

**MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
TWENTY-NINTH GUAM LEGISLATURE  
2008 (SECOND) REGULAR SESSION**

2008 JUL 29 AM 10:28

**BILL NO. 343 (EC)  
INTRODUCED BY:**

**A. B. PALACIOS, SR.**

**AN ACT RELATIVE TO PROVIDING FINANCIAL RELIEF TO FIRST-TIME PRIMARY RESIDENTIAL HOMEOWNERS RELATIVE TO THE APPLICATION OF THE SYSTEM DEVELOPMENT CHARGE ASSESSED TO GWA CUSTOMERS WHO CONNECT TO THE WATER AND WASTEWATER SYSTEM, THROUGH ADDING A NEW SUBSECTION §12015.5 (I) TO CHAPTER 12, TITLE 12, GUAM CODE ANNOTATED; THIS ACT SHALL HERETOFORE BE KNOWN AS THE "FIRST-TIME PRIMARY RESIDENTIAL HOMEOWNERS SYSTEM DEVELOPMENT RELIEF ACT OF 2008".**

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

**1 Section 1. Legislative Findings and Intent.**

2 *I Liheslaturan Guåhan* finds that in accordance with the provisions  
3 contained in Public Law No. 26-164, the Guam Waterworks Authority is  
4 proposing the establishment of water and sewer system development charges  
5 that would be assessed to new users and expanded users of the system. The  
6 proposal would provide for a charge of \$3,280.00 for a 5/8" water meter and a  
7 charge of \$4,780.00 for a 5/8" wastewater meter; these proposed charges  
8 reflect the minimal meter sizes available and should the customer's needs  
9 require a larger size meter then the system development fees would increase

1 accordingly. This scenario alone would translate into a minimum charge of  
2 \$8,060.00 for a new connection into the water and wastewater system for all  
3 new customer connections, including first-time primary residential  
4 homeowners. These proposed system development charges for first-time  
5 primary residential homeowners reflects a significant cost increase in the  
6 construction or purchase of a home. These costly charges would discourage  
7 individuals and families from aggressively realizing their dream of owning a  
8 home.

9 Therefore, it is the intent of the Liheslaturan Guahan to ensure that any  
10 system development charges assessed to first-time primary residential  
11 homeowners do not discourage individuals or families from pursuing the  
12 construction or purchase of their own primary residential home. This  
13 provision would provide for a more reasonable first-time system  
14 development charge for these new GWA first-time primary residential  
15 homeowner customers who are actively pursuing their dream of owning a  
16 home.

17 **Section 2. Financial Relief for First-Time Primary Residential**  
18 **Homeowners from the Guam Waterworks Authority System Development**  
19 **Charges.**

20 A new subsection §12015.5 (i) is hereby added to Chapter 12, Title 12,  
21 Guam Code Annotated, relative to the System Development Charges for the  
22 Guam Waterworks Authority, to read as follows:

1           **"§12015.5 (i). First-Time Primary Residential Homeowners System**  
2 **Development Relief Act of 2008.**

3           The Guam Waterworks Authority system development charges  
4 assessed to first-time primary residential homeowners who either construct  
5 or purchase their residential home on Guam shall be assessed system  
6 development charges, in accordance with the provisions contained in this  
7 Chapter, which shall not exceed the following amounts:

- 8           i.     A fee which shall not exceed \$1,000.00 for initial water connection;
- 9           ii.    A fee which shall not exceed \$1,000.00, for initial wastewater  
10           connection.

11          The Guam Waterworks Authority shall establish a process by which  
12 any first-time primary residential homeowner, an individual or family, who  
13 applies for financial relief as contained herein shall be required to provide  
14 authenticated documentation of proof or a statement of truth that the  
15 application for the initial connection to the water or wastewater system is for  
16 a first-time primary residential home.

17          Individuals or families who participate in the First-Time Primary  
18 Residential Homeowners Relief provision herein, shall commit and be  
19 required to reside in said home as their primary residence for a period of no  
20 less than five (5) years from the date upon which the application and the  
21 financial relief is approved. Should said family or individual vacate their  
22 primary residential home prior to the completion of the aforementioned  
23 required timeframe, said individual or family shall be assessed and be

- 1 required to remit to the Guam Waterworks Authority the full system
- 2 development charge applicable to all other customers as stipulated on the
- 3 date of the initial application for service.