

*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
70-38 (COR)	Joe S. San Agustin V. Anthony Ada Tina Rose Muña Barnes Vincent Anthony V. Borja Christopher M. Dueñas Sabrina Salas Matanane Shelly Vargas Calvo	AN ACT TO ADD A NEW §3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.	2/28/25 8:26 a.m.	3/7/25	Committee on Education, Libraries and Public Broadcasting.	Request: 3/7/25  3/17/25			



## COMMITTEE ON RULES

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

March 17, 2025

**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. 70-38 (COR)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 70-38 (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 forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 70-38 (COR)**

**AN ACT TO ADD A NEW § 3135 TO ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO LEASE PROPERTY WITHIN ITS JURISDICTION.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Dr. Kenneth E. Swanson, Superintendent
Department's General Fund (GF) appropriation(s) to date: P.L. 37-125: Operations (\$230,506,660); P.L. 37-135: Operations/Maint./Repair (\$10,000,000); P.L. 37-135: Parent Teacher Organizations (\$205,000); P.L. 37-135: Opioid Antagonists (\$25,000)	240,736,660
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$11,354,810); Public School Library Resources Fund (\$774,942); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$350,944)	25,876,450
	<b>266,613,110</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 P.L.37-135)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	1/	1/	1/	1/	1/
Special Fund	\$0	1/	1/	1/	1/	1/
<b>Total</b>	<b>\$0</b>	<b>1/</b>	<b>1/</b>	<b>1/</b>	<b>1/</b>	<b>1/</b>

1. Does the bill contain "revenue generating" provisions? / X / Yes      / / No  
If Yes, see attachment 1/
2. 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
3. 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
4. Will the enactment of this Bill require new physical facilities? / / Yes      / X / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / X / Yes      / / No  
/ X / Requested agency comments not received by due date      / / Other:

Analyst: <u>William P. Aaltiofong</u>	Date: <u>3/19/25</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>MAR 17 2025</u>
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**Footnotes:**  
1/ See attached comments on Bill 70-38 (COR).

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**  
**COMMENTS ON BILL NO. 70-38 (COR)**

The proposed Bill 70-38 (COR) is an act to add a new § 3135 to Article 1, Chapter 3, Title 17, Guam Code Annotated relative to authorizing the Guam Department of Education (GDOE) to lease property within its jurisdiction.

According to the legislative findings and intent of the proposed Bill 70-38, the allowing of GDOE to lease properties in strategic locations can ensure that underutilized or vacant spaces are repurposed to meet the needs of the students and the department. Leasing could generate revenue by utilizing surplus or underused spaces, which could be reinvested into maintaining or improving existing facilities and educational programs.

If enacted, the GDOE is authorized to lease properties within its jurisdiction. The handling of these lease agreements shall be conducted by a procurement team consisting of 7 members to include the GDOE Superintendent or designated representative, the Chief Finance Officer or designated representative, and 5 members of the Guam Education Board as selected by the Chairperson of the Guam Education Board. The revenue collected from these lease agreements shall be used for maintenance, renovation, and capital improvement projects of the GDOE.

According to comments received from the GDOE, the proposed language is in line with the desires of the Guam Education Board and achieves the intent of the Board. The GDOE also notes that the department does not foresee a need to add any additional language. However, the Bureau does recommend that the proposed legislation also include the creation of a special revolving fund account within the GDOE, that is separate from the appropriations of any other special fund sources to the GDOE, so that revenues specifically received from the leases of GDOE properties can be deposited into and that the noted authorized expenditures can then be made from.

The Bureau does anticipate that Bill 70-38 will have a positive revenue impact to the GDOE in terms of proceeds from the enacted leases of GDOE properties. Absent detailed information from the GDOE such as the total number and description of the GDOE properties and/or office space available for lease, the total square feet and cost per square feet of such properties and/or office space for lease, the Bureau is unable to provide an estimated cost impact at this time.