

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
273-37 (COR) As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning, and further amended on the Floor	Sabina Flores Perez Therese M. Terlaje Chris Barnett Joanne M. Brown Tina Rose Muña Barnes Telo T. Taitague Dwayne T.D. San Nicolas	AN ACT TO ADD A NEW § 14104(p) TO ARTICLE 1 OF CHAPTER 14, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM WATERWORKS AUTHORITY TO ESTABLISH A CUSTOMER ASSISTANCE PROGRAM TO PROMOTE WATER CONSERVATION AND TO FACILITATE REPAIRS ON PRIVATE PROPERTY.	4/17/24 3:59 p.m.	4/18/24	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Request: 4/18/24 4/29/24	5/1/24 9:00 a.m.	5/15/24 3:30 p.m.	As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
6/24/24	AN ACT TO ADD A NEW § 14104(p) TO ARTICLE 1 OF CHAPTER 14, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM WATERWORKS AUTHORITY TO ESTABLISH A CUSTOMER ASSISTANCE PROGRAM TO PROMOTE WATER CONSERVATION AND TO FACILITATE REPAIRS ON PRIVATE PROPERTY.	7/10/24	7/10/24	7/22/24	37-112	7/22/24	Received: 7/22/24 Messages and Communications Doc. No. 37GL-24-2385		

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speaker@guamlegislature.org

July 22, 2024

THE HON. THERESE M. TERLAJE, *Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc type: 37GL-24-2385
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

JUL 22 2024

Time: 6:40 pm
Received: [Signature]

Re: Bill No. 273-37 (COR) – AN ACT TO ADD A NEW § 14104(p) TO ARTICLE 1 OF CHAPTER 14, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM WATERWORKS AUTHORITY TO ESTABLISH A CUSTOMER ASSISTANCE PROGRAM TO PROMOTE WATER CONSERVATION AND TO FACILITATE REPAIRS ON PRIVATE PROPERTY.

Håfa Adai Madam Speaker,

Bill No. 273-37 establishes a Customer Assistance Program to promote two worthy goals: it seeks to help Guam residents reduce water loss by providing assistance identifying and repairing leaking pipes and it seeks to ensure that even the poorest Guam residents have access to clean water.

I agree wholeheartedly that the responsible and prudent approach is to be working to reduce water loss and guard our water resources now, rather than wait for the inevitable next drought. I also agree wholeheartedly that in our community, everyone should have water with which to drink, cook, and clean. I am disappointed that, although testimony before the Legislature was that the Customer Assistance Program required approximately \$5 million a year to successfully operate, this bill provides no funding. The bill also prohibits rate increases to fund the Customer Assistance Program. I understand some supporters of the bill hope that federal funding may become available in the future, but regrettably, at the moment this bill does nothing to further either of its goals.

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RECEIVED
7/30/24 4:00pm
B-J

To: The Hon. Therese M. Terlaje, Speaker
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam
Date: July 22, 2024
Re: Bill No. 273-37 (COR)

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Hoping that either federal funds become available or that the Legislature determines to fund the Customer Assistance Program, I sign Bill No. 273-37 into law as **Public Law 37-112**.

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

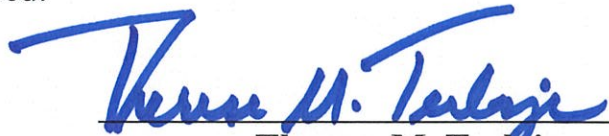
Enclosure(s): Bill No. 273-37 (COR) nka P.L. 37-112

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 273-37 (COR)**, “AN ACT TO ADD A NEW § 14104(p) TO ARTICLE 1 OF CHAPTER 14, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM WATERWORKS AUTHORITY TO ESTABLISH A CUSTOMER ASSISTANCE PROGRAM TO PROMOTE WATER CONSERVATION AND TO FACILITATE REPAIRS ON PRIVATE PROPERTY,” was on the 10th day of July 2024, duly and regularly passed.



Therese M. Terlaje
Speaker

Attested:



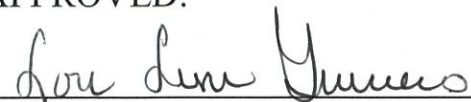
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 10th day of July,
2024, at 4:22 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

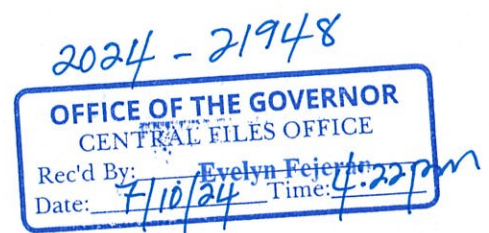
APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: JULY 22, 2024

Public Law No. 37-112



I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 273-37 (COR)

As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning; and further amended on the Floor.

Introduced by:

Sabina Flores Perez
Therese M. Terlaje
Chris Barnett
Joanne M. Brown
Tina Rose Muña Barnes
Telo T. Taitague
Dwayne T.D. San Nicolas
Frank Blas, Jr.
Christopher M. Dueñas
Thomas J. Fisher
Jesse A. Lujan
William A. Parkinson
Roy A. B. Quinata
Joe S. San Agustin
Amanda L. Shelton

AN ACT TO *ADD* A NEW § 14104(p) TO ARTICLE 1 OF CHAPTER 14, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM WATERWORKS AUTHORITY TO ESTABLISH A CUSTOMER ASSISTANCE PROGRAM TO PROMOTE WATER CONSERVATION AND TO FACILITATE REPAIRS ON PRIVATE PROPERTY.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the El Niño Southern Oscillation (ENSO) plays a significant role in precipitation

1 and water availability for Guam. A prolonged El Niño event from 1991 to 1995
2 resulted in the island’s water system’s inability to meet demands during abnormally
3 dry spells. The historical trend is that drought conditions usually follow the wettest
4 year. 2023 was one of the wettest years; and WERI testified, if historical trends
5 continue, that Guam is expected to experience a dry spell, if not drought conditions,
6 in the future.

7 *I Liheslatura* further finds that the importance of repairing or replacing
8 leaking pipes is critical to protecting our water resource from depletion, especially
9 during periods of drought. Additionally, the delayed discovery of and response to
10 water leaks on private property of residents can impact the availability of our water
11 resource, pose economic hardships for some low-income households, and add to
12 non-revenue water loss, which consequently leads to financial loss to the Guam
13 Waterworks Authority (GWA).

14 *I Liheslatura* further finds that assisting residents who have economic
15 difficulty in addressing water leaks on private property and facilitating efficient use
16 of water would mitigate these economic hardships and conserve our water resources.
17 Additionally, reducing water waste on the private property side is an important
18 measure in water resource management, a responsibility of all the residents of Guam,
19 and one which both *I Liheslatura* and GWA support in the interest of the ratepayers
20 of Guam.

21 *I Liheslatura* finds that enabling GWA to enhance its customer assistance
22 initiatives to facilitate leak detection, leak repair, and water conservation activities
23 for low-income customers is essential to the public welfare. Such measures should
24 include access with the consent of the property owner to detect and address leaky
25 pipes in a timely manner, conduct water conservation inspections and assessments,
26 and assist with the procurement and use of water conserving fixtures. Customer
27 assistance initiatives are being implemented in other jurisdictions across the nation

1 in alignment with the water utility industry’s recommendations, and these measures
2 will aid GWA’s implementation of a customer assistance program for low-income
3 households that supports affordable access to clean drinking water, facilitates water
4 conservation education, and promotes the protection of our water resource.

5 *I Liheslaturan Guåhan*, therefore, intends to authorize GWA to assist
6 residential customers through the establishment of an enhanced Customer
7 Assistance Program which, among other things, allows GWA to work with low-
8 income customers to address water leaks on private property in a timely manner in
9 order to ensure access to clean drinking water for all, significantly reduce water loss
10 and associated costs to the ratepayer, and protect our precious water resources.

11 **Section 2.** A new § 14104(p) is *added* to Article 1 of Chapter 14, Division
12 1, Title 12, Guam Code Annotated, to read:

13 “(p) Customer Assistance Program.

14 (1) The Guam Waterworks Authority shall establish a Water and
15 Sewer Assistance Fund for the purpose of providing financial assistance and
16 incentives to residential customers.

17 (2) The Guam Waterworks Authority shall establish a Customer
18 Assistance Program (CAP), pursuant to rules and regulations promulgated
19 through the Administrative Adjudication Law (Chapter 9, Title 5, Guam Code
20 Annotated) to provide financial and other assistance to eligible ratepayers that
21 shall be funded through grants and/or Legislative appropriation deposited into
22 the Water and Sewer Assistance Fund. Ratepayer revenue shall not be used
23 by GWA to fund the CAP program without the express prior approval of the
24 PUC.

25 (3) The Guam Waterworks Authority shall establish income
26 eligibility standards for a residential class ratepayer to receive financial

1 assistance under this Subsection that also includes providing discounts or
2 credits for hard-to-reach low-income customers and/or their landlords.

3 (4) Financial assistance provided under this Subsection shall
4 include:

5 (A) a volumetric discount for water and wastewater services;

6 (B) leak detection and repair services;

7 (C) supplemental bill assistance for hardship; and

8 (D) the reduction or waiver of fees, including late fees.

9 (5) Other assistance provided under this Subsection shall include:

10 (A) water conservation inspection and assessment services;

11 (B) rebates or discounts for the use of water conserving
12 fixtures; and

13 (C) education and information on water conservation practices
14 and resource management.

15 (6) The Guam Waterworks Authority shall submit an annual report
16 to *I Liheslaturan Guåhan* on the CAP program's performance, including the
17 number of beneficiaries, the amount of assistance provided, and an assessment
18 of the program's impact on water conservation and financial relief for low-
19 income households.”

20 **Section 3. Promulgation of Rules and Regulations.** The Guam
21 Waterworks Authority shall promulgate rules and regulations within six (6) months
22 after the enactment of this Act.

23 **Section 4. Severability.** If any provision of this Act or its application to any
24 person or circumstance is found to be invalid or inorganic, such invalidity shall not
25 affect other provisions or applications of this Act that can be given effect without
26 the invalid provision or application, and to this end the provisions of this Act are
27 severable.

1 **Section 5. Effective Date.** This Act shall be effective upon enactment.