



PAUL M. CALVO
GOVERNOR

Territory of Guam

OFFICE OF THE GOVERNOR
AGANA, GUAM 96910
U.S.A.

4689
4689

MAR 05 1982

Honorable Thomas V.C. Tanaka
Speaker
Sixteenth Guam Legislature
Post Office Box 373
Agana, Guam 96910

Dear Mr. Speaker:

I have today signed into law Bill No. 593, now Public Law 16-66, the Guam Economic Development Authority Project Revenue Bond Act. However, the bill as enacted requires amendment to an administrative provision in order to fulfill its intent.

Section 2 of the law provides that the Legislature may reject within 45 days the terms and conditions of the issuance of the bonds. The 45-day waiting period and the possibility that the Legislature may reject the terms and conditions of the bond may serve to eliminate a potential market of bond buyers and project developers. It is understandable that a potential buyer and project developer would not initiate lengthy negotiations and incur expenses when there exists a possibility that the terms and conditions would be rejected. Section 2 is a deterrent in our efforts to attract investors under this program.

I am therefore transmitting to you a proposed bill which would amend Section 2 and remove the obstacles it represents. The terms and conditions of the project revenue bonds would be as specified in Rules and Regulations promulgated by GEDA. The use of rules and regulations, which are approved by the Legislature under the Administrative Adjudication Law, would remove the problems that exist in Section 2.

I believe the law as amended reflects a progressive position in delivering a viable program to contribute growth to the economy, increase employment opportunities, and, most important of all, to focus on and attract potential project developers and investors. In this manner, Guam's needs for facilities, improvements, and employment within the private sector will be addressed.

I urge your speedy and favorable consideration of this matter.

Sincerely yours,

PAUL M. CALVO
1600415


Enclosure

rec'd.
Kas
3/8/82
9:30


SIXTEENTH GUAM LEGISLATURE
1982 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 595, "An Act providing for the construction, acquisition, financing and selling and leasing of manufacturing, industrial, commercial and other employment promoting facilities; providing for the issuance of bonds of the Authority and the terms and security thereof and for other purposes", was on the 2nd day of February 1982, duly and regularly passed.


THOMAS V.C. TANAKA
Speaker


ATTESTED:


THOMAS C. CRISOSTOMO
Legislative Secretary

This Act was received by the Governor this 22nd day of
February, 1982, at 11:30 o'clock A.M.


SHERRA L. FRANCISCO
Assistant Staff Officer
Governor's Office

APPROVED:


PAUL M. CALVO
Governor of Guam

DATED: MAR 05 1982

P.L. 16-66

SIXTEENTH GUAM LEGISLATURE
1982 (SECOND) Regular Session

Bill No. 593

Introduced by: Committee on Rules, at the request of the Governor

AN ACT PROVIDING FOR THE CONSTRUCTION, ACQUISITION,
FINANCING AND SELLING AND LEASING OF MANUFACTURING,
INDUSTRIAL, COMMERCIAL AND OTHER EMPLOYMENT PROMOTING
FACILITIES; PROVIDING FOR THE ISSUANCE OF BONDS OF
THE AUTHORITY AND THE TERMS AND SECURITY THEREOF AND
FOR OTHER PURPOSES.

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

2 Section 1. Subsection (a) of Section 53552 of the
3 Government Code is amended by adding a new paragraph at the end
4 of the subsection to read:

5 "The Legislature hereby further finds and determines
6 that there exists in the territory conditions of substantial
7 and persistent unemployment, thus adversely affecting the
8 economy of our island and the prosperity, safety, health
9 and general welfare of its inhabitants and their standard
10 of living; and that the availability of financial assistance
11 and suitable facilities are important inducements to new
12 and varied employment promoting enterprises to locate in
13 the territory, and to existing enterprises to remain and
14 expand in our island. The provision of buildings,
15 structures and other facilities to increase opportunity
16 for employment in manufacturing, industrial, commercial,
17 recreational, retail and service enterprises in the
18 territory is in the public interest and is a public purpose
19 to induce and accelerate opportunity for employment in such
20 enterprises. In order to aid in supplying these needs and to

1 assist in the immediate reduction of unemployment and to pro-
2 vide sufficient employment for the citizens of the territory
3 in the future, it is necessary and in the public interest
4 to aid and encourage the immediate commencement of new
5 construction projects of all types. The availability of
6 financial assistance by the territory will reduce present
7 unemployment and improve future employment opportunities
8 by encouraging and inducing the undertaking of such cons-
9 truction projects, the location, retaining or expanding of
10 employment promoting enterprises within the territory. By
11 virtue of the territory's architectural and cultural
12 heritage, its positions as principal centers of communica-
13 tion and transportation, this government is capable of
14 ameliorating the conditions of deterioration which impede
15 sound community growth and development; and that building a
16 proper balance of industrial and commercial facilities and
17 increasing the attractiveness of the territory to persons
18 of all income levels is essential to the territory as a
19 desirable place to live, work, shop and enjoy life's
20 amenities; that the accomplishment of these objectives is
21 beyond remedy solely by regulatory process and cannot be
22 dealt with effectively by the ordinary operations of private
23 enterprise without the powers provided herein, and that the
24 exercise of the powers herein provided is critical to con-
25 tinuing the process of revitalizing the territory and will
26 serve an urgent public use and purpose. In order to aid in
27 remedying the aforesaid conditions and to further and imple-
28 ment the purposes of this Title, the authority and powers
29 conferred under this Title and expenditure of money pursuant
30 thereto constitute a serving of a valid public purpose and

1 that enactment of the provisions of Chapter I-A of this
2 Title is in the public interest and for the public benefit
3 and good and is so declared to be as a matter of expressed
4 legislative determination."

5 Section 2. A new subsection (k) is added to Section 53552
6 of the Government Code to read:

7 "(k) The Corporation shall act as a central financial
8 manager and consultant for those agencies or instrumentali-
9 ties of the government requiring financial guidance and
10 assistance. Such technical assistance by the Corporation
11 shall include but not be limited to obtaining of funds
12 through bond or other obligations, structuring such bond
13 issuances, preparation and dissemination of financial and
14 investment information, including bond prospectuses, develop-
15 ment of interest among investment bankers and bond brokers,
16 maintenance of relationships with bond rating agencies and
17 brokerage houses and, generally, acting as the centralized
18 and exclusive financial planner and investment banker for
19 all the agencies and instrumentalities of the government.
20 For purposes of this subsection, 'agencies and instrumenta-
21 lities of the government' include but are not limited to such
22 public corporations as the Guam Economic Development Autho-
23 rity, the Guam Telephone Authority, the Guam Power Authority,
24 the Port Authority of Guam, the Guam Airport Authority, the
25 Guam Memorial Hospital Authority, the University of Guam, and
26 all other agencies or instrumentalities of the government
27 given the power, now or in the future, to issue and sell
28 bonds or other obligations for the purpose of raising funds.
29 Such agencies and instrumentalities of the government shall
30 issue bonds and other obligations only by means of and
31 through the agency of the Corporation, and each such agency
32 or instrumentality shall furnish the Corporation long-term

1 estimates of financial needs so that the Corporation can
2 coordinate a long-term plan for obtaining necessary funds for
3 all such agencies and instrumentalities on a rational, non-
4 competitive and efficient basis. The Corporation shall not
5 issue or sell any bond without the approval of the Legisla-
6 ture of the terms and conditions of the issuance of the bonds.
7 The failure of the Legislature to adopt a resolution reject-
8 ing the terms and conditions of the issuance of the bonds
9 within forty-five (45) calendar days of the date of its sub-
10 mission to the Legislative Secretary shall be concurrence to
11 the issuance of the bonds. For the purposes of this subsec-
12 tion, the terms 'bonds or other obligations' does not include
13 an instrument evidencing debt for a term of one year or less.
14 This section shall not apply to those bonds or other obliga-
15 tions which are sold by an agency of the Government of the
16 United States."

17 Section 3. Chapter I-A is added to Title LIV of the
18 Government Code to read:

19 "Chapter I-A

20 Guam Economic Development Authority

21 Project Revenue Bonds

22 Section 53588. Short Title. This chapter may be cited
23 as the "GEDA Project Revenue Bond Act of 1982".

24 Section 53588.01. Definitions. As used in this chapter
25 or in any indenture entered into pursuant thereto, unless a
26 different meaning clearly appears from the context:

27 (a) 'Authority' means the Guam Economic Develop-
28 ment Authority, created by Public Law 8-80, as amended,
29 Eighth Guam Legislature.

30 (b) 'Board' means the Board of Directors of
31 the Guam Economic Development Authority.

1 (c) 'Governor' means the Governor of Guam.

2 (d) 'Legislature' means the Legislature of Guam.

3 (e) 'Bonds' or 'Project Revenue Bonds' means
4 bonds or other obligations, including loan agreements,
5 notes, pass-through certificates, installment bonds,
6 short term obligations, commercial papers and such
7 other obligations evidencing debt of the Authority,
8 issued by the Authority pursuant to this chapter.

9 (f) 'Persons' means any person, including
10 individuals, firms, partnerships, associations,
11 societies, trusts, public or private corporations, or
12 other legal entities, including public or governmental
13 bodies as well as natural persons. 'Person' shall
14 include the plural as well as the singular.

15 (g) 'Cost' means:

16 (1) the cost of acquisition, construction,
17 reconstruction, repair, alteration, improvement
18 and extension of any building, structure,
19 facility, including water transmission facilities
20 or other improvements;

21 (2) the cost of machinery and equipment,
22 the cost of acquisition, construction,
23 reconstruction, repair, alteration, improvement
24 and extension of pollution control devices,
25 equipment or facilities;

26 (3) the cost of lands, rights-in-lands,
27 easements, privileges, agreements, franchises,
28 utility extensions, disposal facilities, access
29 roads and site development deemed by the
30 Authority to be necessary or useful and convenient
31 for any project or in connection therewith;

1 (4) discount on bonds, costs of issuance
2 of bonds, engineering and inspection costs, costs
3 of financial, legal, professional and other
4 estimates and advice;

5 (5) organization, administrative, insurance,
6 guarantee, operating and other expenses of the
7 Authority or any person prior to and during any
8 acquisition or construction, and all such expenses
9 of the Authority or any person prior to and during
10 any acquisition or construction, and all such
11 expenses as may be necessary or incident to the
12 financing, acquisition, construction or completion
13 of any project or part thereof; and

14 (6) such provision for payment or security
15 of principal of or interest on bonds (including
16 reserve for such purposes) during or after such
17 acquisition or construction as the Authority may
18 determine.

19 (h) 'Project' means:

20 (1) (a) acquisition, construction,
21 reconstruction, repair, alteration, improvement
22 and extension of any building, structure, facility
23 or other improvements, whether or not in
24 existence or under construction;

25 (b) purchase and installation of equipment
26 and machinery;

27 (c) acquisition and improvement of real
28 estate and the extension or provision of utilities,
29 access roads and other appurtenant facilities;
30 and

31 (2) (a) acquisition, financing or
32 refinancing of inventory, raw materials, supplies,
33 work in process, or stock in trade; or

1 (b) financing, refinancing or consolidation
2 of secured or unsecured debt, borrowings, or
3 obligations; or

4 (c) provision of financing for any other
5 expense incurred in the ordinary course of
6 business; all of which are to be used or occupied
7 by any person in any enterprise promoting employ-
8 ment, either for the manufacturing, processing
9 or assembly of materials or products, or for
10 research or office purposes, including but not
11 limited to, medical and other professional
12 facilities, or for industrial, recreational, hotel
13 or motel facilities, public utility and ware-
14 housing, or for commercial and service purposes,
15 including but not limited to, retail outlets,
16 retail shopping centers, restaurant and retail
17 food outlets, and any and all other employment
18 promoting enterprises including but not limited
19 to, motion picture and television studios and
20 facilities; and

21 (d) acquisition of any equity interest in,
22 including capital stock of any corporation; or
23 any combination of the above, which the Authority
24 determines will (i) tend to maintain or provide
25 gainful employment opportunities within and for
26 the people of the territory, or (ii) aid,
27 assist and encourage the economic development
28 and re-development of the territory or (iii)
29 maintain or increase the tax base of the territory
30 or (iv) maintain or diversify and expand employ-
31 ment promoting enterprises within the territory.

1 (i) 'Revenue' means:

2 (1) receipts, fees, rentals or other payments
3 to be received on account of lease, mortgage
4 conditional sale or sale, and payments and other
5 income derived from the lease, sale or other
6 disposition of a project;

7 (2) money in such reserve and insurance funds
8 or accounts or other funds and accounts (and
9 income from the investment thereof) established
10 in connection with the issuance of bonds or notes
11 for a project or projects; and

12 (3) fees, charges or other money to be
13 received by the Authority with respect to projects
14 and contracts with persons.

15 (j) 'territory' means the territory of Guam.

16 Section 53588.02. Application for Assistance, Finding
17 and Determination; Resolution. A copy of any application
18 for assistance under this chapter received by the Authority
19 shall be submitted to, and for the review and advice of
20 the Administrator of the Authority. Prior to making any
21 commitment for such assistance, the Authority shall, by
22 resolution duly adopted, find and determine on the basis
23 of all information reasonably available to it, that such
24 assistance will tend to maintain or provide gainful employ-
25 ment for the inhabitants of the territory, and shall serve
26 a public purpose by contributing to the prosperity, health
27 and general welfare of the inhabitants of the territory and
28 will tend to aid and assist in the economic growth, develop-
29 ment or re-development of the territory and such finding
30 and determination shall be conclusive for all purposes of
31 this chapter.

1 Section 53588.03. Economic Development Project Fund.

2 (a) The Authority shall establish and maintain a
3 special fund called the 'Economic Development Project Fund'
4 into which shall be deposited such money:

5 (1) as shall be appropriated by the Legislature for
6 the purpose of such Fund;

7 (2) if the Authority so determines in any resolution
8 authorizing any particular bonds, as shall be received
9 by the Authority from the sale of such bonds as provided by
10 law;

11 (3) as shall be received by the Authority from the
12 repayment of loans made pursuant to this chapter;

13 (4) any other money or funds of the Authority which
14 it determines to deposit therein. Money at any time in the
15 Economic Development Project Fund may be used by the
16 Authority for any purpose of this chapter, including but
17 not limited to payment of administrative expenses incurred
18 by the Authority in the performance of its duties, subject
19 only to any agreements with the holders of particular bonds.

20 (b) The Authority may, in any resolution authorizing
21 the issuance of bonds, create or authorize the creation
22 within the Economic Development Project Fund of special
23 funds to be held in pledge or otherwise for payment or
24 redemption of such bonds, reserves or other purposes and
25 to covenant as to use and disposition of the money held in
26 such funds.

27 (c) Money at any time in the Economic Development
28 Project Fund may be used to guarantee loans made to project
29 applicants by persons, provided that the Authority determines
30 that there is a reasonable prospect for repayment of such
31 loans.

1 (d) Money at any time in the Economic Development
2 Project Fund may be invested in any direct obligations of, or
3 obligations as to which the principal and interest thereof
4 is guaranteed by the United States of America or such other
5 obligations as the Authority may approve.

6 Section 53588.04. Bonds; Power to Issue, Purposes.

7 For the purpose of providing funds:

8 (a) to pay or cause to be paid all or any
9 part of the cost of any project or projects;

10 (b) to make loans to any person in accordance
11 with the provisions of this chapter; and

12 (c) for the funding or refunding of any bonds,
13 the Authority shall have power to authorize or provide
14 for the issuance of bonds pursuant to this chapter.

15 Section 53588.05. Bonds; Issuance; Authorization
16 by Resolution; Terms.

17 (a) By resolution approved by the Governor, the
18 Authority shall have the power to incur indebtedness,
19 borrow money, and issue its bonds for the purposes stated
20 in Section 53588.04 of this chapter. Except as may
21 otherwise be expressly provided by the Authority, every
22 issue of its bonds shall be special obligations of
23 the Authority payable solely from the revenues or money
24 of the Authority specified in the resolution providing
25 for its issuance, subject only to any agreement with
26 the holders of particular bonds pledging any particular
27 revenues or money. Such bonds shall bear such date
28 or dates, mature at such time or times, bear interest
29 at a rate or rates, be in such denominations, be in
30 form, either coupon or registered, carry such conversion
31 or registration privileges, have such rank or priority

1 be executed in such manner, payable from such source
2 and have such terms of redemption (with or without
3 premium) as such resolution may provide. Bonds of the
4 Authority may be sold by the Authority to public or
5 private sale at such price or prices and under such
6 conditions and terms as the Authority shall determine.

7 (b) Every bond shall recite that it is not
8 a general indebtedness of the Authority, but rather
9 is a special obligation of the Authority payable
10 solely from the revenues specified in the Resolution
11 providing for its issuance. Every bond shall recite
12 that it is not public indebtedness of the territory
13 as that term is used in Section 11 of the Organic Act
14 of Guam.

15 Section 53588.06. Bonds; Negotiability. Any provision
16 of any law to the contrary notwithstanding, any bond or
17 other obligation issued pursuant to this chapter shall be
18 fully negotiable for all purposes, and each holder or
19 owner of such a bond or other obligation, or of any
20 coupon appurtenant thereto, by accepting such bond or
21 coupon shall be conclusively deemed to have agreed that
22 such bond, obligation or coupon is and shall be fully
23 negotiable for all purposes, subject in each case to any
24 provisions for registration in the bond, obligation or
25 coupon or in the resolution or indenture authorizing its
26 issuance.

1 Section 53588.07. Covenants with Bondholders. In
2 order to secure the payment of such bonds and in addition
3 to its other powers, the Authority shall have power by
4 resolution to covenant and agree with the several holders
5 of such bonds, as to:

6 (a) the custody, security, use, expenditure or
7 application of the proceeds of the bonds;

8 (b) the use, regulation, operation, maintenance,
9 insurance or disposition of all or any part of any
10 project or projects;

11 (c) payment of the principal of or interest on the
12 bonds, or any other obligations, and the sources and
13 methods thereof, the rank or priority of any such bonds
14 or obligations as to any lien or security, or the acce-
15 leration of the maturity of any such bonds or obliga-
16 tions;

17 (d) the use and disposition of any money of the
18 Authority, including all revenues or other money derived
19 or to be derived from any project or projects;

20 (e) pledging, setting aside, depositing or
21 trusteeing all or any part of the proceeds, revenues or
22 other money of the Authority to secure the payment of
23 the principal of or interest on the bonds or any other
24 obligations and the power and duties of any trustee with
25 regard thereto;

26 (f) the setting aside out of the proceeds,
27 revenues or other money of the Authority of reserves
28 and sinking funds, and the source, custody, security,
29 regulation application and disposition thereof;

1 (g) the rents, fees or other charges for the use
2 of any project or projects, including any parts thereof
3 theretofore constructed or acquired and any parts,
4 replacements or improvements thereof thereafter cons-
5 tructed or acquired, and the fixing, establishment,
6 collection and enforcement of the same;

7 (h) limitation on the issuance of additional
8 bonds or any other obligations or on the incurrence of
9 indebtedness of the Authority;

10 (i) vesting in a trustee or trustees, fiscal or
11 escrow agent or agents within or without the territory
12 such property, rights, powers and duties in trust as the
13 Authority may determine and limiting the rights, duties
14 and powers of such trustee or agent;

15 (j) payment of costs or expenses incident to the
16 enforcement of the bonds or of the provisions of the
17 resolution or of any covenant or contract with the
18 holders of the bonds;

19 (k) the procedure, if any, by which the terms of
20 any covenant or contract with, or duty to, the holders
21 of bonds may be amended or abrogated, the amount of
22 bonds the holders of which must consent thereto, and
23 the manner in which such consent may be given or
24 evidenced; or

25 (l) any other matter or course of conduct which,
26 by recital in the resolution is declared to further
27 secure the payment of the principal of or interest on
28 the bonds.

29 All such provisions of the resolution and all such
30 covenants and agreements shall constitute valid and
31 legally binding contracts between the Authority and the
32 several holders of the bonds, regardless of the time of
33 issuance of such bonds, and shall be enforceable by any

1 such holder or holders by appropriate action, suit or pro-
2 ceeding in any court of competent jurisdiction, or by pro-
3 ceeding in lieu of prerogative writ.

4 Section 53588.08. Pledge of Revenues; Lien. Any
5 pledge of revenues or other money made by the Authority
6 shall be valid and binding from the time when the pledge is
7 made; the revenues or other money so pledged and thereafter
8 received by the Authority shall immediately be subject to
9 the lien of such pledge without any physical delivery thereof
10 or further act, and the lien of any such pledge shall be
11 valid and binding as against all parties having claims of
12 any kind in tort, contract or otherwise against the Authority,
13 irrespective of whether such parties have notice thereof.
14 Neither the resolution nor any other instrument by which a
15 pledge is created need be filed or recorded except in the
16 records of the Authority.

17 Section 53588.09. Nonliability of Members of the
18 Authority of the Territory. Neither the members of the
19 Authority nor any person executing bonds issued pursuant
20 to this chapter shall be liable personally on the bonds by
21 reason of the issuance thereof. Bonds or other obligations
22 issued by the Authority pursuant to this chapter shall not
23 be in any way a debt or liability of the territory or of
24 any political subdivision thereof, either legal, moral or
25 otherwise, and nothing in this chapter contained shall be
26 construed to authorize the Authority to incur any indebted-
27 ness on behalf of or in any way to obligate the territory
28 and all such bonds shall contain on the face thereof a
29 statement to that effect.

1 Section 55588.10. Tax Exemptions; Payments in Lieu of
2 Taxes. The exercise of the powers granted by this chapter
3 shall constitute the performance of an essential governmental
4 function and the Authority shall not be required to pay any
5 taxes or assessments upon or in respect of a project, or any
6 property of money of the Authority, and the Authority, its
7 projects, property and money and any bonds and notes issued
8 under the provisions of this chapter, their transfer and the
9 income therefrom, including any profit made on the sale
10 thereof, shall at all times be free from taxation of every
11 kind, provided, that any person occupying a project whether
12 as lessee, vendee or otherwise, shall, as long as title there-
13 to shall remain in the Authority, pay a payment in lieu of
14 taxes which shall equal the taxes on real and personal pro-
15 perty, including water and sewer service charges or assess-
16 ments, which such person would have been required to pay
17 had it been the owner of such property during the period for
18 which such payment is made and neither the Authority nor its
19 projects, properties, money or bonds and notes shall be
20 obligated, liable or subject to lien of any kind for the
21 enforcement, collection or payment thereof. If and to the
22 extent the proceedings under which the bonds authorized to
23 be issued under the provisions of this chapter so provide,
24 the Authority may agree to cooperate with such person
25 occupying a project, in connection with any administrative
26 or judicial proceedings for determining the validity or
27 amount of such payments and may agree to appoint or designate
28 and reserve the right and for such person to take all action
29 which the Authority may lawfully take in respect of such

1 payments and all matters relating thereto, provided such
2 person shall bear and pay all costs and expenses of the
3 Authority thereby incurred at the request of such person
4 or by reason of any such action taken by such person in
5 behalf of the Authority. If such person occupying a project
6 has paid the amounts in lieu of taxes required by this
7 section to be paid, such person shall not be required to
8 pay any such taxes as to which payment in lieu thereof
9 has been made to the territory, any other statute to the
10 contrary notwithstanding. Bonds issued pursuant to the
11 provisions of this chapter and the interest income therefrom
12 are exempt from taxation in accordance with the provision
13 of the last sentence of Section 11 of the Organic Act of
14 Guam (Section 1423a, Title 48, U. S. Code).

15 Section 53588.11. Bonds as Legal Investments and as
16 Security for Performance of Any Act. Notwithstanding any
17 restriction contained in any other law, the territory, its
18 officers, boards, commissions, departments or other agencies,
19 all banks, bankers, trust companies, savings banks and
20 institutions, building and loan associations, savings and
21 loan associations, investment companies and other persons
22 carrying on a banking or investment business, all insurance
23 companies, insurance associations and other persons carrying
24 on an insurance business, and all executors, administrators,
25 guardians, trustees and other fiduciaries, and all other
26 persons whatsoever who now are or may hereafter be authorized
27 to invest in bonds or other obligations of the territory,
28 may properly and legally invest any sinking funds, money
29 or other funds, including capital, belonging to them or

1 within their contract in any bonds or notes issued by the
2 Authority under the provisions of this chapter; and the
3 bonds and notes are made securities which may properly
4 and legally be deposited with and received for the perfor-
5 mance of any act whenever any evidence of indebtedness of
6 the territory for any purpose for which the deposit of
7 bonds or other obligations of the territory is now or may
8 hereafter be authorized by law.

9 Section 53588.12. Sureties or Collateral for Deposits
10 of Authority. All banks, bankers, trust companies, savings
11 banks, investment companies, savings and loan associations
12 and other financial institutions or persons carrying on a
13 banking or financial business are authorized to give to
14 the Authority a good and sufficient undertaking with such
15 sureties as shall be approved by the Authority to the effect
16 that such bank or financial institution as hereinbefore
17 described shall faithfully keep and pay over to the order
18 of or upon the warrant of the Authority or its authorized
19 agent all such funds as may be deposited with it by the
20 Authority and agreed interest thereon, at such times or
21 upon such demands as may be agreed with the Authority or
22 in lieu of such sureties, deposit with the Authority or its
23 authorized agent or any trustee therefor or for the holders
24 of any bonds, as collateral, such securities as the Authority
25 may approve. The deposits of the Authority may be evidenced
26 by a depository collateral agreement in such form and upon
27 such terms and conditions as may be agreed upon by the
28 Authority and such bank or banking institution.

1 Section 53588.13. Inapplicability of Other Laws. The
2 sections of this chapter shall be deemed to provide a com-
3 plete method for the doing of things authorized thereby and
4 shall be regarded as not in conflict with, or as restrictive
5 of powers conferred by any other laws, and the provisions
6 of this chapter shall be complete authority for the issuance
7 of bonds by the Authority and the provisions of any other
8 laws shall not apply to the issuance of such bonds.

9 Section 53588.14. Severability. If any section, part,
10 phrase, or provision of this chapter or the application
11 thereof to any person, project or circumstances, be adjudged
12 invalid by any court of competent jurisdiction, such judgment
13 shall be confined in its operation to the section, part,
14 phrase, provision or application directly involved in the
15 controversy in which such judgment shall have been rendered
16 and shall not effect or impair the validity of the remainder
17 of this chapter or the application thereof to other persons,
18 projects or circumstances.

19 Section 53588.15. Property of Authority; Exemption
20 from Execution or Other Judicial Process. All property of
21 the Authority shall be exempt from levy and sale by virtue
22 of an execution and no execution or other judicial process
23 shall issue against the same nor shall any judgment against
24 the Authority be a charge or lien upon its property; pro-
25 vided, that nothing herein contained shall apply to or
26 limit the rights of the holder of any bonds to pursue any
27 remedy for the enforcement of any pledge of lien given by
28 the Authority on or with respect to any project or any
29 revenues or other money."

1 Section 4. Part XVI of Section 3 of Public Law 16-44 is
 2 amended to read:

3 "PART XVI
 4 GUAM ELECTION COMMISSION

		<u>Appropriation From</u>			
		<u>Item &</u>	<u>General</u>	<u>Cash</u>	<u>Federal</u>
		<u>Subtotal</u>	<u>Total</u>	<u>Fund</u>	<u>Fund</u>
5	(A) General Operations				
6	1. Personnel				
7	Services	\$123,496	\$123,496		
8		(8.0 FTE)	(8.0 FTE)		
9	2. Operating				
10	Expenses	133,239	133,239		
11	3. Lease of				
12	Office Space	20,000	20,000		
13	4. Utilities				
14	A. Telephone	3,500	3,500		
15	5. Board Stipend				
16	Pursuant to				
17	Section 6911				
18	of the Government				
19	Code	3,000	3,000		
20					
21					
22					
23					
24			\$283,235	\$283,235	
25					
26	PART XVI GRAND TOTAL		\$283,235	\$283,235	".
27					