

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
103-33 (LS)	Michael F.Q. San Nicolas	AN ACT TO PROVIDE FOR THE LEGISLATIVE SUBMISSION OF A NON-BINDING QUESTION DURING THE 2016 GENERAL ELECTION TO DETERMINE PUBLIC SUPPORT FOR ADDITIONAL PUBLIC BORROWING FOR CATEGORIES OF CAPITAL IMPROVEMENT PROJECTS.	05/26/15 4:31 p.m.	05/28/15	Committee on Finance and Taxation, General Government Operations and Youth Development			



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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May 28, 2015

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 103-33(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 103-33(LS)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAITRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 103-33 (LS)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO PROVIDE FOR THE LEGISLATIVE
SUBMISSION OF A NON-BINDING QUESTION
DURING THE 2016 GENERAL ELECTION TO
DETERMINE PUBLIC SUPPORT FOR
ADDITIONAL PUBLIC BORROWING FOR
CATEGORIES OF CAPITAL IMPROVEMENT
PROJECTS.

2015 MAY 26 PM 4:31


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1.Short Title.**This Act *shall* be cited as the “Responsible
3 Public Borrowing Choice Act.”

4 **Section 2.Legislative Findings and Intent.***I LiheslaturanGuåhan* finds
5 that the property re-valuation will increase the Government of Guam’s
6 debt ceiling by hundreds of millions of dollars. This presents an
7 opportunity to enhance the quality of life for the people of Guam, provided
8 that any additional borrowing is invested in needed capital improvement
9 projects.

10 *I Liheslatura* finds that while the revaluation of properties presents an
11 opportunity for the potential borrowing, the amount available with respect
12 to our debt ceiling limits our ability to fund projects.

1 *I Liheslatura* further finds that the Government of Guam has several
2 potential priorities to address, including the repair of roads ineligible for
3 federal funding, the construction or repair of educational facilities, the
4 construction of a new Adult Correctional Facility (ACF), and the
5 construction of a new Guam Memorial Hospital (GMH) facility.

6 *I Liheslatura* further finds that while borrowing could be initiated by
7 the introduction of legislation by any Senator, the people should be given
8 the opportunity to express their opinion on what kind of capital
9 improvement project, if any, should be prioritized for funding by public
10 borrowing.

11 *I Liheslatura* further finds that, since July 29, 1998, Public Law 24-222
12 has disallowed the issuance of General Obligation Bonds in excess of
13 Twenty-Five Million Dollars (\$25,000,000) without approval of the people
14 in an election. Since the enactment of this law, there have been nine (9)
15 instances of bond borrowing with gross borrowing of one billion two
16 hundred thirteen million thirty-five thousand dollars (\$1,213,035,000), none
17 of which had received the approval of the people in an election required by
18 Public Law 24-222.

19 It is therefore the intent of *I LiheslaturanGuåhan* to provide for a
20 Legislative Submission on the question of the capital improvement projects
21 that the voters of Guam believe should be funded by public borrowing, to
22 fully understand the will of the majority with respect to projects funded
23 with public borrowing.

1 **Section 3.Question to be Put to the Voters.** The Guam Election
2 Commission, subject to the provisions hereinafter set forth, *shall* put to the
3 voters the question described in Section 4 of this Act. The question *shall* be
4 submitted during the 2016 General Election.

5 **Section 4.Public Borrowing Choice.**(a) The question put to voters
6 *shall* be:

7 **“Please vote for one (1) of the following list of projects which**
8 **you believe should be funded by public borrowing:**

- 9 () **1. Repair of roads ineligible for federal funding.**
- 10 () **2. New or repaired Educational Facilities (Schools).**
- 11 () **3. A new Adult Correctional Facility (Prison).**
- 12 () **4. A new Guam Memorial Hospital (GMH) Facility.**
- 13 () **5. No additional public borrowing for any project.”**

14 **Section 5.Voter Information Pamphlet.**Notwithstanding any
15 provision of law to the contrary, arguments shall be made pursuant to the
16 provision of this Section. For the purposes of the arguments required by 3
17 GCA §§ 16507 and 16508, one (1) Member of *I Liheslaturashall* be selected by
18 the Speaker to draft an argument in favor of each of the respective options
19 provided in §3 of this Act, but no argument against any option *shall* be
20 required or made. Each argument *shall* not exceed two hundred (200)
21 words in length. For the purposes of 3 GCA §§ 16503, 16504, 16505, 16506,
22 16507, and 16509(c), the references to arguments, whether in favor or

1 against, *shall* be construed to mean the arguments, pursuant to this Section,
2 in favor of each of the respective options provided in §3 of this Act.

3 **Section 6. Transmittal of Results.** The Guam Election Commission
4 *shall* transmit the total number of votes cast for each proposal and the
5 percentage of total votes cast for the proposals to *I Maga'lahen Guåhan* and to
6 the Speaker of *I Liheslaturan Guåhan* within thirty (30) days of the conclusion
7 of the 2016 General Election.