

*I Mina'trentai Ocho 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
305-38 (COR)	Joe S. San Agustin V. Anthony Ada Tina Rose Muña-Barnes	AN ACT TO ADD A NEW § 75A122(d), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY ASSISTED OR FEDERALLY-INSURED FINANCING.	4/10/26 9:34 a.m.	4/17/26	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 4/17/26  4/23/26			




## COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

April 23, 2026

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**From:** **Vice Speaker V. Anthony Ada**   
Chairperson, Committee on Rules

**Subject:** **Fiscal Note for Bill No. 305-38 (COR)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 305-38 (COR).**

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 305-38 (COR)**

**AN ACT TO ADD A NEW § 75A122(D), CHAPTER 75A, ARTICLE 1, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FINANCING-DRIVEN EXTENSIONS OF COMMERCIAL GROUND LEASE TERMS FOR NEW AND EXISTING COMMERCIAL LEASES AND LICENSES, AND FOR ALL TYPES OF FINANCING AND ALL UNDERWRITING REQUIREMENTS, INCLUDING BUT NOT LIMITED TO FEDERALLY-ASSISTED OR FEDERALLY-INSURED FINANCING.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Chamorro Land Trust Commission (CLTC)	<b>Dept./Agency Head:</b> Joseph B. Cruz, Jr., Acting Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	\$654,883
<b>Department's Other Fund appropriation(s) to date:</b> CLT Operations Fund (\$859,357), CLTC Survey & Infrastructure Fund (\$12,478)	\$871,835
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$1,526,718</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
<b>FY 2025 Unreserved Fund Balance</b>	\$0	\$0	\$0
<b>FY 2026 Adopted Revenues</b>	\$0	\$0	\$0
<b>FY 2026 Appr. (P.L. 38-60)</b>	\$0	\$0	\$0
<b>Sub-total:</b>	\$0	\$0	\$0
<b>Less appropriation in Bill</b>	\$0	\$0	\$0
<b>Total:</b>	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
<b>General Fund</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Special Fund</b>	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	\$0	\$0	\$0	\$0	\$0

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|---|-------------------------|----------------------------|---------------------------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   |                         | /X/ Yes                    | // No                     |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A                 | // Yes                     | // No                     |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | /X/ N/A                 | // Yes<br>// Yes<br>// Yes | /X/ No<br>// No<br>/X/ No |
| 4. Will the enactment of this Bill require new physical facilities?   |                         | // Yes                     | /X/ No                    |
| 5. Was Fiscal Note coordinated with the affected dept/agency?<br>/X/ Requested agency comments not received by due date: Chamorro Land Trust Commission                           | If no, indicate reason: | // Yes                     | /X/ No                    |
|   |                         | // Other                   |                           |

<b>Analyst:</b> <u>Michelle Pineda</u> Michelle Pineda, BMA I	<b>Date:</b> <u>4/23/26</u>	<b>Director:</b> <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	<b>Date:</b> <u>APR 23 2026</u>
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**Notes:**  
" See Additional Comments.

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**  
**COMMENTS ON BILL NO. 305-38 (COR)**

**Bill No. 305-38** seeks to *add* a new §75A122(d), Chapter 75A, Article 1, Title 21, Guam Code Annotated, relative to financing-driven extensions of commercial ground lease terms for new and existing commercial leases and licenses, and for all types of financing and all underwriting requirements, including but not limited to federally-assisted or federally-insured financing.

According to legislative findings, federally-assisted or insured financing programs require ground lease terms that extend beyond the mortgage maturity date to protect the lender's liens and project marketability. In effect, the proposed bill authorizes the CHamoru Land Trust Commission (CLTC) to approve financing-driven amendments extending the lease term of a commercial lease or license and to establish a term that extends up to no less than ten (10) years beyond the mortgage maturity date, or as required by a federal program, provided that the Commission finds that: 1.) the extension is needed to satisfy the Financing Term Requirement, as specified in the underwriting requirements and 2.) the tenant has provided documentary evidence from the lender/or applicable federal program. Extensions exceeding the ten (10) year threshold or falling outside the CLTC's statutory authority remain subject to the approval of *I Liheslaturan Guåhan*.

The Bureau notes that per §75A122(c), Chapter 75A, GCA, real property taxes and appraisal fees are subject to change, as reappraisals are required every five (5) years to determine the fair market value of the land that is to be leased. However, absent comment from the CLTC relative to the number of properties eligible for financing-driven commercial leases, the value of said leases, and the length of the license term extensions, the Bureau is unable to ascertain a specific fiscal impact of any changes in property taxes should Bill No. 305-38 become enacted.