

***I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN***  
**2025 (FIRST) Regular Session**

**Bill No. 225-38(COR)**

The introduced version may be obtained  
through the Legislative Clerk's Office

Introduced by:

Eulogio Shawn Gumataotae

**AN ACT TO AMEND § 58110 OF ARTICLE 1, AND TO  
AMEND § 58205 OF ARTICLE 2, BOTH OF CHAPTER 58,  
TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO  
EXPANDING PUBLIC INVESTMENTS AND  
COMMUNITY CONTRIBUTIONS UNDER GUAM'S  
QUALIFYING CERTIFICATES LAW TO INCLUDE  
EMERGENCY RESPONSE RESOURCES.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

that through discussions with the Chief of the Guam Fire Department (GFD) regarding emergency response capabilities within Tumon, the island's tourism district, GFD has recommended for the Committee on Public Safety, Emergency Management, and Guam National Guard (Committee) to amend Guam's Qualifying Certificates (QC) Law. GFD is seeking to have the QC Law modified so that public investments and community contributions, which are required as a condition for receiving certain tax incentives, are prioritized for resources which are needed particularly in response to firefighting and rescue services involving high-rise hotels.

*I Liheslatura* further finds that according to GFD's FY 2026 Budget Request, the Department had only seven (7) out of its fifteen (15) fire trucks operational as of April 2025. Two (2) of the seven (7) fire trucks are 2024 models and the remaining five (5) fire trucks are older models from 2011, 2006 (x2), 2005, and 2000,

1 respectively. As of November 2025, GFD received \$5 million in federal funding  
2 from the U.S. Department of the Interior for the procurement of fuel-efficient fire  
3 engines.

4 It is, therefore, the intent of *I Liheslatura* to strengthen support for the critical  
5 needs of Guam’s public safety agencies, including the emergency response resources  
6 which are required for firefighting and rescue services involving high-rise structures  
7 located primarily within Guam’s tourism district. Through this Act, *I Liheslatura*  
8 recognizes the importance of ensuring that responsible economic development  
9 occurs together with resource capacity growth across Guam’s public safety entities.

10 **Section 2.** § 58110 of Article 1 of Chapter 58, Title 12, Guam Code  
11 Annotated, is *amended*, to read:

12 **“§ 58110. Conditions of Benefits.** In its recommendation of specific tax  
13 benefits, the Authority shall consider the following as possible terms and conditions  
14 to such benefits:

15 (a) Percentage of Investment. Limiting the tax benefits to a percentage of the  
16 capital investment in Guam to be made by the Beneficiary;

17 (b) Variable Rate. Varying the rate of tax benefits over the term of the  
18 Qualifying Certificate;

19 (c) Limitation on Amount. Limiting the tax benefits to a fixed dollar amount;

20 (d) Public Investments. Conditioning the tax benefits on the Beneficiary’s  
21 investing in or creating public improvements separate from its proposed activities,  
22 including programs and projects sponsored or proposed by a village’s Mayor or  
23 Municipal Planning Council, and investments that are made in support of the public  
24 safety emergency response resources of the Government of Guam including, but not  
25 limited to, aerial ladder fire trucks, ambulances, police vehicles, and water rescue  
26 equipment;

1 (e) Local Shareholders. Requiring the Beneficiary to offer ten percent (10%)  
2 or more of its corporate equity to qualified residents of Guam on terms and  
3 conditions to be established by the Authority;

4 (f) Profit-Sharing, etc. Requiring the Beneficiary to establish profit-sharing  
5 and stock ownership programs and other similar benefits for its employees;

6 (g) Training. Requiring the Beneficiary to (1) utilize locally-based and  
7 locally-owned training services as needed; or (2) establish in-house training  
8 programs that consult with locally-based experts to ensure compliance of pertinent  
9 local rules and regulations as needed; or (3) make contributions to an independent  
10 training or scholarship fund. Initial consideration for locally-owned, locally-based  
11 training businesses or services shall be given before considering and soliciting  
12 businesses or services outside of Guam.

13 (h) Local Purchaser. Requiring the Beneficiary to procure services or products  
14 supplied by Guam licensed vendors if the total cost of the same does not exceed one  
15 hundred ten percent (110%) of the cost of the same services or products available  
16 from off-island vendors.

17 (i) Local Professional Advice and Support. Requiring the Beneficiary to  
18 procure and utilize Guam-licensed entities or employ Guam residents that provide  
19 professional advice and support in the areas of records access and legal services.  
20 Such service providers shall include, but not be limited to, accountants, attorneys  
21 and auditors. GEDA shall have the authority to determine which services are subject  
22 to this provision of law.”

23 **Section 3.** § 58205 of Article 2 of Chapter 58, Title 12, Guam Code  
24 Annotated, is *amended*, to read:

25 “§ 58205. **Community Contributions.** As a condition of this Special Hotel  
26 QC, the QC beneficiary shall make a community contribution to the Authority in an  
27 amount equal to 0.5% of the total hotel construction cost. The terms of the

1 community contributions shall be subject to negotiations between the Authority and  
2 the developer. Distribution of funds to be approved by the GEDA Board, based on  
3 the recommendation of the Administrator, will be to the following priority areas:

4 (a) funding for Government of Guam public safety emergency response  
5 resources including, but not limited to, aerial ladder fire trucks, ambulances, police  
6 vehicles, and water rescue equipment.

7 (b) funding for the maintenance and upkeep of certain tourist attractions or to  
8 support other tourism projects;

9 (bc) economic development with a priority on the promotion of industry and  
10 small business; and

11 (ed) higher education and cultural preservation.”

12 **Section 4. Effective Date.** This Act shall become effective upon enactment.