



*Territory of Guam*

*Territorio Guam*

OFFICE OF THE GOVERNOR  
LFSINAN I MAGA'LAHI  
AGANA, GUAM 96910 U.S.A.

11/17/89

DEC 30 1988

The Honorable Franklin J.A. Quitugua  
Speaker, Nineteenth Guam Legislature  
Post Office Box CB-1  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is bill 829, which I have signed into law this date as Public Law 19-38. This administration has long supported the concept of development and infrastructure planning, especially in the southern part of Guam.

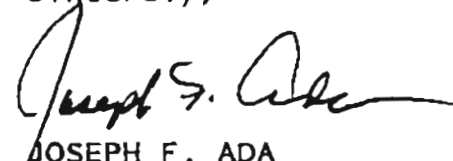
This process promises to meet our twin goals of preserving and protecting the natural beauty, natural resources and the quality lifestyle of Guam, including the southern portion of the island, while ensuring that we are able to bring the necessary infrastructural and service upgrades our southern citizens must have.

It is vital, especially in these booming times, that care and intelligence be exercised in the planning of development and infrastructure requirements, keeping in mind that our first obligation is always to the people of Guam and their welfare.

I am also pleased to see that the villages of Yigo and Talofofo will be receiving fire stations as a result of our action. There is no doubt that the protection of our people through the provision of adequate and timely fire-fighting services is one of the highest responsibilities of government.

I want to congratulate Senator Jerry Rivera who has worked so hard to protect the people of the south, as well as all senators who in this measure join with the administration in doing what should indeed be done for the entire Island of Guam ... sensible and reasonable planning.

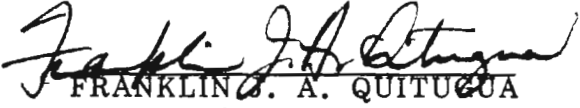
Sincerely,

  
JOSEPH F. ADA  
Governor

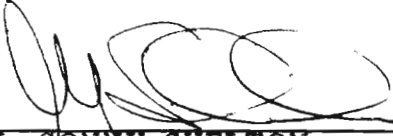
NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 829 "AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH AND FOR OTHER PURPOSES," was on the 19th day of December, 1988, duly and regularly passed.

  
FRANKLIN A. QUITUZA  
Speaker

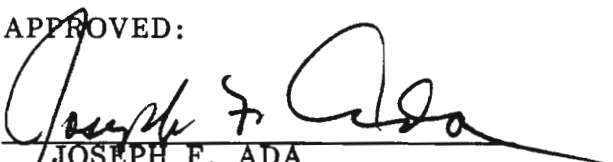
Attested:

  
A. J. SONNY SHELTON  
Senator and Acting Legislative Secretary

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This Act was received by the Governor this 19 day of Dec, 1988,  
at 10.15 o'clock p.m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
JOSEPH F. ADA  
Governor of Guam

Date: DEC 30 1988

Public Law No. 19-38

NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular Session

Bill No. 829 (1s)  
(AS SUBSTITUTED)

Introduced by:

J.M. Rivera  
J.F. Quan  
F.J. Gutierrez  
A.C. Lamorena III  
J.G. Bamba  
E.R. Duenas  
E. Espaldon  
M.D. Manibusan  
J. Miles  
M.C. Ruth  
F.J.A. Quitugua  
D. Parkinson  
J.T. San Agustin  
M. Hartsock  
P.C. Lujan  
E. Arriola  
F. Santos  
T. Nelson  
A.J. Shelton  
H.D. Dierking  
M.Z. Bordallo

AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT  
TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN  
FOR THE SOUTH AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Geographical Definition. The task force created by this Act (hereinafter, "Task Force") is hereby charged with the duty, as specified by this Act, to develop a comprehensive development masterplan (hereinafter "Southern Masterplan" or "Masterplan") for the following villages: Agat, Santa Rita, Umatac, Merizo, Inarajan, Malojloj, Talofoyo and Yona, and such areas adjacent to or located in between said villages, including, but not limited

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to, any offshore areas such as Cocos Island and any body of water as to which the Government of Guam has jurisdiction to develop; and since some of the plans or projects to be advanced by the Task Force may have incidental effect, residue, application or extension related to other geographical areas under the jurisdiction of the Government of Guam, the Task Force may, when necessary and proper, extend the application of the Southern Masterplan to such affected areas.

Section 2. Appropriation. The sum of Three Hundred Thousand Dollars (\$300,000.00) is designated as a budget for the Task Force work. The Director of Bureau of Budget and Management Research ("hereinafter "BBMR") shall be responsible for providing the Task Force with the necessary funds to accomplish its work. The Director of BBMR shall use first the following sources of existing appropriations: (a) any existing appropriations in the budget of the Bureau of Planning which may be used for the kind of work with which the Task Force is charged; to be supplement, if necessary by (b) funds from the General Fund appropriated pursuant to this section, which are hereby appropriated. The appropriation from the General Fund shall not, at any event, exceed the sum of Three Hundred Thousand Dollars (\$300,000.00).

The Chairperson of the Task Force shall be responsible for developing a set of written guidelines to control the expenditure of said budget. A report, detailing

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expenditure, shall be appended to the final Southern Masterplan of the Task Force. Said report shall be audited and approved by the Bureau of Budget and Management Research. In the event that the final Masterplan is not produced within six (6) months following enactment of this Act, an interim report shall be produced at the end of said six month period, and every six month period thereafter. Such interim reports shall also be audited and approved by the Bureau of Budget and Management Research, and appended to the final Southern Masterplan of the Task Force.

Section 3. Environmental Impact. The Task Force shall include an Environmental Impact Report in its draft Masterplan and any subsequent Masterplan, detailing the impact of the Southern Development Plan on the ecology of the areas subject to the Masterplan. Said report shall be approved by the Guam Environmental Protection Agency prior to its inclusion in the draft masterplan.

Section 4. Public Hearings. The Task Force shall produce an initial draft of the Southern Masterplan which, then, shall be subject to public discussion in the form of public hearings. The Chairperson of the Task Force shall append to the draft Masterplan, a schedule for such public hearings which will include dates, locations, issues to be discussed in each hearing, recording and reporting procedures; and within thirty (30) days of the conclusion of the last public hearing, the Task Force shall issue a report summarizing the issues and concerns raised during the

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public hearings. Thereafter said input shall be used in conjunction with the draft Masterplan to produce a final Masterplan. The final Masterplan will be in the form of a draft legislation and will be submitted to the Governor for review. Such review, which will include legal and budgetary analysis, will be concluded within (60) days from submission of the Masterplan to the Governor. Upon completion of the review the Governor shall submit legislation containing the Masterplan to the Legislature to be introduced in his behalf. In the event that the Governor fails to submit such legislation within said sixty (60) days, he shall issue a written public report detailing his reasons for declining to submit the Masterplan. The final Masterplan, and memoranda containing the legal and budgetary analyses will be appended to the public report.

Section 5. Task Force Membership. The Director of the Bureau of Planning shall serve as the chairperson of the Task Force. In addition the Task Force will include the Director of the Department of Commerce, the Director of the Department of Land Management, the Administrator of the Guam Environmental Protection Agency, the Administrator of the Guam Economic Development Authority, the General Manager of Guam Visitors Bureau, all Commissioners from the villages specified in Section 1, hereinabove, a representative of the Chamber of Commerce and a member of the public at large to be chosen by the Governor. The Chamber of Commerce may

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however decline to participate in this Task Force. Each Director or Administrator may appoint a permanent representative from his or her office to attend meetings in his or her stead, provided, however, that the Director or Administrator shall bear ultimate responsibility for the actions of such representative.

Section 6. The Masterplan. It shall be the duty of the Task Force to produce a detailed development Masterplan for the geographical area described in Section 1 of this Act. This plan will include the following areas: infrastructure, including: electricity, water, sewage, roads, and communication; tourism; population enhancement; commercial development; industry; zoning; anthropological and archeological preservation; ecological protection; and agriculture, and such incidental matters and issues necessarily related to the areas enumerated in this section. The Task Force may establish committees responsible for any one of these areas. The Task Force shall produce a detailed five-year subplan, and a more general subplan for a period of twenty (20) years. The Task Force shall complete the final Masterplan no later than one year from the date it first convenes. The chairperson may appoint ex-officio members to any committee from any agency, such as Guam Power Authority, Department of Public Works, Public Utility Agency of Guam, etc., and may require attendance or presentation by such agency at any given session of the Task Force or its

committees. A ten-day notice shall be provided to any employee of the Government of Guam, or any other witness prior to his testimony or attendance, which notice will specify which issues are to be discussed by such employee. The Director or Administrator of such agency may choose a suitable substitute for the employee whose presence is requested by the Task Force. Failure to respond to a notice to appear before the Task Force or any of its committees shall be a petty misdemeanor.

Section 7. Duty of Cooperation. It shall be the duty of each department or agency of the Administrator to cooperate and assist the Task Force in accomplishing its mission. Such duty shall include access to all relevant documents, information, personnel, legal economic and environmental analysis, manpower, machinery, data, computers, software, vehicles and any other kind of assistance deemed necessary and proper for accomplishing the Task Force's mission. The Governor of Guam shall be responsible for speedy resolution of any dispute related to interagency action, or lack thereof, as delineated above. The chairperson may request written legal opinions from the Attorney General regarding any legal matter related to the Task Force work. The Attorney General shall produce and deliver the requested legal opinion in writing within fifteen (15) days from the date of receiving the request.

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Section 8. Majority and Quorum. A majority of the Task Force members shall constitute a quorum. A majority of the members present may undertake any decision necessary for its purposes. It shall be the duty of each member to attend each meeting of this Task Force. Failure to attend more than three (3) meetings shall be brought to the attention of the Governor.

Section 9. Professional and Technical Assistance. In the event that the Task Force determines, by a majority vote, that it has a need for professional or technical assistance which is not available, pursuant to Section 7, above, from sources within the Government of Guam, the Task Force may contract with firms or individuals from the private sector. No person employed by the Government of Guam may be hired pursuant to this section. The Task Force may appoint one of its members to negotiate with individuals or firms to be hired in accordance with this section, but any final agreement will be subject to approval by the Task Force. A team of qualified planners, which would include planners from the Bureau of Planning and the Department of Land Management, experienced in the areas of land usage requirements, technical zoning requirements, building law requirements, and other legal and regulatory requirements pertaining to development of real property, whether onshore or offshore shall be provided to the Task Force by the Governor upon a request from the Task Force. In the event

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that the Task Force determines that outside assistance is necessary in order to assist the team of planners, such assistance may be contracted for the private sector, provided however, that the Director of the Bureau of Planning submits a detailed recommendation delineating the nature of the assistance needed, the projected cost of such hiring, a list of qualified candidates, and an estimate of the amount of time such services will be needed. The team of planners shall be responsible for producing all necessary maps, charts, diagrams and similar aids for the Southern Masterplan. The Director of the Bureau of Planning shall oversee the work of the team of planners including outside assistance, if any, and shall be responsible for coordination between the Task Force, or any committee created pursuant to Section 6 of the Act and the team of planners, and shall submit to the Task Force a monthly progress report describing progress made and outlining problems encountered by the team of planners. It shall be the duty of the chairperson to coordinate the Task Force's work with the Central Planning Council and to insure compliance with existing legislation such as Public Laws 12-200 (GC Sections 62010 - 62024) and Public Law 13-89 (as amended, respectively) and any other existing legislation which may have an effect on the Task Force's work and procedures. In the event of a conflict between Public Laws 12-200 or 13-89 (as amended) and this Act, the mandates of this Act shall prevail.

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Section 10. It is the intent of the Legislature that the Task Force shall commence the process of locating the necessary funds for implementation of the five-year subplan. Due to the existing deficit of the Government of Guam and the magnitude of the Masterplan, special emphasis is placed on locating financial resources without the General Fund. In addition, since the implementation of the Masterplan may be highly beneficial to the Department of Defense and other departments and agencies of the federal government, as well as the private sector, the Director of Bureau of Planning shall utilize those powers available to him pursuant to GC Section 62019 to promote implementation of the Southern Masterplan. A report of grants, loans, contributions, appropriations, and assistance either from the federal government, or any other source, public or private, which may be used for implementation of the Southern Masterplan shall be either incorporated into or appended to the final Masterplan. For purpose of this section, the Director of Bureau of Planning, or the Governor, may negotiate with any federal agency for funds or other assistance to be utilized in implementation of the Southern Masterplan. The Task Force may also recommend a scheme of taxation, fees, deposits and other such financial mechanism pursuant to the intent of this section.

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Section 11. The sum of One Million One Hundred Ninety-Seven Thousand Seven Hundred and Fifty Two Dollars (\$1,197,752.00) is appropriated from the General Fund to the Guam Fire Department for the purpose of construction, equipment purchase, and assignments of personnel as follows: To construct a fire station in the village of Yigo with the capacity of housing two (2) large fire trucks, a corresponding live-in area for the crew, a kitchen/dining area, a communications center, parking area for employees and government vehicles, and in order to create and provide for a fire unit comprising of sixteen fire fighters and support personnel.

Section 12. The sum of One Million One Hundred Ninety Seven Thousand Seven Hundred and Fifty Two Dollars (\$1,197,752.00) is appropriated from the General Fund to the Guam Fire Department for the purpose of construction, equipment purchase, and assignment of personnel as follows: To construct a fire station in the village of Talofofo with the capacity of housing two (2) large fire trucks, a corresponding live-in area for the crew, a kitchen/dining area, a communications center, parking area for employees and the government vehicles, and in order to create and provide for a fire unit comprising of sixteen fire fighters and support personnel.

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Section 13. The Fire Chief of the Guam Fire Department shall be responsible for coordinating the construction, purchase of equipment, designation of location and speedy completion of the fire stations in the villages of Yigo and Talofofo, and their maintenance until the end of the budget year in which said stations were completed. In the interest of expediting the construction of the above stations, the Chief shall use available plans and blueprints, used in the construction of past stations which can be used for the construction of two stations.

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SENATOR DON PARKINSON  
19th GUAM LEGISLATURE  
163 CHALAN SANTO PAPA STREET  
AGANA, GUAM 96910

December 18, 1988

Honorable Franklin Quitugua  
Speaker, 19th Guam Legislature  
P.O. Box CB-1  
Agana, Guam 96910

Dear Speaker:

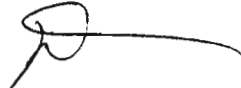
The Committee on Energy, Utilities and Consumer Protection wishes to report out its findings on Bill No. 829: AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH.

The Committee voting record is as follows:

AYES	-10-	_____
NAYS	-0-	_____
ABSTENTIONS	-2- (Not Voting)	_____
REPORT OUT	-0-	_____
OFF-ISLAND	-0-	_____

A copy of the Committee Report and all pertinent documents are attached for your information.

Sincerely,



Senator Don Parkinson  
Chairman, Committee on  
Energy, Utilities and  
Consumer Protection

COMMITTEE ON ENERGY, UTILITIES AND CONSUMER  
PROTECTION

Voting Sheet on Bill No. 829:

"AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK  
FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE  
SOUTH.

<u>COMMITTEE MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>COMMENT</u>
Sen. Don Parkinson	<i>[Signature]</i>	_____	_____	_____
Sen. A.J. Sonny Shelton	<i>[Signature]</i>	_____	_____	_____
Sen. Franklin Gutierrez	<i>[Signature]</i>	_____	_____	_____
Sen. Herminia Dierking	<i>[Signature]</i>	_____	_____	_____
Sen. Marilyn Manibusan	<i>[Signature]</i>	_____	_____	_____
Sen. Martha Ruth	<i>[Signature]</i>	_____	_____	_____
Sen. Marcia Hartsock	<i>[Signature]</i>	_____	_____	_____
Sen. Jerry Rivera	<i>[Signature]</i>	_____	_____	_____
Sen. George Bamba	<i>[Signature]</i>	_____	_____	_____
Sen. Madeleine Bordallo	_____	_____	_____	_____
Sen. Jim Miles	<i>[Signature]</i>	_____	_____	_____
Speaker Quitugua	<i>[Signature]</i>	_____	_____	_____

REPORT OF THE COMMITTEE ON ENERGY, UTILITIES  
AND CONSUMER PROTECTION ON BILL NO. 829: AN ACT  
RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE  
TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH.

PREFACE

The Committee on Energy, Utilities and Consumer Protection conducted a public hearing on Monday, July 25, 1988 at 2:00 p.m. in the Legislative Session Hall on Bill No. 829: An act relative to establishing and funding a joint task force to create a comprehensive development plan for the South. Present at the public hearing were: Senator Don Parkinson, Chairman; Senator Sonny Shelton, Vice-Chairman; Senator George Bamba, member; Senator Martha Ruth, member; and Senator Marcia Hartsock, member.

TESTIMONY

Appearing before the Committee to testify is Mr. Vicente Bernardo, Yona Commissioner. Mr. Bernardo verbally testified that he is in favor of the passage of this Bill. Written testimony was submitted to the Committee by Mr. Peter R. Barcinas, Acting Director of the Department of Commerce. The testimony labeled Exhibit "A", stated in favor of the Bill and encourages all proponents of the development master plan for the South to join together in a cohesive effort to see that this becomes a reality. Several studies were formulated for the plan by the Department of Commerce since their support of this Bill is of great importance to the people of the South. The South is known for their efforts to perpetuate those social/cultural characteristics that make Guam unique. Recommendations proposed by the Department of Commerce to include the requirement of having a social impact study done which would examine the impacts of development on the residents of the Southern villages in this Bill.

Mr. Joey B. Cepeda, General Manager of the Guam Visitors Bureau submitted a written testimony, labeled Exhibit "B". The management is in support of Bill No. 829. The testimony stated that the Development of the South would quell arguments that the South is being neglected. This will create employment opportunities and will upgrade



facilities in the South. One major obstacles could be the environmental impact that might be caused by this Development. Guam's foremost attraction as a tourist destination is her lush, tropical beauty located at the Southern tip of the island.

Recommendations for the passage of the Bill was unanimously approved by the Senators present at the public hearing.

#### COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee on Energy, Utilities and Consumer Protection of the 19th Guam Legislature finds that the Establishing a Joint Task Force to Create a Comprehensive Development Plan for the South highly recommended because of the attraction and economic development it will provide the people of the South with. Therefore, the Committee on Energy, Utilities and Consumer Protection hereby recommends the passage of Bill No. 829 to be passed by the 19th Guam Legislature.

#### EXHIBITS

- Exhibit "A"      Written testimony submitted by Mr. Peter R. Barcinas, Acting Director, Department of Commerce.
- Exhibit "B"      Written testimony submitted by Mr. Joey B. Cepeda, General Manager, Guam Visitors Bureau.

ROLL CALL SHEET

Bill No. 929

DATE: 12/19/88

Res No. \_\_\_\_\_

QUESTION: \_\_\_\_\_

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
E. P. Arriola	✓			
J. G. Bamba	✓			
M. Z. Bordallo	✓			
H. D. Dierking	✓			
E. R. Duenas	✓			
E. M. Espaldon	✓			
F. J. Gutierrez	✓			
M. K. Hartsock	✓			
P. C. Lujan				✓
M. D. A. Manibusan	✓			
J. G. Miles	✓			
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. A. Quitugua	✓			
J. M. Rivera	✓			
M. C. Ruth	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
A. J. Shelton	✓			

18

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39

NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular Session

Bill No. 829 (1s)  
(AS SUBSTITUTED)

Introduced by:

*6/22/88*

J.M. Rivera  
J.F. Quan  
F.J. Gutierrez  
A.C. Lamorena III  
J.G. Bamba  
E.R. Duenas  
E. Espaldon  
M.D. Manibusan  
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AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT  
TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN  
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to, any offshore areas such as Cocos Island and any body of water as to which the Government of Guam has jurisdiction to develop; and since some of the plans or projects to be advanced by the Task Force may have incidental effect, residue, application or extension related to other geographical areas under the jurisdiction of the Government of Guam, the Task Force may, when necessary and proper, extend the application of the Southern Masterplan to such affected areas.

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Section 8. Majority and Quorum. A majority of the Task Force members shall constitute a quorum. A majority of the members present may undertake any decision necessary for its purposes. It shall be the duty of each member to attend each meeting of this Task Force. Failure to attend more than three (3) meetings shall be brought to the attention of the Governor.

Section 9. Professional and Technical Assistance. In the event that the Task Force determines, by a majority vote, that it has a need for professional or technical assistance which is not available, pursuant to Section 7, above, from sources within the Government of Guam, the Task Force may contract with firms or individuals from the private sector. No person employed by the Government of Guam may be hired pursuant to this section. The Task Force may appoint one of its members to negotiate with individuals or firms to be hired in accordance with this section, but any final agreement will be subject to approval by the Task Force. A team of qualified planners, which would include planners from the Bureau of Planning and the Department of Land Management, experienced in the areas of land usage requirements, technical zoning requirements, building law requirements, and other legal and regulatory requirements pertaining to development of real property, whether onshore or offshore shall be provided to the Task Force by the Governor upon a request from the Task Force. In the event

that the Task Force determines that outside assistance is necessary in order to assist the team of planners, such assistance may be contracted for the private sector, provided however, that the Director of the Bureau of Planning submits a detailed recommendation delineating the nature of the assistance needed, the projected cost of such hiring, a list of qualified candidates, and an estimate of the amount of time such services will be needed. The team of planners shall be responsible for producing all necessary maps, charts, diagrams and similar aids for the Southern Masterplan. The Director of the Bureau of Planning shall oversee the work of the team of planners including outside assistance, if any, and shall be responsible for coordination between the Task Force, or any committee created pursuant to Section 6 of the Act and the team of planners, and shall submit to the Task Force a monthly progress report describing progress made and outlining problems encountered by the team of planners. It shall be the duty of the chairperson to coordinate the Task Force's work with the Central Planning Council and to insure compliance with existing legislation such as Public Laws 12-200 (GC Sections 62010 - 62024) and Public Law 13-89 (as amended, respectively) and any other existing legislation which may have an effect on the Task Force's work and procedures. In the event of a conflict between Public Laws 12-200 or 13-89 (as amended) and this Act, the mandates of this Act shall prevail.

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Section 10. It is the intent of the Legislature that the Task Force shall commence the process of locating the necessary funds for implementation of the five-year subplan. Due to the existing deficit of the Government of Guam and the magnitude of the Masterplan, special emphasis is placed on locating financial resources without the General Fund. In addition, since the implementation of the Masterplan may be highly beneficial to the Department of Defense and other departments and agencies of the federal government, as well as the private sector, the Director of Bureau of Planning shall utilize those powers available to him pursuant to GC Section 62019 to promote implementation of the Southern Masterplan. A report of grants, loans, contributions, appropriations, and assistance either from the federal government, or any other source, public or private, which may be used for implementation of the Southern Masterplan shall be either incorporated into or appended to the final Masterplan. For purpose of this section, the Director of Bureau of Planning, or the Governor, may negotiate with any federal agency for funds or other assistance to be utilized in implementation of the Southern Masterplan. The Task Force may also recommend a scheme of taxation, fees, deposits and other such financial mechanism pursuant to the intent of this section.

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Section 11. The sum of One Million One Hundred Ninety-Seven Thousand Seven Hundred and Fifty Two Dollars

(\$1,197,752.00) is appropriated from the General Fund to the Guam Fire Department for the purpose of construction,

equipment purchase, and assignments of personnel as follows:

To construct a fire station in the village of Yigo with the

capacity of housing two (2) large fire trucks, a

corresponding live-in area for the crew, a kitchen/dining

area, a communications center, parking area for employees

and government vehicles, and in order to create and provide

for a fire unit comprising of sixteen fire fighters and

support personnel.

Section 12. The sum of One Million One Hundred Ninety-Seven Thousand Seven Hundred and Fifty Two Dollars

(\$1,197,752.00) is appropriated from the General Fund to the

Guam Fire Department for the purpose of construction,

equipment purchase, and assignment of personnel as follows:

To construct a fire station in the village of Talofofo with

the capacity of housing two (2) large fire trucks, a

corresponding live-in area for the crew, a kitchen/dining

area, a communications center, parking area for employees

and the government vehicles, and in order to create and

provide for a fire unit comprising of sixteen fire fighters

and support personnel.

Section 13. The Fire Chief of the Guam Fire Department shall be responsible for coordinating the construction, purchase of equipment, designation of location and speedy completion of the fire stations in the villages of Yigo and Talofofo, and their maintenance until the end of the budget year in which said stations were completed. In the interest of expediting the construction of the above stations, the Chief shall use available plans and blueprints, used in the construction of past stations which can be used for the construction of two stations.

MAR 24 '88

NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular Session

Bill No. 829 (LS)

Introduced By:

- J.M. Rivera *J.M. Rivera*
- J.F. Quan *J.F. Quan*
- F.J. Gutierrez *F.J. Gutierrez*
- A.C. Lamorena III
- ~~T.C.~~ Bamba *T.C. Bamba*
- E.R. Duenas *E.R. Duenas*
- E. Espaldon
- M.D. Manibusan *M.D. Manibusan*
- J. Miles *J. Miles*
- M.C. Ruth *M.C. Ruth*
- F.J.A. Quitugua *F.J.A. Quitugua*

AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Geographical Definition. The task force created by this Act (hereinafter, "Task Force") is hereby charged with the duty, as specified by this Act, to develop a comprehensive development masterplan (hereinafter "Southern Masterplan" or "Masterplan") for the following villages: Agat, Santa Rita, Umatac, Merizo, Inarajan, Malojloj, Talofofu and Yona, and such areas adjacent to or located in between said villages, including, but not limited to, any offshore areas such as Cocos Island and any body of water as to which the Government of Guam has jurisdiction to develop; and since some of the plans or projects to be advanced by the Task Force may have incidental effect, residue, application or extension related to other geographical areas under the jurisdiction of the Government of Guam, the Task Force may, when necessary and proper, extend the application of the Southern Masterplan to such affected areas.

Section 2. Appropriation. The sum of Three Hundred Thousand Dollars (\$300,000.00) is designated as a budget for the Task Force work. The Director of Bureau of Budget and Management Research ["hereinafter "BMBR"] shall be responsible

for providing the Task Force with the necessary funds to accomplish its work. The Director of BMBR shall use first the following sources of existing appropriations: (a) any existing appropriations in the budget of the Bureau of Planning which may be used for the kind of work with which the Task Force is charged; to be supplement, if and when necessary by (b) funds from the General Fund appropriated pursuant to this section, which are hereby appropriated. The appropriation from the General Fund shall not, at any event, exceed the sum of Three Hundred Thousand Dollars (\$300,000.00).

The chairperson of the Task Force shall be responsible for developing a set of written guidelines to control the expenditure of said budget. A report, detailing expenditure, shall be appended to the final Southern Masterplan of the Task Force. Said report shall be audited and approved by the Bureau of Budget and Management Research. In the event that the final Masterplan is not produced within six (6) months following enactment of this Act, an interim report shall be produced at the end of said six month period, and every six month period thereafter. Such interim reports shall also be audited and approved by the Bureau of Budget and Management Research, and appended to the final Southern Masterplan of the Task Force.

Section 3. Environmental Impact. The Task Force, shall include an Environmental Impact Report in its draft Masterplan and any subsequent Masterplan, detailing the impact of the Southern Development Plan on the ecology of the areas subject to the Southern Masterplan. Said report shall be approved by the Guam Environmental Protection Agency prior to its inclusion in the draft masterplan.

Section 4. Public Hearings. The Task Force shall produce an initial draft of the Southern Masterplan which, then, shall be subject to public discussion in the form of public hearings. The Chairperson of the Task Force shall append to the draft Masterplan, a schedule for such public hearings which will include dates, locations, issues to be discussed in each

hearing, recording and reporting procedures; and within thirty (30) days of the conclusion of the last public hearing, the Task Force shall issue a report summarizing the issues and concerns raised during the public hearings. Thereafter said input shall be used in conjunction with the draft Masterplan to produce a final Masterplan. The final Masterplan will in the form of a draft legislation and will be submitted to the Governor for review. Such review, which will include legal and budgetary analysis, will be concluded within sixty (60) days from submission of the Masterplan to the Governor. Upon completion of the review the Governor shall submit legislation containing the Masterplan to the Legislature to be introduced in his behalf. In the event that the Governor fails to submit such legislation within said sixty (60) days, he shall issue a written public report detailing his reasons for declining to submit the Masterplan. The final Masterplan, and memoranda containing the legal and budgetary analyses will be appended to the public report.

Section 5. Task Force Membership. The Director of the Bureau of Planning shall serve as the chairperson of the Task Force. In addition the Task Force will include the Director of the Department of Commerce, the Director of the Department of Land Management, the Administrator of the Guam Environmental Protection Agency, the Administrator of the Guam Economic Development Authority, the General Manager of Guam Visitors Bureau, all Commissioners from the villages specified in Section 1, hereinabove, a representative of the Chamber of Commerce and a member of the public at large to be chosen by the Governor. The Chamber of Commerce may however decline to participate in this Task Force. Each Director or Administrator may appoint a permanent representative from his or her office to attend meetings in his or her stead, provided, however, that the Director or Administrator shall bear ultimate responsibility for the actions of such representative.

Section 6. The Masterplan. It shall be the duty of the



Task Force to produce a detailed development Masterplan for the geographical area described in Section 1 of this Act. This plan will include the following areas: infrastructure, including: electricity, water, sewage, roads, and communication; tourism; population enhancement; commercial development; industry; zoning; anthropological and archeological preservation; ecological protection; and agriculture, and such incidental matters and issues necessarily related to the areas enumerated in this section. The Task Force may establish committees responsible for any one of these areas. The Task Force shall produce a detailed five-year subplan, and a more general subplan for a period of twenty (20) years. The Task Force shall complete the final Masterplan no later than one year from the date it first convenes. The chairperson may appoint ex officio members to any committee from any agency, such as Guam Power Authority, Department of Public Works, Public Utility Agency of Guam, etc., and may require attendance or presentation by such agency at any given session of the Task Force or its committees. A ten-day notice shall be provided to any employee of the Government of Guam, or any other witness prior to his testimony or attendance, which notice will specify which issues are to be discussed by such employee. The Director or Administrator of such agency may choose a suitable substitute for the employee whose presence is requested by the Task Force. Failure to respond to a notice to appear before the Task Force or any of its committees shall be a petty misdemeanor.

Section 7. Duty of Cooperation. It shall be the duty of each department or agency of the Administration to cooperate and assist the Task Force in accomplishing its mission. Such duty shall include access to all relevant documents, information, personnel, legal economic and environmental analysis, manpower, machinery, data, computers, software, vehicles and any other kind of assistance deemed necessary and proper for accomplishing the Task Force's mission. The

Governor of Guam shall be responsible for speedy resolution of any dispute related to interagency action, or lack thereof, as delineated above. The chairperson may request written legal opinions from the Attorney General regarding any legal matter related to the Task Force work. The Attorney General shall produce and deliver the requested legal opinion in writing within fifteen (15) days from the date of receiving the request.

Section 8. Majority and Quorum. A majority of the Task Force members shall constitute a quorum. A majority of the members present may undertake any decision necessary for its purposes. It shall be the duty of each member to attend each meeting of this Task Force. Failure to attend more than three (3) meetings shall be brought to the attention of the Governor.

Section 9. Professional and Technical Assistance. In the event that the Task Force determines, by a majority vote, that it has a need for professional or technical assistance which is not available, pursuant to Section 7, above, from sources within the Government of Guam, the Task Force may contract with firms or individuals from the private sector. No person employed by the Government of Guam may be hired pursuant to this section. The Task Force may appoint one of its members to negotiate with individuals or firms to be hired in accordance with this section, but any final agreement will be subject to approval by the Task Force. A team of qualified planners, which would include planners from the Bureau of Planning and the Department of Land Management, experienced in the areas of land usage requirements, technical zoning requirements, building law requirements, and other legal and regulatory requirements pertaining to development of real property, whether onshore or offshore shall be provided to the Task Force by the Governor upon a request from the Task Force. In the event that the Task Force determines that outside assistance is necessary in order to assist the team of planners, such assistance may be contracted for from the

private sector, provided however, that the Director of the Bureau of Planning submits a detailed recommendation delineating the nature of the assistance needed, the projected cost of such hiring, a list of qualified candidates, and an estimate of the amount of time such services will be needed. The team of planners shall be responsible for producing all necessary maps, charts, diagrams and similar aids for the Southern Masterplan. The Director of the Bureau of Planning shall oversee the work of the team of planners including outside assistance, if any, and shall be responsible for coordination between the Task Force, or any committee created pursuant to Section 6 of this Act and the team of planners, and shall submit to the Task Force a monthly progress report describing progress made and outlining problems encountered by the team of planners. It shall be the duty of the chairperson to coordinate the Task Force's work with the Central Planning Council and to insure compliance with existing legislation such as Public Laws 12-200 (GC §§62010 - 62024) and Public Law 13-89 (as amended, respectively) and any other existing legislation which may have an effect on the Task Force's work and procedures. In the event of a conflict between Public Laws 12-200 or 13-89 (as amended) and this Act, the mandates of this Act shall prevail.

Section 10. It is the intent of the Legislature that the Task Force shall commence the process of locating the necessary funds for implementation of the five-year subplan. Due to the existing deficit of the Government of Guam and the magnitude of the Masterplan, special emphasis is placed on locating financial resources without the General Fund. In addition, since the implementation of the Masterplan may be beneficial to the Department of Defense and other departments and agencies of the federal government, as well as the private sector, the Director of the Bureau of Planning shall utilize those powers available to him pursuant to GC §62019 to promote implementation of the Southern Masterplan. A report of grants,

loans, contributions, appropriations, and assistance either from the federal government, or any other source, public or private, which may be used for implementation of the Southern Masterplan shall be either incorporated into or appended to the final Masterplan. For purposes of this section, the Director of the Bureau of Planning, or the Governor may negotiate with any federal agency for funds or other assistance to be utilized in implementation of the Southern Masterplan. The Task Force may also recommend a scheme of taxation, fees, deposits and other such financial mechanisms pursuant to the intent of this section.

Bill No. 829

Date Received 5/5/88

Mandatory Bill Yes  No

Date Reviewed 5/11/88

Department/Agency Affected: Bureau of Planning

Department/Agency Head: Peter Leon Guerrero

Total Fiscal Year Appropriation: \$403,543

Bill Title (concise): An Act Relative to Establishing and Funding a Joint Task Force to create a Comprehensive Development Plan for the South.

Change in Law: N/A

Bill Attempts to:

Bill is for:

- Increase Program Funding
- Decrease Program Funding
- Reallocate Present Program Funding

- Operations
- Capital Improvement
- Other Master Plan

FINANCIAL/PROGRAM IMPACT

Minimum Estimated Required Funds (For Five Years)

<u>PROGRAM CATEGORIES</u>	<u>GENERAL FUND</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>Gov't.-Wide Support</u>	<u>\$300,000</u>		
<u>GRAND TOTAL</u>	<u>\$300,000</u>		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS

<u>SOURCES</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>
<u>General Fund</u>	<u>\$300,000</u>				
<u>Federal Fund</u>					
<u>Other Fund</u>					
<u>GRAND TOTAL</u>	<u>\$300,000</u>				

ESTIMATED MULTI-YEAR REALIZED REVENUES

<u>SOURCES</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>
<u>General Fund</u>	<u>No revenue will result from this Act.</u>				
<u>Federal Fund</u>					
<u>Other Fund</u>					
<u>GRAND TOTAL</u>					

T. Jess Rivera

PROGRAM ANALYST

Michael J. Reidy

DIRECTOR

Date Review Terminated: \_\_\_\_\_

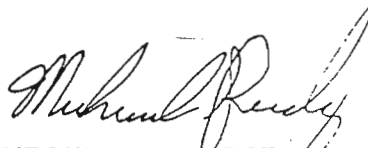
Comments on Bill 829

General Comments:

It should be noted that the Budget Office Estimated General Fund Revenue for Fiscal Year 1988 is at a level of \$236 million. The General Fund appropriations contained in P.L. 19-10 as well as subsequent legislation up to P.L. 19-17 total \$246 million resulting in a General Fund over-appropriation to date of \$10 million. Additional appropriations against the General Fund will increase this shortfall further and exacerbate the cumulative deficit position of the General Fund.

Additional Comments:

Section 2 of the Bill attempts to minimize the fiscal impact of the Bill by authorizing the transfer of lapses from the current Bureau of Planning Budget into the Task Force Fund. This however is not a realistic approach since the total BOP FY1988 Budget is only \$403,543 to begin with. In addition, any lapses from BOP would already have been earmarked for addressing shortfalls from other areas of the existing FY1988 Executive Budget.

  
MICHAEL J. REIDY

NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular SessionBill No. 211/LS)

Introduced by:

J.M. Rivera *JMR*

AN ACT TO APPROPRIATE TWO MILLION THREE HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED FOUR DOLLARS (\$2,395,504.00) FOR THE CONSTRUCTION, PURCHASE OF EQUIPMENT AND ASSIGNMENT OF PERSONNEL FOR FIRE STATIONS IN THE VILLAGES OF YIGO AND TALOFOFO.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. The sum of One Million One Hundred Ninety Seven Thousand Seven Hundred and Fifty Two Dollars (\$1,197,752.00) is appropriated from the General Fund to the Guam Fire Department for the purpose of construction, equipment purchase and assignment of personnel as follows: To construct a fire station in the village of Yigo with the capacity of housing two (2) large fire trucks, a corresponding live-in area for the crew, a kitchen/dining area, a communications center, parking area for employees and government vehicles, and in order to create and provide for a fire unit comprising of sixteen fire fighters and support personnel.

Section 2. The sum of One Million One Hundred Ninety Seven Thousand Seven Hundred and Fifty Two Dollars (\$1,197,752.00) is appropriated from the General Fund to the Guam Fire Department for the purpose of construction, equipment purchase and assignment of personnel as follows: To construct a fire station in the village of Talofofu with the capacity of housing two (2) large fire trucks, a corresponding live-in area for the crew, a kitchen/dining area, a communications center, parking area for employees and government vehicles, and in order to create and provide for a fire unit comprising of sixteen fire fighters and

support personnel.

Section 3. The Fire Chief of the Guam Fire Department shall be responsible for coordinating the construction, purchase of equipment, designation of location and speedy completion of the fire stations in the villages of Yigo and Talofofo, and their maintenance until the end of the budget year in which said stations were completed. In the interest of expediting the construction of the above stations, the Chief shall use available plans and blueprints used in the construction of past stations which can be used for the construction of the two stations.





DEPARTMENT OF COMMERCE  
GOVERNMENT OF GUAM  
590 SOUTH MARINE DRIVE  
SUITE 601, 6th FLOOR GITC BLDG.  
TAMUNING, GUAM 96911

July 6, 1988

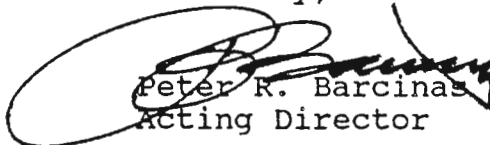
Senator Don Parkinson  
Chairman, Committee on Energy,  
Utilities and Consumer Protection  
19th Guam Legislature  
163 Chalan Santo Papa Street  
Agana, Guam 96910

Dear Senator Parkinson:

I would like to submit written testimony on Bill No. 829, An Act Relative to Establishing and Funding a Joint Task Force to Create A Comprehensive Development Plan for the South. Please find my testimony attached.

Thank you for the opportunity to present Department of Commerce's testimony.

Sincerely,

  
Peter R. Barcinas  
Acting Director

NOTE: Approved by the Legislative Review Committee 7/18/88.

Date/Time Recd	7/19/88
Received by	B. Barcinas
Exec. Asst	
SENATOR	
Memo File by	
Orig. Filed at	
Orig. Filed by	
Other Action	

DEPARTMENT OF COMMERCE

PETER R. BARCINAS

ACTING DIRECTOR

JULY 6, 1988

TESTIMONY ON BILL NO. 829, AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH

We are here to testify in favor of Bill No. 829 and to encourage all proponents of the development master plan for the South to join together in a cohesive effort to see that this becomes a reality.

My department has been actively working for the formulation of a Southern master plan and we sincerely hope for the passage of this bill. We have completed several studies which will help to formulate the plan, including:

- Phase I: Planning Considerations for Use and Development of Cocos Lagoon and Merizo Shore, Guam, completed by the Army Corps of Engineers in 1982;
- Phase II: Impacts of Development of Cocos Lagoon and Merizo Shore, Guam, still in a draft form, carried out by the Army Corps of Engineers in 1984; and
- the 1985 Merizo Tourism Survey, carried out by the Department of Commerce in 1985.

These projects looked at development alternatives, various impacts of development and how the residents of Merizo felt about tourism and future tourism development in their community.

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While we support this legislation and recognize the benefits and necessity of development, we also admit to its potential negative impacts and hope to insure that this plan guides development in a conscientious manner. Therefore, we wish to recommend one amendment to Bill No. 829. We would like to include a new section after Section 3 which would require that a social impact study be done which examines the impacts of development on the residents of the areas included in this bill. This study should also provide recommendations for mitigating measures to prevent or at least minimize any negative social impacts certain types of development might have on the residents.

The people of the South are known for their efforts to perpetuate those social/cultural characteristics that make Guam unique and we wish to encourage these qualities for future generations. Also, many of the concerns brought out by the Merizo Municipal Planning Council, at past meetings concerning a master plan for their community, have focused on social/cultural concerns which should not be ignored. In this regard, we hope that you will see fit to include this section in the proposed legislation.

In closing, we look forward to working with the joint task force in creating a viable master plan and will give our fullest cooperation towards this goal.

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Guam Visitors Bureau  
*Setbision Bisitan Guahan*

July 5, 1988

The Honorable Don Parkinson  
Senator and Chairman, Committee  
on Energy, Utilities and  
Consumer Protection  
Nineteenth Guam Legislature  
P.O. Box CB-1  
Agana, Guam 96910

Dear Mr. Chairman,

On behalf of the Guam Visitors Bureau management and staff, this is to submit written testimony in support of Bill No. 829 to establish a Task Force to create a comprehensive development plan for the South.

While we believe that an overall plan for tourism should be developed, given time constraints, it is essential that we address the potential growth of tourism in the south. As with the Tumon Bay Masterplan, this plan, when completed, could become part of an Overall Tourism and Development Plan for the island.

There is no doubt that tourism is booming. In Tumon Bay, plans for the construction of several major hotels are a near reality. Land is scarce and, therefore, expensive. Other hotels are being developed along Agana Bay, by Alupang Island. Once completed, Camp Watkins Road will have to be upgraded.

To avoid this rush for open land in the south and haphazard development, a master plan is in order. The south has always been the showcase of our island's natural beauty. The gently rolling hills and charm of our villages are major attractions in their own right. Some may argue that this idyllic setting may change once development occurs. I don't think so as long as development is planned and pursued in an orderly fashion, enhancing and complementing the existing attractive attributes and southern flavor.

Development of the south would also quell arguments that the south is being neglected. With development comes new roads, improved water and sewage facilities, upgraded electrical lines, etc. Employment opportunities will be created, thus stemming the tide of workers driving to their northern jobs.

There is much open land in the south. Guam's population will be more evenly distributed in that new housing projects will accompany development. It is highly conceivable that northern residents may be seeking jobs in the south and possibly be migrating there, all adding up to a more homogenous population mix.

One major obstacle could be the environmental impact. This must first be addressed. We want to retain our southern shorelines. Any development must complement the seascape. Lest we forget, Guam's foremost attraction as a tourist destination is her lush, tropical beauty. This should never be compromised. With a master plan, all of the possible pitfalls can be examined with workable solutions. Input from the Commissioners will certainly ensure this.

Development of the south will surely be an exciting venture. If all goes as planned, the south could be the next frontier for newly-found riches, distributed throughout the population. We all can gain from this undertaking and tourism will get another shot in the arm.

Thank you for this opportunity to submit comments.

Very Truly Yours,



JOEY B. CEPEDA  
General Manager

MAR 24 '88

NINETEENTH GUAM LEGISLATURE  
1988 (SECOND) Regular Session

Bill No. 829 (LS)

Introduced By:

J.M. Rivera *J.M. Rivera*  
 J.F. Quan *J.F. Quan*  
 F.J. Gutierrez *F.J. Gutierrez*  
 A.C. Lamorena III  
 F.S. Bamba *F.S. Bamba*  
 E.R. Duenas *E.R. Duenas*  
 E. Espaldon  
 M.D. Manibusan *M.D. Manibusan*  
 J. Miles *J. Miles*  
 M.C. Ruth *M.C. Ruth*  
 F.J.A. Quitugua *F.J.A. Quitugua*

AN ACT RELATIVE TO ESTABLISHING AND FUNDING A JOINT TASK FORCE TO CREATE A COMPREHENSIVE DEVELOPMENT PLAN FOR THE SOUTH.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Geographical Definition. The task force created by this Act (hereinafter, "Task Force") is hereby charged with the duty, as specified by this Act, to develop a comprehensive development masterplan (hereinafter "Southern Masterplan" or "Masterplan") for the following villages: Agat, Santa Rita, Umatac, Merizo, Inarajan, Malojloj, Talofofu and Yona, and such areas adjacent to or located in between said villages, including, but not limited to, any offshore areas such as Cocos Island and any body of water as to which the Government of Guam has jurisdiction to develop; and since some of the plans or projects to be advanced by the Task Force may have incidental effect, residue, application or extension related to other geographical areas under the jurisdiction of the Government of Guam, the Task Force may, when necessary and proper, extend the application of the Southern Masterplan to such affected areas.

Section 2. Appropriation. The sum of Three Hundred Thousand Dollars (\$300,000.00) is designated as a budget for the Task Force work. The Director of Bureau of Budget and Management Research ["hereinafter "BMBR"] shall be responsible

for providing the Task Force with the necessary funds to accomplish its work. The Director of BMBR shall use first the following sources of existing appropriations: (a) any existing appropriations in the budget of the Bureau of Planning which may be used for the kind of work with which the Task Force is charged; to be supplement, if and when necessary by (b) funds from the General Fund appropriated pursuant to this section, which are hereby appropriated. The appropriation from the General Fund shall not, at any event, exceed the sum of Three Hundred Thousand Dollars (\$300,000.00).

The chairperson of the Task Force shall be responsible for developing a set of written guidelines to control the expenditure of said budget. A report, detailing expenditure, shall be appended to the final Southern Masterplan of the Task Force. Said report shall be audited and approved by the Bureau of Budget and Management Research. In the event that the final Masterplan is not produced within six (6) months following enactment of this Act, an interim report shall be produced at the end of said six month period, and every six month period thereafter. Such interim reports shall also be audited and approved by the Bureau of Budget and Management Research, and appended to the final Southern Masterplan of the Task Force.

Section 3. Environmental Impact. The Task Force, shall include an Environmental Impact Report in its draft Masterplan and any subsequent Masterplan, detailing the impact of the Southern Development Plan on the ecology of the areas subject to the Southern Masterplan. Said report shall be approved by the Guam Environmental Protection Agency prior to its inclusion in the draft masterplan.

Section 4. Public Hearings. The Task Force shall produce an initial draft of the Southern Masterplan which, then, shall be subject to public discussion in the form of public hearings. The Chairperson of the Task Force shall append to the draft Masterplan, a schedule for such public hearings which will include dates, locations, issues to be discussed in each

hearing, recording and reporting procedures; and within thirty (30) days of the conclusion of the last public hearing, the Task Force shall issue a report summarizing the issues and concerns raised during the public hearings. Thereafter said input shall be used in conjunction with the draft Masterplan to produce a final Masterplan. The final Masterplan will in the form of a draft legislation and will be submitted to the Governor for review. Such review, which will include legal and budgetary analysis, will be concluded within sixty (60) days from submission of the Masterplan to the Governor. Upon completion of the review the Governor shall submit legislation containing the Masterplan to the Legislature to be introduced in his behalf. In the event that the Governor fails to submit such legislation within said sixty (60) days, he shall issue a written public report detailing his reasons for declining to submit the Masterplan. The final Masterplan, and memoranda containing the legal and budgetary analyses will be appended to the public report.

Section 5. Task Force Membership. The Director of the Bureau of Planning shall serve as the chairperson of the Task Force. In addition the Task Force will include the Director of the Department of Commerce, the Director of the Department of Land Management, the Administrator of the Guam Environmental Protection Agency, the Administrator of the Guam Economic Development Authority, the General Manager of Guam Visitors Bureau, all Commissioners from the villages specified in Section 1, hereinabove, a representative of the Chamber of Commerce and a member of the public at large to be chosen by the Governor. The Chamber of Commerce may however decline to participate in this Task Force. Each Director or Administrator may appoint a permanent representative from his or her office to attend meetings in his or her stead, provided, however, that the Director or Administrator shall bear ultimate responsibility for the actions of such representative.

Section 6. The Masterplan. It shall be the duty of the



Task Force to produce a detailed development Masterplan for the geographical area described in Section 1 of this Act. This plan will include the following areas: infrastructure, including: electricity, water, sewage, roads, and communication; tourism; population enhancement; commercial development; industry; zoning; anthropological and archeological preservation; ecological protection; and agriculture, and such incidental matters and issues necessarily related to the areas enumerated in this section. The Task Force may establish committees responsible for any one of these areas. The Task Force shall produce a detailed five-year subplan, and a more general subplan for a period of twenty (20) years. The Task Force shall complete the final Masterplan no later than one year from the date it first convenes. The chairperson may appoint ex officio members to any committee from any agency, such as Guam Power Authority, Department of Public Works, Public Utility Agency of Guam, etc., and may require attendance or presentation by such agency at any given session of the Task Force or its committees. A ten-day notice shall be provided to any employee of the Government of Guam, or any other witness prior to his testimony or attendance, which notice will specify which issues are to be discussed by such employee. The Director or Administrator of such agency may choose a suitable substitute for the employee whose presence is requested by the Task Force. Failure to respond to a notice to appear before the Task Force or any of its committees shall be a petty misdemeanor.

Section 7. Duty of Cooperation. It shall be the duty of each department or agency of the Administration to cooperate and assist the Task Force in accomplishing its mission. Such duty shall include access to all relevant documents, information, personnel, legal economic and environmental analysis, manpower, machinery, data, computers, software, vehicles and any other kind of assistance deemed necessary and proper for accomplishing the Task Force's mission. The

Governor of Guam shall be responsible for speedy resolution of any dispute related to interagency action, or lack thereof, as delineated above. The chairperson may request written legal opinions from the Attorney General regarding any legal matter related to the Task Force work. The Attorney General shall produce and deliver the requested legal opinion in writing within fifteen (15) days from the date of receiving the request.

Section 8. Majority and Quorum. A majority of the Task Force members shall constitute a quorum. A majority of the members present may undertake any decision necessary for its purposes. It shall be the duty of each member to attend each meeting of this Task Force. Failure to attend more than three (3) meetings shall be brought to the attention of the Governor.

Section 9. Professional and Technical Assistance. In the event that the Task Force determines, by a majority vote, that it has a need for professional or technical assistance which is not available, pursuant to Section 7, above, from sources within the Government of Guam, the Task Force may contract with firms or individuals from the private sector. No person employed by the Government of Guam may be hired pursuant to this section. The Task Force may appoint one of its members to negotiate with individuals or firms to be hired in accordance with this section, but any final agreement will be subject to approval by the Task Force. A team of qualified planners, which would include planners from the Bureau of Planning and the Department of Land Management, experienced in the areas of land usage requirements, technical zoning requirements, building law requirements, and other legal and regulatory requirements pertaining to development of real property, whether onshore or offshore shall be provided to the Task Force by the Governor upon a request from the Task Force. In the event that the Task Force determines that outside assistance is necessary in order to assist the team of planners, such assistance may be contracted for from the

private sector, provided however, that the Director of the Bureau of Planning submits a detailed recommendation delineating the nature of the assistance needed, the projected cost of such hiring, a list of qualified candidates, and an estimate of the amount of time such services will be needed. The team of planners shall be responsible for producing all necessary maps, charts, diagrams and similar aids for the Southern Masterplan. The Director of the Bureau of Planning shall oversee the work of the team of planners including outside assistance, if any, and shall be responsible for coordination between the Task Force, or any committee created pursuant to Section 6 of this Act and the team of planners, and shall submit to the Task Force a monthly progress report describing progress made and outlining problems encountered by the team of planners. It shall be the duty of the chairperson to coordinate the Task Force's work with the Central Planning Council and to insure compliance with existing legislation such as Public Laws 12-200 (GC §§62010 - 62024) and Public Law 13-89 (as amended, respectively) and any other existing legislation which may have an effect on the Task Force's work and procedures. In the event of a conflict between Public Laws 12-200 or 13-89 (as amended) and this Act, the mandates of this Act shall prevail.

Section 10. It is the intent of the Legislature that the Task Force shall commence the process of locating the necessary funds for implementation of the five-year subplan. Due to the existing deficit of the Government of Guam and the magnitude of the Masterplan, special emphasis is placed on locating financial resources without the General Fund. In addition, since the implementation of the Masterplan may be highly beneficial to the Department of Defense and other departments and agencies of the federal government, as well as the private sector, the Director of the Bureau of Planning shall utilize those powers available to him pursuant to GC §62019 to promote implementation of the Southern Masterplan. A report of grants,

loans, contributions, appropriations, and assistance either from the federal government, or any other source, public or private, which may be used for implementation of the Southern Masterplan shall be either incorporated into or appended to the final Masterplan. For purposes of this section, the Director of the Bureau of Planning, or the Governor may negotiate with any federal agency for funds or other assistance to be utilized in implementation of the Southern Masterplan. The Task Force may also recommend a scheme of taxation, fees, deposits and other such financial mechanisms pursuant to the intent of this section.