

*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
<b>326-38 (LS)</b>	Eulogio Shawn Gumataotao V. Anthony Ada Frank F. Blas, Jr. Vincent A.V. Borja Shelly V. Calvo Sabrina Salas Matanane	AN ACT TO <i>ADD</i> A NEW § 40146 TO ARTICLE 1 OF CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE OFFICE OF THE BARRIGADA MAYOR TO LEASE A PORTION OF LOT 5382N-R40 IN BARRIGADA HEIGHTS TO THE GUAM FOOTBALL ASSOCIATION FOR THE DEVELOPMENT OF COMMUNITY SPORTS AND RECREATIONAL FACILITIES.	5/21/26 1:49 p.m.	5/29/26	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 5/29/26  6/5/26			




## COMMITTEE ON RULES

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

June 5, 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. 326-38 (LS)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 326-38 (LS).**

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. 326-38 (LS)**

**AN ACT TO ADD A NEW § 40146 TO ARTICLE 1 OF CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE OFFICE OF THE BARRIGADA MAYOR TO LEASE A PORTION OF LOT 5382N-R40 IN BARRIGADA HEIGHTS TO THE GUAM FOOTBALL ASSOCIATION FOR THE DEVELOPMENT OF COMMUNITY SPORTS AND RECREATIONAL FACILITIES.**

Department/Agency Appropriation Information	
Dept./Agency Affected: <b>Mayors' Council of Guam</b>	Dept./Agency Head: <b>JoyJean Arceo, Executive Director</b>
Department's General Fund (GF) appropriation(s) to date: <b>Operations (\$16,807,881), VOMBPS (\$422,126), Miscellaneous Appropriation to the MCOG from FY2025 Net Unobligated General Fund Revenues (Excess) (\$2,000,000)</b>	<b>\$19,230,007</b>
Department's Other Fund (Specify) appropriation(s) to date: <b>Limited Gaming Fund (\$343,564), Guam Educational Facilities Fund (\$307,375), Host Community Fund (\$300,000), Recycling Revolving Fund (DPW) (\$1,500,000)</b>	<b>\$2,450,939</b>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$21,680,946</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance		\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125 thru _____)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$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
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

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

Analyst:  Date: <u>06/04/2026</u>	Director:  Date: <u>JUN 04 2026</u>
Tyler Bautista, BMA II	Lester L. Carlson, Jr., Director

Notes:  
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 326-38 (LS)

The proposed legislation intends to add a new § 40146 to Article 1 of Chapter 40, Title 5, Guam Code Annotated, to authorize the Office of the Barrigada Mayor (BMO) to lease a portion of Lot 5382N-R40 to the Guam Football Association (GFA) for the development of community sports and recreational facilities as shown in the attached Exhibit “A” attached to the bill. The proposed legislation authorizes the BMO to enter into a lease agreement with GFA for a period mutually agreed upon between the BMO and GFA not to exceed thirty (30) years. The lease agreement shall be limited to construction, management, and maintenance requirements, scheduling of games and events, sale of advertisement signage, and facility improvements, structures mutually agreed upon between the BMO and GFA consistent with Guam law. Additionally, the GFA shall not have authority to sublet, transfer or assign such lease to other parties without legislative approval.

The proposed legislation mandates that the portion of the property to be leased is solely used for the development of a football (soccer) pitch and community sports and recreational facilities. The BMO shall ensure that the property remains accessible to the public and is not used for commercial purposes inconsistent with community recreation use. Further, the proposed legislation authorizes the BMO to seek funding from public and private sources and grants full authority to BMO over the planning and public procurement of construction, operation, repair, and maintenance of the facilities if public or grant funds are to be utilized. Additionally, all upkeep, improvements, and enforcement of maintenance of any lease shall be carried out under the direction and supervision of the BMO. The BMO may include additional community amenities such as walking paths, a children’s playground, and a community pavilion or covered gathering area to enhance recreational opportunities and encourage community engagement, if space permits, to be designed and constructed in harmony with the primary purpose of the property as a football pitch and community sports and recreation area.

The proposed legislation also mandates that the Department of Land Management (DLM) to conduct a survey of the property within sixty (60) days following enactment, should the proposed legislation become law, in coordination with the Department of Public Works (DPW) and other relevant agencies as needed to establish and confirm the metes and bounds and to prepare and official survey map of the property. The DLM is authorized to undertake such actions as may be necessary to complete the survey and to subdivide the property if needed. Lastly, the proposed legislation has a reversionary clause that mandates the property shall revert back to the Government of Guam should the property identified is not utilized for the purposes authorized within ten (10) years of enactment.

Absent correspondence from the Mayors’ Council of Guam pertinent to the anticipated revenue from lease agreements, the costs of maintenance and upkeep of the property and facilities, in addition to the construction/rehabilitation of the property in accordance with the proposed legislation, the Bureau is unable to determine the true fiscal impact to the Government of Guam. The Bureau notes that additional potential fiscal impact may result from the BMO seeking local appropriation for purposes authorized in the proposed legislation. Additional costs may also be incurred through the survey of the property in coordination between DLM and DPW. However, absent information from DLM and DPW, a specific fiscal impact relative to these costs cannot be ascertained at this time.