



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

DEC 14 1994

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

RECEIVED
OFFICE OF THE SPEAKER
DATE: 12/14
TIME: 2:30
RECD BY: [Signature]

Dear Mr. Speaker:

Transmitted herewith is Bill No. 1130, which I have signed into law this date as
Public Law 22-141.

Sincerely yours,

Joseph F. Ada

JOSEPH F. ADA
Governor

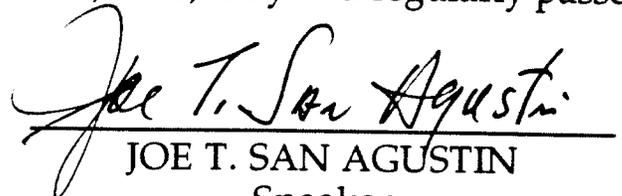
220897

Attachment

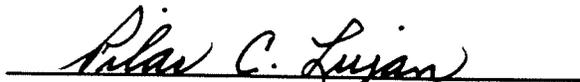
TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

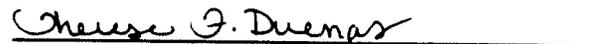
This is to certify that Substitute Bill No. 1130 (LS), "AN ACT TO REPEAL AND REENACT SUBSECTION (m) OF §6132, GOVERNMENT CODE, TO ALLOW THE TRANSFER OF FUNDS WITHIN AND AMONG THE AUTHORIZED PROJECTS FUNDED BY THE WATER SYSTEM REVENUE BONDS," was on the 30th day of November, 1994, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker

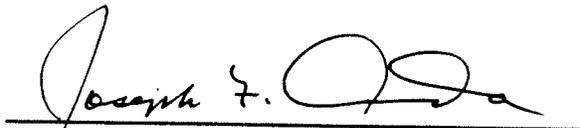
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 2nd day of December,
1994, at 11:11 o'clock A.M.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: DEC 14 1994

Public Law No. 22-141

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1130 (LS)
As substituted on the floor

Introduced by:

At the request of the Governor
Chairperson, Committee on Rules

H. D. Dierking

T. S. Nelson

T. C. Ada

J. P. Aguon

E. P. Arriola

M. Z. Bordallo

C. T. C. Gutierrez

P. C. Lujan

V. C. Pangelinan

D. Parkinson

E. D. Reyes

J. T. San Agustin

F. E. Santos

D. L. G. Shimizu

J. G. Bamba

A. C. Blaz

D. F. Brooks

F. P. Camacho

M. D. A. Manibusan

T. V. C. Tanaka

A. R. Unpingco

AN ACT TO REPEAL AND REENACT SUBSECTION (m)
OF §6132, GOVERNMENT CODE, TO ALLOW THE
TRANSFER OF FUNDS WITHIN AND AMONG THE
AUTHORIZED PROJECTS FUNDED BY THE WATER
SYSTEM REVENUE BONDS.

1

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

1 **Section 1.** Subsection (m) of §6132, Government Code, is hereby
2 repealed and reenacted to read:

3 "(m) It is the policy and intent of the Legislature to ensure that
4 all projects enumerated in subsection (k) are completed. In this
5 respect, the Legislature gives its consent and authorization to allow
6 the transfer of funds from such a project, which has a surplus, to a
7 project with a shortfall; **provided**, however, that the Legislature be
8 informed in writing prior to any transfer. If a project or projects are
9 placed on hold by the Chief Officer of the Public Utility Agency of
10 Guam due to an unanticipated circumstance, a transfer of funds
11 from the project or projects enumerated in subsection (k) on hold to
12 another project with a shortfall is authorized by the Legislature;
13 **provided**, that prior to any transfer the Legislature be informed in
14 writing the reasons why such a project so enumerated is subsection
15 (k) is on hold. This subsection shall take effect on January 3, 1995."

VOTING SHEET
(as revised)

Bill No. 1130

11/30/94

Resolution No. _____

(Date)

Question: _____

Senators	Aye	No	Declined to Vote	Required to vote	Excused from voting	ABSENT/OUT DURING ROLL CALL
Ada, Thomas C.	✓					
AGUON, John P.	✓					
ARRIOLA, Elizabeth P.	✓					
BAMBA, George J.	✓					
BLAZ, Anthony C.	✓					
BORDALLO, Madeleine Z.	✓					
BROOKS, Doris F.	✓					
CAMACHO, Felix P.	✓					
DIERKING, Hermina D.	✓					
GUTIERREZ, Carl T. C.	✓					
LUJAN, Pilar C.	✓					
MANIBUSAN, M. D. A.	✓					
NELSON, Ted S.	✓					
PANGELINAN, Vicente C.	✓					
PARKINSON, Don	✓					
REYES, Edward D.	✓					
SAN AGUSTIN, Joe T.	✓					
SANTOS, Francis E.	✓					
SHIMIZU, David L. G.	✓					
TANAKA, Thomas V. C.	✓					
UNPINGCO, Antonio R.	✓					

TOTAL

	21	0			
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Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

November 21, 1994

Speaker Joe T. San Agustin
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

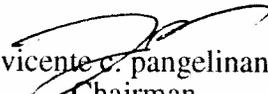
Dear Mr. Speaker,

The Committee on Economic-Agricultural Development and Insurance, to which was referred BILL 1130 wishes to report back to the Legislature with its recommendation **TO DO PASS**. The voting record is as follows:

TO PASS	8
NOT TO PASS	0
ABSTAIN	0
TO PLACE IN INACTIVE FILE	0

Copies of the Committee Report and other pertinent documents are attached.
Your attention to this matter is appreciated.

Sincerely,


vicente c. pangelinan
Chairman

Attachments.

Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

November 21, 1994

MEMORANDUM

TO: Members, Committee on
Economic-Agricultural Development and Insurance

FROM: Sen. Vicente C. Pangelinan

SUBJECT: Committee Report and Voting Sheet

Transmitted herewith for your information and action is the Committee Report regarding Bill 1130 An act to repeal and reenact Subsection (m) of §6132, Guam Code Annotated, to allow the transfer of funds within and among the authorized projects funded by the Water System Revenue Bonds.. The narrative report is accompanied by the following:

1. Committee Voting Sheet
2. Written Testimony
3. Evidentiary Materials
4. Biographical Data

Should you have any questions on the narrative report or the accompanying documents, I would be happy to answer any of them. Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members. Your prompt attention and cooperation in this matter is greatly appreciated.


vicente c. pangelinan
Chairman

attachments.

Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

COMMITTEE VOTING SHEET

SUBJECT: Committee Report on Bill 1130 An act to repeal and reenact Subsection (m) of §6132, Guam Code Annotated, to allow the transfer of funds within and among the authorized projects funded by the Water System Revenue Bonds

Committee Members	Initials	To Pass	Not To To Pass	Abstain	To Place In Inactive File
V.C. Pangelinan	<i>VP</i>	✓			
T.C. Ada	<i>T.A.</i>	✓			
A.C. Blaz	<i>A.B.</i>	✓			
F.P. Camacho	<i>F.C.</i>	✓			
H.D. Dierking					
P.C. Lujan					
M.D.A. Manibusan					
T.S. Nelson	<i>T.N.</i>	✓			
E.D. Reyes	<i>E.R.</i>	✓			
J.T. San Agustin	<i>J.S.A.</i>				
F.E. Santos	<i>F.S.</i>	✓			
T.V.C. Tanaka	<i>T.T.</i>	✓			

Committee on Economic-Agricultural Development and Insurance

Committee Report on Bill 1130

An act to repeal and reenact Subsection (m) of §6132, Guam Code Annotated, to allow the transfer of funds within and among the authorized projects funded by the Water System Revenue Bonds.

I. Overview

The Committee on Economic-Agricultural Development and Insurance having jurisdiction over public bond issues and having been referred Bill 1130 conducted a joint public hearing with the Committee on Water Utilities and Electronic Communications on Wednesday, October 12, 1994 in the Public Hearing Room, Guam Legislature Temporary Building in Agana. Public notice was published in the Pacific Daily News on October 5, 1994 and October 12, 1994. Chairman V.C. Pangelinan presided over the hearing with the following members present: Vice-Chairman, Senator T. C. Ada, Senator.

II. Summary of Testimony

Mr. Pete T. Camacho, Deputy Chief Officer for the Public Utility Agency of Guam, submitted written testimony on behalf of PUAG's Chief Officer Joseph Mesa. In his written testimony Mr. Mesa states: "As authorized by P.L. 20-16, the Governor of Guam issued bonds to fund a series of water and waste water system improvements throughout the island, the law also allows the Governor to transfer surplus funds within the projects listed in the law from project to project to cover unanticipated funding shortfalls. However, there is no provision in the current law that allows reallocation of funds from projects placed on hold, to cover shortfalls in other projects". Mr. Mesa further states: The funds designated for those projects are needlessly standing idle when, at the same time there is enough funding to proceed and complete the construction of at least two of the projects." In closing Mr. Mesa expresses full support of the passage of Bill 1130.

<u>Project</u>	<u>Bond Funding</u>	<u>Est. Cost</u>	<u>Bal. of project act.</u>	<u>Short fall</u>
Agat/Santa Rita Sewer System Phase II	\$6,025,000	\$17,610,000	\$3,575,000	\$14,035,000

Mr. Renato Alcazaren, Engineer Supervisor in charge of Capital Improvements for Water - PUAG, also testified in collaboration with the testimony of PUAG's Chief Officer Joseph Mesa read by Mr. Pete T. Camacho. He stated that some of the bond funding had been spent for the design of the project and the remaining balance in the account was \$3,575,000. Some confusion occurred as to the use of \$3.5 million given by the Navy. The Chairman inquired as the use of the funding that was provide by the Navy. Mr. Alcazaren stated that the \$3.5 million contributed by the Navy was not for the treatment plant in Phase II, but was for the outfall in Phase I. The \$17 million estimated cost was for the construction of the treatment plant in Phase II of the project..

Mr. Pete Camacho, Deputy Chief Officer of the Public Utility Agency of Guam, also testified in support of the bill. The main concern expressed by the Chairman, as well as other members of the Committee, was in reference to an exact amount readily available to pursue the completion of the other projects mentioned. After much discussion, it became apparent that a mathematical error was made. \$1M dollars was left unaccounted. References were made to a letter from the Governor, as well as testimony from earlier in the year, which proved to be inconsistent with the information given. The hearing was adjourned with requests for the correct reallocation of the remaining surplus figures from the Agat-Santa Rita project funded by the \$53 million dollar water bond.

In response to the request made at the public hearing, a letter dated October 13, was received from PUAG's Deputy Chief Officer Pete T. Camacho. He brought to attention an error made in testimony for which he wanted corrected. During his testimony, he stated that PUAG sought to reallocate \$1.5M to the Barrigada/Toto Waterline (Phase II) when in actuality the cost mentioned should have been \$2M. Another correction to be noted was that the cost of the Macheche/Adacao waterline (Phase II). During the testimony he stated the cost at \$1M. The correct amount to be reallocated should have read \$1.5M. These corrected amounts now support the correct reallocation of the balance form the Agat-Santa Rita project.

ISSUES, FINDINGS AND RECOMMENDATIONS

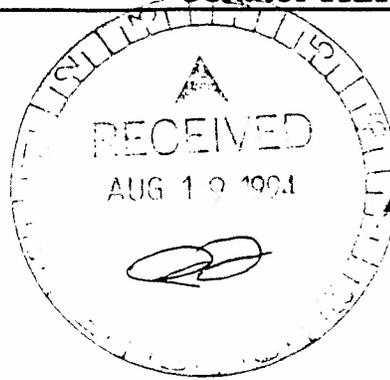
A. ISSUES AND FINDINGS ON BILL 1130

The committee after receiving the corrected reallocation amounts to support the balance in the Agat-Santa Rita project, does hereby express its support of the request to shift the funds in order to complete the on-going Barrigada/Toto waterline and the Macheche/Adacao projects. The committee feels that although the Agat-Santa Rita sewer project is an important one, the fact that the additional \$14 million dollars needed to complete the project will not be available in the immediate future. It finds that the best use of the remaining balance in the project account is the funding of the Barrigada/Toto and the Macheche/Adacao, which are on-going and can be completed with the additional funds. The committee therefore issues its report on the bill with a recommendation TO DO PASS.



Senator **HERMINIA D. DIERKING**

22nd GUAM LEGISLATURE



August 17, 1994

Committees:

MEMORANDUM

CHAIRPERSON:

Rules

VICE CHAIRPERSON:

Ways & Means

MEMBER:

Economic-
Agricultural
Development,
and Insurance

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

General
Governmental
Operations and
Micronesian Affairs

Health,
Ecology and
Welfare

Judiciary
and
Criminal Justice

Tourism and
Transportation

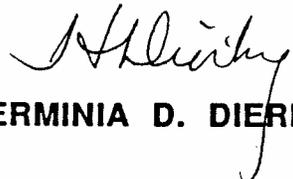
Youth, Senior
Citizens and
Cultural Affairs

TO: Chairperson, Committee on Economic-Agricultural
Development and Insurance

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 1130

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.


HERMINIA D. DIERKING

Attachment

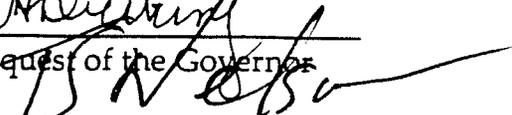
01 AUG 16 PM 3:48

TWENTY SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Chairperson, Committee on Rules

Bill No. 1130

Introduced by:


At the request of the Governor 

AN ACT TO REPEAL AND REENACT SUBSECTION
(m) OF §6132, GUAM CODE ANNOTATED, TO ALLOW
THE TRANSFER OF FUNDS WITHIN AND AMONG
THE AUTHORIZED PROJECTS FUNDED BY THE
WATER SYSTEM REVENUE BONDS.

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

Section 1. Subsection (m) of §6132, Government Code, is hereby repealed and reenacted to read:

"(m) It is policy and intent of the Legislature to ensure that all projects enumerated in subsection (k) are completed. In this respect, the Legislature gives its consent and authorization to allow the transfer of funds from a project, which has a surplus, to a project with a shortfall, provided, however, that the Legislature be informed in writing prior to any transfer. If a project or projects are placed on hold by the Chief Officer of the Public Utility Agency of Guam due to an unanticipated circumstance, a transfer of funds from the project or projects on hold to another project with a shortfall is authorized by the Legislature provided that prior to any transfer the Legislature be informed in writing the reasons why the project is on hold."

FLD 1130



Senator **HERMINIA D. DIERKING**
22nd GUAM LEGISLATURE

August 15, 1994

MEMORANDUM

- Committees:
- CHAIRPERSON:
- Rules
- VICE CHAIRPERSON:
- Ways & Means
- MEMBER:
- Economic-Agricultural Development, and Insurance
- Education
- Electrical Power and Consumer Protection
- Federal and Foreign Affairs
- General Governmental Operations and Micronesia Affairs
- Health, Ecology and Welfare
- Judiciary and Criminal Justice
- Tourism and Transportation
- Youth, Senior Citizens and Cultural Affairs

TO: The Committee on Economic-Agricultural Development and Insurance

FROM: Chairperson, Committee on Rules

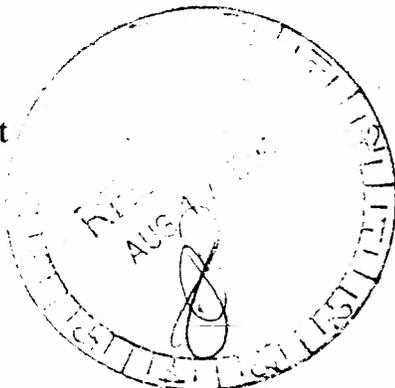
SUBJECT: Governor's Message

The following Governor's Message was received by my office and is being forwarded to you for your information.

GOVERNOR'S MESSAGE ENCLOSING PROPOSED LEGISLATION TO AMEND PUBLIC LAW 20-16 TO ALLOW THE TRANSFER OF FUNDS WITHIN AND AMONG THE AUTHORIZED PROJECTS FUNDED BY THE WATER SYSTEM REVENUE BONDS.

HERMINIA D. DIERKING

Attachment





Territory of Guam
Territorion Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

RECEIVED
OFFICE OF THE SPEAKER
DATE: 8/15/94
TIME: 9:15am
READ BY: [Signature]

REFER TO
LEGISLATIVE SECRETARY

AUG 12 1994

[Signature]

The Honorable Joe T. San Agustin
Speaker, 22nd Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

Attached please find proposed legislation to amend Public Law 20-16 to allow the transfer of funds within and among the authorized projects funded by the water system revenue bonds.

While the existing law authorizes the transfer of surplus funds, there is no provision for the reallocation of funds from projects placed on hold to cover shortfalls in other projects. Three bond projects are on hold because of funding shortfalls and the funds designated for those projects are needlessly standing idle.

The Agat/Santa Rita Sewer System Phase II is currently in the design phase, which is projected to take about one year to complete in this phase. The project involves the construction of a treatment plant which is estimated to cost \$17,610,000. Currently, there is only \$3,575,000 remaining in the project's account and no progress can be made until the shortfall of \$14,035,000 is identified.

What we would like to do is reprogram the existing money in the account and put it to good use on other projects while the Agat/Santa Rita project is still in the design stage. In the meantime, the entire funding for the Agat/Santa Rita project would be included in the next bond issuance. By the time the project comes out of the design phase and construction can begin, funds would be available in its entirety and the project can commence without interruption.

Obviously, the shortfall in the Agat/Santa Rita project is so great that it would be highly unproductive at this point to let the funds remain idle. I am certain you will agree that it would be more beneficial to use the funds, while the Agat/Santa Rita project is in the design stage, to proceed with other projects that remain on hold due to shortfalls of their own.



Commonwealth Now!

The Honorable Joe T. San Agustin
Page 2

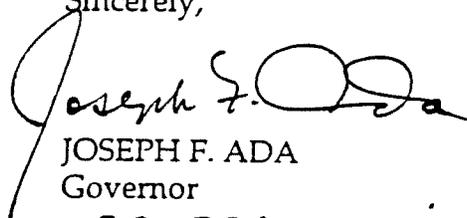
We have identified two projects that can be let out on construction bid if additional funding is identified: Barrigada/Toto Water Phase II- \$1,565,900; and Macheche/Adacao Water Phase II- \$1,000,000.

In order, therefore, to be able to move forward with these two projects it is our intention, through this proposed legislation to reprogram funds from the Agat/Santa Rita project for that purpose. Then, upon issuance of the next bond issue the Agat/Santa Rita project will be able to be funded in its entirety.

Mr. Speaker, I respectfully request your support and the support of your colleagues to amend P.L. 20-16 in order that we may proceed with the construction of the Barrigada/Toto and Macheche/Adacao water projects while foregoing the Agat/Santa Rita Sewer project until the full amount for construction is secured through the next bond issuance. I urge you to act swiftly so that we may continue to meet the growing water needs of all the people of Guam.

If you have any questions or comments, please feel free to contact me at your convenience. Thank you and si Yu'os ma'ase.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph F. Ada". The signature is written in a cursive style with a large initial "J".

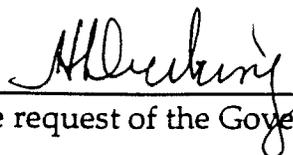
JOSEPH F. ADA
Governor

220821

TWENTY SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No.

Introduced by:


At the request of the Governor

AN ACT TO REPEAL AND REENACT SUBSECTION
(m) OF §6132, GUAM CODE ANNOTATED, TO ALLOW
THE TRANSFER OF FUNDS WITHIN AND AMONG
THE AUTHORIZED PROJECTS FUNDED BY THE
WATER SYSTEM REVENUE BONDS.

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

3 Section 1. Subsection (m) of §6132, Government Code, is hereby repealed
4 and reenacted to read:

5 "(m) It is policy and intent of the Legislature to ensure that all
6 projects enumerated in subsection (k) are completed. In this respect, the
7 Legislature gives its consent and authorization to allow the transfer of
8 funds from a project, which has a surplus, to a project with a shortfall,
9 provided, however, that the Legislature be informed in writing prior to
10 any transfer. If a project or projects are placed on hold by the Chief Officer
11 of the Public Utility Agency of Guam due to an unanticipated
12 circumstance, a transfer of funds from the project or projects on hold to
13 another project with a shortfall is authorized by the Legislature provided
14 that prior to any transfer the Legislature be informed in writing the
15 reasons why the project is on hold."
16



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam

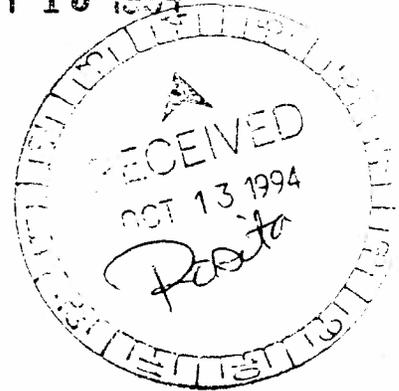
Post Office Box 3010, Agana, Guam 96910

Phone: (671) 646-8891-6 / 649-7824

Fax: (671) 649-0158

OCT 13 1994

The Honorable Vicente C. Pangelinan
Chairperson
Committee on Economic-Agricultural
Development and Insurance
22nd Guam Legislature
155 Hesler Street
Agana, Guam 96910



Dear Mr. Chairman:

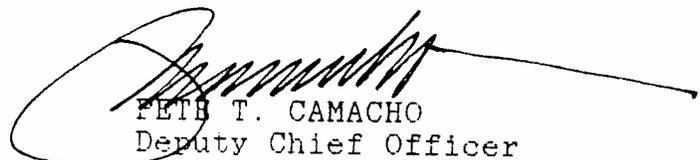
I have been made aware of an error in testimony during the hearing before your committee on Bill 1130. For the record I wish to have the error corrected.

During the testimony I stated that PUAG sought to reallocate \$1,565,000 to the Barrigada/Toto Waterline (Phase II) and \$1,000,000 to the Macheche/Adacao Waterline (Phase II) project from the \$3,575,000 remaining in the Agat/Santa Rita Sewer System (Phase II) project.

The correct amount to be reallocated should have read \$2,070,000 toward the Barrigada/Toto Waterline (Phase II) and \$1,505,000 toward the Macheche/Adacao Waterline (Phase II) project. Please accept my sincerest apologies for any confusion my earlier testimony may have caused.

Please feel free to call me should you have any questions.

Sincerely,


PETE T. CAMACHO
Deputy Chief Officer



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam

Post Office Box 3010, Agana, Guam 96910

Phone: (671) 647-7811 / 7823

Fax: (671) 649-0158

BILL NO. 1130

AN ACT TO REPEAL AND REENACT
SUBSECTION (m) OF 86132, GUAM CODE ANNOTATED,
TO ALLOW THE TRANSFER OF FUNDS
WITHIN AND AMONG THE AUTHORIZED PROJECTS
FUNDED BY THE WATER SYSTEM REVENUE BONDS

TWENTY-SECOND GUAM LEGISLATURE
JOINT HEARING BEFORE

THE COMMITTEE ON WATER UTILITIES
AND ELECTRONIC COMMUNICATIONS

AND

THE COMMITTEE ON ECONOMIC-AGRICULTURAL
DEVELOPMENT AND INSURANCE

TESTIMONY

Submitted By

Joseph F. Mesa, Chief Officer
Public Utility Agency of Guam

October 12, 1994



Commonwealth Now!



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam

Post Office Box 3010, Agana, Guam 96910

Phone: (671) 647-7811 / 7823

Fax: (671) 649-0158

BILL NO. 1130

AN ACT TO REPEAL AND REENACT
SUBSECTION (m) OF §6132, GUAM CODE ANNOTATED,
TO ALLOW THE TRANSFER OF FUNDS
WITHIN AND AMONG THE AUTHORIZED PROJECTS
FUNDED BY THE WATER SYSTEM REVENUE BONDS

TWENTY-SECOND GUAM LEGISLATURE
JOINT HEARING BEFORE

THE COMMITTEE ON WATER UTILITIES
AND ELECTRONIC COMMUNICATIONS

AND

THE COMMITTEE ON ECONOMIC-AGRICULTURAL
DEVELOPMENT AND INSURANCE

TESTIMONY

Submitted By

Joseph F. Mesa, Chief Officer
Public Utility Agency of Guam

October 12, 1994

GOOD MORNING MR. CHAIRMEN AND MEMBERS OF THE COMMITTEE ON
WATER UTILITIES AND ELECTRONIC COMMUNICATIONS AND THE COMMITTEE ON
ECONOMIC-AGRICULTURAL DEVELOPMENT AND INSURANCE. FOR THE RECORD,
MY NAME IS JOSEPH F. MESA AND I AM THE CHIEF OFFICER OF THE PUBLIC
UTILITY AGENCY OF GUAM. I AM HERE TO TESTIFY ON BILL 1130: AN ACT
TO REPEAL AND REENACT SUBSECTION (m) OF §6132, GUAM CODE ANNOTATED,



Commonwealth Now!

TO ALLOW THE TRANSFER OF FUNDS WITHIN AND AMONG THE AUTHORIZED PROJECTS FUNDED BY THE WATER SYSTEM REVENUE BONDS. I WOULD LIKE TO THANK THE COMMITTEE CHAIRMAN FOR INVITING PUAG TO SUBMIT TESTIMONY.

AS AUTHORIZED BY P.L. 20-16, THE GOVERNOR OF GUAM ISSUED BONDS TO FUND A SERIES OF WATER AND WASTEWATER SYSTEM IMPROVEMENTS LOCATED THROUGHOUT THE ISLAND. THE LAW ALSO PROVIDED THE GOVERNOR WITH THE ABILITY TO TRANSFER SURPLUS FUNDS WITHIN THE PROJECTS LISTED IN THE LAW FROM PROJECT TO ANOTHER TO COVER UNANTICIPATED FUNDING SHORTFALLS.

THERE IS, HOWEVER, NO EXISTING PROVISION IN THE LAW FOR THE REALLOCATION OF FUNDS FROM PROJECTS PLACED ON HOLD TO COVER SHORTFALLS IN OTHER PROJECTS.

THE DESIGN OF THE AGAT/SANTA RITA SEWER SYSTEM PHASE II IS PRESENTLY UNDERWAY AND IS EXPECTED TO TAKE APPROXIMATELY ONE YEAR TO COMPLETE. THE PROJECT INVOLVES THE CONSTRUCTION OF A SEWAGE TREATMENT PLANT AT AN ESTIMATED COST OF \$17,610,000. THERE IS CURRENTLY ONLY \$3,575,000 REMAINING IN THE PROJECT'S ACCOUNT AND NO FURTHER PROGRESS CAN BE MADE TOWARD THE CONSTRUCTION OF THE PLANT UNTIL AFTER THE DESIGN IS COMPLETED AND THE SHORTFALL OF \$14,035,000 IS IDENTIFIED.

AT THE SAME TIME, THE CONSTRUCTION OF TWO OTHER PROJECTS (THE BARRIGADA/TOTO WATER LINE PHASE II & THE MACHECHE/ADACAO WATER LINE PHASE II) ARE ON HOLD PENDING ADDITIONAL MONIES TO MAKE UP THEIR RESPECTIVE FUNDING SHORTFALLS OF \$1,565,900 & \$1,000,000.

ALL THREE PROJECTS ARE PRESENTLY ON HOLD BECAUSE OF FUNDING SHORTFALLS AND BECAUSE THERE PRESENTLY IS NO PROVISION AUTHORIZING THE REALLOCATION OF MONIES BETWEEN PROJECTS WITH SHORTFALLS. THE

Testimony - Bill 1130
October 12, 1994
Page 3

FUNDS DESIGNATED FOR THOSE PROJECTS ARE NEEDLESSLY STANDING IDLE WHEN, AT THE SAME TIME, THERE IS ENOUGH COMBINED FUNDING TO PROCEED AND COMPLETE THE CONSTRUCTION OF AT LEAST TWO THESE PROJECTS.

BILL 1130 SEEKS TO AMEND THE EXISTING STATUTE TO PERMIT THE REALLOCATION OF FUNDS AND REMEDY THIS SITUATION BY ALLOWING PRUDENT USE OF THE BOND PROCEEDS. AS SUCH, PUAG STANDS IN FULL SUPPORT OF THE PASSAGE OF BILL 1130.

I THANK YOU FOR ALLOWING PUAG THIS OPPORTUNITY TO EXPRESS OUR SUPPORT OF BILL 1130. I WOULD BE PLEASED TO RESPOND TO ANY QUESTIONS THAT THE CHAIRMEN OR THE MEMBERS OF EITHER COMMITTEE MIGHT HAVE.

RESPECTFULLY SUBMITTED.



JOSEPH F. MESA
Chief Officer

WATER SYSTEM REVENUE BOND
1989 SERIES (53 Million)
(RECONCILED)

17-Jun-94 02:48 PM

PROJECT TITLE	BACIS ACCOUNT NO	ORCOM ACCOUNT NO	BUDGET	CUMULATIVE EXPENDITURES	OUTSTANDING ENCUMBRANCE	FUND BALANCE
AGAT/SANTA RITA SEWER SYSTEM	5252D00699 ZE005	15.70.42.002	\$1,400,000	\$756,902	\$12,691	\$630,407
PHASE I						
		Contractor	Amount	Expenditures	Encumbrance	IN TRANSIT
	C00660397/18-0036	Duenas & Swavely Inc.	718,162.00	718,162.00	0.00	0.00
	Amendment #1	Duenas & Swavely Inc.	38,740.00	38,740.00	0.00	0.00
	Amendment #2	Duenas & Swavely Inc.	12,691.00	0.00	12,691.00	0.00
		PUAG Administrative Cost	0.00	0.00	0.00	0.00
				756,902.00		

PROJECT TITLE	BACIS ACCOUNT NO	ORCOM ACCOUNT NO	BUDGET	CUMULATIVE EXPENDITURES	OUTSTANDING ENCUMBRANCE	FUND BALANCE
AGAT/SANTA RITA SEWER SYSTEM	5252D00699 ZE005	15.70.42.001	\$4,625,000	\$784	\$1,050,000	\$3,574,216
PHASE II						
		Contractor	Amount	Expenditures	Encumbrance	IN TRANSIT
	C48-0006	Duenas & Swavely Inc.	1,050,000.00	0.00	1,050,000.00	0.00
		PUAG Administrative Cost		784.22		0.00

PROJECT TITLE	BACIS ACCOUNT NO	ORCOM ACCOUNT NO	BUDGET	CUMULATIVE EXPENDITURES	OUTSTANDING ENCUMBRANCE	FUND BALANCE
FINEGAYAN/TUMON WATERLINE	5252D00699ZE007	15.70.41.004	\$6,480,000	\$4,012,585	\$261,741	\$1,405,673
			(800,000.00)			
		Contractor	Amount	Expenditures	Encumbrance	IN TRANSIT
		ORIGINAL BUDGET	6,480,000.00	0.00	0.00	0.00
		MODIFICATION	(800,000.00)	0.00	0.00	0.00
	C20660285/28-0285	Pacific Drilling Inc.	2,778,000.00	2,761,300.54	16,699.46	0.00
	Change Order #2	Pacific Drilling Inc.	241,775.37	0.00	241,775.37	0.00
	C00660460/08-0460	Barrett Consulting Group	1,150,000.00	532,000.00	618,000.00	0.00
	Amendment #1	Barrett Consulting Group	82,000.00	0.00	82,000.00	0.00
	Other Projects	Barrett Consulting Group	(700,000.00)	0.00	(700,000.00)	0.00
	Deferred Amendment	Barrett Consulting Group	(300,000.00)	(300,000.00)	0.00	0.00
Transferred to 15.70.41.003	A/E Review	Barrett Consulting Group	(200,000.00)	(200,000.00)	0.00	0.00
Transferred to 15.70.41.002	A/E Review	Barrett Consulting Group	(50,000.00)	(50,000.00)	0.00	0.00
Transferred to 15.70.41.006	A/E Review	Barrett Consulting Group	(30,000.00)	(30,000.00)	0.00	0.00
Transferred to 15.70.41.007	A/E Review	Barrett Consulting Group	(80,000.00)	(80,000.00)	0.00	0.00
Transferred to 15.70.41.008	A/E Review	Barrett Consulting Group	(20,000.00)	(20,000.00)	0.00	0.00
Transferred to 15.70.41.009	A/E Review	Barrett Consulting Group	(20,000.00)	(20,000.00)	0.00	0.00
	C20660252/28-0252	EMPSCO Engineering Consul	424,637.00	424,637.00	0.00	0.00
	Amendment #1	EMPSCO Engineering Consul	97,993.14	97,993.14	0.00	0.00
	Amendment #2	EMPSCO Engineering Consul	97,993.14	94,726.64	3,266.50	0.00
	W17800012	PUBLIC WORKS	81,968.70	81,968.70	0.00	0.00
		PUAG Administrative Cost		19,959.34	0.00	19,726.42

* CHANGE ORDER #1 IS AN EXTENSION OF CONTRACT COMPLETION DATE

PACIFIC DAILY NEWS, Wednesday, October 5, 1994

Fiance's ex-wife is delusional, needs help

Dear Ann Landers: This is in response to "Kentucky," whose daughter thought she was being followed by her ex-husband. My fiance's ex-wife, "Diane," thinks she is being followed by spies. She is convinced that a doctor who lives nearby loves her and that he is following her to see if she is "wife material."

Diane believes her condo and car are bugged and is certain that people in stores and other public places are spying on her. She also believes the doctor has a twin brother who is having her followed.

Diane's oldest son, "Jeremy," who is 11, is living with his father and me. Jeremy has been classified as multi-handicapped and hyperactive and has been on heavy medication. Since he came to live with us, he has improved so much, his medication has been sharply cut back. Jeremy has no respect or concern for his mother because of her behavior toward his father. The younger child, age 6, is also beginning



ANN LANDERS

to shy away from her mother.

My fiance and I have spoken to a doctor and several other specialists, but Diane refuses to get any help. She has disrupted all our lives and caused us to spend a great deal of money on lawyers and doctors. Please give us some help. — Stressed Out in N.J.

Dear N.J.: It should be apparent to all those professionals that Diane is delusional. Too bad she refuses to accept professional help.

Should Diane become obstreper-

ous, a parent or a sibling might commit her. Meanwhile, you and your fiance should spend as much time as possible with the children. If he could get sole custody, it would be a god-send for them.

Dear Ann Landers: I read the letter from "Ruined and Lonely in Ontario, Canada," who felt no woman would ever date him because he has herpes.

I met my husband in 1982 and knew right away he was special. He was kind, considerate, loving and fun to be with. He had a good job and was heading for a productive future.

One night, after a great evening out, he quietly informed me that he had herpes. My initial reaction was devastation, since I didn't know much about the disease at the time. I was, frankly, horrified. But I really cared for him and decided to accept his affliction as a handicap we could work around. It was the best deci-

sion I ever made.

We have now been married for 12 years and have three beautiful daughters. No, I have not contracted the disease, because we are not intimate during my husband's outbreaks, which are becoming more infrequent as the years go by.

Tell "Ruined" that he CAN have a social life and when the moment comes to reveal his disease, which he MUST do before becoming intimate, a woman worthy of him will accept his illness as a part of the total package. I will always appreciate my husband's honesty. It made me respect and admire him so much because I know how difficult it must have been for him to give me such news. I'm sure it made me love him more. — Wisconsin Woman

Dear Woman: Thank you for a letter that is sure to help others who share your dilemma. Yours sounds like a marriage made in heaven.

BRIDGE



PHILLIP ALDER

NORTH 10-3-4			
▲A 6 4 3			
♥A J 10 3			
♦Q 9 6			
♣Q J			
WEST		EAST	
▲K Q J 10 5		▲8 7 2	
♥8 2		♥K Q 5 4	
♦J 8		♦10 7 4	
▲10 8 4 3		▲8 6 3	
SOUTH			
▲9			
♥8 7			
♦A K 5 3 2			
♣A K 7 5			
Vulnerable: Neither Dealer: South			
South	West	North	East
1 ♠	Pass	1 ♥	Pass
2 ♠	Pass	2 ♠	Pass
3 ♥	Pass	4 ♠	Pass
3 ♠	Pass	6 ♠	All pass
Opening lead: ♠K			

The impossible takes longer

By Phillip Alder

A reader from Puyallup, Wash., sent me today's deal, which she played in a club duplicate. She had reached the reasonable six-diamond contract, but had gone down when both heart finessees lost. At the end of the evening, she checked the other results and noticed that two declarers had won 12 tricks. "How?" she asks. "I don't believe the other two pairs are that much more astute than I."

Well, do you see how it is possible to make a slam in diamonds after West has led the spade king? (True, a heart lead would be fatal.)

Two spades was fourth-suit forcing, showing game values and asking for more information. If instead North had jumped to three diamonds, it would have been invitational, not forcing.

The exact sequence can vary, but it goes along these lines: Declarer wins the first trick with dummy's spade ace, ruffs a low spade in hand, plays a club to dummy's jack and ruffs another low spade. A club to the queen is followed by three rounds of trumps, ending in hand. South cashes the A-K of clubs, throwing the heart three and spade six from the dummy. Left with ♠8 7 of hearts opposite A-J-10, declarer leads a heart to the 10 for a text-book endplay. East wins with the queen but has to lead back into dummy's remaining tenace.

However, if East started with four spades and only one heart honor, this line of play wouldn't work too well. I have a feeling that the successful declarers (both of whom were actually only in game) were helped by a spade bid from West.

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WELCOMES ALL
Beautiful young ladies just arrived from P.I., Korea & Japan
Rose, Michelle, Goldie, Yono-Ja, Jay, Alexis, Jessica, Laura, Kumiko
Please Come Now or See Us!!!
Open 24 Hours - Carr. Bldg., Agaña
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Notice of Public Hearing
Twenty-Second Guam Legislature

9:00 am Wednesday, October 12, 1994
Public Hearing Room
Guam Legislature Temporary Building
155 Hesler St. Agana, Guam

• AGENDA •

- Water Utilities & Electronic Communications Committee Oversight Hearing:
 1. Status of Water Well Construction Projects in progress (6 each).
 2. Status of Proposed Water Well Projects (7 each)
 3. Estimated net gain of water production into the system.
 4. Status of ongoing CIPs pursuant to the \$53M Water Bond.
- Joint Public Hearing with Committee on Economic-Agricultural Dev. & Insurance

Bill 1130 an act to repeal and reenact Subsection (m) of §6132, GCA, to allow the transfer of funds within and among the authorized projects funded by the Water System Revenue Bonds.

Committee Chairmen
Sen. Thomas C. Ada and Sen. Ben C. Pangelinan
invite the public to attend.

"Y MANMA CUMBIBADA Y PUBLICO"

Message Of Appreciation
We the family of the late
Dr. SHINKYUNG KIM
"Dr. Kim"

Wish to take this opportunity to express our most heartfelt and sincere appreciation to all friends for your prayers, assistance, kindness and kind words of consolation extended to us during our sorrow and grief. We will be forever grateful for your friendship and support in our hour of need.

Dr. Kim considered Guam his only true home. He truly cherished, the special friendships developed during his 22 years on Guam, and always carry with him the love given to him by all.

Special thanks to the Lt. Governor Frank Blas for his support and kind words, Mr. Hidemi Sasaki, Pastor Sun Dong Chu and church members for their unwavering dedication, and all others who attended the memorial service to bid farewell to our beloved Dr. Kim

Thank You So Very Much.
The Family



Notice of Public Hearing
Twenty-Second Guam Legislature

9:30 am Wednesday, October 12, 1994
Public Hearing Room
Guam Legislature Temporary Building
155 Hester St. Agaña, Guam

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"MANMA CUMBIBADA Y PUBLICO"

Harding wants to get back on ice

PORTLAND, Ore. (AP) — Tonya Harding, saying she is "really happy" with her life, wants to begin skating in exhibitions. Harding spoke with a local television station and a newspaper reporter after practice Monday. She declined to talk about the Nancy Kerrigan case or the others who were convicted for their roles in it.



She is serving three years probation after pleading guilty to conspiracy to hinder prosecution in the Kerrigan case. Harding also was ordered to pay \$160,000 in fines and fees and is doing 500 hours of community service.

HARDING

and is doing 500 hours of community service. "I'm trying to put things back together," Harding told KGW-TV. "When something like that happens, you can't just forget about it. I do see a psychiatrist to try and help me through it because it was a tragedy what has happened." She is ineligible for all amateur and some professional competitions because she has been banned for life by the U.S. Figure Skating Association. The USFSA also stripped her of the national championship she won in January.

Death and Funeral Announcement

Ray Anthony Aldan
"Monchi"

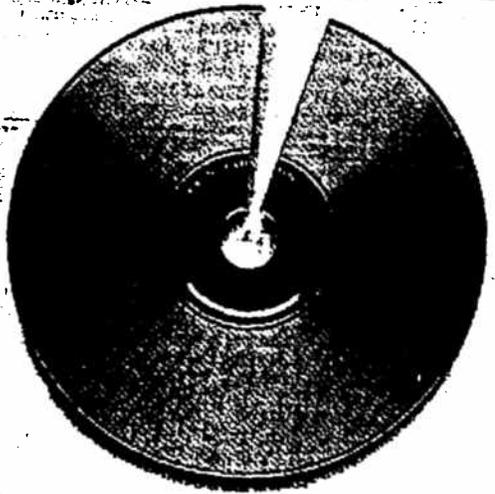


Of Saipan was called to his eternal rest on October 05, 1994 at the age of 19 yrs. He is predeceased by grandfather: Jesus Matias Aldan. Aunt: Teresita Aldan Aquino

He is survived by Parents: Alicia Castro Aldan and Luis DeLeon Guerrero (Dededo). Common law wife: Genevieve Chiguina (Saipan). Children: Raymond Anthony Jr. & Genaray Bernice Chiguina. Grandparents: Victorino & Maria DeLeon Guerrero (Washington); and Merced Castro Aldan (Dededo). Brothers, sisters & spouses: Jack and Rosa DeLeon Guerrero, Jackie & Willie Flores, Joanna, John, Victor, Joymae, Luis and Edward DeLeon Guerrero. He is also survived by his parents-in-law Bertha Hernandez & Eddie Salazar. Brothers & sisters-in-law: Frank, Michèle, Alicia, Jennifer Chiguina and Patrick Hernandez. Immediate nieces & nephews: Ryan, John Alicia Lynn, Berchelle, Radlan and Michael. Godparents: Barney & Elaine Evaristo. Also by numerous aunts, uncles, cousins, nieces and nephews.

Last Respects will be held on Wednesday, October 12, 1994 at the home of his parents Luis and Alicia DeLeon Guerrero, Hse #370 Hahaso Dr. Astumbo, Dededo beginning at 4:00 p.m. Mass for Christian Burial will be offered on Thursday, October 13, 1994 at Santa Barbara Church in Dededo beginning at 9:30 a.m. and Burial will follow at the Tiguag Cemetery in Nimitz Hill.

Ada's Funeral Home



Just a fraction of the time we spend on the phone can help answer society's problems.

If we all decided to use just part of our free time productively, we could give many of the worthy causes in society a stronger voice. Like the environment. Good health. Or vital programs for youth development. Millions of people have helped establish five hours of volunteer time per week as America's standard of giving. And if we all reached this standard, it would be like mobilizing a force of more than 20 million full-time workers. This year, make it your goal to give five. And keep the line open for a brighter tomorrow..

Pacific Daily News

Give Five.
It's your chance to make a difference.

AUG 17 '94

TWENTY SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1130 (LS)

Chairperson, Committee on Rules

Introduced by:



At the request of the Governor

AN ACT TO REPEAL AND REENACT SUBSECTION
(m) OF §6132, GUAM CODE ANNOTATED, TO ALLOW
THE TRANSFER OF FUNDS WITHIN AND AMONG
THE AUTHORIZED PROJECTS FUNDED BY THE
WATER SYSTEM REVENUE BONDS.

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

Section 1. Subsection (m) of §6132, Government Code, is hereby repealed
and reenacted to read:

"(m) It is policy and intent of the Legislature to ensure that all
projects enumerated in subsection (k) are completed. In this respect, the
Legislature gives its consent and authorization to allow the transfer of
funds from a project, which has a surplus, to a project with a shortfall,
provided, however, that the Legislature be informed in writing prior to
any transfer. If a project or projects are placed on hold by the Chief Officer
of the Public Utility Agency of Guam due to an unanticipated
circumstance, a transfer of funds from the project or projects on hold to
another project with a shortfall is authorized by the Legislature provided
that prior to any transfer the Legislature be informed in writing the
reasons why the project is on hold."