



TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U.S.A.



RICARDO J. BORDALLO  
GOVERNOR

*Handwritten signature*

JAN 23 1986

Honorable Carl T.C. Gutierrez  
Speaker, Eighteenth Guam Legislature  
P.O. BOX CB-1  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith for your information and files are copies of Public  
Law Nos. 18-28 and 18-29.

Sincerely yours,

*Handwritten signature*  
RICARDO J. BORDALLO

Enclosures


180305

181668

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 465 (LS), "AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES," was on the 19th day of December, 1985, duly and regularly passed.



CARL T. C. GUTIERREZ  
Speaker

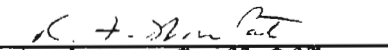
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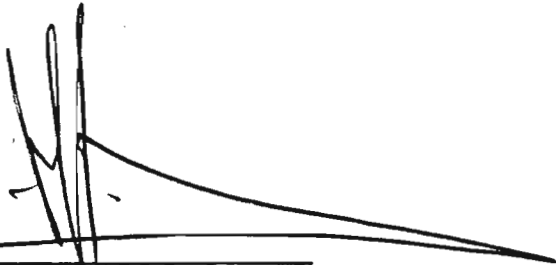
ELIZABETH P. ARRIOLA  
Senator and Legislative Secretary

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This Act was received by the Governor this 30<sup>th</sup> day of December, 1985, at 3:00 o'clock P.m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:



RICARDO J. BORDALLO  
Governor of Guam

Date:

1/10/86 (2:21 pm)

Public Law No. 18-29

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Bill No. 465 (LS)  
Substitute by Committee on  
Federal, Foreign & Legal Affairs

Introduced by:

C. T. C. Gutierrez  
F. R. Santos  
T. S. Nelson

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E. P. Arriola  
J. P. Aguon

AN ACT TO CREATE A TASK FORCE ON WILDLAND  
FIRES.

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

2 Section 1. Legislative Intent. The Legislature has determined that  
3 there is an urgent need to address the problem of wildland fires on Guam.  
4 Such fires have caused extensive damage throughout the territory and have  
5 destroyed large amounts of vegetation, leading to erosion of the land and  
6 loss of wildlife. Although wildland fires are a recurring problem on Guam,  
7 the government's response thus far has been ineffective.

8 To address wildland fires, the Legislature intends to establish a task  
9 force to analyze the problem and suggest alternative solutions. The Task  
10 Force will consist of representatives from various departments of the  
11 Government of Guam, and from the Federal Government. In response to a  
12 recommendation from Dale Willoughby, Captain, United States Marine Corps,  
13 Retired, the task force will explore the possibility of arranging the use of  
14 helicopters and military assistance to help fight wildland fires.

15 Section 2. Creation of the Task Force. There is established a Task  
16 Force on Wildland Fires which is vested with the powers and duties  
17 specified in this Chapter. The Task Force shall consist of eleven (11)  
18 members who shall be appointed by the Governor with the concurrence of  
19 the Speaker of the Legislature no later than thirty (30) days subsequent to  
20 the effective date of this Act. The members shall be selected so as to  
21 ensure that the Task Force includes at least one (1) representative each

1 from the Department of Agriculture; the Guam Police Department; the Guam  
2 Fire Department; the Guam Environmental Protection Agency; the Attorney  
3 General's Office; the Civil Defense Office; Naval Forces Marianas  
4 (Commander); the Army National Guard; Commander, 3rd Air Division,  
5 Andersen Air Force Base, Guam and the Commissioner's Council of Guam.  
6 The Forestry and Soil Division of the Department of Agriculture shall be  
7 charged with organizing the Task Force.

8 Section 3. Compensation of Members. Members of the Task Force  
9 shall be paid at the rate of Fifty Dollars (\$50.00) per day for each day that  
10 the Task Force meets, unless the Task Force member agrees to volunteer  
11 his service instead. Compensation shall not exceed One Hundred Dollars  
12 (\$100.00) per month. The Task Force members may volunteer services  
13 gratis, in lieu of payment.

14 Section 4. Task Force Powers and Duties. The Task Force on  
15 Wildland Fires shall hold public meetings to examine the problem of wildland  
16 fires and to consider alternative strategies for addressing this problem.  
17 Among the strategies to be considered and implemented if possible by the  
18 Task Force shall be the use of helicopters with assistance of the military to  
19 help fight wildland fires. The Task Force shall issue a report to the  
20 Governor and to the Speaker of the Legislature within one hundred eighty  
21 (180) days of the effective date of this Act. The report shall include an  
22 analysis of the wildland fire problem or recommendations for governmental  
23 action.

24 Section 5. Termination of Task Force. The Task Force shall  
25 terminate upon issuance of its report pursuant to Section 75104 of this  
26 Title.

27 Section 6. 4 GCA §6205 is amended to read:

28 "§6205. The rules and regulations referred to in §6204 shall  
29 provide that an employee who is at step 10 for three or more  
30 consecutive years and has served satisfactorily shall have his work  
31 record reviewed and if it is satisfactory, then he shall have his pay  
32 adjusted to Step 10 in the next higher pay range for each three years  
33 of such satisfactory service."

1 Section 7. The last paragraph of 4 GCA §6201 is amended to read:  
2 "An employee who is at step 5 for three (3) or more consecutive  
3 years and has served satisfactorily shall have his work reviewed and if  
4 it is satisfactory, then he shall have his pay adjusted to step 5 in the  
5 next higher wage level for each three (3) years of such satisfactory  
6 service."

7 Section 8. A new Section 12392.10 is added to the Government Code  
8 to read:

9 "§12392.10. Members of the Soil and Water Conservation District  
10 shall be compensated in the amount of Fifty Dollars (\$50.00) for  
11 attending a meeting, such compensation not to exceed One Hundred  
12 Dollars (\$100) per month."

EIGHTEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Bill No.: 445

DATE: 12-19-85

Resolution No.: \_\_\_\_\_

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

<u>SENATOR</u>	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. F. Ada	✓			
J. P. Aguon	✓			
E. P. Arriola				
J. G. M. Bamba	✓			
F. F. Blas	✓			
H. D. Dierking	✓			
E. R. Duenas				
C. T. C. Gutierrez	✓			
F. J. Gutierrez				
A. C. Lamorena III	✓			
P. C. Lujan	✓			
M. D. A. Manibusan				
<del>                    </del>				
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. Quitugua	✓			
J. M Rivera	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka	✓			
A. R. Unpingco	✓			

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# Eighteenth Guam Legislature

P.O. Box CB-1

Agana, Guam U.S.A. 96910

F. R. SANTOS

Chairman, Committee on Federal,  
Foreign and Legal Affairs

October 23, 1985

The Honorable  
Carl T.C. Gutierrez, Speaker  
18th Guam Legislature  
P. O. Box CB-1  
Agana, Guam 96910

Dear Speaker Gutierrez:

The Committee on Federal, Foreign and Legal Affairs recommends that Bill No. 465, as substituted by the Committee of Federal, Foreign and Legal Affairs, be passed with the following votes:

To do pass	<u>8</u>
To not pass	<u>0</u>
Abstain	<u>0</u>
Off Island	<u>1</u>

Sincerely,

A handwritten signature in black ink, appearing to read "F. R. Santos", written over a horizontal line.

F. R. SANTOS

Attachments:



# Eighteenth Guam Legislature

P.O. Box CB-1

Agana, Guam H.S.A. 96910

SENATOR F. R. SANTOS

Chairman, Committee on Federal,  
Foreign and Legal Affairs

BILL NO. 465

As Substituted By The Committee On  
Federal, Foreign and Legal Affairs

## "AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES" VOTE SHEET

<u>MEMBER</u>	<u>TO DO PASS</u>	<u>TO NOT PASS</u>	<u>ABSTAIN</u>	<u>COMMENTS</u>
 CHAIRMAN FRANK R. SANTOS	✓			
 SENATOR JOE T. SAN AGUSTIN VICE CHAIRMAN	✓			
 SENATOR JOSEPH F. ADA	✓			
 SENATOR JOHN P. AGUON	✓			
 SENATOR ELIZABETH P. ARRIOLA	✓			
 SENATOR MARILYN MANIBUSAN				
 SENATOR TED S. NELSON	✓			
 SENATOR FRANKLIN J. QUITUGUA	✓			
 SENATOR THOMAS V.C. TANAKA	✓			



EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Bill No. 465

Introduced by:

As substituted by the  
Committee on Federal,  
Foreign and Legal Affairs.

12/19/85  
C.T.C. Gutierrez  
F.R. Santos

T.S. ...  
E.P. ...  
J.P. AGUON &

AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES.

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

Section 1. Legislative Intent. The Legislature has determined that there is an urgent need to address the problem of wildland fires on Guam. Such fires have caused extensive damage throughout the territory and have destroyed large amounts of vegetation, leading to erosion of the land and loss of wildlife. Although wildland fires are a recurring problem on Guam, the government's response thus far has been ineffective.

To address wildland fires, the Legislature intends to establish a task force to analyze the problem and suggest alternative solutions. The Task Force will consist of representatives from various departments of the Government of Guam, and from the Federal Government. In response to a recommendation from Dale Willoughby, Captain, United States Marine Corps, Retired, the task force will explore the possibility of arranging the use of helicopters and military assistance to help fight wildland fires.

Section 2. Creation of the Task Force. There is established a Task Force on Wildland Fires which is vested with the powers and duties specified in this Chapter. The Task Force shall consist of nine (9) members who shall be appointed by the Governor with the concurrence of the Speaker of the Legislature no later than thirty (30) days subsequent to the effective date of this Act. The members shall

be selected so as to ensure that the Task Force includes at least one(1) representative each from the Department of Agriculture; the Guam Police Department; the Guam Fire Department; the Guam Environmental Protection Agency; the Attorney General's Office; the Civil Defense Office; Naval Forces Marianas(Commdr); the Army National Guard; and the Commissioner's Council of Guam. The Forestry and Soil Division of the Department of Agriculture shall be charged with organizing the Task Force.

Section 3. Compensation of Members. Members of the Task Force shall be paid at the rate of Fifty Dollars(\$50.00) per day for each day that the Task Force meets, unless the Task Force member agrees to volunteer his service instead. Compensation shall not exceed One Hundred Dollars(\$100.00) per month.

Section 4. Task Force Powers and Duties. The Task Force on Wildland Fires shall hold public meetings to examine the problem of wildland fires and to consider alternative strategies for addressing this problem. Among the strategies to be considered and implemented if possible by the Task Force shall be the use of helicopters with assistance of the military to help fight wildland fires. The Task Force shall issue a report to the Governor and to the Speaker of the Legislature within one hundred twenty(120) days of the effective date of this Act. The report shall include an analysis of the wildland fire problem and recommendations for governmental action.

Section 5. Termination of Task Force. The Task Force shall terminate upon issuance of its report pursuant to Section 75104 of this Title.



# Eighteenth Guam Legislature

P.O. Box CB-1

Agaña, Guam U.S.A. 96910

F. R. SANTOS

Chairman, Committee on Federal,  
Foreign and Legal Affairs

## COMMITTEE REPORT on Bill No. 465

"AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES"

Senator Frank R. Santos, Chairman of the Committee on Federal,  
Foreign and Legal Affairs convened the public hearing on Bill No.

465 on September 09, 1985 at 09:00 a.m. The Senators present at

commencement were: Chairman Santos; members, Thomas V.C. Tanaka  
and Marilyn Manibusan; and sitting in was Alberto Lamorena III.

Attending later in the hearing were: Senators, Joseph F. Ada and  
Franklin J. Quitugua.

### I. Legislative History

The interim Territory of Guam has experienced yearly rashes  
of wildland fires which have compromised the natural beauty of the  
land area. The Guam Legislature recognizes that solutions to com-  
bating wildland fires and educating the perpetrators of such un-  
forgivable abuse of the territory of the Chamorro homeland, are  
indeed timely. The "Task Force on Wildland Fires" is but a  
beginning toward securing safety for our people and ensuring the  
continued existence of the enhancing beauty of our territory for  
posterity's sake.

### II. The Intent Of Bill 465

The authors of this Bill intend to establish, as they fill  
necessary, a task force which will review the nightmarish situation

regarding wildland fires and the damages as a result of occurrence. Through the collective efforts of key government personnel, the Legislature hopes to spur innovative suggestions that may be used toward resolving the annual catastrophic effects of wildland fires. The Legislature cannot sit back and underrate the issues involving environmental destruction.

### III. The Public Hearing

Mr. Rufo J. Lujan, the first witness at the hearing, delivered testimony opposing passage of Bill 465. Mr. Lujan, submitting written testimony as well, listed section-by-section opposition statements regarding particular phrases in the Bill. (SEE ATTACHMENT I FOR THE COMPLETE TEXT OF MR. LUJAN'S TESTIMONY)

Mr. Lujan registered his disagreement with Bill 465's insinuation that the government's response, regarding the recurring problem of wildland fires, has been ineffective. Among other matters, the witness questioned the exclusion of the Department of Agriculture from the key agencies to comprise the Task Force.

Senator Lamorena stated the Committee currently has a grasp of the what the problems are involving wildland fires and should now seek solutions. He further stated that creating a task force is totally unnecessary and requests instead that the Guam Fire and Police Departments meet with the Department of Agriculture (DOA) to review the problem of wildland fires and recommend legislation that would aid in reducing, and if possible, eliminating such destructive occurrences.

During questioning, Senator Arriola asked Mr. Lujan to recount

the gist of his concerns of which Mr. Lujan apprised the Committee that he preferred the implementation of stricter laws toward the prevention of wildland fires, over creating a task force.

After statements by Senator Arriola, Senator Tanaka commended Mr. Lujan for his pragmatic approach in dealing with wildland fires, especially regarding the use of helicopters. Senator Tanaka queried Mr. Lujan about DOA's current approaches toward preventing wildland fires to which Mr. Lujan replied by expounding on the Department's current program of planting trees that are: not prone to burning; able to grow again if burned; and able to contribute substantially in fertilizing the soil.

Senator Tanaka went further by suggesting that the Department of Agriculture expand its facilities to possibly redirect the summer youth employment program in an effort to accommodate youth interested in agricultural related employment.

Senator Tanaka questioned Mr. Lujan on the feasibility of creating a buffer zone between streets and grass/forested areas to prevent fires caused by cigarette buds thrown from car windows. Mr. Lujan said he would direct his staff to assess the feasibility of establishing buffer zones in high risk areas. Finally, Senator Tanaka concluded by asking if DOA had any plans to establish buffer zones for fire prevention in the highly vulnerable Nimitz Hill area, to which Mr. Lujan replied, "No."

Following comments by Senator Tanaka, Senator Quitugua expressed surprise that Mr. Lujan did not favor the use of helicopters in combating wildland fires. Mr. Lujan replied that he was only

concerned about the feasibility of purchasing helicopters; in fact, he stated, that the use of helicopters would enhance current efforts toward preventing and fighting wildland fires.

Senator Manibusan followed by asking Mr. Lujan about the criminal penalties against those who, while hunting, deliberately start fires to, for example, excite deer. Mr. Lujan informed the Committee that the charge is a misdemeanor.

Following testimony by Mr. Lujan, Mr. James G. Miles submitted written and oral testimony on the Bill. He stated that he supports the intent of Bill 465 but suggested instead to take the funds for creating a task force and divert it to DOA to augment efforts to apprehend individuals responsible for wildland fires. Mr. Miles sees apprehension of environmental arsonists as a significant deterrent to the continuous problem of wildland fire. (SEE ATTACHMENT 2 FOR THE COMPLETE TEXT OF MR. MILES' TESTIMONY)

Fire Chief Frank S.N. Taijeron of the Guam Fire Department testified orally with a prepared written statement. On behalf of the Guam Fire Department, Mr. Taijeron pledged full support for the creation of a Task Force on Wildland Fires. (SEE ATTACHMENT 3 FOR THE COMPLETE TEXT OF MR. TAIJERON'S TESTIMONY)

Senator Ada began his questioning of Mr. Taijeron by asking why the Administrative Branch seems to be split on the idea of establishing a Task Force on Wildland Fires. Separate opinions on Bill 465 were submitted via the Department of Agriculture and the Guam Fire Department. Mr. Taijeron responded by stating his Department and DOA submitted testimony on Bill 465 from separate perspectives.

tives---but were repectively relevant.

When asked if GFD and related entities could accomplish the duties of the proposed Task Force on Wildland Fires, Mr. Taijeron said it can probably be done.

Senator Ada went further by noting that the separate opinions of DOA and GFD can only confuse the process of reviewing Bill 465 because there is no unified position from the Executive Branch.

The Committee was informed, by Mr. Taijeron, that the Governor's Legislative Review Committee did not review Bill 465.

The last witness at the public hearing on Bill 465 was Captain Dale Willoughby, a United States Marine Corp retiree. Retired Captain Willoughby testified orally on the Bill and later submitted written testimony. (SEE ATTACHMENT 4 FOR CAPTAIN WILLOUGHBY'S COMPLETE WRITTEN TESTIMONY)

Captain Willoughby stated that the Task Force should be the beginning of efforts to combat wildland fires. He suggested the inclusion of the following proposal for the make-up of the task force: Chief, Guam Fire Department; Administrator, EPA (Guam); Commander, Naval Forces Marianas; Attorney General; Chief, Guam Police Department; Commanding General, Army National Guard (Guam); Chief, Forestry and Soils, Department of Agriculture; and Director, Civil Defense (Guam).

Furthermore, Captain Willoughby suggested establishing an "island-wide radio network" that would operate on solar cells, storage batteries and repeaters for communication in case of earthquakes, typhoons, wildland fires or other disasters. This "network"

would link the Governor's Office with each Commissioner's Office, the Fire and Police Departments, and the Civil Defense Office. The projected cost, according to Captain Willoughby, is approximately \$4,000.00 per site and would be funded through grants from the U.S. Department of Energy's Petroleum Violation Escrow Account Funds ("administered by the Guam Energy Office when made available for distribution to the people of Guam for overcharges on gasoline").

With no further witnesses or questions from the Committee members, Chairman Santos adjourned the public hearing on Bill 465 at 11:40 a.m.

#### IV. Analysis Of Bill 465

Section one(1) reviews the intent and the legislative history of Bill 465.

Section two(2) defines the membership of the Task Force and sets a 30-day grace period to receive appointments from the Governor that meet with the concurrence of the Legislative Speaker.

Section three(3) allows for the compensation of members of the Task Force who opt not to volunteer their services. Compensation shall be for \$50.00 per day, not to exceed \$100.00 per month.

Section four(4) will give the Task Force the power to hold public hearings to gather solutions to the problem of wildland fires to be compiled in the form of a report. A complete analysis of the wildland fire problem and recommendations for governmental action shall be submitted to the Governor and the Legislative Speaker within 120 days.

Section five(5) allows for the termination of the Task Force upon issuance of the aforementioned report.



## V. Committee Findings and Recommendation

The Committee on Federal, Foreign and Legal Affairs has reviewed all pertinent documents submitted for and against the creation of a "Task Force on Wildland Fires" and, thus, concludes deliberation as follows:

- (1) Wildland fires have occurred annually and slowly continues to threaten the environmental health of the Chamorro homeland, Guam; and,
- (2) The need to innovate solutions to the problem of recurring wildland fires is, to say the least, imperative; and,
- (3) Although disagreeing with particulars included in Bill 465, the Department of Agriculture, the Guam Fire Department and the citizenry concur with the idea of seeking effective solutions to the devastating wildland fire problem; and,

THEREFORE, the Committee recommends that the Eighteenth Guam Legislature pass Bill 465, as substituted by the Committee on Federal, Foreign and Legal Affairs, "AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES".

TESTIMONY BY THE ACTING DIRECTOR OF AGRICULTURE  
ON BILL NO. 465, AN ACT TO CREATE A TASK FORCE  
ON WILDLAND FIRES

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, MY NAME IS RUFO J. LUJAN.

I AM HERE TO TESTIFY AGAINST BILL No. 465 NOT ON THE ASPECT OF  
ITS INTENTIONS BUT ON THE ASPECTS OF ITS PROPRIETY AND APPLICA-  
BILITY.

ANYONE WHO EXPRESSES CONCERN ABOUT THE DISASTROUS EFFECTS OF FIRE  
ON SOIL, WATER, AND WILDLIFE RESOURCE SHOULD BE COMMENDED. WE  
FIRMLY BELIEVE AS WELL AS YOU DO THAT THE SOIL IS THE FLESH OF  
THE EARTH, THE WATER ITS BLOOD AND THE TREES ARE THE INSURANCE TO  
HAVE A HEALTHY AND STEADY SUPPLY OF BOTH.

AS REGARD TO BILL No. 465 LET ME REGISTER OUR OBJECTIONS AND  
OPINIONS TO IT, SECTION BY SECTION.

SECTION I.

SECTION I STATES "ALTHOUGH WILDLAND FIRES ARE A RECURRING PROBLEM  
ON GUAM, THE GOVERNMENT'S RESPONSE THUS FAR HAS BEEN INEFFECTIVE".  
WE BEG TO DISAGREE WITH THIS STATEMENT. WE ARE IN THE POSITION TO  
SAY THAT ALTHOUGH GUAM HAS THE WORST FIRE PROBLEM IN THE NATION,  
OUR FORESTRY AND SOIL RESOURCES DIVISION HAS INITIATED PERMANENT  
AND MORE BENEFICIAL SOLUTIONS ON THE SIDE TO THIS FIRE PROBLEMS.  
THE SAD FACT ABOUT IT IS THAT THESE LONG TERM AND BENEFICIAL  
SOLUTIONS GO UNNOTICED OR IGNORED ESPECIALLY WHEN HANDLED BY A

SMALL GROUP LIKE THE FORESTRY DIVISION.

SINCE THE YEAR 1979, WHEN THE FIRST FORMAL RECORDING OF WILDLAND FIRES WAS INITIATED, UP TO JUNE 30 OF THIS YEAR, THERE WERE A TOTAL OF 3,668 FIRES RECORDED, WHICH BURNED A TOTAL OF 35,835 ACRES AND LEFT A STAGGERING DAMAGE OF \$13,511,638 (APPROXIMATELY \$378/ACRE) TO OUR RESOURCES. THIS DAMAGE INCLUDES SOIL LOSS BY SUBSEQUENT SOIL EROSION, RIVER, STREAM, LAKE AND FISH HABITAT DAMAGE BY SILTATION, WILDLIFE DAMAGE BY KILL AND DISLOCATION AND ALSO THE INITIAL FIRE DAMAGE ON THE EXISTING VEGETATION.

A STUDY WAS MADE USING THE DATA GATHERED SINCE 1979 UP TO 1982 AND A MASSIVE EDUCATIONAL PROGRAM THROUGH THE SCHOOLS AND MEDIA WAS CONDUCTED IN 1983 BY THE FIRE PROTECTION SECTION OF FORESTRY AND SOIL RESOURCES DIVISION. IT IS SAD TO REPORT, HOWEVER, THAT DESPITE THE MEDIA BLITZ CONDUCTED BY THE DIVISION THROUGH RADIO AND TELEVISION URGING THE PEOPLE TO PREVENT WILDLAND FIRES, 1983 WAS THE YEAR WHEN WE HAD THE MOST FIRES. PART OF THIS COULD BE ATTRIBUTED TO THE LONG DRY SPELL WE HAD BUT, AGAIN USING THE SAME FIRE STATISTICS, WE ARE INCLINED TO BELIEVE THAT MOST OF THESE FIRES ARE MAN-CAUSED AND ONLY MAN CAN PREVENT THEM.

THE DEPARTMENT OF AGRICULTURE HAS ALSO ENGAGED IN OTHER FIRE REDUCING ALTERNATIVES AND THE FOREST MANAGEMENT SECTION DEVOTED THEIR TIME IN FINDING WAYS TO LESSEN FIRE OCCURRENCE BY THE IMPLEMENTATION OF A FUEL MANAGEMENT PROGRAM. THIS METHOD EMPLOYS THE PLANTING OF FIRE RESISTANT TREE SPECIES ON BURNED OVER AREAS IN THE GOVERNMENT CONSERVATION RESERVES. THESE TREES ARE PLANTED IN ROWS TO ALLOW MECHANIZED MAINTENANCE OF GRASS AND WEEDS.

SINCE THIS METHOD WAS INITIATED, NONE OF THE PLANTED AREAS THAT PERIODICALLY WENT UP IN FLAMES EVERY SUMMER WERE BURNED AGAIN AND THOSE TREES ARE NOW BIG AND ARE IN NO DANGER FROM FUTURE FIRES.

IT IS THE BELIEF OF THE FORESTRY AND SOIL RESOURCES DIVISION THAT THE MOST EFFECTIVE WAY TO CONTROL FIRE IS TO ELIMINATE THE SECONDARY REASON FOR ITS PREVALENCE WHICH IS FUEL. THROUGH CARRYING OUT AN EFFECTIVE SYSTEM OF FUEL MANAGEMENT, FIRE PRONE GRASSLANDS COULD BE TRANSFORMED INTO LESS COMBUSTIBLE TREE STANDS WHICH ARE EITHER LEGUMINOUS TO MAKE THE SOIL FERTILE FOR OTHER BENEFICIAL PLANTS TO GROW SUCH AS FRUIT TREES PLANTED BETWEEN THE ROWS OF TREES THAT COULD BE BOTH THE SOURCE OF OUR FIBER OR LUMBER NEED SOME DAY AND FOOD FOR WILDLIFE. MOREOVER, THESE TREES CAN KEEP OUR PRECIOUS SOILS IN PLACE AND INCREASE OUR WATERSHED RESERVES.

THE USE OF HELICOPTERS IN FIRE FIGHTING COULD ONLY BE APPLICABLE IF THE VALUE OF THE RESOURCE PROTECTED AND THE ACREAGE ENDANGERED JUSTIFIES IT. IT MAY BE APPLICABLE IN THE MAINLAND AND OTHER PLACES WHERE THE MAIN CONCERN IS THE PROTECTION OF TIMBER RESOURCES TO BE IN THE HUNDRED OF THOUSANDS DOLLARS OF VALUE PER ACRE.

IF THE USE OF HELICOPTERS COULD BE ON A VOLUNTARY BASIS ON THE PART OF THE MILITARY WHEREIN THE COST WOULD NOT COME FROM LOCAL FUNDS OR PARTLY FROM FORESTRY FUNDS, WE REGISTER NO OBJECTION TO IT.

THE USE OF HELICOPTERS IN FIRES DOES NOT MEAN NON-INVOLVEMENT OF PERSONNEL EITHER. AFTER THE INITIAL SUPPRESSION ATTACK, GROUND CREWS ARE STILL NEEDED TO MOP UP AND SECURE THE BURNED AREA TO INSURE THAT NO EMBERS ARE LEFT SMOLDERING TO FLARE UP AGAIN.

HAWAII PAYS \$500 PER HOUR FOR A LIGHT TURBINE FOUR PASSENGER HELICOPTER FOR FISCAL YEAR 1985 AND THEY PRESUME PRICES WILL GO UP NEXT YEAR.

THE IDEA HAD BEEN PRESENTED BEFORE TO THE STATE AND PRIVATE FORESTER OF THE INSTITUTE OF PACIFIC ISLANDS FORESTRY BY SOME SENATORS OF THE SEVENTEENTH LEGISLATURE DURING A COURTESY CALL.

IT WAS BROUGHT TO THEIR ATTENTION THE FEASIBILITY OF OBTAINING A SURPLUS HELICOPTER FROM GSA AND AS PER EXPERIENCE WILL TAKE HUNDREDS OF THOUSANDS OF DOLLARS TO PUT THEM IN FLYING ORDER, ADDING TO THAT THE EXORBITANT COST OF MAINTENANCE.

FIRE SUPPRESSION AND FIRE PREVENTION EXPERTS THAT WERE BROUGHT INTO THE TERRITORY TO TEACH OUR LOCAL WILDLAND FIRE FIGHTERS IN THE RECENTLY CONCLUDED FIRE FIGHTERS AND FORESTERS TRAINING, ALSO, HAVE REGISTERED NEGATIVE COMMENTS WHEN ASKED ABOUT THE APPLICABILITY OF USING HELICOPTERS FOR FIRE FIGHTING IN GUAM. IT IS TOO BIG AN OPERATION THEY SAID FOR A SMALL TERRITORY.

FORESTERS, BOTH LOCAL AND STATESIDE ALIKE, AGREE THAT THE SOLUTION TO THE FIRE PROBLEM IN OUR SOUTHERN GRASSLANDS IS TO TRANSFORM ITS VEGETATION INTO MORE USEFUL TREE STANDS. OUR SOUTHERN GRASSLANDS HAVE MORE THAN TWICE THE NUMBER OF FIRES THAN OUR NORTHERN BRUSH AREAS. THE FIRE PROBLEMS ON OUR FORESTED AREAS ARE MINIMAL. THOSE FEW FIRES WE HAVE ON OUR FORESTS ARE NOT BECAUSE OF THE TREES BUT BECAUSE OF THE THICK PATCHES OF SWORDGRASS AND OTHER FIRE PRONE BRUSH THAT GROW UNDER THE CANOPY OF TREES.

EMPLOYMENT OF A HELICOPTER OR AIRCRAFT FOR EXTINGUISHING FIRES IS

JUST A TEMPORARY OR SEASONAL SOLUTION TO THE PROBLEM. WHAT WE NEED AND WANT IS A PERMANENT AND LIFETIME SOLUTION WITH MORE BENEFICIAL EFFECTS.

WE SUGGEST THAT THE AMOUNT SPENT FOR RENTAL OF THESE EQUIPMENT BE SPENT IN REPLANTING OF BURNED AREAS, PUBLIC AND PRIVATE, IF OUR CONCERN IS SOIL EROSION. WE HAVE DISCOVERED TREE SPECIES THAT ARE FAST GROWING AND ADAPTED TO OUR SOILS. IT HAS BEEN DEMONSTRATED FOR THE PAST THREE YEARS AND IT CAN BE DONE ON BOTH NORTH AND SOUTH OF GUAM. THE ONLY HINDRANCE IN IMPLEMENTING THIS IS THE LACK OF MANPOWER AND EQUIPMENT. OUR LOCAL FORESTRY DIVISION HAS ONLY FIVE FIREFIGHTERS AND FIVE FIELD WORKERS. IF WE CAN HIRE MORE TREE PLANTERS TO TAKE CARE OF OUR SCARRED HILLSIDES AND GRASSLANDS, THERE WILL BE A GUARANTEE THAT THOSE SPOTS WOULD NOT BURN AGAIN THE NEXT FIRE SEASON.

## SECTION II.

ON SECTION 2 OF BILL No. 465, PUBLIC LAW 16-62 PLACED THE RESPONSIBILITY "... FOR THE PREVENTION, CONTROL AND EXTINGUISHMENT OF WILDLAND FIRES ..." UNDER THE DEPARTMENT OF AGRICULTURE. YET THE DEPARTMENT IS NOT INCLUDED IN THE LIST OF PRIMARY AGENCIES TO COMPRISE THE TASK FORCE IN FORMULATING SOLUTIONS TO OUR FIRE PROBLEMS. THE FORESTRY DIVISION OF THE DEPARTMENT OF AGRICULTURE IS A SMALL ENTITY IN THIS GOVERNMENT BUT I THINK IT IS SAFE TO SAY THAT IT IS THE AGENCY THAT HAS A MORE COMPLETE AND COMPREHENSIVE RECORDING OF WILDLAND FIRES ON GUAM, WHEREIN SOLUTIONS TO THE PROBLEM COULD BE DERIVED FROM BY THE TASK FORCE.

UPON THE ESTABLISHMENT OF A SEPARATE GUAM FIRE DEPARTMENT FROM THE DEPARTMENT OF PUBLIC SAFETY, WE ASKED THE ATTORNEY GENERAL'S OFFICE TO DETERMINE WHO HAS JURISDICTION OVER WILDLAND FIRES IN THE TERRITORY AND THE ANSWER WAS THE LOCAL FORESTRY OFFICE.

WE WORK IN CLOSE COORDINATION WITH THE LOCAL FIRE DEPARTMENT AND THAT OF THE MILITARY AGENCIES. WE HAD BEEN TOGETHER IN FIGHTING WILDLAND FIRES AND EVEN LOAN THEM OUR EQUIPMENTS WHEN THEIR FIRE TRUCKS ARE DOWN. BUT WHY ONLY THE GUAM FIRE DEPARTMENT AND NOT FORESTRY?

OUR RECORDS REFLECT ALMOST ALL OF THE ESSENTIALS THERE ARE IN THE RECORDING OF WILDLAND FIRES. IT IS PATTERNED IN A SIMILAR FASHION WITH THAT OF THE U.S. FOREST SERVICE TO FACILITATE ITS COMPUTERIZATION. IT REFLECTS THE DATE THE FIRE HAS OCCURRED, THE TIME OF THE DAY IT HAPPENED, THE EXACT LOCATION OF THE BURN, AND THE SIZE. IT ALSO REFLECTS THE MOST PROBABLE CAUSE AFTER INVESTIGATED, THE FIRE DANGER INDEX FOR THE DAY AND IS GIVEN A NUMBER FOR AN EASIER COMPUTER TRACING OF A PARTICULAR FIRE. IT EVEN GIVES THE DPS NUMBER OF THE SAME FIRE AS INDICATED IN THE FIRE DEPARTMENT RECORDS. OTHER INFORMATIONS WE GATHER ARE, THE AGENCY TAKING INITIAL ACTION, THE PARTICULAR DAY OF THE WEEK IT HAPPENED, THE TIME THE ACTUAL REPORTING TO THE FIRE SECTION TOOK PLACE AND ITS CORRESPONDING SIZE CLASSIFICATION. THE BURNED AREAS ARE CLASSIFIED FURTHER IN OUR RECORDS WHETHER THEY ARE COMMERCIAL FORESTED LANDS OR NON FORESTED LANDS. THE DATA WE RECORD DOES NOT ONLY CONCERN THE FIRE ITSELF BUT CIRCUMSTANCES LEADING TO FIRES, LIKE, THE ACTUAL DAILY RAINFALL, THE NUMBER OF DAYS SINCE THE LAST RAIN, THE WINDSPEED FOR THE DAY, THE PREVAILING DAILY TEMPERATURE, RELATIVE HUMIDITY, THE FUEL STICK

MEASUREMENT AND THE FUEL STICK INDEX. THIS WE DO EVERYDAY DURING THE MONTHS OF DECEMBER TO JUNE IN OUR FORESTRY OFFICE USING OUR OWN INSTRUMENTS AND COMPUTERS.

IN SHORT, WE ALSO HAVE KNOWLEDGE ABOUT WILDLAND FIRES AND WANT TO BE INCLUDED AS ONE OF THE PRIMARY AGENCIES IN THE TASK FORCE IF ESTABLISHED BY LAW.

TO SUM IT ALL UP, THE PERMANENT SOLUTION TO OUR WILDLAND FIRE PROBLEM DOES NOT DEPEND UPON OUTRIGHT SOPHISTICATED SUPPRESSION. IT IS ONLY A TEMPORARY EXPENSIVE ALTERNATIVE; BUT THE MAIN SOLUTION DEPENDS HEAVILY ON STRONGER ENFORCEMENT MEASURES AND STRINGENT LAWS. WE NEED MORE TRAINED PERSONNEL TO PATROL OUR WILDLANDS AND LOOK AFTER ARSONISTS. WE NEED MORE TEETH IN OUR LAWS TO TAKE CARE OF THOSE WHO BURN OUR BOONIES. WE NEED AFFORESTATION TO CHANGE THE NATURE OF FUELS FOUND IN OUR LAND, FROM FUELS THAT DO BURN EASILY WITH A CARELESS FLIP OF A CIGARETTE OUT OF A CAR WINDOW, FUELS THAT FLARE UP BY A TOSS OF A LIGHTED MATCH STICK, FUELS THAT BURN AS FAST AS THE WIND BLOWS, TO TREES THAT COULD PERMANENTLY HOLD AND PROTECT OUR SOIL, TREES THAT COULD GRADUALLY HELP RELEASE WATER TO OUR LAKES, RIVERS AND STREAMS, TREES THAT COULD INCREASE AND ENHANCE OUR DWINDLING WILDLIFE POPULATION, TREES THAT COULD BE OUR SOURCE OF FUEL AND LUMBER SOMEDAY, TREES THAT COULD BE MANAGED TO RENDER THE GREATEST BENEFIT TO A GREATER NUMBER OF PEOPLE.

THANK YOU FOR THE OPPORTUNITY TO COMMENT.

RUFO J. LIJAN





**JAMES G. MILES**  
Chief of Police

# Guam Police Department

287 W. O'Brien Dr.  
Agana, Guam 96910



SEP. 9 1985

Senator Frank R. Santos  
Chairman, Committee on Federal,  
Foreign & Legal Affairs  
Eighteenth Guam Legislature  
Agana, Guam 96910

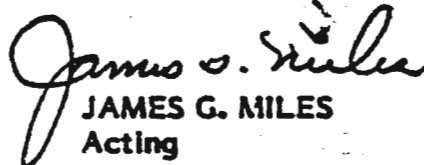
Dear Senator Santos:

The Guam Police Department supports the intent of Bill No. <sup>465</sup>456 "An Act to Create a Task Force on Wildland Fires." The Bill addresses the need for an assessment of the wildland fire problem on our island. We however, suggest that in lieu of creating a Task Force to study the problem, whatever funds identified for the creation of a task force be diverted to the Department of Agriculture to augment and reinforce their enforcement efforts to enhance the arrest and apprehension of persons responsible for wildland fires. The Guam Police Department can also assist and coordinate with the Department of Agriculture in this effort. It is common knowledge that most wildland fires are started or set by poachers and people who have nothing better to do. I content that the apprehension of just a few responsables will be a significant deterrent to this continous problem.

The Guam Police Department supports Bill No. 591 "An Act to Permit the Importation and Use of Certain Low-Yield Fireworks." The Bill if enacted into law will provide guidelines for the importation and safe use of fireworks on our island. Low-Yield fireworks are available and used throughout most jurisdictions in the Continental United States and are commonly used in historical and traditional national celebrations.

I would like to extend my sincere appreciation to the Committee for being given the opportunity to testify on the aforementioned Bills.

Sincerely,

  
JAMES G. MILES  
Acting



September 9, 1985

Senator Frank F. Santos  
Chairman, Committee on Federal,  
Foreign and Legal Affairs  
Eighteenth Guam Legislature  
P.O. Box CB-1  
Agana, Guam 96910

Dear Senator Santos:

Thank you for inviting me to express the Guam Fire Department's views on Bills #465 and #591. In this respect, I am offering the following comments for your committee's review.

(1) Bill No. 465 - An Act to Create a Task Force on Wildland Fires.

As you are well aware, wildland fires destroys hundreds of acres of Guam's wildland every year. The key point to address here is accessibility and needed resources to combat this type of destruction.

The formulation of a task force to conduct extensive research in resolving this matter as stipulated on Bill No. 465 is perhaps the most viable solution at this time. The Guam Fire Department, therefore, fully supports the creation of such a task force.

(2) Bill No. 591 - An Act to permit the importation and use of certain low-yield fireworks.

Section 58109

- (a) OK
- (b) OK
- (c) OK

Amended to read:

Section 58109.1: The Fire Department shall issue an identification card valid for one (1) year to a person to allow him to import and use common fireworks in the Territory of Guam as authorized by the Fire Chief, Guam Fire Department. Common fireworks may be used by a person holding an identification card for his personal entertainment

My name is Dale Willoughby, Captain, U.S. Marine Corps, Retired, and I am here to testify FOR the Legislative Bill number 465-85, AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES.

It all began when last spring in touring the island, I watched the fires on Apra Heights burn uncontrolled and wrote a letter of complaint to the "VOICE OF THE PEOPLE" in PDN.

My love affair with Guam and its people began 46 years ago, when I stopped at the Piti Navy Yard (now since demolished) on my way to China as a U.S. Marine. I fell in love with its verdant green foliage growing right down to the beach, broken only where streams from the mountains emptied into a bay. I had mailed a copy of my complaint to the Governor regarding wildland fires and received a reply sometime in August stating that the establishment of a Task Force would be a tremendous boost to the prevention and control of wildland fires.

The U.S. Navy's concept of a TASK FORCE is elements designated especially to perform their part in the mission... destroyers, troop carriers, battleships and aircraft carriers.... specialists in warfare.... so it seems that it is appropriate to name specialists for the Task Force on Wildland

Fires to be composed of:

Chief, Guam Fire Department  
Administrator, EPA, Guam  
Cmndr, NavForMar, Guam  
Attorney General, Guam

Chief, Police Department  
CodmgGen, Army National Guard, Guam  
Chief, Forestry & Soils, Dept AGr  
Director, Civil Defense, Guam

These are the nominees chosen to do the "leg work" for the legislature make their report and findings in due time for another Public Hearing on the matter. These nominees are all specialists in their respective fields and can do a good job when once assembled in one place and at one time. I therefore recommend that your Committee so assign the above to the Task Force on Wildland Fires.

Regarding the funding amount, there are nine people on the Task Force which will hold hearings for 4 months times \$100 equals \$3,600 according

However, if funding is a problem, I will serve without pay as the Chairman and the others are already either on GovGuam or Federal Payrolls.

So I request that you let this list of nominees be considered and do your research for your Committee.

One more thing. I have been talking to Guam Energy Office (GEO) regarding an island-wide radio network, not dependent upon GTA or GPA facilities for power or communication, but on solar cells, storage batteries and repeaters for communication in case of disaster, earthquake, typhoon, or wildland fires. They have a set-up worth looking into for their operation. Frequencies assigned to GovGuam only require small 5 watt hand held transceivers, usable on a daily basis, but available on a self-powered basis for about 5 days at a time. These would be placed at each Commissioner's Office, the Government House, Police and Fire Dept. Headquarters and Civil Defense Office to offset the continual complaint of "no communication between the village commissioners and officials". Cost would approximate \$4,000.00 per site and would be funded from grants of U.S. Department of Energy's Petroleum Violation Escrow Account Funds, administered by GEO when made available for distribution to the people of Guam for overcharges on gasoline. These funds, so spent, would benefit the majority of the people on Guam more than any other project. The designation of "fire spotters" by each commissioner would serve to spot bonfires before they became conflagrations.

Thank you for allowing me to testify for the Bill 465-85, AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES.

Dale Willoughby  
Captain, USMC, Rtd

N.B. A Summary of comments  
made on Monday, 8 Sep 85.

JUN 18 '85

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Bill No. 2445 (1st)

Introduced by:

C. T. C. Gutierrez

AN ACT TO CREATE A TASK FORCE ON WILDLAND FIRES.

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

2 Section 1. Legislative Intent. The Legislature has determined that  
3 there is an urgent need to address the problem of wildland fires on Guam.  
4 Such fires have caused extensive damage throughout the territory and have  
5 destroyed large amounts of vegetation, leading to erosion of the land and  
6 loss of wildlife. Although wildland fires are a recurring problem on Guam,  
7 the government's response thus far has been ineffective.


8 To address wildland fires, the Legislature intends to establish a task  
9 force to analyze the problem and suggest alternative solutions. The Task  
10 Force will consist of representatives from various departments of the  
11 Government of Guam. In response to a recommendation from Dale  
12 Willoughby, Captain, United States Marine Corps, Retired, the task force is  
13 specifically directed to explore the possibility of arranging the use of  
14 helicopters and military assistance to help fight wildland fires.

15 Section 2. Creation of Task Force. There is established a Task Force  
16 on Wildland Fires which is vested with the powers and duties specified in  
17 this Chapter. The Task Force shall consist of nine (9) members who shall  
18 be appointed by the Governor with the concurrence of the Speaker of the  
19 Legislature no later than thirty (30) days subsequent to the effective date  
20 of this Act. The members shall be selected so as to ensure that the Task  
21 Force includes at least one (1) representative each from the Guam Police  
22 Department, the Guam Fire Department, the Guam Environmental Protection  
23 Agency, and the Commissioners' Council of Guam.

1           Section 3.    Compensation of Members.   Members of the Task Force  
2   shall be paid at the rate of Fifty Dollars (\$50.00) per day for each day that  
3   the Task Force meets, such compensation not to exceed One Hundred  
4   Dollars (\$100.00) per month.

5           Section 4.    Task Force Powers and Duties.   The Task Force on  
6   Wildland Fires shall hold public meetings to examine the problem of wildland  
7   fires and to consider alternative strategies for addressing this problem.  
8   Among the strategies to be considered and implemented if possible by the  
9   Task Force shall be the use of helicopters with assistance of the military to  
10   help fight wildland fires.   The Task Force shall issue a report to the  
11   Governor and to the Speaker of the Legislature within one hundred twenty  
12   (120) days of the effective date of this Act.   The report shall include an  
13   analysis of the wildland fire problem and recommendations for governmental  
14   action.

15           Section 5.    Termination of Task Force.    The Task Force shall  
16   terminate upon issuance of its report pursuant to Section 75104 of this  
17   Title."



PRESENT (Public Law 14-52):

"§4104.1 The rules and regulations referred to in §4104 shall provide that an employee who is at Step 10 for three (3) consecutive years and has served satisfactorily shall have his work record reviewed and if it is satisfactory, then he shall have his pay adjusted to Step 10 in the next highest pay range."

FJD

PROPOSED:

Section 6-6205.

Section 4104.1 is hereby amended to read:

"The rules and regulations referred to in §4104 shall provide that an employee who is at Step 10 for three or more consecutive years and has served satisfactorily shall have his work record reviewed and if it is satisfactory, then he shall have his pay adjusted to Step 10 in the next higher pay range for each three years of such satisfactory service."

AKU in re 19-1  
7-11-84  
19-1-84 95-

JUN 18 '85

EIGHTEENTH GUAM LEGISLATURE  
1985 (FIRST) Regular Session

Bill No. 465 (LS)

Introduced by:

C. T. C. Gutierrez

AN ACT TO CREATE A TASK FORCE ON WILDLAND  
FIRES.

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23 Agency, and the Commissioners' Council of Guam.



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13 analysis of the wildland fire problem and recommendations for governmental  
14 action.

15           Section 5. Termination of Task Force. The Task Force shall  
16 terminate upon issuance of its report pursuant to Section 75104 of this  
17 Title."