



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

9:16 PM 3/16/10
Edm

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

MAR 15 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

30-10-02/9
J
3/16/10

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 333-30 (LS) "AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 30-57, RELATIVE TO THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2007 REPORT" which I signed into law on March 11, 2010 as **Public Law 30-100**.

Sins eru yan Magåhet,

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

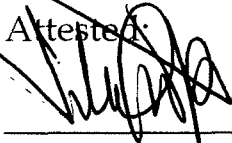
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 333-30 (LS), "AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 30-57, RELATIVE TO THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2007 REPORT," was on the 26th day of February, 2010, duly and regularly passed.



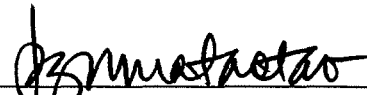
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 1 day of March, 2010, at
5:40 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: MAR 11 2010

Public Law No. P.L. 30-100

I MINA'TRENTA NA LIHESLATURAN GUÁHAN
2010 (SECOND) Regular Session

Bill No. 333-30 (LS)

As substituted and amended on the Floor.

Introduced by:

F. F. Blas, Jr.
T. C. Ada
F. B. Aguon, Jr.
B. J.F. Cruz
E. J.B. Calvo
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SECTION 4 OF PUBLIC LAW 30-57, RELATIVE TO THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2007 REPORT.

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

2 **Section 1. Legislative Findings and Intent.** On September 14, 2009, the
3 Jose D. Leon Guerrero Port Authority of Guam (PAG) submitted its application for
4 \$50M of ARRA/TIGER grant funds, an amount representing approximately fifty
5 percent (50%) of the funding required for Phase 1A of the PAG Port
6 Modernization Plan (Plan). On February 18, 2010, the PAG learned that its
7 application for the ARRA/TIGER grant was *not* favorably considered.

1 Additionally, the failed ARRA/TIGER grant application has jeopardized the
2 availability of a USDA loan, which would have provided the other fifty percent
3 (50%) of required funding for Phase 1A of the Plan. Notwithstanding the recent
4 outcomes, modernization of the PAG remains to be an imperative in order to meet
5 the projected demands for port services over the next decade. In the event that
6 grants and similar funding sources do not become available, the PAG must proceed
7 with modernization efforts to enable the efficient flow of goods into and out of
8 Guam.

9 **Section 2.** Section 4 of Public Law 30-57 is hereby *amended* to read as
10 follows:

11 **“Section 4.** The Port Authority of Guam (PAG) *shall* immediately
12 initiate research to identify potential Federal grants and similar funding
13 sources and *shall* initiate necessary discussions and communications to
14 secure funding needed for the modernization of the PAG. The PAG *shall*
15 report to the Speaker of *I Liheslatura* (the Legislature) *no later than* June
16 2010, of (1) the status of its efforts to secure commitments for grants and
17 similar funding; and (2) its recommendation(s) in moving forward with
18 PAG’s modernization plans which include, but are *not limited to*, the scaling
19 back of modernization plans that would address organic growth capacity
20 requirements and funded through debt that is within the PAG’s ability to
21 pay, estimated to be about Fifty-four Million Five Hundred Thousand
22 Dollars (\$54,500,000), and which *shall* include the acquisition, either
23 through purchase *or* lease to own, of *at least* two (2) Gantry Cranes. Such
24 cranes *shall be* acquired *no later than* December 31, 2012, pursuant to the
25 Guam Procurement Law and *not* through the use of a Task Order to any
26 existing contract. *If* the PAG secures a grant, and the USDA Loan or other
27 comparable loan, then Phase I-A *shall* proceed along with the acquisition of

1 *at least two (2) Gantry Cranes. Such cranes shall be acquired no later than*
2 December 31, 2012, either through purchase *or* lease to own, pursuant to
3 Guam Procurement Law and *not* through the use of a Task Order to any
4 existing contract. *No* other loan *or* additional rate increase may be requested
5 for funding of the Master Plan by PAG without an executed Capital
6 Recovery Charge agreement, as discussed in Part 3.3.3 of the Revised
7 August 3, 2009 Report, and specifically in the Financial Plan.”



OFFICE OF THE SPEAKER
I MINA'TRENTA NA LIHESLATURAN GUAHAN | 30th GUAM LEGISLATURE
JUDITH T. WON PAT, Ed.D.

February 23, 2010

To: *I Mina' Trenta Na Liheslaturan Guahan*

RE: **Emergency Certification of Bill B333-30 (LS)**

After careful evaluation for a request to waive the requirements for a public hearing on bill no. B333-30(LS).

Bill No. B333-30(LS) F.F. Blas, Jr. / T.C. Ada - An act to repeal and reenact Section 4 of Public Law 30-57 relative to the Jose D. Leon Guerrero Commercial Port of Guam Master Plan Update 2007 Report.

I certify, pursuant to 2 GCA §2103(a), that an emergency condition exists and that the requirements for a public hearing on bill no. B333-30 (LS) is accordingly waived.

Senseramente,

Judith T. Won Pat, Ed.D.
Speaker

cc: **Senator Rory J. Respicio**
Clerk of the Legislature

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 2/26/10

VOTING SHEET

SBill No. 333-30(LS)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.		✓			
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.		✓			

TOTAL

11 3 _____

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence

I MINA'TRENTA NA LIHESLATURAN GUAM
2010 (SECOND) Regular Session

Bill No. 333-30 (S)

Introduced by:

F. F. Blas, Jr., *FFB*
T. C. Ada *TCA*

2010 FEB 23 AM 9:41

epm

**AN ACT TO REPEAL AND REENACT SECTION 4 OF
PUBLIC LAW 30-57 RELATIVE TO THE JOSE D.
LEON GUERRERO COMMERCIAL PORT OF
GUAM MASTER PLAN UPDATE 2007 REPORT.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 4 of Public Law 30-57 is hereby repealed and reenacted to read as follows:

“Section 4. *If the Port Authority of Guam is unable to secure funding for the financing of the Master Plan by June 2010, it shall notify I Liheslatura of any denial of funding request within thirty (30) days of receipt of notice of such denial and shall submit to I Liheslatura within ninety (90) days of the date of denial of such funding a bill to obtain the approval of an amended Master Plan based on a maximum expenditure level of Fifty Four Million Five Hundred Thousand Dollars (\$54,500,000), and which shall include the acquisition, either through purchase or lease to own, of at least two (2) gantry cranes. Such cranes shall be acquired no later than December 31, 2012, pursuant to the Guam Procurement Law and not through the use of a Task Order to any existing contract. If the PAG secures a grant and the USDA Loan or other comparable loan, then Phase I, Stage 1-A and 1-B shall proceed and shall include the*

1 acquisition of at least two (2) gantry cranes. Such cranes *shall* be acquired no
2 later than December 31, 2012, either through purchase *or* lease to own, pursuant
3 to Guam Procurement Law and *not* through the use of a Task Order to any
4 existing contract. *No* other loan *or* additional rate increase may be requested for
5 funding of the Master Plan by PAG without an executed Capital Recovery
6 Charge agreement, as discussed in Part 3.3.3 of the Revised August 3, 2009
7 Report, and specifically in the Financial Plan.”