

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>129-32 (COR)</b>	T.R. Muña Barnes, Chris M. Dueñas	AN ACT TO AUTHORIZE THE A.B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY TO ISSUE REVENUE BONDS FOR THE PURPOSE OF REFUNDING THE GENERAL REVENUE BONDS, 2003 SERIES A, B, C AND D, REFINANCE THE ENERGY EFFICIENCY LOAN, TO FINANCE NEW PROJECTS.	5/31/13 2:11p.m.	5/31/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			<b>Fiscal Note Requested 6/3/13</b>  <b>Fiscal Note Received 6/19/13</b>



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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2013 JUN 19 AM 10:31

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

June 19, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

## Memorandum

Senator  
Vicente (Ben) C. Pangelinan  
Member

**To: Rennae Meno**  
*Clerk of the Legislature*

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

**From: Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

Senator  
Dennis G. Rodriguez, Jr.  
Member

**Subject: Fiscal Notes**

Vice-Speaker  
Benjamin J.F. Cruz  
Member

*Hafa Adai!*

Attached please find the waiver for the bill numbers listed below.  
Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Legislative Secretary  
Tina Rose Muña Barnes  
Member

### FISCAL NOTE:

Bill Nos. 89-32(COR), 108-32COR), 118-32(COR), and 129-32(COR)

Senator  
Frank Blas Aguon, Jr.  
Member

### WAIVER:

Bill No. 99-32(COR)

Senator  
Michael F.Q. San Nicolas  
Member

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

*Si Yu'os ma'åse'!*

Senator  
Aline Yamashita  
Member

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

JUN 17 2013

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 108-32(COR), 118-32(COR), and  
Fiscal Note Waiver on the following Bill Nos.: 99-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 129-32 (COR)**

**AN ACT TO AUTHORIZE THE A.B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY TO ISSUE REVENUE BONDS FOR THE PURPOSE OF REFUNDING THE GENERAL REVENUE BONDS, 2003 SERIES A, B, C, AND D, REFINANCING THE ENERGY EFFICIENCY LOAN, TO FINACE NEW PROJECTS.**

Department/Agency Appropriation Information	
Dept./Agency Affected:	Dept./Agency Head:
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund & Environmental Health Fund	-
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$0</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: 	Date: 6/12/13	Director: 	Date: JUN 12 2013
John AB Pangelinan, Acting Deputy Director		John A. Rios, Director	

**Footnotes:**  
Please see attached comments

**Comments on Bill No. 129-32 (COR)**

This proposed legislation is seeking to refinance General Revenue Bonds, 2003 Series A, B, C and D and the refinancing of the Energy Efficiency Loan and also to finance capital projects at the AB Won Pat Guam International Airport Authority (GIAA).

GIAA current has two debts as described above. The General Bonds, 2003 Series A, B, C, and D currently has a par amount of \$145.4 Million. The Energy Efficiency Loan also has a par amount of \$11.2 Million, both par amounts as of September 30, 2013 pr Guam Economic Development Authority's (GEDA) Debt Service Schedule as of March 2013. The par amount or values represents the outstanding balances of both loans to include principal and interest. Assuming that such bond proposal is consummated by September 30, 2013, the refinancing of these two debt services to generate an aggregate principal amount not to exceed \$125.0 Million would be insufficient to meet the aggregate par amount of \$156.6 Million required for the redemption of these two current debt services. The proposed aggregated principal amount would need to be increased the combined par amounts of the current debt service plus the estimated cost of capital projects identified in the bill. However under Section 2 of the proposed bill, this section limits the increase to \$145.5 Million, which is sufficient to cover the redemption of General Revenue Bond, but insufficient to cover the redemption of the Energy Efficiency Loan and the proposed capital projects for the airport.

Currently the General Revenue Bond's true interest rate is 4.68%. Whether or not such proposal will garner a lower interest rate in the bond market would be best determined by GEDA. Therefore, the determination of the potential savings of the proposed refinancing of this General Revenue Bond is undetermined at this time.

The current aggregated debt services payments made by GIAA is \$20.4 Million which more than sufficient to cover the refinancing should this Act be passed. Additionally, this proposed general revenue bond is mutually exclusive from the Government of Guam's debt ceiling limitation.



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Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

June 3, 2013

VIA E-MAIL

[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

**John A. Rios**  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Notes– Bill Nos. 128 – 130 (COR)**

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

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

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson, Committee on Rules*

Attachments (1)

Cc: Clerk of the Legislature

2013 JUN - 3 PM 1:38

Bill Nos.	Sponsor	Title
128-32(COR)	Frank B. Aguon,Jr.	THE CUSTOMS AND QUARANTINE AGENCY ENACTS THE FOLLOWING RULES AND REGULATIONS TO AMEND TITLE 4, GOVERNMENT ADMINISTRATIVE RULES AND REGULATIONS, CHAPTER 2, ARTICLE 5, §2505(a)(2) OF THE CUSTOMS, AGRICULTURE, AND QUARANTINE INSPECTION SERVICE CHARGE PURSUANT TO5GCA73, §73151.
129-32(COR)	T.R. Muña Barnes, Chris M.Dueñas	AN ACT TO AUTHORIZE THE A.B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY TO ISSUE REVENUE BONDS FOR THE PURPOSE OF REFUNDING THE GENERAL REVENUE BONDS, 2003 SERIES A, B, C AND D, REFINANCE THE ENERGY EFFICIENCY LOAN, TO FINANCE NEW PROJECTS.
130-32 (COR)	T. C. Ada	AN ACT TO AMEND §1106.(k) OF CHAPTER 1 TITLE 22 GUAM CODE ANNOTATED RELATIVE TO IMPOSING FINES FOR EMPLOYING ALIENS WITHOUT LAWFUL WORK STATUS.



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Aline Yamashita  
Member

May 31, 2013

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject: Referral of Bill No. 129-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 129-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment



**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

Bill No. 129-32 (COR)

Introduced By:

T.R. MUÑA BARNES  
C.M. DUENAS

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2013 MAY 31 PM 5:11  


**AN ACT TO AUTHORIZE THE A.B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY TO ISSUE REVENUE BONDS FOR THE PURPOSE OF REFUNDING THE GENERAL REVENUE BONDS, 2003 SERIES A, B, C AND D, REFINANCE THE ENERGY EFFICIENCY LOAN, TO FINANCE NEW PROJECTS.**

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

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

(a) Section 1216 of Title 12 of the Guam Code Annotated provides that Antonio B. Won Pat International Airport Authority (the “Authority”) is authorized to incur indebtedness by the issuance of general revenue bonds for the purpose of refunding any general revenue bonds of the Authority then outstanding.

(b) Section 1208 of Title 12 of the Guam Code annotated provides that no general revenue bonds of the Authority shall be issued unless authorized by the Board of the Authority in a bond resolution adopted by it and approved by *I Maga'låhen Guåhan* and unless *I Liheslaturan Guåhan* approves the terms and conditions of the bonds.

(c) Section 50103 of Title 12 of the Guam Code Annotated provides that public corporations of the government of Guam, including the Authority, shall issue bonds and other obligations only by means of, and through the agency of the Guam Economic Development Authority (“GEDA”), and that GEDA shall not sell

1 any bond without the approval by *I Liheslaturan Guåhan* of the terms and  
2 conditions of the bonds.

3 (d) Based on historic low interest rates and current market conditions, the  
4 Authority expects to be able to refinance its outstanding general revenue bonds for  
5 substantial debt service savings.

6 (e) The Authority has incurred an energy efficiency loan with a final  
7 bullet maturity in 2017 that it expects to refinance with general revenue bonds.

8 (f) The Authority needs to finance security improvements and other  
9 capital projects that are expected to enhance the operational efficiency and  
10 passenger experience at the airport.

11 In order to benefit the airport and the tourism industry that depends on the  
12 airport, *I Liheslaturan Guåhan* has determined to approve the issuance of revenue  
13 bonds by the Authority to refund its general revenue bonds and an outstanding  
14 energy efficiency loan and to finance new projects at the airport, all subject to  
15 approval by *I Maga'låhen Guåhan* and the Board of Directors of GEDA in  
16 accordance with law.

17 **Section 2. Approval of the Terms and Conditions of Antonio B. Won**  
18 **Pat International Airport Authority Refunding Bonds.** *I Liheslaturan Guåhan*,  
19 pursuant to §1208(a) and §50103(k) of Title 12 of the Guam Code Annotated,  
20 hereby approves the terms and conditions of the issuance of general revenue bonds  
21 by the Authority for the purpose of refunding all or a portion of the Authority's  
22 outstanding general revenue bonds (the outstanding bonds being refunded are  
23 referred to herein as the ("prior bonds")) in accordance with the following  
24 requirements, limitations, terms and conditions:

25 (a) All obligation of the Authority to pay debt service on, and the  
26 redemption price of, the prior bonds shall be discharged concurrently with  
27 the issuance of the refunding bonds. Thereafter, the prior bonds shall be

1 payable solely from and secured solely by an escrow established for such  
2 purpose in accordance with the Authority's existing bond indenture.

3 (b) The final maturity of the refunding bonds shall not be greater  
4 than the final maturity of the prior bonds.

5 (c) Such bonds shall be issued and sold in compliance with the  
6 provisions of Article 2 of Chapter 1 of Title 12 of the Guam Code  
7 Annotated, including approval of the bond resolution by the Board of  
8 Directors of the Authority and by *I Maga'låhen Guåhan* as provided therein.

9 (d) The sale of the bonds shall be approved by the Board of  
10 Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code  
11 Annotated.

12 The debt service savings resulting from the issuance of the refunding bonds  
13 shall be not less than an amount equal to two percent (2%) of the principal amount  
14 of the prior bonds. Debt service savings is defined for this purpose to be the  
15 amount by which the present value of debt service on the prior bonds exceeds the  
16 present value of debt service on the refunding bonds, using the yield on the  
17 refunding bonds as the discount rate for purposes of calculating present value.

18 **Section 2. Approval of the Terms and Conditions of the Issuance by**  
19 **the Authority of General Revenue Bonds to Finance Airport Projects and**  
20 **Refinance an Energy Efficiency Loan.**

21 (a) *I Liheslaturan Guåhan*, pursuant to §1208(a) and §50103(k) of  
22 Title 12 of the Guam Code Annotated, hereby approves the terms and  
23 conditions of general revenue bonds by the Authority in one or more series  
24 in an aggregate principal amount not to exceed One Hundred Twenty Five  
25 Million Dollars (\$125,000,000) for the purpose of financing or refinancing  
26 the projects and paying the other costs listed in subsection (c) of this section,  
27 *provided*, that such bonds have a final maturity not later than 32 years from

1 their date of issuance, bear interest at such rate or rates and are sold for such  
2 price or prices as shall result in a net interest cost to the Authority of not to  
3 exceed six and one-half percent (6.5%) per annum, and are issued and sold  
4 pursuant to the Airport's existing bond indenture as it may be amended in  
5 compliance with the provisions of Chapter 1 of Title 12 of the Guam Code  
6 Annotated, including approval by the Authority and by *I Maga'låhen*  
7 *Guåhan* as provided therein.

8 (b) The sale of the bonds shall be approved by the Board of  
9 Directors of GEDA as provided by Chapter 50 of Title 12 of the Guam Code  
10 Annotated.

11 (c) The proceeds of the bonds may be applied to pay for the costs  
12 of issuance of the bonds, for accrued and capitalized interest thereon, for  
13 credit enhancement therefore, to provide for reserves, for refinancing the  
14 Authority's outstanding energy efficiency loan and the costs associated with  
15 such refinancing, and the costs of capital improvement projects at the  
16 airport, in the following order of priority:

- 17 (1) Priority 1
  - 18 a. International Arrivals Corridor
  - 19 b. Phase 3 Near-Fault Seismic Upgrade
  - 20 c. Hold Bag Screening Relocation
  - 21 d. SSCP Improvements
  - 22 e. FIDS Replacement
  - 23 f. Integrated PLB Replacement
  - 24 g. Common Use Check-In Facilities
  - 25 h. Parking Expansion
  - 26 i. Interisland Passenger Facility
  - 27 j. ARFF Facility Replacement

- 1 k. Replace Terminal Seating
- 2 (2) Priority 2
- 3 a. Phase 4 Near-Fault Seismic Upgrade
- 4 b. Access Control and Security Improvements
- 5 c. Terminal Flooring Replacement
- 6 d. Upgrade Airport IT and FMS
- 7 e. Route 10A Landscape Component
- 8 f. Enclose Arrival Tunnels
- 9 g. Replace Conveyance Systems
- 10 h. Strengthen and Expand Curbside Canopies

11 **Section 4. Severability.** The provisions outlined in this Act are declared  
12 to be separate and severable. The invalidity of any clause, sentence, paragraph,  
13 subdivision, section or portion of this statute, or the invalidity of the application  
14 thereof to any person or circumstance shall not affect the validity of the remainder  
15 of this statute or the validity of its application to other persons or circumstances.