

Territory of Guam

Territorion 'Guam

OFFICE OF THE GOVERNOR
UPISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

APR 12 1988

The Honorable Franklin J.A. Quitugua
Speaker, Nineteenth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

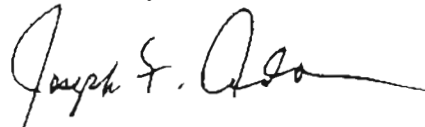
Transmitted herewith are Bills 5s and 6s, which I have signed into law as of this date.

Both of these measures are vital to the Territory and the people of Guam. As a result of our action, the people will directly benefit from many highway projects including the Agat-Umatac Highway, the completion of San Vitores, reconstruction of portions of Marine Drive and Route 8, resurfacing of the highway between Umatac and Merizo and many others. The people will benefit from design work on roads ringing the south from Umatac all the way to Yona. The people will benefit from the Sewer Reversal project which will avert a public health hazard and promote economic growth. The people will benefit from a new public market, and the Astumbo Subdivision, which will provide decent housing and infrastructure for 480 families and preserve the quality of water that 85% of our population drinks daily.

If for no other reason than this, we can look with pride on the cooperative nature of the relationship between the administration and the Nineteenth Guam Legislature. By working together, we have managed to accomplish something our people need, and this is the essence of our mutual mission.

I want to extend my gratitude to you and your colleagues for your expeditious action in this matter and I look forward to working with you in other matters of concern in the future.

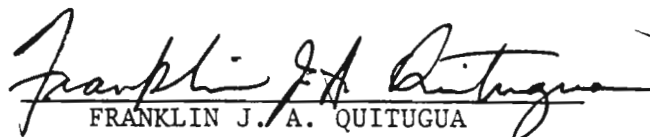
Sincerely,


JOSEPH F. ADA
Governor

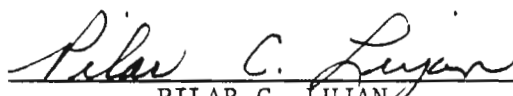
NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Special Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

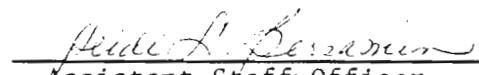
This is to certify that Bill No. 6S (2-S), "AN ACT TO AMEND GOVERNMENT CODE SECTIONS 6130 AND 10002 RELATIVE TO THE BORROWING FOR INFRASTRUCTURE IMPROVEMENT," was on the 5th day of April, 1988, duly and regularly passed.


FRANKLIN J. A. QUITUGUA
Speaker

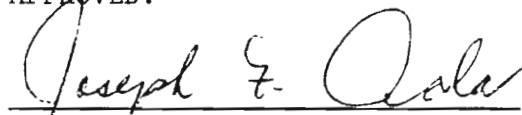
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 8th day of April, 1988,
at 4 10 o'clock p.m.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: APR 12 1988

Public Law No. 19-18

NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Special Session

Bill No. 6S (2-S)

Introduced by

At the request of the Governor

AN ACT TO AMEND GOVERNMENT CODE SECTIONS 6130 AND
10002 RELATIVE TO THE BORROWING FOR INFRASTRUCTURE
IMPROVEMENT.

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

2 Section 1. Subsections (a), (d), and (e) only of §6130 of the
3 Government Code are amended to read:

4 "(a) The Governor of Guam is authorized to create a debt
5 or debts of the government of Guam in aggregate principal amount
6 not to exceed Twenty Million Dollars (\$20,000,000) for a maximum
7 term of twenty (20) years for the purpose of implementing Capital
8 Improvement Projects enumerated in subsection (e) of this section;
9 provided, however, that the terms and conditions of the debt or
10 debts shall be approved by the Legislature by statute."

11 "(d) All or any part of the revenues constituting the infra-
12 structure improvement fund created pursuant to Section 10002 of
13 the Government Code may be pledged to secure the repayment of any
14 debt or debts created under this section and pay costs incurred
15 in the creation of such debts. Any pledge made to secure the
16 debt or debts shall be valid and binding from the time the pledge
17 is made. The revenues pledged and thereafter received by the

1 government or by any trustee, depository, or custodian shall be
2 deposited in a separate account and shall be immediately subject
3 to the lien of such pledge without physical delivery thereof or
4 further act, and the lien of such pledge shall be valid and
5 binding against all parties having claims of any kind in tort,
6 contract or otherwise, against the government, such trustee,
7 depository, or custodian, irrespective of whether the parties
8 have notice thereof. The indenture by which such pledges are
9 created may not be recorded. All revenues pledged are hereby
10 continuously appropriated for the purpose for which they have been
11 pledged. All Capital Improvement Projects to be funded from the
12 provisions of this section must be reviewed and approved by the
13 Governor prior to their implementation."

14 "(e) The Capital Improvement Projects to be funded from the
15 implementation of this section are:

- | | | |
|----|---|-------------|
| 16 | (1) Tumon Bay sewage reversal project | |
| 17 | and the completion of San Vitores | |
| 18 | Road (including land acquisition) | \$6,500,000 |
| 19 | (2) Umatac-Merizo non-skid surface | 500,000 |
| 20 | (3) Merizo Pier expansion project | 300,000 |
| 21 | (4) Inarajan boat launching ramp | 250,000 |
| 22 | (5) Merizo-Inarajan road design | 300,000 |
| 23 | (6) Umatac seawall | 60,000 |
| 24 | (7) Agat Umatac highway completion | 2,000,000 |
| 25 | (8) Umatac - Merizo widening design | 300,000 |
| 26 | (9) Inarajan to Talofofu highway design | 400,000 |

1	(10) Talofofu to Yona highway design	400,000
2	(11) Merizo flood control	350,000
3	(12) Route 15 (back road to Andersen) design	600,000
4	(13) GHURA 82 (elderly housing)	800,000
5	(14) Astumbo Subdivision infrastructure	3,300,000
6	(15) Public Market	1,000,000."

7 Section 2. Section 10002 of the Government Code is amended to read:

8 "Section 10002. There is created a fund known as the 'Infra-
9 structure Improvement Fund' which shall be accounted for separate
10 and apart from the General Fund and into which shall be deposited
11 such revenues as set forth in Section 19650.05 of the Government
12 Code. The fund shall be appropriated to improve and develop the
13 general infrastructure of the territory including sewer and water
14 systems, and primary and secondary roadways including village
15 streets. No further appropriation shall be made of moneys in this
16 Fund which have been pledged for the repaying of any debts and
17 such moneys may be used for such pledge without further appropriatio

18 Notwithstanding any other provision of law, the Infrastructure
19 Improvement Fund shall be under the legislative purview of the
20 legislative committee having oversight over the Tourist Attraction
21 Fund."

22 Section 3. The Legislature hereby approves the loan for the Tumon
23 Sewage Reversal Project and completion of San Vitores Road pursuant to
24 the terms and conditions of the loan documents submitted to the Legislature
25 on March 14, 1988.

NINETEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Bill No. 65

DATE: 4-5-88

Res. No. _____

QUESTION: _____

SENATOR	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
<u>E. P. Arriola</u>	✓			
<u>J. G. Bamba</u>	✓			
<u>M. Z. Bordallo</u>	✓			
<u>H. D. Dierking</u>				✓
<u>E. R. Duenas</u>	✓			
<u>E. M. Espaldon</u>	✓			
<u>F. J. Gutierrez</u>	✓			
<u>M. K. Hartsock</u>	✓			
<u>A. C. Lamorena III</u>	✓			
<u>P. C. Lujan</u>	✓			
<u>M. D. A. Manibusan</u>	✓			
<u>J. G. Miles</u>	✓			
<u>T. S. Nelson</u> III III			✓	
<u>D. Parkinson</u>	✓			
<u>J. F. Quan</u>				✓
<u>F. J. Quitugua</u>	✓			
<u>J. M. Rivera</u>	✓			
<u>M. C. Ruth</u>	✓			
<u>J. T. San Agustin</u>				✓
<u>F. R. Santos</u>	✓			
<u>A. J. Shelton II</u>	✓			

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NINETEENTH GUAM LEGISLATURE
1988 (~~FIRST~~) Special Session
(SECOND)

Bill No. 6S(2-S)

Introduced by:

*Passed
4/5/88*

At the request of the Governor

AN ACT TO AMEND GOVERNMENT CODE SECTIONS 6130, 10002
RELATIVE TO THE BORROWING FOR INFRASTRUCTURE
IMPROVEMENT.

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

2 Section 1. Subsections (a), (d), and (e) only of §6130 of the Government Code are amended
3 to read:

4 "[a] The Governor of Guam is authorized to create a debt or debts of the government
5 of Guam in aggregate principal amount not to exceed [Fifteen Million Dollars (\$15,000,000)
6 at a maximum interest rate of eight percent (8%) and] Twenty Million Dollars (\$20,000,000)
7 for a maximum term of [fifteen (15)] twenty (20) years for the purpose of implementing
8 Capital Improvement Projects enumerated in subsection (e) of this section, provided, how-
9 ever, that the terms and conditions of the debt or debts shall be approved by the Legislature
10 by statute.

11 [d] All or any part of the revenues constituting the infrastructure improvement
12 fund created pursuant to Section 10002 of the Government Code may be pledged to secure
13 the repayment of any debt or debts created under this section and pay costs incurred in
14 the creation of such debts. Any pledge made to secure the debt or debts [shall be subject
15 to approval by the Legislature by statute and] shall be valid and binding from the time
16 the pledge is made. The revenues pledged and thereafter received by the government
17 or by any trustee, depository, or custodian shall be deposited in a separate account and
18 shall be immediately subject to the lien of such pledge without physical delivery thereof
19 or further act, and the lien of any such pledge shall be valid and binding against all parties
20 having claims of any kind in tort, contract or otherwise, against the government, such
21 trustee, depository, or custodian, irrespective of whether the parties have notice thereof.
22 The indenture by which such pledges are created may not be recorded. All [such taxes]
23 revenues pledged [to the extent so pledged] are hereby continuously appropriated for [such]
24 the purpose for which they have been pledged. All Capital Improvement Projects to be
25 funded from the provisions of this Section must be reviewed and approved by the Governor
26 prior to their implementation.

1 "(e) The Capital Improvement to be funded from the implementation of this section
2 are:

3 (1) Tumon Bay Sewage Reversal Project		
4 <u>and the completion of San</u>		
5 <u>Vitores Road (including land</u>		
6 <u>acquisition)</u>	\$6,500,000	
7 (2) Umatac-Merizo [widening]		
8 <u>Non-skid surface</u>	[1,500,000]	<u>500,000</u>
9 (3) Merizo Pier Expansion Project	[2,000,000]	<u>300,000</u>
10 (4) Inarajan Boat Launching Ramp	[200,000]	<u>250,000</u>
11 (5) Merizo-Inarajan Road design	[700,000]	<u>300,000</u>
12 (6) <u>Umatac seawall</u>	<u>60,000</u>	
13 (7) <u>Agat Umatac highway completion</u>	<u>2,000,000</u>	
14 (8) <u>Umatac - Merizo widening design</u>	<u>300,000</u>	
15 (9) <u>Inarajan to Talofofu highway design</u>	<u>400,000</u>	
16 (10) <u>Talofofu to Yona highway design</u>	<u>400,000</u>	
17 (11) <u>Merizo Flood Control</u>	<u>350,000</u>	
18 (12) <u>Route 15 (back road to Andersen) design</u>	<u>600,000</u>	
19 (13) <u>GHURA 82 (elderly housing)</u>	<u>800,000</u>	
20 (14) <u>Astumbo Subdivision Infrastructure</u>	<u>3,300,000</u>	
21 (15) <u>Public Market</u>	<u>\$1,000,000."</u>	

22 Section 2. Section 10002 of the Government Code is amended to read:

23 "Section 10002. There is created a fund known as the "Infrastructure Improvement
24 Fund" which shall be accounted for separate and apart from the General Fund and into
25 which shall be deposited such revenues [according to] as set forth in Section 19650.05
26 of the Government Code. The fund shall be appropriated to improve and develop the gen-
27 eral infrastructure of the Territory including sewer and water systems, and primary and
28 secondary roadways including village streets. No further appropriation shall be made
29 of moneys in this Fund which have been pledged for the repayment of any debts and such
30 moneys may be used for such pledge without further appropriation.

31 Notwithstanding any other provision of law, the Infrastructure Improvement Fund
32 shall be under the legislative purview of the Legislative committee having oversight over
33 the Tourist Attraction Fund."

34 Section 3. The Legislature hereby approves the loan for the Tumon Sewage Reversal Pro-
35 ject and completion of San Vitores Road pursuant to the terms and conditions of the loan docu-
36 ments submitted to the Legislature on March 14, 1988,