



Territory of Guam
Territorio Guam

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

RECEIVED
OFFICE OF THE SPEAKER
DATE: 9/23/93
TIME: 2:37 PM
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SEP 23 1993

REFRAN TO
LEGISLATIVE SECRETARY

[Signature]

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 343 which I have signed into law this date as
Public Law 22-28.

Sincerely yours,

[Signature]
JOSEPH F. ADA
Governor of Guam

220359

Attachment

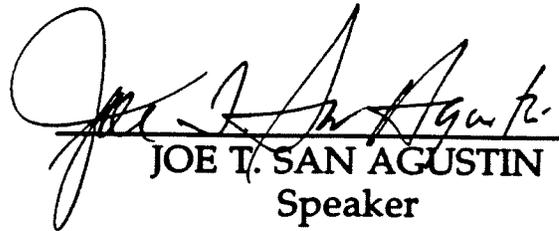


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

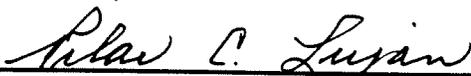
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 343 (COR), "AN ACT TO DIRECT THE PUBLIC UTILITY AGENCY OF GUAM AND THE GUAM ENVIRONMENTAL PROTECTION AGENCY TO DESIGN A PROGRAM OF INCENTIVES FOR WATER RESOURCE CONSERVATION AND DEVELOPMENT," was on the 15th day of September, 1993, duly and regularly passed.



JOE T. SAN AGUSTIN
Speaker

Attested:



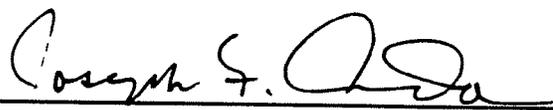
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 17th day of September,
1993, at 10:21 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: SEP 20 1993

Public Law No. 22-28

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 343 (COR)

As amended by the Committee on
Water Utilities and Electronic
Communications and as substituted
by the Committee on Rules.

Introduced by:

E. P. Arriola
A. C. Blaz
J. T. San Agustin
M. D. A. Manibusan
T. S. Nelson
T. C. Ada
J. P. Aguon
M. Z. Bordallo
H. D. Dierking
C. T. C. Gutierrez
P. C. Lujan
V. C. Pangelinan
D. Parkinson
E. D. Reyes
D. L. G. Shimizu
J. G. Bamba
D. F. Brooks
F. P. Camacho
T. V. C. Tanaka
A. R. Unpingco

**AN ACT TO DIRECT THE PUBLIC UTILITY AGENCY
OF GUAM AND THE GUAM ENVIRONMENTAL
PROTECTION AGENCY TO DESIGN A PROGRAM OF
INCENTIVES FOR WATER RESOURCE
CONSERVATION AND DEVELOPMENT.**

1

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

1 **Section 1. Legislative intent.** The Legislature recognizes the potential
2 for resource constraints in water availability, as has already been
3 experienced in roadway construction and electrical generation capacity.
4 Alternative approaches to conservation and resource development are often
5 undervalued in traditional planning processes. It serves the public interest
6 equally well to produce additional water resources through individual home
7 catchment and use systems, commercial irrigation, lake development, and the
8 installation of water-saving devices, in addition to opening new wells or
9 replacing aged pipes. The Legislature therefore hereby establishes a public
10 policy to offer incentives for small-scale water production and conservation
11 of public resources.

12 **Section 2. (a)** The Public Utility Agency of Guam ("PUAG") and the
13 Guam Environmental Protection Agency ("GEPA") shall investigate and
14 devise an appropriate program of incentives to be offered to individual
15 household or commercial producers of water, to include but not be limited
16 to: Water catchment systems, "gray water" plumbing installations,
17 commercial conversions of rental or hotel units to water-saving appliances
18 and devices, and the development of ponding basins or lakes on private lands
19 or agricultural lease lands. Such incentives shall supplement the cost savings
20 accruing to consumers who invest in such small-scale water production or
21 conservation measures, and may include water consumption credits. Such
22 incentive program shall be designed with the assistance of the existing PUAG
23 and GEPA personnel resources and budget, to be administered within the
24 current PUAG and GEPA inspection, permitting, metering, and billing
25 procedures. Building, construction or plumbing code restrictions shall not be
26 considered an impediment to an effective program design since code revisions
27 or amendments which may be required to accommodate technical or

1 commercial innovations shall be presented to the Legislature for approval as
2 provided in Subsection (b).

3 (b) Upon review and approval of the Governor, and no later than six
4 (6) months from the date of enactment of this Act, PUAG and GEPA shall
5 present a proposed program for legislative authorization and approval for
6 all those program features which are not currently within the statutory
7 powers of PUAG and GEPA. PUAG and GEPA shall include as supporting
8 documentation in their presentation to the Legislature a complete analysis of
9 economic incentives, expected participation and the resulting impact on
10 water production.

11 (c) PUAG and GEPA, with the concurrence of the Governor, shall
12 submit to the Legislature a request for an appropriation to implement the
13 programs established pursuant to this Act. PUAG and GEPA shall annually
14 conduct an evaluation of programs established pursuant to this Act, and
15 cause a report thereon to be transmitted to the Speaker of the Legislature.

6

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Date: 9/15/93

VOTING SHEET

Bill No. 343

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.				
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL

20



SENATOR THOMAS C. ADA
COMMITTEE ON WATER UTILITIES & ELECTRONIC COMMUNICATIONS

May 28, 1993

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

Re: Bill No. 343.

Dear Mr. Speaker:

The Committee on Water Utilities & Electronic Communications wishes to report out **Bill No. 343** to the Twenty-Second Legislature with the recommendation **TO DO PASS**, as amended.

Committee Voting Record:

TO DO PASS	<u>10</u>
TO NOT PASS	<u>0</u>
ABSTENTIONS	<u>0</u>
IN INACTIVE FILE	<u>0</u>
NOT AVAILABLE	<u>0</u>

Copies of the Committee Report, including all pertinent information, are attached for your consideration.

Senseramente,

Thomas C. Ada
Chairman



SENATOR THOMAS C. ADA
COMMITTEE ON WATER UTILITIES & ELECTRONIC COMMUNICATIONS

VOTING SHEET

May 28, 1993

BILL NO. 343

An act to direct the Public Utilities Agency of Guam to design a program of incentives for water resource conservation and development.

COMMITTEE MEMBERS:	TO PASS	NOT TO PASS	ABSTAIN	TO PLACE IN INACTIVE FILE	SIGNATURE
Sen. Thomas C. Ada, Chairman	✓				<i>T. C. Ada</i>
Sen. David L.G. Shimizu, Vice-Chairman	✓				<i>D. Shimizu</i>
Sen. Joe T. San Agustin, Speaker	✓				<i>J. San Agustin</i>
Sen. Madeleine Z. Bordallo, Member	✓				<i>M. Z. Bordallo</i>
Sen. Ted S. Nelson, Member	✓				<i>T. Nelson</i>
Sen. Don Parkinson, Member	✓				<i>D. Parkinson</i>
Sen. Edward D. Reyes, Member	✓				<i>E. D. Reyes</i>
Sen. Anthony Blaz, Member	✓				<i>A. Blaz</i>
Sen. Felix P. Camacho, Member	✓				<i>F. Camacho</i>
Sen. Marilyn D.A. Manibusan, Member	✓				<i>M. Manibusan</i>

**COMMITTEE ON WATER UTILITIES
&
ELECTRONIC COMMUNICATIONS
TWENTY-SECOND GUAM LEGISLATURE**

**COMMITTEE REPORT
ON BILL NO. 343**

Bill 343 An act to direct the Public Utility Agency of Guam to design a program of incentives for water resource conservation and development.

**Public Hearing
February 30, 1993**

I. BACKGROUND:

Bill No. 343 is a 'demand side' incentive program intended to promote water conservation, as well as stimulate the private development of additional / alternative water resources.

A Public Hearing was held on March 30, 1993. Public notification was published in the Pacific Daily News on 24 March 1993.

Committee Members Present:

Thomas C. Ada
Madeleine Z. Bordallo
Ted S. Nelson
Don Parkinson
Edward D. Reyes
Anthony Blaz
Felix P. Camacho

Testifying:

Pete Camacho
Deputy Chief Officer
PUAG / By direction of:
Joseph Mesa
Chief Officer, PUAG

II. SUMMARY OF TESTIMONY:

Pete Camacho (Written testimony)

Deputy Chief Officer, PUAG, representing Joseph F. Mesa, Chief Officer, PUAG, testified in support of Bill No. 343. Recommended amending implementation to six (6) months from date of enactment in order to ". . . carefully consider . . . various alternatives . . .".

Stated, "PUAG is currently working on a number of initiatives somewhat similar to Bill [No.] 343", which ". . . are presently undergoing the Administrative Adjudication Process. . .".

Anticipates transmittal to the legislature within thirty days. Initiatives center around a leak detection program and the replacement of leaking pipes and defective meters, in conjunction with a consumer education program on demand-side conservation. Initiatives are contained within the proposed Water Service Rules and Regulations.

Additionally noted (1) PUAG's examination of the possible use of 'gray water' for irrigation, and that (2) PUAG is considering contracting out the task of leak detection in order to expedite identification and repairs.

III. COMMITTEE FINDINGS & RECOMMENDATIONS:

The Committee recognizes the fragility and finite limitations of Guam's water resources, and has taken such into account during the compilation of its findings. Special note is also taken of the statement of Legislative intent of P.L. 17-87 which reads:

" . . . in recognition of its duty to conserve and control its water resources for the benefit of the inhabitants of Guam . . . that the waste or unreasonable use . . . of water . . . be prevented . . . and that the conservation of such waters is to be exercised . . . for the public welfare."

Note: P.L. 17-87 is relative to water wells, however, its citation herein is appropriate and consistent with the stated Legislative intent of subject Bill No. 343.

Examination of testimony presented, and documents referenced, moves the Committee to find that the programs currently under consideration by PUAG are in fact 'supply side management' activities (i.e. system leak detection, etc.). It is further found that these 'supply side' endeavors are not redundant to the intent and provisions of Bill No. 343. The Committee does take positive note however, of the intent and stated objectives of PUAG toward 'supply side management', as it relates to the reduction of

the 'unaccounted-for water loss component', and encourages further efforts in this regard.

In consideration of testimony presented (PUAG 02/30/93), and the findings of the Oversight Hearing of 18 February 93 ("State of Guam's (Public) Water Utility"), the Committee finds that Bill No. 343 is a necessary ('demand side') water management program. Its implementation would compliment PUAG's proposed efforts to reduce loss and waste.

The Committee found it necessary to make minor amendments to the original bill, taking into account the PUAG request to extend the reporting date, and in anticipation that the programs created will require funding for implementation. The latter is accomplished and facilitated by the Committee amended requirement for PUAG to submit to the Legislature, via the Governor's Office and with the Governor's approval, its request for an appropriation to effect program implementation. Finally, the Committee appended the provision for an annual evaluation report to be transmitted to the Speaker of the Legislature, as a continuing mechanism of Legislative oversight of the benefits, or lack thereof, realized subsequent to enactment.

The Committee hereby recommends to the Twenty-Second Guam Legislature **TO DO PASS Bill # 343, as amended.**

TWENTY-SECOND GUAM LEGISLATURE
1993 (SECOND) REGULAR SESSION

Bill No. 343

As amended by the
Committee on Water
Utilities &
Electronic
Communications

and as subst. by CDK

Introduced by:

E.P. Arriola

A. C. Blaz

J.T. San Agustin

M.D.A. Manibusan

mdm

AN ACT TO DIRECT THE PUBLIC UTILITY AGENCY OF
GUAM TO DESIGN A PROGRAM OF INCENTIVES FOR
WATER RESOURCE CONSERVATION AND
DEVELOPMENT.

*+ all other
perms*

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

3 Section 1. *←* Legislative intent. *→*

4 The Legislature recognizes the potential for resource
5 constraints in water availability, as has been experienced in
6 roadways and electrical generation capacity. Alternative
7 approaches to conservation and resource development are often
8 undervalued in traditional planning processes. It serves the public
9 interest equally well to produce additional water resources through
10 individual home catchment and use systems, commercial irrigation,
11 lake development, and the installation of water-saving devices, in
12 addition to opening new wells or replacing aged pipes. The
13 Legislature therefore establish a public policy to offer incentives

consumption

already

→ already

1 for small-scale water production and conservation of public
2 resources.

3 **Section 2 (a).** The Public Utility Agency of Guam ("PUAG")
4 shall investigate and devise an appropriate program of incentives to
5 be offered to individual household or commercial producers of
6 water, to include but not limited to: ^{we} Water catchment systems,
7 "gray-water" plumbing installations, commercial conversions of
8 rental or hotel units to water-saving appliances and devices, and ^{all}
9 development of ponding basins or lakes on private lands or
10 agricultural lease lands. ^{such} Incentives shall ~~clearly establish~~ or
11 supplement ^{sub} cost savings ^{sum} which ~~would~~ accrue ^{ing} to consumers who
12 invest in small-scale water production ~~and~~ or conservation
13 measures, and may include water consumption credits. ^{all} Such ^{incentive}
14 program shall be designed with the assistance of ^{PUAG personnel} existing
15 governmental staff resources and budget, to be administered within
16 current ^{all} PUAG inspection, permitting, metering, and billing
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18 shall not be considered an impediment ^{to an} of effective program design, ^{small}
19 code revisions or amendments which may be required to
20 accommodate technical or commercial innovations shall be

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presented to the Legislature for approval as provided in Subsection (b).

(b) Upon review and approval of the Governor, and no later than six months from the date of enactment, PUAG shall present a proposed program for legislative authorization and approval for those program features which are not currently within the statutory powers of PUAG. PUAG shall include as supporting documentation in its presentation, a complete analysis of economic incentives, expected participation and resulting impact on water production.

(c) PUAG, with the concurrence of the Governor, shall submit to the Legislature a request for an appropriation to implement the programs established pursuant to this Act. PUAG shall conduct annually an evaluation of programs established pursuant to this Act, and cause same to be transmitted to the Speaker of the Legislature.

of this Act

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to the legislature

a report should

TWENTY-SECOND GUAM LEGISLATURE
1993 (SECOND) Regular Session

Bill No. 343
Introduced by:

J. 220m

E. P. Arriola *EP*
~~A.C. Blaz~~
L. S. Nill

**AN ACT TO DIRECT THE PUBLIC UTILITY AGENCY OF GUAM TO
DESIGN A PROGRAM OF INCENTIVES FOR WATER RESOURCE
CONSERVATION AND DEVELOPMENT**

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

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10 aged pipes. The Legislature therefore establishes a public policy to offer incentives
11 for small-scale water production and conservation of public resources.

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22 be administered within current PUAG inspection, permitting, metering, and billing
23 procedures. Building, construction or plumbing code restrictions shall not be
24 considered an impediment of effective program design; code revisions or

1 amendments which may be required to accommodate technical or commercial
2 innovations shall be presented to the Legislature for approval as provided in
3 Subsection (b).

4 (b) Upon review and approval of the Governor, and no later
5 than ~~July 1, 1993~~, the PUAG shall present a proposed program for legislative
6 authorization and approval, for those program features which are not currently
7 within the statutory powers of PUAG. PUAG shall include as supporting
8 documentation in its presentation a complete analysis of economic incentives,
9 expected participation and resulting increases in water production.

10

*See number for the July
document*

[Faint, illegible text]



Handwritten: H-220P
Handwritten: [Signature]

March 11, 1993

Committees:

CHAIRPERSON:

Rules

MEMORANDUM

VICE CHAIRPERSON:

Ways & Means

TO: Chairperson, Committee on Water, Utilities and Electronic Communications

MEMBER:

FROM: Chairperson, Committee on Rules

Economic-Agricultural Development, and Insurance

SUBJ: Referral - Bill No. 343

Education

The above Bill is referred to your 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.

Electrical Power and Consumer Protection

Federal and Foreign Affairs

Elizabeth P. Arriola
ELIZABETH P. ARRIOLA
Acting

General Governmental Operations and Micronesian Affairs

Attachment

Health, Ecology and Welfare

Judiciary and Criminal Justice

Tourism and Transportation

Youth, Senior Citizens and Cultural Affairs



PUBLIC UTILITY AGENCY OF GUAM

Government of Guam

Post Office Box 3010, Agaña, Guam 96910

Phone: (671) 648-8891-6 / 649-7824

Fax: (671) 649-0158

BILL 343

AN ACT TO DIRECT THE PUBLIC UTILITY OF GUAM
TO DESIGN A PROGRAM OF INCENTIVES FOR
WATER RESOURCE CONSERVATION AND DEVELOPMENT

TWENTY-SECOND GUAM LEGISLATURE
COMMITTEE ON WATER UTILITIES & ELECTRONIC COMMUNICATIONS

TESTIMONY

Submitted By

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

March 30, 1993

GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE ON WATER UTILITIES & ELECTRONIC COMMUNICATIONS. 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 343: AN ACT TO DIRECT THE PUBLIC UTILITY OF GUAM TO DESIGN A PROGRAM OF INCENTIVES FOR WATER RESOURCE CONSERVATION AND DEVELOPMENT. I WOULD LIKE TO THANK THE COMMITTEE CHAIRMAN FOR INVITING PUAG TO SUBMIT TESTIMONY.

PUAG IS CURRENTLY WORKING ON A NUMBER OF INITIATIVES SOMEWHAT SIMILAR TO BILL 343.

ONE OF THE VEHICLES USED TO INITIATED SEVERAL CHANGES IS OUR PROPOSED WATER SERVICE RULES AND REGULATIONS. THE PROPOSED RULES



Testimony - Bill 343
March 30, 1993
Page 2

ARE PRESENTLY UNDERGOING THE ADMINISTRATIVE ADJUDICATION PROCESS AND WE EXPECT TO PRESENT THEM TO THE LEGISLATURE WITHIN THE MONTH.

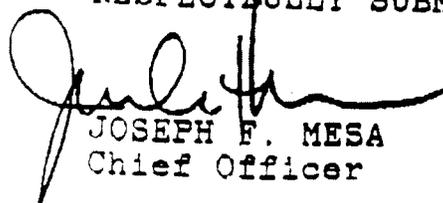
PUAG IS CURRENTLY WORKING ON OTHER PROGRAMS INCLUDING AN EXTENSIVE LEAK DETECTION PROGRAM WHICH IS COORDINATED WITH A PROGRAM TO SYSTEMATICALLY REPLACE OLD AND DEFECTIVE WATERLINES AND METERS AND A WATER CONSERVATION PUBLIC EDUCATION PROGRAM. WE ARE ALSO LOOKING INTO ALTERNATIVES TO CURRENT POTABLE WATER USAGE SUCH AS GREY WATER FOR IRRIGATION PURPOSES, DRIP IRRIGATION FOR FARMING, AND NON-WATER COOLED AIR CONDITION EQUIPMENT.

BILL 343 PROVIDES FOR EXAMINING THE USE OF INCENTIVES TO COMPLIMENT OUR PRESENT PROGRAMS. WE APPRECIATE THIS LEGISLATURE'S SUPPORT OF OUR ENDEAVORS AND WE SUPPORT YOUR ESTABLISHING, AS A POLICY MATTER, AN INCENTIVE PROGRAM FOR WATER RESOURCE CONSERVATION AND DEVELOPMENT.

IN CLOSING, WE WOULD LIKE TO RECOMMEND THAT THIS COMMITTEE CONSIDER AMENDING THE INITIAL PROGRAM DEADLINE FROM JULY 1, 1993 TO SIX MONTHS FROM THE DATE OF THE LAW'S ENACTMENT. THIS WILL ALLOW SUFFICIENT TIME TO CAREFULLY CONSIDER ALL THE VARIOUS ALTERNATIVES AND TO MAKE THE PROGRAM DEADLINE RELATIVE TO THE DATE OF ENACTMENT.

I WOULD BE PLEASED TO RESPOND TO ANY QUESTIONS THAT THE CHAIRMAN OR THE MEMBERS OF THIS COMMITTEE MIGHT HAVE.

RESPECTFULLY SUBMITTED,


JOSEPH F. MESA
Chief Officer

PUBLIC UTILITY AGENCY OF GUAM

P.O. Box 3010, Agaña, GU 96810
Phone: (671) 646-8881 - Fax: (671) 648-0158

FAX TRANSMITTAL COVER SHEET

DATE: 3/29/93

FROM: Joe mesa
TITLE: Chief officer
DIVISION: Puag

TITLE/DESCRIPTION OF DOCUMENT:

Testimony

NUMBER OF PAGES (This Page Inclusive): * 3

TO: Patrick Chymer

COMPANY: _____

LOCATION: _____

TELEFAX NO.: 477-7281

* SHOULD ANY OR ALL OF YOUR COPIES BE NOT LEGIBLE, PLEASE CONTACT THE UNDERSIGNED AT THE NUMBERS LISTED ABOVE.

TRANSMITTED BY: S. WEAKLEY
PLEASE PRINT

INITIAL WHEN COMPLETE



WITNESS SHEET
COMMITTEE ON WATER UTILITIES & ELECTRONIC COMMUNICATIONS

3/20/93 - 9:00 AM

TESTIMONY RELATIVE TO THE RE-APPOINTMENT OF TERENCE BROOKS AND APPOINTMENT OF
 RAYMOND LUM TO THE PUC, BILL # 343, and BILL # 166.

NAME	AGENCY / BUSINESS / SELF / ORGANIZATION	TOPIC	WRITTEN TESTIMONY	ORAL TESTIMONY	REMARKS
1 Terrell Beards	PUC	PUC			
2 Ray Lum	PUC	PUC			
3 ORTE AMACHO RAY VASQUEZ F. HERRERA	PUC	8/LL343	✓	✓	
4					
5					
6					
7					
8					
9					
10					

TWENTY-SECOND GUAM LEGISLATURE
1993 (SECOND) Regular Session

Introduced

MAR 15 '93

Bill No. 343 (COR)
Introduced by:

E. P. Arriola *EPA*

**AN ACT TO DIRECT THE PUBLIC UTILITY AGENCY OF GUAM TO
DESIGN A PROGRAM OF INCENTIVES FOR WATER RESOURCE
CONSERVATION AND DEVELOPMENT**

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1 amendments which may be required to accommodate technical or commercial
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3 Subsection (b).

4 **(b)** Upon review and approval of the Governor, and no later
5 than July 1, 1993, the PUAG shall present a proposed program for legislative
6 authorization and approval, for those program features which are not currently
7 within the statutory powers of PUAG. PUAG shall include as supporting
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