



Office of the Governor of Guam

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2009 JUN -9 PM 4:01

Handwritten initials

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

RECEIVED
6/9/09

June 9, 2009

Honorable Benjamin J.F. Cruz
Speaker, 30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

30-09-0683
Office of the Speaker

Judith T. Won Pat, Ed. D.

Date 6/89/09
Time
Received by

Re: Amendment Relative to the Issuance of GO Bonds

Hafa Adai Speaker Cruz:

In preparing for the closing of the recently issued GO bonds, bond counsel has identified a technical glitch that would require an amendment clarifying the authorized final maturity date of the bonds. The bonds were sold with a final maturity date of November 15, 2039 (i.e., a term of just under thirty years and five months), but the statute contains the following language: "the bonds shall mature not later than the date thirty (30) years after their date of issuance."

Due to the specificity of the reference to "the date," bond counsel has stated that it would not be possible to conclude that we can "round down" to conclude that the term of the bonds meets the thirty-year limitation. The underwriters have indicated that the sale of the bonds might very well unravel if we were to attempt to change the final maturity date, with all of the consequential changes. With that in mind, I am transmitting herewith, an amendment to provide that the final maturity may not be later than November 15, 2039, or, alternatively, to provide that the final maturity date may not be later than the date thirty years and five months after their date of issuance.

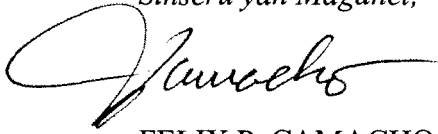
Under the applicable SEC regulations, bond counsel must distribute the final official statements no later than seven business days after the sale of the bonds. It is imperative that this amendment be adopted as soon as possible, or no later than Friday, June 12, 2009 (Guam time).

Therefore, public interest requires that a special session be convened to act on the attached legislation. I, I Maga'låhen Guahan, Governor of Guam, by virtue of the

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authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam,  
call special session of the legislature on Tuesday, June 09, 2009, at 4:00 p.m.

*Sinseru yan Magahet,*

A handwritten signature in black ink, appearing to read 'Camacho', written in a cursive style.

FELIX P. CAMACHO  
*I Maga'lahan Guahan*  
Governor of Guam

2009  
**I MINA'TRENTA NA LIHESLATURAN GUÅHAN**  
**2009 (FIRST) Special Session**

Bill No. 1 (3-S)

Introduced by:

Committee on Rules, Natural Resources,  
Federal, Foreign, & Micronesian Affairs

2009  
PM 2:47 - *De*  
*With FURTHER AMENDMENTS*  
By request of *I Maga'lahaen*  
*Guåhan* in accordance with the  
Organic Act of Guam

**AN ACT TO AMEND §1512.1(b) OF ARTICLE 5 OF CHAPTER 1 OF  
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE  
ISSUANCE OF BONDS TO FINANCE CERTAIN GENERAL FUND  
EXPENSES.**

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

**Section 1.** The Legislature hereby finds and declares that the Government has conducted a highly successful sale of general obligation bonds for the purposes authorized by §1512.1(b) of Title 5, Guam Code Annotated, including but not limited to COLA settlement payments and income tax refunds, and that in order to consummate the issuance of the bonds in accordance with the terms of the sale, a technical amendment is necessary to clarify the authorized final maturity date of the bonds.

**Section 2.** §1512.1(b) of Title 5, Guam Code Annotated, is hereby *amended* to read as follows (with additions underlined and bolded):

“(b) Terms and Conditions Determined by Certificate *or* Indenture. The terms and conditions of the bonds *shall* be as determined by *I Maga'lahaen Guåhan*, and approved by *I Liheslaturan Guåhan*, by the execution of a certificate *or* indenture authorizing the issuance of the bonds prior to the issuance of the bonds; provided, however, that such terms and conditions *shall* be consistent

1 with this Section, and that the bonds *shall* mature *not later than* ~~the date thirty~~  
2 ~~(30) years after their date of issuance~~ **November 15, 2039** and *shall* bear  
3 interest at such rates and be sold for such price *or* prices as *shall* result in a  
4 yield to the bond holders that *does not exceed* ten percent (10%) per annum.”