



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

14 JAN 2009

2009 JAN 23 AM 9:38

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is **Bill No. 392(LS)**, "AN ACT TO *RENUMBER* §60907 AND TO *ADD* A NEW §60907 TO ARTICLE 9, CHAPTER 60 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DEPARTMENT OF LAND MANAGEMENT BUILDING CONSTRUCTION FUND"" which was signed into law on January 8, 2009 as Public Law 29-135.

Sins eru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,
Senator and Legislative Secretary

30-09-0057
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 1/14/09
Time _____
Received by [Signature]

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

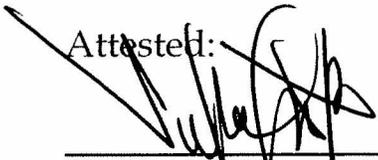
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 392 (LS)**, "AN ACT TO *RENUMBER* §60907 AND TO *ADD* A NEW §60907 TO ARTICLE 9, CHAPTER 60 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DEPARTMENT OF LAND MANAGEMENT BUILDING CONSTRUCTION FUND," was on the 23rd day of December, 2008, duly and regularly passed.



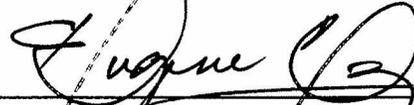
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 24 day of Dec., 2008, at
4:40 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date:

8 JANUARY 2009

Public Law No. 29-135

I MINA'BENTE NUEBE NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 392 (LS)

As amended on the Floor.

Introduced by:

Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *RENUMBER* §60907 AND TO *ADD* A NEW §60907 TO ARTICLE 9, CHAPTER 60 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DEPARTMENT OF LAND MANAGEMENT BUILDING CONSTRUCTION FUND.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the lack of office space and housing for the Department of Land Management
4 (DLM), the *Chamorro* Land Trust Commission, the Ancestral Lands Commission and
5 the *Hagåtña* Restoration and Redevelopment Authority operations has imposed
6 excessive rental costs on each of these agencies. *I Liheslaturan Guåhan* further finds
7 that the construction of a new Land Resources Public Facility will benefit Guam's

1 taxpayers in reducing rental cost and having ownership of a government facility by
2 housing these related agencies in a more centralized area to provide public services.

3 **Section 2.** §60907 is hereby *renumbered* to read as “§60908” and a new
4 §60907 is hereby *added* to Article 9, Chapter 60 of Title 21 of the Guam Code
5 Annotated, to read as follows:

6 **“§60907. New DLM Construction Building.** (a) The Department of
7 Land Management is hereby authorized to provide for the design, construction
8 and collateral equipment of a new public facility by entering into a financing
9 arrangement with the U.S. Department of Agriculture, *or* other financing
10 source, with lower cost of funds, *not to exceed* Fifteen Million Seven Hundred-
11 fifty Thousand Dollars (\$15,750,000), for a term *not to exceed* forty (40) years.

12 (b) Any financial arrangement to provide for the design, construction
13 and collateral equipment of the Land Resources Building *shall* be subject to the
14 approval of the secured creditor of the Department of Land Management. The
15 Director of Land Management without jeopardizing existing obligations, is
16 authorized to use a portion of its Land Survey Revolving Fund, which *shall* be
17 deposited into the DLM Building Construction Fund to make repayment and
18 assure that its loan installments are paid on time; for emergency maintenance;
19 for extensions to facilities; and for replacement of short-lived assets with a
20 useful life significantly *less than* the repayment period of any loan *or* the term,
21 *or* any other financial arrangement.

22 (c) Any monies reimbursed for expenses incurred on the design and
23 construction of the Land Resources Building *shall* revert to the DLM Building
24 Construction Fund.

25 (d) *I Liheslaturan Guåhan* encourages the Department of Land
26 Management to explore and identify any and all potential financing sources *or*

1 grants, including, but *not limited to*, any Federal government instrumentalities
2 or private financial lending sources, and the *Chamorro* Land Trust
3 Commission, the Ancestral Lands Commission and the *Hagåtña* Restoration
4 and Redevelopment Authority for construction of the Land Resources Building.

5 (e) Interest derived from the financial agreement *shall be exempt* from
6 taxation by the Government.

7 (f) Notwithstanding any substantive *or* procedural provision of
8 Chapter 6 of Title 5 of the Guam Code Annotated, the government of Guam
9 hereby waives immunity from any suit *or* action in contract on the loan, but
10 does *not* waive sovereign immunity as to personal liability of elected *or*
11 appointed officials and employees of the government of Guam.”