



Office of the Governor of Guam

Adelup, Guam 96932

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Office of the People's Speaker
vicente (ben) c. pangelinan

FEB 03 2003

TIME: 4:45 () AM () PM
RECEIVED BY: #

January 31, 2003

The Honorable Vicente C. Pangelinan
Speaker
Mina'Bente Siete Na Liheslaturan Guåhan
Twenty-Seventh Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Enclosed please find ² ~~Substitute~~ Bill No. 29 (COR) "AN ACT TO AUTHORIZE THE GUAM POWER AUTHORITY TO BORROW THE SUM OF TEN MILLION DOLLARS FOR THE PURCHASE OF FUEL FOR ITS BASELOAD GENERATORS," which I have signed into law today as **Public Law 27-03**.

Sincerely,

Felix P. Camacho
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill

Cc: The Honorable Tina Rose Muna-Barnes
Legislative Secretary

MINA 'BENTE SIETE NA LIHESLATURAN GUAHAN
2003 (FIRST) REGULAR SESSION

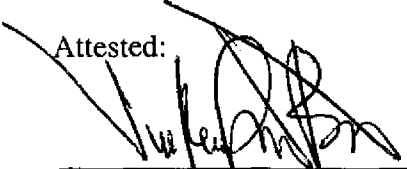
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that ~~Substitute~~³⁰ Bill No. 29 (COR) "AN ACT TO AUTHORIZE THE GUAM POWER AUTHORITY TO BORROW THE SUM OF TEN MILLION DOLLAR FOR THE PURCHASE OF FUEL FOR ITS BASELOAD GENERATORS.," was on the 31st day of January, 2003, duly and regularly passed.



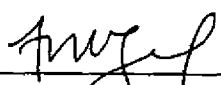
vicente (ben) c. pangelinan
SPEAKER

Attested:



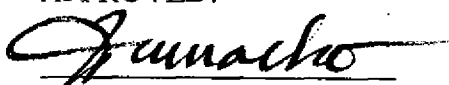
TINA R. MUNA-BARNES
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this 31 day of JANUARY, 2003, at 10:45
o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahen Guahan

Date: 01/31/03

Public Law No. 27-03

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 29 (COR)

Introduced by:

v.c. pangelinan
F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
C. Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
T. Muna-Barnes
J. M. Quinata
R. J. Respicio
Toni D. Sanford
Ray Tenorio

**AN ACT TO AUTHORIZE THE GUAM POWER
AUTHORITY TO BORROW THE SUM OF TEN
MILLION DOLLARS FOR THE PURCHASE OF FUEL
FOR ITS BASELOAD GENERATORS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Mina' Bente Siete Na*
3 *Liheslaturan Guåhan* finds that the Guam Power Authority ("GPA")
4 experienced a loss of revenue of about Ten Million Dollars (\$10,000,000.00) in
5 non-fuel revenues as a result of lost sales during the recovery period
6 following Supertyphoon Pongsona. Although recovery is proceeding on

1 schedule, and customer billings have restarted beginning with January 2003
2 meter readings, this interruption in GPA's normal cash flow is beyond GPA's
3 ability to accommodate from its cash accounts. In order to continue the
4 restoration, as well as ensure those critical contractual commitments continue
5 to be met, it is necessary to obtain a short-term loan in the amount of GPA's
6 estimated non-fuel revenue shortfall.

7 Of special interest is the need for GPA to continue its fuel purchases.
8 The next fuel shipment is scheduled to load in Singapore during the week of
9 February 10, 2003, and the letter of credit to fund the shipment must be in
10 place before then. If the requested Ten Million Dollars (\$10,000,000.00) loan is
11 not in place before then, GPA will be at risk of running out of fuel for its
12 baseload generators.

13 The Bank of Guam has offered to provide a demand note for such
14 amount, but has conditioned such loan on legislative authorization.
15 Therefore, it is the intent of *I Mina' Bente Siete Na Liheslaturan Guåhan* to
16 ensure that the funding necessary to purchase fuel for GPA's baseload
17 generators is in place immediately.

18 **Section 2. (a)** Notwithstanding any other provision of law and to
19 purchase fuel for GPA's baseload generators, GPA is authorized to borrow
20 the sum of Ten Million Dollars (\$10,000,000.00) from the Bank of Guam as
21 authorized by the Consolidated Commission on Utilities.

22 **(b) Terms and Conditions.** The terms of the loan shall include the
23 following:

1 (i) The interest rate shall be subject to competitive
2 negotiations between the Consolidated Commission on
3 Utilities and the Bank of Guam; provided that the interest
4 rate is in the best interest of the people of Guam;

5 (ii) Funds necessary for such repayment of interest and
6 principal shall be paid from the cash flow of Guam Power
7 Authority;

8 (iii) The duration for the repayment of the loan shall not
9 exceed ninety (90) days;

10 (iv) There shall be no collateral or commitment fees.

11 (c) **Approval of *I Liheslatura*.** *I Mina' Bente Siete Na Liheslaturan Guåhan*
12 hereby approves the loan of the Guam Power Authority in the aggregate
13 principal amount not to exceed Ten Million Dollars (\$10,000,000.00) as
14 authorized by this Act; provided that the terms of the loan are not inconsistent
15 with this Act.

16 **Section 3.** Notwithstanding any substantive or procedural provision of
17 Chapter VI of Title VII of the Government Code, 5 GCA 6101, et. seq., the
18 Guam Power Authority shall not be immune from any action or suit in
19 contract upon the borrowing authorized hereunder.

20 **Section 4. Severability.** *If* any provision of this Law or its
21 application to any person or circumstance is found to be invalid or contrary to
22 law, such invalidity shall *not* affect other provisions or applications of this
23 Law which can be given effect without the invalid provisions or application,
24 and to this end the provisions of this Law are severable.

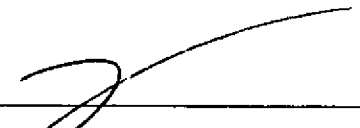


MINA' BENTE SIETE NA LIHESLATURAN GUÁHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

2003 (FIRST) Regular Session

I, vicente (ben) c. pangelinan, Speaker of *I MINA'BENTE SIETE NA LIHESLAURAN GUAHAN*, 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 health, safety and welfare of the People and therefore waive the statutory requirements for a public hearing on Bill Number 29 (COR), "AN ACT TO AUTHORIZE THE GUAM POWER AUTHORITY TO BORROW THE SUM OF TEN MILLION DOLLARS FOR THE PURCHASE OF FUEL FOR ITS BASELOAD GENERATORS," which was introduced on this date, January 30, 2003, and therefore waive the statutory requirements for a public hearing on Bill Number 29 (COR).

Dated: January 30, 2003



vicente (ben) c. pangelinan
Speaker and Presiding Officer

MINA 'BENTE SIETE NA LIHESLATURAN GUAHAN
2003 (FIRST) REGULAR SESSION

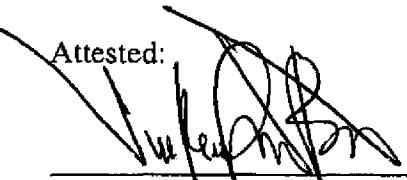
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vicente (ben) c. pangelinan
SPEAKER

Attested:



TINA R. MUNA-BARNES
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this 31 day of January, 2003, at 10:45
o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

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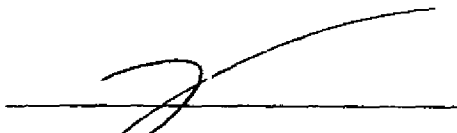


MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

2003 (FIRST) Regular Session

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Dated: January 30, 2003



vicente (ben) c. pangelinan
Speaker and Presiding Officer




MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

2003 (FIRST) Regular Session

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Dated: January 30, 2003



vicente (ben) c. pangelinan
Speaker and Presiding Officer

4

I MINA' BENTE SIETE NA LIHESLATURAN GUAHAN

2003 (FIRST) Regular Session

Date: 1/31/03

VOTING SHEET

Bill No. 29

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CUNLIFFE, F. Randall	✓				
FERNANDEZ, Dr. Carmen	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.			✓ EA		
LUJAN, Jesse A.	✓				
MUNA-BARNES, Tina Rose	✓				
pangelinan, vicente "ben" C.	✓				
QUINATA, John "JQ" M.	✓				
RESPICIO, Rory J.	✓				
SANFORD, Antoinette "Toni" D.	✓				
TENORIO, Ray	✓				

TOTAL

14 0 1 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence