

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

Michae Lieute

hael W. Cruz, M.D. ieutenant Governor		2010
	MAY 19 2010	
		9
The Honorable Judith T. Won Pat, Ed.D.		P2
Speaker		ų
Mina' Trenta Na Liheslaturan Guåhan		きえ
155 Hessler Street		うべ
Hagåtña, Guam 96910		

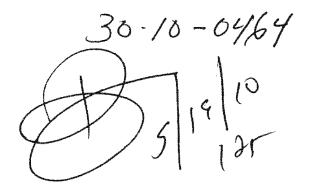
Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 366-30 (COR) "AN ACT TO AMEND SECTION 29 OF PUBLIC LAW 30-101, RELATIVE TO INCLUDING A WAIVER OF IMMUNITY FOR THE THIRTY MILLION DOLLAR (\$30,000,000) SHORT TERM NOTE TO BE ISSUED BY THE GUAM WATERWORKS AUTHORITY (GWA)", which I signed into law on May 17, 2010 as Public Law 30-146.

Sinseru yan Magåhet,

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

Attachment: copy of Bill



# 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. 366-30 (COR), "AN ACT TO AMEND SECTION 29 OF PUBLIC LAW 30-101, RELATIVE TO INCLUDING A WAIVER OF IMMUNITY FOR THE THIRTY MILLION DOLLAR (\$30,000,000) SHORT TERM NOTE TO BE ISSUED BY THE GUAM WATERWORKS AUTHORITY (GWA)", was on the 3<sup>rd</sup> day of May, 2010, duly and regularly passed.

Judith T. Won Pat, Ed. D. Speaker

Tina Řose Muña Barnes Legislative Secretary

This Act was received by I Maga'lahen Guåhan this 5th day of May, 2010, at

 $4 \sim 0$  o'clock - M.

Assistant Staff Officer Maga'lahi's Office

APPROVED:

MIKE W. CRUZ, MD GOVERNOR OF GUAM ACTING

Date: MAY 1 7 2010

Public Law No. P.L. 30–146

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

. ,

#### Bill No. 366-30 (COR)

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

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 29 OF PUBLIC LAW 30-101, RELATIVE TO INCLUDING A WAIVER OF IMMUNITY FOR THE THIRTY MILLION DOLLAR (\$30,000,000) SHORT TERM NOTE TO BE ISSUED BY THE GUAM WATERWORKS AUTHORITY (GWA).

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

Section 1. Legislative Intent. It is the intent of *I Liheslaturan Guåhan* to waive immunity from suit relative to GWA's Thirty Million Dollar (\$30,000,000) loan for funding reserve accounts, the moratorium project, and other purposes approved by the Guam Public Utilities Commission and the Guam Consolidated

Commission on Utilities, and to waive immunity from suit relative to the guaranty 1 2 for said loan provided by the Government of Guam.

· ,

Section 2. Section 29 of Public Law 30-101 is amended to read as 3 4 follows:

5

"Section 29. General Fund for Guarantee the Guam 6 Waterworks Authority Loan. The government of Guam hereby guarantees all payments due for a maximum ten (10) year term that would be 7 8 due under the Thirty Million Dollar (\$30,000,000) credit facility issued by 9 the Guam Economic Development Authority on behalf of the Guam 10 Waterworks Authority (GWA) authorized under §14235 of Article 2 of 11 Chapter 14 of Title 12, Guam Code Annotated, for the purpose of securing a Thirty Million Dollar (\$30,000,000) loan to provide funds for the 12 13 Moratorium Project, fund certain reserve accounts and other purposes approved by the Consolidated Commission on Utilities. This Guarantee is a 14 15 general obligation of the government of Guam, subject to the full faith and credit of the government of Guam. The Guarantor consents to any and all 16 extension of time and waiver or modification of obligations guarantied 17 hereunder. Notwithstanding the provision of Chapter 6 of Title 5 of the 18 19 Guam Code Annotated, the government of Guam hereby waives immunity 20 from any suit or action in contract upon the loan and guaranty but does not waive sovereign immunity as to the personal liability of elected or 21 appointed officials and employees of the government of Guam." 22

Section 3. Severability. If any of the provisions of this law or its 23 application to any person or circumstance is found to be invalid or contrary to law, 24 such invalidity shall not affect other provisions or applications of this law which 25

2

- 1 can be given effect without the invalid provisions or application, and to this end
- 2 the provisions of this law are severable.

٠

÷