Dollars **($140,776)** from the Public Transit Fund.

SUMMARY OF APPROPRIATIONS FUNDING SOURCE

GENERAL FUND	$2,553,855
PUBLIC TRANSIT FUND	$140,776

TOTAL		**$2,694,631"**

Section 8. Effective Date. This Act shall be effective upon enactment and shall expire one hundred eighty (180) calendar days from the date of enactment.

Section 9. 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.