

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
358-38 (COR)	Sabrina Salas Matanane	AN ACT TO <i>ADD</i> A NEW § 58D103 TO CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED; TO <i>AMEND</i> §§ 58D103, 58D104, 58D105, 58D106, 58D107, 58D108, 58D109, 58D110, 58D111, AND 58D112 OF CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED TO RENUMBER SAID SECTIONS AS §§ 58D104, 58D105, 58D106, 58D107, 58D108, 58D109, 58D110, 58D111, 58D112, AND 58D113, RESPECTIVELY, AND FURTHER TO <i>AMEND</i> § 58D108 TO REDUCE THE PRINCIPAL AMOUNT OF FINANCING AUTHORIZED THEREUNDER; AND TO APPROPRIATE NINETEEN MILLION EIGHT HUNDRED EIGHTY FIVE THOUSAND THREE HUNDRED NINETY-FOUR DOLLARS (\$19,885,394) FROM SECTION 30 FEDERAL FUNDS RECEIVED IN CALENDAR YEAR 2026, RELATIVE TO ESTABLISHING AND FUNDING THE SIMON SANCHEZ HIGH SCHOOL MODERNIZATION FUND AS A DEDICATED INFRASTRUCTURE FUND FOR CAPITAL IMPROVEMENT PROJECTS WITH A USEFUL LIFE OF TWENTY (20) YEARS OR MORE, AND TO PROPORTIONALLY REDUCE PRIOR DEBT AUTHORIZATIONS FOR THESE PROJECTS.	9/3/26 1:08 p.m. ^9/4/26 2:58 p.m.	9/4/26	Committee on Finance and Government Operations.	Request: 9/4/26 9/11/26			



COMMITTEE ON RULES

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

September 11, 2026

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

From: **Senator Christopher M. Dueñas** 
Acting Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 358-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 358-38 (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. 358-38 (COR)**

AN ACT TO ADD A *NEW* § 58D103 TO CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED; TO *AMEND* §§ 58D103, 58D104, 58D105, 58D106, 58D107, 58D108, 58D109, 58D110, 58D111, AND 58D112 OF CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED TO RENUMBER SAID SECTIONS AS §§ 58D104, 58D105, 58D106, 58D107, 58D108, 58D109, 58D110, 58D111, 58D112, AND 58D113, RESPECTIVELY, AND FURTHER TO *AMEND* § 58D108 TO REDUCE THE PRINCIPAL AMOUNT OF FINANCING AUTHORIZED THEREUNDER; AND TO APPROPRIATE NINETEEN MILLION EIGHT HUNDRED EIGHTY FIVE THOUSAND THREE HUNDRED NINETY-FOUR DOLLARS (\$19,885,394) FROM SECTION 30 FEDERAL FUNDS RECEIVED IN CALENDAR YEAR 2026, RELATIVE TO ESTABLISHING AND FUNDING THE SIMON SANCHEZ HIGH SCHOOL MODERNIZATION FUND AS A DEDICATED INFRASTRUCTURE FUND FOR CAPITAL IMPROVEMENT PROJECTS WITH A USEFUL LIFE OF TWENTY (20) YEARS OR MORE, AND TO PROPORTIONALLY REDUCE PRIOR DEBT AUTHORIZATIONS FOR THESE PROJECTS.

Department/Agency Appropriation Information		
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Judith T. Won Pat Ed.D., Superintendent	
Department's General Fund (GF) appropriation(s) to date: P.L. 38-60: Operations (\$228,187,734); School Maintenance & Repairs (\$10,000,000); Chamoru Studies (\$513,824); Menstrual Hygiene Products (\$25,000); Textbooks from UOG Press (\$481,578); and Y Kuentan Salappe Prinsepat (\$1,200,000)		240,408,136
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$11,328,487); Public School Library Resources Fund (\$815,331); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$343,564)		25,883,136
		266,291,272

Fund Source Information of Proposed Appropriation			
	General Fund:	(Special Fund): 1/	Total:
FY 2025 Unreserved Fund Balance		\$0	\$0
FY 2026 Adopted Revenues	\$0	\$0	\$0
FY 2026 Appro. (P.L. 38-60)	\$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	\$0	\$0	\$19,885,394	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$19,885,394	\$0	\$0	\$0

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

Analyst: <u>William P. Taitinglong, Acting BMA Supv.</u>	Date: <u>9/10/24</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>SEP 11 2026</u>
--	----------------------	---	--------------------------

Footnotes:

1/ See attached comments on Bill No. 358-38 (COR).

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 358-38 (COR)

The proposed Bill 358-38 (COR) is an act to amend Chapter 58D, the “*Ma Kāhat* Act of 2013”, of Title 5, Guam Code Annotated relative to the financing, construction and all related services for the new Simon Sanchez High School.

According to the Legislative Findings and Intent of Bill 358-38 (COR), the Government of Guam has identified an unanticipated Section 30 revenue surplus of approximately \$19,885,394 and this fiscal windfall presents a unique and critical opportunity to address the islands most pressing infrastructure crises without exacerbating the territorial debt. *I Liheslaturan Guåhan* further finds that the reconstruction of Simon Sanchez High School (SSHS) remains the highest priority for the Guam Department of Education (GDOE). It is the intent of *I Liheslaturan Guåhan* to establish a distinct special fund, the “Simon Sanchez High School Modernization Fund”. This Fund shall be restricted to capital improvement projects with a minimum useful life of 20 years. It is further the intent of *I Liheslaturan Guåhan* to mandate that all prior debt authorizations for this specific project be reduced proportionally by the amounts appropriated herein, thereby practicing prudent fiscal management and reducing the overall debt liability of the Territory of Guam.

Section 2 of Bill 358-38 (COR) creates the SSHS Modernization Fund and provides for its purpose, deposits, administration, authorized expenditures, and reporting. The Section also includes provisions making the SSHS Modernization Fund as a non-lapsing, interest bearing, and protected from transfer. The Section further includes a sunset, reversion and repeal provision.

Section 3 of Bill 358-38 (COR) amends and appropriately renumbers the various Sections of Chapter 58D, Title 5, Guam Code Annotated. The Section §58D109. Financing, as renumbered, also amends the principal amount of financing authorized, from the current authorized amount of \$166,365,000 to \$146,479,606, a reduction of \$19,885,394 in the total principal amount of financing authorized.

Section 4 of Bill 358-38 (COR) provides for a proportional reduction of prior debt authorization. As such, any debt authorization enacted prior to the enactment of this Act for the construction of a new SSHS shall have its respective debt authorization ceiling reduced by an amount equal to the sums appropriated by this Act into the SSHS Modernization Fund. This reduction is to take effect immediately upon enactment and shall include, without limitation, the debt authorizations reduced in subsections 3 of this Act.

Section 5 of Bill 358-38 (COR) appropriates from Section 30 federal funds (48 U.S.C. § 1421h) received in calendar year 2026, or projected to be received by the Government of Guam in Fiscal Year 2027, the sum of \$19,885,394 into the SSHS Modernization Fund created under Section 2 of this Act.

According to comments received from the GDOE, Bill 358-38 (COR) will currently not impact GDOE operations. As GDOE is not in charge in the procurement of the construction of Simon Sanchez High School, there is no immediate impact. However, the potential future impacts to

GDOE's budget should be considered. The reduction of principal would decrease future annual payments potentially allowing for higher annual budgets for GDOE.

The Bureau confirms that the Government of Guam will receive \$105,073,133 in Section 30 funds. This is an additional \$19,885,394 over Guam's official Fiscal Year 2027 Section 30 Cash Advance Request of \$85,187,739 which was also approved. The Office of Insular Affairs calculated adjustments to the 2027 estimate requested to reflect delayed certifications received from the Internal Revenue Service (IRS). These adjustments include fiscal year 2022-2024 actuals for Federal Agency Cover Over actuals, as well as 2018 Military Home of Record (filers) and 2018 Military Cover Over (non-filers) actuals. The adjustments resulted in a net increase of \$19,885,394 over the FY 2027 advance estimate provided.

However, the Bureau stresses that the amount of \$105,073,133 is still subject to reconciliation. Reconciliation is the federal government's process of comparing estimated Section 30 payments against actual tax collections and adjusting future payments accordingly. The payment is called an advance because it still requires reconciliation. The \$105,073,133 in Section 30 funds will go into the General Fund and aside from debt obligation tied to a Section 30 bond in the amount of \$17,767,875 [Limited Obligation (Section 30) Bonds, Series 2016A] for this year; the money is not earmarked for specific projects.

Additionally, the Bureau notes that there are currently three competing legislative measures seeking to utilize the additional Section 30 revenues: 1) Bill No. 356-38 (COR) appropriates \$16,800,000 for Guam Power Authority power credits; 2) Bill No. 357-38 (COR) appropriates \$20,000,000 to the Guam Department of Education for FY 2027 operations and restoring Guam's public schools; and 3) Bill No. 358-38 (COR) appropriates \$19,885,394 to the SSHS Modernization Fund. The total of these competing measures amounts to \$56,685,394, or \$36,800,000 more than the cited additional Section 30 fund revenues to be received for FY 2027.

As such, it appears there is sufficient additional Section 30 fund revenues to enact Bill 356-38 (COR) or Bill 358-38 (COR). The appropriation of \$20 million under Bill 357-38 (COR) is above the additional Section 30 fund revenues of \$19,885,394 expected to be received.