



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 19 2000

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 436 (COR), "AN ACT ADD §5116 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY TO GPA'S BOARD OF DIRECTORS" which I have signed into law as **Public Law No. 25-168**.

This legislation directs that procurement, if delegated by the General Services Agency to the Guam Power Authority, shall be delegated to the Board of Directors. The Board of Directors and the General Manager of the GPA work together in the area of procurement, as with all of the other areas of the GPA.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>1:37 p.m.</u>
Date	<u>19 Oct 2000</u>

01126

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 436 (COR) "AN ACT TO ADD §5116 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY TO GPA'S BOARD OF DIRECTORS," was on the 5th day of October 2000, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:




JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 9 day of October, 2000,
at 6:10 o'clock P.M.

 #212

Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 10-19-00

Public Law No. 25-168

- 1 law, such invalidity shall *not* affect other provisions or applications of this
- 2 Law which can be given effect without the invalid provisions or application,
- 3 and to this end the provisions of this Law are severable.

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 436 (COR) "AN ACT TO ADD §5116 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY TO GPA'S BOARD OF DIRECTORS," was on the 5th day of October 2000, duly and regularly passed.

ANTONIO R. UNPINGCO
Speaker

Attested:

JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by *I Maga'lahen Guahan* this _____ day of _____, 2000,
at _____ o'clock _____.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
2000 (SECOND) Regular Session

Bill No. 436 (COR)

As substituted by the Committee on Power,
Public Works, Tax and Regulatory Reform,
Municipal and Community Affairs and amended
on the Floor.

Introduced by:

E. B. Calvo
S. A. Sanchez, II
L. F. Kasperbauer
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
M. G. Camacho
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
J. C. Salas
A. R. Unpingco

**AN ACT TO ADD §5116 TO TITLE 5 OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE
DELEGATION OF PROCUREMENT AUTHORITY TO
GPA'S BOARD OF DIRECTORS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that because of the nature and size of operations at the Guam Power
4 Authority ("GPA"), the expeditious procurement of supplies and services is

1 often required on a daily basis. At the same time, emergency situations
2 periodically occur at GPA that necessitates timely and immediate action.

3 Pursuant to statute, the Chief Procurement Officer ("CPO") of the
4 General Services Agency ("GSA") serves as the central procurement officer for
5 the government of Guam with respect to supplies and services. The CPO may
6 delegate this authority to designees, or to any governmental body or official.
7 Such authority was exercised when the CPO delegated procurement authority
8 to GPA. When questions arose as to who should approve procurement
9 requests at GPA, a dispute between the CPO and GPA ensued with the CPO
10 rescinding the procurement authority delegated to GPA. The result of this
11 action led to serious questions being raised of possible conflicts between
12 provisions contained in GSA's enabling legislation and the enabling statute
13 that created GPA.

14 It is the intent of *I Liheslaturan Guåhan* to empower GPA to procure
15 supplies and services at all times in order to ensure that quality electrical
16 services are provided to the people of Guam.

17 **Section 2.** Section 5116 is hereby *added* to Part B, Article 2, Chapter 5,
18 Division 1 of Title 5 of the Guam Code Annotated to read as follows:

19 "Section 5116. Notwithstanding any other provision of Guam
20 Procurement Law, the authority to procure supplies and services for the
21 Guam Power Authority may be delegated by the Chief Procurement
22 Officer *only* to the Guam Power Authority Board of Directors."

23 **Section 3. Severability.** *If* any provision of this Law or its
24 application to any person or circumstance is found to be invalid or contrary to

- 1 law, such invalidity shall *not* affect other provisions or applications of this
- 2 Law which can be given effect without the invalid provisions or application,
- 3 and to this end the provisions of this Law are severable.

6

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

Date: 10/5/00

VOTING SHEET

Bill No. 436(COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BERMUDES, Eulogio C. <u>111</u>	✓	EA ✓			
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G. <u>1</u>	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

14 1 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



COPY
FILE

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

September 27, 2000

(DATE)

Memorandum

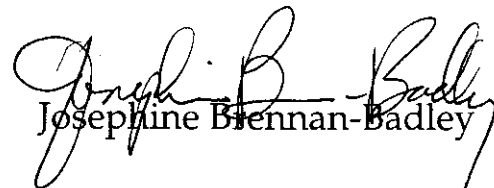
To: Senator Eduardo E. Calvo

From: Clerk of the Legislature

Subject: Report on Bill No. 436(COR)

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 436(COR), for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.


Josephine Brennan-Badley

Attachment





MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE

SENATOR EDDIE BAZA CALVO

CHAIRMAN

COMMITTEE ON POWER, PUBLIC WORKS, TAX AND REGULATORY REFORM,
MUNICIPAL AND COMMUNITY AFFAIRS

E-MAIL ADDRESS: SENCALVO@ITE.NET
120 FATHER DUEÑAS AVENUE, CAPITOL PLAZA, SUITE 109
HAGÁTÑA, GUAM 96910

TELEPHONE: (671) 472-4040/4518
FACSIMILE: (671) 472-4100

August 29, 2000

The Honorable Antonio R. Unpingco
Speaker
I Mina' Bente Singko Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

via: Committee on Rules

Dear Mr. Speaker:

The Committee on Power, Public Works, Tax and Regulatory Reform, Municipal and Community Affairs, to which was referred **BILL NO. 436 (COR)** "AN ACT TO ADD A NEW §5116 TO PART B, CHAPTER 5, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO DELEGATION OF AUTHORITY TO PROCURE FOR SUPPLIES AND SERVICES TO THE GUAM POWER AUTHORITY." does hereby report back, with the recommendation **TO DO PASS AS SUBSTITUTED BY THE COMMITTEE.**

SUBSTITUTE BILL NO. 436 (COR) "AN ACT TO ADD A NEW SECTION 5116 TO PART B, ARTICLE 2, CHAPTER 5, PART 1, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY TO THE GUAM POWER AUTHORITY BOARD OF DIRECTORS."

Votes of the Committee members are as follows:

To Pass	<u>7</u>	Abstain	_____	Not Available	_____
Not To Pass	_____	Off-Island	_____		

A copy of the Committee Report is attached for your consideration.

Si Yu'os Ma'åse',


SENATOR EDDIE BAZA CALVO
Chairman


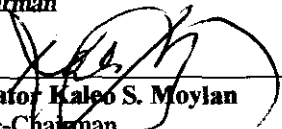
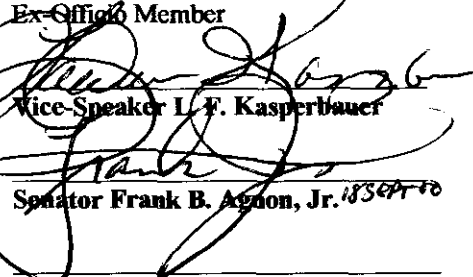
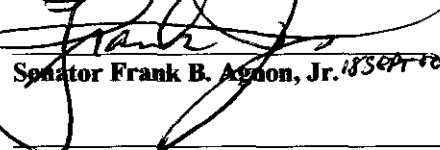
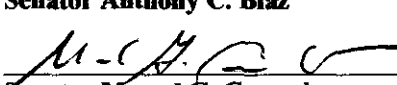


Attachments

**COMMITTEE ON POWER, PUBLIC WORKS,
TAX AND REGULATORY REFORM,
MUNICIPAL AND COMMUNITY AFFAIRS**

Mina Bente Singko Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, Guam 96910

VOTING SHEET:

SUBSTITUTE BILL NO. 436 (COR) "AN ACT TO ADD A NEW SECTION 5116 TO PART B, ARTICLE 2, CHAPTER 5, PART 1, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY TO THE GUAM POWER AUTHORITY BOARD OF DIRECTORS." (By: E.B. Calvo, S. A. Sanchez, II, L. F. Kasperbauer)

<u>COMMITTEE MEMBERS</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
 Senator Eddie Baza Calvo Chairman	✓			
 Senator Kaleo S. Moylan Vice-Chairman	✓			
Speaker Antonio R. Unpingco Ex-Officio Member				
 Vice-Speaker L. F. Kasperbauer	X			
 Senator Frank B. Agnon, Jr. <i>18 SEPT 20</i>	✓			
Senator Eulogio C. Bermudes				
Senator Anthony C. Blaz				
 Senator Marcel G. Camacho	✓			
Senator Mark Forbes				
 Senator Carlotta A. Leon Guerrero	✓			
 Senator Simon A. Sanchez, II	✓			

**COMMITTEE ON POWER, PUBLIC WORKS,
TAX AND REGULATORY REFORM,
MUNICIPAL AND COMMUNITY AFFAIRS**

Mina Bente Singko Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, Guam 96910

COMMITTEE REPORT

ON

BILL NO. 436 (COR)

BILL NO. 436 (COR) “AN ACT TO ADD A NEW §5116 TO PART B, CHAPTER 5, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATAIVE TO DELEGATION OF AUTHORITY TO PROCURE FOR SUPPLIES AND SERVICES TO THE GUAM POWER AUTHORITY.” (By: E. B. Calvo, S. A. Sanchez, II, L. F. Kasperbauer)

COMMITTEE MEMBERS

Chairman: Senator Eddie Baza Calvo

Vice-Chairman: Senator Kaleo S. Moylan

Ex-Officio Member: Antonio R. Unpingco

Senator Frank B. Aguon, Jr.

Senator Anthony C. Blaz

Senator Mark Forbes

Senator Carlotta A. Leon Guerrero

Senator Eulogio C. Bermudes

Senator Marcel G. Camacho

Vice-Speaker Lawrence F. Kasperbauer

Senator Simon A. Sanchez, II

**COMMITTEE ON POWER, PUBLIC WORKS,
TAX AND REGULATORY REFORM,
MUNICIPAL AND COMMUNITY AFFAIRS**
Mina' Bente Singko Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, Guam 96910

BILL NO. 436 (COR)

“BILL NO. 436 (COR) “AN ACT TO ADD A NEW §5116 TO PART B, CHAPTER 5, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATAIVE TO DELEGATION OF AUTHORITY TO PROCURE FOR SUPPLIES AND SERVICES TO THE GUAM POWER AUTHORITY.” (By: E. B. Calvo, S. A. Sanchez, II, L. F. Kasperbauer)

I. PUBLIC HEARING

BILL NO. 436 (COR) was introduced on June 12, 2000 and referred to the Committee on Power, Public Works, Tax and Regulatory Reform, Municipal and Community Affairs (“PPWTRRM&CA”) on August 14, 2000. A Fiscal Note was requested from the Bureau of Budget and Management Research on August 15, 2000 and received by the Committee on August 30, 2000 (“Exhibit B”).

PPWTRRM&CA called a public hearing to order at 10:55 a.m., Friday, August 25, 2000 to hear testimony on **BILL NO. 436 (COR)**. The hearing was held in the Public Hearing Room of *I Liheslaturan Guåhan* in *Hagåtña*. Notices were placed in the August 19 and August 20, 2000 editions of the *Pacific Daily News* and in the August 22, 2000 edition of the *Guam Variety News & Views*.

The hearing was called to order by Senator Eddie Baza Calvo, Chairman of PPWTRRM&CA. No members of the Committee were in attendance.

II. TESTIMONY

Although no members of the public were present to testify, written testimony was received from the following:

	<u>Testimony</u>	<u>Herein Attached As</u>
T. ANN AGUON PEREZ, General Manager, Guam Power Authority	Written	“Exhibit A”

Ms. Perez submitted written testimony in opposition to the measure. She wrote that the process currently guiding the authority is one that is proactive towards the needs of the agency and that rescinding the procurement authority, of the General Services Administration (“GSA”) over the Guam Power Authority (“GPA”), may not necessarily facilitate the expeditious procurement of supplies and services. As general manager, her procurement authority for goods and services is capped at \$250,000. Any amount over this, to \$1.5 million dollars, remains with the GPA Board for approval. Amounts exceeding \$1.5 million

require the review and approval of the Public Utilities Commission. The only additional review process conducted is done with GSA, and this process is closely coordinated. She said that she does not oppose the input and participation of the Board in relation to procurement matters, but their role has traditionally involved policy making and not the daily operations of the authority.

III. FINDINGS

The Committee finds that the procurement authority for GPA must be clearly defined and decentralized from the procurement process currently in place. The Committee further finds that ultimate primacy of the Board in procurement matters will not constrain the procurement process, nor will it conflict with procurement law. In fact, the Board must comply with all requirements of Guam Procurement Law and procurement regulations if delegated procurement authority. The Committee further finds that the delegation of procurement authority to an individual not involved in the operations of GPA (the Chief Procurement Officer) proves to be counterproductive to the effective operations. With the Board empowered in the procurement process, the agency will be able to procure supplies and services at all times, thereby allowing the agency to operate efficiently. It will also ensure that quality electrical services are provided to the people of Guam.

IV. RECOMMENDATION

The Committee on Power, Public Works, Tax and Regulatory Reform, Municipal and Community Affairs hereby reports out **BILL NO. 436 (COR)**, to *I Liheslaturan Guåhan*, with the recommendation **TO DO PASS AS SUBSTITUTED BY THE COMMITTEE.**

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
2000 (SECOND) Regular Session

Bill No. 436 (COR)

As substituted by the Committee on Power,
Public Works, Tax and Regulatory Reform,
Municipal and Community Affairs.

Introduced by:

E. B. Calvo

S. A. Sanchez, II

L. F. Kasperbauer



**AN ACT TO ADD A NEW SECTION 5116 TO PART B,
ARTICLE 2, CHAPTER 5, PART 1, DIVISION 1 OF
TITLE 5 OF THE GUAM CODE ANNOTATED
RELATIVE TO THE DELEGATION OF
PROCUREMENT AUTHORITY TO THE GUAM
POWER AUTHORITY BOARD OF DIRECTORS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that because of the nature and size of operations at the Guam Power
4 Authority ("GPA") the expeditious procurement of supplies and services is
5 often required on a daily basis. At the same time, emergency situations
6 periodically occur at GPA that necessitates timely and immediate action.

7 Pursuant to statute, the Chief Procurement Officer ("CPO") of the
8 General Services Agency serves as the central procurement officer for the
9 government of Guam with respect to supplies and services. The CPO may
10 delegate this authority to designees or to any governmental body or official.
11 Such authority was exercised when the CPO delegated procurement authority

1 to GPA. When questions arose as to who should approve procurement
2 requests at GPA, a dispute between the CPO and GPA ensued with the CPO
3 rescinding the procurement authority delegated to the agency. The result of
4 this action led to serious questions being raised of possible conflicts between
5 provisions contained in the General Services Agency enabling legislation and
6 the enabling statute that created GPA.

7 It is the intent of *I Liheslaturan Guåhan* to decentralize the procurement
8 process for GPA and to further empower GPA to procure supplies and
9 services at all times in order to ensure that quality electrical services are
10 provided to the people of Guam.

11 **Section 2.** A new Section 5116 is hereby added to Part B, Article 2 of
12 Chapter 5, Part 1, Division 1 of Title 5 of the Guam Code Annotated to read as
13 follows:

14 **“Section 5116.** Notwithstanding any other provision of Guam
15 Procurement Law, the authority to procure supplies and services for the
16 Guam Power Authority is hereby delegated to the Guam Power
17 Authority Board of Directors. The Guam Power Authority is required
18 to comply with the general provisions of Guam Procurement Law as
19 provided in Chapter 5, Part 1, Division 1 of Title 5 of the Guam Code
20 Annotated.”

21 **Section 5. Severability.** *If* any provision of this Law or its
22 application to any person or circumstance is found to be invalid or contrary to
23 law, such invalidity shall *not* affect other provisions or applications of this

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

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN

2000 (SECOND) Regular Session

8-20th
6-12-00

Bill No. 436 (CAF)

Introduced by:

Eddie Baza Calvo *EB*
Simon A. Sanchez, II *SAS*
Lawrence F. Kasperbauer *LK*

AN ACT TO ADD A NEW §5116 TO PART B,
CHAPTER 5, DIVISION 1 OF TITLE 5 OF THE GUAM
CODE ANNOTATED RELATAIVE TO DELEGATION
OF AUTHORITY TO PROCURE FOR SUPPLIES AND
SERVICES TO THE GUAM POWER AUTHORITY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

1
2 finds that on a daily basis, the Guam Power Authority, because of the nature
3 and size of the agency's operations, often requires supplies and services on an
4 emergency or expeditious nature. Prior to the enactment of this Act, the
5 procurement authority of the Chief Procurement Officer of the government of
6 Guam was delegated to the Guam Power Authority. Because of a dispute
7 between the Chief Procurement Officer and the Guam Power Authority as to
8 who should approve procurement requests at the Guam Power Authority, the
9 delegated procurement authority granted to the agency was rescinded by the
10 Chief Procurement Officer. The result of this action led to serious questions
11 being raised as to possible conflicts between General Services Agency
12 enabling law provisions and the enabling statutes creating the Guam Power
13

1 Authority and the Public Utilities Commission. This Act seeks to decentralize
2 the procurement process and to further empower the Guam Power Authority
3 so that the agency will be able, at all times, to procure for supplies and
4 services in order to ensure that quality electric services are provided to the
5 people of Guam.

6 **Section 2.** A new §5116 is hereby added to Part B, Chapter 5, Division 1
7 of Title 5, Guam Code Annotated to read as follows:

8 "§5116. Notwithstanding any other provisions of the
9 Procurement Law, the authority to procure for supplies and
10 services for Guam Power Authority is hereby delegated to the
11 Guam Power Authority Board of Directors. The Guam Power
12 Authority is required to comply with the general provisions of the
13 Procurement Law as provided in Chapter 5 of Division 1 of Title 5
14 of the Guam Code Annotated "



GUAM POWER AUTHORITY

ATURIDÂT ILEKTRESEDÂT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

23 August 2000

Senator Eddie Baza Calvo
Chairman
Committee on Power, Public Works, Tax and Regulatory Reform, Municipal and
Community Affairs
120 Father Duenas Avenue
Capital Plaza, Suite 109
Hagatna, Guam 96932
Tel: (671) 472-4040
Fax: (671) 472-4100

Via: Gil Shinohara, Governor's Chief of Staff 

Hafa Adai,

I would like to first begin by commending your intentions on assisting the Guam Power Authority by drafting legislation (Bill 436) to "expedite" supplies and services. However, I must point out that to rescind the procurement authority of GSA over GPA; solely placing that responsibility onto the GPA Board of Directors (BOD) may have the opposite effect as originally sought by your intentions. Presently, my procurement authority for goods and services is capped at \$250,000 dollars. Any amount over this threshold to \$1.5 million remains with the BOD for approval, and amounts exceeding the latter, would require the review and approval of the Public Utilities Commission (PUC).

This has been the policy direction for the procurement of goods and services for the Authority for quite some time. The only additional review process that is done is with GSA and even this process is closely coordinated. Overall, I do not oppose the input and participation of the BOD with procurement, however, their role has traditionally been more towards the policy making decision process and not within the day-to-day operations of the Authority.

I firmly believe that the process currently guiding the Authority is one that proactive towards the needs of this utility. Although additional steps must be undertaken to procure these goods and services, the larger role of each reviewing authority is to ensure that our ratepayers receive the best goods and services for the lowest price. As such, I recommend that Bill 436 not be considered for legislation. Put Respetu Yan Si Yu'os Ma'ase,


T. ANN AGUON PEREZ

Exhibit A



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

CARL T.C. GUTIERREZ
GOVERNOR

JOSEPH E. RIVERA
DIRECTOR

MADELEINE Z. BORDALLO
LIEUTENANT GOVERNOR

PAUL D. LEON GUERRERO
DEPUTY DIRECTOR

AUG 24 2000

The Bureau requests that Bill No(s). 436(COR) be granted a waiver pursuant to Public

Law 12-229 for the following reasons:

The intent of subject legislation is to permanently restore procurement authority to the Guam Power Authority in order for GPA to obtain supplies and services for the agency's operations. For a temporary period, the Chief Procurement Officer of the government of Guam rescinded GPA's procurement authority. The enactment of this legislation would not require additional resources as the Authority itself carried out its procurement in the past.

Therefore, it is determined that subject bill is administrative in nature and poses no financial impact on the General Fund at this time.

FP8-23-00
Joseph Rivera
JOSEPH E. RIVERA
Acting
FP8/24/00

OFFICE OF SENATOR
EDDIE BAZA CALVO
Date: *8/30/00* Time: *10:10A*
Received By: *ASB*

Exhibit B

LOCAL

GOVERNMENT MEETINGS

▲ Continued from Page 7

should call 472-9772.

COMMITTEE ON POWER, PUBLIC WORKS, TAX AND REGULATORY REFORM, MUNICIPAL AND COMMUNITY AFFAIRS:

Reconvened nomination of Joseph L. Cruz to serve as GPA board of directors' member 9 a.m.; public hearing on Bill 436, 10 a.m., Aug. 25, I Liheslaturan Guahan public hearing room, Hagåtña. Those with disabilities who need special accommodations should call 472-4040/4518.

PORT AUTHORITY OF GUAM BOARD OF DIRECTORS: 10 a.m., Aug. 25, board conference room,

Cabras Island, Piti. Agenda copies available. Those with disabilities who need special accommodations should call Simeon Delos Santos, 477-5931, ext. 430 or pager 720-6056.

KGTF-TV CHANNEL 12 BOARD OF TRUSTEES: 11:30 a.m., Aug. 25, Hilton Guam's Genji Restaurant. Those with disabilities who need special accommodations should call Lorraine Hernandez, 734-2207.

COMMISSION ON POST-MORTEM EXAMINATION: Noon, Aug. 29, Attorney General's office, Suite 2-200E Judicial Center, 120 W. O'Brien Drive, Hagåtña. Call 475-3324, ext. 107.

SUMMER SALE **ONLY \$10 dollars DOWNPAYMENT** **ONLY \$10 dollars PER MONTH** **ONLY \$10 dollars FOR THE FIRST 10 MONTHS**

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ZENITH Giant Screens **ZENITH DVD** **ZENITH VCR**

ly surplus

WASHINGTON (AP) — The federal treasury posted a surplus of \$4.76 billion in July, smaller than June's \$56.3 billion surplus but a rare feat since July usually is marked by a budget deficit.

The government's surplus last month, announced by the Treasury Department on Friday, compared with a \$25.2 billion deficit in July 1999.

It was the first time the government posted a surplus in July since the 1950s.

The budget is on track to produce a record bounty for the entire fiscal year.

Revenue for July totaled \$134.1 billion, while expenditures came to \$129.3 billion.

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Trade deficit at \$30.6B

Wall Street waits until Fed board meets Tuesday

WASHINGTON (AP) — America's trade deficit widened to a record \$30.6 billion in June as the U.S. appetite increased for foreign crude oil at the highest prices in nearly 10 years.

The trade gap was far smaller than many experts had expected, however, leaving the likelihood that the Federal Reserve will leave interest rates unchanged next week.

The deficit expanded from May's \$30.3 billion, which was revised down from the Commerce Department's previous estimate of \$31 billion.

ON THE NET

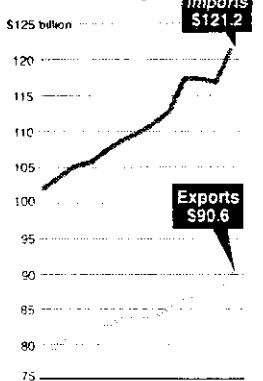
▲ The trade report:
<http://www.bea.doc.gov/bea/newsrel/trad0500.htm>

ple, the Labor Department reported that inflation at the consumer level inched up a mild 0.2 percent last month as gasoline prices eased after soaring in June. And a Commerce Department report showed housing construction plunging in July.

On Wall Street, investors

U.S. trade

Here is a look at the U.S. trade report, which includes total imports, exports and deficit. Includes services and goods.



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NOTICE OF PUBLIC HEARING

Mina' Bente Singko Na Liheslaturan Guåhan
Committee on Power, Public Works,
Tax and Regulatory Reform,
Municipal and Community Affairs
-Chairman, Senator Eddie Baza Calvo-

10:00 A.M., FRIDAY, AUGUST 25, 2000

AGENDA

Bill No. 436(COR): AN ACT TO ADD A NEW §5116 TO PART B, CHAPTER 5, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATAIVE TO DELEGATION OF AUTHORITY TO PROCURE FOR SUPPLIES AND SERVICES TO THE GUAM POWER AUTHORITY.

Hearing will take place in the Public Hearing Room, of *Liheslaturan Guåhan*, 155 Hesler Street, Hagåtña.
Those in need of Special Accommodations please call 472-4040/4518 or fax requests to 472-4108.
THE PUBLIC IS ENCOURAGED TO ATTEND

formance and slower growth overseas.

But critics said the imbalance reflects a failure of the Clinton administration's trade policies, which they believe have left U.S. workers at the mercy of foreign nations with lower labor costs and lax environmental standards.

The trade deficit is the sole blot on an otherwise vibrant U.S. economy, now in its longest streak of uninterrupted growth.

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office from Aug. 11 to 24, from 4 p.m. to 8 p.m. for residents wishing to register for the primary election.

- All burned out streetlights, water leaks, trash not picked up, dead animals, or any other problems within the community should be reported to the mayor's office immediately. The office will forward all reports to the respective agencies for their immediate action.

- The district registrar for the tri-village MTM is Maria B. Cruz. She will be at the mayor's office from Aug. 11 to 24, from 4 p.m. to 8 p.m.

Residents must show proof of U.S. citizenship when registering. For more information contact the Guam Election Commission.

- The Department of Labor's Bureau of Labor Statistics is still conducting a current labor force survey to update employment and unemployment figures. Random households are being selected for this survey. For any questions, contact the

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THE PUBLIC IS ENCOURAGED TO ATTEND



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JUN 12 2000

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
2000 (SECOND) Regular Session**

Bill No. 436 (COA)

Introduced by:

Eddie Baza Calvo *EB*
Simon A. Sanchez, II *SAS*
Lawrence F. Kasperbauer *LFK*

**AN ACT TO ADD A NEW §5116 TO PART B,
CHAPTER 5, DIVISON 1 OF TITLE 5 OF THE GUAM
CODE ANNOTATED RELATAIVE TO DELEGATION
OF AUTHORITY TO PROCURE FOR SUPPLIES AND
SERVICES TO THE GUAM POWER AUTHORITY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan

finds that on a daily basis, the Guam Power Authority, because of the nature and size of the agency's operations, often requires supplies and services on an emergency or expeditious nature. Prior to the enactment of this Act, the procurement authority of the Chief Procurement Officer of the government of Guam was delegated to the Guam Power Authority. Because of a dispute between the Chief Procurement Officer and the Guam Power Authority as to who should approve procurement requests at the Guam Power Authority, the delegated procurement authority granted to the agency was rescinded by the Chief Procurement Officer. The result of this action led to serious questions being raised as to possible conflicts between General Services Agency enabling law provisions and the enabling statutes creating the Guam Power

1 Authority and the Public Utilities Commission. This Act seeks to decentralize
2 the procurement process and to further empower the Guam Power Authority
3 so that the agency will be able, at all times, to procure for supplies and
4 services in order to ensure that quality electric services are provided to the
5 people of Guam.

6 **Section 2.** A new §5116 is hereby added to Part B, Chapter 5, Division 1
7 of Title 5, Guam Code Annotated to read as follows:

8 "§5116. Notwithstanding any other provisions of the
9 Procurement Law, the authority to procure for supplies and
10 services for Guam Power Authority is hereby delegated to the
11 Guam Power Authority Board of Directors. The Guam Power
12 Authority is required to comply with the general provisions of the
13 Procurement Law as provided in Chapter 5 of Division 1 of Title 5
14 of the Guam Code Annotated "