



P: 20-51

**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hesler Street, Hagåtña, Guam 96910

COPY

November 27, 2001

The Honorable Carl T.C. Gutierrez  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Gutierrez:

Transmitted herewith is Bill No. 229(LS) which was passed by *I Mina'Bente Sais Na Liheslaturan Guåhan* on November 27, 2001.

Sincerely,

JOANNE M.S. BROWN  
Senator and Legislative Secretary

Enclosure


11/27/01 6:35pm  
John

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (FIRST) Regular Session

COPY

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

This is to certify that Bill No. 229 (LS) "AN ACT TO AMEND §§ 51102(e) AND 51102(l) OF TITLE 12 OF THE GUAM CODE ANNOTATED, AND TO AMEND § 12 OF P.L. NO. 26-58 AND §§ 2(b) AND (d) OF P.L. NO. 26-47, RELATIVE TO MAKING TECHNICAL CORRECTIONS AND OTHER CHANGES TO P.L. NO. 26-58, AND TO APPROPRIATE FUNDS TO DPW FOR REPAIRING SCHOOL BUSES AND FOR OTHER PURPOSES," was on the 27<sup>th</sup> day of November, 2001, duly and regularly passed.

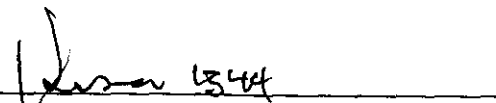
  
\_\_\_\_\_  
ANTONIO R. UNPINGCO  
Speaker

Attested:

  
\_\_\_\_\_  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

.....

This Act was received by I Maga'lahaen Guåhan this 27 day of November, 2001,  
at 6:35 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
I Maga'lahaen Guåhan

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

IX TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUAHAN  
(Included in File w/ All Bills Transmitted)  
BILL NO. 209 (LS)

- EXHIBITS ATTACHED - NONE
- CONFIRM NUMBER OF PAGES 5
- CAPTION ON CERTIFICATION MATCHES BILL CAPTION
- ENGROSSED SIGN "" REMOVED FROM BILL
- 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE 14 less Leg
- CERTIFICATION SIGNED BY SPEAKER & LEGIS. SECRETARY
- EMERGENCY DECLARATION, if any YES

Confirmed By: mt/dfp

Dated: 11/27/01

FINAL REVIEW:

Dated: \_\_\_\_\_

- HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY)  
TO THE GOVERNOR. (DANNY, \_\_\_\_\_ OR OTHERS \_\_\_\_\_)
- ACKNOWLEDGED COPY W/ ORIGINAL BLUEBACK  
PLACED ON CLERK'S DESK. (Same copy given to \_\_\_\_\_)

FILED by: \_\_\_\_\_

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (FIRST) Regular Session

**Bill No. 229 (LS)**

As amended on Floor.

Introduced by:

L. F. Kasperbauer

J. F. Ada

T. C. Ada

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F. B. Aguon, Jr.

J. M.S. Brown

E. B. Calvo

F. P. Camacho

M. C. Charfauros

Mark Forbes

K. S. Moylan

V. C. Pangelinan

A. L.G. Santos

A. R. Unpingco

J. T. Won Pat

AN ACT TO AMEND §§ 51102(e) AND 51102(l) OF  
TITLE 12 OF THE GUAM CODE ANNOTATED,  
AND TO AMEND § 12 OF P.L. NO. 26-58 AND §§  
2(b) AND (d) OF P.L. NO. 26-47, RELATIVE TO  
MAKING TECHNICAL CORRECTIONS AND  
OTHER CHANGES TO P.L. NO. 26-58, AND TO  
APPROPRIATE FUNDS TO DPW FOR REPAIRING  
SCHOOL BUSES AND FOR OTHER PURPOSES.

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

2           **Section 1.** Section 51102(e) of Chapter 51, Division 2 of Title 12 of the  
3 Guam Code Annotated, as *added* by Public Law Number 26-58, is hereby  
4 *amended* to read as follows:

5           “(e) The refunding bonds shall be payable from and secured by  
6 all or any portion of the same source, or sources, of revenues as the  
7 prior bonds refunded by the issue and the amounts to be received under  
8 any financial contract entered into under § 51105 of this Chapter, and  
9 shall *not* be payable from or secured by any other source, or sources, of  
10 revenues, *except* as may be authorized by statute. Any pledge or lien on  
11 revenues or other monies authorized to be granted with respect to the  
12 prior bonds refunded by the issue is hereby authorized to be granted  
13 with respect to the refunding bonds. *If* the prior bonds being refunded  
14 are general obligations of the government, the refunding bonds shall be  
15 general obligations of the government.”

16           **Section 2.** Section 51102(l) of Chapter 51, Division 2 of Title 12 of the  
17 Guam Code Annotated, as added by Public Law Number 26-58, is hereby  
18 *amended* to read as follows:

19           “(l) The technical form and language of the refunding bonds,  
20 including provisions for execution, exchange, transfer, registration,  
21 paying agency, lost or mutilated bonds, negotiability, cancellation and  
22 other terms, covenants or conditions *not* inconsistent with this Chapter,  
23 and including covenants relating to the collection of revenues, shall be  
24 as specified in the certificate or indenture executed by *I Maga'laha*

1 *Guåhan* authorizing the issuance of the refunding bonds. The certificate  
2 or indenture may appoint one (1) or more trustees, or other fiduciaries  
3 authorized to receive and hold in trust the proceeds of the bonds and  
4 monies relating thereto, to protect the rights of bondholders and to  
5 perform such other duties as may be specified in the certificate or  
6 indenture. Trustees having possession or custody *prior to* November 20,  
7 2001 of the trust proceeds from the bond(s) being refunded shall remain  
8 as trustees on refunding bonds without going through a new  
9 procurement process. *I Maga'lahaen Guåhan* is also authorized to execute,  
10 on behalf of the government of Guam, any appropriate agreements,  
11 certificates or other instruments relating to the bonds and the sale of the  
12 bonds."

13 **Section 3.** Section 12 of Public Law Number 26-58 is hereby *amended* to  
14 read as follows:

15 "Section 12. Notwithstanding any provision of law, the  
16 Guam Economic Development Authority ('GEDA') shall transfer from  
17 its share of the charges and fees in connection with the funding,  
18 issuance, sale and delivery of the debts or bonds pursuant to this Act  
19 the sum of One Hundred Thousand Dollars (\$100,000.00) to the  
20 Department of Public Works ('DPW') to be used for the repair of public  
21 school buses and Fifty Thousand Dollars (\$50,000.00) as to the Hope for  
22 Recovery as start-up seed money to provide residential treatment  
23 services for mothers and their new-born babies addicted to  
24 methamphetamine, better known as the drug ice."

1           **Section 4.** Section 2(b) of Public Law Number 26-47 is hereby *amended*  
2 to read as follows:

3           “(b)(i)       The sum of Sixty Thousand Dollars (\$60,000.00) is  
4 hereby appropriated from the Customs, Agriculture and  
5 Quarantine Inspections Services Fund to the Plant Protection and  
6 Quarantine Division of the Department of Agriculture (‘DOA’) to  
7 fund the ‘*Holiday Pay*’ and ‘*Night Differential Pay*’ beginning on  
8 October 1, 2001 and ending on September 30, 2002.

9           (ii)       The Plant Protection and Quarantine Division of the  
10 Department of Agriculture (‘DOA’) shall submit to *I Liheslaturan*  
11 *Guåhan* a labor cost distribution report due within five (5) days of  
12 each disbursement, detailing the payment of ‘*Holiday Pay*’ for each  
13 person receiving the additional compensation.”

14           **Section 5.** Section 2(d) of Public Law Number 26-47 is hereby *amended*  
15 to read as follows:

16           “(d)       The appropriations contained within Subsection (c) herein  
17 shall be expended for ‘*Holiday Pay*’ for work performed on holidays in  
18 accordance with Guam Law. The Department shall submit to *I*  
19 *Liheslaturan Guåhan* a labor cost distribution report within five (5) days  
20 of each disbursement, detailing the payment of ‘*Holiday Pay*’ for each  
21 person receiving the additional compensation.”

22           **Section 6. Severability.**   *If* any provision of this Law or its  
23 application to any person or circumstance is found to be invalid or contrary to  
24 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 SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
155 Hesler Street, Hagåtña, Guam 96910

**2001 (FIRST) Regular Session**

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public safety and welfare of the People and therefore waive the statutory requirements for a public hearing on Bill Number 229 (LS), "AN ACT TO *AMEND* ITEMS (e) AND (l) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES," which was introduced on this date, November 27, 2001, and therefore waive the statutory requirements for a public hearing on Bill Number 229 (LS).

Dated: November 27, 2001

  
\_\_\_\_\_  
**ANTONIO R. UNPINGCO**  
Speaker and Presiding Officer

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 11/27/01

## VOTING SHEET

Bill No. 229(LS)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

*p.c. 59*

| NAME                      | YEAS | NAYS | NOT VOTING/<br>ABSTAINED | OUT DURING<br>ROLL CALL | ABSENT |
|---------------------------|------|------|--------------------------|-------------------------|--------|
| ADA, Joseph F.            | ✓    |      |                          |                         |        |
| ADA, Thomas C.            | ✓    |      |                          |                         |        |
| AGUON, Frank B., Jr.      |      |      |                          |                         | ✓      |
| BROWN, Joanne M. S.       | ✓    |      |                          |                         |        |
| CALVO, Eddie B.           | ✓    |      |                          |                         |        |
| CAMACHO, Felix P.         | ✓    |      |                          |                         |        |
| CHARFAUROS, Mark C.       | ✓    |      |                          |                         |        |
| FORBES, Mark              | ✓    |      |                          |                         |        |
| KASPERBAUER, Lawrence F.  | ✓    |      |                          |                         |        |
| LEON GUERRERO, Lourdes A. |      |      | <i>excused</i>           |                         |        |
| MOYLAN, Kaleo S.          | ✓    |      |                          |                         |        |
| PANGELINAN, Vicente C.    | ✓    |      |                          |                         |        |
| SANTOS, Angel L.G.        |      |      |                          |                         | ✓      |
| UNPINGCO, Antonio R.      | ✓    |      |                          |                         |        |
| WON PAT, Judith T.        | ✓    |      |                          |                         |        |

TOTAL

12    —    1    —    2

CERTIFIED TRUE AND CORRECT:


\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (FIRST) Regular Session

Bill No. 229 (LS)

Introduced by:

L.F. Kasperbauer 

AN ACT TO *AMEND* ITEMS (e) AND (l) OF SECTION 51102 OF CHAPTER 51 OF TITLE 12, GUAM CODE ANNOTATED AND SECTION 5 OF PUBLIC LAW 26-58 REGARDING TECHNICAL CORRECTIONS AND OTHER CHANGES AND TO APPROPRIATE THE SUM OF \$225,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR POLICE VEHICLES.

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

2           **Section 1.** Item (e) of Section 51102 of Chapter 51 of Title 12, GCA as added  
3 by Public Law 26-58, is hereby *amended* to read:

4  
5           "(e) The refunding bonds shall be payable from and secured by all or any  
6 portion of the same source or sources of revenues as the prior bonds refunded ~~all or~~  
7 ~~any portion of~~ by the issue and the amounts to be received under any financial  
8 contract entered into under Section 51105 of this Chapter and shall not be payable  
9 from or secured by any other source or sources of revenues except as may be  
10 authorized by statute. Any pledge or lien on revenues or other moneys authorized to  
11 be granted with respect to the prior bonds refunded by the issue is hereby authorized  
12 to be granted with respect to the refunding bonds. If the prior bonds being refunded  
13 are general obligations of the government, the refunding bonds shall be general  
14 obligations of the government."

15