

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 383-31 (COR)

Introduced by:

B.J.F. Cruz
T.R. Muña Barnes

2011 Nov 29 AM 9:55
T.M.

**AN ACT TO AMEND § 12015.5(b) OF CHAPTER 12,
TITLE 12 OF THE GUAM CODE ANNOTATED;
RELATIVE TO REQUIRING A PUBLIC NOTICE FOR
THE AMORTIZED SYSTEM DEVELOPMENT
CHARGE PROGRAM.**

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

2 **Section 1.** § 12015.5(b) of Chapter 12, Title 12 of the Guam Code
3 Annotated is hereby *amended* to read:

4 “(b) Pursuant to its authority, the Commission *shall*
5 immediately begin proceedings to promptly establish and approve the
6 water and sewer system development charge schedule for GWA. The
7 Commission has the authority to adopt and approve a charge schedule
8 for GWA which complies with Subsection (a) of this Section,
9 including, a schedule which *shall* be known as the Amortized System
10 Development Charge (ASDC) for low *or* moderate income residents
11 who are constructing or purchasing a single family dwelling intended
12 for their personal residence and/or for immediate family members and
13 who meet the criteria for low or moderate income as defined by the
14 Guam Housing Corporation. Such charge *shall* be assessed at an
15 initial amount of One Thousand Dollars (\$1,000.00) and the
16 remainder of the charge *shall* be amortized over a period *not to exceed*
17 fifteen (15) years, in which the charge plus interest is added to the

1 monthly GWA billing for the dwelling at a rate in which the total
2 annually assessed charge *shall not* exceed the initial charge, and
3 provided, that nothing herein shall limit the Commission's authority
4 and jurisdiction to establish and approve General Lifeline Rates for
5 GWA which may apply to the water and sewer development charge
6 schedule. The charge schedule *shall* be applied to users and
7 developers by GWA upon its adoption and approval by the
8 Commission, and *no* charges *shall* be assessed prior to adoption and
9 approval by the Commission.

10 (1) ASDC Applicability. The ASDC *shall not* apply to
11 any commercial development involving the construction of
12 multiple residential units.

13 (2) ASDC Not Transferable. Should a home owner
14 paying an ASDC decide to sell or transfer the property, on
15 which the ASDC applies, to a person who is *not* an immediate
16 family member or who qualifies for the ASDC under this
17 Chapter, then full payment of any balances owed for the ASDC
18 *shall* be paid in full *prior* to registration of the sale and transfer
19 of the property at the Department of Land Management and
20 *prior* to the transfer of the original owner's water/wastewater
21 account to the new owner and/or occupant of the residence.

22 (3) Public notice of availability. GWA shall provide, on a
23 regular basis, public notice of the availability of the ASDC to
24 low or moderate income residents. Such public notice shall be
25 included in each monthly bill of GWA ratepayers; and in a
26 written notice posted at each Mayor's office and on GWA's
27 website. GWA shall include in its public notice the office

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address and telephone number of the Guam Housing

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Corporation.”