

***MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

Bill No. 21832 (S)

Introduced by:

Brant T. McCreadie  
Dennis G. Rodriguez, Jr.  
Tommy Morrison  
Chris Duenas

**AN ACT TO RESERVE AND APPROPRIATE THE SUM OF \$4,800,000 UPON THE MATURITY OF THE GOVERNMENT OF GUAM LIMITED OBLIGATION: BUSINESS PRIVELEGE TAX BONDS SERIES 2013C BOND, TO PROVIDE ADDITIONAL FUNDING FOR THE CONSTRUCTION OF A NEW SIMON SANCHEZ HIGH SCHOOL, AND RELATED PURPOSES.**

Michael Limjanco  
F.B. Stone, Jr.  
F.B. Stone, Jr.

2013 NOV - 8 PM 3:40

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 in FY2019 the Government of Guam Limited Obligation: Business Privilege Tax  
4 Bond Series 2013C is scheduled to mature, which will free up several million dollars  
5 for appropriation.

6 *I Liheslaturan Guåhan* further finds that in order to effectively plan and budget  
7 for capital improvement projects, several years of advance preparation are necessary.  
8 As such, it would be prudent for the government of Guam to reserve these yet to be  
9 accessible funds for capital improvement projects at the Guam Department of  
10 Education to improve the quality of education in the Territory. This will help alleviate  
11 most, if not all, of the past impediments that have previously marred capital  
12 improvement projects.

13 *I Liheslaturan Guåhan* further finds that the students, parents, staff and faculty  
14 of Simon Sanchez High School have, over the last few months, sufficiently illustrated

1 the extremely unsatisfactory conditions of their campus. A new Simon Sanchez High  
2 School is sorely needed to ensure that its students are able to receive a proper  
3 education, the conduct of which is further optimized when their learning experience is  
4 provided within the venue of a safe, modern campus. Further, due note is given to the  
5 fact that the replacement cost of the Simon Sanchez High School could run upwards  
6 of Forty Million dollars, using the replacement cost of the John F. Kennedy High  
7 School as a benchmark example.

8 *I Liheslaturan Guåhan* further finds that it recently passed Public Law 32-063,  
9 which provides funding for the new construction and/or renovation of Simon Sanchez  
10 High School. It is the intent of *I Liheslatura* to provide additional funds, through this  
11 act, to complete the construction of a new Simon Sanchez High School facility.

12 **Section 2. Reservation and APPROPRIATION of released funds available**  
13 **for expenditure upon final maturity in FY2019 from payment of debt service for**  
14 **Guam Limited Obligation: Business Privilege Tax Bond Series 2013C, for the**  
15 **construction of a new Simon Sanchez High School.**

16 (a) The total SUM of FOUR MILLION EIGHT HUNDRED  
17 THOUSAND DOLLARS (\$4,800,000), which shall be available for  
18 expenditure in FY-2019 at the maturity of the Government of Guam Limited  
19 Obligation: Business Privilege Tax Bond Series 2013C, shall immediately be  
20 reserved, and is hereby APPROPRIATED, for the Department of Education to  
21 provide an additional appropriation in addition to the funds allocated pursuant  
22 to Item (5) of §22405(q) of Article 4, Chapter 22, Division 2, Title 5, Guam  
23 Code Annotated (Section 3 of Public Law 32-063), *solely* to complete the  
24 replacement and construction of a new Simon Sanchez High School.

1 (b) The Department of Education may enter into financial  
2 arrangements for projects they identify in accordance with this Act. The funds  
3 reserved in this Act shall be committed to the debt service of any capital  
4 improvement projects entered into as a result of this Act and shall be approved  
5 by *I Liheslaturan Guåhan* prior to any funds being expended.

6 **Section 3. Item (5) of Subsection (q) of §22425, Article 4, Chapter 22,**  
7 **Division 2, Title 5, Guam Code Annotated, is *amended*, to read:**

8 “(5) other than portions designated to be used for in items (1), (2), (3) and (4)  
9 of this Subsection, eighty percent (80%) of the remaining balance *shall* be  
10 appropriated as a source of payment for a general obligation bond secured for the  
11 replacement ~~or renovation~~ of Simon Sanchez High School, to include its athletic  
12 facilities, and other Guam Department of Education public school facilities requiring  
13 new construction, rehabilitation or maintenance, and further, provided:

14 (A) The government of Guam is additionally authorized to use the funding  
15 identified in this Item to enter into long term leases for the construction of  
16 new education facilities in accordance with Chapter 58, Title 5, Guam Code  
17 Annotated, also known as “The Education Facilities Construction Initiative  
18 Act of 2001”.”

19 (B) Nothing in this Item shall preclude or prevent the salvage and/or  
20 restoration of those portions of the existing Simon Sanchez High School  
21 facilities which may be cost-effectively retained for utilization as a part of  
22 the new school campus.”

23 **Section 4. Effective Date.** This act shall be effective upon enactment.

1           **Section 5. Severability.** *If any provision of this Law or its application to any*  
2 *person or circumstance is found to be invalid or contrary to law, such invalidity shall*  
3 *not affect other provisions or applications of this Law which can be given effect*  
4 *without the invalid provisions or application, and to this end the provisions of this*  
5 *Law are severable.*