



Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932  
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

2010 MAY 19 PM 3:42

MAY 19 2010

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

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 365-30 (COR) "AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71, RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS", which I signed into law on May 17, 2010 as Public Law 30-145.

Sinseru yan Magâhet,

MICHAEL W. CRUZ, M.D.  
I Maga'lâhen Guahan para pa'go  
Acting Governor of Guahan

Attachment: copy of Bill

30-10-0463  
  
121

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. 365-30 (COR), "AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71, RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS"**, was on the 3<sup>rd</sup> day of May, 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'lahaen Guåhan* this 5<sup>th</sup> day of May, 2010, at  
4:00 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date: MAY 17 2010

Public Law No. P.L. 30-145

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

**Bill No. 365-30 (COR)**

As substituted by the Committee on Economic Development,  
Health & Human Services, and Judiciary and amended  
in the Committee of the Whole.

Introduced by:

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

**AN ACT TO *AMEND* SECTION 4 OF PUBLIC LAW 28-71, RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that in order for Guam Waterworks Authority (GWA) to finance the projects  
4 necessary to continue to make progress in implementing the projects described in  
5 the Stipulated Order with the United States Environmental Protection Agency,

1 which outlines the corrective actions that GWA shall undertake, it may be  
2 advantageous for GWA to issue “Build America Bonds”, under which GWA  
3 would pay taxable interest and receive interest subsidy payments from the federal  
4 government, rather than paying tax-exempt interest. In addition, whether or not the  
5 GWA bonds are Build America Bonds, the net interest rates available to GWA in  
6 the financial markets may exceed the interest rate limit established in GWA’s 2005  
7 bond approval.

8 **Section 2.** Section 4 of Public Law 28-71 is hereby *amended* to read as  
9 follows:

10 **“Section 4. Approval of Guam Waterworks Authority Revenue**  
11 **Bonds.** The Guam Legislature, *I Liheslaturan Guåhan*, pursuant to §50103  
12 of Title 12 of the Guam Code Annotated, hereby approves the issuance and  
13 sale by the Authority of revenue bonds pursuant to Article 2, Chapter 14,  
14 Title 12, Guam Code Annotated (the ‘Act’) in one or more series or issues;  
15 provided that the issuance, terms and conditions of the bonds *shall* have  
16 been approved by the Guam Public Utilities Commission, and further  
17 provided that such bonds *shall* have a principal amount *not to exceed* Two  
18 Hundred Twenty Million Dollars (\$240,000,000), *shall* have a final maturity  
19 not later than 2055, *shall* bear interest at such rate or rates and *shall* be sold  
20 for such price or prices as *shall* result in a net yield to the bondholders *not*  
21 *exceeding* seven and one-half percent (7.5%) per annum, *shall* be issued and  
22 sold in the manner, for the purposes and subject to the requirements and  
23 limitations provided in Article 2, Chapter 14, Title 12, Guam Code  
24 Annotated, and *shall* be issued pursuant to an Indenture in substantially the  
25 form as attached to this Act as Exhibit A. Twenty Million Dollars  
26 (\$20,000,000) principal amount *shall* be used to pay the balance of the  
27 government of Guam Limited Obligation (Section 30) Series 2001A bond

1 and any other portions of Bonds or Loans paid for by General Fund revenues  
2 for which the Guam Waterworks Authority has received proceeds. In order  
3 to be able to take advantage of Build America Bonds, or other federally  
4 subsidized bond program, net yield to the bondholders *shall* be calculated by  
5 subtracting any interest subsidy amounts to be received from the United  
6 States in connection with such bonds from the amount of interest to be paid  
7 to bondholders.”

8 **Section 3. Severability.** *If* any provision of this law or its application to  
9 any person or circumstance is found to be invalid or contrary to law, such  
10 invalidity shall *not* affect other provisions or applications of this law which can be  
11 given effect without the invalid provisions or application, and to this end the  
12 provisions of this law are severable.



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY**

*I Mina' Trenta na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

April 28, 2010

Honorable Judith T. Won Pat  
Speaker  
I Mina' Trenta na Liheslaturan Guåhan  
155 Hesler Place  
Hagatña, Guam 96910

2010 APR 29 AM 10:43

*W*

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

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

**RE: Committee Report - Bill No. 365-30 (COR), as Substituted by the  
Committee.**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on **Bill No. 365-30 (COR)** – “**AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS**” - sponsored by Senator Thomas C. Ada, and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 365-30 (COR) was publicly heard on April 27, 2010.

Committee votes are as follows:

<u>6</u>	<b>TO PASS</b>
_____	<b>NOT TO PASS</b>
_____	<b>ABSTAIN</b>
<u>1</u>	<b>TO REPORT OUT ONLY</b>
_____	<b>TO PLACE IN INACTIVE FILE</b>

Respectfully,

**SENATOR FRANK B. AGUON, JR.**  
*Chairman*

Attachment



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

---

# **COMMITTEE REPORT ON**

**BILL NO. 365-30 (COR), as Substituted by the Committee;**  
— Introduced by: SENATOR THOMAS C. ADA,

**“AN ACT TO AMEND SECTION 4 OF PUBLIC  
LAW 28-71 RELATIVE TO APPROVING THE  
TERMS AND CONDITIONS OF THE ISSUANCE  
OF GUAM WATERWORKS AUTHORITY  
REVENUE BONDS.”**



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY**

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

238 Archbishop F.C. flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

April 28, 2010

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**MEMORANDUM**

**TO: All Members**  
Committee on Economic Development,  
Health & Human Services, and Judiciary

**FROM: Senator Frank B. Aguon, Jr.**  
Committee Chairman

**SUBJECT: Committee Report on Bill No. 365-30 (COR),  
As Substituted by the Committee**

Transmitted herewith for your consideration is the Committee Report on **Bill No. 365-30 (COR)** – “AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS;” sponsored by Senator Thomas C. Ada.

This report includes the following:

- Committee Report Voting Sheet
- Committee Report Digest
- Copy of Bill No. 365-30 (COR)
- Public Hearing Sign-In Sheet
- Submitted Testimonies & Supporting Documents
- Copy of COR Referral of Bill No. 365-30 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agendas

Please take the appropriate action on the attached voting sheet. Your attention and cooperation on this matter is greatly appreciated. If you have any questions or concerns, please don't hesitate to contact me.

*Un dangkulo' na Si Yu'us Ma'ase'.*

Attachments



## COMMITTEE VOTING SHEET

**Bill No. 365-30 (COR) – “AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS”;** sponsored by Senator Thomas C. Ada, and As Substituted by the Committee.

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
<b>FRANK B. AGUON, JR.</b> Chairman	 4/22/10	✓				
<b>ADOLPHO B. PALACIOS, SR.</b> Vice Chairman	 4/22/10	✓				
<b>BENJAMIN J.F. CRUZ</b> Vice Speaker		✓				
<b>TINA ROSE MUÑA BARNES</b> Legislative Secretary		✓				
<b>THOMAS C. ADA</b>		✓				
<b>JUDITH P. GUTHERTZ</b>				✓		
<b>RORY J. RESPICIO</b>						
<b>FRANK F. BLAS, JR.</b>						
<b>TELO TAITAGUE</b>		✓				
<b>RAY TENORIO</b>						



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

---

**COMMITTEE REPORT DIGEST**

**BILL NO. 365-30 (COR), as Substituted**

**I. OVERVIEW**

The Committee on Economic Development, Health & Human Services, & Judiciary, convened a public hearing on Tuesday, April 27, 2010 at 6:00 PM in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 365-30 (COR)** – “**AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS,**” sponsored by Senator Thomas C. Ada.

**Public Notice Requirements**

Notices were disseminated via hand-delivery / fax / email to all senators and all main media broadcasting outlets, and was published on April 21, 2010 (5-Day Notice) in the Marianas Variety, and again on April 23, 2010 (48-Hour Notice) in the Marianas Variety. The Public Hearing was called to order at 6:00 P.M.

**Senators Present** (as of the time of discussion of Agenda Item (1): Bill No. 365-30 (COR)):

Senator Frank B. Aguon, Jr., Chairperson  
Senator Adolpho B. Palacios, Vice-Chairperson  
Senator Thomas C. Ada, Committee Member  
Senator Telo Taitague, Committee Member

**II. SUMMARY OF TESTIMONY & DISCUSSION**

**CHAIRMAN FRANK B. AGUON, Jr.;** convened the public hearing and discussion on Agenda Item (1) **Bill No. 365-30 (COR)** at 6:08 P.M.

**CHAIRMAN:** invited Senator Thomas C. Ada, author of Bill No. 365-30 (COR), to explain the purpose of the Bill.

**SENATOR ADA:** Basically, what the bill does is that it reflects the current trends in the bond market with respect to how the interest rates are trending. It updates a policy that was passed by the Legislature in 2005 which had authorized the Waterworks Authority to go out to the bond market and borrow \$200 million dollars. It has since obtained that first \$100 million dollars, and is now getting ready to go out to the bond market to borrow that second trench of \$100 million dollar loan. Back in 2005, the interest rate that was authorized was not to exceed 6.5%. The current interest rate in the bond market is trending around 7.5%. The Bill really is an update that is reflective of the current market status.

**CHAIRMAN;** invited the first panel to testify. Also asked that the persons testifying also state as to whether they considered Bill 365 to *be time sensitive*.

**Mr. Leonard J. Olive, ScD, General Manager, Guam Waterworks Authority;** submitted written testimony (attached), and provided oral testimony, **IN SUPPORT** of passage of Bill No. 365-30 (COR). Mr. Leonard began by reading his written testimony.

Note: Mr. Leonard was accompanied by: **Mr. Sam Taylor, Legal Counsel, Consolidated Commission on Utilities, Mr. John Benavente, GWA, Mr. Greg Cruz, CFO, GWA, and, Mr. Simon Sanchez, CCU Chairman.**

**CHAIRMAN:** reiterated need to clarify as to whether this bill is time sensitive. Also noted that GEDA has submitted written testimony, and has been accepted for the record.

**Mr. Simon Sanchez, Chairman, Consolidated Commission on Utilities,** stated that the GWA bond bill is not as sensitive as the GPA bond bill, but that both utilities want to be in the market as soon as the Committee is done with it. Both utilities want to be in the market because the rates are good, We are looking somewhere between June for GPA, and no later than the first week of August for GWA. We are going to be in front of the rating agencies in May for GPA, and would like to be in front of the rating agencies for GWA sometime within the next three (3) weeks thereafter.

**Mr. Sam Taylor, Legal Counsel, Consolidated Commission on Utilities;** provided oral testimony, **IN SUPPORT** of passage of Bill No. 365-30 (COR). Also recommended language be added in Section 2 of the Bill relative to insuring that GWA would be able to take advantage of Build America Bonds, and other federally subsidized bond programs. Provided the recommended language.

**Mr. John Benavente, GWA;** provided oral testimony, **IN SUPPORT** of passage of Bill No. 365-30 (COR).

**Mr. Greg Cruz, CFO, GWA;** provided oral testimony, **IN SUPPORT** of passage of Bill No. 365-30 (COR).

### **III. FINDINGS & RECOMMENDATIONS**

**Amendments** At the recommendation of Mr. Sam Taylor, CCU Legal Counsel, Section 2 of the bill was amended with wording relative to insuring GWA's participation in Build America Bond, and similar federally subsidized bond programs.

No other substantive or technical amendments were made.

This Committee notes that a request for a fiscal note on Bill No. 365-30 (COR) was made by the Committee on Rules to the Bureau of Budget and Management Research. The Fiscal Note was subsequently issued on April 20, 2010, has been received, and is appended to this Committee Report.

The Committee on Economic Development, Health & Human Services, and Judiciary hereby **reports out Bill No. 365-30 (COR), as Substituted by the Committee,** for consideration by the Legislature, with the recommendation TO PASS.

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

**Bill No. 365-30 (COR),**  
as Substituted by the Committee on  
Economic Development, Health &  
Human Services, and Judiciary

Introduced by:

T.C. Ada

**AN ACT TO AMEND SECTION 4 OF  
PUBLIC LAW 28-71 RELATIVE TO  
APPROVING THE TERMS AND  
CONDITIONS OF THE ISSUANCE OF  
GUAM WATERWORKS AUTHORITY  
REVENUE BONDS**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that in order for Guam Waterworks Authority (“GWA”) to finance the projects necessary to continue to make progress in implementing the projects described in the Stipulated Order with the United States Environmental Protection Agency which outlines the corrective actions that GWA shall undertake, it may be advantageous for GWA to issue “Build America Bonds” under which GWA would pay taxable interest and receive interest subsidy payments from the federal government rather than paying tax-exempt interest. In addition, whether or not the GWA bonds are Build America Bonds, the net interest rates available to GWA in the financial markets may exceed the interest rate limit established in GWA’s 2005 bond approval.

**Section 2.** Section 4 of Public Law 28-71 is hereby amended to read as follows:

1 “Section 4. Approval of Guam Waterworks Authority Revenue Bonds. The  
2 Legislature, I Liheslaturan Guåhan, pursuant to Section 50103 of Title 12 of the  
3 Guam Code Annotated, hereby approves the issuance and sale by the Authority of  
4 revenue bonds pursuant to Article 2, Chapter 14, Title 12, Guam Code Annotated  
5 (the “Act”) in one or more series or issues; provided that the issuance, terms and  
6 conditions of the bonds shall have been approved by the Guam Public Utilities  
7 Commission, and further provided that such bonds shall have a principal amount  
8 not to exceed Two Hundred Twenty Million Dollars (\$220,000,000), shall have a  
9 final maturity not later than 2055, shall bear interest at such rate or rates and shall  
10 be sold for such price or prices as shall result in a net yield to the bondholders not  
11 exceeding ~~Six and One half percent (6.5%)~~ seven and one-half percent (7.5%) per  
12 annum, ~~(treating payments and receipts under any interest rate hedging contracts as~~  
13 ~~if they were payments to and receipts from the bondholders)~~ shall be issued and  
14 sold in the manner, for the purposes and subject to the requirements and limitations  
15 provided in Article 2, Chapter 14, Title 12, Guam Code Annotated, and shall be  
16 issued pursuant to an Indenture in substantially the form as attached to this Act as  
17 Exhibit A. In order to be able to take advantage of Build America Bonds, or other  
18 federally subsidized bond program, net yield to the bondholders shall be calculated  
19 by subtracting any interest subsidy amounts to be received from the United States  
20 in connection with such bonds from the amount of interest to be paid to  
21 bondholders.”

22 **Section 3. Severability.** If any provision of this law or its application to  
23 any person or circumstance is found to be invalid or contrary to law, such  
24 invalidity shall not affect other provisions or applications of this law which can be  
25 given effect without the invalid provisions or application, and to this end the  
26 provisions of this law are severable.

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

2010-12-09 9:28-100

Bill No. 365-30(COR)

Introduced by:

T.C. Ada 

**AN ACT TO AMEND SECTION 4 OF PUBLIC LAW  
28-71 RELATIVE TO APPROVING THE TERMS  
AND CONDITIONS OF THE ISSUANCE OF GUAM  
WATERWORKS AUTHORITY REVENUE BONDS**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**  
2

3 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
4 that in order for Guam Waterworks Authority (“GWA”) to finance the  
5 projects necessary to continue to make progress in implementing the projects  
6 described in the Stipulated Order with the United States Environmental  
7 Protection Agency which outlines the corrective actions that GWA shall  
8 undertake, it may be advantageous for GWA to issue “Build America  
9 Bonds” under which GWA would pay taxable interest and receive interest  
10 subsidy payments from the federal government rather than paying tax-  
11 exempt interest. In addition, whether or not the GWA bonds are Build  
12 America Bonds, the net interest rates available to GWA in the financial  
13 markets may exceed the interest rate limit established in GWA’s 2005 bond  
14 approval.

15 **Section 2.** Section 4 of Public Law 28-71 is hereby amended to read as  
16 follows:

17 “Section 4. Approval of Guam Waterworks Authority Revenue Bonds. The  
18 Legislature, *I Liheslaturan Guåhan*, pursuant to Section 50103 of Title 12 of

1 the Guam Code Annotated, hereby approves the issuance and sale by the  
2 Authority of revenue bonds pursuant to Article 2, Chapter 14, Title 12,  
3 Guam Code Annotated (the “Act”) in one or more series or issues; provided  
4 that the issuance, terms and conditions of the bonds shall have been  
5 approved by the Guam Public Utilities Commission, and further provided  
6 that such bonds shall have a principal amount not to exceed Two Hundred  
7 Twenty Million Dollars (\$220,000,000), shall have a final maturity not later  
8 than 2055, shall bear interest at such rate or rates and shall be sold for such  
9 price or prices as shall result in a net yield to the bondholders not exceeding  
10 ~~Six and One half percent (6.5%)~~ seven and one-half percent (7.5%) per  
11 annum, ~~(treating payments and receipts under any interest rate hedging~~  
12 ~~contracts as if they were payments to and receipts from the bondholders)~~  
13 shall be issued and sold in the manner, for the purposes and subject to the  
14 requirements and limitations provided in Article 2, Chapter 14, Title 12,  
15 Guam Code Annotated, and shall be issued pursuant to an Indenture in  
16 substantially the form as attached to this Act as Exhibit A. Net yield to  
17 the bondholders shall be calculated by subtracting any interest subsidy  
18 amounts to be received from the United States in connection with such  
19 bonds from the amount of interest to be paid to bondholders.”

20 **Section 3. Severability.** If any provision of this law or its application to  
21 any person or circumstance is found to be invalid or contrary to law, such  
22 invalidity shall not affect other provisions or applications of this law which  
23 can be given effect without the invalid provisions or application, and to this  
24 end the provisions of this law are severable.







**GUAM WATERWORKS AUTHORITY**

**ATURIDAT KINALAMTEN HANOM GUAHAN**

Post Office Box 3010, Hagatna, Guam 96932

Phone: (671) 647-7847 Fax: (671) 649-0369

April 27, 2010

Senator Frank B. Aguon, Jr.  
Chairman, Committee on Economic Development,  
Health and Human Services and the Judiciary  
30<sup>th</sup> Guam Legislature  
255 Hesler Street  
Hagåtña, GU 96932

*RE: GWA's testimony on Bill 365-30, an act to amend Section 4 of Public Law 28-71 relative to approving the terms and conditions of the issuance of Guam Waterworks Authority revenue bonds.*

Hafa Adai,

The Guam Waterworks Authority ("GWA") thanks you for the opportunity to present testimony on Bill 365-30, an act to amend Section 4 of Public Law 28-71 relative to approving the terms and conditions of the issuance of Guam Waterworks Authority revenue bonds.

As you may recall, Public Law 28-71 was enacted in 2005 and it authorized GWA to issue and sell revenue bonds in one or more series not to exceed the principal amount of two hundred twenty million dollars (\$220,000,000). The underlying reason behind Public Law 28-71 was to allow GWA to address certain investments in water and wastewater infrastructure required by a 2003 Stipulated Order and the implementation of GWA's 2005 Water Resource Master Plan and to improve water and wastewater service to the residents of Guam.

The first series of financing under Public Law 28-71 occurred in December 2005 in the principal amount of \$101,175 million. GWA now has used up the 2005 funds and wishes to proceed with

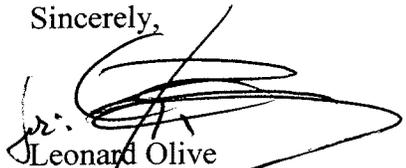
the next series of financing utilizing the \$118M balance remaining under the borrowing cap authorized in Public Law 28-71. The attached project listing that the bonds are going to pay for is just the beginning of GWA's critical capital plan to revitalize the water and wastewater system.

However, prior to rolling out of next phase of CIPs funded by the \$118M, we have been advised by GEDA's Financial Advisor and our bond underwriters that the net yield established by Public Law 28-71 may not be representative of prevailing market rates for similar debt. As such, we are asking for the rate to be changed from the 6.5% cap in 2005 that was established prior to the public financing market meltdown to 7.5%.

In light of this development, we wholeheartedly support the passage of Bill 365-30 because this bill will pave the way for GWA to obtain the necessary financing to launch the next series of capital improvement projects to make much needed improvements to our water and wastewater system that will benefit all of Guam.

Thank you for the opportunity to comment on this bill.

Sincerely,



Leonard Olive  
General Manager,  
Guam Waterworks Authority

GPUC DOCKET 09-03

**USES OF FUNDS**

PROJECT NAME	Drawdowns - 2010	Drawdowns - 2011	TOTALS
<b>WATER TREATMENT</b>			
Ugum Water Treatment Plant Intake Modifications	\$ 620,000		\$620,000
Water Wells (growth associated with military build-up)	\$ 2,356,000		\$2,356,000
<b>WATER DISTRIBUTION</b>			
Water Distribution System Pipe Replacement	\$ 2,300,000	\$ 2,500,000	\$4,800,000
Pressure Zone Realignment/Development 2005 Improvements	\$ 1,450,000	\$ -	\$1,450,000
Northern System Water Distribution System 2005 Improvements	\$ 2,600,000	\$ -	\$2,600,000
Central Water Distribution System 2005 Improvements	\$ 600,000	\$ -	\$600,000
Southern System Water Distribution System 2005 Improvements	\$ 500,000	\$ -	\$500,000
Water Booster Pumping Station 2005 Improvements	\$ -	\$ 500,000	\$500,000
Mechanical/Electrical Equipment Replacement	\$ -	\$ 500,000	\$500,000
Meter Replacement Program	\$ 2,500,000	\$ 2,500,000	\$5,000,000
<b>WATER STORAGE</b>			
Water Reservoir Internal/External Corrosion Assessment Program	\$ 500,000		\$500,000
Water Reservoir Internal/External Corrosion Rehabilitation Program	\$ 800,000	\$ 800,000	\$1,600,000
Water System Reservoirs 2005 Improvements	\$ 2,500,000	\$ -	\$2,500,000
<b>LIFT STATION UPGRADES</b>			
LS Priority 1 Upgrades	\$ 2,000,000	\$ -	\$2,000,000
<b>WASTEWATER COLLECTION</b>			
Moratorium	\$ 18,000,000	\$ 20,000,000	\$ 38,000,000
Old Agat Collection Project Continuation (III)	\$ 2,200,000		\$2,200,000
Manhole Frame Seal Repair	\$ 84,000		\$84,000
Agat Manhole Rehabilitation	\$ 55,000		\$55,000
Wastewater Collection System Replacement/Rehabilitation Program	\$ 250,000	\$ 250,000	\$500,000
<b>WASTEWATER TREATMENT</b>			
Facilities Plan/Design for the Baza Gardens STP Replacement	\$ 1,250,000	\$ 1,250,000	\$2,500,000
Facilities Plan/Design for the Northern District STP - Biosolids	\$ 500,000		\$500,000
NDWTP Diffuser Installation	\$ 3,000,000		\$3,000,000
Facilities Plan/Design for the Agat-Santa Rita STP Replacement	\$ 600,000		\$600,000
WWTP Priority 1 Upgrades	\$ 1,000,000	\$ 1,000,000	\$2,000,000
<b>ELECTRICAL AND SCADA</b>			
Wastewater Pumping Station Electrical Upgrade	\$ 250,000	\$ 250,000	\$500,000
Electrical Upgrade - Water Wells	\$ 500,000	\$ 500,000	\$1,000,000
Electrical Upgrade - Water Booster Pump Stations (Pago Bay, Brigade,	\$ 325,000	\$ 325,000	\$650,000
Electrical Upgrade -Water Booster Pump Stations (Gayinero, Santa Rosa,	\$ 350,000		\$350,000
Electrical Upgrade - Other Water Booster Pump Stations	\$ 250,000		\$250,000
GWA SCADA System - Phase 1	\$ 250,000		\$250,000
GWA SCADA System - Phase 2	\$ 1,100,000	\$ -	\$1,100,000
GWA SCADA System - Phase 3	\$ -	\$ 2,500,000	\$2,500,000
GWA SCADA System - Phase 4		\$ 850,000	\$ 850,000
<b>FACILITIES, EQUIPMENT &amp; MISCELLANEOUS</b>			
Land Survey	\$ 500,000	\$ 500,000	\$ 1,000,000
Water System Reservoirs 2005 Improvements	\$ 2,500,000	\$ 5,700,000	\$8,200,000
Tumon Bay Sewer Upgrades	\$ 1,500,000		\$ 1,500,000
General Plant Improvement/Water Distribution System Pipe Replacement	\$ 2,000,000	\$ 2,000,000	\$ 4,000,000
<b>TOTAL INTERNALLY FUNDED + BOND + SDC +ST LOAN PROJECTS</b>	<b>\$ 55,190,000</b>	<b>\$ 41,925,000</b>	<b>\$ 97,115,000</b>



GUAM WATERWORKS AUTHORITY

**"Good Water Always"**  
**578 North Marine Corps Drive**  
**Tamuning, Guam 96931**  
**Phone: (671) 647-2603 Fax: (671) 646-2335**

April 28, 2010

Senator Frank B. Aguon, Jr.  
Chairman, Committee on Economic Development,  
Health & Human Services and the Judiciary  
30<sup>th</sup> Guam Legislature  
255 Hesler Street  
Hagåtña, Guam 96932

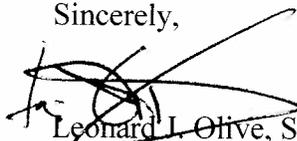
Re: Bill 365-30

Dear Senator Aguon,

Thank you for the opportunity to testify on Bill 365-30 (COR).

We apologize for the oversight on the inconsistency of the project listing to our testimony last night and have attached to this letter a revised project listing in support of our testimony.

Sincerely,

  
Leonard L. Olive, ScD  
General Manager

Attachment.

RECEIVED  
4/28

GPUC DOCKET 09-03

**USES OF FUNDS**

PROJECT NAME	Drawdowns - 2010	Drawdowns - 2011	TOTALS
<b>WATER TREATMENT</b>			
Ugum Water Treatment Plant Intake Modifications	\$ 620,000		\$620,000
Water Wells	\$ 2,356,000		\$2,356,000
<b>WATER DISTRIBUTION</b>			
Water Distribution System Pipe Replacement	\$ 2,300,000	\$ 2,500,000	\$4,800,000
Pressure Zone Realignment/Development 2005 Improvements	\$ 1,450,000	\$ -	\$1,450,000
Northern System Water Distribution System 2005 Improvements	\$ 2,600,000	\$ -	\$2,600,000
Central Water Distribution System 2005 Improvements	\$ 600,000	\$ -	\$600,000
Southern System Water Distribution System 2005 Improvements	\$ 500,000	\$ -	\$500,000
Water Booster Pumping Station 2005 Improvements	\$ -	\$ 500,000	\$500,000
Mechanical/Electrical Equipment Replacement	\$ -	\$ 500,000	\$500,000
Meter Replacement Program	\$ 2,500,000	\$ 2,500,000	\$5,000,000
<b>WATER STORAGE</b>			
Water Reservoir Internal/External Corrosion Assessment Program	\$ 500,000		\$500,000
Water Reservoir Internal/External Corrosion Rehabilitation Program	\$ 800,000	\$ 800,000	\$1,600,000
Water System Reservoirs 2005 Improvements	\$ 2,500,000	\$ -	\$2,500,000
<b>LIFT STATION UPGRADES</b>			
LS Priority 1 Upgrades	\$ 2,000,000	\$ -	\$2,000,000
<b>WASTEWATER COLLECTION</b>			
Moratorium	\$ 18,000,000	\$ 20,000,000	\$ 38,000,000
Old Agat Collection Project Continuation (III)	\$ 2,200,000		\$2,200,000
Manhole Frame Seal Repair	\$ 84,000		\$84,000
Agat Manhole Rehabilitation	\$ 55,000		\$55,000
Wastewater Collection System Replacement/Rehabilitation Program	\$ 250,000	\$ 250,000	\$500,000
<b>WASTEWATER TREATMENT</b>			
Facilities Plan/Design for the Baza Gardens STP Replacement	\$ 1,250,000	\$ 1,250,000	\$2,500,000
Facilities Plan/Design for the Northern District STP - Biosolids	\$ 500,000		\$500,000
NDWTP Diffuser Installation	\$ 3,000,000		\$3,000,000
Facilities Plan/Design for the Agat-Santa Rita STP Replacement	\$ 600,000		\$600,000
WWTP Priority 1 Upgrades	\$ 1,000,000	\$ 1,000,000	\$2,000,000
<b>ELECTRICAL AND SCADA</b>			
Wastewater Pumping Station Electrical Upgrade	\$ 250,000	\$ 250,000	\$500,000
Electrical Upgrade - Water Wells	\$ 500,000	\$ 500,000	\$1,000,000
Electrical Upgrade - Water Booster Pump Stations (Pago Bay, Brigade,	\$ 325,000	\$ 325,000	\$650,000
Electrical Upgrade -Water Booster Pump Stations (Gayinero, Santa Rosa,	\$ 350,000		\$350,000
Electrical Upgrade - Other Water Booster Pump Stations	\$ 250,000		\$250,000
GWA SCADA System - Phase 1	\$ 250,000		\$250,000
GWA SCADA System - Phase 2	\$ 1,100,000	\$ -	\$1,100,000
GWA SCADA System - Phase 3	\$ -	\$ 2,500,000	\$2,500,000
GWA SCADA System - Phase 4		\$ 850,000	\$ 850,000
<b>FACILITIES, EQUIPMENT &amp; MISCELLANEOUS</b>			
Land Survey	\$ 500,000	\$ 500,000	\$ 1,000,000
Water System Reservoirs 2005 Improvements	\$ 2,500,000	\$ 5,700,000	\$8,200,000
Tumon Bay Sewer Upgrades	\$ 1,500,000		\$ 1,500,000
General Plant Improvement/Water Distribution System Pipe Replacement	\$ 2,000,000	\$ 2,000,000	\$ 4,000,000
<b>TOTAL INTERNALLY FUNDED + BOND + SDC +ST LOAN PROJECTS</b>	<b>\$ 55,190,000</b>	<b>\$ 41,925,000</b>	<b>\$ 97,115,000</b>

*SAM Taylor*

*6WA Legal Counsel*

*See Also: Recommended Amendment B-365*

## Overview of Build America Bonds

---

The American Recovery and Reinvestment Act of 2009 (the "Act") provides tax-exempt issuers with a financing alternative – Build America Bonds

---

- Build America Bonds (BABs) combine the issuance of taxable bonds with a 35% issuer interest subsidy (Direct Payment) or a 35% investor tax credit (Tax Credit)
  - Under the Direct Payment method, the bond issuer receives a semi-annual subsidy payment from the Federal Government in the amount of 35% of the interest paid
- The first Build America Bonds were issued in April 2009 and to date over \$100 billion of Direct Payment BABs have been issued
  - This represents 30% of all municipal issuance year to date
- Early financings were completed by highly-rated issuers and most used corporate-like structures as to maturities and redemption provisions
  - Most new issues were priced at a significant "new issue premium" to comparable bonds trading in the secondary market
- The Build America Bond market continues to strengthen, with spreads tightening to comparable Treasuries
  - New issue premiums have decreased dramatically
- These tightened spreads have improved the efficiency of the BAB market, making short and intermediate maturities a significantly more attractive option
- Additional structural flexibility has accompanied these improved costs, including:
  - Variety of BAB transaction size, with transactions well below the \$250 million minimum threshold previously thought to be required
  - Final maturities of up to 40 years have proven that longer lived BAB transactions can be sold effectively thanks to the broad investor base inherent in the taxable market
  - 10-Year Par Call provisions have been incorporated into numerous BAB transactions, allowing issuers future financial flexibility traditionally only found in the tax-exempt market

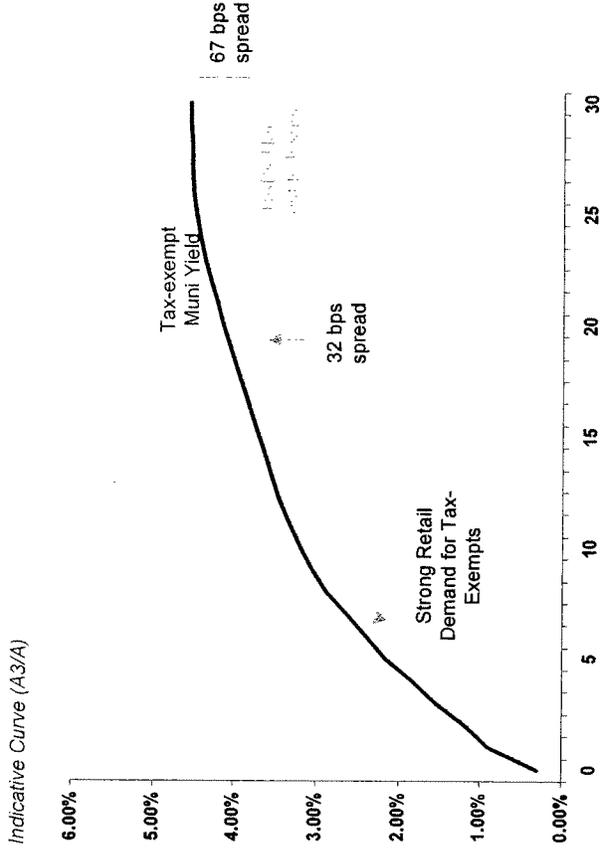


# Why are Issuers using Direct Payment BABs?

## Examples of Savings (on Issue Date)

- **City of Orlando— Issued \$50.97mm**
  - Taxable: UST + 380 = 8.10% = 5.27%, net of subsidy
  - Tax-Exempt: ~5.94%.
  - Savings: ~ 67bps, excluding call option
- **Dallas Convention Center Hotel – Issued \$390.19mm**
  - Taxable: UST + 275 = 7.09% = 4.61%, net of subsidy
  - Tax-Exempt: ~6.17%.
  - Savings: ~156bps, excluding call option

## Net Cost of BABs vs Traditional Tax-Exempts



## Issuer Considerations

- Use of proceeds limitations – capital expenditures, costs of issuance (2% of net proceeds)
- No refinancings, no working capital, no non-governmental issuers
- Call options much more expensive than in tax-exempt market
- Shorter maturities not economic

# Build America Bonds – Considerations

---

- A number of proposed bills would extend the Build America Bond program, but at a reduced Federal subsidy level for bonds issued after the change
  - At 35%, the total projected subsidy currently is \$50 million over the life of a \$100 million financing
  - Current range of proposals decreases subsidy to between 28% and 33%
- Why BABs provide significant benefit to issuers of tax-exempt bonds, some risks should be evaluated:
  - 1) A change in Federal law that retroactively changes or eliminates the subsidy level
    - Current proposals to extend and reduce the subsidy would only affect future transactions, not retroactive
    - Risk to Guam is a subsidy reduction for outstanding debt causing payments of debt service at the higher taxable equivalent level
  - 2) The Federal Government offsetting other payments it is owed by Guam by reducing the subsidy level
    - Federal Government has only utilized this procedure in the case of failure to pay taxes by the issuer
  - 3) The Federal Government may deem that Guam has utilized the proceeds of the bonds in some way that is not allowed under the IRS code and require reimbursement for prior subsidy payments and eliminate future payments
    - As with all transactions, Guam relies on a clean opinion from Bond Counsel that the bonds meet all tax code requirements
- While Guam credits may benefit from the Build America Bond program, there are some Guam specific considerations
  - Build America Bond Program has been predominantly used by higher-rated investment grade credits with limited use by non-investment grade credits
  - Flexibility for using Build America Bonds for low-investment grade or non-investment grade Guam credits, such as GWA, would be helpful should the Build America Bond market continue to expand
  - Because Guam's bonds enjoy triple tax-exemption, Build America Bonds may not provide as much benefit as comparably-rated credits but may still provide significant debt service savings to the Government's credits nonetheless



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

*Aturidá Inadilánton Ikunumihan Guahan*

**Testimony on Bill 365-30 (COR) of Mr. Anthony C. Blaz,  
Administrator, Guam Economic Development Authority  
To the Committee on Economic Development, Health & Human Services, and Judiciary,  
*Mina Trenta Na Liheslaturan Guahan***

Hafa Adai Chairman Aguon and Members of the Committee:

I am writing in support of Bill 365-30, an Act to amend Section 4 of Public Law 28-71 relative to approving the terms and conditions of the issuance of Guam Waterworks Authority Revenue Bonds. The Bill allows for the issuance of Build America Bonds ("BABs"), subsidized taxable municipal bonds authorized under the American Reinvestment and Recovery Act ("ARRA"), as well as allows additional cushion for the maximum interest rate under which GWA's bonds can be issued.

GWA has approached GEDA to assist the Authority in issuing the second portion of their planned long-term bonds to fund certain capital projects, as authorized in 2005. As the Legislature is aware, from our discussions related to the 2009 General Obligation and 2009 Section 30 bonds, the municipal market has experienced extreme volatility and change since 2005. The economic downturn and credit crisis has significantly impacted the cost of borrowing for municipal issuers. While overall interest rates have remained near historic lows, the spreads or premiums to those low rates required to place Guam's bonds has increased considerably since 2005. There is still little activity in the non-investment grade category since the credit crisis, and those issues that have come to market, have been at levels higher than the current 6.95% maximum rate for GWA.

In recent months, the municipal market has been steady. 30-year Treasury rates have remained fairly stable in 2010, ranging from 4.50% - 4.85%. Currently, the 30-year US Treasury rate is at 4.66%. Since June 2009, tax-exempt rates have declined dramatically, particularly on the long end of the yield curve. During this time, the taxable municipal market has been very active with the issuance of Build America Bonds ("BABs"), which are taxable bonds with an interest rate subsidy that goes directly to the issuer, as authorized under ARRA. The introduction of BABs has significantly decreased the supply of tax-exempt bonds in the long end of the yield curve (20-30 years). 30-year AAA MMD is currently at 4.11%, nearly 52 basis points lower than where it was in June 2009.

Year to date municipal issuance volume (including taxable and tax-exempt bonds) has totaled \$125 billion, an 8% increase over issuance over the same period in 2009. During this same period, over \$32 billion of BABs have been issued, comprising nearly 27% of total municipal issuance. BABs continue to dominate the market, with over \$96 billion in BABs issued since the program was first initiated in April 2009. The market for non-investment grade BABs still remains relatively untested, however to the extent it makes sense from an economic perspective, we would like to have the flexibility to issue BABs for GWA.

Credit spreads are also becoming increasingly tighter in recent months, as demand for “yield” has increased, which is helping low to non-investment grade issues in the market. The recent rating recalibrations from Moodys and Fitch have also helped tighten credit spreads. Although the recalibration reflects a shift to a different scale and does not necessarily reflect outright upgrades, the higher ratings may have had psychological effect on retail investors and may have also allowed certain investors to hold bonds they previously could not. In June 2009, the 30-year credits spread for ‘BBB’ rated bonds was 209 basis points. Today, 30-year credit spreads for BBB bonds are approximately 143 basis points, a decline of 66 basis points.

In summary, GEDA believes that the amendment proposed by Bill 365-30 provides the flexibility necessary to ensure that GWA’s bond issue is marketed and sold in a timely manner. Despite GWA’s non-investment grade ratings, market conditions remain positive and our financial partners remain bullish about the attractiveness to Guam's triple tax-exemption and we feel comfortable that GWA's bonds can be priced at rates below the 7.5% maximum rate contained in Bill 365-30.

Si Yu’os Ma’ase’.



**ANTHONY C. BLAZ**  
Administrator

# Overview of Build America Bonds

---

The American Recovery and Reinvestment Act of 2009 (the "Act") provides tax-exempt issuers with a financing alternative – Build America Bonds

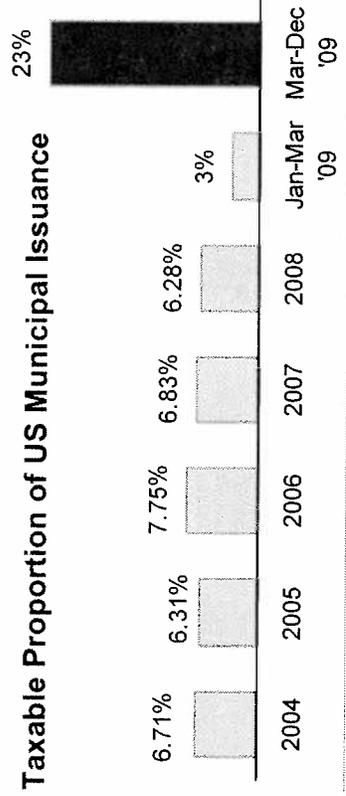
---

- Build America Bonds (BABs) combine the issuance of taxable bonds with a 35% issuer interest subsidy (Direct Payment) or a 35% investor tax credit (Tax Credit)
  - Under the Direct Payment method, the bond issuer receives a semi-annual subsidy payment from the Federal Government in the amount of 35% of the interest paid
- The first Build America Bonds were issued in April 2009 and to date over \$100 billion of Direct Payment BABs have been issued
  - This represents 30% of all municipal issuance year to date
- Early financings were completed by highly-rated issuers and most used corporate-like structures as to maturities and redemption provisions
  - Most new issues were priced at a significant "new issue premium" to comparable bonds trading in the secondary market
- The Build America Bond market continues to strengthen, with spreads tightening to comparable Treasuries
  - New issue premiums have decreased dramatically
- These tightened spreads have improved the efficiency of the BAB market, making short and intermediate maturities a significantly more attractive option
- Additional structural flexibility has accompanied these improved costs, including:
  - Variety of BAB transaction size, with transactions well below the \$250 million minimum threshold previously thought to be required
  - Final maturities of up to 40 years have proven that longer lived BAB transactions can be sold effectively thanks to the broad investor base inherent in the taxable market
  - 10-Year Par Call provisions have been incorporated into numerous BAB transactions, allowing issuers future financial flexibility traditionally only found in the tax-exempt market

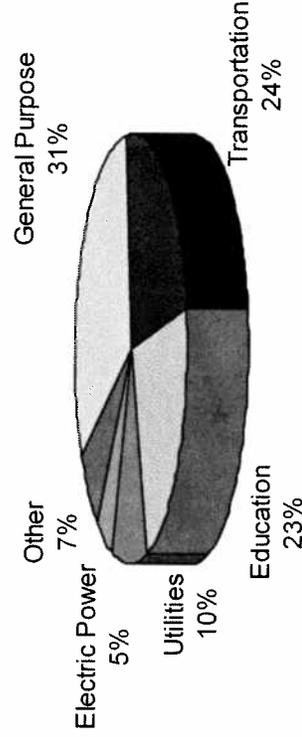
# Build America Bonds Program

## The two types of BABs are:

- Direct Payment Bonds:** are bonds on which the United States Treasury Department pays state or local government issuers a subsidy equal to 35 percent of the interest payments on such bonds, which is intended to lower the issuers' cost of funds. Proceeds of direct payment bonds can be used for the most of the same purposes as proceeds of regular tax exempt government bonds except for refundings, working capital or private activities and for 501(c)(3) conduit borrowers.
- Tax Credit Bonds:** bonds on which the bond holders receive a tax credit equal to the 35 percent of interest on such bonds. The proceeds of tax credit bonds cannot be used for private activities or for 501(c)(3) conduit borrowers. It is widely believed that the tax credits issued by the federal government can be stripped from the underlying bond and traded separately, but this market has not yet developed.

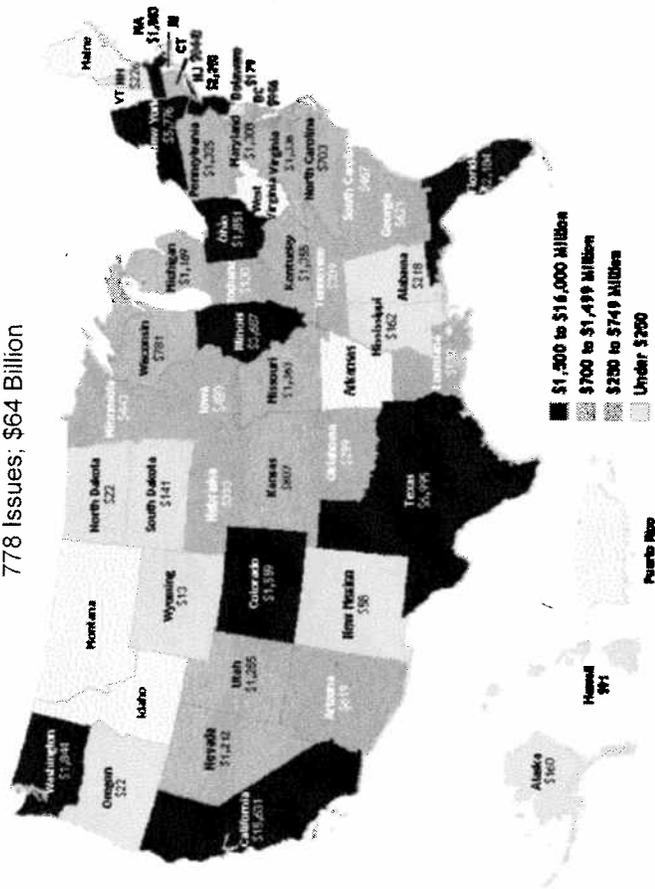


BABs Sectors (Jan-Dec 2009)



### BAB Issuance in 2009 by State

778 Issues; \$64 Billion

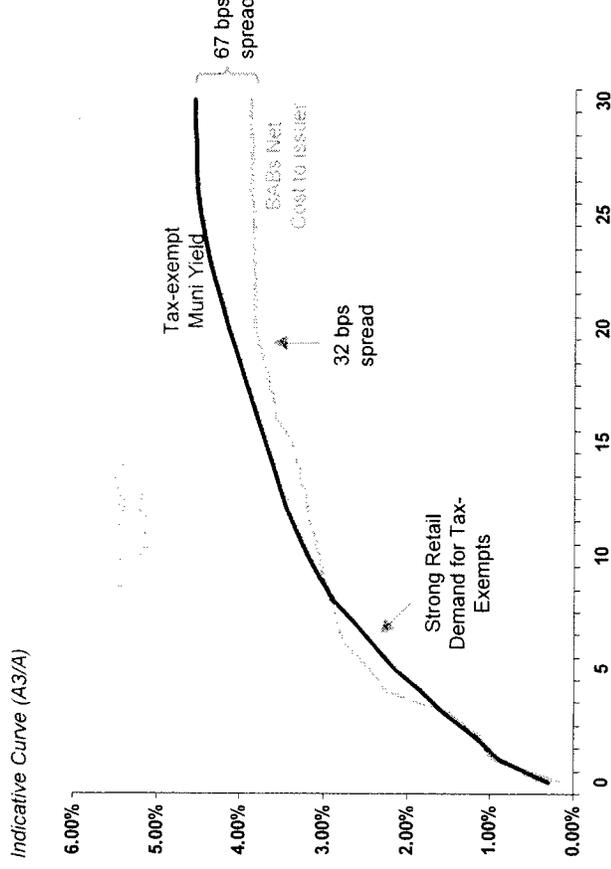


# Why are Issuers using Direct Payment BABs?

## Examples of Savings (on Issue Date)

- **City of Orlando— Issued \$50.97mm**
  - Taxable: UST + 380 = 8.10% = 5.27%, net of subsidy
  - Tax-Exempt: ~5.94%.
  - Savings: ~ 67bps, excluding call option
- **Dallas Convention Center Hotel – Issued \$390.19mm**
  - Taxable: UST + 275 = 7.09% = 4.61%, net of subsidy
  - Tax-Exempt: ~6.17%.
  - Savings: ~156bps, excluding call option

## Net Cost of BABs vs Traditional Tax-Exempts



## Issuer Considerations

- Use of proceeds limitations – capital expenditures, costs of issuance (2% of net proceeds)
- No refinancings, no working capital, no non-governmental issuers
- Call options much more expensive than in tax-exempt market
- Shorter maturities not economic

# Build America Bonds – Considerations

---

- A number of proposed bills would extend the Build America Bond program, but at a reduced Federal subsidy level for bonds issued after the change
  - At 35%, the total projected subsidy currently is \$50 million over the life of a \$100 million financing
  - Current range of proposals decreases subsidy to between 28% and 33%
- **Why BABs provide significant benefit to issuers of tax-exempt bonds, some risks should be evaluated:**
  - 1) A change in Federal law that retroactively changes or eliminates the subsidy level
    - Current proposals to extend and reduce the subsidy would only affect future transactions, not retroactive
    - Risk to Guam is a subsidy reduction for outstanding debt causing payments of debt service at the higher taxable equivalent level
  - 2) The Federal Government offsetting other payments it is owed by Guam by reducing the subsidy level
    - Federal Government has only utilized this procedure in the case of failure to pay taxes by the issuer
  - 3) The Federal Government may deem that Guam has utilized the proceeds of the bonds in some way that is not allowed under the IRS code and require reimbursement for prior subsidy payments and eliminate future payments
    - As with all transactions, Guam relies on a clean opinion from Bond Counsel that the bonds meet all tax code requirements
- **While Guam credits may benefit from the Build America Bond program, there are some Guam specific considerations**
  - Build America Bond Program has been predominantly used by higher-rated investment grade credits with limited use by non-investment grade credits
  - Flexibility for using Build America Bonds for low-investment grade or non-investment grade Guam credits, such as GWA, would be helpful should the Build America Bond market continue to expand
  - Because Guam's bonds enjoy triple tax-exemption, Build America Bonds may not provide as much benefit as comparably-rated credits but may still provide significant debt service savings to the Government's credits nonetheless

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 365-30 (COR)**

**AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Guam Waterworks Authority (GWA)	<b>Dept./Agency Head:</b> Dr. Leonard J. Olive, General Manager
<b>Department's General Fund (GF) appropriation(s) to date:</b>	\$0
<b>Department's Other Fund (Specify) appropriation(s) to date:</b>	\$0
<b>Total Department/Agency Appropriation(s) to date:</b>	\$0

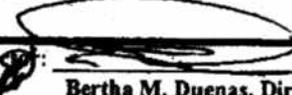
**Fund Source Information of Proposed Appropriation**

	General Fund:	Other:	Total:
<b>FY 2010 Adopted Revenues</b>	\$540,218,638	\$112,566,011	\$652,784,649
<b>FY 2010 Appro. (P.L. 30-55 thru 30-112)</b>	(\$540,228,724)	(\$120,120,186)	(\$660,348,910)
<b>Sub-total:</b>	(\$10,086)	(\$7,554,175)	(\$7,564,261)
<b>Less appropriation in Bill</b>	\$0	\$0	\$0
<b>Total:</b>	(\$10,086)	(\$7,554,175)	(\$7,564,261)

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2010 (if applicable)	FY 2011	FY 2012	FY 2013	FY 2014
<b>General Fund</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Tourist Attraction Fund</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? // Yes /X/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No  
If no, what is the additional amount required? \$ \_\_\_\_\_ // N/A
- Does the Bill establish a new program/agency? // Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A // Yes // No  
Is there a federal mandate to establish the program/agency? // Yes /X/ No
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No  
// Requested agency comments not received by due date // Other: \_\_\_\_\_

**Analyst:** Arthur R. Mariano **Date:** 4/14/10 **Director:**  **Date:** APR 20 2010  
Bertha M. Duenas, Director, BBMR

**Footnotes:** The subject Bill amends Section 4 of P.L. 28-71 whereby the net yield provision contained therein is amended from Six and One half percent (6.5%) to Seven and One half percent (7.5%). Additional language clarifying the calculation of "net yield" was added as part of the aforementioned amendment. While the issuance of revenue bonds by GWA has a potential funding impact, in its present form, that impact cannot be determined at this time.



**COMMITTEE ON RULES**

*I Mina'Trenta na Liheslaturan 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**

April 6, 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 Bills No. 365-30(COR) and 366-30(COR)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 365-30(COR) and 366-30(COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, 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 Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

2010 APR 6 PM 2:07  
EDM

*I Mina'Trenta Na Liheslaturan Guåhan*

**Bill Log Sheet**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B365-30 (COR)	T. C. Ada	An act to amend Section 4 of Public Law 28-71 relative to approving the terms and conditions of the issuance of Guam Waterworks Authority Revenue Bonds	4/06/10 9:28 a.m.	4/6/10	Committee on Economic Development, Health and Human Services, and Judiciary			
B366-30 (COR)	T. C. Ada	An act to amend Section 29 of Public Law 30-101 relative to including a waiver of immunity for bonds issued by the Guam Waterworks Authority	4/06/10 9:29 a.m.	4/6/10	Committee on Economic Development, Health and Human Services, and Judiciary			



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

April 19, 2010

**MEMORANDUM**

**TO:** Honorable Senators/Committee Members  
*Committee on Economic Development,  
Health & Human Services, and Judiciary*

**FROM:** SENATOR FRANK B. AGUON, JR.   
*Chairman*

**SUBJECT:** FIRST NOTICE – Notice of Public Hearing  
Tuesday, April 27, 2010 – 6:00 pm

*Buenas yan Hafa Adai!*

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Tuesday, April 27, 2010**, beginning at **6:00 pm** in the Guam Legislature's Public Hearing Room.

The items for discussion are as follows:

- **BILL NO. 365-30 (COR)** – AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.
- **BILL NO. 368-30 (COR)** – AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

Should you have any questions, please contact Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'us Ma'ase'.*

Cc: Sergeant-at-Arms/Protocol/AV  
Stephanie Mendiola, COR  
Clerk of the Legislature  
MIS

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**1st NOTICE - PUBLIC HEARING 04.27.2010, 6PM**

from Frances Lizama <lizama.frances@gmail.com>  
 to "SEN. ADA, Thomas C." <tom@senatorada.org>,  
 "SEN. ADA, Tony" <senatorTonyada@guamlegislature.org>,  
 "SEN. BLAS, Frank F., Jr." <frank.blasjr@gmail.com>,  
 "SEN. CALVO, Eddie J.B." <sencalvo@gmail.com>,  
 "SEN. ESPALDON, James V." <senator@espaldon.com>,  
 "SEN. GUTHERTZ, Judith P." <judiguthertz@pticom.com>,  
 "SEN. MUNA BARNES, Tina Rose" <linamunabarnes@gmail.com>,  
 "SEN. PALACIOS, Adolpho B., Sr." <abpalacios@gmail.com>,  
 "SEN. PANGELINAN, Ben" <senbenp@guam.net>,  
 "SEN. RESPICIO, Rory J." <roryforguam@gmail.com>,  
 "SEN. TAITAGUE, Telo" <senatorTelo@gmail.com>,  
 "SEN. TENORIO, Ray" <ray@raytenorio.com>,  
 "SPKR WON PAT, Judi" <speaker@judiwonpat.com>,  
 "VICE SPKR CRUZ, Benjamin J.F." <senadotbjacruz@gmail.com>  
 cc "BORJA, Dominic" <dominic@senatorada.org>,  
 "GILLHAM, Juliette" <office@senatorada.org>,  
 "LUHR, Cyrus" <cyrus@senatorada.org>,  
 "SANTOS, Nicole" <nsantos@senatorada.org>,  
 "SUNGA, Jay" <ajsunga@senatorada.org>,  
 "ATALIG, Louise A." <louise\_atalig@yahoo.com>,  
 "CASTRO, James P." <jamespcastro@gmail.com>,  
 "FEJERAN, Mary C." <maryfejeran@gmail.com>,  
 "SAYAMA, Mark" <sayama01@yahoo.com>,  
 "GOGUE, Elaine" <epgogue@hotmail.com>,  
 "UNPINGCO, Joy" <joyunpingco@gmail.com>,  
 "ALONSO, Maya" <maya@guamlegislature.org>,  
 "BLAS, Jon" <jonatwork2010@gmail.com>,  
 "CRUZ, Jose Jr." <josecruzjr17@yahoo.com>,  
 "LG, Peter" <peterlg@gmail.com>,  
 "LIDIA, Mike" <mike.lidia9@gmail.com>,  
 "MATANANE, Tammy" <tpmatanane@yahoo.com>,  
 "ODOCA, Chris" <codoca@gmail.com>,  
 "DUENAS, Mona" <mona.duenas@gmail.com>,  
 "ROBERTO, Phil" <roberto.phil@gmail.com>,  
 "LG, Ed" <elg@guamlegislature.org>,  
 "MUNA, Rose" <rsmuna@yahoo.com>,  
 "TUPAZ, Robert" <rob.tupaz@gmail.com>,  
 "WYTTENBACH-SANTOS, Richard" <doc.wyppenbachsantos@gmail.com>,  
 "KOMIYAMA, Velma" <vel.komiyama@yahoo.com>,  
 "OKADA, Tina" <tinaokada@gmail.com>,  
 "TAITAGUE, Ron" <ez2plez57@yahoo.com>,  
 "BURGOS, Fred" <feaburgos@gmail.com>,  
 "CEPEDA, Patrick" <patrickcepeda@hotmail.com>,  
 "CRUZ, Priscilla" <pjtcruz@yahoo.com>,  
 "DIAZ, Jonathan" <jonbdiaz@gmail.com>,  
 "CIPOLLONE, Lisa" <cipo@guamlegislature.org>,  
 "HILLS, Derick" <derickhills@live.com>,  
 "OKADA, Anjelica" <aokada@guamlegislature.org>,  
 "MENDIOLA, Stephanie - Sen. Respicio's Ofc." <sem@guamlegislature.org>,  
 "PHILLIPS, Bill R. - Sen. Respicio CP" <phillipsguam@gmail.com>,  
 "TAJALLE, Elaine - Sen. Respicio" <elainevtll@gmail.com>,  
 "LEE, Edward G." <teddytaz\_222@yahoo.com>,  
 "PEREZ, Mike" <mjperez48@yahoo.com>,  
 "BLAS, Roland" <roland@judiwonpat.com>,  
 "DEFENSOR, Sahara" <sahara@judiwonpat.com>,  
 "DUARTE, Mark" <mark@judiwonpat.com>,  
 "TORRES, Frank B." <fbtorres@judiwonpat.com>,  
 "BERMUDES, Vince - MIS" <vbermudes@guamlegislature.org>,  
 "PAK, Yong - MIS" <yong@guamlegislature.org>,  
 "LG, Joe - Sgt-at-Arms" <sgtarms@guamlegislature.org>,  
 "QUITUGUA, Tony - Protocol/Reproduction" <tq@guamlegislature.org>,  
 "UNSIOG, Tom - Protocol/AV" <tunsiog@guamlegislature.org>,  
 "SANTOS, Pat" <psantos@guamlegislature.org>

date Mon, Apr 19, 2010 at 5:30 PM

subject 1st NOTICE - PUBLIC HEARING 04.27.2010, 6PM

mailed-by gmail.com

- Hide quoted text -

HABA ADAI TO ALL:

Please see attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Legislature's Public Hearing Room.

**Un dangkulo' na SI Yu'us Ma'ase'.**

FRANCES S. LIZAMA  
 Office of Senator Frank B. Aguon, Jr.  
 30th Guam Legislature  
 Committee on Economic Development,  
 Health & Human Services, and Judiciary  
 238 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96910  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497



# SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,  
Health & Human Services, and Judiciary  
*I Mina' Trenta Na Liheslaturan Guåhan*  
(Thirtieth Guam Legislature)



## PRESS RELEASE

FOR IMMEDIATE RELEASE

April 19, 2010

## NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 5 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

**DATE:** Tuesday, April 27, 2010  
**TIME:** 6:00 pm  
**PLACE:** Guam Legislature's Public Hearing Room

On the agenda for discussion are the following bills:

- **BILL NO. 365-30 (COR)** – AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.
- **BILL NO. 368-30 (COR)** – AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

Persons with disabilities needing special accommodations/services, or for more information, please contact Mr. Ron Teehan, Committee Director at 969-1495/6.

#####

### MEDIA DISTRIBUTION: (fax, email or hand delivery)

KUAM TV/Radio	637-9870	K-Stereo / KISH	477-6411
News Talk K57 / Power98	477-3982	KPRG News	734-2958
PDN	477-3079	KGTF	734-3476
PNC News	477-0793	Adventist Radio	565-2983
Marianas Variety	648-2007	Harvest Radio	477-7136
Marianas Media / Guam News Factor	477-2240	Joy 92FM	477-4678
Hit Radio 100	472-7663		

**1st NOTICE - PUBLIC HEARING 04.27.2010, 6PM**[hide details 5:33 PM](#)

from **Frances Lizama** <lizama.frances@gmail.com>  
to gerry@mvguam.com,  
john@marianasmedia.com,  
"AGUON, Mindy - KUAM" <671mindy@gmail.com>,  
"ARROYO, Patti - K57" <parroyo@k57.com>,  
"ARTERO, Sonya - KUAM" <sonya@kuam.com>,  
"CAGURANGAN, MarVic - MarVariety" <marvic@mvguam.com>,  
"CATAHAY, Michelle - KUAM" <michele@kuam.com>,  
"COFFMAN, Travis - K57" <thebigshow@k57.com>,  
"DALENO, Gaynor - PDN" <gdumat-ol@guampdn.com>,  
"DALENO, Gaynor Dumat-ol" <gdumat-ol@guam.gannett.com>,  
"GEORGE, Duane M" <dmgeorge@guam.gannett.com>,  
"GIBSON, Ray - K57" <rgibson@k57.com>,  
"GIBSON, William - K57" <breakfastshowk57@gmail.com>,  
GLIMPSES <managingeditor@glimpses.guam.com>,  
"GLIMPSES - PALACIOS, Ivan" <reporter1@glimpsesofofguam.com>,  
"GODLEWSKI, Stephanie - PDN" <smgodlewski@guampdn.com>,  
"HART, Therese - MarVariety" <therese@mvguam.com>,  
"KELMAN, Brett - Guam Gannett" <bmkelman@guam.gannett.com>,  
"KERRIGAN, Kevin - SPB" <kevin@spbguam.com>,  
KPRG <kprg@guam.net>,  
KSTO-KISH <kstokish@gmail.com>,  
"MATANANE, Sabrina - KUAM" <sabrina@kuam.com>,  
"MELYAN, Catriona - PDN" <cmelyan@guampdn.com>,  
"MUNA, Audrey" <audreymuna@yahoo.com>,  
PACIFIC NEWS CENTER <news@spbguam.com>,  
"PEREZ, Alicia - KSTO/KISH" <kstonews@ite.net>,  
"RUDOLPH, Michael - Marianas Media" <michael@marianasmedia.com>,  
"SALAS, Jason - KUAM" <jason@kuam.com>,  
"TAITANO, Zita - MarVariety" <zytaitano@gmail.com>,  
"TYQUIENGCO, Josh - SPB" <jtyquiengco@spbguam.com>,  
"WATANABE, Masako - Guam Gannett" <mwatanabe@guam.gannett.com>

date Mon, Apr 19, 2010 at 5:33 PM  
subject 1st NOTICE - PUBLIC HEARING 04.27.2010, 6PM  
mailed-by gmail.com

HAFA ADAI TO ALL:

Please see attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Legislature's Public Hearing Room.

***Un dangkulo' na Si Yu'us Ma'ase'.***

—  
FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
DNA Bldg (old PDN), Suite 701A  
Hagatna, Guam 96910  
Tel: 671.969.1495/6  
Fax: 671.969.1497

 **2010.04.27 - PH - 1st Notice.docx**  
85K [View as HTML](#) [Open as a Google](#)

NOTE: Blocked calls are not displayed on this report.  
 For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Apr 12	12:54PM	Fax Sent	4774678	0:52	2	OK
Apr 12	3:58PM	Received	671 4722825 6714722825	0:47	2	OK
Apr 13	7:20AM	Received	6490145 6716490145	0:34	1	OK
Apr 13	11:19AM	Received	7341988 6717341988	0:44	1	OK
Apr 13	3:08PM	Received	6716499118	0:45	0	No fax
Apr 14	9:59AM	Received	671-477-6796 6714776796	0:24	1	OK
Apr 14	5:05PM	Fax Sent	6498668	0:35	1	OK
Apr 15	11:18AM	Fax Sent	4773321	0:32	0	Error 344
Apr 15	11:20AM	Fax Sent	4773321	1:15	2	OK
Apr 15	11:59AM	Received	671 4751727 6714751727	2:13	3	OK
Apr 16	2:52PM	Fax Sent	6332643	0:49	1	OK
Apr 17	2:04PM	Received	6717348584	0:45	0	No fax
Apr 17	2:06PM	Received	6717348584	0:44	0	No fax
Apr 19	12:19PM	Received	6716377175 6716377175	0:42	3	OK
Apr 19	1:57PM	Received	671-477-6796 6714776796	0:33	1	OK
Apr 19	5:16PM	Received	6716472000	0:39	1	OK
Apr 19	5:35PM	Fax Sent	6379870 - KUAM TV/RADIO	0:42	1	OK
Apr 19	5:37PM	Fax Sent	4773982 - K57 / POWER 98	0:29	1	OK
Apr 19	5:38PM	Fax Sent	4773079 - PDN	0:52	1	OK
Apr 19	5:39PM	Fax Sent	4770793 - PNC NEWS	0:34	1	OK
Apr 19	5:41PM	Fax Sent	6482007 - MARIANAS VARIETY	0:39	1	OK
Apr 19	5:42PM	Fax Sent	4772240 - MAR MEDIA/ GNF	2:40	1	OK
Apr 19	5:45PM	Fax Sent	4727663 - HIT RADIO 100	0:30	1	OK
Apr 19	5:47PM	Fax Sent	4776411 - K-STEREO / KISH	0:50	1	OK
Apr 19	5:48PM	Fax Sent	7342958 - KPRG NEWS	0:31	1	OK
Apr 19	5:49PM	Fax Sent	7343476 - KGTF	0:00	0	No answer
Apr 19	5:51PM	Fax Sent	5652983 - ADVENTIST RADIO	0:32	1	OK
Apr 19	5:52PM	Fax Sent	4777136 - HARVEST RADIO	0:43	1	OK
Apr 19	5:53PM	Fax Sent	4774678 - JOY 92FM	0:30	1	OK
Apr 19	5:54PM	Fax Sent	7343476 - KGTF	0:00	0	No answer

# Outsource...

continued from page 1

firefighting, ambulance and rescue services," GFD spokesman Joey San Nicolas said.

San Nicolas said GFT's allegation was merely based on one

They are angry... potentially hold all of our lives in their hands. Don't they deserve a little dignity and respect?" the union vice president added.

# Gearing up for

## Local industry learns more

g... Sukola

sustainable design, construction and operation of buildings and neighborhoods.

If Guam contractors do not

ell, making sure built constructed to reduce is a top priority among contractors. As the cost



SENATOR FRANK B. AGUON, JR., *Chairman*  
COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY  
*I Mina Trenta Na Libeslaturan Guahan 36th Guam Legislature*  
238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910  
\*Tel: (671) 969-1495/6 • Fax: (671) 969-1497 Email: aguon4guam@gmail.com

### NOTICE OF PUBLIC HEARING

TUESDAY, APRIL 27, 2010, 6 pm

GUAM LEGISLATURE PUBLIC HEARING ROOM

**BILL NO. 365-30 (COR)** - AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATER WORKS REVENUE BONDS.

**BILL NO. 368-30 (COR)** - AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

To view full text of Bills, visit [www.guamlegislature.com](http://www.guamlegislature.com). If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to **OFFICE OF SEN. FRANK B. AGUON, JR., 238 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE. 701A, HAGATNA, GU 96910**, email [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com), or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact **Ron Teehan** at 969-1495/6.

THIS AD PAID FOR BY GOVERNMENT FUNDS



Felix P. Camacho  
GOVERNOR

Michael W. Cruz, M.D.  
LIEUTENANT GOVERNOR

GO  
DEPARTMENT  
DIPATTANMEN  
123 Chal

The Department of Public Health  
Bureau of Family and Nursing  
Early Childhood Mental Health  
following Professional Services:

1. Professional Services for
2. Professional Services for

Request for Proposal packets for  
Social Services, Central Regional  
of Family Health & Nursing Services  
from 9:00am-4:00pm, Monday

Deadline for submission of RFP

For more information, please contact  
Family Health & Nursing Services  
Administrative Aide, Project Kar

/s/  
Director, Department

**Marianas Variety-Guam Edition** is circulated by home and office delivery, consignments, and vending machines throughout Guam, as mail delivery to the Federated States of Micronesia, the Marshall Islands, South Pacific, Hawaii, Japan and the continental U.S. Daily coverage can also be read from our website [www.mvguam.com](http://www.mvguam.com).

Marianas Variety  
subscription rate:  
Inc., Ixora Industr  
address changes



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

April 22, 2010

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**MR. LEONARD J. OLIVE, GM**  
Guam Waterworks Authority  
578 N. Marine Corps Drive  
Tamuning, Guam 96913

**SUBJECT: NOTICE OF PUBLIC HEARING – Tuesday, April 27, 2010, 6pm**

Dear Mr. Olive,

*Buenas yan Hafa Adai!*

Please be advised the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a Public Hearing on **Tuesday, April 27, 2010 at 6pm** in the Legislature's Public Hearing Room.

On the agenda is the following:

- **BILL NO. 365-30 (COR)** - An Act to amend Section 4 of P.L. 28-71 relative to approving the terms and conditions of the issuance of GWA Revenue Bonds.

For a copy of the bill for your purview, please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com); go to "BILLS"; "INTRODUCED"; and "30<sup>TH</sup>".

I invite the participation of you and/or your staff at this public hearing as you deem necessary, and also to provide testimony on the measure. Written testimony may be delivered to my office, faxed to 969-1497, or emailed to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Should you have any questions or comments, you may contact Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'us Ma'ase'.*

Respectfully,

**SENATOR FRANK B. AGUON, JR.**  
*Chairman*

*I Mina'Trenta Na Liheslaturan Guåhan*  
(30<sup>th</sup> Guam Legislature)

**Re: NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM** Inbox X

from **Olive, Leonard** <lenu@guamwaterworks.net>  
to "lizama.frances@gmail.com" <lizama.frances@gmail.com>  
date Fri, Apr 23, 2010 at 12:02 PM  
subject Re: NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM

[hide details](#) Apr 23 (3 days ago)[Reply](#)

Receipt acknowledged.

---

**From:** Frances Lizama  
**To:** OLIVE, Leonard - GWA GM  
**Sent:** Thu Apr 22 20:10:57 2010  
**Subject:** NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM

Hafa Adai Mr. Olive,

Please find attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Public Hearing Room. Please confirm receipt of this notice via email to [lizama.frances@gmail.com](mailto:lizama.frances@gmail.com).

*Un dangkulo' na Si Yu'us Ma'ase'.*

--

FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
DNA Bldg (old PDN), Suite 701A  
Hagatna, Guam 96910  
Tel: 671.969.1495/6  
Fax: 671.969.1497



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

April 22, 2010

Mr. Anthony C. Blaz  
Administrator  
Guam Economic Development Authority  
GITC Building, Ste 511  
Tamuning, Guam 96913

**Subject:** Notice of Public Hearing – Tuesday, April 27, 2010, 6pm

Dear Mr. Blaz,

*Buenas yan Hafa Adai!* The Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Tuesday, April 27, 2010 at 6pm** in the Guam Legislature Public Hearing Room.

On the agenda are the following bills:

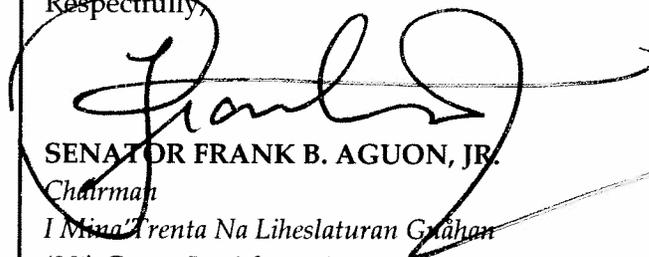
- **BILL NO. 365-30 (COR)** - An Act to amend Section 4 of P.L. 28-71 relative to approving the terms and conditions of the issuance of GWA Revenue Bonds.
- **BILL NO. 368-30 (COR)** – An Act relative to approving the terms and conditions of the issuance by GPA of Revenue Bonds to finance the Local Matching portion of the costs of the Smart Grid Project; to fund certain other Generation, Transmission and Distribution projects; to fund the costs of an Administration Building; to refund specific outstanding GPA Bonds; and to approve the terms and conditions of the issuance by GPA of subordinate Revenue Bonds to fund certain reserves and refund its outstanding obligations relating to its Commercial Paper Program.

I invite your participation and your administration's representatives as you deem appropriate at this public hearing and to also provide testimony on these measures. Written testimony may be emailed, faxed or hand-delivered to my office.

Should you have any question, please contact Mr. Ron Teehan from my office.

*Un Dangkulo' Na Si Yu'us Ma'ase'.*

Respectfully,

  
SENATOR FRANK B. AGUON, JR.  
Chairman  
*I Mina'Trenta Na Liheslaturan Guåhan*  
(30<sup>th</sup> Guam Legislature)

**NOTICE OF P.H. - 04.27.2010, 6PM** Inbox X

from **Frances Lizama** <lizama.frances@gmail.com>  
 to **"BLAZ, Tony C. - GEDA Dir."** <tblaz@guameda.net>  
 cc **"GARCIA, Christina - GEDA Deputy Dir."** <cgarcia@investguam.com>,  
**"LUJAN, Ellie - GEDA"** <eumagat@guameda.net>  
 date Fri, Apr 23, 2010 at 10:54 AM  
 subject NOTICE OF P.H. - 04.27.2010, 6PM  
 mailed-by gmail.com

[hide details](#) Apr 23 (3 days ago)[Reply](#)

Hafa Adai Tony,

Please see attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Public Hearing Room. Please confirm receipt of this notice via email to [lizama.frances@gmail.com](mailto:lizama.frances@gmail.com).

***Un dangkulo' na Si Yu'us Ma'ase'.***

—  
**FRANCES S. LIZAMA**  
 Office of Senator Frank B. Aguon, Jr.  
 30th Guam Legislature  
 Committee on Economic Development,  
 Health & Human Services, and Judiciary  
 238 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96910  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497

 **GEDA - P.H. NOTICE 04.27.2010.pdf**  
 449K [View](#) [Download](#)

[Reply](#)   [Reply to all](#)   [Forward](#)

from **Ellie Lujan** <elujan@guameda.net>  
 reply-to **Ellie Lujan** <elujan@guameda.net>  
 to **Frances Lizama** <lizama.frances@gmail.com>  
 cc **Tony Blaz** <tblaz@guameda.net>  
 date Fri, Apr 23, 2010 at 8:31 PM  
 subject Re: NOTICE OF P.H. - 04.27.2010, 6PM

[hide details](#) Apr 23 (2 days ago)[Reply](#)

Confirming receipt.

Thank you,  
 Ellie Lujan

Sent from my MPULSE BlackBerry powered by GTA!



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

April 22, 2010

Mr. Simon A. Sanchez II, Chairman  
Commission on Consolidated Utilities  
P.O. Box 2977  
Hagatna, Guam 96910

**Subject: Notice of Public Hearing – Tuesday, April 27, 2010, 6pm**

Dear Mr. Sanchez,

*Buenas yan Hafa Adai!* The Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Tuesday, April 27, 2010 at 6pm** in the Guam Legislature Public Hearing Room.

On the agenda are the following bills:

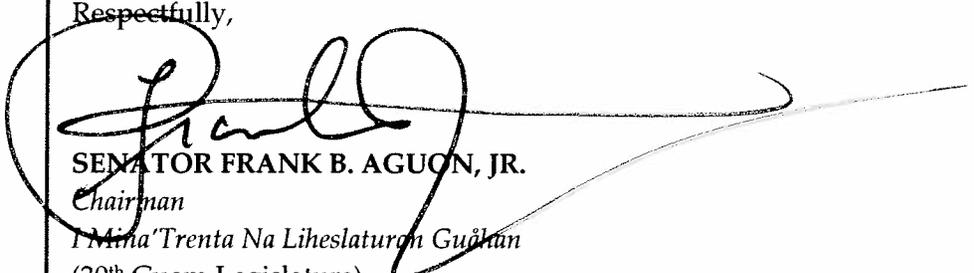
- **BILL NO. 365-30 (COR)** - An Act to amend Section 4 of P.L. 28-71 relative to approving the terms and conditions of the issuance of GWA Revenue Bonds.
- **BILL NO. 368-30 (COR)** – An Act relative to approving the terms and conditions of the issuance by GPA of Revenue Bonds to finance the Local Matching portion of the costs of the Smart Grid Project; to fund certain other Generation, Transmission and Distribution projects; to fund the costs of an Administration Building; to refund specific outstanding GPA Bonds; and to approve the terms and conditions of the issuance by GPA of subordinate Revenue Bonds to fund certain reserves and refund its outstanding obligations relating to its Commercial Paper Program.

I invite your participation and your administration's representatives as you deem appropriate at this public hearing and to also provide testimony on these measures. Written testimony may be emailed, faxed or hand-delivered to my office.

Should you have any question, please contact Mr. Ron Teehan from my office.

*Un Dangkulo' Na Si Yu'us Ma'ase'.*

Respectfully,

  
SENATOR FRANK B. AGUON, JR.  
Chairman  
*I Mina'Trenta Na Liheslaturan Guåhan*  
(30th Guam Legislature)

**NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM**

from **Frances Lizama** <lizama.frances@gmail.com>  
to **"SABLAN, B. LOU"** <lsablan@gpagwa.com>  
date Fri, Apr 23, 2010 at 11:03 AM  
subject NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM  
mailed-by gmail.com

[hide details](#) Apr 23 (3 days ago)

[Reply](#)

Hafa Adai Ms. Sablan,

Please see attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Legislature's Public Hearing Room. Please ensure notice is forwarded to Mr. Sanchez. Also, please confirm receipt of this notice via email to [lizama.frances@gmail.com](mailto:lizama.frances@gmail.com).

***Un dangkulo' na Si Yu'us Ma'ase'.***

FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
DNA Bldg (old PDN), Suite 701A  
Hagatna, Guam 96910  
Tel: 671.969.1495/6  
Fax: 671.969.1497

 **CCU - P.H. NOTICE 04.27.2010.pdf**  
459K [View](#) [Download](#)



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature*  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

April 26, 2010

**MEMORANDUM**

**TO:** Honorable Senators/Committee Members  
*Committee on Economic Development,  
Health & Human Services, and Judiciary*

**FROM:** SENATOR FRANK B. AGUON, JR.  
*Chairman*

**SUBJECT:** SECOND NOTICE – Notice of Public Hearing  
Tuesday, April 27, 2010 – 6:00 pm

*Buenas yan Hafa Adai!*

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Tuesday, April 27, 2010**, beginning at **6:00 pm** in the Guam Legislature's Public Hearing Room.

The items for discussion are as follows:

- **BILL NO. 365-30 (COR)** – AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.
- **BILL NO. 368-30 (COR)** – AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

Should you have any questions, please contact Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'us Ma'ase'.*

Cc: Sergeant-at-Arms/Protocol/AV  
Stephanie Mendiola, COR  
Clerk of the Legislature  
MIS

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**2ND NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM** Inbox X

from **Frances Lizama** <lizama.frances@gmail.com>  
to "SEN. ADA, Thomas C." <tom@senatorada.org>,  
"SEN. ADA, Tony" <senatorTonyada@guamlegislature.org>,  
"SEN. BLAS, Frank F., Jr." <frank.blasjr@gmail.com>,  
"SEN. CALVO, Eddie J.B." <sencalvo@gmail.com>,  
"SEN. ESPALDON, James V." <senator@espaldon.com>,  
"SEN. GUTHERTZ, Judith P." <judiguthertz@pticom.com>,  
"SEN. MUNA BARNES, Tina Rose" <tinamunabarnes@gmail.com>,  
"SEN. PALACIOS, Adolpho B., Sr." <abpalacios@gmail.com>,  
"SEN. PANGELINAN, Ben" <senbenp@guam.net>,  
"SEN. RESPICIO, Rory J." <roryforguam@gmail.com>,  
"SEN. TAITAGUE, Telo" <senatorTelo@gmail.com>,  
"SEN. TENORIO, Ray" <ray@raytenorio.com>,  
"SPKR WON PAT, Judi" <speaker@judiwonpat.com>,  
"VICE SPKR CRUZ, Benjamin J.F." <senadotbjcruz@gmail.com>  
cc "BLAS, Roland" <roland@judiwonpat.com>,  
"DEFENSOR, Sahara" <sahara@judiwonpat.com>,  
"DUARTE, Mark" <mark@judiwonpat.com>,  
"TORRES, Frank B." <fbtorres@judiwonpat.com>,  
"ALONSO, Maya" <maya@guamlegislature.org>,  
"BLAS, Jon" <jonatwork2010@gmail.com>,  
"CRUZ, Jose Jr." <josecruzjr17@yahoo.com>,  
"LG, Peter" <peterlg@gmail.com>,  
"LIDIA, Mike" <mike.lidia9@gmail.com>,  
"MATANANE, Tammy" <tpmatanane@yahoo.com>,  
"ODOCA, Chris" <codoca@gmail.com>,  
"GILLHAM, Julliette" <office@senatorada.org>,  
"LUHR, Cyrus" <cyrus@senatorada.org>,  
"SANTOS, Nicole" <nsantos@senatorada.org>,  
"SUNGA, Jay" <ajsunga@senatorada.org>,  
"ATALIG, Louise A." <louise\_atalig@yahoo.com>,  
"CASTRO, James P." <jamespcastro@gmail.com>,  
"FEJERAN, Mary C." <maryfejeran@gmail.com>,  
"SAYAMA, Mark" <sayama01@yahoo.com>,  
"GOGUE, Elaine" <epgogue@hotmail.com>,  
"UNPINGCO, Joy" <joyunpingco@gmail.com>,  
"DUENAS, Mona" <mona.duenas@gmail.com>,  
"ROBERTO, Phil" <roberto.phil@gmail.com>,  
"LG, Ed" <elg@guamlegislature.org>,  
"MUNA, Rose" <rsmuna@yahoo.com>,  
"TUPAZ, Robert" <rob.tupaz@gmail.com>,  
"WYTTENBACH-SANTOS, Richard" <doc.wyppenbachsantos@gmail.com>,  
"KOMIYAMA, Velma" <vel.komiyama@yahoo.com>,  
"OKADA, Tina" <tinaokada@gmail.com>,  
"TAITAGUE, Ron" <ez2plez57@yahoo.com>,  
"BURGOS, Fred" <feaburgos@gmail.com>,  
"CEPEDA, Patrick" <patrickcepeda@hotmail.com>,  
"CRUZ, Priscilla" <pjtcruz@yahoo.com>,  
"DIAZ, Jonathan" <jonbdiaz@gmail.com>,  
"CIPOLLONE, Lisa" <cipo@guamlegislature.org>,  
"HILLS, Derick" <derickhills@live.com>,  
"OKADA, Anjelica" <aokada@guamlegislature.org>,  
"MENDIOLA, Stephanie - Sen. Respicio's Ofc." <sem@guamlegislature.org>,  
"PHILLIPS, Bill R. - Sen. Respicio CP" <phillipsguam@gmail.com>,  
"TAJALLE, Elaine - Sen. Respicio" <elainevtll@gmail.com>,  
"LEE, Edward G." <teddytaz\_222@yahoo.com>,  
"PEREZ, Mike" <mjperez48@yahoo.com>,  
"CEPEDA, Mermae" <mermae@raytenorio.com>,  
"EVARISTO, Jessica" <jessica@raytenorio.com>,  
"LG, Phillip" <phill@raytenorio.com>,  
"LG, Joe - Sgt-at-Arms" <sgtarms@guamlegislature.org>,  
"UNSIQG, Tom - Protocol/AV" <tunsiog@guamlegislature.org>

[hide details](#) 2:35 PM (13 minutes ago)

Reply

"QUITUGUA, Tony - Protocol/Reproduction" <tq@guamlegislature.org>,  
"PAK, Yong - MIS" <yong@guamlegislature.org>,  
"GUMATAOTAO, Susan S." <deputyclerk@guamlegislature.org>,  
"MEW, Elvy" <emew@guamlegislature.org>,  
"PEREZ, Daniel" <dperez@guamlegislature.org>,  
"PEREZ, Rennae" <rennae@guamlegislature.org>,  
"SANTOS, Pat" <psantos@guamlegislature.org>,  
"TERLAJE, Flo" <fterlaje@guamlegislature.org>

date Mon, Apr 26, 2010 at 2:35 PM  
subject 2ND NOTICE OF PUBLIC HEARING - 04.27.2010, 6PM  
mailed-by gmail.com

Hafa Adai to All:

Please find attached Second Notice of Public Hearing from Sen. Aguon. Public Hearing is scheduled for Tuesday, April 27, 2010, 6pm in the Legislature's Public Hearing Room.  
***Un dangkulo' na Si Yu'us Ma'ase'***

--  
FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
DNA Bldg (old PDN), Suite 701A  
Hagatna, Guam 96910  
Tel: 671.969.1495/6  
Fax: 671.969.1497

 **2nd NOTICE - P.H. 04.27.2010.pdf**  
470K [View](#) [Download](#)



# SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,  
Health & Human Services, and Judiciary  
*I Mina' Trenta Na Liheslaturan Guåhan*  
(Thirtieth Guam Legislature)



## PRESS RELEASE

FOR IMMEDIATE RELEASE

April 26, 2010

## NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 48-Hours notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

**DATE:** Tuesday, April 27, 2010  
**TIME:** 6:00 pm  
**PLACE:** Guam Legislature's Public Hearing Room

On the agenda for discussion are the following bills:

- **BILL NO. 365-30 (COR)** – AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.
- **BILL NO. 368-30 (COR)** – AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

Persons with disabilities needing special accommodations/services, or for more information, please contact Mr. Ron Teehan, Committee Director at 969-1495/6.

#####

**MEDIA DISTRIBUTION: (fax, email or hand delivery)**

KUAM TV/Radio	637-9870	K-Stereo / KISH	477-6411
News Talk K57 / Power98	477-3982	KPRG News	734-2958
PDN	477-3079	KGTF	734-3476
PNC News	477-0793	Adventist Radio	565-2983
Marianas Variety	648-2007	Harvest Radio	477-7136
Marianas Media / Guam News Factor	477-2240	Joy 92FM	477-4678
Hit Radio 100	472-7663		

**2ND NOTICE OF PUBLIC HEARING - 04.27.2010, 6pm** Inbox X

from **Frances Lizama** <lizama.frances@gmail.com>  
 to gerry@mvguam.com,  
 john@marianasmedia.com,  
 "AGUON, Mindy - KUAM" <671mindy@gmail.com>,  
 "ARROYO, Patti - K57" <parroyo@k57.com>,  
 "ARTERO, Sonya - KUAM" <sonya@kuam.com>,  
 "CAGURANGAN, MarVic - MarVariety" <marvic@mvguam.com>,  
 "CATAHAY, Michelle - KUAM" <michele@kuam.com>,  
 "COFFMAN, Travis - K57" <thebigshow@k57.com>,  
 "DALENO, Gaynor - PDN" <gdumat-ol@guampdn.com>,  
 "DALENO, Gaynor Dumat-ol" <gdumat-ol@guam.gannett.com>,  
 "GEORGE, Duane M" <dmgeorge@guam.gannett.com>,  
 "GIBSON, Ray - K57" <rgibson@k57.com>,  
 "GIBSON, William - K57" <breakfastshowk57@gmail.com>,  
 GLIMPSES <managingeditor@glimpses.guam.com>,  
 "GLIMPSES - PALACIOS, Ivan" <reporter1@glimpsesofiguam.com>,  
 "GODLEWSKI, Stephanie - PDN" <smgodlewski@guampdn.com>,  
 "HART, Therese - MarVariety" <therese@mvguam.com>,  
 "KELMAN, Brett - Guam Gannett" <bmkelman@guam.gannett.com>,  
 "KERRIGAN, Kevin - SPB" <kevin@spbguam.com>,  
 KPRG <kprg@guam.net>,  
 KSTO-KISH <kstokish@gmail.com>,  
 "MATANANE, Sabrina - KUAM" <sabrina@kuam.com>,  
 "MELYAN, Catriona - PDN" <cmelyan@guampdn.com>,  
 "MUNA, Audrey" <audreymuna@yahoo.com>,  
 PACIFIC NEWS CENTER <news@spbguam.com>,  
 "PEREZ, Alicia - KSTO/KISH" <kstone@ite.net>,  
 "RUDOLPH, Michael - Marianas Media" <michael@marianasmedia.com>,  
 "SALAS, Jason - KUAM" <jason@kuam.com>,  
 "TAITANO, Zita - MarVariety" <zytaitano@gmail.com>,  
 "TYQUIENCO, Josh - SPB" <jtyquiengco@spbguam.com>,  
 "WATANABE, Masako - Guam Gannett" <mwatanabe@guam.gannett.com>

date Mon, Apr 26, 2010 at 2:37 PM  
 subject 2ND NOTICE OF PUBLIC HEARING - 04.27.2010, 6pm  
 mailed-by gmail.com

[hide details](#) 2:37 PM (1 m)

Hafa Adai to All:

Please find attached Notice of Public Hearing scheduled for Tuesday, April 27, 2010, 6pm in the Legislature's Public Hearing Room.

***Un dangkulo' na Si Yu'us Ma'ase.***

—  
**FRANCES S. LIZAMA**  
 Office of Senator Frank B. Aguon, Jr.  
 30th Guam Legislature  
 Committee on Economic Development,  
 Health & Human Services, and Judiciary  
 238 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96910  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497

 PH - 2nd Notice.docx

NOTE: Blocked calls are not displayed on this report.  
 For more information, see Junk Fax Report and the Caller ID History report.

**Last 30 Transactions**

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Apr 23	10:21AM	Fax Sent	4775589	0:53	2	OK
Apr 24	10:35AM	Received	4723510 6714723589	0:20	1	OK
Apr 24	12:44PM	Received	6718281527	0:45	0	No fax
Apr 24	12:45PM	Received	6718281527	0:54	0	No fax
Apr 25	10:31AM	Received	6718281527	0:45	0	No fax
Apr 25	10:31AM	Received	6718281527	0:45	0	No fax
Apr 26	8:33AM	Received	6714752000	0:18	1	OK
Apr 26	10:05AM	Received	6716466381 6716466381	0:27	1	OK
Apr 26	10:28AM	Received	6716464275	1:36	4	OK
Apr 26	10:50AM	Received	6716469306 6716469306	0:30	1	OK
Apr 26	10:57AM	Received	6716464275	0:23	1	OK
Apr 26	10:58AM	Received	6716466381 6716466381	0:50	1	OK
Apr 26	1:18PM	Fax Sent	4772007	2:11	5	OK
Apr 26	3:04PM	Fax Sent	6379870	0:14	1	Cancel
Apr 26	4:06PM	Fax Sent	6379870 - KUAM	0:33	1	OK
Apr 26	4:07PM	Fax Sent	4773982 - K57 / POWER98	0:30	1	OK
Apr 26	4:08PM	Fax Sent	4773079 - PDN	1:02	1	OK
Apr 26	4:10PM	Fax Sent	4770793 - PNC NEWS	0:34	1	OK
Apr 26	4:11PM	Fax Sent	6482007 - MARIANAS VARIETY	0:32	1	OK
Apr 26	4:12PM	Fax Sent	4772240 - MAR MEDIA/ GNF	1:24	1	OK
Apr 26	4:14PM	Fax Sent	4727663 - HIT RADIO 100	0:30	1	OK
Apr 26	4:15PM	Fax Sent	4776411 - K-STEREO / KISH	0:45	1	OK
Apr 26	4:17PM	Fax Sent	7343476 - KGTF	0:50	1	OK
Apr 26	4:18PM	Fax Sent	7342958	0:38	0	Error 387
Apr 26	4:19PM	Received	4723510	0:22	1	OK
Apr 26	4:23PM	Fax Sent	7342958 - KPRG NEWS	0:34	1	OK
Apr 26	4:25PM	Fax Sent	5652983 - ADVENTIST RADIO	0:31	1	OK
Apr 26	4:26PM	Fax Sent	4777136 - HARVEST RADIO	0:34	1	OK
Apr 26	4:27PM	Fax Sent	4774678 - JOY 92FM	1:15	1	OK

# Headhunters meet jobseekers

By Tiffany Sukola  
tiffany@mvguam.com  
Variety News Staff

RECOGNIZING the need to get university graduates into the island's workforce, the University of Guam will host a job fair today for university students and alumni.

According to data from the Bureau of Labor Statistics, nearly 6,150 people were unemployed, giving the island a 9.3 percent unemployment rate as of last September.

Leah Beth Naholowaa, career development officer, said today's job fair will help connect students and graduates with dozens of local and federal employers.

A total of 35 employers will be on hand today at the UOG field house from 9 a.m. to 5 p.m., representing various trades on Guam. According to Naholowaa, private companies,

military and federal employers and government of Guam agencies are participating in the event.

Naholowaa said since the university's job fairs typically see about 1,500 to 2,000 job seekers, people should get there as early as possible. She also advised applicants to dress appropriately since many employers remember first impressions.

In an effort to reduce the current unemployment rate, the Department of Labor will also be hosting a career fair to help connect the island's unemployed with potential employers.

The agency's job fair will be held next Monday at the Agana Shopping Center from 9 a.m. to 4 p.m., according to a release from the department.

DOL said next week's job fair will provide opportunities for qualified individuals with a

disability or special challenge to meet with employers.

Monday's job fair is the first ever "special challenges job fair" to be held on Guam. The historic job fair is being held in conjunction with the federal job fair for people with disabilities scheduled for the same day in Washington D.C.

More than a dozen employers will be on hand to conduct scheduled interviews alongside representatives from over 30 public and private sector organizations who will be promoting their programs and services that address barriers to employment such as transportation, according to DOL.

Individuals with disabilities are often unable to obtain employment because of barriers like a lack of assistive technology at a work site, not enough reasonable accommodation by employers or housing issues.

formation regarding Fr. Randolph "Randy" Nowak and Andrew "Andy" Manna. Fr. Randolph Nowak's faculties to engage in public ministry were permanently revoked in 2004 for reasons relating to allegations that arose elsewhere and not in Guam. Nowak has not engaged in public ministry since that time and is in retirement and residing in the village of Agat. He is 84 years old, according to the letter.

Fr. Andrew Manna's faculties to engage in public ministry were permanently revoked in 2002 because of abuse allegations brought by an individual who was not a minor at the time of the alleged abuse.

Manna, who once served the Archdiocese of Agaña, was assigned to the Archdiocese of Honolulu. He subsequently left the priesthood in 2007. Manna came to Guam in 1980 as a seminarian. Guam was his first assignment after he was ordained into the priesthood in May, 1983.

## GHURA

Engineering and Urban Renewal Authority  
"Inimá" Yan Rinueban Siudad Guahan  
Venida Avenue • Sinajana, Guam 96910  
9851 • Fax: (671) 300-7535 • TTY# (671)472-3701



EQUAL HOUSING  
OPPORTUNITY

Michael W. Cruz, M.D.  
Lieutenant Governor



## NOTICE TO THE PUBLIC

### WEATHERIZATION ASSISTANCE PROGRAM

#### paid for by ARRA-WAP Grant Funds)

on Agency/Guam Energy Office (GEPA/GEO) in partnership with the Renewal Authority (GHURA) will be providing weatherization

ged to contact GHURA to schedule an appointment. Allow at application and discuss any questions you may have about the on process, you will need to provide the following:

- received for the past 12 months;
- s, Medicaid, Social Security, etc.) received for the past 12 months;
- energy usage) for the past 12 months;
- e home;
- all occupants;
- o ID



SENATOR FRANK B. AGUON, JR., Chairman  
COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY  
I Mina Trenta Na Liheslaturan Guahan 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910  
•Tel: (671) 969-1495 • Fax: (671) 969-1497 Email: aguonfguam@gmail.com

### NOTICE OF PUBLIC HEARING

TUESDAY, APRIL 27, 2010, 6 pm

GUAM LEGISLATURE PUBLIC HEARING ROOM

**BILL NO. 365-30 (COR)** - AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATER WORKS REVENUE BONDS.

**BILL NO. 368-30 (COR)** - AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

To view full text of Bills, visit [www.guamlegislature.com](http://www.guamlegislature.com). If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date to OFFICE OF SEN. FRANK B. AGUON, JR., 238 ARCHBISHOP F.C. FLORES ST., DNA BLDG., STE 701A, HAGATNA, GU 96910. email [aguonfguam@gmail.com](mailto:aguonfguam@gmail.com), or fax to 969-1497. Individuals requiring special accommodations/services, or for more information, please contact Ron Teehan at 969-1495/6.

THIS AD PAID FOR BY GOVERNMENT FUNDS



**SENATOR FRANK B. AGUON, JR., *Chairman***  
**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY**

***I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature**

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

---

**AGENDA**

TUESDAY, APRIL 27, 2010

6:00 PM

GUAM LEGISLATURE PUBLIC HEARING ROOM

**BILL NO. 365-30 (COR)**

AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS.

**BILL NO. 368-30 (COR)**

AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

6  
**I MINA' TRENTA NA LIHESLATURAN GUAHAN**

2010 (SECOND) Regular Session

Date: 5/3/2010

**VOTING SHEET**

SBill No. 365-30(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_  
 \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr. //	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.					EA
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					EA
WON PAT, Judith T.	✓				

TOTAL

13      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      2

CERTIFIED TRUE AND CORRECT:

  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence

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

PMD 125-4 01 9:28-De

Bill No. 365-30(COR)

Introduced by:

T.C. Ada 

**AN ACT TO AMEND SECTION 4 OF PUBLIC LAW  
28-71 RELATIVE TO APPROVING THE TERMS  
AND CONDITIONS OF THE ISSUANCE OF GUAM  
WATERWORKS AUTHORITY REVENUE BONDS**

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

2

3 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
4 that in order for Guam Waterworks Authority (“GWA”) to finance the  
5 projects necessary to continue to make progress in implementing the projects  
6 described in the Stipulated Order with the United States Environmental  
7 Protection Agency which outlines the corrective actions that GWA shall  
8 undertake, it may be advantageous for GWA to issue “Build America  
9 Bonds” under which GWA would pay taxable interest and receive interest  
10 subsidy payments from the federal government rather than paying tax-  
11 exempt interest. In addition, whether or not the GWA bonds are Build  
12 America Bonds, the net interest rates available to GWA in the financial  
13 markets may exceed the interest rate limit established in GWA’s 2005 bond  
14 approval.

15 **Section 2.** Section 4 of Public Law 28-71 is hereby amended to read as  
16 follows:

17 “Section 4. Approval of Guam Waterworks Authority Revenue Bonds. The  
18 Legislature, I Liheslaturan Guåhan, pursuant to Section 50103 of Title 12 of

1 the Guam Code Annotated, hereby approves the issuance and sale by the  
2 Authority of revenue bonds pursuant to Article 2, Chapter 14, Title 12,  
3 Guam Code Annotated (the “Act”) in one or more series or issues; provided  
4 that the issuance, terms and conditions of the bonds shall have been  
5 approved by the Guam Public Utilities Commission, and further provided  
6 that such bonds shall have a principal amount not to exceed Two Hundred  
7 Twenty Million Dollars (\$220,000,000), shall have a final maturity not later  
8 than 2055, shall bear interest at such rate or rates and shall be sold for such  
9 price or prices as shall result in a net yield to the bondholders not exceeding  
10 ~~Six and One half percent (6.5%)~~ seven and one-half percent (7.5%) per  
11 annum, ~~(treating payments and receipts under any interest rate hedging~~  
12 ~~contracts as if they were payments to and receipts from the bondholders)~~  
13 shall be issued and sold in the manner, for the purposes and subject to the  
14 requirements and limitations provided in Article 2, Chapter 14, Title 12,  
15 Guam Code Annotated, and shall be issued pursuant to an Indenture in  
16 substantially the form as attached to this Act as Exhibit A. Net yield to  
17 the bondholders shall be calculated by subtracting any interest subsidy  
18 amounts to be received from the United States in connection with such  
19 bonds from the amount of interest to be paid to bondholders.”

20 **Section 3. Severability.** If any provision of this law or its application to  
21 any person or circumstance is found to be invalid or contrary to law, such  
22 invalidity shall not affect other provisions or applications of this law which  
23 can be given effect without the invalid provisions or application, and to this  
24 end the provisions of this law are severable.