





I MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2014 (SECOND) Regular Session

Bill No. 252-32 (CORP)

Introduced by:

Dennis G. Rodriguez, Jr. 
Rory J. Respicio 
Christopher M. Duenas 

**AN ACT TO AMEND ARTICLE 2, CHAPTER 10 TITLE 12
GUAM CODE ANNOTATED §10238 RELATIVE TO THE
WAIVER OF SOVEREIGN IMMUNITY ON A LOAN
PREVIOUSLY AUTHORIZED FOR THE JOSE D. LEON
GUERRERO PORT AUTHORITY OF GUAM.**

2014 JUN - 3 PM 2:33 

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

2 **Section 1.** §10238 of Article 2, Chapter 10, Title 12 Guam Code Annotated,
3 as amended by Public Law 32-042 is hereby amended to read as follows:

4 “§10238. Sovereign Immunity Waived. Notwithstanding any
5 substantive or procedural provision of Chapter 6 of Title 5, Guam Code Annotated,
6 the Authority *shall not* be entitled to immunity from any suit or action in contract
7 on any indebtedness authorized by this Article. For the purposes of this Article
8 only, immunity is also waived as to the award of attorney fees and related costs in
9 connection with any suit brought to enforce any right or obligation given under this
10 Article, or in connection with the enforcement of the terms of any agreement of
11 indenture that arises directly from the issuance of bonds or indebtedness authorized
12 by this Article.

13 Should any suit or action arise or be initiated to enforce any of the terms of
14 any agreement, indenture, or pledge of revenues, concerning the indebtedness

1 authorized under this Article, any judgement therein *shall* be paid solely from the
2 revenues of the Authority, and at no time shall any other property be subject to
3 foreclosure or recourse to satisfy any suit or action authorized by this Article or
4 Judgment therein”

5 **Section 2. Severability.** If any provision of this Act or its application to any
6 person or circumstance is found to be invalid or contrary to law, such invalidity
7 shall not affect other provisions or applications of this Act which can be given
8 effect without the invalid provisions or application, and to this end the provisions
9 of this Act are severable.

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