

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session
VOTING RECORD

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Bill No. 66-36 (COR) As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and substituted and amended in the Committee of the Whole.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building December 15, 2021					
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telen Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell		✓				
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje					✓	✓
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

12

1

2

2

Aye

Nay

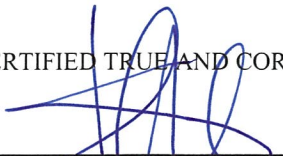
Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V.C. MENO
 Clerk of the Legislature

I = Pass

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 66-36 (COR)

As amended by the Committee on Economic Development,
Agriculture, Power and Energy Utilities, and the Arts;
and substituted and further amended in the Committee of the Whole.

*

Introduced by:

James C. Moylan
Tina Rose Muña Barnes
Amanda L. Shelton
Telena Cruz Nelson
Christopher M. Dueñas
V. Anthony Ada
Joe S. San Agustin
Mary Camacho Torres
Joanne Brown

**AN ACT TO *AMEND* § 58206 OF ARTICLE 2, CHAPTER
58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE
TO MODIFYING THE “SUNSET” PROVISION OF THE
“SPECIAL QUALIFYING CERTIFICATE; 1,600 HOTEL
ROOMS DEVELOPMENT” PROGRAM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that on December 31, 2014, former Governor Edward B. Calvo signed into law
4 Public Law 32-233, which created a “Special Qualifying Certificate” to develop an
5 additional one thousand six hundred (1,600) hotel rooms on Guam. At the time, there
6 were many lost opportunities for Guam’s tourism industry as the supply of hotel
7 rooms did not meet the demand of the island’s arrival numbers. Additionally,

1 because of the limitations of available manpower to construct these hotel rooms, a
2 special program was created to attract investors.

3 Public Law 32-233, which was originally authored by former Senator Dennis
4 Rodriguez, Jr., established a five (5)-year “Sunset” Provision for the program;
5 however, the enacted measure did include language to provide the Guam Economic
6 Development Authority (GEDA) Board of Directors the opportunity to extend the
7 program for an additional two (2) years if the one thousand six hundred (1,600) hotel
8 rooms were not developed within that timeframe. On December 31, 2019, the
9 “Special Qualifying Certificate; 1,600 Hotel Rooms Development” program
10 expired. Because only one (1) entity was able to successfully attain the Qualifying
11 Certificate with the intent of building less than three hundred fifty (350) hotel rooms,
12 the GEDA Board availed itself to the two (2)-year extension pursuant to the process
13 established under 12 GCA § 58206.

14 On December 31, 2021, the two (2)-year extension for the program will
15 expire. While Guam’s economy and tourism industry are currently at a standstill due
16 to the pandemic crisis, there is great optimism that our visitor arrival numbers will
17 get back to the pre-pandemic numbers over the next three (3) to five (5) years. This
18 is an opportunity for investors to take this time to seek financing in preparation of
19 the potential demand for additional hotel rooms for the near future. This is also an
20 ideal time for existing hotels to consider expanding their inventory of rooms because
21 occupancy numbers are low, thus reducing any adverse impacts on guests.

22 Therefore, *I Liheslatura* intends to extend this Special Qualifying Certificate
23 for another ten (10) years and authorize an additional two (2)-year extension
24 opportunity to be approved by the GEDA Board, with the objective of getting to the
25 goal of one thousand six hundred (1,600) additional hotel rooms. The program will
26 automatically expire if the goal of reaching the total number of hotel rooms
27 authorized in this Act is fulfilled prior to the ten (10) years. Likewise, any new

1 construction in 2022 and beyond which was created by the extension would result
2 in many new jobs and additional tax revenue, both of which would help Guam’s
3 economy.

4 **Section 2.** § 58206 of Article 2, Chapter 58, Title 12, Guam Code
5 Annotated, is hereby *amended* to read as follows:

6 **“§ 58206. “Sunset” Provision.**

7 This Article shall take effect on its approval by *I Maga'hågan Guåhan*
8 and shall remain in effect until the earlier of:

9 (a) December 31, 2031; or

10 (b) 1,600 hotel rooms have been committed to be built; upon
11 which period this Article shall automatically be deemed repealed;
12 provided, however, that the GEDA Board, at its discretion, with input
13 from *I Liheslatura* (the Legislature), the visitor industry, the
14 Administration, and the community as a whole, will re-examine the
15 effectiveness and need of the program to determine if it should be
16 extended, and may extend the effectiveness of this Article an additional
17 two (2) years by adopting a resolution to such effect prior to the
18 expiration date. Any QC issued under the conditions of this Article shall
19 remain in full force and effect until its particular term expires or it is
20 canceled on other grounds. QC beneficiaries shall report annually their
21 QC benefits in a form as prescribed by the Department of Revenue and
22 Taxation.”

23 **Section 3. Severability.** If any provision of this Act or its application to any
24 person or circumstance is found to be invalid or contrary to law, such invalidity shall
25 not affect other provisions or applications of this Act that can be given effect without
26 the invalid provision or application, and to this end the provisions of this Act are
27 severable.

1 **Section 4. Effective Date.** This Act shall be effective upon enactment.