



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

97-11-000
Office of the Governor
APPROVED FOR SIGNATURE
Date: 11/5/11
Time: 9:42 AM
Signature: [Handwritten Signature]

DEC 30 2010

2011 JAN -5 PM 1:12
[Handwritten Initials]

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 Substitute Bill No. 485-30 (COR) "AN ACT TO ADD A NEW §1515 AND AMEND §1514(B) OF ARTICLE 5 OF CHAPTER 1, AND TO AMEND §22952 OR ARTICLE 10 OF CHAPTER 22, ALL OF TITLE 4, GUAM CODE ANNOTATED; AND TO AMEND SECTION 2 OF PUBLIC LAW 30-179, RELATIVE TO AUTHORIZING THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY AND CERTAIN OTHER PORJECTS THAT BENEFIT GUAN'S TOURISM INDUSTRY, AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE; AND TO CHANGING THE TERMS FOR THE ISSUANCE OF DEBT AUTHORIZED UNDER PUBLIC LAW 30-178", which I signed into law on December 30, 2010 as **Public Law 30-228**.

Sinseru yan Magåhet,

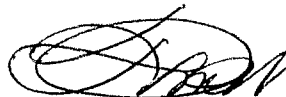
FELIX P. CAMACHO
I Maga'låhen Guahan
Governor of Guam

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session


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

This is to certify that Substitute Bill No. 485-30 (COR), "AN ACT TO ADD A NEW §1515 TO TITLE 5, GUAM CODE ANNOTATED; TO AMEND §22955, AND §1514(b) OF TITLE 5, GUAM CODE ANNOTATED; AND TO AMEND SECTION 2 OF PUBLIC LAW 30-179; RELATIVE TO AUTHORIZING THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY AND CERTAIN OTHER PROJECTS THAT BENEFIT GUAM'S TOURISM INDUSTRY AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE; AND TO CHANGING THE TERMS FOR THE ISSUANCE OF DEBT AUTHORIZED UNDER PUBLIC LAW 30-179," was on the 22nd day of December, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahren Guåhan* this _____ day of _____, 2010, at
_____ o'clock _____.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahren Guåhan

Date: 12/30/2010
Public Law No. 30-228

P.L. 30-228
I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 485-30 (COR)

As substituted by the Committee on Tourism,
Cultural Affairs, Youth and Public Broadcasting.
and amended on the Floor.

Introduced by:

B .J.F. Cruz
F. B. Aguon, Jr.
Judith T. Won Pat, Ed.D.
T. R. Muña Barnes
R .J. Respicio
Judith P. Guthertz, DPA
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Adolpho B. Palacios, Sr.
v. c. pangelinan
Telo Taitague
Ray Tenorio

**AN ACT TO ADD A NEW §1515 AND AMEND §1514(b)
OF ARTICLE 5 OF CHAPTER 1, AND TO AMEND
§22952 OF ARTICLE 10 OF CHAPTER 22, ALL OF
TITLE 5, GUAM CODE ANNOTATED; AND TO
AMEND SECTION 2 OF PUBLIC LAW 30-179,
RELATIVE TO AUTHORIZING THE ISSUANCE OF
GOVERNMENT OF GUAM LIMITED OBLIGATION
BONDS FOR THE PURPOSE OF ACQUIRING,
CONSTRUCTING AND EQUIPPING AN
EDUCATIONAL CULTURAL FACILITY AND
CERTAIN OTHER PROJECTS THAT BENEFIT
GUAM'S TOURISM INDUSTRY, AND FOR THE
PURPOSE OF REFUNDING GOVERNMENT OF GUAM
LIMITED OBLIGATION INFRASTRUCTURE**

IMPROVEMENT BONDS, 1997 SERIES A, TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE; AND TO CHANGING THE TERMS FOR THE ISSUANCE OF DEBT AUTHORIZED UNDER PUBLIC LAW 30-179.

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

2 **Section 1.** A new §1515 is hereby *added* to Article 5 of Chapter 1 of Title
3 5, Guam Code Annotated, to read as follows: **“§ 1515. Authorization to**
4 **Borrow For the Purpose of Acquiring, Constructing and Equipping an**
5 **Educational Cultural Facility, a Community Cultural Center and Certain**
6 **Other Projects That Benefit Guam's Tourism Industry and For the Purpose**
7 **of Refunding the Outstanding Government of Guam Limited Obligation**
8 **Infrastructure Improvement Bonds**

9 (a) Definitions. The following terms *shall* have the following
10 meanings when used in this Section:

11 (1) *Debt service* means the scheduled principal of and
12 interest on bonds plus fees, if any, to be paid for credit enhancement of
13 such bonds.

14 (2) *Debt service savings* means the amount by which the
15 present value of debt service on refunding bonds is less than the
16 present value of the remaining debt service on the prior obligations
17 refunded by such refunding bonds. Present value shall be calculated
18 for this purpose using the yield on the bond issue as the discount rate.

19 (3) *Hotel tax revenues* means all revenues derived from taxes
20 of the type now imposed by § 30101 of Chapter 30 of Title 11 of the
21 Guam Code Annotated.

1 (4) *New money bond* means a bond issued pursuant to this
2 Article as part of the same issue as the refunding bonds, but for the
3 purpose of providing moneys for the projects authorized by Subsection
4 (i) of this Section, funding a debt service reserve fund, or paying
5 expenses incurred in connection with the issuance of such new money
6 bonds not already included in an existing appropriation for, or the
7 regular budget of any government agency or instrumentality or public
8 corporation providing any service in connection with the issuance of
9 such debt.

10 (5) *Prior obligations* means the outstanding Government of
11 Guam Limited Obligation Infrastructure Improvement Bonds, 1997
12 Series A, being refunded in connection with the issuance of bonds
13 pursuant to this Section.

14 (6) *Refunding bond* means a bond issued pursuant to this
15 Section for the purpose of providing moneys to redeem or otherwise
16 retire prior obligations, funding any appropriate reserves allocable to
17 the refunding bonds, or paying expenses incurred in connection with
18 the issuance of such refunding bonds not already included in an
19 existing appropriation for, or the regular budget of any government
20 agency or instrumentality or public corporation providing any service
21 in connection with the issuance of such debt.

22 (7) *Yield* means the annual discount rate which, when used to
23 discount all payments of net debt service on a bond issue to the date of
24 issuance of the bonds, using a semiannual compounding interval,
25 results in the aggregate present value of such payments being equal to
26 the re-offering price to the public of the bonds. For this purpose, “net
27 debt service” means debt service minus the amount of any direct

1 subsidy payment to be received from the United States in connection
2 with debt service.

3 (b) Authorization of Issuance of Limited Obligation Infrastructure
4 Improvement Bonds. *I Maga'lahen Guåhan* is authorized to issue on behalf
5 of the Government an issue of bonds of the Government consisting of
6 refunding bonds and new money bonds, subject to the following requirements
7 and limitations:

8 (1) The issuance of the bonds *shall not* cause a violation of
9 the debt limitation provisions of Title 48 USC § 1423a (§ 11 of the
10 Organic Act of Guam).

11 (2) All obligation of the Government to pay debt service on
12 the prior obligations *shall* be discharged concurrently with the
13 issuance of the refunding bonds. Thereafter, any remaining debt
14 service on the prior obligations *shall* be payable solely from and
15 secured solely by a refunding escrow established for such purpose.

16 (3) The present value of debt service on the refunding bonds
17 *shall* be at least two percent (2.0%) less than the present value of debt
18 service on the refunded bonds, using the yield on the refunding bonds
19 as the discount rate.

20 (4) The aggregate principal amount of refunding bonds
21 issued *shall not* exceed the amount necessary to redeem or otherwise
22 retire the prior obligations, fund any appropriate reserves allocable to
23 the refunding bonds, and pay expenses incurred in connection with the
24 issuance of the refunding bonds not already included in an existing
25 appropriation for, or the regular budget of any government agency or
26 instrumentality or public corporation providing any service in
27 connection with the issuance of such debt.

1 (5) The aggregate principal amount of new money bonds
2 issued *shall not* exceed the amount necessary to fund the sum of the
3 amounts appropriated for the projects listed in Subsection (i) of this
4 Section, establish a debt service reserve fund allocable to the new
5 money bonds, pay capitalized interest on the bonds and pay expenses
6 incurred in connection with the issuance of the new money bonds not
7 already included in an existing appropriation for, or the regular budget
8 of any government agency or instrumentality or public corporation
9 providing any service in connection with the issuance of such debt.

10 (6) Aggregate net debt service in each fiscal year on the
11 bonds issued pursuant to this Section and any Government of Guam
12 Infrastructure Improvement Bonds, 1997 Series A, remaining
13 outstanding after the issuance of such bonds *shall not* exceed Seven
14 Million Dollars (\$7,000,000) per fiscal year.

15 (c) Source of Payment and Security for the Bonds. The bonds
16 issued pursuant to this Section *shall* be limited obligations of the
17 Government payable from and secured by a pledge of all or any part of the
18 hotel tax revenues. Any pledge made to secure the bonds *shall* be valid and
19 binding from the time the pledge is made. The hotel tax revenues received
20 by the Government or any trustee, depository and custodian *shall* be
21 deposited in a separate account and *shall* be immediately subject to the lien
22 of such pledge without physical delivery thereof or further act, and the lien
23 of such pledge *shall* be valid and binding against all parties having claims of
24 any kind in tort, contract or otherwise, against the Government of such
25 trustee, depository or custodian, irrespective of whether the parties have
26 notice thereof. The indenture by which such pledge is created need *not* be
27 recorded. Hotel tax revenues pledged for the purpose of paying the bonds

1 are hereby continuously appropriated for such purpose and for the purposes
2 of paying the charges of any trustee, custodian, depository, auditor or credit
3 enhancement provider for the bonds and any other necessary bond expenses
4 under the indenture. All such revenues not needed for such purpose or for
5 the purposes of paying any Government of Guam Limited Obligation
6 Infrastructure Improvement Bonds, 1997 Series A, remaining outstanding
7 and any expenses related thereto *shall* be transferred periodically by any
8 trustee or other fiduciary under the indenture as follows:

9 (1) first, to the fund or account designated by the Guam Visitors
10 Bureau (GVB), such amount as is specified by the budget enacted by *I*
11 *Liheslaturan Guåhan* (the Guam Legislature) for the GVB, and

12 (2) second, the balance of such revenues to the Tourist Attraction
13 Fund.

14 The obligation to make these transfers to the GVB and the Tourist
15 Attraction Fund *shall not* be a part of the contract with the bondholders, and
16 *shall* be subject to the modification by amendment of this Subsection (c) of
17 this Section.

18 The Director of Administration *shall* provide to *I Liheslaturan*
19 *Guåhan* (the Guam Legislature) a copy of each monthly trustee's or other
20 fiduciary's report on collections and disbursements of hotel tax revenues
21 within five (5) working days of the Director's receipt of such report.

22 (d) Terms and Conditions Determined by Indenture; Form of
23 Bonds; Covenants; Appointment of Fiduciaries; Other Related Agreements.
24 The terms and conditions of the new issue *shall* be as determined by *I*
25 *Maga'lahaen Guåhan* by the execution of an indenture authorizing the
26 issuance of the issue. The indenture *shall* contain such terms and conditions
27 as are consistent with this Section. The technical form and language of the

1 bonds of the new issue, including provisions for execution, exchange,
2 transfer, registration, paying agency, lost or mutilated bonds, negotiability,
3 cancellation and other terms, covenants or conditions not inconsistent with
4 this Section, *shall* be as specified in the indenture executed by *I Maga'lahen*
5 *Guâhan* authorizing the issuance of the bonds. The indenture may appoint
6 one (1) or more trustees or other fiduciaries authorized to receive and hold in
7 trust the proceeds of the bonds and moneys relating thereto, to protect the
8 rights of bondholders and to perform such other duties as may be specified
9 in the indenture. The proceeds of the bonds issued pursuant to this Section,
10 and any revenues relating to such bonds, may be invested in, but only in, the
11 types of investments permitted by the indenture. *I Maga'lahen Guâhan* is
12 also authorized to execute, on behalf of the Government, any appropriate
13 agreements, certificates or other instruments relating to the bonds and the
14 sale of the bonds.

15 (e) Authorization for Credit Enhancement. *I Maga'lahen Guâhan*
16 is authorized to enter into such contracts or agreements with such banks,
17 insurance companies or other financial institutions as he determines are
18 necessary or desirable to improve the security and marketability of any
19 bonds authorized by this Section. Such contracts or agreements may contain
20 an obligation to reimburse, with interest, any such banks, insurance
21 companies or other financial institutions for advances used to pay principal
22 of or interest on the issue. Any such reimbursement obligation *shall* be
23 payable solely from the same sources as debt service on the issue is payable,
24 and any such advance, if necessary, *shall* be treated as creating a
25 reimbursement obligation issued to refund the issue.

26 (f) Valid and Binding Obligations, Collection of Revenue. The
27 bonds of the issue authorized by this Section *shall* constitute the valid and

1 binding limited obligations of the Government. All officers charged by law
2 with any duty in the collection of any revenues from which debt service on
3 the issue is payable *shall* do every lawful thing necessary to collect the
4 money necessary for such purpose. The validity of any such bonds *shall not*
5 be affected by the validity or regularity of any proceedings for the
6 implementation of the infrastructure improvement projects funded by either
7 the prior obligations or the new money bonds.

8 (g) Waiver of Immunity. Notwithstanding any substantive or
9 procedural provision of the Government Claims Act, Chapter 6 of Title 5 of
10 the Guam Code Annotated, the Government waives immunity from any suit
11 or action in contract on the bonds authorized by this Section, but does *not*
12 waive sovereign immunity as to the personal liability of elected officials and
13 employees of the Government.

14 (h) No Personal Liability. No employee or elected official of the
15 Government shall be individually or personally liable for the payment of any
16 amounts due on any bonds issued under this Section, or for any other
17 liability arising in connection with the bonds; provided, however, that
18 nothing in this Section shall relieve any employee or elected official from
19 the performance of any ministerial duty required by law.

20 (i) Infrastructure Improvement Projects. The proceeds of the new
21 money bonds issued under this Section are hereby appropriated in amounts
22 not to exceed the following amounts for the purposes of implementing the
23 following projects, in the following order of priority:

24 (1) Twenty-Seven Million Dollars (\$27,000,000) for the
25 acquisition, construction and equipping of an educational facility that
26 reflects a sense of Guam and the *Chamorro* culture and will be the
27 permanent home for the preservation and continuance of the

1 *Chamorro* people; provides for the display of artifacts and historical
2 documents; stimulates community involvement; fosters research and
3 conveys the results of research to the public primarily through the
4 medium of public exhibits, demonstrations, lectures, public programs
5 and publications using the theme: *I Hinanao-ta*, the journey of the
6 *Chamorro* people, provided, however, that the location of such
7 educational facility *shall* have been approved by *I Maga'låhen*
8 *Guåhan* prior to acquisition (if any) or construction thereof;

9 (2) Forty-One Million Five Hundred Thousand Dollars
10 (\$41,500,000) for the following projects:

11 (A) for resolution of the San Vitores flooding caused
12 by storm water runoff along San Vitores Road north of the
13 Fujita Pump Station by collecting and removing storm runoff
14 via transmission to the Fujita Pump Station to be discharged at
15 a suitable location;

16 (B) for various projects related to Historic *Hagåtña* to
17 include the following:

18 (i) for the restoration of the walls of the *Plaza*
19 *de España*;

20 (ii) for the restoration and rehabilitation of the
21 *Plaza de España Azotea*;

22 (iii) for the restoration of the *Plaza de España*
23 Chocolate House; and

24 (iv) for the development of a paver-surface
25 crosswalk and landings on both sides of Marine Corps
26 Drive to provide a proper connection between Skinner
27 Plaza and the *Chamorro* Village.

1 (C) for reimbursements to the Guam Preservation
2 Trust interfund payables due to failure to deposit in said Fund
3 and to transfers out by *I Maga'låhen Guåhan*;

4 (D) for the restoration of the *Inarajan* community
5 center;

6 (E) for the restoration and rehabilitation of the
7 *Malesso* Bell Tower, including landscaping and lighting
8 improvements;

9 (F) for the design and construction of a Guam Farmers
10 Cooperative Association facility and the relocation of the
11 *Dededo* Flea Market;

12 (G) for the acquisition of available real estate that is
13 offered for sale, and the development of a public park, within
14 the area known as *Faifai* and *Gognga* (Gun Beach) in *Tumon*;

15 (H) for the construction of a historic monument and
16 plaza to commemorate Ferdinand Magellan's historic visit to
17 *Umatac* Bay;

18 (I) for the design and construction of village entrance
19 signs for Guam's nineteen (19) municipalities;

20 (J) for improvements to the Nimitz Beach outdoor
21 pavilion, public restrooms, lighting, benches and walking paths;

22 (K) for improvements to the public facilities near the
23 Fish Eye Pier, including public restrooms, washing facilities,
24 benches, lighting, and picnic areas;

25 (L) for improvements to the stalls, public restrooms,
26 landscaping and walking paths of the *Mangilao* Public Market;

1 (M) for improvements in *Tumon* Bay, to include
2 pedestrian corrals and safety railings, and overhead lighting at
3 the Governor Joseph Flores Memorial Park;

4 (N) for the renovation of streetlights along Pale San
5 Vitores Road;

6 (O) for the renovation of streetlights in the *Agana* Bay
7 vicinity;

8 (P) for the restoration and repair of scenic byways,
9 overlooks, and historic sites, including the *Cetti* Bay and *Sella*
10 Bay Overlooks; the *Umatac* Bay Overlook; the *Agat* Spanish
11 Bridge (*Talifak* River); the *Talofof* and *Fadi'an* Point
12 Overlooks; the Santos Memorial Park ocean views; and the East
13 *Agana* Bay picnic shelters and ocean views;

14 (Q) for the design and construction of a permanent
15 monument for the late Senator Angel L.G. Santos Park;

16 (R) for the scenic and informational highway signs;

17 (S) for improvements of the *Hagåtña* Tennis Courts;

18 (T) for improvements of the *Hagåtña* Pool;

19 (U) for deposit into the Community Sports
20 Recreational Improvement Fund established under Public Law
21 14-27 for the construction and/or renovation of sports and
22 community recreational facilities; and

23 (V) for primary or supplemental funding for projects
24 identified under the *Hagåtña* Master Plan.

25 (j) Approval of Guam Economic Development Authority.
26 §50103(k) of Title 12, Guam Code Annotated provides that agencies and
27 instrumentalities of the Government shall issue bonds and other obligations

1 only by means of and through the agency of the Guam Economic
2 Development Authority (GEDA). No issue of bonds authorized by this
3 Section shall be sold until the Board of Directors of GEDA has adopted a
4 resolution approving the sale of such issue.

5 (k) In the event that *I Maga'Lahen* secures a loan under Public Law
6 30-179, *I Maga'Lahen* is authorized to reprogram bond proceeds intended
7 for Item (1) of Subsection (i) of this Section for the purpose of
8 reconstructing and/or renovation of the Old Guam Legislature Building (the
9 former Guam Congress Building) and other historic facilities in *Hagåtña*.”

10 **Section 2. Approval of Terms and Conditions.** §50103(k) of Title 12,
11 Guam Code Annotated provides that GEDA *shall not* sell any bond without the
12 approval of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
13 the bonds. *I Liheslaturan Guåhan* hereby approves the issuance, terms and
14 conditions of the bonds authorized by §1515 of Title 5, Guam Code Annotated, in
15 an aggregate principal amount *not* to exceed the amount authorized by said §1515,
16 with a final maturity *not* exceeding thirty (30) years and bearing interest at a yield
17 of *not* to exceed seven and one-half percent (7.5%) per annum, after subtracting
18 from bond interest the amount of any direct subsidy payment to be received from
19 the United States in connection with such bonds.

20 **Section 3. Amendment of Prior Hotel Tax Flow of Funds.** § 22952 of
21 Article 10 of Chapter 22, Title 5, Guam Code Annotated, is hereby *amended* to
22 read as follows:

23 “§ 22952. **Source of and Security for Payment of the Bonds.** The
24 bonds of the new issue *shall* be limited obligations of the Government
25 payable from and secured by a pledge of all or any part of the hotel tax
26 revenues. Any pledge made to secure the bonds *shall* be valid and binding
27 from the time the pledge is made. The hotel tax revenues received by the

1 Government or any trustee, depository and custodian *shall* be deposited in a
2 separate account and *shall* be immediately subject to the lien of such pledge
3 without physical delivery thereof or further act, and the lien of such pledge
4 *shall* be valid and binding against all parties having claims of any kind in
5 tort, contract or otherwise, against the Government of such trustee,
6 depository or custodian, irrespective of whether the parties have notice
7 thereof. The indenture by which such pledge is created need *not* be recorded.
8 Hotel tax revenues pledged for the purpose of paying the bonds are hereby
9 continuously appropriated for such purpose and for the purposes of paying
10 the charges of any trustee, custodian, depository, auditor or credit
11 enhancement provider for the bonds and any other necessary bond expenses
12 under the indenture. All such revenues *not* needed for such purpose or for
13 the purpose of paying any bonds issued pursuant to §1515 of Title 5, Guam
14 Code Annotated, and any expenses relating thereto shall be transferred
15 periodically by any trustee or other fiduciary under the indenture as provided
16 by said §1515. The obligation to make such transfers *shall not* be a part of
17 the contract with the bondholders, and *shall* be subject to the modification
18 by amendment of this §22952 by *I Liheslaturan Guåhan* (the Guam
19 Legislature).”

20 **Section 4.** §1514(b) of Article 5 of Chapter 1, Title 5, Guam Code
21 Annotated, is hereby *amended* to read:

22 “(b) Terms and Conditions Determined by Certificate. The terms and
23 conditions of the debt *shall* be determined by *I Maga’ lahen Guåhan* by the
24 execution of a certificate authorizing the issuance of the debt upon or prior
25 to the issuance of the debt; provided, however, that such terms and
26 conditions *shall* be consistent with this Section, and that the debt *shall*
27 mature *not later than* the date thirty (30) years after its date of issuance and

1 *shall* bear interest at such rates and be sold for such price or prices as *shall*
2 result in a yield to the holders of the debt *not* exceeding seven and one-half
3 percent (7½%) per annum.”

4 **Section 5.** Section 2 of Public Law 30-179 is hereby *amended* to read as
5 follows:

6 **“Section 2. Approval of Debt.**

7 *I Liheslaturan Guåhan*, pursuant to §50103(k), Title 12, Guam Code
8 Annotated, hereby approves the issuance and sale by the government of
9 Guam of debt in a principal amount not to exceed Twenty Five Million
10 Dollars (\$25,000,000) for the purposes set forth in §1514, Title 5, Guam
11 Code Annotated, provided that the conditions to the issuance of such debt
12 *shall* have been met, such debt have a final maturity date *not later than* thirty
13 (30) years after their date of issuance, bear interest at such rate and are sold
14 for such price or prices as *shall* result in a yield to the holders of the debt not
15 *exceeding* seven and one-half percent (7½%) per annum, and are issued and
16 sold in the manner, for the purposes and subject to the requirements and
17 limitations provided in §1514, Title 5, Guam Code Annotated. The issuance
18 and sale of debt on behalf of the government of Guam authorized by this
19 Section may be to one (1) or more banks or financial institutions as a loan
20 guaranteed by the U.S. Department of Agriculture.”

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I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 12/22/10

VOTING SHEET

SBill No. 485-30(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr. <i>11</i>	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14 _____ _____ _____ 1

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



November 17, 2010

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

2010 NOV 23 PM 3:21

VIA: **The Honorable Rory J. Respicio**
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 485-30 (COR) as substituted

Madam Speaker:

Transmitted herewith is the Committee Report on **Substitute Bill No. 485-30 (COR)** – “An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam’s tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue,” sponsored by B.J.F. Cruz and referred to the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting.

Committee votes are as follows:

- 8 TO DO PASS
 TO DO NOT PASS
1 TO REPORT OUT ONLY
 TO ABSTAIN
 TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Si Yu’os ma’åse for your attention to this matter.

Sincerely,

Benjamin J.F. Cruz
Chairman



COMMITTEE REPORT

BILL NO. 485-30 (COR)
as substituted

B.J.F. CRUZ

An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue



November 17, 2010

MEMORANDUM

To: All Members
Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

From: Vice Speaker Benjamin J.F. Cruz
Committee Chairperson

A handwritten signature in cursive script, appearing to read "Benjamin J.F. Cruz".

Subject: Committee Report on Bill No. 485-30 (COR) as substituted

Transmitted herewith for your consideration is the Committee Report on Substitute Bill No. 485-30 (COR) – “An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam’s tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue,” sponsored by B.J.F. Cruz.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 485-30 (COR)
- Copy of Substitute Bill No. 485-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 485-30 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'us ma'ase'!



COMMITTEE VOTING SHEET

COMMITTEE ON TOURISM, CULTURAL AFFAIRS, YOUTH, AND PUBLIC BROADCASTING

Substitute Bill No. 485-30 (COR) – B.J.F. Cruz – “An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam’s tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.”

Senators	Signature	To Do Pass	To Do Not Pass	To Report Out Only	To Abstain	To Place In Inactive File
Benjamin J.F. Cruz Chairperson		11/17/10				
Tina Rose Muna-Barnes Vice Chairperson		11/22/10				
Frank B. Aguon, Jr.		11/23/10				
Rory J. Respicio		11/22/10				
Judith P. Guthertz		11/18/10				
Thomas C. Ada		11/23/10				
Telo Taitague		11/18/10				
Ray Tenorio						
James Espaldon				11-19-10		
Speaker Judith Won Pat		11/20/10				



COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting convened a public hearing on Friday, November 5, 2010 at 3:00 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 485-30 (COR) – "An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue," sponsored by B.J.F. Cruz.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all senators on October 29 and November 3, 2010 via e-mail. Notices of the hearing were published in the Pacific Daily News on October 29 and November 1, 2010 and Marianas Variety on October 29. Notice was also posted on the Guam Legislature's website and on the Chairman's website, www.senatorbjcruz.com.

Senators Present

Vice Speaker Benjamin J.F. Cruz, Chairperson
Sen. V. Anthony Ada
Sen. Thomas C. Ada
Sen. Telo Taitague
sen. ben pangelinan

The public hearing was called to order at 3:00 p.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Vice Speaker B.J.F. Cruz announced the afternoon's agenda and noted the Chairman of the GVB Board requested to speak first and called on Mr. Gerry Perez to deliver the testimony on his behalf.

Gerry Perez, General Manager, Guam Visitors Bureau, submitted written testimony in support of Bill No. 485-30 with several amendments to the proposed project listing, attached, and apologized for the absence of Board Chairman David Tydingco.

Vice Speaker Cruz asked, after Mr. Perez read from his written testimony, if he would be providing the Committee with a Board Resolution that approves the testimony and the proposed projects. He stated it would help the Legislature to know the Board is resolved in favor of the testimony submitted.

Mr. Perez replied, yes, the Board will. They discussed it and approved the projects listed. Mr. Perez assured he would get a resolution approved at the next meeting.

Carol Tayama, Mayor of Agat, was asked to testify next in her capacity as the Mayors' Council of Guam representative on the GVB Board. She assured the GVB Board did discuss the testimony and did approve of it and will draft the resolution as requested. Mayor Tayama



appeared in support of the amendments GVB proposed in its testimony and testified that the Mayors of Guam are also.

Vice Speaker Cruz stated it would help the Legislature make the best decision on the bill if the Mayors' Council would submit a resolution of support also.

Mayor Tayama agreed to have one drafted.

Hayato "Jack" Yoshino, GVB Board Member and Ken Corporation President, stated the GVB Board agreed to GVB's amendments as to how the money will be used. He assured that the Board is aware of how much will be required every year as a payment on the proposal and he said to these ends and the expenses of GVB, \$6.9 million should be capped.

Mr. Perez affirmed Mr. Yoshino's statement that it would be requested of the underwriters and bond counsel to use \$6.9 million as a cap, which would give GVB about half a million more to spend on marketing than has been the case in previous debt service schedules.

Vice Speaker Cruz acknowledged the presence of GVB Board Member Judy Flores.

Dr. Judy Flores, GVB Board Member, affirmed her support of the position of the Guam Visitors Bureau.

Mr. Yoshino submitted written testimony, attached, in his capacity as President of Ken Corporation but wished to make some adjustment to endorse GVB's idea. Ken Corporation will follow GVB's decision on how to use the money.

Anthony C. Blaz, Administrator, Guam Economic Development Authority, submitted written testimony, attached, in support of testimony submitted by the Guam Visitors Bureau. "GEDA is working with GVB and bond counsel," Blaz wrote, "to vet the proposed projects from a tax perspective. Given the currently favorable market conditions, GEDA supports this financing and Bill 485-30, subject to refinement of the project list by GVB, the Legislature and bond counsel."

Vice Speaker Cruz recognized Sylvia Flores to deliver testimony on behalf of Mr. David Tydingco, Chairman of the Guam Museum Foundation Board. Ms. Flores, however, was delivering testimony in her own capacity, as President of the Department of Chamorro Affairs.

Sylvia M. Flores, President, Department of Chamorro Affairs, submitted written testimony, attached, in support of Bill No. 485-30 Section One. Ms. Flores delivered separate testimony, attached, on Bill No. 485-30 Section 2.

Vice Speaker Cruz warned Ms. Flores against delivering the second part of her testimony because it would completely undermine the bill being heard. The second part of her testimony is the design plans for upgrading the Chamorro Village into an inclusive cultural center, which have yet to be approved. Cruz stated his purpose to address the bond issue for which the hearing was scheduled.



Ms. Flores stated she has been presenting the plans to the Legislature and the Legislature has not acted and the Department of Chamorro Affairs has been ignored. She recommended that the Department of Chamorro Affairs be shut down.

Vice Speaker Cruz stated this to be a ridiculous suggestion and restated the Committee's purpose to address the issue of Bill No. 485 and to ensure the hearing does not go far afield from the matter.

Ms. Flores stated the Department of Chamorro Affairs is opposed to part of the Bill "because we recognize only special interest groups and we do not look at what really brings the bread to the table."

Vice Speaker Cruz asked Ms. Flores whether she noted that Mr. Perez's submitted testimony includes this very discussion.

Ms. Flores replied, "Of course, but you have to allow me to speak. And if you accept my proposal, fine; if you don't, fine. And I'll be happy not to speak."

Joseph Artero-Cameron, Executive Director, Hagåtña Restoration & Redevelopment Authority, submitted written testimony, attached, in support the Department of Chamorro Affairs' testimony.

Sam Walker, Institutional Researcher for Sustainable and Renewable Energy Management, University of Guam Center for Island Sustainability, submitted oral testimony in support of item six of the Infrastructure Improvement Projects proposed by Bill No. 485-30, money for the development of a Guam Farmers Cooperative Association facility and to relocate the Dededo Flea Market. His support lies in his realization that local production would increase food security for our island, particularly in relation to the following economic factors that affect the small holder in terms of profitability: appropriate land use management with the highest efficient and sustainable use of available resources (land, labor, plants, animals); lower cost of production with higher levels of product yield; high production with reduced prices; production with an elastic demand; transportation to market or development of receiving station.

Ernest Wusstig, Vice President, Guam Farmer's Cooperative, submitted oral testimony in support of Bill No. 485 and requested that the appropriation to the Farmer's Co-op be written as eligible for a federal matching grant.

Sen. Taitague stated her support of this inclusion and of Guam farmers in general.

Vicente "Ben" Gumataotao, Mayor of Piti, submitted oral testimony in support of Bill No. 485-30 for its intention to revitalize tourism, the most important industry on this island.

Franklin M. Taitague, Mayor of Inarajan, submitted written testimony, attached, in support of Bill No. 485-30. However, he asked that the amount identified be reconsidered after the community center reconstruction and restoration is thoroughly assessed.

Vice Speaker Cruz stated that every year since he has been the Chairman of the Committee on Tourism, \$200,000 a year has been appropriated to the Historic Inalahan Foundation and that



every year it has been held by them in a bank account, unspent; but they were saving it for major investments in the village. If they would ask for me, the Committee would consider giving them more.

Mayor Taitague stated that the community center is under the jurisdiction of the Department of Parks and Recreation, while the homes are private. He stated the entire picture of what can be funded as far as restoration must be looked at.

Vice Speaker Cruz assured that almost a million dollars a year has been paid by the Tourist Attraction Fund because Parks and Recreation does not have the funds to afford it and if there is a need for more money, a request should be made so that someone can figure out how to address it in future appropriations.

Kevin Dietrichs, Chef Instructor, Guam Community College, submitted oral testimony in support of Bill No. 485 and stated he is literally overwhelmed by the opportunities presented by the bill. Specifically, the opportunity for the Farmer's Co-op to come together as a cohesive group and work together excites him as a chef personally. He has been working with the Department of Agriculture, the Farmer's Co-op, and the Fisherman's Co-op for years and states that getting fresh produce in Guam is difficult. The benefits the Farmer's Co-op can produce for the island, from a chef's standpoint, is quality of product. Co-ops are member-oriented, based on the values of self-help, equality, equity, solidarity, empowerment to members. Co-ops play a vital role in social and economic development and can create job opportunities, market access, and consistent supply. The trend in food service today is to go local and sustainable, which helps the environment, promotes community development and fosters cultural and social justice for all.

Bob Barber, Agronomist, University of Guam and Advisor to the Guam Farmer's Cooperative, submitted oral testimony in support of Bill No. 485-30, item six of item *i*. He stated, the Farmer's Co-op has grown from a starting group, to an intense group of members, and has gone through a full season, beyond what he expected, despite weather conditions. The Co-op has—very early in their strategic plan—identified a northern farmers market and relocation of Dededo flea market. Both are important to Mr. Barber; he believes it could be a major tourist attraction. UOG Cooperative Extension extends full support to help and assist this effort, planning, and consultation.

Mr. Barber clearly articulated that this \$3.9 million should be made available for federal match. Funds for parking, barriers, and buildings and structures can get eaten up very fast. He asks that this money be allocated, put aside and protected from other purposes, and released as milestones are met, as plans and developments come together. Mr. Barber added that the Farmer's Co-op serves a critical purpose for the island, has demonstrated an enormous amount of energy, and with the assistance from Dededo's Mayor's Office, has a great chance for success.

Bill McDonald, President, Guam Farmer's Cooperative, submitted oral testimony in support of the section of the bill that provides for the development of a Guam Farmers Cooperative Association facility and to relocate the Dededo Flea Market. Mr. McDonald listed some of the benefits and plans that would be enabled by the bill, such as safer auto-pedestrian interaction in the new Dededo Flea Market location; certified community kitchens to process goods such as preserves; an educational kitchen for GCC culinary students; a storefront with covered loading



docks; post-harvest facilities for the freshest produce; dry storage, bio-secure kitchen and garden; enclosed livestock pens; nursery; compost, wood chipping, and recycling stations.

Mr. McDonald added that such a facility is at the heart of the goal of helping Guam sustain itself. It will drive its own consumer base and will contribute to economic development. A nation can be measured not only by how long it lasts, but by how well it feeds its people.

Alfred Ysrael submitted written testimony, attached, opposed to Bill 485-30. He acknowledged the importance of the item appropriations within the bill but pointed out that each testimony of support was in support of one single item; therefore, he suggested separate legislation for each bill. He called for support of the museum but also suggested separate legislation for it. He then stated government-run cultural and conventional centers would not be successful, especially as private enterprises have already begun constructing one of each.

Mark Baldyga submitted written testimony, attached, opposed to Bill No. 485-30. He is in support of a museum and the use of TAF monies for infrastructure improvements, however, he thinks such funds would be better spent repairing existing Tumon problems like sewage, flooding, and dangerous traffic conditions.

Mary Torre, President, Guam Hotel and Restaurant Association, provided written testimony, attached, opposed to Bill No. 485-30. She stated there is no plan for funding the sustainability and upkeep of the proposed projects and that members of GHRA are already building the proposed facilities (cultural center and convention center) with private funds.

Ms. Torre stated that previous capital improvement projects were funded or partly funded by the initial bond and have yet to be completed. These include San Vitores Road sewer system, storm drains, road resurfacing, streetlights, underground utility lines and pipes.

Charlene Goo, Vice President, Operations, Outrigger Hotels & Resorts, submitted written testimony, attached, opposed to Bill No. 485-30. In her capacity, Goo wrote that the bond monies would be better spent on storm drain improvement, streetlights, and resurfacing of San Vitores Road, rather than starting new projects that do not have complete plans and funding sources or that would compete with private industry projects already in progress.

Dr. Marilyn Salas, Member, Department of Chamorro Affairs Board and Guam Museum Foundation, Inc. Board, submitted oral testimony requesting amendments to Bill No. 485-30. She testified for a review of the needs of the Department of Chamorro Affairs. With the military buildup approaching, she believes that DCA will be crucial in preventing the marginalization of Chamorros through the preservation of language and culture.

Dr. Salas also expressed a desire for a more collaborative process for the development of the Community Cultural Center. She testified that the center should be a reflection of Chamorro cultural values and be built with its final use in mind. It is her belief that this process would help to avoid problems related to upkeep and maintenance when the project is completed.

Dr. Salas expressed a desire for a change in the bill's language describing the purpose for cultural preservation. She believes that preservation is as much for Chamorros as it is for tourism and that the bill should reflect this perspective.



She also identified a gap between local farming and the other branches of the food supply chain. She identified hotels and local schools as consumers that should be connected to the producers of local agriculture. Ultimately, she would like to see island-wide support of locally made products.

Michael Makio, Chairman of the Board, Guam Preservation Trust, submitted oral testimony that the Guam Preservation Trust was contacted by the Guam Visitors Bureau with an offer to help expedite the startup of the Trust's priority projects. GVB trimmed the number of projects to those which they felt had the highest return on investment dollars. The preservation trust supports GVB's efforts toward the completion of the refurbishment of the historic properties as it is an excellent funding opportunity.

Both the Trust and review boards believe that restoration projects must have a viable use after a project is completed. The Merlin Cook School is an example of the application of this philosophy. The property has been turned over to the village in which it resides and stewardship for the property resides with the village Mayor. If funding were to be provided to the Guam Historic Preservation Review Board for property management, project restoration and adaptation would be accomplished in a shorter time frame and reduce bureaucracy. In addition, the Trust wants to educate the community about the ways in which restored properties can be adapted to local needs and uses such as business creation or tourism.

Tom Camacho, Farmer, submitted oral testimony in support of the section of the bill related to the Guam Farmer's Cooperative. Mr. Camacho stated that he is appalled at the difference between the amount provided for in the original bill and GVB's breakdown.

Mr. Camacho also raised his concerns about sustainability, food security, and sustenance. He believes that consideration for island food security is critical as food supplies are limited in quantity if mainland shipments do not reach our ports. Mr. Camacho says that reports by the Department of Agriculture estimate our current food supply to be around three to five days.

He also testified that farmers will put together a plan for the Co-op, but an influx of capital will be necessary for them to be able to have the time to give the project more attention. He reports that as an NGO, matching funds from the federal government may be available for the project.

Dr. Judy Flores, Historic Inalahan Foundation, submitted written testimony, attached, in support of the bill and stated that the Historic Inalahan Foundation is currently assisting in the creation of a master plan for the revitalization of the historic district with the American Institute of Architects with funding from the Guam Preservation Trust. Her testimony supports the intent of Bill No. 485, specifically the appropriation of \$200,000 for the restoration of the Inarajan Community Center. The community has expressed strong support for the revitalization of the community center in order to provide the space for a new generation to build social and community bonds. Dr. Flores would like to see the designation be broadened to include restoration of significant historic structures in the Inarajan area.

Mary Camacho, Chamorro Village Vendors Association, submitted oral testimony opposed to Bill No. 485-30. She and others have been waiting for funding for the master plan for Chamorro Village. She says if given the opportunity to pursue the master plan for Chamorro Village, artists would have a place to showcase their art and wares, as well as have a performing arts space. This could potentially be a large revenue-generating venue.



Anita Borja Enriquez submitted written testimony, attached, in support of Bill No. 485-30, stating that the bill would "improve Guam's competitive advantage as an attractive destination that captures the essence of who we are as a unique people and the long history we represent."

Leona Mendiola Young, Administrator, The Guam Museum Foundation, Inc. submitted written testimony, attached, in support of Bill No. 485-30

Resolution by the GVB Board in support of the bill, see attached.

The Committee considers Bill No. 485 to have been duly heard.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting finds that conditions in the capital markets are conducive to refunding Guam's 1997 Limited Obligation Infrastructure Improvement Bonds and borrowing additional funds for much-needed infrastructure projects. The current balance on these bonds is approximately \$28 Million. Refunding these bonds in the current market environment will result in present value savings of about \$1 Million. Bill No. 485-30 (COR) would authorize such refunding and additional borrowing, as well, to fund projects to the benefit of our residents and our visitor industry.

Since the introduction of Bill No. 485, the Committee has had the benefit of information resulting from the bill's public hearing, resulting in refinements to the list of projects for which funding is being sought. Accordingly, the Committee has prepared a substitute version of the bill that reflects changes in authorized infrastructure projects. In addition, the Committee finds it prudent to preserve the borrowing authorization for a new museum facility provided in Public law 30-179 while authorizing similar borrowing in Bill No. 485, provided that only one may be used. The substitute version also provides a mechanism to keep the borrowing authorization for the construction of a new museum provided for in Public law 30-179 intact but with a couple of changes.

Public Law 30-179 authorized a direct loan from USDA for the construction of a new museum with a rate cap of five percent. The substitute bill provides authority to secure a direct USDA loan, a USDA guaranteed bank loan, or a combination of the two. In consideration of the possibility of a guaranteed loan, the interest rate cap is raised to seven percent. The substitute bill includes the museum in the list of authorized projects to be funded from the bond proceeds in the event that the Governor does not enter into a loan agreement with USDA. Note that the amount authorized under Public law 30-179 is less the total amount need for the project. Bill No. 485 provides full funding.

Attached for the benefit of the Committee members is a version of the substitute bill indicating the changes for easier comparison against of the provisions of the bill as introduced.

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting, to which was referred Bill No. 485-30 (COR), hereby submits these findings to *I Mina' Trenta na Liheslaturan Guåhan* and reports out Bill No. 485-30 (COR), as substituted, with the recommendation to DO PASS.

2010 OCT 25 PM 1:06 EDM

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 485-30(a)(a)
()

Introduced by:

- B.J.F. Cruz
- F.B. Aguon, Jr.
- J.T. Won Pat, Ed.D.
- T.R. Muña-Barnes
- R.J. Respicio
- J.P. Guthertz, DPA
- T.C. Ada
- A.B. Palacios, Sr.
- v.c. pangelinan
- E.J.B. Calvo
- Ray Tenorio
- J.V. Espaldon
- Telo Taitague
- F.F. Blas
- V.A. Ada

AN ACT TO REPEAL AND REENACT SECTION 1514 OF TITLE 5, GUAM CODE ANNOTATED, TO AUTHORIZE THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY, A COMMUNITY CULTURAL CENTER AND CERTAIN OTHER PROJECTS THAT BENEFIT GUAM'S TOURISM INDUSTRY AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, AND TO APPROVE THE TERMS

1 agency or instrumentality or public corporation providing any service in
2 connection with the issuance of such debt.

3 (5) *Prior obligations* means the outstanding Government of Guam
4 Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, being
5 refunding in connection with the issuance of bonds pursuant to this Section.

6 (6) *Refunding bond* means a bond issued pursuant to this Section
7 for the purpose of providing moneys to redeem or otherwise retire prior
8 obligations, funding any appropriate reserves allocable to the refunding
9 bonds, or paying expenses incurred in connection with the issuance of such
10 refunding bonds not already included in an existing appropriation for, or the
11 regular budget of any government agency or instrumentality or public
12 corporation providing any service in connection with the issuance of such
13 debt.

14 (7) *Yield* means the annual discount rate which, when used to
15 discount all payments of net debt service on a bond issue to the date of
16 issuance of the bonds, using a semiannual compounding interval, results in
17 the aggregate present value of such payments being equal to the re-offering
18 price to the public of the bonds. For this purpose, “net debt service” means
19 debt service minus the amount of any direct subsidy payment to be received
20 from the United States in connection with debt service.

21 (b) Authorization of Issuance of Limited Obligation Infrastructure
22 Improvement Bonds. *I Maga’lahen Guåhan* is authorized to issue on behalf of the
23 Government an issue of bonds of the Government consisting of refunding bonds
24 and new money bonds, subject to the following requirements and limitations:

25 (1) The issuance of the bonds shall not cause a violation of the debt
26 limitation provisions of Title 48 USC § 1423a (§ 11 of the Organic Act of
27 Guam).

28

1 (2) All obligation of the Government to pay debt service on the
2 prior obligations shall be discharged concurrently with the issuance of the
3 refunding bonds. Thereafter, any remaining debt service on the prior
4 obligations shall be payable solely from and secured solely by a refunding
5 escrow established for such purpose.

6 (3) The present value of debt service on the refunding bonds shall
7 be at least two percent (2.0%) less than the present value of debt service on
8 the refunded bonds, using the yield on the refunding bonds as the discount
9 rate.

10 (4) The aggregate principal amount of refunding bonds issued shall
11 not exceed the amount necessary to redeem or otherwise retire the prior
12 obligations, fund any appropriate reserves allocable to the refunding bonds,
13 and pay expenses incurred in connection with the issuance of the refunding
14 bonds not already included in an existing appropriation for, or the regular
15 budget of any government agency or instrumentality or public corporation
16 providing any service in connection with the issuance of such debt.

17 (5) The aggregate principal amount of new money bonds issued
18 shall not exceed the amount necessary to fund the sum of the amounts
19 appropriated for the projects listed in subsection (i) of this Section, establish
20 a debt service reserve fund allocable to the new money bonds, pay
21 capitalized interest on the bonds and pay expenses incurred in connection
22 with the issuance of the new money bonds not already included in an
23 existing appropriation for, or the regular budget of any government agency
24 or instrumentality or public corporation providing any service in connection
25 with the issuance of such debt.

26 (6) Aggregate net debt service in each fiscal year on the bonds
27 issued pursuant to this Section and any Government of Guam Infrastructure
28 Improvement Bonds, 1997 Series A, remaining outstanding after the

1 issuance of such bonds shall not exceed Seven Million Dollars (\$7,000,000)
2 per fiscal year.

3 (c) Source of Payment and Security for the Bonds. The bonds issued
4 pursuant to this Section shall be limited obligations of the Government payable
5 from and secured by a pledge of all or any part of the hotel tax revenues. Any
6 pledge made to secure the bonds shall be valid and binding from the time the
7 pledge is made. The hotel tax revenues received by the Government or any trustee,
8 depository and custodian shall be deposited in a separate account and shall be
9 immediately subject to the lien of such pledge without physical delivery thereof or
10 further act, and the lien of such pledge shall be valid and binding against all parties
11 having claims of any kind in tort, contract or otherwise, against the Government of
12 such trustee, depository or custodian, irrespective of whether the parties have
13 notice thereof. The indenture by which such pledge is created need not be
14 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
15 hereby continuously appropriated for such purpose and for the purposes of paying
16 the charges of any trustee, custodian, depository, auditor or credit enhancement
17 provider for the bonds and any other necessary bond expenses under the indenture.
18 All such revenues not needed for such purpose or for the purposes of paying any
19 Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997
20 Series A, remaining outstanding and any expenses related thereto shall be
21 transferred periodically by any trustee or other fiduciary under the indenture as
22 follows:

23 (1) first, to the fund or account designated by the Guam Visitors
24 Bureau ("GVB"), such amount as is specified by the budget enacted by the
25 Guam Legislature for the GVB, and

26 (2) second, the balance of such revenues to the Tourist Attraction
27 Fund.

28 The obligation to make these transfers to the GVB and the Tourist Attraction Fund

1 *shall not* be a part of the contract with the bondholders, and shall be subject to the
2 modification by amendment of this subsection (c) of this Section.

3 The Director of Administration shall provide to the Guam Legislature a copy
4 of each monthly trustee's or other fiduciary's report on collections and
5 disbursements of hotel tax revenues within five (5) working days of the Director's
6 receipt of such report.

7 (d) Terms and Conditions Determined by Indenture; Form of Bonds;
8 Covenants; Appointment of Fiduciaries; Other Related Agreements. The terms
9 and conditions of the new issue shall be as determined by *I Maga'lahaen Guåhan*
10 by the execution of an indenture authorizing the issuance of the issue. The
11 indenture shall contain such terms and conditions as are consistent with this
12 Section. The technical form and language of the bonds of the new issue, including
13 provisions for execution, exchange, transfer, registration, paying agency, lost or
14 mutilated bonds, negotiability, cancellation and other terms, covenants or
15 conditions not inconsistent with this Section, shall be as specified in the indenture
16 executed by *I Maga'lahaen Guåhan* authorizing the issuance of the bonds. The
17 indenture may appoint one (1) or more trustees or other fiduciaries authorized to
18 receive and hold in trust the proceeds of the bonds and moneys relating thereto, to
19 protect the rights of bondholders and to perform such other duties as may be
20 specified in the indenture. The proceeds of the bonds issued pursuant to this
21 Section, and any revenues relating to such bonds, may be invested in, but only in,
22 the types of investments permitted by the indenture. *I Maga'lahaen Guåhan* is also
23 authorized to execute, on behalf of the Government, any appropriate agreements,
24 certificates or other instruments relating to the bonds and the sale of the bonds.

25 (e) Authorization for Credit Enhancement. *I Maga'lahaen Guåhan* is
26 authorized to enter into such contracts or agreements with such banks, insurance
27 companies or other financial institutions as he determines are necessary or
28 desirable to improve the security and marketability of any bonds authorized by this

1 Section. Such contracts or agreements may contain an obligation to reimburse,
2 with interest, any such banks, insurance companies or other financial institutions
3 for advances used to pay principal of or interest on the issue. Any such
4 reimbursement obligation shall be payable solely from the same sources as debt
5 service on the issue is payable, and any such advance, if necessary, shall be treated
6 as creating a reimbursement obligation issued to refund the issue.

7 (f) Valid and Binding Obligations, Collection of Revenue. The bonds of the
8 issue authorized by this Section shall constitute the valid and binding limited
9 obligations of the Government. All officers charged by law with any duty in the
10 collection of any revenues from which debt service on the issue is payable shall do
11 every lawful thing necessary to collect the money necessary for such purpose. The
12 validity of any such bonds shall not be affected by the validity or regularity of any
13 proceedings for the implementation of the infrastructure improvement projects
14 funded by either the prior obligations or the new money bonds.

15 (g) Waiver of Immunity. Notwithstanding any substantive or procedural
16 provision of the Government Claims Act, Chapter 6 of Title 5 of the Guam Code
17 Annotated, the Government waives immunity from any suit or action in contract on
18 the bonds authorized by this Section, but does not waive sovereign immunity as to
19 the personal liability of elected officials and employees of the Government.

20 (h) No Personal Liability. No employee or elected official of the
21 Government shall be individually or personally liable for the payment of any
22 amounts due on any bonds issued under this Section, or for any other liability
23 arising in connection with the bonds; provided, however, that nothing in this
24 Section 221608 shall relieve any employee or elected official from the
25 performance of any ministerial duty required by law.

26 (i) Infrastructure Improvement Projects. The proceeds of the new money
27 bonds issued under this Section are hereby appropriated in amounts not to exceed
28

1 the following amounts for the purposes of implementing the following projects, in
2 the following order of priority:

3 (1) \$30,000,000 for the acquisition, construction and equipping of
4 an educational facility that reflects a sense of Guam and the Chamorro
5 culture and will be the permanent home for the preservation and continuance
6 of the Chamorro people; provides for the display of artifacts and historical
7 documents; stimulates community involvement; fosters research and
8 conveys the results of research to the public primarily through the medium
9 of public exhibits, demonstrations, lectures, public programs and
10 publications using the theme: *I Hinanao-ta*, the journey of the Chamorro
11 people, *provided, however*, that the location of such educational facility shall
12 have been approved by *I Maga'lahaen Guåhan* prior to acquisition (if any) or
13 construction thereof;

14 (2) \$30,000,000 for the construction of a performing arts and
15 cultural center, including open floor space, arena seating, a seminar facility,
16 meeting rooms and kitchen facilities, *provided, however*, that the location of
17 such facility shall have been approved by *I Maga'lahaen Guåhan* prior to
18 acquisition (if any) or construction thereof;

19 (3) \$2,344,000 for the preservation and restoration of the Plaza de
20 Espana and other structures within the Plaza;

21 (4) \$200,000 for the restoration of the Inarajan community center;

22 (5) \$800,000 for the restoration and rehabilitation of the Malesso
23 Bell Tower, including landscaping and lighting improvements; and

24 (6) \$3,900,000 for the development of a Guam Farmers
25 Cooperative Association facility and to relocate the Dededo Flea Market.

26 (j) Approval of Guam Economic Development Authority. Section 50103(k)
27 of Title 12, Guam Code Annotated provides that agencies and instrumentalities of
28 the Government shall issue bonds and other obligations only by means of and

1 through the agency of the Guam Economic Development Authority ('GEDA'). No
2 issue of bonds authorized by this Section shall be sold until the board of directors
3 of GEDA has adopted a resolution approving the sale of such issue."

4 **Section 2. Approval of Terms and Conditions.** Section 50103(k) of Title
5 12, Guam Code Annotated provides that GEDA shall not sell any bond without the
6 approval of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
7 the bonds. *I Liheslaturan Guåhan* hereby approves the issuance, terms and
8 conditions of the bonds authorized by Section 1514 of Title 5, Guam Code
9 Annotated in an aggregate principal amount not to exceed the amount authorized
10 by said Section 1514, with a final maturity not exceeding thirty (30) years and
11 bearing interest at a yield of not to exceed seven and one-half percent (7.5%) per
12 annum, after subtracting from bond interest the amount of any direct subsidy
13 payment to be received from the United States in connection with such bonds.

14 **Section 3. Amendment of Prior Hotel Tax Flow of Funds.** Section
15 22952 of Title 5, Guam Code Annotated, hereby amended to read as follows:

16 **"Section 22952. Source of and Security for Payment of the Bonds.** The
17 bonds of the new issue shall be limited obligations of the Government payable
18 from and secured by a pledge of all or any part of the hotel tax revenues. Any
19 pledge made to secure the bonds shall be valid and binding from the time the
20 pledge is made. The hotel tax revenues received by the Government or any trustee,
21 depository and custodian shall be deposited in a separate account and shall be
22 immediately subject to the lien of such pledge without physical delivery thereof or
23 further act, and the lien of such pledge shall be valid and binding against all parties
24 having claims of any kind in tort, contract or otherwise, against the Government of
25 such trustee, depository or custodian, irrespective of whether the parties have
26 notice thereof. The indenture by which such pledge is created need not be
27 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
28 hereby continuously appropriated for such purpose and for the purposes of paying

1 the charges of any trustee, custodian, depository, auditor or credit enhancement
2 provider for the bonds and any other necessary bond expenses under the indenture.
3 All such revenues not needed for such purpose or for the purpose of paying any
4 bonds issued pursuant to Section 1514 of Title 5, Guam Code Annotated, and any
5 expenses relating thereto shall be transferred periodically by any trustee or other
6 fiduciary under the indenture as provided by said Section 1514. The obligation to
7 make such transfers *shall not* be a part of the contract with the bondholders, and
8 shall be subject to the modification by amendment of this § 22952 by the Guam
9 Legislature.”

10 **Section 4. Repeal of Inapplicable Sections of P.L. 30-179.** Sections 2 and
11 3 of P.L. 30-179 are hereby repealed.

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1 MINA'TRENTA NA LIHESLATURAN GUÅHAN
2 2010 (SECOND) Regular Session

3 Bill No. 485-30(COR)

4 As substituted by the Committee on Tourism,
5 Cultural Affairs, Youth and Public Broadcasting.

6 Introduced by:

B.J.F. Cruz

F.B. Aguon, Jr.

7 J.T. Won Pat, Ed.D.

8 T.R. Muña-Barnes

R.J. Respicio

9 J.P. Guthertz, DPA

10 T.C. Ada

11
12
13 **AN ACT TO *ADD* A NEW §1515 TO TITLE 5,**
14 **GUAM CODE ANNOTATED; TO *AMEND* TO**
15 **AMEND §22955, AND §1514(b) OF TITLE 5, GUAM**
16 **CODE ANNOTATED; AND TO *AMEND* SECTION**
17 **2 OF PUBLIC LAW 30-179; RELATIVE TO**
18 **AUTHORIZING THE ISSUANCE OF**
19 **GOVERNMENT OF GUAM LIMITED**
20 **OBLIGATION BONDS FOR THE PURPOSE OF**
21 **ACQUIRING, CONSTRUCTING AND EQUIPPING**
22 **AN EDUCATIONAL CULTURAL FACILITY AND**
23 **CERTAIN OTHER PROJECTS THAT BENEFIT**
24 **GUAM'S TOURISM INDUSTRY AND FOR THE**
25 **PURPOSE OF REFUNDING GOVERNMENT OF**
26 **GUAM LIMITED OBLIGATION**
27 **INFRASTRUCTURE IMPROVEMENT BONDS,**
28 **1997 SERIES A, TO APPROVE THE TERMS AND**
CONDITIONS OF SUCH BOND ISSUE; AND TO
CHANGING THE TERMS FOR THE ISSUANCE
OF DEBT AUTHORIZED UNDER PUBLIC LAW
30-179.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1.** A new Section 1515 is hereby added to Title 5, Guam Code
2 Annotated to read as follows: **“Section 1515. Authorization to Borrow For**
3 **the Purpose of Acquiring, Constructing and Equipping an Educational**
4 **Cultural Facility, a Community Cultural Center and Certain Other Projects**
5 **That Benefit Guam's Tourism Industry and For the Purpose of Refunding the**
6 **Outstanding Government of Guam Limited Obligation Infrastructure**
7 **Improvement Bonds**

8 (a) Definitions. The following terms shall have the following meanings
9 when used in this Section:

10 (1) *Debt service* means the scheduled principal of and interest on
11 bonds plus fees, if any, to be paid for credit enhancement of such bonds.

12 (2) *Debt service savings* means the amount by which the present
13 value of debt service on refunding bonds is less than the present value of the
14 remaining debt service on the prior obligations refunded by such refunding
15 bonds. Present value shall be calculated for this purpose using the yield on
16 the bond issue as the discount rate.

17 (3) *Hotel tax revenues* means all revenues derived from taxes of the
18 type now imposed by § 30101 of Chapter 30 of Title 11 of the Guam Code
19 Annotated.

20 (4) *New money bond* means a bond issued pursuant to this Article
21 as part of the same issue as the refunding bonds, but for the purpose of
22 providing moneys for the projects authorized by subsection (i) of this
23 Section, funding a debt service reserve fund, or paying expenses incurred in
24 connection with the issuance of such new money bonds not already included
25 in an existing appropriation for, or the regular budget of any government
26 agency or instrumentality or public corporation providing any service in
27 connection with the issuance of such debt.
28

1 (5) *Prior obligations* means the outstanding Government of Guam
2 Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, being
3 refunding in connection with the issuance of bonds pursuant to this Section.

4 (6) *Refunding bond* means a bond issued pursuant to this Section
5 for the purpose of providing moneys to redeem or otherwise retire prior
6 obligations, funding any appropriate reserves allocable to the refunding
7 bonds, or paying expenses incurred in connection with the issuance of such
8 refunding bonds not already included in an existing appropriation for, or the
9 regular budget of any government agency or instrumentality or public
10 corporation providing any service in connection with the issuance of such
11 debt.

12 (7) *Yield* means the annual discount rate which, when used to
13 discount all payments of net debt service on a bond issue to the date of
14 issuance of the bonds, using a semiannual compounding interval, results in
15 the aggregate present value of such payments being equal to the re-offering
16 price to the public of the bonds. For this purpose, “net debt service” means
17 debt service minus the amount of any direct subsidy payment to be received
18 from the United States in connection with debt service.

19 (b) Authorization of Issuance of Limited Obligation Infrastructure
20 Improvement Bonds. *I Maga’lahen Guåhan* is authorized to issue on behalf of the
21 Government an issue of bonds of the Government consisting of refunding bonds
22 and new money bonds, subject to the following requirements and limitations:

23 (1) The issuance of the bonds shall not cause a violation of the debt
24 limitation provisions of Title 48 USC § 1423a (§ 11 of the Organic Act of
25 Guam).

26 (2) All obligation of the Government to pay debt service on the
27 prior obligations shall be discharged concurrently with the issuance of the
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1 refunding bonds. Thereafter, any remaining debt service on the prior
2 obligations shall be payable solely from and secured solely by a refunding
3 escrow established for such purpose.

4 (3) The present value of debt service on the refunding bonds shall
5 be at least two percent (2.0%) less than the present value of debt service on
6 the refunded bonds, using the yield on the refunding bonds as the discount
7 rate.

8 (4) The aggregate principal amount of refunding bonds issued shall
9 not exceed the amount necessary to redeem or otherwise retire the prior
10 obligations, fund any appropriate reserves allocable to the refunding bonds,
11 and pay expenses incurred in connection with the issuance of the refunding
12 bonds not already included in an existing appropriation for, or the regular
13 budget of any government agency or instrumentality or public corporation
14 providing any service in connection with the issuance of such debt.

15 (5) The aggregate principal amount of new money bonds issued
16 shall not exceed the amount necessary to fund the sum of the amounts
17 appropriated for the projects listed in subsection (i) of this Section, establish
18 a debt service reserve fund allocable to the new money bonds, pay
19 capitalized interest on the bonds and pay expenses incurred in connection
20 with the issuance of the new money bonds not already included in an
21 existing appropriation for, or the regular budget of any government agency
22 or instrumentality or public corporation providing any service in connection
23 with the issuance of such debt.

24 (6) Aggregate net debt service in each fiscal year on the bonds
25 issued pursuant to this Section and any Government of Guam Infrastructure
26 Improvement Bonds, 1997 Series A, remaining outstanding after the
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1 issuance of such bonds shall not exceed Seven Million Dollars (\$7,000,000)
2 per fiscal year.

3 (c) Source of Payment and Security for the Bonds. The bonds issued
4 pursuant to this Section shall be limited obligations of the Government payable
5 from and secured by a pledge of all or any part of the hotel tax revenues. Any
6 pledge made to secure the bonds shall be valid and binding from the time the
7 pledge is made. The hotel tax revenues received by the Government or any trustee,
8 depository and custodian shall be deposited in a separate account and shall be
9 immediately subject to the lien of such pledge without physical delivery thereof or
10 further act, and the lien of such pledge shall be valid and binding against all parties
11 having claims of any kind in tort, contract or otherwise, against the Government of
12 such trustee, depository or custodian, irrespective of whether the parties have
13 notice thereof. The indenture by which such pledge is created need not be
14 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
15 hereby continuously appropriated for such purpose and for the purposes of paying
16 the charges of any trustee, custodian, depository, auditor or credit enhancement
17 provider for the bonds and any other necessary bond expenses under the indenture.
18 All such revenues not needed for such purpose or for the purposes of paying any
19 Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997
20 Series A, remaining outstanding and any expenses related thereto shall be
21 transferred periodically by any trustee or other fiduciary under the indenture as
22 follows:

23 (1) first, to the fund or account designated by the Guam Visitors
24 Bureau ("GVB"), such amount as is specified by the budget enacted by the
25 Guam Legislature for the GVB, and

26 (2) second, the balance of such revenues to the Tourist Attraction
27 Fund.
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1 The obligation to make these transfers to the GVB and the Tourist Attraction Fund
2 *shall not* be a part of the contract with the bondholders, and shall be subject to the
3 modification by amendment of this subsection (c) of this Section.

4 The Director of Administration shall provide to the Guam Legislature a copy
5 of each monthly trustee's or other fiduciary's report on collections and
6 disbursements of hotel tax revenues within five (5) working days of the Director's
7 receipt of such report.

8 (d) Terms and Conditions Determined by Indenture; Form of Bonds;
9 Covenants; Appointment of Fiduciaries; Other Related Agreements. The terms
10 and conditions of the new issue shall be as determined by *I Maga'lahaen Guåhan*
11 by the execution of an indenture authorizing the issuance of the issue. The
12 indenture shall contain such terms and conditions as are consistent with this
13 Section. The technical form and language of the bonds of the new issue, including
14 provisions for execution, exchange, transfer, registration, paying agency, lost or
15 mutilated bonds, negotiability, cancellation and other terms, covenants or
16 conditions not inconsistent with this Section, shall be as specified in the indenture
17 executed by *I Maga'lahaen Guåhan* authorizing the issuance of the bonds. The
18 indenture may appoint one (1) or more trustees or other fiduciaries authorized to
19 receive and hold in trust the proceeds of the bonds and moneys relating thereto, to
20 protect the rights of bondholders and to perform such other duties as may be
21 specified in the indenture. The proceeds of the bonds issued pursuant to this
22 Section, and any revenues relating to such bonds, may be invested in, but only in,
23 the types of investments permitted by the indenture. *I Maga'lahaen Guåhan* is also
24 authorized to execute, on behalf of the Government, any appropriate agreements,
25 certificates or other instruments relating to the bonds and the sale of the bonds.

26 (e) Authorization for Credit Enhancement. *I Maga'lahaen Guåhan* is
27 authorized to enter into such contracts or agreements with such banks, insurance
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1 companies or other financial institutions as he determines are necessary or
2 desirable to improve the security and marketability of any bonds authorized by this
3 Section. Such contracts or agreements may contain an obligation to reimburse,
4 with interest, any such banks, insurance companies or other financial institutions
5 for advances used to pay principal of or interest on the issue. Any such
6 reimbursement obligation shall be payable solely from the same sources as debt
7 service on the issue is payable, and any such advance, if necessary, shall be treated
8 as creating a reimbursement obligation issued to refund the issue.

9 (f) Valid and Binding Obligations, Collection of Revenue. The bonds of the
10 issue authorized by this Section shall constitute the valid and binding limited
11 obligations of the Government. All officers charged by law with any duty in the
12 collection of any revenues from which debt service on the issue is payable shall do
13 every lawful thing necessary to collect the money necessary for such purpose. The
14 validity of any such bonds shall not be affected by the validity or regularity of any
15 proceedings for the implementation of the infrastructure improvement projects
16 funded by either the prior obligations or the new money bonds.

17 (g) Waiver of Immunity. Notwithstanding any substantive or procedural
18 provision of the Government Claims Act, Chapter 6 of Title 5 of the Guam Code
19 Annotated, the Government waives immunity from any suit or action in contract on
20 the bonds authorized by this Section, but does not waive sovereign immunity as to
21 the personal liability of elected officials and employees of the Government.

22 (h) No Personal Liability. No employee or elected official of the
23 Government shall be individually or personally liable for the payment of any
24 amounts due on any bonds issued under this Section, or for any other liability
25 arising in connection with the bonds; provided, however, that nothing in this
26 Section shall relieve any employee or elected official from the
27 performance of any ministerial duty required by law.
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1 (i) Infrastructure Improvement Projects. The proceeds of the new money
2 bonds issued under this Section are hereby appropriated in amounts not to exceed
3 the following amounts for the purposes of implementing the following projects, in
4 the following order of priority:

5 (1) \$27,000,000 for the acquisition, construction and equipping of
6 an educational facility that reflects a sense of Guam and the Chamorro
7 culture and will be the permanent home for the preservation and continuance
8 of the Chamorro people; provides for the display of artifacts and historical
9 documents; stimulates community involvement; fosters research and
10 conveys the results of research to the public primarily through the medium
11 of public exhibits, demonstrations, lectures, public programs and
12 publications using the theme: *I Hinanao-ta*, the journey of the Chamorro
13 people, *provided, however*, that the location of such educational facility shall
14 have been approved by *I Maga'lahañ Guåhan* prior to acquisition (if any) or
15 construction thereof;

16 (2) \$3,094,000 for various projects related to Historic Hagåtña to
17 include the following:

18 (i) \$950,000 for the restoration of the walls of the Plaza de
19 España;

20 (ii) \$894,000 for the restoration and rehabilitation the Plaza de
21 España Azotea;

22 (iii) \$500,000 for the restoration of the Plaza de España
23 Chocolate House; *and*

24 (iv) \$750,000 for the for the development of a paver-surface
25 crosswalk and landings on both sides of Marine Corps Drive to
26 provide a proper connection between Skinner Plaza and the Chamorro
27 Village.
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- 1 (3) \$200,000 for the restoration of the Inarajan community center;
- 2 (4) \$800,000 for the restoration and rehabilitation of the Malesso
3 Bell Tower, including landscaping and lighting improvements;
- 4 (5) \$500,000 for the construction of a historic monument and plaza
5 to commemorate Ferdinand Magellan's historic visit to Umatac Bay;
- 6 (6) \$760,000 for the design and construction of village entrance
7 signs for Guam's 19 municipalities;
- 8 (7) \$100,000 for improvements to the Nimitz Beach outdoor
9 pavilion, public restrooms, lighting, benches and walking paths;
- 10 (8) \$100,000 for improvements to the public facilities close to Fish
11 Eye Pier including public restrooms, washing facilities, benches, lighting,
12 and picnic areas;
- 13 (9) \$100,000 for improvements to the stalls, public restrooms,
14 landscaping and walking paths of the Mangilao Public Market;
- 15 (10) \$700,000 for improvements in Tumon Bay to include
16 pedestrian corrals and safety railings *and* overhead lighting at the Governor
17 Joseph Flores Memorial Park;
- 18 (11) \$1,850,000 for the renovation of streetlights along Pale San
19 Vitores Road;
- 20 (12) \$11,500,000 for improvements to the storm water mitigation
21 system in Tumon;
- 22 (13) \$500,000 for the renovation of streetlights in the Agana Bay
23 vicinity;
- 24 (14) \$6,981,000 for primary or supplemental funding for projects
25 identified under the Hagåtña Master Plan and the development of the Guam
26 Farmers Co-op in Dededo;
- 27 (15) \$1,500,000 for the restoration and repair of scenic byways,
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1 overlooks, and historic sites including the Cetti Bay and Sella Bay
2 Overlooks; the Umatac Bay Overlook; the Agat Spanish Bridge (*Talifak*
3 River); the Talofofu and Fadian Point Overlooks; the Santos Memorial Park
4 ocean views; and the East Agana Bay picnic shelters and ocean views;

5 (16) \$350,000 for the for scenic and informational highway signs;

6 (17) \$150,000 for improvements to Hagatña Tennis Courts;

7 (18) \$500,000 for improvements to Hagatña Pool; *and*

8 (19) \$5,315,000 for deposit into the Community Sports Recreational
9 Improvement Fund established under Public Law 14-27 for the construction
10 and/or renovation of sports and community recreational facilities.

11 (j) Approval of Guam Economic Development Authority. Section 50103(k)
12 of Title 12, Guam Code Annotated provides that agencies and instrumentalities of
13 the Government shall issue bonds and other obligations only by means of and
14 through the agency of the Guam Economic Development Authority ('GEDA'). No
15 issue of bonds authorized by this Section shall be sold until the board of directors
16 of GEDA has adopted a resolution approving the sale of such issue.

17 (k) In the event that *I Maga' Lahen* secures a loan under Public Law 30-179,
18 *I Maga' Lahen* is authorized to reprogram bond proceeds intended for Item (1) of
19 Subsection (i) of this Section for the purpose of reconstructing and/or
20 reconstruction of the Old Guam Legislature Building (the former Guam Congress
21 Building) and other historic facilities in Hagatña."

22 **Section 2. Approval of Terms and Conditions.** Section 50103(k) of Title
23 12, Guam Code Annotated provides that GEDA shall not sell any bond without the
24 approval of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
25 the bonds. *I Liheslaturan Guåhan* hereby approves the issuance, terms and
26 conditions of the bonds authorized by Section 1515 of Title 5, Guam Code
27 Annotated in an aggregate principal amount not to exceed the amount authorized
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1 by said Section 1515, with a final maturity not exceeding thirty (30) years and
2 bearing interest at a yield of not to exceed seven and one-half percent (7.5%) per
3 annum, after subtracting from bond interest the amount of any direct subsidy
4 payment to be received from the United States in connection with such bonds.

5 **Section 3. Amendment of Prior Hotel Tax Flow of Funds.** Section
6 22952 of Title 5, Guam Code Annotated, hereby amended to read as follows:

7 **“Section 22952. Source of and Security for Payment of the Bonds.**

8 The bonds of the new issue shall be limited obligations of the Government
9 payable from and secured by a pledge of all or any part of the hotel tax
10 revenues. Any pledge made to secure the bonds shall be valid and binding
11 from the time the pledge is made. The hotel tax revenues received by the
12 Government or any trustee, depository and custodian shall be deposited in a
13 separate account and shall be immediately subject to the lien of such pledge
14 without physical delivery thereof or further act, and the lien of such pledge
15 shall be valid and binding against all parties having claims of any kind in
16 tort, contract or otherwise, against the Government of such trustee,
17 depository or custodian, irrespective of whether the parties have notice
18 thereof. The indenture by which such pledge is created need not be recorded.
19 Hotel tax revenues pledged for the purpose of paying the bonds are hereby
20 continuously appropriated for such purpose and for the purposes of paying
21 the charges of any trustee, custodian, depository, auditor or credit
22 enhancement provider for the bonds and any other necessary bond expenses
23 under the indenture. All such revenues not needed for such purpose or for
24 the purpose of paying any bonds issued pursuant to Section 1515 of Title 5,
25 Guam Code Annotated, and any expenses relating thereto shall be
26 transferred periodically by any trustee or other fiduciary under the indenture
27 as provided by said Section 1515. The obligation to make such transfers
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1 shall not be a part of the contract with the bondholders, and shall be subject
2 to the modification by amendment of this § 22952 by the Guam
3 Legislature.”

4 **Section 4.** § 1514(b) of Title 5, Guam Code Annotated is hereby *amended* to
5 read:

6 “(b) Terms and Conditions Determined by Certificate. The terms and
7 conditions of the debt shall be determined by *I Maga’ lahen Guåhan* by the
8 execution of a certificate authorizing the issuance of the debt upon or prior
9 to the issuance of the debt; provided, however, that such terms and
10 conditions shall be consistent with this Section, and that the debt shall
11 mature *not later than* the date thirty (30) years after its date of issuance and
12 shall bear interest at such rates and be sold for such price or prices as shall
13 result in a yield to the holders of the debt not exceeding ~~five percent (5%)~~
14 ~~per annum~~ seven and one-half percent (7½%) per annum.”

15 **Section 5.** Section 2 of Public Law 30-179 is hereby *amended* to read as
16 follows:

17 “Section 2. Approval of Debt.

18 *I Liheslaturan Guåhan*, pursuant to §50103(k), Title 12, Guam Code
19 Annotated, hereby approves the issuance and sale by the government of
20 Guam of debt in a principal amount not to exceed Twenty Five Million
21 Dollars (\$25,000,000) for the purposes set forth in §1514, Title 5, Guam
22 Code Annotated, provided that the conditions to the issuance of such debt
23 shall have been met, such debt have a final maturity date *not later than* thirty
24 (30) years after their date of issuance, bear interest at such rate and are sold
25 for such price or prices as shall result in a yield to the ~~bondholders~~ holders
26 of the debt not *exceeding* ~~five percent (5%)~~ seven and one-half percent
27 (7½%) per annum, and are issued and sold in the manner, for the purposes
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1 and subject to the requirements and limitations provided in §1514, Title 5,
2 Guam Code Annotated. The issuance and sale of debt on behalf of the
3 government of Guam authorized by this Section may be to one (1) or more
4 banks or financial institutions as a loan guaranteed by the U.S. Department
5 of Agriculture.”
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1 MINA'TRENTA NA LIHESLATURAN GUÅHAN
2 2010 (SECOND) Regular Session

3 Bill No. ~~---~~485-30(COR)

4 As substituted by the Committee on Tourism,
Cultural Affairs, Youth and Public Broadcasting.

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5 Introduced by: _____ B.J.F. Cruz
6 _____ F.B. Aguon, Jr.
7 _____ J.T. Won Pat, Ed.D.
8 _____ T.R. Muña-Barnes
9 _____ R.J. Respicio
10 _____ J.P. Guthertz, DPA
11 _____ T.C. Ada
12 _____ A.B. Palacios, Sr.

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13 _____ v.e. pangelinan
14 _____ E.J.B. Calvo
15 _____ Ray Tenorio
16 _____ J.V. Espaldon
17 _____ Telo Taitague
18 _____ F.F. Blas
19 _____ V.A. Ada

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20 AN ACT TO ~~REPEAL AND REENACT SECTION~~
21 ~~1514~~~~1515~~ADD A NEW §1515 TOOF TITLE 5,
22 GUAM CODE ANNOTATED; TO ~~AMEND TO~~
23 ~~AMEND~~ §22955, AND ~~---~~§1514(b) OF TITLE 5,
24 GUAM CODE ANNOTATED;- AND TO ~~AMEND~~
25 SECTION 2 OF PUBLIC LAW 30-179; RELATIVE,
26 TO AUTHORIZINGE THE ISSUANCE OF
27 GOVERNMENT OF GUAM LIMITED
28 OBLIGATION BONDS FOR THE PURPOSE OF
ACQUIRING, CONSTRUCTING AND EQUIPPING
AN EDUCATIONAL CULTURAL FACILITY, A
COMMUNITY CULTURAL CENTER AND

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1 CERTAIN OTHER PROJECTS THAT BENEFIT
2 GUAM'S TOURISM INDUSTRY AND FOR THE
3 PURPOSE OF REFUNDING GOVERNMENT OF
4 GUAM LIMITED OBLIGATION
5 INFRASTRUCTURE IMPROVEMENT BONDS,
6 1997 SERIES A, AND TO APPROVE THE TERMS
7 AND CONDITIONS OF SUCH BOND ISSUE; AND
8 TO CHANGING THE TERMS FOR THE
9 ISSUANCE OF DEBT AUTHORIZED UNDER
10 PUBLIC LAW 30-179.

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8 BE IT ENACTED BY THE PEOPLE OF GUAM:

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9 ~~Section 1.~~—A new Section 1515 is hereby added to Title 5, Guam Code
10 ~~Annotated to read as follows: Section 1514 of Title 5, Guam Code Annotated, is~~
11 ~~hereby repealed and reenacted to read as follows:~~

12 ~~Section 2.~~Section 1. Section 1514 1515. Authorization to
13 Borrow For the Purpose of Acquiring, Constructing and Equipping an
14 Educational Cultural Facility, a Community Cultural Center and Certain
15 Other Projects That Benefit Guam's Tourism Industry and For the Purpose
16 of Refunding the Outstanding Government of Guam Limited Obligation
17 Infrastructure Improvement Bonds

18 (a) Definitions. The following terms shall have the following meanings
19 when used in this Section:

20 (1) *Debt service* means the scheduled principal of and interest on
21 bonds plus fees, if any, to be paid for credit enhancement of such bonds.

22 (2) *Debt service savings* means the amount by which the present
23 value of debt service on refunding bonds is less than the present value of the
24 remaining debt service on the prior obligations refunded by such refunding
25 bonds. Present value shall be calculated for this purpose using the yield on
26 the bond issue as the discount rate.

1 (3) *Hotel tax revenues* means all revenues derived from taxes of the
2 type now imposed by § 30101 of Chapter 30 of Title 11 of the Guam Code
3 Annotated.

4 (4) *New money bond* means a bond issued pursuant to this Article
5 as part of the same issue as the refunding bonds, but for the purpose of
6 providing moneys for the projects authorized by subsection (i) of this
7 Section, funding a debt service reserve fund, or paying expenses incurred in
8 connection with the issuance of such new money bonds not already included
9 in an existing appropriation for, or the regular budget of any government
10 agency or instrumentality or public corporation providing any service in
11 connection with the issuance of such debt.

12 (5) *Prior obligations* means the outstanding Government of Guam
13 Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, being
14 refunding in connection with the issuance of bonds pursuant to this Section.

15 (6) *Refunding bond* means a bond issued pursuant to this Section
16 for the purpose of providing moneys to redeem or otherwise retire prior
17 obligations, funding any appropriate reserves allocable to the refunding
18 bonds, or paying expenses incurred in connection with the issuance of such
19 refunding bonds not already included in an existing appropriation for, or the
20 regular budget of any government agency or instrumentality or public
21 corporation providing any service in connection with the issuance of such
22 debt.

23 (7) *Yield* means the annual discount rate which, when used to
24 discount all payments of net debt service on a bond issue to the date of
25 issuance of the bonds, using a semiannual compounding interval, results in
26 the aggregate present value of such payments being equal to the re-offering
27 price to the public of the bonds. For this purpose, “net debt service” means
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1 debt service minus the amount of any direct subsidy payment to be received
2 from the United States in connection with debt service.

3 (b) Authorization of Issuance of Limited Obligation Infrastructure
4 Improvement Bonds. *I Maga'lahen Guåhan* is authorized to issue on behalf of the
5 Government an issue of bonds of the Government consisting of refunding bonds
6 and new money bonds, subject to the following requirements and limitations:

7 (1) The issuance of the bonds shall not cause a violation of the debt
8 limitation provisions of Title 48 USC § 1423a (§ 11 of the Organic Act of
9 Guam).

10 (2) All obligation of the Government to pay debt service on the
11 prior obligations shall be discharged concurrently with the issuance of the
12 refunding bonds. Thereafter, any remaining debt service on the prior
13 obligations shall be payable solely from and secured solely by a refunding
14 escrow established for such purpose.

15 (3) The present value of debt service on the refunding bonds shall
16 be at least two percent (2.0%) less than the present value of debt service on
17 the refunded bonds, using the yield on the refunding bonds as the discount
18 rate.

19 (4) The aggregate principal amount of refunding bonds issued shall
20 not exceed the amount necessary to redeem or otherwise retire the prior
21 obligations, fund any appropriate reserves allocable to the refunding bonds,
22 and pay expenses incurred in connection with the issuance of the refunding
23 bonds not already included in an existing appropriation for, or the regular
24 budget of any government agency or instrumentality or public corporation
25 providing any service in connection with the issuance of such debt.

26 (5) The aggregate principal amount of new money bonds issued
27 shall not exceed the amount necessary to fund the sum of the amounts
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1 appropriated for the projects listed in subsection (i) of this Section, establish
2 a debt service reserve fund allocable to the new money bonds, pay
3 capitalized interest on the bonds and pay expenses incurred in connection
4 with the issuance of the new money bonds not already included in an
5 existing appropriation for, or the regular budget of any government agency
6 or instrumentality or public corporation providing any service in connection
7 with the issuance of such debt.

8 (6) Aggregate net debt service in each fiscal year on the bonds
9 issued pursuant to this Section and any Government of Guam Infrastructure
10 Improvement Bonds, 1997 Series A, remaining outstanding after the
11 issuance of such bonds shall not exceed Seven Million Dollars (\$7,000,000)
12 per fiscal year.

13 (c) Source of Payment and Security for the Bonds. The bonds issued
14 pursuant to this Section shall be limited obligations of the Government payable
15 from and secured by a pledge of all or any part of the hotel tax revenues. Any
16 pledge made to secure the bonds shall be valid and binding from the time the
17 pledge is made. The hotel tax revenues received by the Government or any trustee,
18 depository and custodian shall be deposited in a separate account and shall be
19 immediately subject to the lien of such pledge without physical delivery thereof or
20 further act, and the lien of such pledge shall be valid and binding against all parties
21 having claims of any kind in tort, contract or otherwise, against the Government of
22 such trustee, depository or custodian, irrespective of whether the parties have
23 notice thereof. The indenture by which such pledge is created need not be
24 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
25 hereby continuously appropriated for such purpose and for the purposes of paying
26 the charges of any trustee, custodian, depository, auditor or credit enhancement
27 provider for the bonds and any other necessary bond expenses under the indenture.
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1 All such revenues not needed for such purpose or for the purposes of paying any
2 Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997
3 Series A, remaining outstanding and any expenses related thereto shall be
4 transferred periodically by any trustee or other fiduciary under the indenture as
5 follows:

6 (1) first, to the fund or account designated by the Guam Visitors
7 Bureau ("GVB"), such amount as is specified by the budget enacted by the
8 Guam Legislature for the GVB, and

9 (2) second, the balance of such revenues to the Tourist Attraction
10 Fund.

11 The obligation to make these transfers to the GVB and the Tourist Attraction Fund
12 shall not be a part of the contract with the bondholders, and shall be subject to the
13 modification by amendment of this subsection (c) of this Section.

14 The Director of Administration shall provide to the Guam Legislature a copy
15 of each monthly trustee's or other fiduciary's report on collections and
16 disbursements of hotel tax revenues within five (5) working days of the Director's
17 receipt of such report.

18 (d) Terms and Conditions Determined by Indenture; Form of Bonds;
19 Covenants; Appointment of Fiduciaries; Other Related Agreements. The terms
20 and conditions of the new issue shall be as determined by *I Maga'lahaen Guåhan*
21 by the execution of an indenture authorizing the issuance of the issue. The
22 indenture shall contain such terms and conditions as are consistent with this
23 Section. The technical form and language of the bonds of the new issue, including
24 provisions for execution, exchange, transfer, registration, paying agency, lost or
25 mutilated bonds, negotiability, cancellation and other terms, covenants or
26 conditions not inconsistent with this Section, shall be as specified in the indenture
27 executed by *I Maga'lahaen Guåhan* authorizing the issuance of the bonds. The
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1 indenture may appoint one (1) or more trustees or other fiduciaries authorized to
2 receive and hold in trust the proceeds of the bonds and moneys relating thereto, to
3 protect the rights of bondholders and to perform such other duties as may be
4 specified in the indenture. The proceeds of the bonds issued pursuant to this
5 Section, and any revenues relating to such bonds, may be invested in, but only in,
6 the types of investments permitted by the indenture. *I Maga'lahaen Guahan* is also
7 authorized to execute, on behalf of the Government, any appropriate agreements,
8 certificates or other instruments relating to the bonds and the sale of the bonds.

9 (e) Authorization for Credit Enhancement. *I Maga'lahaen Guahan* is
10 authorized to enter into such contracts or agreements with such banks, insurance
11 companies or other financial institutions as he determines are necessary or
12 desirable to improve the security and marketability of any bonds authorized by this
13 Section. Such contracts or agreements may contain an obligation to reimburse,
14 with interest, any such banks, insurance companies or other financial institutions
15 for advances used to pay principal of or interest on the issue. Any such
16 reimbursement obligation shall be payable solely from the same sources as debt
17 service on the issue is payable, and any such advance, if necessary, shall be treated
18 as creating a reimbursement obligation issued to refund the issue.

19 (f) Valid and Binding Obligations, Collection of Revenue. The bonds of the
20 issue authorized by this Section shall constitute the valid and binding limited
21 obligations of the Government. All officers charged by law with any duty in the
22 collection of any revenues from which debt service on the issue is payable shall do
23 every lawful thing necessary to collect the money necessary for such purpose. The
24 validity of any such bonds shall not be affected by the validity or regularity of any
25 proceedings for the implementation of the infrastructure improvement projects
26 funded by either the prior obligations or the new money bonds.

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(g) Waiver of Immunity. Notwithstanding any substantive or procedural provision of the Government Claims Act, Chapter 6 of Title 5 of the Guam Code Annotated, the Government waives immunity from any suit or action in contract on the bonds authorized by this Section, but does not waive sovereign immunity as to the personal liability of elected officials and employees of the Government.

(h) No Personal Liability. No employee or elected official of the Government shall be individually or personally liable for the payment of any amounts due on any bonds issued under this Section, or for any other liability arising in connection with the bonds; provided, however, that nothing in this Section 221608 shall relieve any employee or elected official from the performance of any ministerial duty required by law.

(i) Infrastructure Improvement Projects. The proceeds of the new money bonds issued under this Section are hereby appropriated in amounts not to exceed the following amounts for the purposes of implementing the following projects, in the following order of priority:

- (1) ~~\$30,000,000~~ \$27,000,000 for the acquisition, construction and equipping of an educational facility that reflects a sense of Guam and the Chamorro culture and will be the permanent home for the preservation and continuance of the Chamorro people; provides for the display of artifacts and historical documents; stimulates community involvement; fosters research and conveys the results of research to the public primarily through the medium of public exhibits, demonstrations, lectures, public programs and publications using the theme: *I Hinanao-ta*, the journey of the Chamorro people, *provided, however*, that the location of such educational facility shall have been approved by *I Maga'lahaen Guåhan* prior to acquisition (if any) or construction thereof;

- ~~(2) \$30,000,000 for the construction of a performing arts and~~

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1 cultural center, including open floor space, arena seating, a seminar facility,
2 meeting rooms and kitchen facilities, *provided, however, that the location of*
3 *such facility shall have been approved by I Maga'lahañ Guåhan* prior to
4 acquisition (if any) or construction thereof;

5 (2) \$3,094,000 for various projects related to Historic Hagåtña to
6 include the following:

7 (i) \$950,000 for the restoration of the walls of the Plaza de

8 España;

9 (ii) \$894,000 for the restoration and rehabilitation the Plaza de

10 España Azotea;

11 (iii) \$500,000 for the restoration of the Plaza de España

12 Chocolate House; and

13 (iv) \$750,000 for the for the development of a paver-surface
14 crosswalk and landings on both sides of Marine Corps Drive to
15 provide a proper connection between Skinner Plaza and the Chamorro
16 Village.

17 ~~(3) \$2,344,000 for the preservation and restoration of the Plaza de~~
18 ~~Espana and other structures within the Plaza;~~

19 ~~(4)(3) \$200,000 for the restoration of the Inarajan community center;~~

20 ~~(5)(4) \$800,000 for the restoration and rehabilitation of the Malesso~~
21 ~~Bell Tower, including landscaping and lighting improvements; and~~

22 (5) \$500,000 for the construction of a historic monument and plaza
23 to commemorate Ferdinand Magellan's historic visit to Umatac Bay;

24 (6) \$760,000 for the design and construction of village entrance
25 signs for Guam's 19 municipalities;

26 (7) \$100,000 for improvements to the Nimitz Beach outdoor
27 pavilion, public restrooms, lighting, benches and walking paths;
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1 (8) \$100,000 for improvements to the public facilities close to Fish
2 Eye Pier including public restrooms, washing facilities, benches, lighting,
3 and picnic areas;

4 (9) \$100,000 for improvements to the stalls, public restrooms,
5 landscaping and walking paths of the Mangilao Public Market;

6 (10) \$700,000 for improvements in Tumon Bay to include
7 pedestrian corrals and safety railings and overhead lighting at the Governor
8 Joseph Flores Memorial Park;

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9 (11) \$1,850,000 for the renovation of streetlights along Pale San
10 Vitores Road;

11 (12) \$11,500,000 for improvements to the storm water mitigation
12 system in Tumon;

13 (13) \$500,000 for the renovation of streetlights in the Agana Bay
14 vicinity;

15 (14) \$6,981,000 for primary or supplemental funding for projects
16 identified under the Hagåtña Master Plan and the development of the Guam
17 Farmers Co-op in Dededo;

18 (15) \$1,500,000 for the restoration and repair of scenic byways,
19 overlooks, and historic sites including the Cetti Bay and Sella Bay
20 Overlooks; the Umatac Bay Overlook; the Agat Spanish Bridge (*Talifak*
21 River); the Talofofo and Fadian Point Overlooks; the Santos Memorial Park
22 ocean views; and the East Agana Bay picnic shelters and ocean views;

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23 (16) \$350,000 for the for scenic and informational highway signs;

24 (17) \$150,000 for improvements to Hagatña Tennis Courts;

25 (18) \$500,000 for improvements to Hagatña Pool; and

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26 (19) \$5,315,000 for deposit into the Community Sports Recreational
27 Improvement Fund established under Public Law 14-27 for the construction
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1 and/or renovation of sports and community recreational facilities.

2 ~~(6) \$3,900,000 for the development of a Guam Farmers~~
3 ~~Cooperative Association facility and to relocate the Dededo Flea Market.~~

4 (j) Approval of Guam Economic Development Authority. Section 50103(k)
5 of Title 12, Guam Code Annotated provides that agencies and instrumentalities of
6 the Government shall issue bonds and other obligations only by means of and
7 through the agency of the Guam Economic Development Authority ('GEDA'). No
8 issue of bonds authorized by this Section shall be sold until the board of directors
9 of GEDA has adopted a resolution approving the sale of such issue.

10 (k) In the event that *I Maga' Lahen* secures a loan under Public Law 30-179,
11 *I Maga' Lahen* is authorized to reprogram bond proceeds intended for Item (1) of
12 Subsection (i) of this Section for the purpose of reconstructing and/or
13 reconstruction of the Old Guam Legislature Building (the former Guam Congress
14 Building) and other historic facilities in Hagåtña."

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15 **Section 2. Approval of Terms and Conditions.** Section 50103(k) of Title
16 12, Guam Code Annotated provides that GEDA shall not sell any bond without the
17 approval of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
18 the bonds. *I Liheslaturan Guåhan* hereby approves the issuance, terms and
19 conditions of the bonds authorized by Section ~~4544~~1515 of Title 5, Guam Code
20 Annotated in an aggregate principal amount not to exceed the amount authorized
21 by said Section ~~4544~~1515, with a final maturity not exceeding thirty (30) years and
22 bearing interest at a yield of not to exceed seven and one-half percent (7.5%) per
23 annum, after subtracting from bond interest the amount of any direct subsidy
24 payment to be received from the United States in connection with such bonds.

25 **Section 3. Amendment of Prior Hotel Tax Flow of Funds.** Section
26 22952 of Title 5, Guam Code Annotated, hereby amended to read as follows:

27 **Section 22952. Source of and Security for Payment of the**

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1 **Bonds.** The bonds of the new issue shall be limited obligations of the
2 Government payable from and secured by a pledge of all or any part of the
3 hotel tax revenues. Any pledge made to secure the bonds shall be valid and
4 binding from the time the pledge is made. The hotel tax revenues received
5 by the Government or any trustee, depository and custodian shall be
6 deposited in a separate account and shall be immediately subject to the lien
7 of such pledge without physical delivery thereof or further act, and the lien
8 of such pledge shall be valid and binding against all parties having claims of
9 any kind in tort, contract or otherwise, against the Government of such
10 trustee, depository or custodian, irrespective of whether the parties have
11 notice thereof. The indenture by which such pledge is created need not be
12 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
13 hereby continuously appropriated for such purpose and for the purposes of
14 paying the charges of any trustee, custodian, depository, auditor or credit
15 enhancement provider for the bonds and any other necessary bond expenses
16 under the indenture. All such revenues not needed for such purpose or for
17 the purpose of paying any bonds issued pursuant to Section ~~4514~~1515 of
18 Title 5, Guam Code Annotated, and any expenses relating thereto shall be
19 transferred periodically by any trustee or other fiduciary under the indenture
20 as provided by said Section ~~4514~~1515. The obligation to make such
21 transfers *shall not* be a part of the contract with the bondholders, and shall be
22 subject to the modification by amendment of this § 22952 by the Guam
23 Legislature.”

24 **Section 4.** § 1514(b) of Title 5, Guam Code Annotated is hereby *amended to**

25 read:

26 “(b) Terms and Conditions Determined by Certificate. The terms and
27 conditions of the debt *shall* be determined by *I Maga’ lahen Guahan* by the
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PUBLIC HEARING SIGN-IN SHEET

Friday, November 5, 2010 | 3:00 P.M. | Public Hearing Room

Bill No. 485-30 (COR) – B.J. Cruz – An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
✓ Sylvia M Flores	Dept of Commerce Affairs		X		4754278/9	Sylvia.flores@dca.guam.gu
✓ Joseph Cameron	HRRA		X		475-4278/9	Joseph.Cameron@hrra.guam.gu
✓ Jack Yoshim	Ken Corporation		X		988-3790	
✓ Sigm Walker	Center for Island Sustainability CIG	Support		✓	482-4432	sigwalker@guam.suag.edu
✓ Frances Cassidy	Farmer's Coop	Support		✓	4835699	
✓ Gerald SA Periz	gVB	support	X		648-1483	geap43@yahoo.com
✓ Brian pm	Shankin	support	N/A	N/A	688-8121	Brian.pm@shankin.com
✓ Lizama Francisco	DCA				988-4088	
✓ Ted Iyechal	UOG	-		-	777-8333	
✓ Ben GUMATROTA	PTT MAYOR	Support		✓	4721232	
✓ Carlos S. Gabertan	Farmer	Support			8280940 9870055	



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NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
✓ ELVIE Tyler	Center for Island Sust.				735-2967	etyler@ugam.uog.edu
✓ ANTHONY GON	HEAT RESERV GUAM				6896886	ANTHONY.GON@HEAT.CO
✓ BILL McDONALD	FARMERS COOP	Support		✓	488-0077	billmed@yahoo.com
✓ ALITA San Winder	" "	X			657-4005	—
✓ MARIQUITA F. FAIAGUE	Farmer	Support			789-1594	
✓ FRAULI TRITOGUE	Mayor	Support	✓	✓	482-4666	f-faiague@yahoo.com
6 ALFRED YSRAEL	SELF-HOTEL	oppose	✓	✓	646-1384	
✓ MARILYN SALAS	DCA Board Chair					



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NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
✓ Carol S. Tamayo	GUR-Board Member	✓		✓	888-1492	agatmayorsoffice@hagatna.gov.gu
✓ Maga' Lahin Pagat	Nasion Chamoru	I do support			Bill NO 485-30	
✓ Ofing Jackson	Nasion Chamoru	I do support			Bill NO 483-30	
✓ MARK BALDYGA	SANDCASTLE + BALDYGA GROUP	Support PARTS.	✓	✓	9885107	mbaldyga@baldyga.com
✓ MICHAEL MAIHO	GUAM PRESERVATION TRUST	Support		✓	475-8772	maicho@triguan.com
✓ Bob Barber	WOG/CES	I do		✓	735-2080	bbarber@woguan.org
✓ Tom Camacho	USDA-FSA	Support	Not speaking	N/A	7970005	tom@camachoclan.com



PUBLIC HEARING SIGN-IN SHEET
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NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
JESUS Babauty	CHAMORRO VILLAGE	SUPPORT			486-4970	
MARY D. TORRE	GHRA		✓	✓	649-1447	president@ghra.org
Bert Umpingco	GUB / Mr. TOURISM	Support		✓		bertumpingco@y2koo.com
Melissa Savares	MCOE	Support		✓	632-5203	
Judy Flores	HIST. INALAHAN	Support	✓		828-8040	judyflores@guam.net
Kevin Deitrich						
Mary Camacho	Pres, CV Vendors Assoc	No Support			727-3554	

Committee on Tourism, Public Broadcasting and Youth

Testimony on Bill Number 485-30

November 5, 2010

SUMMARY

“An act to repeal and reenact Section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of Government of Guam limited obligation bonds for the purpose of acquiring, construction and equipping an educational cultural facility, a community cultural center and certain other projects that benefit Guam’s tourism industry and for the purpose of refunding Government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue”

Hafa Adai,

Mr. Chairman, and the Committee on Tourism, Public Broadcasting and Youth. For the record, my name is Gerald S.A. Perez, general manager of the Guam Visitors Bureau. I am here this afternoon to offer supporting testimony for Bill 485-30, and to recommend certain amendments to the project list contained in the measure.

My testimony will focus on the use of bond proceeds, and will leave debt issue discussions to the financing team headed by GEDA, their bond counsel, and underwriters.

At the outset, we take this opportunity to thank the committee and sponsors of the bill for the foresight in recognizing the importance of our tourism industry, and for acknowledging, as a matter of policy, the importance of history and culture in sustaining the long-term viability of tourism on Guam. If enacted into law, this bill will provide the means to recapitalize our tourism plant, heighten recognition of the island's cultural and historical heritage and, in the process, bring to life our own unique destination brand identity.

On the eve of the largest military buildup since the Second World War, it is important that we take immediate measures to define our destination brand image proactively, and to not allow this identity to be misrepresented or otherwise defined by external perceptions alien to the "sense of place" that we value as a community, and that we want to promote, share, and have experienced by our visitors.

Guam has a rich history and story to tell. And this story should be told in an appropriate museum, where collections can be properly researched, authenticated, conserved, and managed professionally. Where centuries of our existence, pre and post western contact, can be displayed with the integrity it deserves, and where our people can find connection with the past and an appreciation for who we are as a people.

The Guam story can also be told in a more dynamic and interactive cultural event center where our Chamorro heritage can be brought to life, where custom and tradition can be reenacted, where song and dance can be performed, and where other forms of art can be taught, displayed and perpetuated. The event center can also be the venue for large community gatherings and cultural celebrations such as the annual Dinana Minagof contest, island songfests, and various performing arts activities including the Festival of the Arts in the Pacific (FESTPAC), to be hosted by Guam in 2016.

But while the museum and cultural event Center are significant projects that can anchor the brand identity of our heritage, there is also an opportunity to expand on our “destination story” by living our brand identity and reinforcing the island’s “sense of place” at village level through various youth, sports, and community activities; by articulating the remnants of our past; and by showcasing the natural beauty of our highways, byways, ocean views, scenic vistas, and shorelines.

To achieve these objectives, consultations were held with the GVB Board, Mayors’ Council, Historic Preservation Trust, Department of Parks and Recreation, Historic Review Board, and Guam Museum Foundation Chairman. And based on these discussions, our collective recommendation is to support Bill 485-30, but to request that the project list and funding be amended as summarized below, details of which are contained in the attached “Appendix A,” which I am submitting as part of my testimony.

This recommended project list and funding strategy will:

1. Provide the matching funds to complete several major cultural and historic restoration projects now under way in Hagatna, Inarajan, and Merizo;
2. Leverage modest investments to maximize visual credit for Guam’s natural, scenic and historic or cultural attractions throughout the island;
3. Build capacity for an expanded sports tourism program; and
4. Intensify village level and community facility improvements in support of our destination branding initiatives and visitor safety issues.

Summary of Projects for estimated \$67,244,000 Bond proceeds:

- 86% Museum, Cultural Center and upgrading of Cultural and Historic Assets
 - Guam Museum & Cultural Center
 - Historic Hagatna Restoration

- Revitalization and Rehabilitation of Cultural & Historic Assets at Inalahan, Malesso Bell Tower, and Magellan's Landing in Umatac
- 5% Village Sports, Recreation and Community Facilities to enhance Guam's Sports Tourism capacity for local and international competition and accommodate various youth, adult and community activities.
 - Hagatna Tennis Court and Pool upgrades
 - Regional Sports & Community Recreation Improvement Fund to be decided by the Mayors' Council.
- 4% Tumon Bay Improvements
 - Streetlight renovation and overhead lighting for special events (i.e. GMIF) at Gov. Joseph Flores Ypao Park
 - Pedestrian walkways, crosswalks, and safety railings
- 3% Restoration and Repair of scenic byways, overlooks, ocean views, and scenic road signs
 - Cetti, Sella, Umatac and Talofofu Bays
 - Agat Spanish Bridge
 - Ocean view corridors of Piti and East Hagatna
- 2% Destination Branding
 - Village entry/exit signs
 - Rehabilitation and improvements for Agat Beach, Piti Marine Park, Mangilao Public Market
 - Seed money for farmers & Dededo Flea Market to complete A&E construction documents

Mr. Chairman, besides the list of projects identified, we urge the Legislature to add specific language in the bill that will ensure fidelity to the projects listed, and that these capital improvements will be maintained properly. Indications to date have demonstrated that the Guam Museum Foundation is ready to oversee the construction and subsequent management of the museum, but that the same cannot be said about the proposed Cultural Event Center at this time.

The committee should also be aware of two privately funded projects in Tumon that may moot the need for a government owned and operated Cultural Event Center. And while we are not familiar with the details, we understand that the new hotel being built adjacent to the Outrigger complex will have the largest ballroom capacity on island, and that the Chamorro Cultural Village being developed now at Gun Beach may serve the purpose for the Cultural Event Center listed in the bill.

In contemplating a government owned operated facility, we would offer the following operating model for consideration:

I. Ownership

- Government owned building on public property under the administration of either the Guam Visitors Bureau, Council on the Arts and Humanities Agency, or other similarly constituted autonomous or non-autonomous agency accountable to the Government of Guam.

II. Management and Operation

- Contracted to an experienced individual or vendor company, preferably with management or employees belonging to a relevant professional trade association such as the Venue Management Association (VMA), Professional Convention Management Association (PCMA), Destination Marketing Association International (DMAI), or their equivalent.
- Individual or firm experienced in maximizing center use by the performing arts community, local civic organizations and special events such as concerts, graduations, indoor sports, conferences, educational seminars, and various government sponsored functions.

- Individual or firm experienced in marketing to local and international users, thereby maximizing the center's income and minimizing government subsidy.
- Individual or firm experienced in managing master concessions and administering retail, food service, and entertainment opportunities.

III. Pre-opening Assignment

- The contracted vendor will be required to perform pre-opening services that include:
 1. Design, Planning and Programming
Work directly with project architects, consultants, vendors, and contractors to achieve an aesthetically pleasing and operationally efficient facility.
 2. Operating Budget and Audit
Consult with project financing team on development and audit of operating budgets, cash flow forecasts based on market and facilities opportunities, staff assumptions, attendance, and start up expenses.
 3. Furniture, Fixtures, and Equipment
Develop and implement a process for acquisition and completing FF&E installations including food and beverage requirements.
 4. Operating Supply Inventory
Develop pre-opening and initial supply inventory, with anticipated volume of small wares and disposables based on the number and types of events to be held in the facility.
 5. Punch List
Upon substantial completion, work with construction management team to inspect facility for adherence to program and specifications, damage, repairs, and other

defects. Work with construction management team to monitor completion and sign off on punch list.

6. Maintenance


Institute state of the art programs and software designed to provide maintenance solutions, track costs, and prolong life of facility equipment, hardware, and building. Create systems to track, evaluate work orders, schedule maintenance, and trouble shoot problems arising from routine upkeep of building and facility equipment.

IV. On-going Activity

- The contracted vendor may be asked to assist or undertake the following tasks after opening of the event center:
 1. Lead generation, local sales and marketing, advertising and public relations.
 2. Market and facilitate national and international bookings for facility use in between local demand.
 3. National and international trade show exposure and telemarketing programs.
 4. Develop long-term supply chain structure and sourcing for facility maintenance supplies and materials inventory.

Once again, thank you for recognizing a real need in our tourism industry, for addressing the void in our cultural heritage, and for providing the funding source to satisfy both.

Si Yu'os Ma'ase,


Gerald S.A. Perez
General Manager

HISTORIC AND CULTURAL ATTRACTIONS

The Guam Museum

\$27,000,000

In April 2005, the Honorable Felix P. Camacho, Governor of Guam issued an Executive Order that created the Guam Museum Facilities Construction and Cultural Heritage Rehabilitation Task Force. Its mission is to coordinate, design and construct the new Guam Museum.

In an architectural design competition facilitated by the Facilities Committee in February 2006 the architectural design for the new Guam Museum proposed by architects Laguaña and Cristobal was selected through a community-wide selection process. The Governor's Task Force recommended the design and received final approval from Governor Felix Camacho. In addition to the museum facility design, the proposal included preliminary exhibit conceptual drawings and narrative that recommended a storyline approach to interpret the natural, cultural, and social history of Guam.

The general location for the Guam Museum of Culture, Arts and History is Lot 2062-Part 1 R-1 overlooking the capital city of Hagatña. The building will be approximately 57,000 square feet and will have parking stalls for 140 passenger vehicles.

Community Cultural Center

\$27,000,000

In January 2009, the Thirtieth Guam Legislature introduced Bill 45-30 to construct a Guahån Performing Arts/Cultural Center so that the Guam culture may be properly presented, demonstrated and displayed, and that numerous performing arts can be given treatment they deserve and be viewed and enjoyed by local residents and visitors alike.

Additionally, this multipurpose event facility will be a good venue for the upcoming the 2016 Festival of the Arts in the Pacific and other regional gatherings showcasing Guam's living and dynamic heritage.

The community cultural center will be designed and built to this cost estimate and shall include the following state-of-the-art features:

- Approximately 57,141 sq. ft. total usable floor space
- Arena seating for 1200 + (walkways above seating area)
- 12 Meeting Rooms and Exhibit areas with expandable walls
- 280 Vendor Booth Capacity
- Demonstration/Warming Kitchen
- 210 Seat Lecture/Seminar facility with audiovisual and classroom capabilities

Various interests have proposed three possible site locations:

1. Dededo – Lot, Block 5, Tract 1143. This lot located off Wettengel Road in Dededo is approximately 5.0 acres and has been reserved for the use of a cultural center by Public Law 22-18.
 - Reserved for a cultural center and has adjoining non-profit organizations in the same proximity such as the United Filipino Association of Guam, Palauan Community Association of Guam, Asahi Association of Guam, and others.
 - Area is close to public utilities easements and accessible to power, water, and sewer facilities.
 - Approximately 15 ~ 20 minutes away from 5,000 hotel rooms in Tumon
 - Extend cultural and potential tourism revenues and job opportunities into Guam's largest and most populated village.
 - While infrastructure for residential land use is in same proximity, there will be the need of industrial utilities upgrade and other upgrades that will increase the cost of construction.
 - Highway engineering for the surrounding area will be required to accommodate the surge in vehicular traffic including cars, service vehicles, and buses.

2. Hagatña – I Sengsong Chamorro. The Chamorro Village is located on the ocean side of Marine Drive, adjacent to the Hagatña Boat Basin, the Paseo Stadium baseball field and the Paseo traffic loop with the prominent statute of Chief Quipuha. I Sengsong Chamorro is made up of 39 concrete shop buildings with a large open-air pavilion/dining area in the center.
 - The market is popular with residents and visitors to pick up Guam souvenirs, handicrafts and other goods not easily found elsewhere on the island. Tour buses make regular stops at the village, both as shuttles from the hotels and as a stop on some organized tours.
 - A cultural center will intensify the historical and heritage attractiveness of the island's capital city adding to the other historical sites in Hagatña.
 - Initial concept drawings and construction plans have not accepted by the PEALS board and procurement issues may be a problem.
 - Proposed site is on reclaimed land in a designated flood zone and will need additional flood mitigation measures.
 - Concept plans includes the demolition of Paseo Baseball

TAF Capital Improvement Projects

Appendix A

Stadium but does not include a baseball facilities replacement or relocation solution.

- Highway engineering for the major thoroughfare of Route 1 and Route 4 will be required to accommodate the increase in anticipated traffic surge and will add incremental costs to the project.
3. Oka Point, Tamuning - Lot No. 5173-1-R2NEW-R3. The lot contains 158,800 square meters or 39 acres. However, the facility occupying approximately 7 acres can accommodate from 200 to 2000 delegates and can augment Chamorro Land Trust Commission (CLTC) income from event fees and concession opportunities if constructed at the former Guam Memorial Hospital location at Oka Point.

- This location is in close proximity to, and within walking distance or short drive to approximately 7,000 hotels rooms in Tumon, thereby maximizing exposure value and income potential.
- Provides cultural exchange opportunities with visitors and residents at the existing Chamorro language and cultural institute currently located on a parcel of the same site.
- Currently, the land does not generate any revenue stream to fund CIP or operating expenses for the Chamorro Land Trust Commission.
- Location will not require major site development or traffic circulation redesign because of its close proximity to utility infrastructure and Pale San Vitores Road.
- There is ample room for future expansion, ancillary facilities, and parking.

The community cultural center will be designed and built to this cost estimate and shall include the following state-of-the-art features:

- Approximately 57,141 sq. ft. total usable floor space
- Arena seating for 1200 + (walkways above seating area)
- 12 Meeting Rooms and Exhibit areas with expandable walls
- 280 Vendor Booth Capacity
- Demonstration/Warming Kitchen
- 210 Seat Lecture/Seminar facility with audiovisual and classroom capabilities

Historic Hagatña

\$2,469,000

The Hagatña Redevelopment Restoration Authority undertook the Hagatña master plan in 2004 ~ 2006 and included a series of goals such as creating enjoyable pedestrian experiences, preserving and enhancing historical

TAF Capital Improvement Projects

Appendix A

structures, developing the shoreline for recreational activities and developing a vibrant, thematic town center that fosters multiple uses. The HRRRA projects that it will collect from \$900,000 to \$1.3 million over the next five years that will be used to fund historic restoration projects that include the following

1. Restoration of Plaza de España Walls

This effort includes the historic structures report, restoration engineering, architectural work, and the physical restoration work itself. The total cost estimate for this project is \$1.68 million. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$550,000 towards construction. The remaining balance to be funded is \$950,000.

2. Plaza de España Azotea

This effort includes restoration and rehabilitation of the roof and all surface finishes. The total cost estimate for this project is \$1.38 million. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$306,000 towards construction. The remaining balance to be funded is \$894,000.

3. Plaza de España Chocolate House

This effort includes the restoration of the building shell and the surrounding exterior grounds. The total cost estimate for this project is \$560,000. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$60,000. The remaining balance to be funded is \$500,000.

4. Marine Corps Drive Crosswalk (between Chamorro Village & Skinner Plaza)

This effort includes developing a paver-surface crosswalk and landings on both sides of Marine Corps Drive to provide a proper connection from Skinner Plaza and the Chamorro Village. The total cost estimate of this project is \$125,000.

Inalahan Historic Revitalization Plan

\$200,000

The Inalahan Historic District Revitalization focuses on the restoration of historic homes and structures in the village and seeks to identify updated small business adaptations from structures that allow for local businesses to succeed including shops, bakeries, day care, visitor center/house museum, etc. The program is intended to identify and prioritize the restoration work then put owners and businesses in touch with business incubators such as the Small Business Administration to cultivate a vibrant multi-use environment that is sustainable.

TAF Capital Improvement Projects

Appendix A

- Inarajan Community Center restoration
The program is a restoration of the existing facility that was built in the 1940's as an indoor host location for plays and performances and for hosting small gatherings. In addition the space can be used to house memorabilia and the merchandising of arts and crafts. The total cost estimate for this project is \$460,000. The architectural and engineering work has been completed at \$60,000. The Guam Preservation Trust has restoration funds available at \$200,000. The remaining balance for completion is estimated at \$200,000.

Malesso Bell Tower Rehabilitation **\$800,000**

The Malesso Bell Tower is one of the most enduring historic icons on Guam. Although there have been restoration efforts within the past 20 years the facility has fallen into disrepair. A complete rehabilitation of the facility is recommended and would also include landscape and hardscape improvements to the surrounding areas and would include the lighting for the evenings. The completion of this restoration work will complement the historic restoration of the Merizo Catholic Church, boat launch, and Kombento. The Malesso Kombento is a 19th century two-storey structure built using Spanish-influenced Chamorro construction. In 2000, it was restored using funds from the Guam Preservation Trust and continues to house the parish priest and a museum. The total cost estimate for this project is \$920,000. The Historic Structures Report (HSR) has yet to be completed. The architectural and engineering work has been completed at \$120,000. The construction estimate is \$800,000.

Magellan's Landing **\$500,000**

The first known contact between Guam and the West occurred when Ferdinand Magellan anchored his small 3-ship fleet in Umatac Bay on March 6, 1521. To commemorate this event and the establishment of the oldest European settlement in the Pacific region, an historic monument and plaza with renderings of the event with interpretative signage will encourage intra-island visits by travelers. The total cost estimate of this project is \$500,000.

DESTINATION BRANDING PROJECTS

Guam Farmers Cooperative and Dededo Flea Market **\$400,000**

The Guam Farmers Cooperative Association, a non-profit entity, was given a lease for a parcel of Government of Guam land of 6.9947 acres (Lot No. 10155-1) designated in Bill 152-30 (now PL 30-92) for the development of a Guam Farmers Coop headquarters and warehouse for the development and marketing of local produce, livestock, aquaculture products, and ornamental plants provided

TAF Capital Improvement Projects

Appendix A

by local farmers and ranchers. The Farmers' Cooperative Association of Guam, Inc. intends to construct a facility to accommodate not only its facilities, but to include the relocation of the existing Dededo Flea Market to this site with covered parking stalls, restrooms, and washing sinks. The estimated cost for the A&E work and construction drawings and documentation is \$400,000.

Destination Enhancement and Branding **\$760,000**

- **Village Entrance Signs**
The design and construction of village entrance signs for nineteen of the island's municipalities. The village entrance signs will help promote the entire island as an attraction, and encourages villages and districts to highlight their unique attributes. This destination brand consistent approach will promulgate longer stays, cross-cultural experiences, and geographically disperse visitor spending. The total cost estimate for this project is \$760,000.

Agat Beach Improvement **\$100,000**

Improvements to the Nimitz Beach outdoor pavilion, public restrooms, lighting, benches, and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Agat Mango Festival, outdoor carnivals, and other village celebrations. The total cost of this project is \$100,000.

Piti Marine Park Improvement **\$100,000**

Improvements to the public facilities close to Fish Eye Pier include public restrooms, washing facilities, benches, lighting, and picnic areas will greatly enhance the island's most popular beach entry, beginner and novice scuba diving site. The improved area will present wider opportunity for sport diving for local and tourist divers. The total cost estimate of this project is \$100,000.

Mangilao Public Market **\$100,000**

Improvements to the outdoor public market stalls, public restrooms, landscaping and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Mangilao Donne' Festival, outdoor carnivals, and other village celebrations. The total cost estimate of this project is \$100,000.

TAF Capital Improvement Projects

Appendix A

Tumon Bay Improvements

\$2,500,000

Tumon Bay is the epicenter of Guam's tourism because of its scenic beaches, proximity to the Guam International Airport, and density of hotel rooms, retail shopping, restaurants, shops, and other tourist-related activities. The following projects will sustain its attractiveness and improve on safety and security issues:

- Street light renovation for energy savings
- Pedestrian crosswalks/walkways and safety railings
- Governor Joseph Flores Memorial Park overhead lighting for special events such as Guam Micronesia Island Fair and Guam Japan Autumn Festival.

Restoration/Repair of Scenic Byways, Overlooks, & Historic Sites

\$1,500,000

To create destination experiences and photo opportunities in the most visible and accessible roadways and corridors, thereby enhancing the visitor experience.

- Cetti Bay and Sella Bay Overlooks
- Umatac Bay Overlook
- Agat Spanish Bridge (Talifak River)
- Talofoto Bay and Fadian Overlooks
- Santos Memorial Park ocean views
- East Agana Bay picnic shelters and ocean views

Scenic and Informational Highway Signs

\$350,000

Of interest to the traveler are numerous kinds of information that general information signs can convey to promote and encourage self-guided tours throughout the island. The total cost estimate for this project is \$350,000.

SPORTS TOURISM AND RECREATIONAL IMPROVEMENTS

Hagatña Tennis Courts

\$150,000

Improve the outdoor tennis courts, overhead lighting, fencing, and spectator bleachers to elevate the facility to international standards for training as well as a venue for local and international tennis tournaments. The total cost estimate of this project is \$150,000.

TAF Capital Improvement Projects

Appendix A

Hagatña Pool

\$500,000

Improve the condition of the pool including the chlorination and cooling systems, locker rooms, showers, restrooms, fencing, spectator bleachers, etc. for local, regional, and international swim meets. The total cost estimate of this project is \$500,000.

Regional Sports & Community Recreational Improvement Fund **\$2,815,000**

This fund will be made available to the Mayors' Council of Guam to build regional sports and community recreational facilities in the island's villages. The Mayors Council of Guam (MCOG) was established through the enactment of Public Law 14-27, signed into law on May 26, 1977. The Council is comprised of the nineteen (19) Mayors and the five (5) Vice Mayors. This capital improvement will serve the island villages, and capacity for international competition, and provide venues for other community events and destination celebrations. Recommend program management services to execute the construction plans be part of this CIP endeavor.

Total Cost of Capital Improvement Projects

67,244,000

Guam Museum	27,000,000
Community Cultural Center	27,000,000
Historic Hagatña	2,469,000
Inalahan Community	200,000
Malesso Bell Tower	800,000
Magellan's Landing	500,000
Guam Farmer's Co-Op	400,000
Village Signs	760,000
Agat Beach	100,000
Piti Marine park	100,000
Mangilao	100,000
Tumon Bay Improvements	2,500,000
Restoration of Sites	1,500,000
Highway Signs	350,000
Hagatña Tennis Court	150,000
Hagatña Pool	500,000
Regional Sports Fund	2,815,000
Total	<hr/> 67,244,000

Chairman
Jesse LG Perez



Secretary
Jessica Y Quinata

Vice-Chairman
Duane M Mantanona

Treasurer
Cathy S.N. Flores

HISTORIC INALAHAN FOUNDATION

PO BOX 170051, INARAJAN, GU 96917 email:historic@teleguam.net Tel. 671-828-1671/2 Fax: 828-1672 Gift Shop: 828-1673

TESTIMONY FOR BILL 485 PUBLIC HEARING November 5, 2010

Honorable Senators, Ladies and Gentlemen:

I am before you today representing myself as a resident of Inalahan and property owner in the Inalahan Historic District. I also speak on behalf of the Historic Inalahan Foundation, Inc., a non-profit corporation dedicated to the revitalization of our historic district. I serve as Consultant for Special Projects, specifically pertaining to historic projects. I thank Honorable Vice Speaker Benjamin J. Cruz and the Esteemed Sponsors for introducing this important Bill 485 - 30.

Historic Inalahan Foundation is currently involved in the development of a village master plan for revitalizing the historic district, being conducted by the American Institute of Architects (AIA) Guam Chapter, with funding assistance by the Guam Preservation Trust. We are assisting with the AIA survey of residents and property owners to determine the priorities and direction of the community for revitalization. My testimony supports the intent of Bill 485 and specifically addresses the appropriation of \$200,000 for the restoration of the Inarajan Community Center.

This property was built by the Guam Naval Government as a schoolhouse in the early 1900s. It is only one of two such remaining structures in Guam. Many of our village elders over the age of 65 received their formal education in this school. It served as a village social hall beginning about 1958 after students were moved to a new school. Subsequently, it was converted to a community center for sports and social activities. My generation and those following express fond memories of social events and sports that helped build the social networks which have kept our community spirit strong.

During the course of our town meetings to discuss the master plan, and in the surveys collected to date, residents and former residents have expressed strong sentiments towards restoring this building. Their desire is to create a space for new generations to socialize and strengthen their sense of community.

I suggest that for technical purposes, the designation might be broadened to say "restoration of significant structures in the Inarajan Historic district, to include the Community Center, also known as the Old School House." The reason for this wording is to allow flexibility in seeking federal, corporate, or other funds which may allow us leverage to restore a larger group of buildings, to include the Community Center.

While my expertise and sentiments are hereby focused on the proposed appropriation for Historic Inalahan, I support the intent of this bill towards retaining and enhancing our island's historic and cultural facilities.

Saina Malase,

JUDY FLORES, PhD


BARBARA J. MANTANONA, Executive Director

*Board Members: Erika J.F. Arceo, Ann S.N. Concepcion, Chris M. Duenas, Ricky L.G. Meno, ,
Joey R. Paulino, Mayor Franklin M. Taitague, Ex-Oficio*



Honorable Benjamin J. F. Cruz
Honorable Frank B. Aguon, Jr.
Honorable Judith T. Won Pat
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

Re: Bill No. 485-30

Dear Senators Cruz, Aguon and Won Pat,

It is the stance of P.H.R. Ken Asset Management, Inc. (dba Ken Corporation) to support the passage of Bill 485-30 that will ultimately benefit the tourism industry through the acquisition, construction and equipping of an education cultural facility, a community cultural center and other projects. The corporation, which runs Hilton Guam Resort & Spa, Hotel Nikko Guam, Pacific Islands Club Guam, Hyatt Regency Guam, Sheraton Laguna Guam Resort and Country Club of the Pacific is among several that support this legislation that will benefit tourism industry partners, and more importantly, our valued visitors to the island.

We have seen a growing trend of including cultural immersion – whether it be through historical tours, eating local cuisine or participating in locally guided nature activities – as part of tourists’ visits.

For Guam in particular, to be competitive in attracting visitors, we believe that focusing on marketing the unique aspects of the island – namely the island’s history and culture – will have a great impact in increasing visitor arrivals and the number of repeat guests to Guam. This can be done effectively by first upgrading current historical landmarks and constructing new cultural facilities to showcase the island’s history and culture. Many attractive tourist destinations around the world already have multiple year-round cultural activities and venues for visitors.

We have seen an increase in interest by our guests in our hotels for island maps to assist them in independently visiting island villages and other local landmarks. Affording our visitors even more opportunities to participate in cultural activities and providing more cultural facilities



will have a positive impact on their experiences.

Positive guest experiences have resulted in an increase in the likelihood of repeat visits and word-of-mouth recommendation of Guam as a viable tourist destination.

In conclusion, we urge all of Guam's tourism industry partners and the community to support the passage of Bill 485-30, which will provide the financial vehicle for the acquiring, constructing and equipping an education cultural facility, a community cultural center and other cultural projects.

Yours sincerely,

Hayato "Jack" Yoshino
P.H.R Ken Asset Management, Inc. (dba Ken Corporation)
President

/je

cc:

Honorable Tina Muna-Barnes
Honorable Rory J. Respicio
Honorable Judith P. Guthertz, DPA
Honorable Thomas C. Ada
Honorable Adolpho B. Palacios, Sr.
Honorable Vicente C. Pangelinan
Honorable Edward J.B. Calvo
Honorable Ray Tenorio
Honorable James V. Espaldon
Honorable Telo Taitague
Honorable Frank F. Blas, Jr.
Honorable V. Anthony Ada



DIPATTAMENTON I KAOHAO GUINAHAN CHAMORRO
DEPARTMENT OF CHAMORRO AFFAIRS

Honorable Felix P. Camacho
Governor of Guam

Sylvia M. Flores
Acting President

Honorable Michael W. Cruz
Lt. Governor of Guam



November 5, 2010

Testimony on Bill 485-30/Section 1

Submitted by Sylvia M. Flores, President of the Department of Chamorro Affairs

Members of Mina' Trenta Liheslaturan Guahan

Buenas yan Håfa Adai!

I write this letter in support of Bill 485-30, Section 1 to...authorize to borrow for the purpose of acquiring, constructing, and equipping an educational cultural facility. The "Educational Cultural Facility" is a dream of our community since 1991, when efforts were made to begin plans on a facility to store, display and study the rich history of Guam's Chamorro people, whose culture has thrived for 3,500 years. More than 3 millennia of a native culture is reason to protect and preserve what's left for future generations to appreciate and perpetuate. My testimony cannot stress more the importance of this facility. The sooner it is accomplished, the sooner the world will witness the beauty and uniqueness of the Chamorro culture.

This Bill's intent supports Department of Chamorro Affairs mission, as well as the Guam Museum Foundation, Inc. which was established as a private non-profit organization whose primary mission is to identify resources, opportunities and ultimately leverage funds in order to support the important cause of constructing and sustaining a new Guam Museum facility. The immediate goal of the foundation and the Guam Museum (archives and collections division of Department of Chamorro Affairs) is to continue to raise awareness while delivering a social development strategy that allows the community to partake.

Your support and passage of Bill 485-30 will once and for all tell the journey of the Chamorro people respectfully prepared by the Museum Education Quality Committee, a critical group who will look at the overall development of the facility, with cultural subject matter experts by our side will build this place of honor, as described in the museum exhibition narrative:

Over time, Guam's history has been written through the eyes of those who traveled to this part of the world. They came to expand their empires and left with claims of discovering new territory. Explorers, missionaries, priests and government officials recorded their impressions of Chamorro cultural practices, lifestyle, stories, and myths as they perceived them. Centuries later these journals,
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Honorable Michael W. Cruz
Lt. Governor of Guam



cartographic documents and official reports would serve as historic documents.


Yet, unacknowledged were the seafaring Chamorros who arrived in flying proas and who established their lives on the island long before the arrival of adventurers and explorers; long before the Spanish galleons, the whaling ships, airplanes and battleships came. What was life like for the indigenous people of Guam, the Chamorros?

Imagine a museum where visitors learn about Guam's history through a passage of time, from the eyes and voices of the Chamorros. What was it like for them when Magellan arrived in 1521, when the Spanish, American, and Japanese claimed ownership of their lands? This museum is about the traditions, the culture, and the history of a people whose stories have lain dormant with the passage of time. This museum is about the reawakening of the Chamorro spirit or Espiritun I Taotao Tano [the people of the land] to tell their untold compelling stories. It is about the journey of the skilled seafaring people, their way of life as skilled fisherman, hunters, farmers, and toolmakers, and how the cultural traditions over time have survived through language, stories songs, art and the archaeological evidence learned from artifacts and burial sites throughout the Mariana Islands.

This museum is about the strength, endurance, resilience, and flexibility of the Chamorro people and their heritage. The shadow of the Chamorro will become a shadow no more as the Chamorro experience and their legacy unfolds throughout the museum. The museum will interpret how the Chamorros have adapted and survived life under the rule of world powers, the impacts, both positive and negative, and how the influence of these nations have shaped the way of life for the Chamorro contributing to what Guam is today.

Senseramente,

SYLVIA M. FLORES
President,
Department of Chamorro Affairs



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DIBISION FINO' YAN KOTTURAN CHAMORRO
Chamorro Language and Culture Division

I SENGSONG CHAMORRO
Chamorro Village

DIBISION INALIGAO, TINIGE' YAN FINA'NA'GUE
Research, Publications and Training Division

DIBISION FANINADAHEN KOSAS GUAHAN YAN SAGAN RIKUETDON
Guam Museum & Archives Division



DIPĀTTAMENTON I KAOHAO GUINAHAN CHAMORRO
DEPARTMENT OF CHAMORRO AFFAIRS

Honorable Felix P. Camacho
Governor of Guam

Sylvia M. Flores
Acting President

Honorable Michael W. Cruz
Lt. Governor of Guam



November 5, 2010

Testimony on Bill 485-30 Section 2

Submitted by Sylvia M. Flores, President of the Department of Chamorro Affairs

Members of Mina' Trenta Liheslaturan Guahan,

Buenas yan Håfa Adai!

I am submitting my testimony on Bill 485-30, section 2, specifically for the purpose of building a performing arts center.

The Department of Chamorro Affairs had received a grant of \$25,000 from the USDA, and the final product was presented some in the community, including members of this esteemed body. What was presented was the department's vision of a cultural village located at the Chamorro Village/Paseo Peninsula, in the island's capital of Hagatna. The plans show the improvement and expansion of the Chamorro Village/Paseo Peninsula, one of Guam's premier tourist destinations. If the plans are realized, through this legislation, the Chamorro Village/Paseo Peninsula will become a worldwide destination, similar to the Polynesian Cultural Center in Hawaii.

Chamorro Village has served its purpose these last 15 years, providing locals, tourists and military dependents with a taste of Chamorro food, clothing and crafts. However, this facility has outgrown the demand and is also in need of a major facelift and enhancements.

These plans also address our immediate cultural needs:

- A home for our many cultural artists
- A home for the DCA, CAHA and possibly HRRA

These 2 agencies are in need of a permanent facility.

Once completed, the improved Chamorro Village/Paseo Peninsula will also be ready to host the 2016 Festival of the Pacific Arts (FestPac).

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DIPĀTTAMENTON I KAOHAO GUINAHAN CHAMORRO
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Sylvia M. Flores
Acting President

Honorable Michael W. Cruz
Lt. Governor of Guam



As the military buildup plans have indicated that the Chamorro culture will be challenged to continue its traditions, the agency's plans are one answer to ensure that we be proactive and prepare for a possible cultural shift. We must ask ourselves, "Have we done enough to help perpetuate our culture?" This proposal will answer that question.

I am happy that I was given the opportunity to serve our island in this capacity. I can say that our agency has not been provided much stability due to limited appropriations. As I leave the Government, I will be observing what we are doing in the preservation of our culture.

I seek your support in considering the plans of the Department of Chamorro Affairs to create a worldwide cultural destination in the heart of historic Hagatña.

A performing arts center is a good idea. However, the time is not now for it. A cultural village at the Paseo Peninsula, though, will address our issues of cultural preservation.

It will benefit the visitor industry. It will benefit Guam's plans for FestPac 2016. And it will, most importantly, benefit our efforts in perpetuating the Chamorro culture.



"Department of Chamorro Affairs is an Equal Opportunity Provider and Employer"

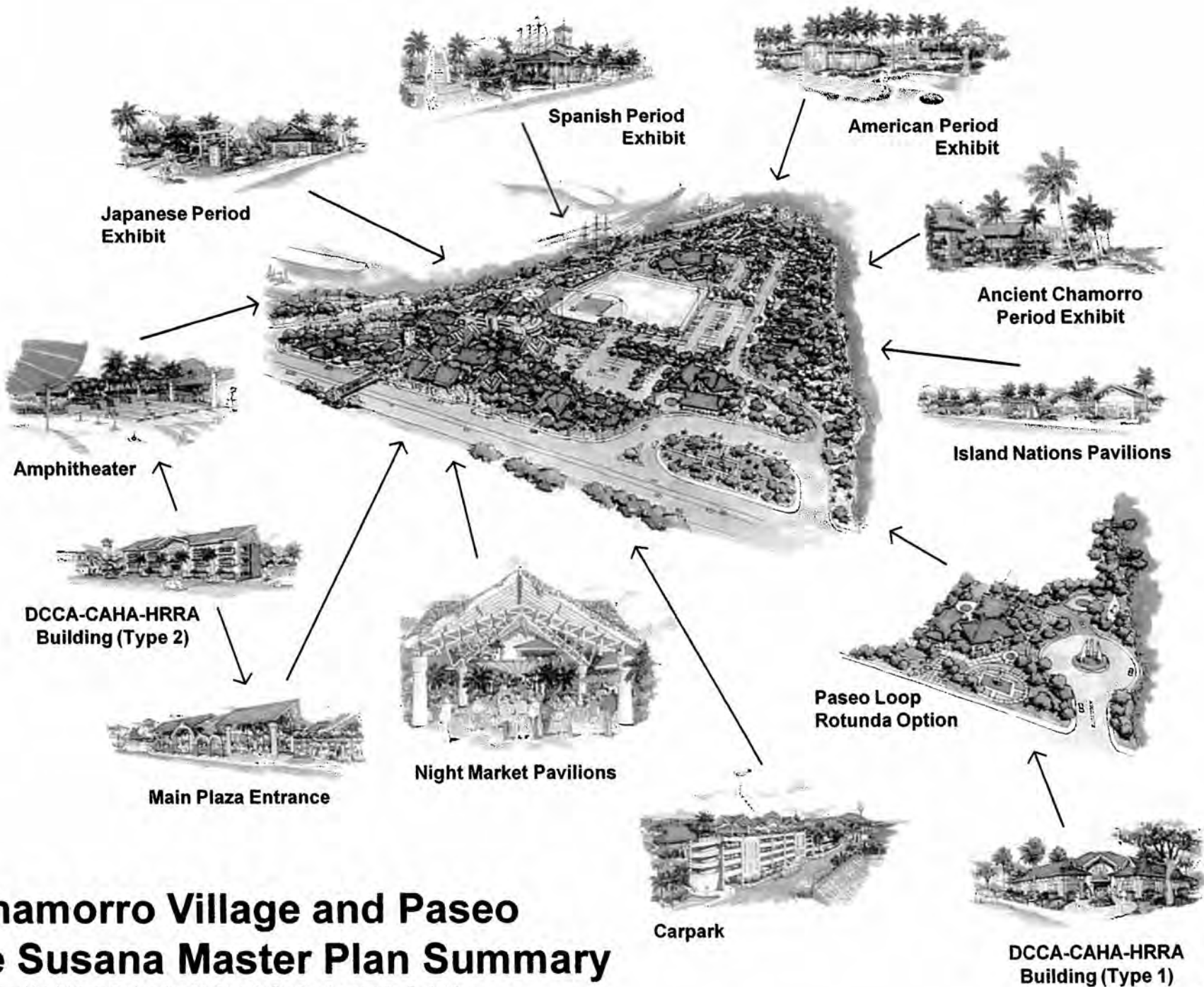
238 Archbishop F.C. Flores St. • DNA Building, Ste. 408 Hagatña, Guam 96910 • P.O. Box 2950 Hagatña, Guam 96932 • Phone: (671)475-4278/9 • Fax: (671)475-4227

DIBISION FINO' YAN KOTTURAN CHAMORRO
Chamorro Language and Culture Division

I SENGSONG CHAMORRO
Chamorro Village

DIBISION INALIGAO, TINIGE' YAN FINA'NA'GUE
Research, Publications and Training Division

DIBISION FANINADAHEN KOSAS GUAHAN YAN SAGAN RIKUETDON
Guam Museum & Archives Division



Chamorro Village and Paseo de Susana Master Plan Summary

Planner/Architect: Salvador C. Tan & Rodin Armando R. Isidro
 JAD & Associates, LLC., Guam, USA



Design Opportunities



Paseo de Susana Peninsula



- 1) nice views of coast from Paseo de Susana

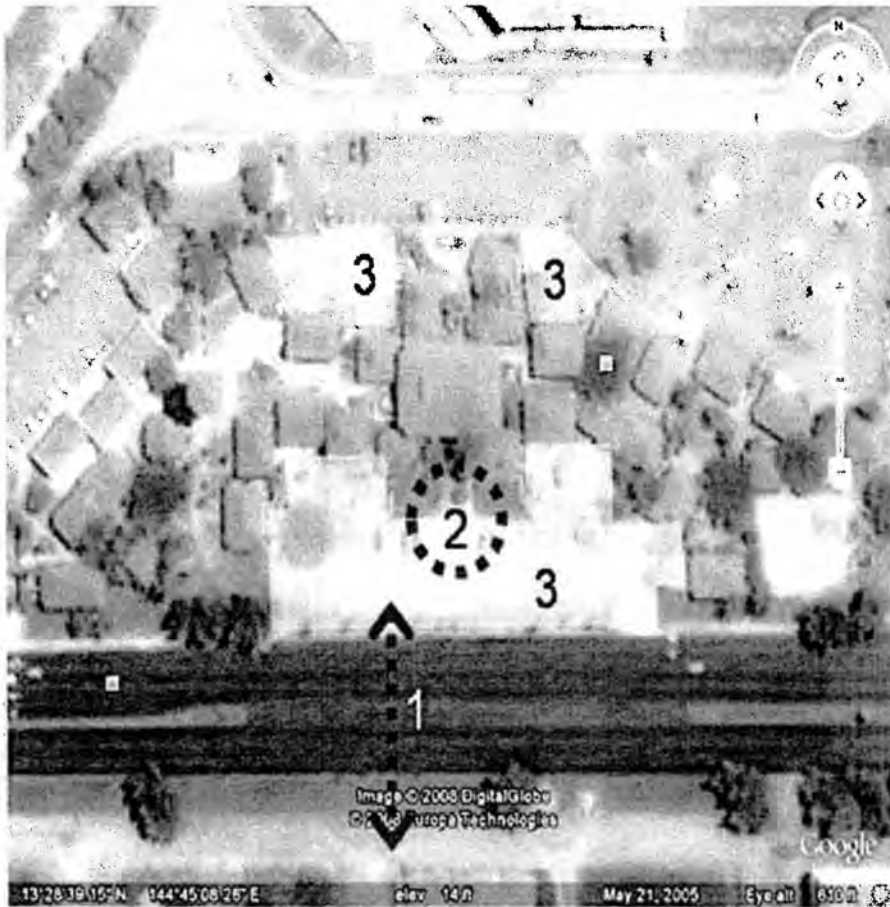


- 2) vacant land and large road around Chief Quipuha Monument



- 3) views of Hagatna River outlet into bay is rustic and charming

Design Opportunities



There is a need to create a more befitting entrance and sense of arrival to Chamorro Village from Marine Corp Dr



- 1) informal pedestrian crossing for Chamorro Village along Marine Corps Dr from Skinner Plaza



- 2) the main entrance to Chamorro Village from Marine Corps Dr lacks design and weather protection



- 3) parked cars mar the view of Chamorro Village from Marine Corps Dr and Skinner Plaza and offers areas for redevelopment

Chamorro Village

Impressions



Successful but unorganized night market



Lack of an attractive entry feature



No proper performance venue



Western end of Chamorro Village is weak



Large area occupied by Paseo Stadium



Use of crucial areas for tenant parking

Chamorro Village

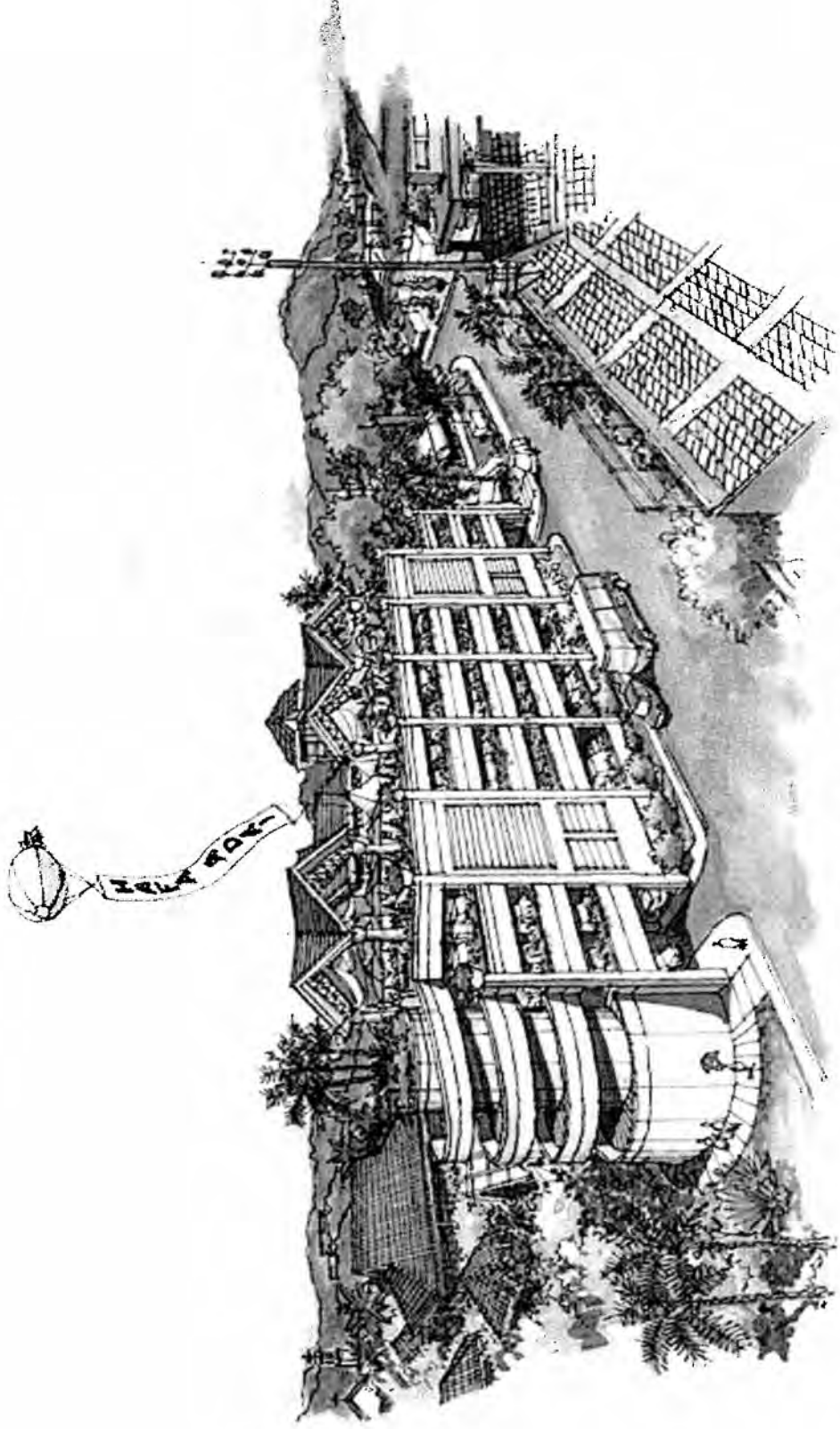
Improvement and Expansion



Parking Lot between Chamorro Village and Paseo Stadium

Chamorro Village

Improvement and Expansion



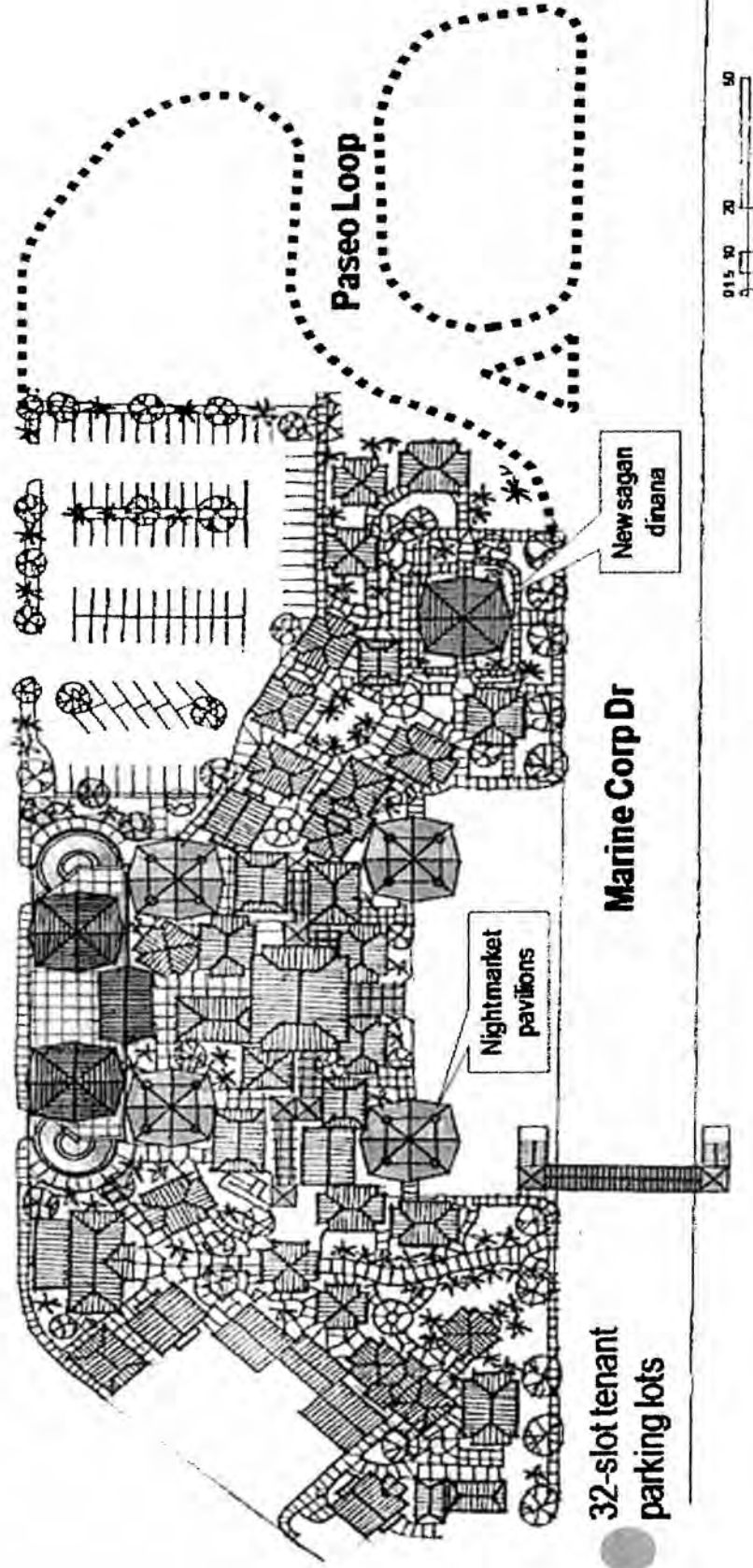
Perspective of Proposed Carpark

JAD

JAD & Associates, LLC

Chamorro Village

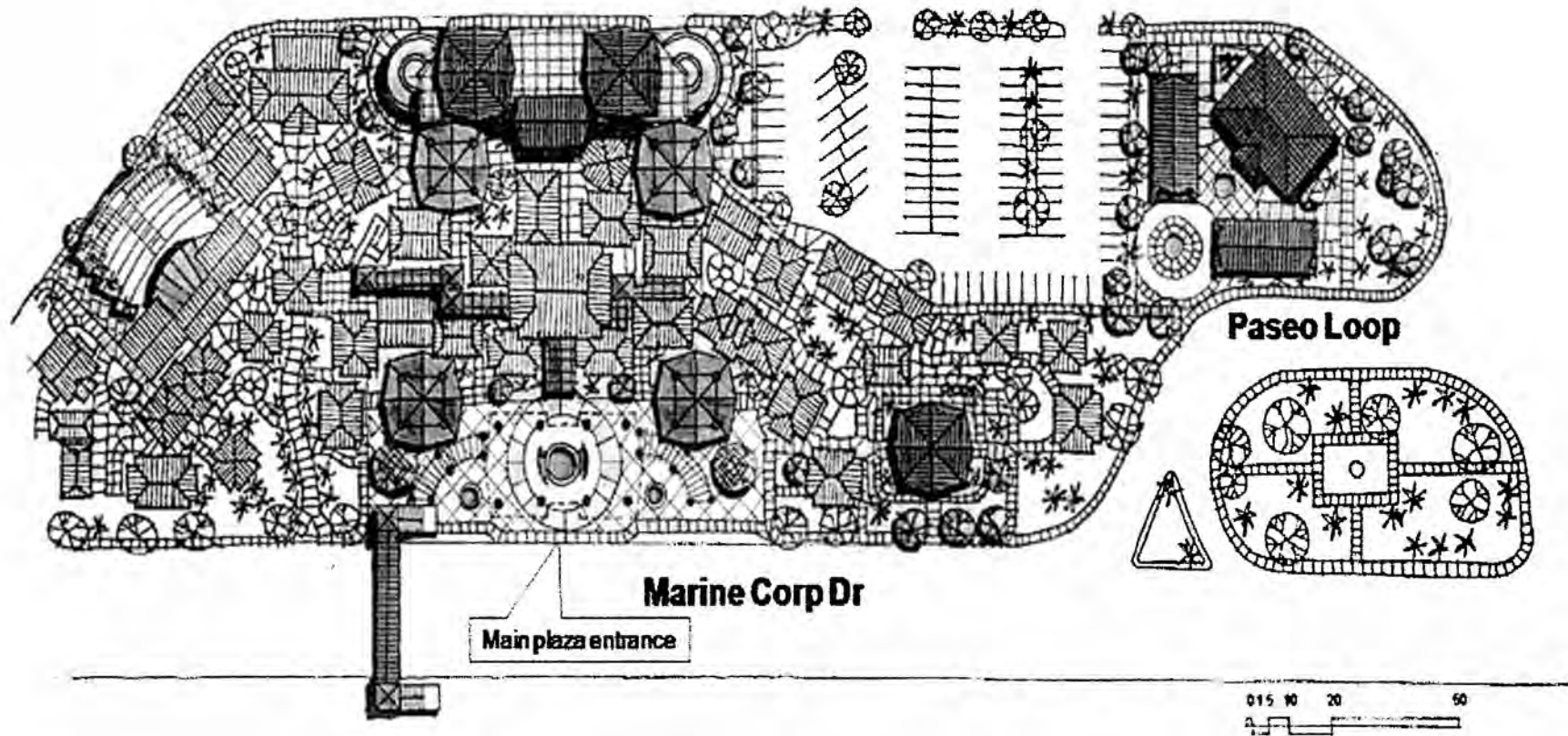
Improvement and Expansion



Proposed New Site Development Plan (Phase 1)

Chamorro Village

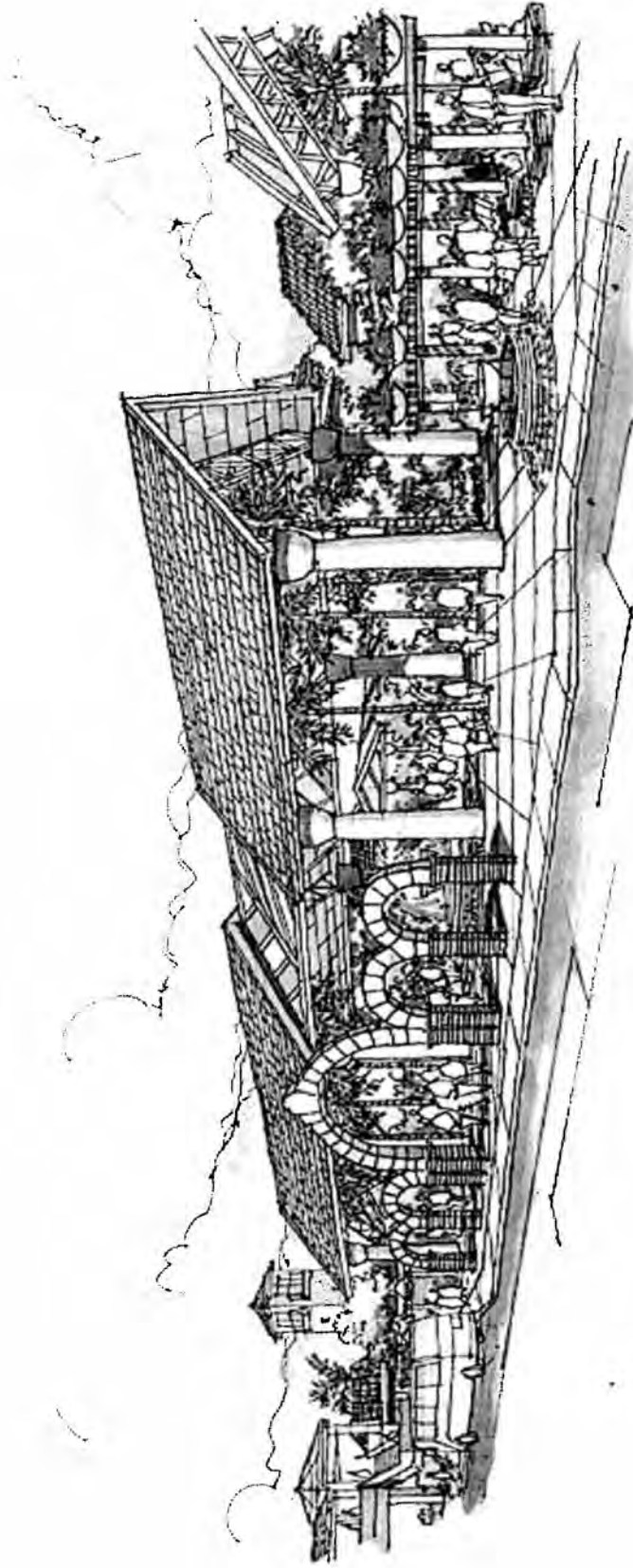
Improvement and Expansion



Proposed New Site Development Plan (Phase 2)

Chamorro Village

Improvement and Expansion



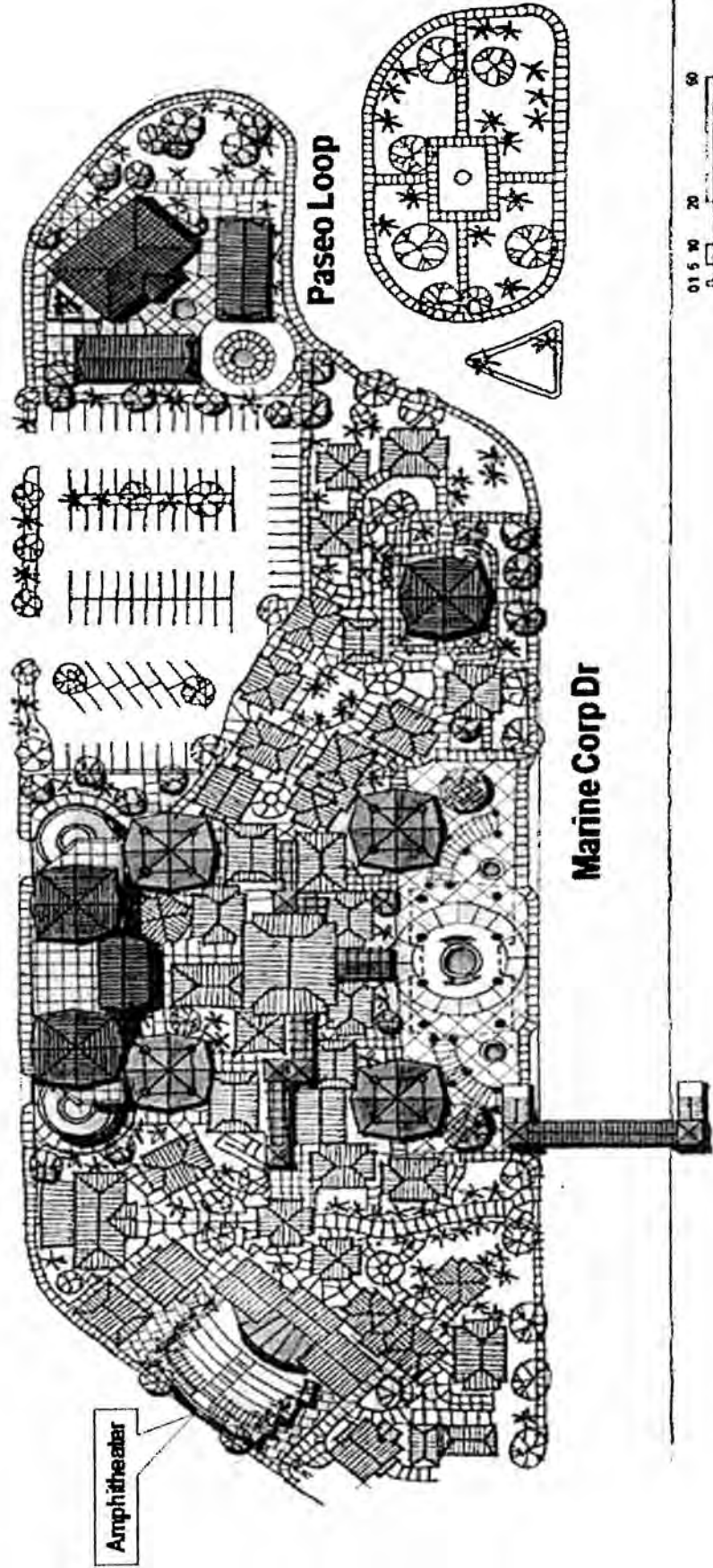
Perspective of Proposed Main Plaza Entrance

JAD

JAD & Associates, LLC

Chamorro Village

Improvement and Expansion



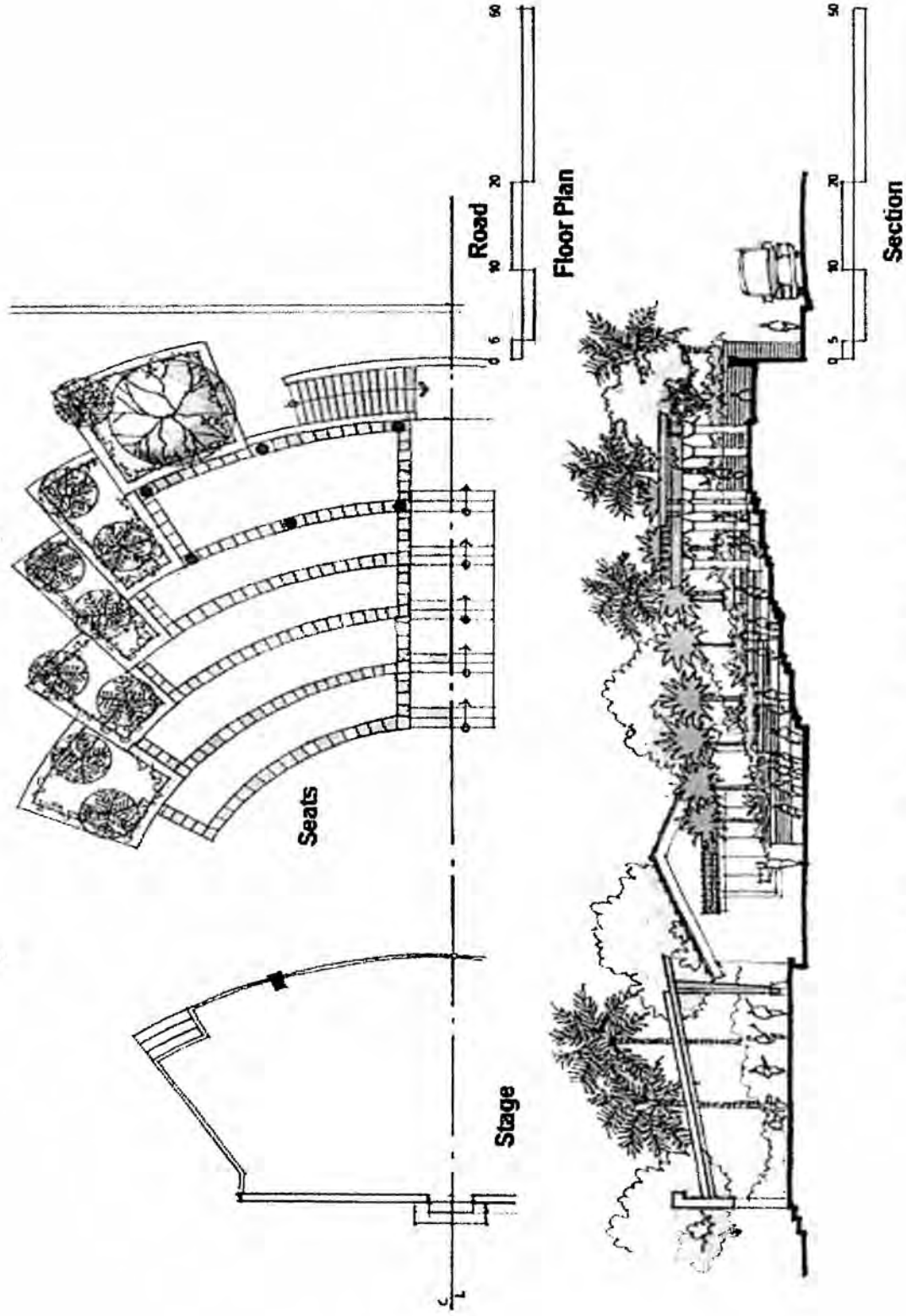
Proposed New Site Development Plan (Phase 2)

J&D

J&D & Associates, LLC

Chamorro Village

Improvement and Expansion

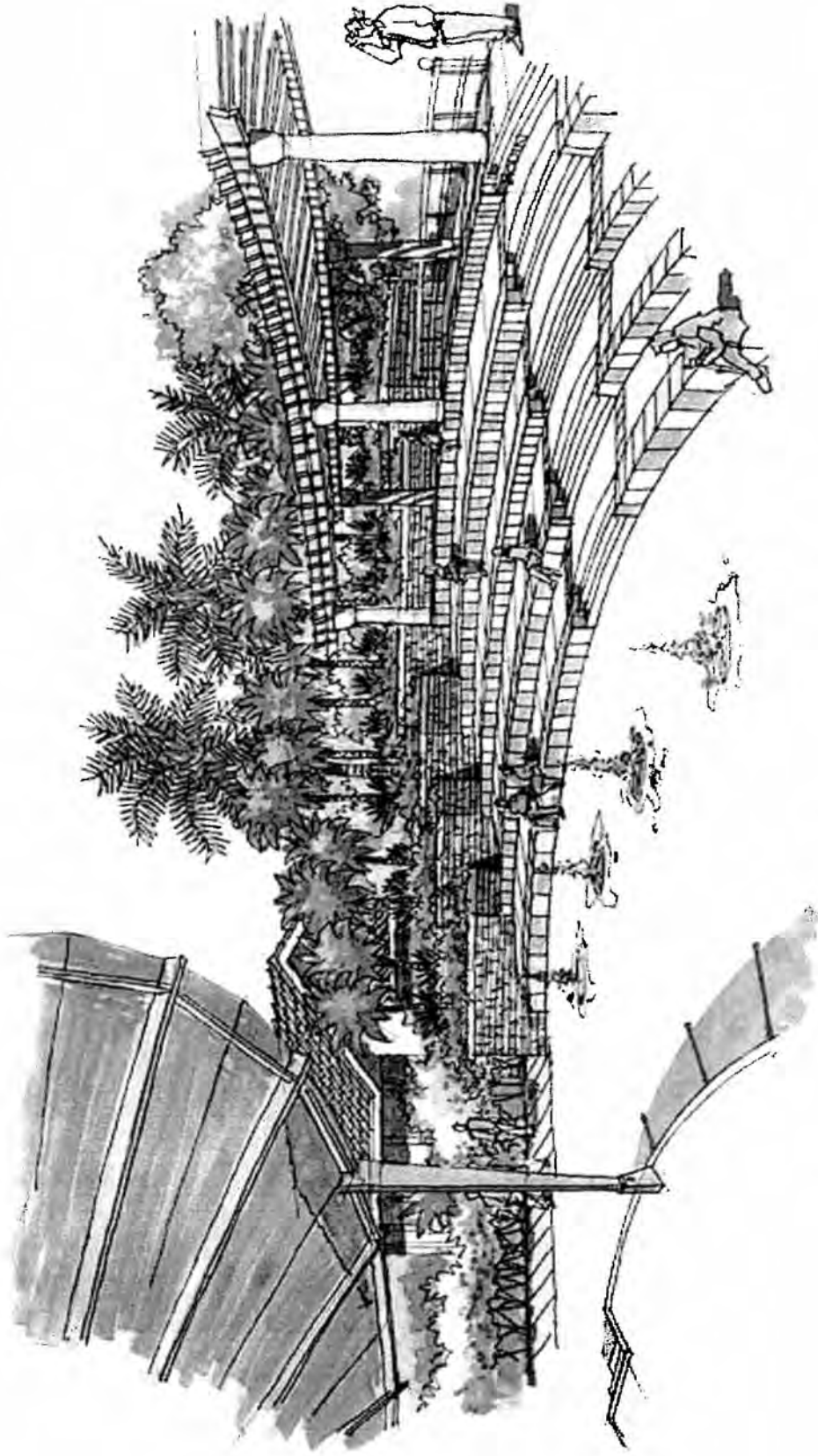


Proposed Amphitheater Plans

JAD

Chamorro Village

Improvement and Expansion



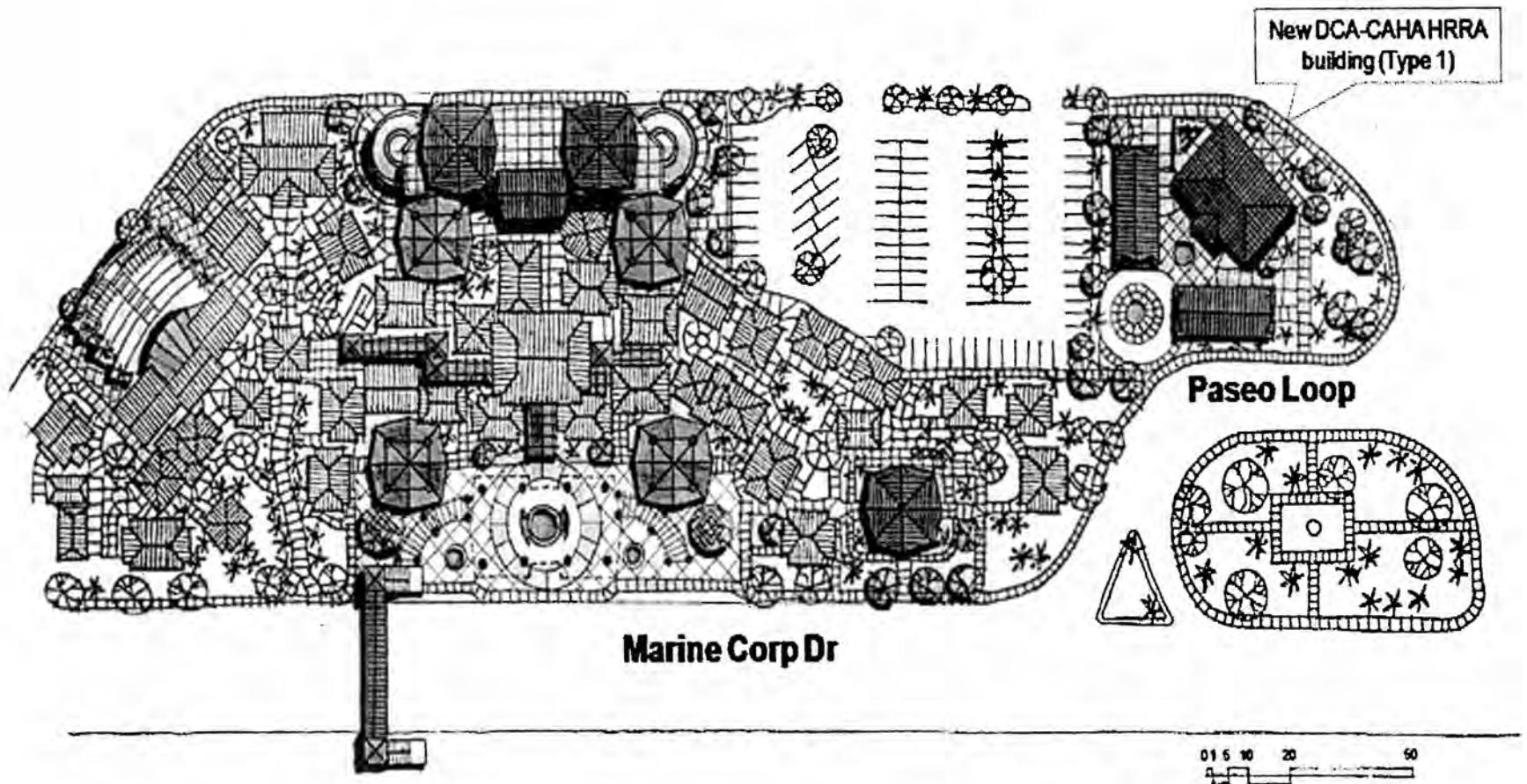
Perspective of Proposed Amphitheater

J&D

J&D & Associates, LLC

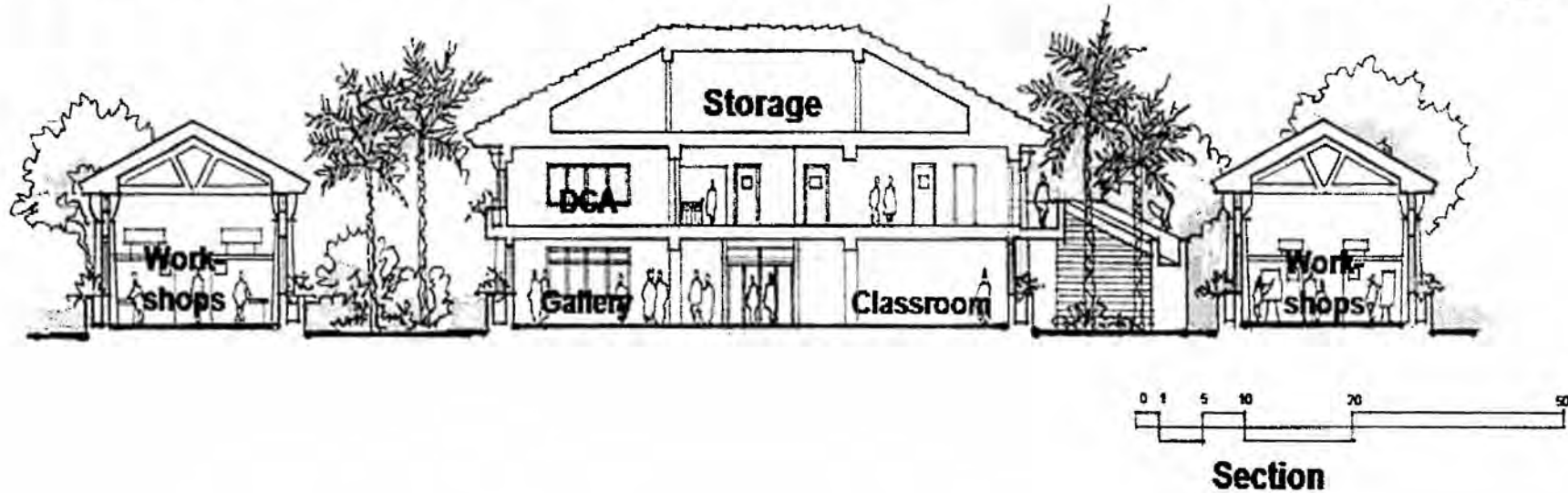
Chamorro Village

Improvement and Expansion



Proposed New Site Development Plan (Phase 2)

New DCA-CAHA-HRRA Building



Proposed Section and Elevation (Type 1)

New DCA-CAHA-HRRA Building



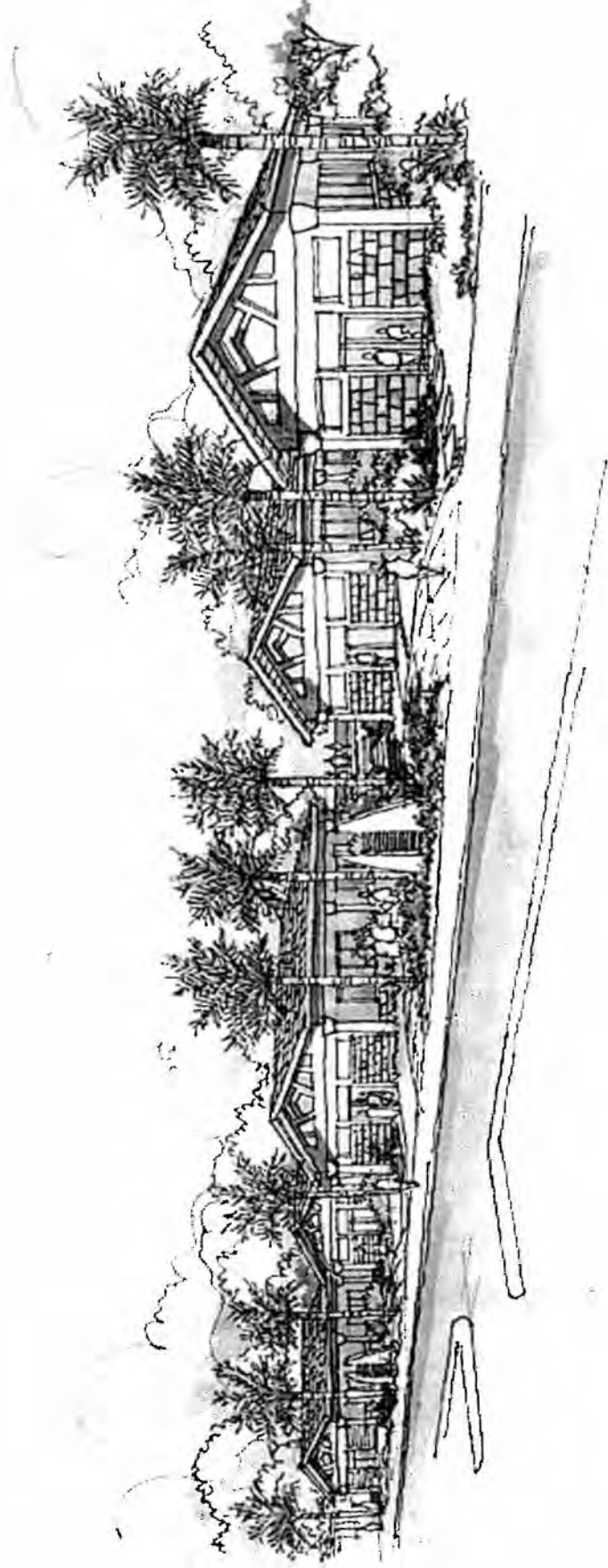
Perspective (Type 1)

J&D

J&D & Associates, LLC

Paseo de Susana

Master Plan



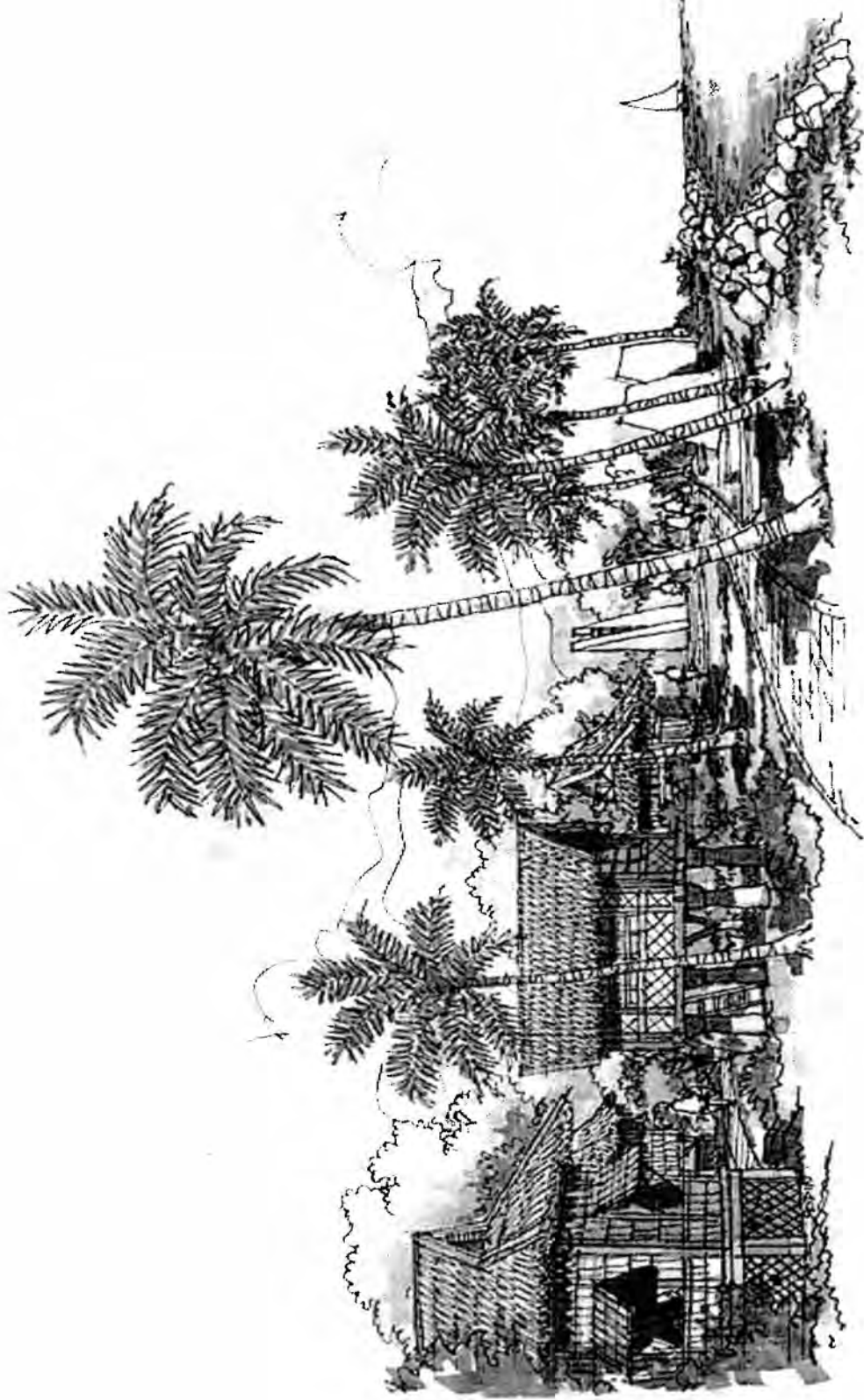
Perspective of Island Nations Pavilions

JAD

JAD & Associates, LLC

Paseo de Susana

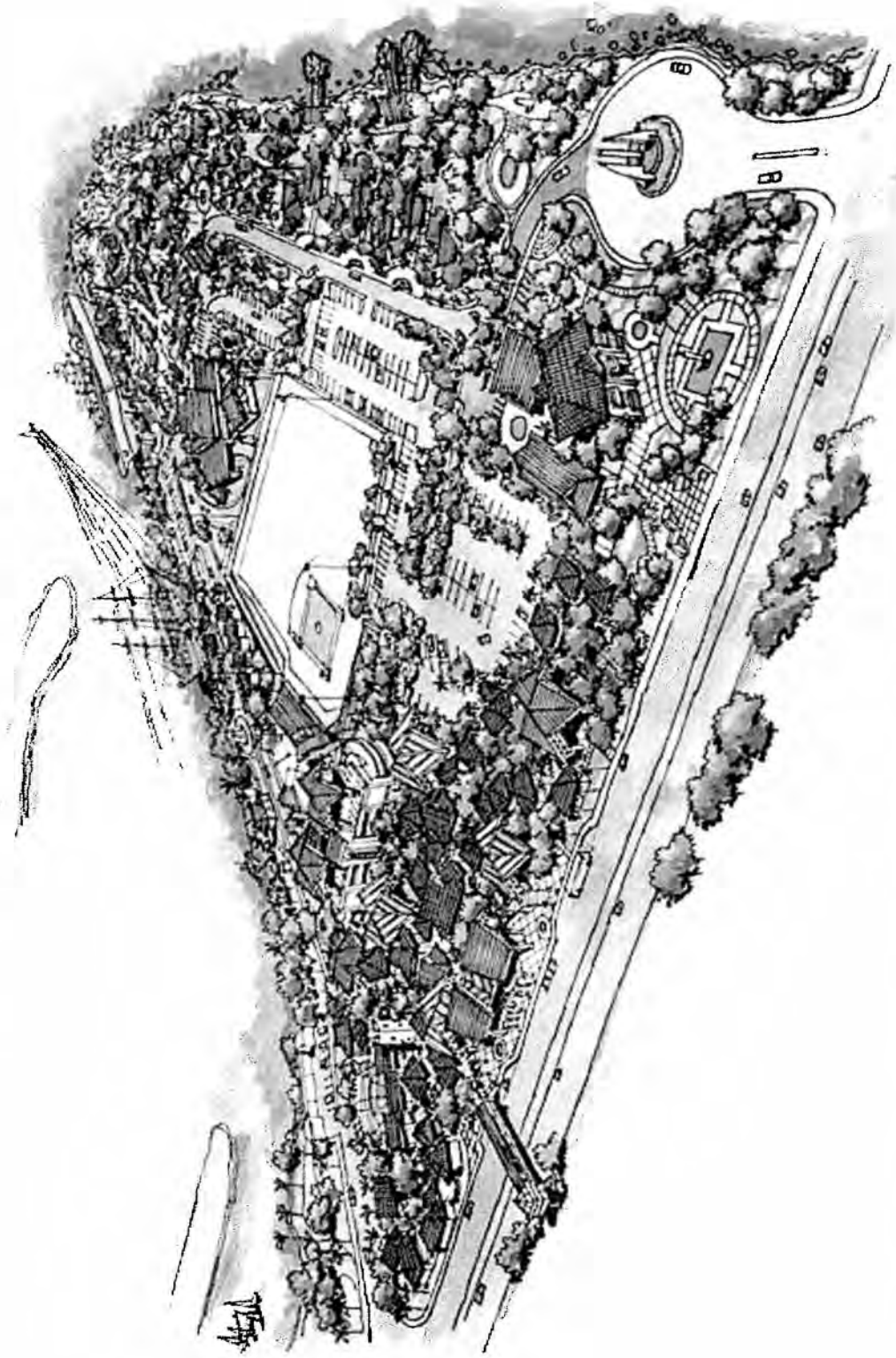
Master Plan



Perspective of Ancient Chamorro Period Exhibit

JAD

Overall Vision



Aerial Perspective (DCA Building Type 1 with Rotunda)

JAD

Budgetary Estimates

<u>Chamorro Village Improvement</u>	<u>Cost</u>
• Night market pavilions & sagan dinana	\$ 0.9 million
• Carpark with 2 roof deck pavilions	\$14.3 million
• Main plaza entrance	\$ 0.4 million
• Amphitheater	\$ 1.6 million
<u>New DCCA-CAHA-HRRA Building</u>	
• Type 1 (with building wings)	\$ 2.2 million
• Type 2 (3-story building)	\$ 2.3 million
• Paseo Loop rotunda	\$ 0.8 million
<u>Paseo de Susana Master Plan</u>	
• 7 Island Nations Pavilions (Phase 1)	\$ 1.2 million
• 4 Period Exhibits (Phase 2)	\$ 1.1 million
<u>Total (with one DCA-CAHA-HRA Building)</u>	\$22.6 million



Hagåtña Restoration & Redevelopment Authority

Government of Guam

P.O. Box 2950 ∞ Hagåtña, Guam ∞ 96932

Ph: 671-472-9446 / 671-922-9446 ∞ Fax: 671-472-0446 ∞ Email: hrra@ite.net

Testimony on Bill No. 485-30

Date: November 5, 2010

From: Joseph Artero-Cameron
Executive Director

Hafa Adai!

I am in support of this bill as it relates to the funding for an educational cultural facility to be built in the village of Hagåtña. I likewise support the building of a performing arts center to be located at the Chamorro Village and Paseo Peninsula properties.

The Department of Chamorro Affairs' rendered conceptualization for its office built on the properties of Chamorro Village, as well as the administrative of office of the Hagåtña Restoration and Redevelopment Authority, inclusive of a performing arts center; be located within the village of Hagåtña is a realistic and achievable goal.

I am grateful to the Chairperson of this Committee and its members for having placed emphasis on the preservation and the cultivation of our Chamorro heritage. You should all be applauded enthusiastically for your vision and desire to showcasing our Chamorro culture!

Si Yu'os ma'ase!

**Mayor Franklin M. Taitague
Municipality of Inarajan
P.O. Box 786
Hagatna, Guam 96932**

475-2510 (O), 828-8035 (H), 482-4666 ©

TESTIMONY ON BILL 485-30(COR)

For the record, my name is Franklin M. Taitague, Mayor of the beautiful & historic village of Inalahan.

Buenas yan Hafa Adai! On behalf of the Inarajan Municipal Planning Council and all the wonderful citizens of Inalahan, I wish to express my sincerest gratitude and Dungkulo na Si Yu'os Ma'ase for the invitation to present our comments and in my case, for Bill 485-30(COR).

I wish to make it known that presently, the people of Inarajan are very unhappy, frustrated, and are losing trust and faith towards the government's responsibility in restoring and preserving most historic structures within the village. They find it and I find it very embarrassing to even share or communicate the historic significance and values of these historic monuments because of the dilapidated state they are in and as we speak, they are just eye sores and great dangers to the residents and the public.

I am in support of this bill because it at least identified the restoration of the Inarajan community center. However, I ask that we seriously reconsider and revisit the amount identified after we solicit a structural engineer's thorough assessment and findings on how we can better reconstruct or restore the building so that it can last more than 20+ years as with most construction. If in case you didn't know, this historic monument was in fact restored in the 1993/94 timeframe. Sadly, the investment only lasted about 8 years when it was condemned as an unsafe structure by DPW around 2002.

I appreciate and support the Bill's intent but I ask that our tax dollars be invested in a manner where our investments will last not just to serve present members but to serve generations to come.

Si Yu'os Ma'ase.

/s/Franklin M. Taitague



Maya Alonso <maya@guamlegislature.org>

GOVGUAM IN COMPETITION WITH PRIVATE ENTERPRISE

Alfred Ysrael <alfredy@tanota.com>

Sun, Nov 7, 2010 at 7:40 AM

To: "Sen Cruz 1, BJ" <senadotbjcruz@gmail.com>, "Sen Cruz, BJ" <cbjcruz@aol.com>
Cc: "Sen Aguon, Frank" <aguon4guam@gmail.com>, "Sen Espaldon, Jim" <senator@espaldon.com>, sem@guamlegislature.org, "Sen Ada, Thomas" <office@senatorada.org>, "Sen Blas Jr, Frank" <frank.blasjr@gmail.com>, "Sen Calvo, Eddie" <sencalvo@gmail.com>, "Sen Espaldon, Jim" <senjim@ite.net>, "Sen Forbes 1, Mark" <senforbes@yahoo.com>, "Sen Forbes 2, SpeakerMark" <speakerforbes@yahoo.com>, judiguthertz@pticom.com, "Sen Ishizaki, Frank" <ishizaki@ite.net>, "Sen Klitzkie 1, Robert" <bob@bobsoffice.org>, "Sen Klitzkie 2, Robert" <klitzkie@hotmail.com>, tpmatanane@guamlegislature.org, maya@guamlegislature.org, "Sen Pangelinan, Ben" <senben@kuentos.guam.net>, roryforguam@gmail.com, "Sen Seid, Alan R." <alanseidpw@aol.com>, "Sen Shmizu, David" <dlgshimizu@yahoo.com>, "Sen Tenorio 1, Ray" <rtenorio@ite.net>, "Sen Tenorio 2, Ray" <iguinifi@ite.net>, "Sen Tenorio, Ray" <ray@raytenorio.com>, SenABPalacios@gmail.com, "Senator ben c. pangelinan" <senbenp@guam.net>, "SenMunaBarnes, Tina" <tinamunabarnes@gmail.com>, "SenTenorio Lee, Ed" <ed@raytenorio.com>, jwonpat@gmail.com, jwonpat@yahoo.com

November 6, 2010

The Honorable Benjamin Cruz, Chairman
Committee on Tourism, and Cultural Affairs
30th Guam Legislature
Agana, Guam, 96910

Subject: Bill No. 485-30 to fund a Convention and Cultural Center \$67,244,000.



HAFA ADAI:

This is my written testimony following my oral testimony on the public hearing held on Bill No. 485-30, to approve a \$67,244,000 Bond issue to pay for seventeen (17) different and diverse items, to be paid by bond proceeds, guaranteed by the Tourist Attraction Fund (TAF)

(1) There are fifteen (15) separate items (AKA Pork Barrel) requested by numerous Mayors of villages, from Public Flea Markets, to

Recreational Facilities. In my opinion these fifteen (15) separate items, should be addressed by seventeen separate and individual legislation. Presently, lumping them together, makes the public testimony a farce, since each mayor came to support the bill to get passage of his appropriation money request. So one gets the Impression that there is overwhelming support for the bill, when in reality it is overwhelming support for their particular appropriation. Separate the fifteen (15) requests (AKA Pork Barrel), into fifteen separate bills..

(2) The onus of providing the above funds will be borne again by the Tourist Attraction Fund, 100% funded by revenues and contributions from the Hotel Industry. We still do not have a complete accounting of the first bond issue in the amount of \$53,000,000, and how the money was spent, and how much was diverted for other purposes other than the improvement and enhancement of the tourist industry. The TAF is an empty carcass being picked on by freebies. Hotel revenues are falling, ergo, contributions to the TAF are also falling. Testimony of the Guam Hotel & Restaurant Association, GHRA, **“visitors are down 3.6%, and Room**

taxes are down by 10.5%, to \$18,700,000". There is barely enough to re-pay the existing, wasted, Bond issue of \$53,000,000. and payroll, much less add another \$67,244,000 obligation. What about an accounting of the millions paid to the ill-fated TWASA contribution extorted by the Water Works many years back. No accounting on how such funds have been disbursed.

(3) Two items, each for \$27,000,000., one to construct a convention center on the former Hospital land above the Hilton Hotel, and another \$27,000,000 to construct a Museum and Cultural Center. Both projects are woefully underfunded, **the actual costs will be in excess of \$125,000,000. Plus, the facility will cost millions of dollars to operate annually. Where will these funds come from every year?**

The Government of Guam, using private Hotel Funds, wants to go into competition with private enterprise. Private enterprise is presently building a 2,000 person capacity convention center, that can be divided into many smaller meeting rooms. The roof of this convention is presently being poured. (see attached pictures). It will also have a complete kitchen and a storage area for chairs, tables, and many other miscellaneous items, together with a 850 car parking garage. Please see the picture of the nearly completed convention center, (error in picture date), roof to be poured before the end of the month, and interior finished and operational before the middle of next year. The bill talks about a supposed "cultural center" but the description is clearly a convention center with meeting rooms, a kitchen and exhibit space. Based on past performances of Government run enterprises or facilities, we know ahead of time, the outcome and results of this proposed public venture facilities

The idea of a Museum is admirable and very much needed, which should be supported by the entire Island community, not just by the Hotel Industry. But Government of Guam, under the proposed legislation also wants to add a Cultural Center. Again a little too late, what happened to the beautiful Cultural Center in Inarajan? **Again, The Government of Guam, using private Hotel Funds, wants to go into competition with private enterprise**. There is already a Cultural Center ready to be built on private property with private funds. It has gone the entire GLUC approval process, and approved by fifteen of the sixteen Government Departmental Agencies for its building permit application. It is presently being held up by one department for the last three months. This Cultural Center, to be constructed and operated thru private enterprise, has been ready to start construction for the last three months. As soon as we get approval from the last single hold-out. Construction will start immediately, that will contain besides a cultural center, an eco-friendly rain forest jungle walk, a miniature farm, exhibitions of artifacts, ancient village, cultural activities, and local farming skills, etc etc. with advise from the "PA'A TANOTAO TANO", and the University of Guam cultural section.. **It will be professionally run and won't cost the government a dime.**

If you are going to do anything **using TAF funds, fix the infrastructure in Tumon including the streetlights, pavers, flooding and sewage to improve our visitor experience**

We need a Government run and funded Museum, **but we do not need a government run and funded Cultural Center**

On a last note, the Ysrael family, the only local company, has, constructed and funded investments in the Hotel Tourist Hospitality trade and this has been accomplished for the last forty (40) years without any Governmental financial aid or GEDA Qualifying Certificates from the Government. We have paid 100% of our income taxes, 100% of our real estate taxes, 100% of our 11% hotel room taxes, 100% of our 4% Gross Receipts taxes, for the last forty years. Unlike some of the other foreign owned companies who have had their 20 year QC GEDA tax free certificates renewed, some for three times, for a total of 60 years.

Cordially yours,

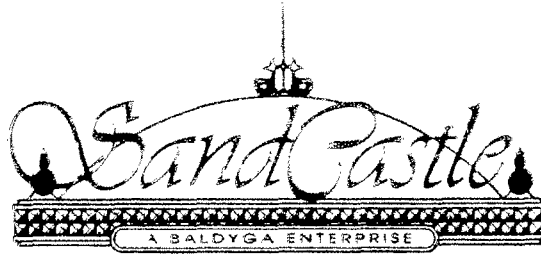
ALFRED C. YSRAEL

Guam, Our Island Paradise



Ignore wrong Date on Camera





November 4, 2010

Honorable Vice Speaker Cruz
30th Guam Legislature
155 Hessler Place
Hagatna, Guam 96910

Subject: Bill No. 485-30 (COR)

Hafa Adai:

I, Mark Baldyga, am providing written testimony on behalf of myself, and my companies, SandCastle, Baldyga Group, and, soon, **Guahan Cultural & Eco Park**.

We have been Guam's leading attraction operator for 20 years, have entertained over five million patrons since 1990, have invested over \$40 million, paid \$150 million in local payroll and expenses and \$7 million in GRT.

We fully support the notion of using the tourist attraction fund (TAF) to service debt on carefully selected improvements to the visitor plant but have some concerns about the priorities and list of expenditures as presented in the bill.

The construction of a museum is certainly important for the preservation of Guam's culture and heritage and we strongly support the development of a proper museum facility of appropriate scale and cost. At the same time, there are some basic infrastructure and capital improvement projects that are critical.

We have suffered through severe flooding in Tumon for over a decade. When it rains heavily, I look out my office window at SandCastle and see visitors wading through ankle to knee-deep water as if they were in a third world country. Sewage bubbles up in the street in front of the Hyatt. Our property has been severely damaged repeatedly and the water is now over the hoods of cars in our back parking lot, cars cannot enter the Hyatt and the same will be true for the entrance to Guam's newest luxury hotel now under construction behind SandCastle. We are the low point of Tumon and have become the ponding basin for San Vitores Road and Upper Tumon as all water flows from Marine Drive and ends up in our back parking lot.

Tumon streetlights are broken and the large parts of the streets are dark. I constantly see pedestrians narrowly avoiding injury -- or worse -- in front of PIC and the DFS main street entry both of which are severely in need of pedestrian crossing lights for basic human safety.

I cannot urge strongly enough that any new TAF funding for capital improvements need to fix these issues as a basic priority first and foremost.



Further, I am concerned about the proposal to spend \$27 million for a facility that is labeled a "performing arts and cultural center" and yet in the project description describes what is as much a conference facility as a supposed cultural facility and the description details meeting rooms, a 280 **vendor booth capacity**, and a kitchen.

Tanota Partners is already under construction for a proper conference center in the center of the busiest commercial tourist area and I am proud to announce that our company has already received GLUC approval and is under development for a 25-acre "**Guahan Cultural and Eco-park**" featuring an authentic Ancient Chamorro Village (latte village) where only Chamorro is spoken, extensive artifact displays, local animals, and daily live cultural demonstration areas where visitors can learn to speak Chamorro, learn native dances and chants, learn weaving, carving and other crafts plus a planned large scale cultural performance facility.

Perhaps more importantly we are extremely concerned about where the **ongoing funding** will come from to operate any proposed performance facility. We have had extensive prior discussions with the CEO of Stadium Management Group (SMG), the world's leading operator of public facilities (including hundreds of convention and performing arts facilities about the economics of a right-sized conference facility for Guam. **No public arts facility operates at a profit and most operate with losses in the millions of dollars.**

The facility as proposed is almost exactly the same size as SandCastle and our power bill alone exceeds \$600,000 per year. Equipment maintenance and labor costs could easily exceed another several million per year. Where will these funds come from? We would be strongly opposed to see these funds come from the TAF since these funds should be used primarily to promote Guam. We are very concerned about the lack of future funding to properly promote Guam after paying the operating costs of such a facility. We strongly urge the Legislature to carefully consider the operating costs of such a facility especially if the need for the facility may be overridden by the projects described above.

In summary, we are supportive of the concept of TAF funding for necessary capital improvement projects and for the preservation of our island's culture and heritage. We simply ask that care be taken to ensure that any (a) priority be given to needed critical infrastructure projects (b) that the list be carefully reviewed to ensure proper priorities (c) that there be no duplication of effort or situation where the government is competing with Gef Pago or private sector operations and (d) that any capital cost funding only be provided where the operating costs of such facilities is ensured.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Baluyta", is written over a large, stylized flourish or scribble. The signature is positioned above the printed name and title.

Mark S. Baluyta
Chairman & CEO



Maya Alonso <maya@guamlegislature.org>

Mark Baldyga testimony, Bill 485-30

Mark Baldyga <mbaldyga@baldyga.com>

Tue, Nov 9, 2010 at 3:54 PM

To: Alfred Ysrael <alfredy@tanota.com>, "Sen Cruz 1, BJ" <senadotbjcruz@gmail.com>, "Sen Cruz, BJ" <cjbjcruc@aol.com>

Cc: "Sen Aguon, Frank" <aguon4guam@gmail.com>, "Sen Espaldon, Jim" <senator@espaldon.com>, "sem@guamlegislature.org" <sem@guamlegislature.org>, "Sen Ada, Thomas" <office@senatorada.org>, "Sen Blas Jr, Frank" <frank.blasjr@gmail.com>, Eddie Calvo <sencalvo@gmail.com>, "Sen Espaldon, Jim" <senjim@ite.net>, "Sen Forbes 1, Mark" <senforbes@yahoo.com>, "Sen Forbes 2, SpeakerMark" <speakerforbes@yahoo.com>, "judiguthertz@pticom.com" <judiguthertz@pticom.com>, "Sen Ishizaki, Frank" <ishizaki@ite.net>, "Sen Klitzkie 1, Robert" <bob@bobsoffice.org>, "Sen Klitzkie 2, Robert" <klitzkie@hotmail.com>, "tpmatanane@guamlegislature.org" <tpmatanane@guamlegislature.org>, "maya@guamlegislature.org" <maya@guamlegislature.org>, "Sen Pangelinan, Ben" <senben@kuentos.guam.net>, "roryforguam@gmail.com" <roryforguam@gmail.com>, "Sen Seid, Alan R." <alanseidpw@aol.com>, "Sen Shmizu, David" <dlgshimizu@yahoo.com>, "Sen Tenorio 1, Ray" <rtenorio@ite.net>, "Sen Tenorio 2, Ray" <iguinifi@ite.net>, "Sen Tenorio, Ray" <ray@raytenorio.com>, "SenABPalacios@gmail.com" <SenABPalacios@gmail.com>, "Senator ben c. pangelinan" <senbenp@guam.net>, "SenMunaBarnes, Tina" <tinamunabarnes@gmail.com>, "SenTenorio Lee, Ed" <ed@raytenorio.com>, "jwonpat@gmail.com" <jwonpat@gmail.com>, "jwonpat@yahoo.com" <jwonpat@yahoo.com>

November 9, 2010

The Honorable Benjamin Cruz, Chairman
Committee on Tourism, and Cultural Affairs
30th Guam Legislature
Agana, Guam, 96910

Subject: Bill No. 485-30 (COR)

Hafai Adai. The following is my written testimony that was submitted in conjunction with my oral testimony during the public hearing on Bill No 485-30.

Sincerely
Mark Baldyga

November 4, 2010

Honorable Vice Speaker Cruz
30th Guam Legislature
155 Hessler Place
Hagatna, Guam 96910

Subject: Bill No. 485-30 (COR)

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The facility as proposed is almost exactly the same size as SandCastle and our power bill alone exceeds

\$600,000 per year. Equipment maintenance and labor costs could easily exceed another several million per year. **Where will these funds come from?** We would be strongly opposed to see these funds come from the TAF since these funds should be used primarily to promote Guam. We are very concerned about the lack of future funding to properly promote Guam after paying the **operating costs** of such a facility. We strongly urge the Legislature to carefully consider the operating costs of such a facility especially if the need for the facility may be overridden by the projects described above.

In summary, we are supportive of the concept of TAF funding for necessary capital improvement projects and for the preservation of our island's culture and heritage. We simply ask that care be taken to ensure that any (a) **priority be given to needed critical infrastructure projects** (b) that the list be carefully reviewed to ensure proper priorities (c) that there be **no duplication of effort or situation where the government is competing** with Gef Pago or private sector operations and (d) that any capital cost funding only be provided where the **operating costs** of such facilities is ensured.

Sincerely,

Mark S. Baldyga
Chairman & CEO



Guam Hotel and Restaurant Association

Hamon Commercial Plaza, Ste. 202, 177 Ilipog Drive, Tamuning, GU 96913

P.O. Box 8565, Tamuning, GU 96931

Tel: (671) 649-1447 • Fax: (671) 649-8565 • E-Mail: info@ghra.org • Website: www.ghra.org

November 5, 2010

Honorable Benjamin J.F. Cruz, Chairman
Honorable Tina Rose Muna-Barnes, Vice Chairperson
Committee on Tourism, Cultural Affairs, Public Broadcasting and Youth
30th Guam Legislature
155 Hesler Street
Hagatna, GU 96910

Subject: Bill No. 485-30 (COR)

Hafa Adai!

The Guam Hotel & Restaurant Association (GHRA) recognizes the importance of protecting, preserving and promoting our culture and history on Guam. Over the years, the GHRA has supported various capital improvement projects, cultural heritage programs and has been a strong supporter and promoter of the Guam brand campaign.

Bill 485-30 intends to refund infrastructure improvement bonds with the Tourism Attraction Fund, which was created to support the marketing of Guam as a destination. We want to be sure we manage these funds appropriately with respect to our island leaders, industry stakeholders and the people for the current and future state of our tourism industry.

The GHRA understands the Guam Visitors Bureau (GVB) has the borrowing capacity that may enable it to fund the proposed list of improvements. However, priorities and uses of those funds identified in the current list of improvements as provided to us by GVB (see attached) neither matches the list of projects nor costs associated with the projects in the current draft form of Bill 485-30.

Although we support many of these programs and the need to improve our infrastructure and cultural heritage programs, GHRA would like to raise the following concerns:

First, there are numerous previous capital improvement projects that were funded or partly funded with the initial bond and have yet to be completed:

- San Vitores Road issues with regards to sewer;
- Storm drains are still not corrected and causing flooding;
- Resurfacing of the road has yet to be completed;
- Lights along San Vitores Road continue to remain out of service or in disrepair;
- Pipes and lines are still not connected;
- Hoteliers have directly paid for infrastructure improvements that are incomplete.

These ongoing problems damage the reputation and image of Guam and some of them such as flooding have been left unresolved for over a decade despite repeated promises. These should be corrected immediately before embarking upon new capital projects. We also urge that high priority

be given towards other important and immediate needs including installing pedestrian crosswalks and lights at intersections (e.g. PIC, DFS-LV/Outrigger), improving signage and traffic flow at the airport to comply with Federal guidelines, improving our parks and bathroom facilities, etc.

Secondly, if these capital investments are expected to come from the Tourism Attraction Fund, what is the plan to ensure that they are properly planned, implemented and managed? In addition, as with any capital improvement project, what are their respective plans to be sustainable and self-funded for the operations, marketing and promotions and maintenance of these facilities and programs? This year alone, we have seen two new projects introduced on Guam such as the Latte of Freedom and the Hagatna Walking Trail. These were funded, but what are we doing to support these programs to improve tourism? Have they made a difference? We need to ensure we have enough resources to properly manage and operate these facilities and services within our means.

We need to seriously and carefully consider the impact of any publicly funded initiatives like this to be sure we maximize our opportunities and appropriately manage the costs not just for the initial investment and development of the project, but for the future sustainment as well.

Furthermore, some of these capital improvement projects will have meeting rooms, multi-purpose rooms, vendor booths, restaurant outlets, and a kitchen. There are private companies who are members of GHRA and GVB that currently provide these services and have plans to increase capacity with a new multi-purpose room and hotel development in the new Tanota project between Hyatt Regency Guam and Outrigger Guam Resort in addition to a major 25 acre cultural performing facility opening in 2011 at Gun Beach. These publicly funded endeavors will not only compete with private sector members, but will be duplicative and may not be the best use of funds especially when we need every marketing dollar to promote Guam in a very competitive market.

The visitor industry accounts for a million visitors, \$1.3 billion in annual revenues (60 percent of GDP), employs 20,000 people (35% of the population), contributes \$37.9 million annually for Gross Receipts Tax, and collects \$20 million annually for Hotel Occupancy Tax. As the leading tourism Non-Government Organization (NGO), the GHRA strives to be an active corporate citizen in the community and works with others to improve the overall quality of life in the Island of Guam. The GHRA advocates just legislation and governmental regulations governing the conduct of business.

Sensaramente,

s/s
Bartley A. Jackson
Chairman
Guam Hotel & Restaurant Association

s/s
Mary P. Torre
President
Guam Hotel & Restaurant Association

cc: Senators, 30th Guam Legislature
GHRA Board of Directors
GVB Board of Directors

TAF Capital Improvement Projects

HISTORIC AND CULTURAL ATTRACTIONS

The Guam Museum

\$27,000,000

In April 2005, the Honorable Felix P. Camacho, Governor of Guam issued an Executive Order that created the Guam Museum Facilities Construction and Cultural Heritage Rehabilitation Task Force. Its mission is to coordinate, design and construct the new Guam Museum.

In an architectural design competition facilitated by the Facilities Committee in February 2006 the architectural design for the new Guam Museum proposed by architects Laguaña and Cristobal was selected through a community-wide selection process. The Governor's Task Force recommended the design and received final approval from Governor Felix Camacho. In addition to the museum facility design, the proposal included preliminary exhibit conceptual drawings and narrative that recommended a storyline approach to interpret the natural, cultural, and social history of Guam.

The general location for the Guam Museum of Culture, Arts and History is Lot 2062-Part 1 R-1 overlooking the capital city of Hagatña. The building will be approximately 57,000 square feet and will have parking stalls for 140 passenger vehicles.

Community Cultural Center

\$27,000,000

In January 2009, the Thirtieth Guam Legislature introduced Bill 45-30 to construct a Guahån Performing Arts/Cultural Center so that the Guam culture may be properly presented, demonstrated and displayed, and that numerous performing arts can be given treatment they deserve and be viewed and enjoyed by local residents and visitors alike.

Additionally, this multipurpose event facility will be a good venue for the upcoming the 2016 Festival of the Arts in the Pacific and other regional gatherings showcasing Guam's living and dynamic heritage. This facility can accommodate from 200 to 2000 delegates and can augment Chamorro Land Trust Commission (CLTC) income from concession opportunities if constructed at the former Guam Memorial Hospital location at Oka Point. This location is in close proximity to approximately 7,000 hotels rooms in Tumon, thereby maximizing exposure value and income potential.

The community cultural center will be designed and built to this cost estimate and shall include the following state-of-the-art features:

- 57,141 sq. ft. total usable floor space
- Arena seating for 1200 + (walkways above seating area)

TAF Capital Improvement Projects

- 12 Meeting Rooms and Exhibit areas with expandable walls
- 280 Vendor Booth Capacity
- Demonstration/Warming Kitchen
- 210 Seat Lecture/Seminar facility with audiovisual and classroom capabilities

Historic Hagatña

\$2,469,000

The Hagatña Redevelopment Restoration Authority undertook the Hagatña master plan in 2004 ~ 2006 and included a series of goals such as creating enjoyable pedestrian experiences, preserving and enhancing historical structures, developing the shoreline for recreational activities and developing a vibrant, thematic town center that fosters multiple uses. The HRRRA projects that it will collect from \$900,000 to \$1.3 million over the next five years that will be used to fund historic restoration projects that include the following

1. Restoration of Plaza de España Walls

This effort includes the historic structures report, restoration engineering, architectural work, and the physical restoration work itself. The total cost estimate for this project is \$1.68 million. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$550,000 towards construction. The remaining balance to be funded is \$950,000.

2. Plaza de España Azotea

This effort includes restoration and rehabilitation of the roof and all surface finishes. The total cost estimate for this project is \$1.38 million. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$306,000 towards construction. The remaining balance to be funded is \$894,000.

3. Plaza de España Chocolate House

This effort includes the restoration of the building shell and the surrounding exterior grounds. The total cost estimate for this project is \$560,000. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$60,000. The remaining balance to be funded is \$500,000.

4. Marine Corps Drive Crosswalk (between Chamorro Village & Skinner Plaza)

This effort includes developing a paver-surface crosswalk and landings on both sides of Marine Corps Drive to provide a proper connection from Skinner Plaza and the Chamorro Village. The total cost estimate of this project is \$125,000.

TAF Capital Improvement Projects

Inalahan Historic Revitalization Plan

\$200,000

The Inalahan Historic District Revitalization focuses on the restoration of historic homes and structures in the village and seeks to identify updated small business adaptations from structures that allow for local businesses to succeed including shops, bakeries, day care, visitor center/house museum, etc. The program is intended to identify and prioritize the restoration work then put owners and businesses in touch with business incubators such as the Small Business Administration to cultivate a vibrant multi-use environment that is sustainable.

- Inarajan Community Center restoration
The program is a restoration of the existing facility that was built in the 1940's as an indoor host location for plays and performances and for hosting small gatherings. In addition the space can be used to house memorabilia and the merchandising of arts and crafts. The total cost estimate for this project is \$460,000. The architectural and engineering work has been completed at \$60,000. The Guam Preservation Trust has restoration funds available at \$200,000. The remaining balance for completion is estimated at \$200,000.

Malesso Bell Tower Rehabilitation

\$800,000

The Malesso Bell Tower is one of the most enduring historic icons on Guam. Although there have been restoration efforts within the past 20 years the facility has fallen into disrepair. A complete rehabilitation of the facility is recommended and would also include landscape and hardscape improvements to the surrounding areas and would include the lighting for the evenings. The total cost estimate for this project is \$920,000. The Historic Structures Report (HSR) has yet to be completed. The architectural and engineering work has been completed at \$120,000. The construction estimate is \$800,000.

Magellan's Landing

\$500,000

The first known contact between Guam and the West occurred when Ferdinand Magellan anchored his small 3-ship fleet in Umatac Bay on March 6, 1521. To commemorate this event and the establishment of the oldest European settlement in the Pacific region, an historic monument and plaza with renderings of the event with interpretative signage will encourage intra-island visits by travelers. The total cost estimate of this project is \$500,000.

TAF Capital Improvement Projects

DESTINATION BRANDING PROJECTS

Guam Farmers Cooperative and Dededo Flea Market **\$400,000**

The Guam Farmers Cooperative Association, a non-profit entity, was given a lease for a parcel of Government of Guam land of 6.9947 acres (Lot No. 10155-1) designated in Bill 152-30 (now PL 30-92) for the development of a Guam Farmers Coop headquarters and warehouse for the development and marketing of local produce, livestock, aquaculture products, and ornamental plants provided by local farmers and ranchers. The Farmers' Cooperative Association of Guam, Inc. intends to construct a facility to accommodate not only its facilities, but to include the relocation of the existing Dededo Flea Market to this site with covered parking stalls, restrooms, and washing sinks. The estimated cost for the A&E work and construction drawings and documentation is \$400,000.

Destination Enhancement and Branding **\$760,000**

- Village Entrance Signs
The design and construction of village entrance signs for nineteen of the island's municipalities. The village entrance signs will help promote the entire island as an attraction, and encourages villages and districts to highlight their unique attributes. This approach will promulgate longer stays, cross-cultural experiences, and geographically disperse visitor spending. The total cost estimate for this project is \$760,000.

Agat Beach Improvement **\$100,000**

Improvements to the outdoor pavilion, public restrooms, lighting, benches, and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Agat Mango Festival, outdoor carnivals, and other village celebrations. The total cost of this project is \$100,000.

Piti Marine Park Improvement **\$100,000**

Improvements to the public restrooms, washing facilities, benches, lighting, and picnic areas will greatly enhance the island's most popular beach entry, beginner and novice scuba diving site. The improved area will present wider opportunity for sport diving for local and tourist divers. The total cost estimate of this project is \$100,000.

Mangilao Public Market **\$100,000**

Improvements to the outdoor public market stalls, public restrooms,

TAF Capital Improvement Projects

landscaping and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Mangilao Donne' Festival, outdoor carnivals, and other village celebrations. The total cost estimate of this project is \$100,000.

Tumon Bay Improvements

\$2,500,000

Tumon Bay is the epicenter of Guam's tourism because of its scenic beaches, proximity to the Guam International Airport, and density of hotel rooms, retail shopping, restaurants, shops, and other tourist-related activities. The following projects will sustain its attractiveness and improve on safety and security issues:

- Street light renovation for energy savings
- Pedestrian crosswalks/walkways and safety railings
- Governor Joseph Flores Memorial Park overhead lighting for special events such as Guam Micronesia Island Fair and Guam Japan Autumn Festival.

Restoration/Repair of Scenic Byways, Overlooks, & Historic Sites

\$1,500,000

To create destination experiences and photo opportunities in the most visible and accessible roadways and corridors, thereby enhancing the visitor experience.

- Cetti Bay and Sella Bay Overlooks
- Umatac Bay Overlook
- Agat Spanish Bridge
- Talofoko Bay Overlook
- Santos Memorial Park ocean views
- East Agana Bay picnic shelters and ocean views

Scenic and Informational Highway Signs

\$350,000

Of interest to the traveler are numerous kinds of information that general information signs can convey to promote and encourage self-guided tours throughout the island. The total cost estimate for this project is \$350,000.

TAF Capital Improvement Projects

SPORTS TOURISM AND RECREATIONAL IMPROVEMENTS

Hagatña Tennis Courts \$150,000

Improve the outdoor tennis courts, overhead lighting, fencing, and spectator bleachers to elevate the facility to international standards for training as well as a venue for local and international tennis tournaments. The total cost estimate of this project is \$150,000.

Hagatña Pool \$500,000

Improve the condition of the pool including the chlorination and cooling systems, locker rooms, showers, restrooms, fencing, spectator bleachers, etc. for local, regional, and international swim meets. The total cost estimate of this project is \$500,000.

Regional Sports & Community Recreational Improvement Fund \$2,815,000

This fund will be made available to the Mayors' Council of Guam to build regional sports and community recreational facilities in the island's villages. This capital improvement will serve the island villages, and capacity for international competition, and provide venues for other community events and destination celebrations.

Total Cost of Capital Improvement Projects 67,244,000

Guam Museum	27,000,000
Community Cultural Center	27,000,000
Historic Hagatña	2,469,000
Inalahan Community	200,000
Malesso Bell Tower	800,000
Magellan's Landing	500,000
Guam Farmer's Co-Op	400,000
Village Signs	760,000
Agat Beach	100,000
Piti Marine park	100,000
Mangilao	100,000
Tumon Bay Improvements	2,500,000
Restoration of Sites	1,500,000
Highway Signs	350,000
Hagatña Tennis Court	150,000
Hagatña Pool	500,000
Regional Sports Fund	2,815,000
Total	67,244,000



I MAGA' LAHEN GUAHAN
GOVERNOR OF GUAM
FELIX P. CAMACHO
I SEGUNDO NA MAGA' LAHEN GUAHAN
LT. GOVERNOR OF GUAM
MICHAEL W. CRUZ M.D.
ADMINISTRADOR
ADMINISTRATOR
ANTHONY C. BLAZ

Aturidáa Inadllánton Ikunumihan Guahan

**Testimony on Bill 485-30 (COR) of Mr. Anthony C. Blaz,
Administrator, Guam Economic Development Authority (GEDA)
The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting,
Mina Trenta Na Liheslaturan Guahan**

Hafa Adai Vice-Speaker Benjamin J.F. Cruz and Members of the Committee:

Thank you for the opportunity to provide comment regarding Bill 485-30 (COR), an "Act to Repeal and Reenact Section 1514 of Title 5, Guam Code Annotated, to Authorize the Issuance of Government of Guam Limited Obligation Bonds for the Purpose of Acquiring, Constructing and Equipping an Educational Cultural Facility, A Community Cultural Center and Certain Other Projects that Benefit Guam's Tourism Industry and For the Purpose of Refunding Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, and to Approve the Terms and Conditions of Such Bond Issue."

Since the announcement by USDA that a direct loan is not available to fund the Guam Museum, GEDA has been working with the Guam Visitors Bureau (GVB) on alternative financing options using the Tourist Attraction Fund (TAF) as a funding source. As a potential USDA loan guarantee requirements were being vetted, U.S. municipal market conditions improved. Currently 30-Year AAA-rated municipal rates have declined to 3.88%, over 2% lower than their 30-year historical average. It is now quite economic to refinance GovGuam's existing 1997 Limited Obligation Infrastructure Improvement Bonds (secured by Tourist Attraction Fund Hotel Occupancy Tax revenues) at favorable interest rates and provide capacity for new projects within existing debt service levels.

Given the existing bond debt service parameters, there is approximately \$78 million in new money capacity for new projects, such as the Museum. Given current market conditions, the expected interest rate on the bonds is approximately 5.60%. The refunding of the 1997 Limited Obligation Bonds currently provides over 3% (approximately \$1.05 million) in debt service savings on a net present value basis, given current market conditions. To provide some flexibility for market movement, GEDA supports the 2% savings threshold/limitation as stated in Bill 485-30.

To assist in your review, I am including with this testimony a brief presentation on the market conditions as prepared by GEDA's financial team for this anticipated financing.

In closing, I would like to assure you that GEDA is working with GVB and bond counsel to vet the proposed projects from a tax perspective. Given the currently favorable market conditions, GEDA supports this financing and Bill 485-30, subject to refinement of the project list by GVB, the Legislature and bond counsel. Please do not hesitate to contact me with any questions.

Si Yu'us Ma'ase'!


ANTHONY C. BLAZ
Administrator

November 5, 2010

**Testimony on Bill 485-30 (COR)
of Mr. Anthony C. Blaz, Administrator
Guam Economic Development Authority (GEDA)
The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting,
Mina Trenta Na Liheslaturan Guahan**

Hafa Adai Vice-Speaker Benjamin J.F. Cruz and Members of the Committee:

Si Yu'us ma'ase for the opportunity to provide comment regarding Bill 485-30 (COR), an "Act to Repeal and Reenact Section 1514 of Title 5, Guam Code Annotated, to Authorize the Issuance of Government of Guam Limited Obligation Bonds for the Purpose of Acquiring, Constructing and Equipping an Educational Cultural Facility, A Community Cultural Center and Certain Other Projects that Benefit Guam's Tourism Industry and For the Purpose of Refunding Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, and to Approve the Terms and Conditions of Such Bond Issue." Indicative of GEDA's broad mandates, I will first provide comments based on our role as central financial manager, as to the framework and timing of the financing in the municipal market, and then follow with comments from an economic development perspective.

Since the announcement by USDA that a direct loan was not available to fund the Guam Museum, GEDA has been working with the Guam Visitors Bureau (GVB) on alternative financing options using the Tourist Attraction Fund (TAF) as a funding source. As a potential USDA loan guarantee requirements were being vetted, U.S. municipal market conditions improved. Currently 30-Year AAA-rated municipal rates have declined to 3.88%, over 2% lower than their 30-year historical average. It is now quite economic to refinance GovGuam's existing 1997 Limited Obligation Infrastructure Improvement Bonds (secured by Tourist Attraction Fund Hotel Occupancy Tax revenues) at favorable interest rates and provide capacity for new projects within existing debt service levels.

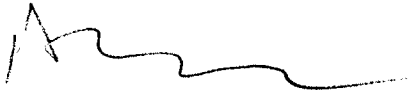
Given the existing bond debt service parameters, there is approximately \$78 million in new money capacity for new projects, such as the Museum. Given current market conditions, the expected interest rate on the bonds is approximately 5.60%. The refunding of the 1997 Limited Obligation Bonds currently provides over 3% (approximately \$1.05 million) in debt service savings on a net present value basis, given current market conditions. To provide some flexibility for market movement, GEDA supports the 2% savings threshold/limitation as stated in Bill 485-30. To assist in your review, I am including with this testimony a brief presentation on the market conditions as prepared by GEDA's financial team for this anticipated financing.

As timing is favorable in the municipal market for this financing, from an economic development standpoint, time is of the essence in completing these proposed projects. Although considered "capital improvements," these projects represent not only a critical reinvestment in one of the island's primary economic pillars, more importantly, it represents an investment in the preservation and promotion of what

makes Guam unique, the rich heritage of *I Man Chamorro*! The completion of these projects will help steer the island towards sustainability beyond the Buildup, thus it is imperative that we secure the financing so that as the Buildup gets underway, so will the fortification of the island's indigenous culture and rich heritage.

In closing, I would like to assure you that GEDA is working with GVB and bond counsel to vet the proposed projects from a tax perspective. Given the currently favorable market conditions, GEDA supports this financing and Bill 485-30, subject to refinement of the project list by GVB, the Legislature and bond counsel.

Si Yu'us Ma'ase'!



ANTHONY C. BLAZ
Administrator

November 5, 2010



Government of Guam / Guam Visitors Bureau



2010 Series A Limited Obligation (Tourist Attraction Fund) Bond Overview





Financing Overview and Current Market Conditions



Overview of Series 2010 A Financing

- The 2010 Series A Limited Obligation Bonds are expected to be special limited obligations of the Government, **secured by Hotel Tax Revenues**, as imposed by Section 30101(b), Title 11 of the Guam Annotated Code
- The bonds are expected to receive a **“BBB” category, investment grade rating**
- Proceeds will be used to:
 - Refund the Government’s 1997 Limited Obligation Bonds, **generating over \$1 million in NPV savings (3.76% of refunded par)**
 - Provide funds for various capital improvement projects, including the Guam Museum and other tourism-related projects



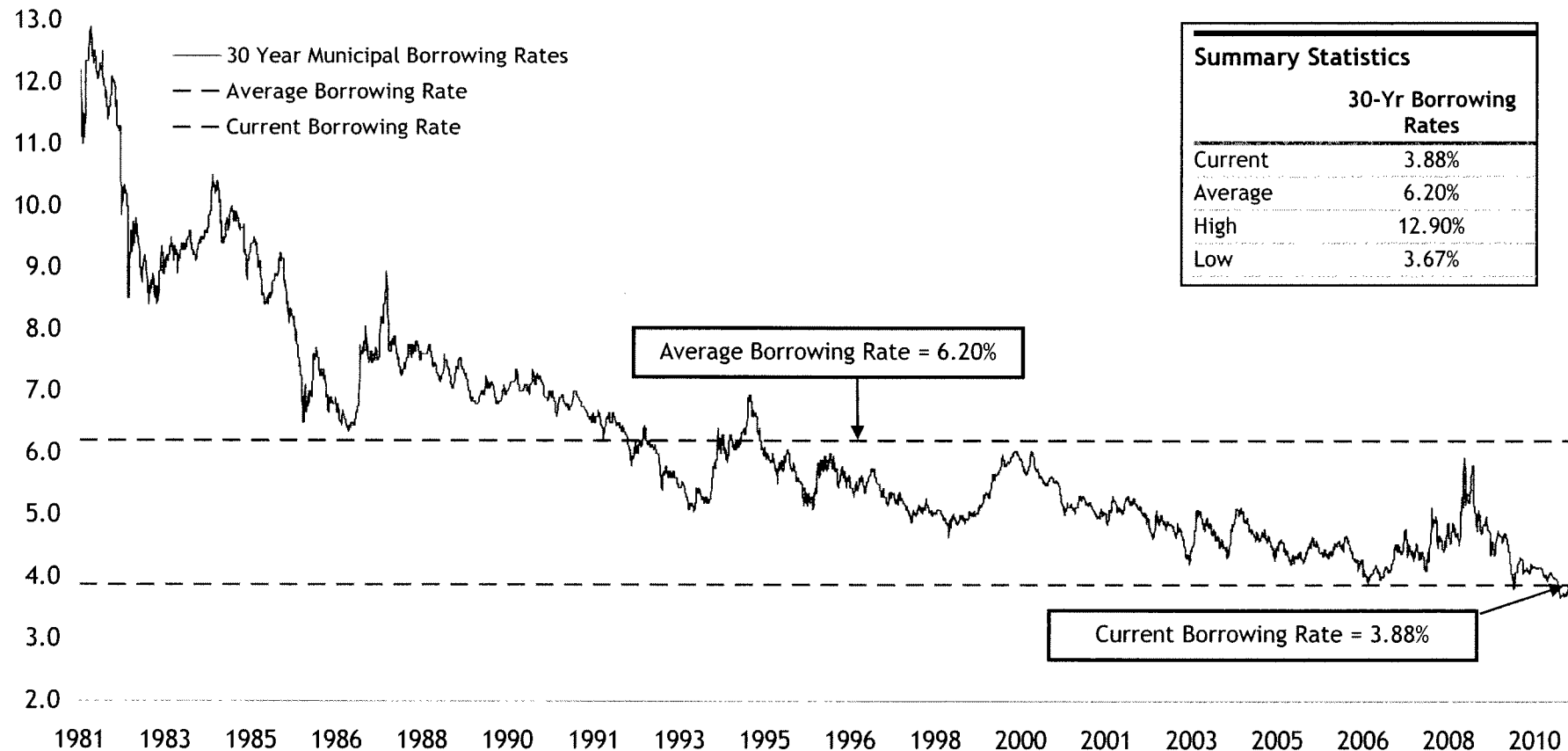
The Guam Museum

Interest Rates are Currently at Historic Lows

- Long-term benchmark rates are at historic lows
- 30-year municipal borrowing rates are currently at 3.88%, 232 bps lower than their 30-year average
- The MMD benchmark referenced below represents closing tax-exempt municipal yields for the highest quality (AAA rated) bonds with maturities of one to 30 years produced daily by Thomson Financial
- Rates are expected to rise in 2011 following the expiration of a variety of ARRA programs

(%)

30-YEAR MUNICIPAL BORROWING RATES

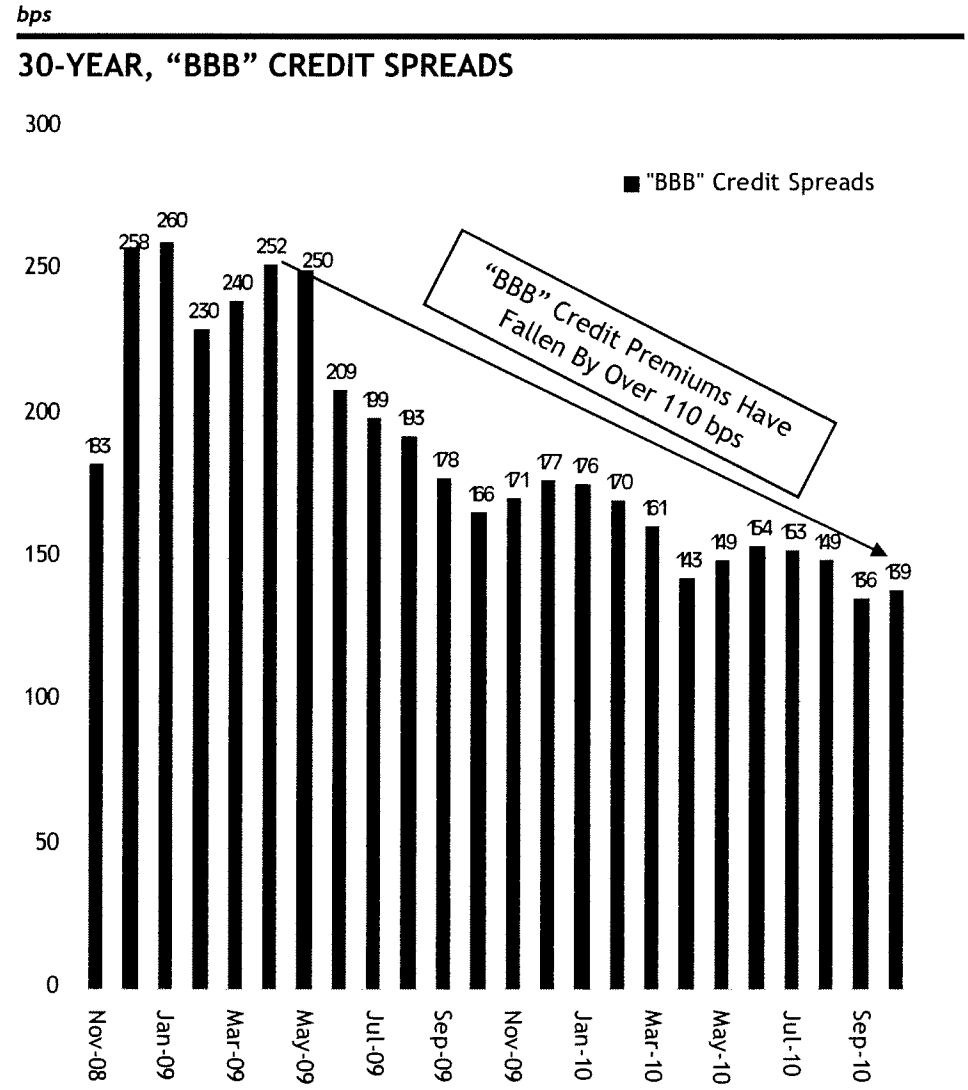
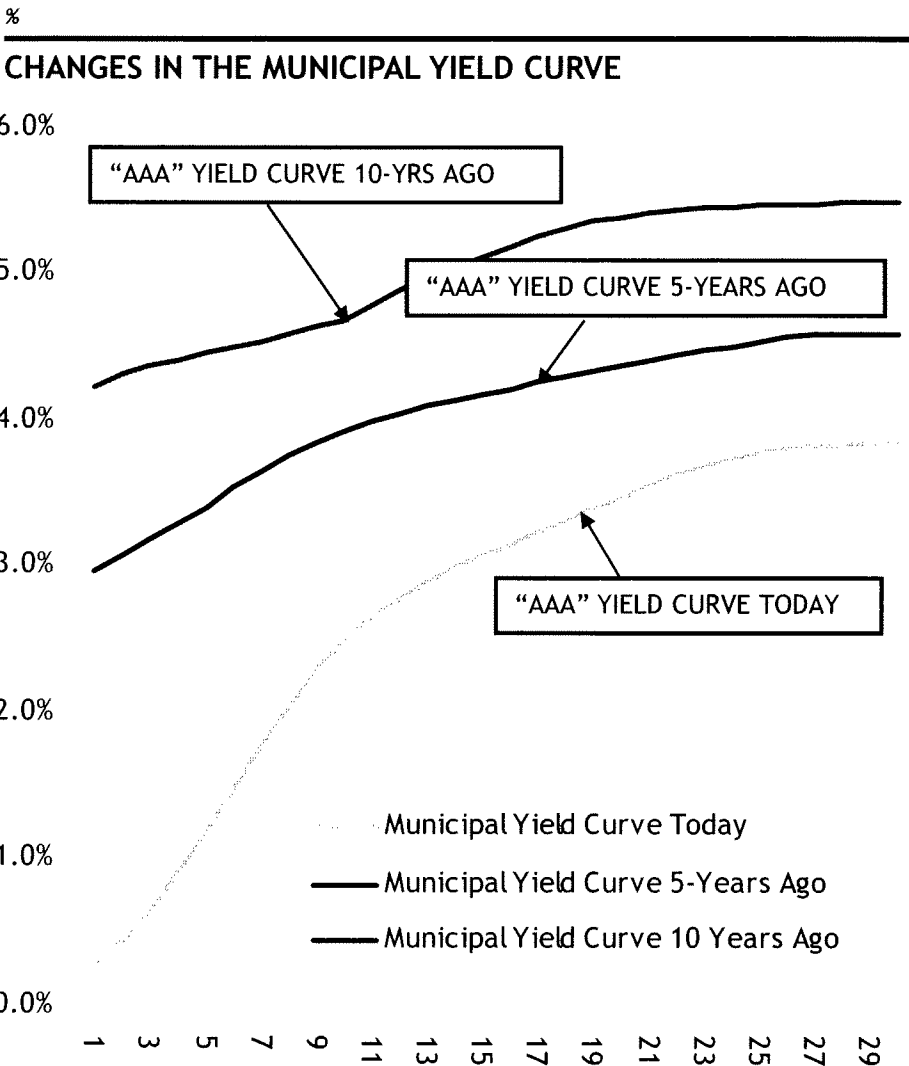


Source: Thomson Financial as of November 2, 2010



Credit Market Conditions Have Improved Dramatically

- Municipal rates are at lows along nearly all points of the yield curve, causing many issuers to expedite their capital programs in order to lock-in today's attractive borrowing cost
- Credits spreads have compressed since the highs of 2009 and investor demand has remained strong



Source: Thomson Financial as of 11/2/2010





Plan of Finance and Anticipated Schedule



Summary Plan of Finance

Summary of Proposed 2010 Series A Limited Obligation Bonds			
Sources of Funds			
	New Money Bonds	Refunding Bonds	Total
Par Amount:	\$78,215,000.00	\$23,865,000	\$102,080,000
Net Original Issue Discount:	(1,209,402)	(68,588)	(1,277,990)
1997 Limited Obligation DSRF Liquidation	--	5,909,295	--
Total Sources of Funds:	\$77,005,598	\$30,132,128	\$107,137,726
Uses of Funds			
Deposit to Escrow Fund:	--	28,095,010	28,095,010
Deposit to Construction Fund:	67,244,000	--	67,244,000
Deposit to Capitalized Interest Fund:	3,083,019	--	3,083,019
Deposit to Reserve Fund:	5,285,594	1,612,743	\$6,898,337
Costs of Issuance and Contingency:	1,392,985	424,374	\$1,817,360
Total Uses of Funds:	\$77,005,598	\$30,132,128	\$107,137,726
Bond Summary Statistics			
First Maturity:	10/1/2011		
Final Maturity:	10/1/2040		
Capitalized Interest Through:	10/1/2011		
Average Life:	18.9 years		
Refunding NPV Savings:	\$1,058,562		
NPV Savings as a % of Par Refunded:	3.76%		
Maximum Annual Debt Service:	\$6,898,337		
True Interest Cost (TIC):	5.60%		
All-In TIC:	5.67%		

Preliminary - Subject to Change.

Overview of 1997 L.O. Refunding Opportunity

- Historic lows in the municipal market present an opportunity for the Government to achieve significant savings through a current refunding of its outstanding 1997 Series A Limited Obligation Bonds
- NPV savings are approximately \$1.05 million, or 3.7% of par refunded

Refunding Summary Statistics

Refunding Par (\$ mm)	\$23.865
Existing DSRF Release (\$ mm)	\$5.909
Refunding All-in-TIC	4.81%
Present Value Savings (est. %)	3.76%
Refunded Par (\$ mm)	\$28.095
Present Value Savings (est. \$ mm)	\$1.058

Summary of Bonds Refunded

Series	1997 Series A
Maturities	2011 - 2017
Call Date	Currently Callable @ 100%
Coupons	5.00% - 5.125%
Par Refunded	\$28.095

NEW ISSUE - BOOK-ENTRY ONLY

RATINGS: Standard & Poor's: "AAA"
Moody's: "Aaa"
Pitch: "AAA"
See "RATINGS" herein

In the opinion of Orrick, Herrington & Sutcliffe LLP, Bond Counsel, based upon an analysis of existing laws, regulations, rulings and court decisions and assuming (among other things) compliance with certain covenants, interest on the Bonds is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, and the Bonds and the interest thereon are exempt from taxation by any state or territory of the United States or any political subdivision thereof, or by the District of Columbia. In the further opinion of Bond Counsel, interest on the Bonds is not a specific preference item for purposes of the federal individual or corporate alternative minimum taxes, although Bond Counsel observes that such interest is included on adjusted current earnings when calculating federal corporate alternative minimum taxable income. Bond Counsel expresses no opinion regarding any other tax consequences relating to the ownership or disposition of, or the accrual or receipt of interest on the Bonds. See "TAX MATTERS" herein.



\$76,275,000 GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A

Dated: December 1, 1997

Due: November 1, as shown below

The Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997 Series A (the "Bonds") will be issued as fully registered bonds and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Bonds. Individual purchases of the Bonds will be made in book-entry form only. Interest on the Bonds is payable on May 1 and November 1 of each year, commencing May 1, 1998. The Bonds will be issued only in book entry form in denominations of \$5,000 or any integral multiple thereof within a single maturity. Payments of principal of and interest on the Bonds are to be made to purchasers by DTC through the DTC participants. See "APPENDIX E - BOOK-ENTRY ONLY SYSTEM" herein. Purchasers will not receive physical delivery of Bonds purchased by them.

The Bonds are subject to redemption prior to maturity, as described herein.

The Bonds are authorized to be issued pursuant to Public Law No. 24-111, a bill approved by the Twenty-fourth Guam Legislature on November 21, 1997 and signed by the Governor of Guam on December 2, 1997, adding Article 10 to Chapter 22 of Title 5 of the Guam Code Annotated, an Indenture, dated as of December 1, 1997, by and between the Government of Guam and Bank of Hawaii, acting through its division Pacific Century Trust, as Trustee, and Resolutions No. 97-080 of the Guam Economic Development Authority.

The Bonds are being issued for the purpose of advance refunding all of the outstanding Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1989 Series A, prepaying a bank loan incurred by the Government for the purpose of financing certain capital infrastructure improvements within Guam, further financing of the Project, funding the Bond Reserve Fund and paying the costs of issuance of the Bonds. Upon their issuance, the Bonds will constitute the only obligation with a lien and pledge on the Revenues; however, additional bonds secured by Revenues may be issued upon meeting certain requirements set forth in the Indenture. See "SECURITY AND SOURCES OF PAYMENT FOR THE BONDS" herein.

The Bonds are not general obligations of the Government, but are special limited obligations payable solely from and secured by a pledge of Revenues, which consist of (i) Hotel Room Taxes, levied on transient occupancy of hotel rooms in Guam, all of which are collected and deposited in the Tourist Attraction Fund, and (ii) all interest, profits or other income derived from the investment of amounts in certain funds and accounts held under the Indenture, as more fully described herein.

NEITHER THE GOVERNMENT OF GUAM NOR ANY POLITICAL SUBDIVISION THEREOF IS OBLIGATED TO PAY THE PRINCIPAL OR PREMIUM, IF ANY, OR INTEREST ON THE BONDS, EXCEPT FROM REVENUES, AND NEITHER THE GOVERNMENT OF GUAM NOR ANY POLITICAL SUBDIVISION THEREOF HAS PLEDGED ITS FAITH OR CREDIT TO THE PAYMENT OF THE PRINCIPAL OR PREMIUM, IF ANY, OR INTEREST ON THE BONDS. See "SECURITY AND SOURCES OF PAYMENT OF THE BONDS" herein.

Payment of the principal of and interest on the Bonds when due will be insured by a municipal bond insurance policy to be issued by Ambac Indemnity Corporation simultaneously with the delivery of the Bonds. See "BOND INSURANCE" herein.

Ambac

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to making an informed investment decision.

MATURITY DATES, AMOUNTS, INTEREST RATES AND YIELDS \$55,250,000 Serial Bonds

Maturity November 1	Principal Amount	Interest Rate	Yield	Maturity November 1	Principal Amount	Interest Rate	Yield
1999	\$ 900,000	4.75%	4.00%	2006	\$4,735,000	5.50 %	4.47%
2000	3,560,000	4.75	4.08	2007	4,990,000	5.50	4.52
2001	3,720,000	5.00	4.13	2008	5,250,000	5.50	4.62
2002	3,900,000	5.00	4.23	2009	4,960,000	5.25	4.75
2003	4,085,000	5.25	4.33	2010	3,290,000	4.80	4.86
2004	4,285,000	5.25	4.38	2011	3,445,000	5.125	4.93
2005	4,505,000	5.50	4.43	2012	3,625,000	5.00	5.00

\$21,025,000 5.00% Term Bonds due November 1, 2017 Yield 5.125% (accrued interest to be added)

The Bonds are offered when, as and if issued and received by the Underwriters, subject to the approval of holders by Orrick, Herrington & Sutcliffe LLP, San Francisco, California, Bond Counsel. Certain legal matters will be passed upon for the Underwriters by their counsel, Fulbright & Jaworski LLP, Los Angeles, California. It is expected that the Bonds in book-entry form will be available for delivery in New York, New York, on or about December 17, 1997.

LEHMAN BROTHERS

SALOMON SMITH BARNEY

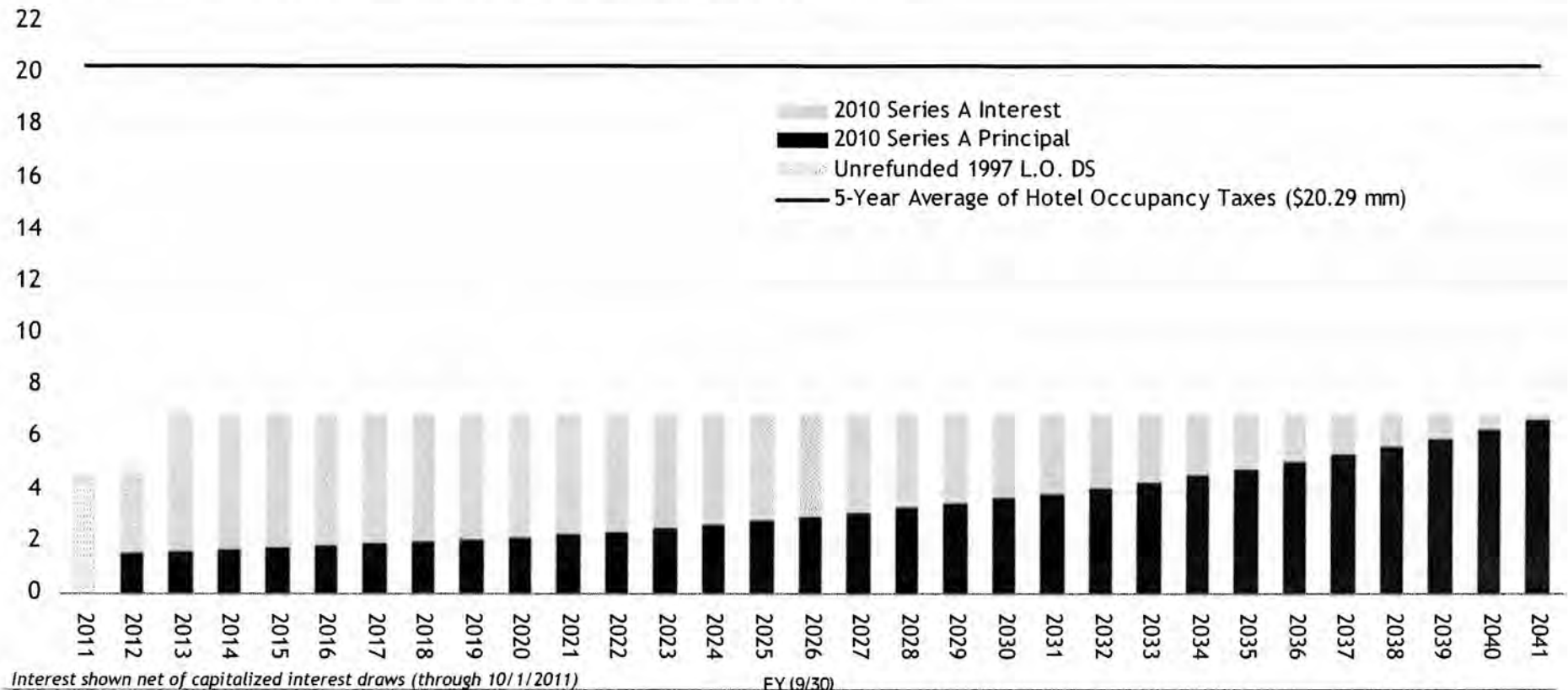
Dated: December 4, 1997

Anticipated Pro-Forma 2010 Series A Debt Service

- The 2010 Series A bonds will be structured to achieve:
 - 30-years of level debt service with a strong cushion of excess revenues above debt service to allow for operating flexibility;
 - No more than \$7 million in annual debt service, providing coverage of approximately 2.80x based on FY2009 hotel occupancy taxes;
 - Reduced debt service in FY2011 and FY2012, to provide for budgeting flexibility;
 - Refunding structured to achieve at least 2% NPV savings

\$ millions

ANTICIPATED PRO-FORMA TOURIST ATTRACTION FUND DEBT SERVICE



Interest shown net of capitalized interest draws (through 10/1/2011)

FY (9/30)



Anticipated Financing Schedule

NOVEMBER 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

DECEMBER 2010						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JANUARY 2011						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Event	Timing
Public Hearing on Bill 485-30	Week of November 1
Rating Agency Meeting	Week of November 15
GEDA Board Approval of Financing	Week of November 15
Receive Bond Rating	Week of November 29
Post Preliminary Official Statement	Week of November 29
Bond Pricing	Week of December 13
Post Final Official Statement	Week of December 20
Bond Closing	Week of January 3





Charlene Goo
Vice President-Operations
Pacific Region

Outrigger Hotels & Resorts

November 5, 2010

RE: Testimony on Bill 485-30 and TAF Capital Improvement Projects

Dear Chair and Committee Members:

The Outrigger Guam Resort has always supported preserving and promoting the culture and history on Guam. We support improvements that will enhance the visitor experience but recommend that all capital improvement plans have complete business plans to support operational and funding sources.

We understand that the Guam Visitors Bureau has been paying a \$7 million annual debt service for the past 15 years for capital improvement projects and that the debt has been paid down considerably. However many of these existing capital improvements are still incomplete and lack funding for completion. We would like to see the following projects completed rather than start new improvements listed as part of Bill 485-30 that do not have complete plans and funding sources or compete with private industry projects that are already in progress:

- Storm drains are still not corrected and causing flooding;
- Resurfacing of the Pale San Vitores road has yet to be completed;
- Lights along San Vitores Road continue to remain out of service or in disrepair;

Should the refunding of the bond be approved for the completion of the above projects and additional funding is available, it should go towards immediate needs including installing pedestrian crosswalks and lights at intersections (e.g. PIC, DFS-LV/Outrigger), improving signage and traffic flow at the airport to comply with Federal guidelines, improving our parks and bathroom facilities, etc.

The Tourism Attraction Fund was created to support the marketing of Guam as a destination. We want to be sure that these funds are appropriately managed with respect to our island leaders, industry stakeholders and the people for the current and future state of our tourism industry.

Sincerely,

Charlene Goo

1255 Pale San Vitores Road
Tamuning, Guam 96913
Phone: 671-649-9000
Fax: 671-647-9710
Email: charlene.goo@
outriggerguam.com

**Toll-free Reservations
USA, Guam & Canada**
Phone: 1-800-OUTRIGGER
(1-800-688-7444)
Fax: 1-800-622-4852

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Affiliated hotels across
the U.S.

Anita Borja Enriquez
P. O. Box 26849
Barrigada, Guam 96921

November 3, 2010

Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting
Mina'Trenta Na Liheslaturan Guåhan

Subject: Positive Testimony – Bill 485-30

Dear Honorable Chairman:

Buenas yan Hafa Adai! I write this letter in support of Bill 485-30, to...authorize to borrow for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding the outstanding Government of Guam Limited Obligation Infrastructure Improvement Bonds. There is a sense of urgency to pass this bill, in light of the military buildup and the anticipated 40 percent increase in our population that may threaten the identity of the indigenous Chamorro.

This Bill's intent addresses the cultural cornerstones of our island in a variety of ways, including building a permanent home that serves to educate residents and visitors alike about our people's unique culture and rich history. The earmarked revenues that will serve as a funding source will be an ideal investment to strengthen the "sense of place" that Guam represents while enhancing our primary industry, tourism, as well as our agriculture industry. The targeted facilities for preservation and/or restoration, such as the Plaza de Espana and other structures within the Plaza, the Inarajan community center, the Malesso Bell Tower, and the Guam Farmer's Cooperative Association facility, will be permanent icons reflective of the "We are Guam" theme branded by the Guam Visitors Bureau across all our villages. From an economic development standpoint, our strengthened product as a destination, with the built and/or developed structures that the bill will provide, should result in higher tourism revenues. With a new Guam Farmers Cooperative Association facility, we should realize a strengthened agriculture industry, increased import substitution, and additional economic growth.

Your support and passage of Bill 485-30 into law will improve Guam's competitive advantage as an attractive destination that captures the essence of who we are as a unique people and the long history we represent. It is my hope that you will view the strategic importance that this bill will serve in many ways for our people.

Sinceru,

Anita Borja Enriquez, D.B.A.



November 5, 2010

The Honorable Benjamin Cruz
Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting
Mina'Trenta Na Liheslaturan Guåhan

Subject: Positive Testimony – Bill 485-30

Hafa Adai Vice Speaker Cruz:

The intent of Bill 485-30 supports the results of research, study references and workshops put forth over the past two decades. Since 1989, there have been several organizations created with the sole intent of researching and studying the developmental process and financial requirements of building a new Guam Museum, from a “commission”, “department”, “task force” and “foundation”, members as far back as 20 years ago have contributed to the work needed to justify the people’s desire of building a permanent home for Guam’s artifacts and remnants.

In brief, we’d like to provide the following research, study references and workshop findings related to this project. We thank all those who have gone beyond their due diligence in providing important solutions to preserving Guam’s history and culture:

1989, October 4:

Committee for the Expansion and Accreditation of the Guam Museum on the preliminary Assessment Survey of the Guam Museum Statement of Problems and Proposed Solutions by members, Mrs. Hope Cristobal, Mrs. Julie Tennesen and Mr. Francisco Agualo.

1991, December 2:

Report of the Museum Commission by Mary McCutcheon, PhD

1993, June 14:

Public Law No. 22 – 18, law that identified Real Property for the Guam Museum passed By Twenty-Second (22nd) Guam Legislature

1999, January:

Faniadahen Losas Guahan – Guam Museum Report by Antonio M. Palomo, Director, assisted by Priscilla C. Villagomez

1999, July 08:

Public Law No. 25 – 69, law that created the Department of Chamorro Affairs and official Transfer of the Guam Museum from the Guam Public Library passed by the Twenty-Fifth (25th) Guam Legislature

2006, January:

Topographic Survey by the Guam Preservation Trust, Department of Land Management and Guam Visitors Bureau

2006, January 16:

Guam Museum Foundation articles of incorporation filed; by-laws filed; 1st amended articles of incorporation filed February 16, 2007

2006, April 14:

Selection of winning design for the Guam Museum

2006, May 15:

Guam Museum Financial Feasibility Study by the Guam Visitors Bureau

2006, October 5:

Arizona Memorial Museum board of director Al Rodriguez facilitated workshop for task force members who developed vision, mission, situation analysis (SWOT), the creation of the Guam Museum Foundation, Inc. including by-laws, organizational structure

2007, November:

Small Business Opportunity around the Museum by Karri Perez, PhD, SPHR, GPHR and Maria Pangelinan, MBA

2008, July:

Exhibition Narrative and Storyline Approach produced by the Guam Museum Foundation, Inc and Education Quality Committee members

2008, October:

Museum Educational Series...Archaeology In Guam project delivered October 2008: the archaeology and anthropology communities are playing a major role in the educational development of Guam's museum. In a series of lectures and presentations beginning in 2008, professionals in these fields have delivered facts resulting from their research and investigative work on cultural and historical resources conducted over the past several decades. The conference raised awareness through education of Guam's history and provided a platform for museum development.

- Preliminary Findings of Archaeological Research Naton Beach Site, Tumon, Guam – Part 1. by David G. DeFant, Senior Archaeologist, SWCA Environmental Consultants
- Legendary Chamorro Strength by Noel Quitugua, Anthony Ramirez, Guam Museum and Anthony Ramirez, Historic Preservation Office
- Maritime Archaeology in Guam by William Jeffery, Maritime Archaeologist
- History of Fishing in the Marianas by Judy Amesbury, Archaeologist, Micronesia Archaeological Research Service
- An Historic Burial Site in Malesso by Field Director Sandy Lee Yee, M.A. of International Archaeological Research Institute, Inc (IARII) Territory of Guam

2009, October:

Museum Focus Group Session w/educational institutions, indigenous Chamorro cultural organizations, Mayors' Council, representatives of the 30th Guam Legislature met with members of the Education Quality Committee of the Guam Museum Foundation, Inc to formally gather the community's feedback regarding the development and utilization of the facility.

Among the comments and suggestions compiled from three groups, participants were most concerned with advocacy of Chamorro history and culture and accessibility of the new facility. Attendees stated that the exhibits must be accurate and true; a place where the student or guest can "relive" the historical experience, many suggestions were offered like featuring master crafters to demonstrate how things were made and most importantly, making available opportunities for inter-activeness, collaboration and outreach between all community organizations.

- *Mayor Ernest T. Chargulaf wants a stimulating facility, with demonstrations of how people lived, farmed and processed things. He wants accuracy within exhibits I.e. fishing info gathered from families who have been fishing for generations.*
- *Leonard Iriarte expressed a desire to learn more about Guam's relationship with neighboring islands, specifically about the Austronesia Voyage and the journey of the Chamorro people.*
- *Dr. Judy Flores stated continued education is a must, develop school curriculum for every grade so that their knowledge is constantly growing.*
- *Dr. Lisa Natividad said the core of the message, be it contemporary or historical, remain true. We should focus on the design of the outer spaces as well as inner to include a more natural approach to learning.*
- *Dr. John Peterson, University of Guam looks forward to a community wide center of collaboration.*

The focus group session is a platform for the community to voice their thoughts and ideas on how interaction and collaboration can be formed between each group before the facility is built.

Still with more work to be done, GMFI humbly asks the 30th Guam Legislature for their support, specifically passing bill 485-30 in order to provide a home for Guam's history and culture.

Si Yu'os Ma'åse'



LEONA MENDIOLA YOUNG

Administrator

The Guam Museum Foundation, Inc

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Hagatna, Guam 96932

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W: www.guammuseum.com



GUAM VISITORS BUREAU RESOLUTION No: 2010-002

David B. Tydingco, Chairman
Jim Beighley, Vice Chairman
Bart Jackson, Member
Richard Lai, Member
Im Hong Soon, Member
Bert Unpingco, Member

Theresa C. Arriola, Secretary/Treasurer
Dr. Judy Flores, Member
Jack Yoshino, Member
Gordon Chu, Member
Carol Tayama, Member
Bruce Kloppenburg, Member

RELATIVE TO BILL NUMBER 485-30, "AN ACT TO REPEAL AND REENACT SECTION 1514 OF TITTLE 5, GUAM CODE ANNOTATED

BE IT RESOLVED BY THE GUAM VISITORS BUREAU

WHEREAS, the Guam Visitors Bureau is a public non-stock, non-profit membership corporation, created by statute, and now with a paid membership of more than three hundred forty-seven (347) individuals and companies; and

WHEREAS, at its regular meeting of the Board of Directors of the Guam Visitors Bureau held on November 12, 2010 the Board of Directors recommended certain amendments to the project list from the proceeds of the proposed issuance of Government of Guam limited obligation bonds for the purpose of acquiring, constructing, restoring and refurbishing historical, community, and recreational projects that benefit Guam's tourism; and

WHEREAS, the Board of Directors understands that historic lows in the municipal market present an opportunity for the Government to achieve significant savings through a current refunding of its outstanding 1997 Series A Limited Obligation Bonds; and

WHEREAS, such refunding will require an annual debt service amount that the Board of Directors recommends not exceed \$6,500,000 per annum, thereby ensuring that adequate funds remain available in hotel occupancy taxes collected to be used for marketing and other operational needs of the Bureau; and

WHEREAS, the net present value (NPV) savings from this refunding is approximately \$1.05 million which amount can be applied toward the improvement of visitor attractions; and

WHEREAS, Title 11 GCA Chapter 11 §30107 creation of the Tourist Attraction Fund cites that monies collected from hotel occupancy taxes are specified to, among other tourism related projects, the development and restoration of points of natural beauty or historic, social, or cultural significance, including the means of access, parking, safety devices, concessions, restrooms, view points, and information pavilions; and

WHEREAS, the savings from the reduction in debt service payments and the net



proceeds (Proposed 2010 Series A (Refunding) and 2010 Series B (New Money) be earmarked for the projects that enhance and promote Guam as a tourist destination and recommends the restoration of key parks and scenic sites such as Plaza de España, Inarajan historic district; Umatac/Magellan's Landing, Scenic Route Highway Signs, and the Guam Museum; and

WHEREAS, the island's community and tourism infrastructure, specifically restoration of its cultural and historic attractions, are in need of major recapitalization in much the same way that other industries reinvest in their physical facilities and equipment to remain competitive; and all of which will bring to life Guam's cultural heritage and "sense of place" on the eve of a military build up that risks marginalizing the island's unique identity if not addressed; and

WHEREAS, the Board of Directors has adopted a project list and funding strategy consistent with the Guam Visitors Bureau Five Year Strategic Plan:

- Provide the matching funds to complete several major cultural and historic restoration projects now under way in Hagatña, Inarajan, and Merizo;
- Leverage modest investments to maximize visual and other credit for Guam's natural, scenic and historic or cultural attractions throughout the island;
- Build capacity for an expanded sports tourism program; and
- Intensify village level community facility improvements in support of our destination branding initiatives and visitor safety issues; and

WHEREAS, public disclosure has been made regarding the development and construction of a privately-funded conferencing facility in Tumon, and a Chamorro cultural village attraction at Gun Beach, both of which can accommodate the purposes for which the cultural event center was originally being proposed, said private projects now in various stages of permitting and construction; and

WHEREAS, during the public hearing on Bill No. 485-30, it was noted that serious problems associated with storm and wastewater disposal, street lighting, and public safety issues, if left unresolved, places the island's \$1.2 billion tourism industry in jeopardy and;

WHEREAS, by acclamation, the Guam Visitors Bureau Board of Directors resolves and recommends to the 30th Guam Legislature the amended TAF capital improvement project list below, details of which are contained in attached Exhibit A and made a part of this resolution (Resolution No. 2010-002):

PROJECT	MATCHING FUNDS	CIP FUNDS
Guam Museum		27,000,000
Historic Hagatña	1,096,000	3,094,000



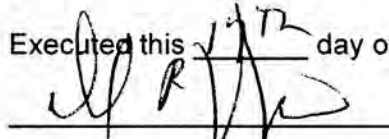


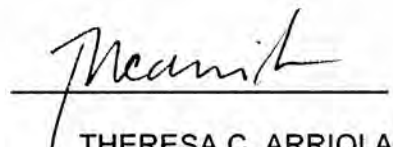
Inalahan Community	260,000	200,000
Malesso Bell Tower	120,000	800,000
Magellan's Landing		500,000
Village Signs		760,000
Agat Beach		100,000
Piti Marine park		100,000
Mangilao Public Market		100,000
Tumon Safety Enhancements		700,000
San Vitores Street Lights		1,850,000
San Vitores Storm Water Mediation and Road Resurfacing Project		11,500,000
Hagatna Bay Streetlight Improvements		500,000
Cultural Historical Community Improvements		6,981,000
Restoration of Historic Sites		1,500,000
Highway Signs		350,000
Hagatña Tennis Court		150,000
Hagatña Pool		500,000
Community Sports Recreational Improvement Fund		5,315,000
TOTAL		62,000,000

NOW, THEREFORE, be it hereby

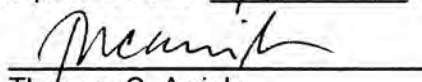
RESOLVED, that the Guam Visitors Bureau supports and encourages the Legislature and Governor to approve the adoption of Bill No. 485-30 with the recommended changes and funding allocations to the project list contained herein.

Executed this 17th day of November 2010.


 DAVID B. TYDINGCO
 Chairman
 Board of Directors


 THERESA C. ARRIOLA
 Secretary/Treasurer
 Board of Directors

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the said Corporation this 17th day of November 2010.


 Theresa C. Arriola
 Secretary/Treasurer
 Board of Directors

**“Exhibit A”
TAF Capital Improvement Projects**

HISTORIC AND CULTURAL ATTRACTIONS

The Guam Museum

\$27,000,000

In April 2005, the Honorable Felix P. Camacho, Governor of Guam issued an Executive Order that created the Guam Museum Facilities Construction and Cultural Heritage Rehabilitation Task Force. Its mission is to coordinate, design and construct the new Guam Museum.

In an architectural design competition facilitated by the Facilities Committee in February 2006 the architectural design for the new Guam Museum proposed by architects Laguaña and Cristobal was selected through a community-wide selection process. The Governor’s Task Force recommended the design and received final approval from Governor Felix Camacho. In addition to the museum facility design, the proposal included preliminary exhibit conceptual drawings and narrative that recommended a storyline approach to interpret the natural, cultural, and social history of Guam.

The general location for the Guam Museum of Culture, Arts and History is Lot 2062-Part 1 R-1 overlooking the capital city of Hagatña. The building will be approximately 57,000 square feet and will have parking stalls for 140 passenger vehicles.

Historic Hagatña

\$3,094,000

The Hagatña Redevelopment Restoration Authority undertook the Hagatña master plan in 2004 ~ 2006 and included a series of goals such as creating enjoyable pedestrian experiences, preserving and enhancing historical structures, developing the shoreline for recreational activities and developing a vibrant, thematic town center that fosters multiple uses. The HRRA projects that it will collect from \$900,000 to \$1.3 million over the next five years that will be used to fund historic restoration projects that include the following

1. Restoration of Plaza de España Walls

This effort includes the historic structures report, restoration engineering, architectural work, and the physical restoration work itself. The total cost estimate for this project is \$1.68 million. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$550,000 towards construction. The remaining balance to be funded is \$950,000.

2. Plaza de España Azotea

This effort includes restoration and rehabilitation of the roof and all surface finishes. The total cost estimate for this project is \$1.38 million. The

**“Exhibit A”
TAF Capital Improvement Projects**

Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$180,000. Guam Preservation Trust has funding for \$306,000 towards construction. The remaining balance to be funded is \$894,000.

3. Plaza de España Chocolate House
This effort includes the restoration of the building shell and the surrounding exterior grounds. The total cost estimate for this project is \$560,000. The Historic Structures Report (HSR) has been completed. The architectural and engineering work has been completed at \$60,000. The remaining balance to be funded is \$500,000.

4. Marine Corps Drive Crosswalk (between Chamorro Village & Skinner Plaza)
This effort includes developing a paver-surface crosswalk and landings on both sides of Marine Corps Drive to provide a proper connection from Skinner Plaza and the Chamorro Village. The total cost estimate of this project is \$750,000.

Inalahan Historic Revitalization Plan \$200,000

The Inalahan Historic District Revitalization focuses on the restoration of historic homes and structures in the village and seeks to identify updated small business adaptations from structures that allow for local businesses to succeed including shops, bakeries, day care, visitor center/house museum, etc. The program is intended to identify and prioritize the restoration work then put owners and businesses in touch with business incubators such as the Small Business Administration to cultivate a vibrant multi-use environment that is sustainable.

- Inarajan Community Center restoration
The program is a restoration of the existing facility that was built in the 1940's as an indoor host location for plays and performances and for hosting small gatherings. In addition the space can be used to house memorabilia and the merchandising of arts and crafts. The total cost estimate for this project is \$460,000. The architectural and engineering work has been completed at \$60,000. The Guam Preservation Trust has restoration funds available at \$200,000. The remaining balance for completion is estimated at \$200,000.

Malesso Bell Tower Rehabilitation \$800,000

The Malesso Bell Tower is one of the most enduring historic icons on Guam. Although there have been restoration efforts within the past 20 years the facility has fallen into disrepair. A complete rehabilitation of the facility is recommended and would also include landscape and hardscape improvements to the

**“Exhibit A”
TAF Capital Improvement Projects**

surrounding areas and would include the lighting for the evenings. The completion of this restoration work will complement the historic restoration of the Merizo Catholic church, Kombento, (the Malesso Kombento is a 19th century two-storey structure built using Spanish-influenced Chamorro construction. In 2000, it was restored using funds from the Guam Preservation Trust and continues to house the parish priest and a museum) and Malesso boat launch area in this southern village. The total cost estimate for this project is \$920,000. The Historic Structures Report (HSR) has yet to be completed. The architectural and engineering work has been completed at \$120,000. The construction estimate is \$800,000.

Magellan’s Landing \$500,000

The first known contact between Guam and the West occurred when Ferdinand Magellan anchored his small 3-ship fleet in Umatac Bay on March 6, 1521. To commemorate this event and the establishment of the oldest European settlement in the Pacific region, an historic monument and plaza with renderings of the event with interpretative signage will encourage intra-island visits by travelers. The total cost estimate of this project is \$500,000.

DESTINATION BRANDING PROJECTS

Village Entrance Signs \$760,000

The design and construction of village entrance signs for nineteen of the island’s municipalities. The village entrance signs will help promote the entire island as an attraction, and encourages villages and districts to highlight their unique attributes. This destination brand consistent approach will promulgate longer stays, cross-cultural experiences, and geographically disperse visitor spending. The total cost estimate for this project is \$760,000.

Agat Beach Improvement \$100,000

Improvements to the Nimitz Beach outdoor pavilion, public restrooms, lighting, benches, and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Agat Mango Festival, outdoor carnivals, and other village celebrations. The total cost of this project is \$100,000.

Piti Marine Park Improvement \$100,000

Improvements to the public facilities close to Fish Eye Pier include public restrooms, washing facilities, benches, lighting, and picnic areas will

**“Exhibit A”
TAF Capital Improvement Projects**

greatly enhance the island’s most popular beach entry, beginner and novice scuba diving site. The improved area will present wider opportunity for sport diving for local and tourist divers. The total cost estimate of this project is \$100,000.

Mangilao Public Market **\$100,000**

Improvements to the outdoor public market stalls, public restrooms, landscaping and walking paths will greatly enhance this public park for everyday use as well as a venue for popular events such as the Mangilao Donne’ Festival, outdoor carnivals, and other village celebrations. The total cost estimate of this project is \$100,000.

Tumon Safety Enhancement **\$700,000**

Tumon Bay is the epicenter of Guam’s tourism because of its scenic beaches, proximity to the Guam International Airport, and density of hotel rooms, retail shopping, restaurants, shops, and other tourist-related activities. The following projects will sustain its attractiveness and improve on safety and security issues:

- Pedestrian corrals and safety railings
- Governor Joseph Flores Memorial Park overhead lighting for special events such as Guam Micronesia Island Fair and Guam Japan Autumn Festival.

Replacement of San Vitores Streetlights **\$1,850,000**

- Street light renovation for energy savings and enhanced public safety
- Estimate is based on converting the existing street light and sidewalk light heads to more energy efficient fixtures.
- No mounting arm or pole replacement is included.
- New fixture can be mounted to the existing arm and the existing pole will remain in place.
- The existing fixture illuminating the street is a 250W HPS
- Replaces this fixture with a 127W induction fixture

San Vitores Storm Water Mitigation and Road Resurfacing **\$11,500,000**

Capital improvement initiative to improve the storm water mitigation system in Tumon. The storm drains system needs rework to properly dispose of the storm water to prevent the periodic flooding that cause public safety issues and property damage. Work estimate and pro forma cost projections from Willy Flores, P.E., the original construction manager for the Tumon Bay Restoration Project, as well as the Phase I Repairs.

**“Exhibit A”
TAF Capital Improvement Projects**

Agana Bay Streetlight Improvement **\$500,000**

To replace the existing street light fixtures and bulbs with energy efficient light heads for pedestrian safety from the corner of Farenholt Avenue and Gov. Carlos Camacho Road to the Sheraton Laguna Guam Resort and to the Onward Beach Resort.

Cultural Historical Community Improvements **\$6,981,000**

The GVB Board of Directors recommends that this amount provide the primary (and) or supplemental funds to implement the Hagatña master plan in addition to the development of the Guam Farmers Co-Op in Dededo. The Hagatña Restoration and Redevelopment Authority developed the master plan to revitalize, preserve and protect the heritage and economic vitality of Guam's capital city, and to recreate old Hagatña as a major tourist attraction. The Farmers' Cooperative Association of Guam, Inc. intends to construct a facility to accommodate not only its facilities, but to include the relocation of the existing Dededo Flea Market to this site with covered parking stalls, restrooms, and washing sinks.

Restoration/Repair of Scenic Byways, Overlooks, & Historic Sites **\$1,500,000**

To create destination experiences and photo opportunities in the most visible and accessible roadways and corridors, thereby enhancing the visitor experience.

- Cetti Bay and Sella Bay Overlooks
- Umatac Bay Overlook
- Agat Spanish Bridge (Talifak River)
- Talofofu and Fadian Point Overlooks
- Santos Memorial Park ocean views
- East Agana Bay picnic shelters and ocean views

Scenic and Informational Highway Signs **\$350,000**

Of interest to the traveler are numerous kinds of information that general information signs can convey to promote and encourage self-guided tours throughout the island. The total cost estimate for this project is \$350,000.

**“Exhibit A”
TAF Capital Improvement Projects**

SPORTS TOURISM AND RECREATIONAL IMPROVEMENTS

Hagatña Tennis Courts \$150,000

Improve the outdoor tennis courts, overhead lighting, fencing, and spectator bleachers to elevate the facility to international standards for training as well as a venue for local and international tennis tournaments. The total cost estimate of this project is \$150,000.

Hagatña Pool \$500,000

Improve the condition of the pool including the chlorination and cooling systems, locker rooms, showers, restrooms, fencing, spectator bleachers, etc. for local, regional, and international swim meets. The total cost estimate of this project is \$500,000.

Community Sports Recreational Improvement Fund \$5,315,000

This fund will be made available to the Mayors’ Council of Guam to build regional sports and community recreational facilities in the island’s villages. The Mayors Council of Guam (MCOG) was established through the enactment of Public Law 14-27, signed into law on May 26, 1977. The Council is comprised of the nineteen (19) Mayors and the five (5) Vice Mayors. This capital improvement will serve the island villages, and capacity for international competition, and provide venues for other community events and destination celebrations. Recommend program management services to execute the construction plans be part of this CIP endeavor.

Total Cost of Capital Improvement Projects \$62,000,000

PROJECT	MATCHING FUNDS	CIP FUNDS
Guam Museum		27,000,000
Historic Hagatña	1,096,000	3,094,000
Inalahan Community	260,000	200,000
Malesso Bell Tower	120,000	800,000
Magellan's Landing		500,000
Village Signs		760,000
Agat Beach		100,000
Piti Marine park		100,000
Mangilao Public Market		100,000
Tumon Safety Enhancements		700,000
San Vitores Street Lights		1,850,000
San Vitores Storm Water Mediation and Road Resurfacing Project		11,500,000
Hagatna Bay Streetlight Improvements		500,000

“Exhibit A”
TAF Capital Improvement Projects

Cultural Historical Community Improvements		6,981,000
Restoration of Historic Sites		1,500,000
Highway Signs		350,000
Hagatña Tennis Court		150,000
Hagatña Pool		500,000
Community Sports Recreational Improvement Fund		5,315,000
TOTAL		62,000,000



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

**MAJORITY
MEMBERS:**

**Judith T. Won Pat
SPEAKER**

**Benjamin J. F. Cruz
VICE SPEAKER**

**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

**Thomas C. Ada
SENATOR**

**Frank B. Aguon, Jr.
SENATOR**

**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

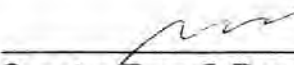
**James V. Espaldon
SENATOR**

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 485-30 (COR) – "AN ACT TO REPEAL AND REENACT SECTION 1514 OF TITLE 5, GUAM CODE ANNOTATED, TO AUTHORIZE THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY, A COMMUNITY CULTURAL CENTER AND CERTAIN OTHER PROJECTS THAT BENEFIT GUAM'S TOURISM INDUSTRY AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, AND TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE"** - on October 26, 2010. COR hereby certifies that BBMR confirmed receipt of this request on October 26, 2010.

COR further certifies that a response to this request was not received by 5:00 P.M. on November 17, 2010, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 485 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules



Date

MESSAGE CONFIRMATION

OCT-26-2010 10:05 AM TUE

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 2
START TIME : OCT-26-2010 10:05AM TUE
ELAPSED TIME : 00'18"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

I Mina' Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hester Place, Hagåtña, Guam 96910 • tel. (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

SENATOR
RORY J.
RESPICIO
CHAIRPERSON

SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON

MAJORITY
MEMBERS:

Judith T. Won Pat
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Benjamin J. F. Cruz
VICE SPEAKER

Tina Rose Muña Barnes
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SENATOR

Frank B. Aguon, Jr.
SENATOR

Adolpho B. Palacios, Sr.
SENATOR

Vicente C. Pangelinan
SENATOR

MINORITY
MEMBERS:

Frank E. Blas, Jr.
SENATOR

James V. Espaldon
SENATOR

October 26, 2010

VIA FACSIMILE
(671) 472-2825

Ms. Bertha Duenas
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bill No. 485-30 (COR)

Hafa Adai Ms. Duenas:

I transmitted herewith is a listing of *I Mina' Trenta na Libeslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal note for the referenced bill.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Rory J. Respicio

Attachments

Recd 10/26/10

I Mina'Trenta Na Liheslaturan Guåhan

**Bill Log Sheet
October 25, 2010**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
B485-30 (COR)	B. J.F. Cruz, F. B. Aguon, Jr., J.T. Won Pat, Ed.D., T.R. Muña Barnes, R. J. Respicio, J.P. Guthertz, DPA, T.C. Ada	AN ACT TO REPEAL AND REENACT SECTION 1514 OF TITLE 5, GUAM CODE ANNOTATED, TO AUTHORIZE THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY, A COMMUNITY CULTURAL CENTER AND CERTAIN OTHER PROJECTS THAT BENEFIT GUAM'S TOURISM INDUSTRY AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, AND TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE.	10/25/10 1:06 p.m.						



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

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**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
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**MAJORITY
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**Judith T. Won Pat
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**Benjamin J. F. Cruz
VICE SPEAKER**

**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

**Thomas C. Ada
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**Frank B. Aguon, Jr.
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**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

October 25, 2010

MEMORANDUM

To: Pat Santos
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. 485-30 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 485-30 (COR).

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 Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

I Mina'Trenta Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
B485-30 (COR)	B.J.F. Cruz	AN ACT TO REPEAL AND REENACT SECTION 1514 OF TITLE 5, GUAM CODE ANNOTATED, TO AUTHORIZE THE ISSUANCE OF GOVERNMENT OF GUAM LIMITED OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING AN EDUCATIONAL CULTURAL FACILITY, A COMMUNITY CULTURAL CENTER AND CERTAIN OTHER PROJECTS THAT BENEFIT GUAM'S TOURISM INDUSTRY AND FOR THE PURPOSE OF REFUNDING GOVERNMENT OF GUAM LIMITED OBLIGATION INFRASTRUCTURE IMPROVEMENT BONDS, 1997 SERIES A, AND TO APPROVE THE TERMS AND CONDITIONS OF SUCH BOND ISSUE.	10/25/10 1:06 p.m.	10/25/10		Committee on Tourism Cultural Affairs, Youth, and Public Broadcasting			



November 1, 2010

Judy Flores
Historic Inalahan Foundation
P.O. Box 170051
Inarajan, Guam 96917
(671) 828-1672

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Dr. Flores:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:56pm	Fax Sent	8281672
		OK	1
		Duration	0:31
		Pages	1
		Result	OK

Log for
477-2522
Nov 01 2010 4:57pm

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner



November 1, 2010

John Cruz
 Mayor of Hagåtña
 (671) 477-6686

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Cruz:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Date	Time	Type	Identification	Duration	Pages	Result
Nov 1	4:55pm	Fax Sent	4776686	0:22	1	OK

Last Transaction

Log for
 477-2522
 Nov 01 2010 4:56pm

HP Officejet 6100 Series 6110
 Personal Printer/Fax/Copier/Scanner



November 1, 2010

Franklin M. Taitague
Mayor of Inarajan
(671) 828-2543

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Taitague:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:54pm	Fax Sent	8282543
			0:52
			1
			OK
Duration Pages Result			



November 1, 2010

Ernest Chargualaf
Mayor of Malesso
(671) 828-2429

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Chargualaf:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:52pm	Fax Sent	8282429
		OK	1
		Duration	0:22
		Pages	1
		Result	

Log for
477-2522
Nov 01 2010 4:53pm

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November 1, 2010

Gerald Perez
General Manager
Guam Visitors Bureau
401 Pale San Vitores
Tumon, Guam 96913
(671) 646-8861

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Perez:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,

Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:50pm	Fax Sent	6468861
		OK	
		Pages	Duration
		Result	

Log for
477-2522
Nov 01 2010 4:50pm

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November 1, 2010

Ernie Galito
Deputy General Manager
Guam Visitors Bureau
401 Pale San Vitores
Tumon, Guam 96913
(671) 646-8861

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Galito:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Date	Time	Type	Identification	Duration	Pages	Result
Nov 1	4:49pm	Fax Sent	6468861	0:34	1	OK

Last Transaction

Nov 01 2010 4:49pm
477-2522

Log for

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner



November 1, 2010

David Tydingco
Chairman
Guam Museum Foundation, Inc.
P.O. Box 1647
Hagåtña, Guam 96932
(671) 649-8899

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Tydingco:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction	Date	Time	Type	Identification	Duration	Pages	Result
Nov 1	4:48pm	Fax Sent	64988899	0:35	1	OK	

Log for
477-2522
Nov 01 2010 4:48pm

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner



November 1, 2010

Anthony Blaz
Director
GEDA
590 S Marine Dr.
Ste. 511 ITC Bldg.
Tamuning, Guam 96913
(671) 649-4146

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. Blaz:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:45pm	Fax Sent	6494146
			0:22
			1
			OK
Duration Pages Result			

Log for
477-2522
Nov 01 2010 4:45pm

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner



November 1, 2010

Melissa Savares
Mayor of Dededo
(671) 637-1129

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Ms. Savares:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,



Benjamin J.F. Cruz

Last Transaction			
Date	Time	Type	Identification
Nov 1	4:43pm	Fax Sent	6371129
			0:52
			1
			OK

Log for
477-2522
Nov 01 2010 4:44pm

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner



Maya Alonso <maya@guamlegislature.org>

Invitation to Testify at Public Hearing on Bill No. 485-30

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>
To: billcmcd@yahoo.com

Mon, Nov 1, 2010 at 4:39 PM

November 1, 2010

William McDonald
President
Guam Farmers Cooperative
E-mail: billcmcd@yahoo.com

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Mr. McDonald:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,
Benjamin J.F. Cruz

--
Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



Maya Alonso <maya@guamlegislature.org>

Invitation to Testify at Public Hearing of Bill No. 485-30

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Mon, Nov 1, 2010 at 5:01 PM

To: leona@guammuseum.com, leabermudes@guammuseum.com

November 1, 2010

Leona Mendiola Young
Administrator
Guam Museum Foundation, Inc.
P.O. Box 518
Hagåtña, Guam 96932
E-mail: leona@guammuseum.com

RE: Public Hearing, November 5, 2010, 3:00 p.m.

Dear Ms. Young:

Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be holding a public hearing of Bill No. 485-30 (COR), which relates directly to your organization.

You may find this bill online at my website, www.senatorbjcruz.com, or at www.guamlegislature.com. Please take moment to review Bill No. 485 to see how it will affect your organization.

I look forward to receiving your testimony at the bill's public hearing at 3:00 p.m. on Friday, November 5, 2010. If you wish to submit written testimony, please bring ten (10) copies with you, addressed to myself at the address above, or send your testimony to this address, my e-mail address, or my office via facsimile.

Sincerely,
Benjamin J.F. Cruz

--
Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



REQUEST FOR PROPOSAL

2010 GUAM VISITORS BUREAU ANNUAL REPORT & MEMBERSHIP DIRECTORY

RFP NO. 2011 - 001

The Guam Visitors Bureau ("GVB"), a non-stock, non-profit membership corporation, is soliciting proposals from a qualified firm or individual to design and produce the 2010 Guam Visitors Bureau Annual Report & Membership Directory.

Beginning Friday, October 29, 2010 between 8:00 a.m. and 5:00 p.m., Request for Proposal (RFP) packets may be obtained at the Guam Visitors Bureau, 401 Pale San Vitores Road, Tumon. Deadline for submission of proposals is **12 noon on Friday, November 12, 2010.**

GVB reserves the right to reject any or all proposals, solicit new proposals, or award the contract for the 2010 Annual Report & Membership Directory in whole or in part. For additional information, please address your question(s) in writing to Gerald S.A. Perez, General Manager, Guam Visitors Bureau, 401 Pale San Vitores Road, Tumon, Guam 96913.



/s/ Gerald S.A. Perez
General Manager

401 Pale San Vitores Road, Tumon, Guam 96913 • Tel 1 (671) 646-5278/9 • Fax 1 (671) 645-8861 • www.visitguam.org

Senator Benjamin J.F. Cruz, VICE SPEAKER
CHAIRMAN, COMMITTEE ON TOURISM,
CULTURAL AFFAIRS, YOUTH AND PUBLIC
BROADCASTING
E-MAIL ADDRESS: www.senatorbjcruz.com



I Mina Trenta na Libeslaturan Guahan
THIRTIETH GUAM LEGISLATURE
155 HESLER PLACE, HAGATÑA, GUAM 96910
senadotbjcruz@gmail.com
TEL: (671) 477-2520 • FAC SIMILE: (671) 477-2522

NOTICE OF PUBLIC HEARING

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Date: Friday, November 5, 2010

Time: 3:00pm

Location: Public Hearing Room, Guam Legislature

AGENDA

Bill No. 485-30 (COR) - B.J. Cruz - An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

Bill No. 451-30 (COR) - The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting at the request of the 27th Guam Youth Congress - An act to repeal and reenact Chapter 7, Title 2 of the Guam Code Annotated; relative to the Guam Youth Senate.

Electronic copies of the items above can be found on my website, www.senatorbjcruz.com, and the Guam Legislature's website, www.guamlegislature.com. Hard copies can be obtained by visiting the Office of the Clerk of the Legislature. Testimony should be addressed to Vice Speaker Benjamin J.F. Cruz, Chairperson of the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting, and may be submitted via hand delivery to our office or our mailbox at the Guam Legislature, 155 Hesler Place, Hagatña, Guam 96910; via e-mail to senadotbjcruz@gmail.com; or via facsimile to (671) 477-2522. Individuals requiring special accommodations, auxiliary aids or services shall contact and submit their request to Mike Lidia at our office. For further information, please call 477-2520/21. I look forward to your attendance and participation. *Si Yu'us ma'ase!*

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October 29, 2010 guampdn.com

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215 Rojas Street Suite 204
IXORA Industrial Complex
Harmon, Guam 96913

Advertising Order / Invoice

Date	A.O. No.
10/27/2010	A14570

Advertiser / Address		Account #
Senator B.J. Cruz 155 Hesler St. Hagatna, Guam 96910		GA0683
Customer Contact		P.O. No. 1130PO068

Ad placed through

Item	Description	Run Dates	Col(s)	In(s)	Color	Rate	Amount
DISP	Notice of Public Hearing - 11/05/10	10/29/10	2	5.5	BW	132.00	132.00

NOTES

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Total	\$132.00
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Additional Charges:

- Expedited Order Fee: Any advertisement ordered one (1) day before specified publication date will be assessed an additional \$50.00.
- Late Cancellation Fee: Any advertisement cancelled one (1) day before specified publication date will be assessed an additional \$50.00.
- Ad Layout Fee: Any artwork requested from Publisher (excluding classified advertisements) will be assessed a \$20.00 per hour artwork fee.
- Preferred Placement: Publisher does not guarantee any requested preferred placement of advertisements. Any request for preferred placement will be taken into consideration but will not affect this agreement if preferred placement is not delivered.

Legal Terms:

Advertiser has the right change, alter, or replace advertising copy throughout the duration of this Agreement provided that any changes, alteration, or replacement be submitted (2) days prior to the desired publication date. In the event if advertising copy is not furnished by Advertiser to Publisher within (2) days prior to desired publication date, Publisher may, at its option, publish on behalf of Advertiser the last advertisement ordered or such minimum size advertisement as shall be necessary for Advertiser to comply with the terms of this Agreement.

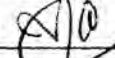
Neither Publisher nor its affiliates shall be liable by reason of any error in connection with any advertisement (including, without limitation, typographical errors, failures to publish advertisement on desired dates or in requested positions in Publisher's newspapers, omissions or additions to advertisements); provided, however, that Publisher shall be obligated to adjust or rebate pro rata the charge on any advertisement which has been materially affected by any error of Publisher; and provided, further, however, that Publisher's obligation with respect to such advertisements or rebates shall not apply to more than one incorrect insertion of such advertisement unless and until Publisher is notified of the error twenty-four (24) hours prior to repetition of the insertion.

Past Due Accounts:

Advertiser understands that accounts not paid within ninety (90) days of invoice date will be subject to interest penalty of 1.5% per day thereafter plus all attorney and collection fees in case of default of payment. A service charge of \$35.00 will be charged on all returned checks.

Authorized Representative:

Advertiser represents and warrants that the person signing below on behalf of Advertiser is a duly authorized representative of Advertiser and, as such, upon execution by such person this Agreement shall constitute the legally binding obligation of Advertiser. Advertiser or representative thereof agrees to the terms attached to this form and has inspected all the details of this contract to be deemed correct and effective.

Authorized Name x: Maya Alonso Authorized Signature x:  Date x: 10/28/10

Sales Rep
SW

**Thank you for your
business!**

Payments/Credits	\$0.00
Balance Due	\$132.00

BUSINESS BRIEFS

Japan central bank reduces growth forecast

Fed steps up foreclosure probe

Senator Benjamin J.F. Cruz, Vice Speaker
CHAIRMAN, COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING
WEB ADDRESS: www.senatorbjcruz.com



I Mina Tenta na Libedataraan Guåhan
THIRTIETH GUAM LEGISLATURE
155 HESLER PLACE, HAGATNA, GUAM 96910 • senatorbjcruz@guam.gov
TELEPHONE: (671) 477-5120 • FACSIMILE: (671) 477-2522

NOTICE OF PUBLIC HEARING

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Date: Friday, November 5, 2010

Time: 3:00 pm

Location: Public hearing Room, Guam Legislature

Bill No. 485 (COR) - B.J. Cruz- An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

Bill No. 451-30 (LS)- The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting at the request of the 27th Guam Youth Congress—An act to repeal and reenact Chapter 7, Title 2 of the Guam Code Annotated; relative to the Guam Youth Senate.

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GUAM WATERWORKS AUTHORITY

578 North Marine Corps Drive • Tumon, Guam 96931

(This Ad Paid By Guam Waterworks Authority)

Solicitation Notice

RFP-03-ENG-2011

**Guam Waterworks Authority
Engineering Services**

The Guam Waterworks Authority (GWA) is soliciting proposals from qualified and interested consulting engineering firms for engineering services for the **CENTRAL GUAM WATER RESERVOIR - SITE INVESTIGATION AND DESIGN OF 2 MILLION GALLON (MG) WATER TANK**, GWA Project No. W11-001-DOI.

Responses must be submitted in the format and location specified in the solicitation, and must be received no later than 4:00 p.m., November 17th, 2010. Failure to submit proposals at the specified location, date, and time will be grounds for rejection of proposal.

Copies of the solicitation may be obtained by contacting the Chief Engineers Office, GWA, 2nd Floor, CQC Building, DPW Compound 542 N. Marine Corps Drive, Upper Tumon, Guam 96913; Tel: (671) 647-0492, Fax: (671) 647-2621.

/S/ JOHN BENAVENTE, P.E.
General Manager, CUS



Maya Alonso <maya@guamlegislature.org>

FIRST NOTICE OF PUBLIC HEARING

1 message

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Fri, Oct 29, 2010 at 2:18 PM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Ray Tenorio <raytenorio@yahoo.com>, Senator Respicio <rorryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, audrey@judiwonpat.com, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocaigne@judiwonpat.com, edpocaigne@yahoo.com, elainemcdonald55@yahoo.com, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, louise_atalig@yahoo.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Doc Santos <doc.wytenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonatwork2010@gmail.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.org, tunsiog@guamlegislature.org, yong@guamlegislature.org

Cc: admin@mvguam.com, bgaeth@k57.com, bmkelman@guampdn.com, carlene@guahanmagazine.com, clynt@spbgum.com, cmurphy1@guam.gannett.com, dcrisost@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor2@directionsguam.com, editor@mvguam.com, gduamat-ol@guampdn.com, gerry@mvguam.com, jason@kuam.com, jeff@marianasmedia.com, john@kuam.com, john@marianasmedia.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, manasilva626@yahoo.com, mar_vic_cagurangan@yahoo.com, marvic@mvguam.com, michael@marianasmedia.com, mindy@kuam.com, news@k57.com, parroyo@k57.com, publisher@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, rgibson@k57.com, rlene@rlenelive.com, Sabrina@kuam.com, scoop@guamnewsfactor.com, slimtiaco@guampdn.com, therese@mvguam.com, travis.coffman@gmail.com, zita@mvguam.com, Catriona Melyan <cmelyan@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, Janela <janela@mvguam.com>, KUAM <hottips@kuam.com>, Lannie Walker <lannie@kuam.com>, Nick Delgado <nick@kuam.com>, Pacific News Center <news@spbgum.com>, Thelma Hechanova <thelma.hechanova.ctr@fe.navy.mil>, Tina Chau <tina@marianasmedia.com>

Good Afternoon,

Attached, please find the first notice of public hearing of Bill Nos. 451 and 485 at 3 p.m. on Nov. 5.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522

 **102910 BJ Cruz first notice Public Hearing B485 B451.pdf**
130K



NOTICE OF PUBLIC HEARING

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Date: Friday, November 5, 2010

Time: 3:00 p.m.

Location: Public Hearing Room, Guam Legislature

AGENDA

Bill No. 485-30 (COR) – B.J. Cruz – An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

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MEETINGS

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Tamuning. Signing; judgment of dismissal: Terry Huber vs. Department of Education; signing; decision and judgment: Joseph Q. Mesngon vs. Department of Youth Affairs; signing; decision and order: Luong T. Truong vs. Guam Environmental Protection Agency; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Nov. 5

Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting: Public hearing 3 p.m., Legislature's public hearing room, Hagåtña. Bill 485-30, authorizing issuance of government of Guam limited obligation bonds for purpose of acquiring, constructing and equipping educational cultural facility, community cultural center and other projects to benefit Guam's tourism

industry and for purpose of refunding GovGuam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve terms and conditions of such bond issue; Bill 451-30, relative to Guam Youth Senate. E-mail testimony to: senadotbjcruz@gmail.com. For special accommodations, call 477-2520/21.

Nov. 9

Civil Service Commission: Board meeting 5:30 p.m., seventh-floor conference room, ITC Building, Tamuning. Signing, judgments of dismissal: Faafetai L. Eserona vs. Guam Fire Department, Mario R. Garcia vs. DISID; signing; decision: Michele Reyes, Josephine Camacho, James Nichols vs. Guam Public School System; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Nov. 10

Guam Environmental Protection Agency: Board of directors' meeting 2 p.m., main office conference room, Mariner Ave., Tiyan. For special accommodations, call Sabrina Cruz-Sablan, 475-1658/1647.

Nov. 12

Department of Public Health and Social Services: Public hearing on Guam Medicaid State Plan amendments for provider fee schedules 9 to 11 a.m., Legacy Square building, Route 10, Mangilao. Related documents are available for inspection at the Bureau of Health Care Financing Administration, rooms 218 and 238, DPHSS, Mangilao. Call Teresita Gumataotao at 735-7293 or Janet Cruz at 735-7231.

Nov. 17

Mayors Council of Guam: Special meeting 10 a.m., council conference room, J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Anne, 472-6940 or 477-9461.

Nov. 18

Guam Board of Nurse Examiners: Rescheduled regular meeting 4 p.m., Health Professional Licensing Office conference room, Suite 9, Legacy Square Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Guam Pardon Review Board: Regular hearing 3 p.m., Suite 505, DNA building, Hagåtña. Hearing start time may change, depending on length of the Parole Board hearing agenda. For special accommodations, call 473-7001.

Guam Parole Board: Regular hearing 8:30 a.m., Suite 505, DNA building, Hagåtña. For special accommodations, call 473-7001.

ART

Accepted
Sun. 6am-9pm




MEATS AVAILABLE

<p>LUCKY WING JASMINE RICE 50 LBS \$29.99</p> <p>GOLDEN PHOENIX JASMINE RICE 50 LBS \$29.99 <small>WITH \$50.00 PURCHASE LIMIT: 1 SACK</small></p>	<p>DANISH PORK SPARERIBS 10 LBS LIMIT: 1 CS \$15.49/CS</p> <p>TURKEY TAILS 20 LBS \$14.99/CS</p>
<p>SPECIAL PORK</p> <p>PORK ADOBO BAG \$10.99</p> <p>PORK BELLY BAG \$12.99</p>	<p>FAMILY BAG POULTRY</p> <p>STEWING CHICKEN CUT UP BAG \$7.99</p> <p>FRYING CHICKEN CUT UP BAG \$7.99</p>
<p>FROZEN SPECIAL</p> <p>HC MILLER SAUSAGE 5LBS \$14.99/PK</p> <p>HOFFY SMOKED SAUSAGE 2.7LBS \$5.99/PK</p> <p>U.S. BEEF RIB FINGERS \$2.99/LB</p>	<p>BAR-S JUMBO FRANK SAUSAGE 1 LB \$1.09/PK</p> <p>HOFFY FRANKS SAUSAGE 1 LB 99¢/PK</p> <p>BAR-S BACON SLICED 1 LB \$2.99/EA</p> <p>HOFFY PORTUGUESE SAUSAGE 12 OZ \$1.99/PK</p>
<p>ARMOUR VIENNA SAUSAGE 5 OZ 69¢ EA</p> <p>DINTY MOORE BEEF STEW 15 OZ 24 OZ \$1.79 \$2.59</p>	<p>CHEF BOYARDEE PASTA 15 OZ 99¢ EA</p>



Maya Alonso <maya@guamlegislature.org>

SECOND NOTICE OF PUBLIC HEARING

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Wed, Nov 3, 2010 at 3:22 PM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Ray Tenorio <raytenorio@yahoo.com>, Senator Respicio <rorryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, audrey@judiwonpat.com, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocaigne@judiwonpat.com, edpocaigne@yahoo.com, elainemcdonald55@yahoo.com, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, louise_atalig@yahoo.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Doc Santos <doc.wytenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonetwork2010@gmail.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.org, tunsio@guamlegislature.org, yong@guamlegislature.org

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Good Afternoon,

Attached, please find the second notice of public hearing of Bill Nos. 451 and 485 at 3 p.m. on Nov. 5.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



110310 BJ Cruz second notice Public Hearing B485 B451.pdf

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NOTICE OF PUBLIC HEARING

Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Date: Friday, November 5, 2010

Time: 3:00 p.m.

Location: Public Hearing Room, Guam Legislature

AGENDA

Bill No. 485-30 (COR) – B.J. Cruz – An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

Bill No. 451-30 (LS) – The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting at the request of the 27th Guam Youth Congress – An act to repeal and reenact Chapter 7, Title 2 of the Guam Code Annotated; relative to the Guam Youth Senate.

Electronic copies of the items above can be found on my website, www.senatorbjcruz.com, and the Guam Legislature's website, www.guamlegislature.com. Hard copies can be obtained by visiting the Office of the Clerk of the Legislature. Testimony should be addressed to Vice Speaker Benjamin J.F. Cruz, Chairperson of the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting, and may be submitted via hand delivery to our office or our mailbox at the Guam Legislature, 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to senadotbjcruz@gmail.com; or via facsimile to (671) 477-2522. Individuals requiring special accommodations, auxiliary aids or services shall contact and submit their request to Mike Lidia at our office. For further information, please call 477-2520/21. I look forward to your attendance and participation. *Si Yu'us ma'ase'!*



PUBLIC HEARING
FRIDAY, NOVEMBER 5, 2010, 3:00 P.M.
Public Hearing Room • *I Liheslatura* • Hagåtña, Guam

AGENDA

- I. Call to Order
- II. Announcements
- III. Items for Consideration

Bill No. 485-30 (COR) – B.J. Cruz – An act to repeal and reenact section 1514 of Title 5, Guam Code Annotated, to authorize the issuance of government of Guam limited obligation bonds for the purpose of acquiring, constructing, and equipping an educational cultural facility, a community cultural center, and certain other projects that benefit Guam's tourism industry and for the purpose of refunding government of Guam limited obligation infrastructure improvement bonds, 1997 Series A, and to approve the terms and conditions of such bond issue.

Bill No. 451-30 (LS) – The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting at the request of the 27th Guam Youth Congress – An act to repeal and reenact Chapter 7, Title 2 of the Guam Code Annotated; relative to the Guam Youth Senate.

- IV. Remarks
- V. Adjournment

PBS marks 40 years on Guam

By Zita Y. Taitano
zita@mvguam.com
Variety News Staff

FOR four decades now, PBS Guam Channel 12 has enlightened many adults and children with heartwarming shows like the Master Piece Theater and Sesame Street along with other local productions.

Public Broadcasting System, known locally as KGTF, marked its 40th anniversary on the island last Thursday with a resolve to bring more entertaining and informative shows.

PBS went on air back in 1970 under a \$150,000 grant from U.S. Department of Health, Education and Welfare in addition to \$50,000 funding from the Government of Guam, according to the station's website.

In 1974, the 12th Guam Legislature introduced a measure to create a nonprofit, public corporation to operate PBS Guam. This later became



Sam Mabini, Ph.D., general manager of PBS Guam, right, accepts an award of excellence presented by Sen. Tina Muna-Barnes, left, during the station's 40th anniversary celebration last Thursday.

a law and the following year, the station became known as the Guam Educational Telecommunications Corporation with a seven-member Board of Trustees to oversee its operations

Dr. Sam Mabini, general manager of PBS Guam, said there are new local shows in the works, including, one enti-

tled Mediku which focuses on health care on the island.

Among Mediku's highlights is a historical look at the island's nurses before, during, and after World War II, which will feature interviews with Isabel S.N. Guerrero, 79, of Dededo, and the late Ana Siguenza Hanna.

The show airs in spring.

Vice Speaker calls for hearing on 2 bills

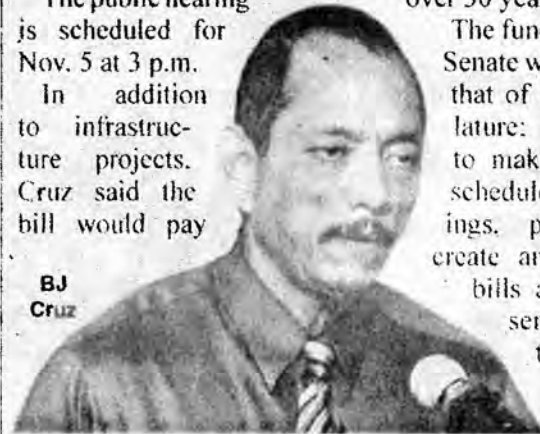
By Janela Buhain
janela@mvguam.com
Variety News Staff

VICE Speaker Benjamin J.F. Cruz is calling for a public hearing on a bill he introduced last Monday, which if enacted into law, would float a \$67.2 million bond to finance cultural and tourism-related infrastructure projects on island.

Cruz, chair of the Committee on Tourism and Cultural Affairs, authored Bill 485 that calls for the revitalization of existing cultural sites as well as the proposal for new ones.

The public hearing is scheduled for Nov. 5 at 3 p.m.

In addition to infrastructure projects, Cruz said the bill would pay



BJ Cruz

off Government of Guam debt from the infrastructure improvement bonds from 1997 through the interest that would be earned from the latest bond and through the collection of fees and taxes from the cultural facilities and projects.

Cruz is also calling for a public hearing on the same day for Bill 451 that he also authored, which seeks to establish a Guam Youth Senate.

The Guam Youth Senate will replace the current Guam Youth Congress established over 30 years ago.

The function of the Youth Senate would be similar to that of the Guam Legislature: with the ability to make its own rules, schedule its own hearings, pass resolutions, create and pass its own bills and will then be sent to the Committee on Rules of the Guam Legislature for action.

MAKE YOUR VOICE HEARD!

On November 2nd, YOUR VOTE COUNTS!

#12 Republican

Guam Visitors Bureau
Sección de Turismo Guaman



REQUEST FOR PROPOSAL
2010 GUAM VISITORS BUREAU ANNUAL

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

2010 OCT 25 PM 1:06
Egon

485-30 cop
Bill No. ____ ()

Introduced by:

- B.J.F. Cruz
F.B. Aguon, Jr.
J.T. Won Pat, Ed.D.
T.R. Muña-Barnes
R.J. Respicio
J.P. Guthertz, DPA
T.C. Ada
A.B. Palacios, Sr.
v.c. pangelinan
E.J.B. Calvo
Ray Tenorio
J.V. Espaldon
Telo Taitague
F.F. Blas
V.A. Ada

AN ACT TO REPEAL AND REENACT SECTION
1514 OF TITLE 5, GUAM CODE ANNOTATED, TO
AUTHORIZE THE ISSUANCE OF GOVERNMENT
OF GUAM LIMITED OBLIGATION BONDS FOR
THE PURPOSE OF ACQUIRING,
CONSTRUCTING AND EQUIPPING AN
EDUCATIONAL CULTURAL FACILITY, A
COMMUNITY CULTURAL CENTER AND
CERTAIN OTHER PROJECTS THAT BENEFIT
GUAM'S TOURISM INDUSTRY AND FOR THE
PURPOSE OF REFUNDING GOVERNMENT OF
GUAM LIMITED OBLIGATION
INFRASTRUCTURE IMPROVEMENT BONDS,
1997 SERIES A, AND TO APPROVE THE TERMS

1 **AND CONDITIONS OF SUCH BOND ISSUE**

2 BE IT ENACTED BY THE PEOPLE OF GUAM:

3 **Section 1.** Section 1514 of Title 5, Guam Code Annotated, is hereby
4 repealed and reenacted to read as follows:

5 **“Section 1514. Authorization to Borrow For the Purpose of Acquiring,**
6 **Constructing and Equipping an Educational Cultural Facility, a Community**
7 **Cultural Center and Certain Other Projects That Benefit Guam's Tourism**
8 **Industry and For the Purpose of Refunding the Outstanding Government of**
9 **Guam Limited Obligation Infrastructure Improvement Bonds**

10 (a) Definitions. The following terms shall have the following meanings
11 when used in this Section:

12 (1) *Debt service* means the scheduled principal of and interest on
13 bonds plus fees, if any, to be paid for credit enhancement of such bonds.

14 (2) *Debt service savings* means the amount by which the present
15 value of debt service on refunding bonds is less than the present value of the
16 remaining debt service on the prior obligations refunded by such refunding
17 bonds. Present value shall be calculated for this purpose using the yield on
18 the bond issue as the discount rate.

19 (3) *Hotel tax revenues* means all revenues derived from taxes of the
20 type now imposed by § 30101 of Chapter 30 of Title 11 of the Guam Code
21 Annotated.

22 (4) *New money bond* means a bond issued pursuant to this Article
23 as part of the same issue as the refunding bonds, but for the purpose of
24 providing moneys for the projects authorized by subsection (i) of this
25 Section, funding a debt service reserve fund, or paying expenses incurred in
26 connection with the issuance of such new money bonds not already included
27 in an existing appropriation for, or the regular budget of any government
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1 agency or instrumentality or public corporation providing any service in
2 connection with the issuance of such debt.

3 (5) *Prior obligations* means the outstanding Government of Guam
4 Limited Obligation Infrastructure Improvement Bonds, 1997 Series A, being
5 refunding in connection with the issuance of bonds pursuant to this Section.

6 (6) *Refunding bond* means a bond issued pursuant to this Section
7 for the purpose of providing moneys to redeem or otherwise retire prior
8 obligations, funding any appropriate reserves allocable to the refunding
9 bonds, or paying expenses incurred in connection with the issuance of such
10 refunding bonds not already included in an existing appropriation for, or the
11 regular budget of any government agency or instrumentality or public
12 corporation providing any service in connection with the issuance of such
13 debt.

14 (7) *Yield* means the annual discount rate which, when used to
15 discount all payments of net debt service on a bond issue to the date of
16 issuance of the bonds, using a semiannual compounding interval, results in
17 the aggregate present value of such payments being equal to the re-offering
18 price to the public of the bonds. For this purpose, “net debt service” means
19 debt service minus the amount of any direct subsidy payment to be received
20 from the United States in connection with debt service.

21 (b) Authorization of Issuance of Limited Obligation Infrastructure
22 Improvement Bonds. *I Maga’lahen Guåhan* is authorized to issue on behalf of the
23 Government an issue of bonds of the Government consisting of refunding bonds
24 and new money bonds, subject to the following requirements and limitations:

25 (1) The issuance of the bonds shall not cause a violation of the debt
26 limitation provisions of Title 48 USC § 1423a (§ 11 of the Organic Act of
27 Guam).

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1 (2) All obligation of the Government to pay debt service on the
2 prior obligations shall be discharged concurrently with the issuance of the
3 refunding bonds. Thereafter, any remaining debt service on the prior
4 obligations shall be payable solely from and secured solely by a refunding
5 escrow established for such purpose.

6 (3) The present value of debt service on the refunding bonds shall
7 be at least two percent (2.0%) less than the present value of debt service on
8 the refunded bonds, using the yield on the refunding bonds as the discount
9 rate.

10 (4) The aggregate principal amount of refunding bonds issued shall
11 not exceed the amount necessary to redeem or otherwise retire the prior
12 obligations, fund any appropriate reserves allocable to the refunding bonds,
13 and pay expenses incurred in connection with the issuance of the refunding
14 bonds not already included in an existing appropriation for, or the regular
15 budget of any government agency or instrumentality or public corporation
16 providing any service in connection with the issuance of such debt.

17 (5) The aggregate principal amount of new money bonds issued
18 shall not exceed the amount necessary to fund the sum of the amounts
19 appropriated for the projects listed in subsection (i) of this Section, establish
20 a debt service reserve fund allocable to the new money bonds, pay
21 capitalized interest on the bonds and pay expenses incurred in connection
22 with the issuance of the new money bonds not already included in an
23 existing appropriation for, or the regular budget of any government agency
24 or instrumentality or public corporation providing any service in connection
25 with the issuance of such debt.

26 (6) Aggregate net debt service in each fiscal year on the bonds
27 issued pursuant to this Section and any Government of Guam Infrastructure
28 Improvement Bonds, 1997 Series A, remaining outstanding after the

1 issuance of such bonds shall not exceed Seven Million Dollars (\$7,000,000)
2 per fiscal year.

3 (c) Source of Payment and Security for the Bonds. The bonds issued
4 pursuant to this Section shall be limited obligations of the Government payable
5 from and secured by a pledge of all or any part of the hotel tax revenues. Any
6 pledge made to secure the bonds shall be valid and binding from the time the
7 pledge is made. The hotel tax revenues received by the Government or any trustee,
8 depository and custodian shall be deposited in a separate account and shall be
9 immediately subject to the lien of such pledge without physical delivery thereof or
10 further act, and the lien of such pledge shall be valid and binding against all parties
11 having claims of any kind in tort, contract or otherwise, against the Government of
12 such trustee, depository or custodian, irrespective of whether the parties have
13 notice thereof. The indenture by which such pledge is created need not be
14 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
15 hereby continuously appropriated for such purpose and for the purposes of paying
16 the charges of any trustee, custodian, depository, auditor or credit enhancement
17 provider for the bonds and any other necessary bond expenses under the indenture.
18 All such revenues not needed for such purpose or for the purposes of paying any
19 Government of Guam Limited Obligation Infrastructure Improvement Bonds, 1997
20 Series A, remaining outstanding and any expenses related thereto shall be
21 transferred periodically by any trustee or other fiduciary under the indenture as
22 follows:

23 (1) first, to the fund or account designated by the Guam Visitors
24 Bureau (“GVB”), such amount as is specified by the budget enacted by the
25 Guam Legislature for the GVB, and

26 (2) second, the balance of such revenues to the Tourist Attraction
27 Fund.

28 The obligation to make these transfers to the GVB and the Tourist Attraction Fund

1 *shall not* be a part of the contract with the bondholders, and shall be subject to the
2 modification by amendment of this subsection (c) of this Section.

3 The Director of Administration shall provide to the Guam Legislature a copy
4 of each monthly trustee's or other fiduciary's report on collections and
5 disbursements of hotel tax revenues within five (5) working days of the Director's
6 receipt of such report.

7 (d) Terms and Conditions Determined by Indenture; Form of Bonds;
8 Covenants; Appointment of Fiduciaries; Other Related Agreements. The terms
9 and conditions of the new issue shall be as determined by *I Maga'lahaen Guåhan*
10 by the execution of an indenture authorizing the issuance of the issue. The
11 indenture shall contain such terms and conditions as are consistent with this
12 Section. The technical form and language of the bonds of the new issue, including
13 provisions for execution, exchange, transfer, registration, paying agency, lost or
14 mutilated bonds, negotiability, cancellation and other terms, covenants or
15 conditions not inconsistent with this Section, shall be as specified in the indenture
16 executed by *I Maga'lahaen Guåhan* authorizing the issuance of the bonds. The
17 indenture may appoint one (1) or more trustees or other fiduciaries authorized to
18 receive and hold in trust the proceeds of the bonds and moneys relating thereto, to
19 protect the rights of bondholders and to perform such other duties as may be
20 specified in the indenture. The proceeds of the bonds issued pursuant to this
21 Section, and any revenues relating to such bonds, may be invested in, but only in,
22 the types of investments permitted by the indenture. *I Maga'lahaen Guåhan* is also
23 authorized to execute, on behalf of the Government, any appropriate agreements,
24 certificates or other instruments relating to the bonds and the sale of the bonds.

25 (e) Authorization for Credit Enhancement. *I Maga'lahaen Guåhan* is
26 authorized to enter into such contracts or agreements with such banks, insurance
27 companies or other financial institutions as he determines are necessary or
28 desirable to improve the security and marketability of any bonds authorized by this

1 Section. Such contracts or agreements may contain an obligation to reimburse,
2 with interest, any such banks, insurance companies or other financial institutions
3 for advances used to pay principal of or interest on the issue. Any such
4 reimbursement obligation shall be payable solely from the same sources as debt
5 service on the issue is payable, and any such advance, if necessary, shall be treated
6 as creating a reimbursement obligation issued to refund the issue.

7 (f) Valid and Binding Obligations, Collection of Revenue. The bonds of the
8 issue authorized by this Section shall constitute the valid and binding limited
9 obligations of the Government. All officers charged by law with any duty in the
10 collection of any revenues from which debt service on the issue is payable shall do
11 every lawful thing necessary to collect the money necessary for such purpose. The
12 validity of any such bonds shall not be affected by the validity or regularity of any
13 proceedings for the implementation of the infrastructure improvement projects
14 funded by either the prior obligations or the new money bonds.

15 (g) Waiver of Immunity. Notwithstanding any substantive or procedural
16 provision of the Government Claims Act, Chapter 6 of Title 5 of the Guam Code
17 Annotated, the Government waives immunity from any suit or action in contract on
18 the bonds authorized by this Section, but does not waive sovereign immunity as to
19 the personal liability of elected officials and employees of the Government.

20 (h) No Personal Liability. No employee or elected official of the
21 Government shall be individually or personally liable for the payment of any
22 amounts due on any bonds issued under this Section, or for any other liability
23 arising in connection with the bonds; provided, however, that nothing in this
24 Section 221608 shall relieve any employee or elected official from the
25 performance of any ministerial duty required by law.

26 (i) Infrastructure Improvement Projects. The proceeds of the new money
27 bonds issued under this Section are hereby appropriated in amounts not to exceed
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1 the following amounts for the purposes of implementing the following projects, in
2 the following order of priority:

3 (1) \$30,000,000 for the acquisition, construction and equipping of
4 an educational facility that reflects a sense of Guam and the Chamorro
5 culture and will be the permanent home for the preservation and continuance
6 of the Chamorro people; provides for the display of artifacts and historical
7 documents; stimulates community involvement; fosters research and
8 conveys the results of research to the public primarily through the medium
9 of public exhibits, demonstrations, lectures, public programs and
10 publications using the theme: I Hinanao-ta, the journey of the Chamorro
11 people, *provided, however*, that the location of such educational facility shall
12 have been approved by *I Maga'lahañ Guåhan* prior to acquisition (if any) or
13 construction thereof;

14 (2) \$30,000,000 for the construction of a performing arts and
15 cultural center, including open floor space, arena seating, a seminar facility,
16 meeting rooms and kitchen facilities, *provided, however*, that the location of
17 such facility shall have been approved by *I Maga'lahañ Guåhan* prior to
18 acquisition (if any) or construction thereof;

19 (3) \$2,344,000 for the preservation and restoration of the Plaza de
20 Espana and other structures within the Plaza;

21 (4) \$200,000 for the restoration of the Inarajan community center;

22 (5) \$800,000 for the restoration and rehabilitation of the Malesso
23 Bell Tower, including landscaping and lighting improvements; and

24 (6) \$3,900,000 for the development of a Guam Farmers
25 Cooperative Association facility and to relocate the Dededo Flea Market.

26 (j) Approval of Guam Economic Development Authority. Section 50103(k)
27 of Title 12, Guam Code Annotated provides that agencies and instrumentalities of
28 the Government shall issue bonds and other obligations only by means of and

1 through the agency of the Guam Economic Development Authority ('GEDA'). No
2 issue of bonds authorized by this Section shall be sold until the board of directors
3 of GEDA has adopted a resolution approving the sale of such issue."

4 **Section 2. Approval of Terms and Conditions.** Section 50103(k) of Title
5 12, Guam Code Annotated provides that GEDA shall not sell any bond without the
6 approval of *I Liheslaturan Guåhan* of the terms and conditions of the issuance of
7 the bonds. *I Liheslaturan Guåhan* hereby approves the issuance, terms and
8 conditions of the bonds authorized by Section 1514 of Title 5, Guam Code
9 Annotated in an aggregate principal amount not to exceed the amount authorized
10 by said Section 1514, with a final maturity not exceeding thirty (30) years and
11 bearing interest at a yield of not to exceed seven and one-half percent (7.5%) per
12 annum, after subtracting from bond interest the amount of any direct subsidy
13 payment to be received from the United States in connection with such bonds.

14 **Section 3. Amendment of Prior Hotel Tax Flow of Funds.** Section
15 22952 of Title 5, Guam Code Annotated, hereby amended to read as follows:

16 **"Section 22952. Source of and Security for Payment of the Bonds.** The
17 bonds of the new issue shall be limited obligations of the Government payable
18 from and secured by a pledge of all or any part of the hotel tax revenues. Any
19 pledge made to secure the bonds shall be valid and binding from the time the
20 pledge is made. The hotel tax revenues received by the Government or any trustee,
21 depository and custodian shall be deposited in a separate account and shall be
22 immediately subject to the lien of such pledge without physical delivery thereof or
23 further act, and the lien of such pledge shall be valid and binding against all parties
24 having claims of any kind in tort, contract or otherwise, against the Government of
25 such trustee, depository or custodian, irrespective of whether the parties have
26 notice thereof. The indenture by which such pledge is created need not be
27 recorded. Hotel tax revenues pledged for the purpose of paying the bonds are
28 hereby continuously appropriated for such purpose and for the purposes of paying

1 the charges of any trustee, custodian, depository, auditor or credit enhancement
2 provider for the bonds and any other necessary bond expenses under the indenture.
3 All such revenues not needed for such purpose or for the purpose of paying any
4 bonds issued pursuant to Section 1514 of Title 5, Guam Code Annotated, and any
5 expenses relating thereto shall be transferred periodically by any trustee or other
6 fiduciary under the indenture as provided by said Section 1514. The obligation to
7 make such transfers *shall not* be a part of the contract with the bondholders, and
8 shall be subject to the modification by amendment of this § 22952 by the Guam
9 Legislature.”

10 **Section 4. Repeal of Inapplicable Sections of P.L. 30-179.** Sections 2 and
11 3 of P.L. 30-179 are hereby repealed.

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