

Territory of Guam

Territorio Guam

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

Rec'd 3/27/89

Time: 5:25 P.M.

MAR 27 1989

→ RECD by SEEY

The Honorable Joe T. San Agustin
Speaker, Twentieth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 492, which I have signed into law this date as Public Law 20-1.

Sincerely yours,

Joseph F. Ada
JOSEPH F. ADA
Governor

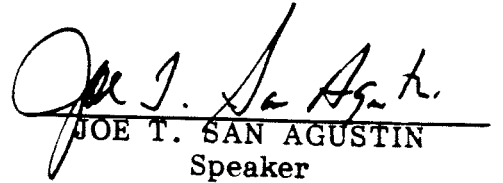
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200136


TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

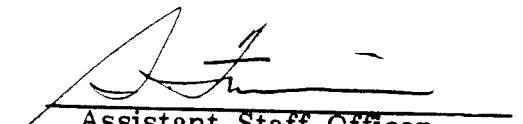
This is to certify that Substitute Bill N^o. 492, "AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS," was on the 15th day of March, 1989, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker

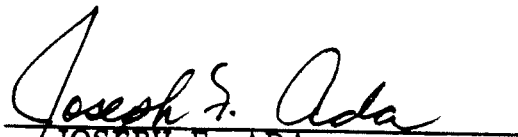
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 16th day of March, 1989,
at 10:30 o'clock A.m.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: March 27, 1989

Public Law No. 20-1

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 492 (LS)
As substituted by the
Committee on Tourism & Transportation

Introduced by:

J. P. Aguon
T. S. Nelson
E. P. Arriola

J. G. Bamba
M. Z. Bordallo
D. F. Brooks
H. D. Dierking
E. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
M. D. A. Manibusan
D. Parkinson
F. J. A. Quitugua
E. D. Reyes
M. C. Ruth
J. T. San Agustin
F. R. Santos
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AMEND AND APPROVE GUAM
MASS TRANSIT AUTHORITY ROUTE,
SCHEDULE AND FARE ADJUSTMENTS.

- 1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. The Proposed Routes, Schedules and Fares approved by
3 the Guam Mass Transit Authority Board of Directors on January 18, 1989,
4 are hereby approved subject to the following:
5 1. Item no. C. (11), page 2 of the Proposed Routes, Schedules
6 and Fares 1989, is amended to read:
7 "(11) Standard Transfers and Special Transfers shall be
8 coded to indicate the issuing route. Transfers are valid only on
9 the day of issuance and are not valid for the issuing route.

1 Drivers must validate transfers by dating and initialing them.
2 Transfers are good for one trip only."
3 Section 2. Item no. C. (11) as amended by Section 1 of this Act may
4 be further amended in accordance with the procedures of the Administrative
5 Adjudication Law.

TWENTIETH GUAM LEGISLATURE

1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. 492
 Res. No. _____

Date: 3/15/89

QUESTION: _____

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
AGUON, J. P.	✓			
ARRIOLA, E. P.	✓			
BAMBA, J. G.	✓			
BORDALLO, M. Z.	✓			
BROOKS, D. F.	✓			
DIERKING, H. D.	✓			
DUENAS, E. R.	✓			
ESPALDON, E. M.	✓			
GUTIERREZ, C. T.C.	✓			
LUJAN, P. C.	✓			
MAILLOUX, G.	✓			
MANIBUSAN, M.D.A.	✓			
NELSON, T. S.	✓			
PARKINSON, D.	✓			
QUITUGUA, F. J.A.	✓			
REYES, E. D	✓			
RUTH, M. C.	✓			
SAN AGUSTIN, J. T.	✓			
SANTOS, F. R.	✓			
TANAKA, T. V.C.	✓			
UNPINGCO, A. R.	✓			

21



JOHN PÉREZ AGUON
 SENATOR
 20TH GUAM LEGISLATURE
 CHAIRMAN, COMMITTEE ON
 TOURISM & TRANSPORTATION

324 Soledad Avenue, Suite 202, Quan's Building, Agana, Guam U.S.A. 96910 • (671)472-3435, 472-3497, 477-7569 • Fax: (671)477-8358

March 13, 1989

Honorable Joe T. San Agustin
 Speaker
 Twentieth Guam Legislature
 163 Chalan Santo Papa
 Agana, Guam 96910

Dear Mr. Speaker,

The Committee on Tourism & Transportation, to which Bill 492(LS), "AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS AND TO PROVIDE SUPPLEMENTAL FUNDING FOR THE GUAM MASS TRANSIT AUTHORITY FOR FISCAL YEAR 1989", was referred, wishes to report its findings and recommendations.

The Committee voting record on Bill 492(LS) as substituted by the Committee on Tourism & Transportation, is as follows:

TO PASS	<u>14</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT ONLY	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

A copy of the voting sheet, report and all pertinent documents are attached for your information.

Sincerely,

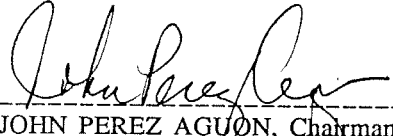

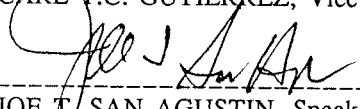
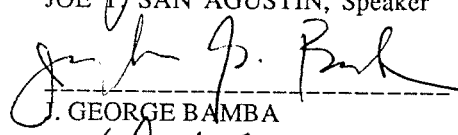



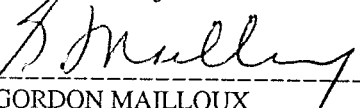
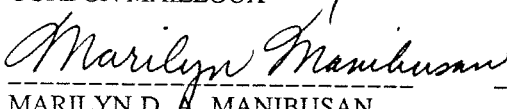
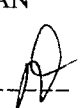
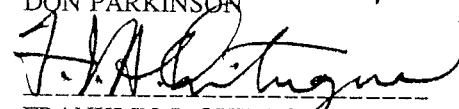
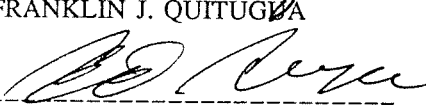
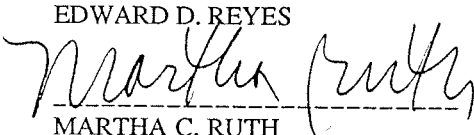
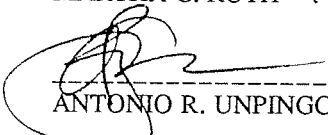


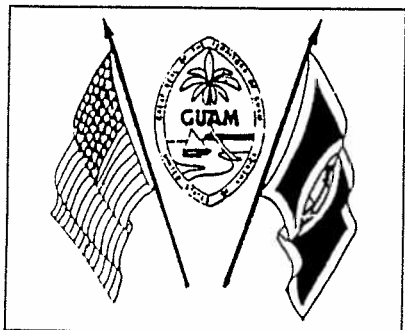
JOHN PEREZ AGUON

Attachments

VOTING SHEET COMMITTEE ON TOURISM & TRANSPORTATION

Bill No. 492 (as substituted by the Committee on Tourism & Transportation) - AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS.

	TO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO PLACE IN INACTIVE FILE
 JOHN PEREZ AGUON, Chairman	✓			
 CARL T.C. GUTIERREZ, Vice Chairman	✓			
 JOE T. SAN AGUSTIN, Speaker	✓			
 J. GEORGE BAMBA	✓			
 DORIS F. BROOKS	✓			
 HERMINIA D. DIERKING	✓			
 PILAR C. LUJAN	✓			
 GORDON MAILLOUX	✓			
 MARILYN D. MANIBUSAN	✓			
 DON PARKINSON	✓			
 FRANKLIN J. QUITUGUA	✓			
 EDWARD D. REYES	✓			
 MARTHA C. RUTH	✓ 3/8 mr			
 ANTONIO R. UNPINGCO	✓			



20th Guam Legislature
COMMITTEE ON
TOURISM and
TRANSPORTATION

COMMITTEE REPORT

BILL 492 (LS) as amended by the Committee on Tourism & Transportation: AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS

PUBLIC HEARING:
February 28, 1989

MARK UP MEETING:
March 8, 1989

SENATOR JOHN PEREZ AGUON, Chairman

SENATOR CARL T.C. GUTIERREZ, Vice Chairman

Members:

SPEAKER JOE T. SAN AGUSTIN	SENATOR MARILYN D.A. MANIBUSAN
SENATOR J. GEORGE BAMBA	SENATOR DON PARKINSON
SENATOR DORIS F. BROOKS	SENATOR FRANKLIN J.A. QUITUGUA
SENATOR HERMINIA D. DIERKING	SENATOR EDWARD D. REYES
SENATOR PILAR C. LUJAN	SENATOR MARTHA C. RUTH
SENATOR GORDON MAILLOUX	SENATOR ANTONIO R. UNPINGCO

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INTRODUCTION

The Committee on Tourism & Transportation conducted a public hearing on the following on Tuesday, February 28, in the Legislative Session Hall:

ROUTE, SCHEDULE AND FARE ADJUSTMENTS FOR THE GUAM MASS TRANSIT AUTHORITY.

Present at the hearing were the Chairman, Sen. John Perez Aguon, and Senators Doris F. Brooks, Martha C. Ruth, Elizabeth P. Arriola, Tomas V.C. Tanaka, Edward D. Reyes and Franklin J.A. Quitugua.

Signing to present testimony regarding the subject matter were the following:

Charles W. Bell, Jr., Disabled Veteran
Dr. Eddie del Rosario, Advocacy Office Administrator
Mack Ezzell, GMTA Planner
Raymond Laguana, Commissioner of Barrigada
Ray Panganiban, Retired
Herbert Rautenberg, Private Citizen
Fred Carl Santos, GMTA General Manager

BACKGROUND

The Route, Schedule and Fare Adjustments for the Guam Mass Transit Authority were adopted by the GMTA Board of Directors on January 18, 1989, following a public hearing on January 17 (SEE PAGE NO. 13).

Under the guidelines of the Administrative Adjudication Act, any Route or Schedule or Fare adjustments must be publicly heard, passed by the Board and then transmitted to the Legislative Secretary following approval by the Attorney General. Once received by the Legislative Secretary, the Legislature is given 45 calendar days to approve, disapprove or amend the Adjustments. If no action is taken before the 45 day period expires, the Adjustments automatically go into effect.

The proposed Adjustments were received by the Legislative Secretary on February 2, 1989. They would become the official routes, schedules and fares of GMTA on Sunday, March 19, 1989, if the Legislature doesn't act before then.

The proposed changes include decreasing the total number of routes from nine to eight and nearly doubling the scheduled bus runs. The adjustments would also reduce the fare on some routes from \$1.00 to 75¢. Also proposed was the use of Transfer Stations at which Transfer Coupons could be used to travel from one route to another.

ROUTE, SCHEDULE AND FARE ADJUSTMENTS FOR GMTA (BILL 492)

Chairman Aguon began the hearing by calling up all those who signed up. Testifying were GMTA General Manager Fred Carl Santos; GMTA Planner Mack Ezzell; private citizen Herbert Rautenberg; disabled veteran Charles W. Bell, Jr.; Advocacy Office Administrator Dr. Eddie del Rosario; and Clerk Typist Annie C. Diego (SEE PAGE 23).

Chairman Aguon asked General Manager Santos to explain the differences between the existing routes, schedule and fares and the proposal before the Committee (SEE APPENDIX 1).

General Manager Santos said the route changes were prompted by requests from the public and their own statistical gathering of information. He explained that the current scheduling provides 90 minute headway and the south receives 3 runs per day. The new system would reduce the headway to 45 minutes in most areas, and would increase runs in the south to 4 per day.

Additionally, some fares would be decreased from \$1.00 to 75¢, and six transfer stations would be established: Micronesian Mall, Gibson's, Agana Shopping Center, Barrigada Bunny Market, University of Guam and USO.

The proposed schedule would provide new service to Dededo/NCS and from Inarajan to Merizo, and would pass through the Tumon area until nearly midnight for the convenience of hotel employees who change shifts at 11 p.m. Also in the new schedule is the Seventh Day Adventist Clinic on Ypao Road.

Dropped from the schedule is the Airport run, and the Agat-Agana run is reduced to four times daily from eight because the ridership is small and not growing. The total number of trips would increase from 89 to 149.

Ezzell explained the specific details of the route, schedule and fare changes as outlined in their two-page newspaper advertisement (SEE APPENDIX NO. 2). He also added that disabled veterans and students would qualify for lower fares under the new system. According to Ezzell, post secondary students had made up a large part of their ridership before the last fare change. When they raised their rates, he said, student ridership dropped dramatically.

Next to testify was Herbert Rautenberg, a private citizen and frequent rider on the GMTA system. Although he generally approved the proposed changes, he suggested an alternate or additional transfer station at either the Agana Kentucky Fried Chicken or the Agana Post Office to augment the Agana

Shopping Center station. Rautenberg said not everyone wanted to go all the way into the Agana Shopping Center to make transfers. He suggested that the use of either KFC or the Post Office would lessen the immediate need for bus shelters for GMTA riders and would be safer for riders.

He also said that ITC would be a better location than Gibson's and suggested that a longer time than one hour should be established for transfers.

General Manager Santos noted that both suggestions came up before and had been researched. According to their findings the two shopping centers were the preferred destination for most riders and having the transfer points there was safer for most riders.

Chairman Aguon pointed out that the Route, Schedule and Fare Adjustments would have to either be accepted just as they were or rejected. Sen. Arriola concurred, adding that the Legislature can change rules and regulations through legislation.

Sen. Arriola suggested that transfers should be valid all day on the day of issuance. She said that the manamko would often need longer than just an hour or two to make their transfers.

Sen. Brooks asked Rautenberg if the proposed route changes were superior to the existing routes. He said they were and that it was a definite improvement over what was existent.

The next to testify was a disabled veteran, Charles W. Bell, Jr. He asked for an increase in bus service to the Windward Hills area. He stated that his wife polled several single parent families living in the area and they stated they would take advantage of the bus service if it passed their area more frequently. The present service through Windward Hills is three times daily.

He said the number of families polled was 70 and that 20 families said they would ride the buses if they ran more frequently. He said he rode the buses six days a week and asked that they have service on Sundays and holidays.

Chairman Aguon asked Bell to submit written testimony backed up by his poll documentation.

Next to testify was clerk typist Annie C. Diego of Inarajan. She spoke in favor of increased funding for the GMTA and of an expansion of the routes and schedules. She claimed that such action would lead to greater ridership and be of great benefit to manamko, the disabled and working citizens without other forms of transportation.

She confirmed that a major problem with the present system is that it's necessary to travel from Inarajan through Agana to get to Merizo and vice versa. She said the addition of an Inarajan-Merizo schedule would be a blessing.

She expressed her gratitude to GMTA for being available to take her to and from work. She hoped the system could be expanded to Sundays and holidays soon, so that those who ride during the week could also take advantage of GMTA services on Sundays and holidays as well.

Dr. del Rosario was the next to testify, saying that the comment in his written testimony (APPENDIX NO. 3) had already been answered by General Manager Santos earlier regarding transportation of workers to Tumon for jobs in the visitor industry.

Sen. Brooks asked if Bell's concerns would be answered with the new scheduling. General Manager Santos said the proposed schedule included an additional trip to the Windward Hills area and that Bell's wife could, under the proposed schedule, make a round trip in just three hours, instead of the eight hour wait made necessary under the present schedule.

Sen. Ruth asked if consideration was given to having the buses stop at several locations within each village, maybe every mile or so, instead of at the locations listed in the schedule information. Ezzell explained that the locations listed were for ease in identifying the routes the buses take. He said the buses will stop anywhere that is safe to stop, as long as the prospective rider waves them down. He continued to say that specifically stopping at many locations would add to time spent on the roads and would increase operating costs.

She asked how much public input was given regarding the routes and schedules. Ezzell said only one person testified at the GMTA public hearing, and that was Mr. Rautenberg. Sen. Ruth asked how long the process would take to re-file the changes and rehear them, so that amendments could be made. Ezzell estimated two months.

Sen. Ruth asked when the routes, schedules and fares might be changed again. General Manager Santos said that would be in about seven months when new buses come. Sen. Ruth said a Mrs. Sablan from Mt. Santa Rosa in Yigo wanted to have bus service to her area in which several families resided. Sen. Ruth asked if she could tell Mrs. Sablan that the route could be extended to Mt. Santa Rosa in seven months. General Manager Santos said that the route extension could be considered when the new buses come.

Chairman Aguon thanked those testifying and asked if there were any closing

remarks. General Manager Santos said there was a contract for \$12,000 between GMTA and the Agency for Human Resources Development (AHRD). He said that the route changes included passing several training centers at which students in the Job Training Partnership Act (JTPA) were enrolled. He suggested that the availability of GMTA to offer transportation for these students would help them in completing their training and finding meaningful employment.

Chairman Aguon asked General Manager Santos to submit written testimony regarding the route, schedule and fare changes (APPENDIX NO. 4). Chairman Aguon asked how soon the changes could be put into effect if they were passed. General Manager Santos said they could be implemented in a week's time.

There being no further questions or comments, the Chairman thanked everyone for testifying and ended the public hearing.

Following the public hearing, Chairman Aguon introduced Bill 492 to enact, with amendments, the Route, Schedule and Fare Adjustments for the Guam Mass Transit Authority (SEE PAGE NO. 20).

MARK-UP MEETING

The Committee on Tourism and Transportation met in a mark-up meeting at 9 a.m. on Wednesday, March 8, 1989, in the Quan Building Conference Room. Present at the meeting were Chairman John Perez Aguon and Senators J. George Bamba, Doris F. Brooks, Gordon Mailloux, Franklin J. A. Quitugua, Martha C. Ruth and Antonio R. Unpingco. Also present were representatives from the offices of Senators Carl T. C. Gutierrez and Marilyn D. A. Manibusan, and Special Assistant Bill Phillips from the Committee on Tourism and Transportation.

Chairman Aguon told the Committee members that he had requested a legal opinion regarding the proper procedure to follow to amend proposed rules and regulations (SEE APPENDIX NO. 5). Concurrently, the Chairman said Bill 492 had been introduced in the March 2 session to approve the adjustments with amendments, and to provide for supplemental appropriations. The Chairman said he was also concerned that the public hearing on the subject matters took place before the bill was introduced. It was decided by the body that the substance of the bill regarding the Route, Schedule and Fare Adjustments for the Guam Mass Transit Authority had been heard and thus the bill should be reported out as amended by the Committee. A legal opinion on this matter is APPENDIX NO. 6.

Senator Bamba moved that Section 2 of the bill would be deleted and included, with the concurrence of the Chairman of the Committee on Ways & Means, with the supplemental appropriations bill. Senator Ruth seconded the motion and it was passed with no objections.

Discussion began on amending the adjustments. General Manager Santos said that the proposal for transfers as contained in the bill was too generous and that the GMTA could lose about \$6,500 per year in revenues. Senator Bamba suggested that there should be no time limit on the transfers and that the first transfer given to each rider should be free. Ezzell said the time limit was to eliminate use of transfers for round trips. Phillips said that round trips would be eliminated when the driver noted the route on the transfer. Senator Quitugua suggested color coding the transfers and Senator Brooks agreed. Ezzell said the color coding might be a problem and suggested number or letter coding instead. Senator Bamba moved that the language in section 1 be changed to have transfers coded, valid only on the day of issuance and good for only one trip.

The changes were made and the Committee agreed on the language now contained in Bill No. 942 as substituted by the Committee on Tourism & Transportation (APPENDIX NO. 7). The Chairman then adjourned the meeting.

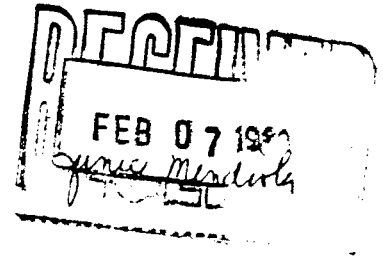
RECOMMENDATIONS

The Committee on Tourism & Transportation recommends the passage of Bill 492 as amended by the Committee on Tourism & Transportation, AN ACT TO AMEND AND APPROVE THE GUAM MASS TRANSIT AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS.

SENATOR HERMINIA D. DIERKING
CHAIRPERSON, COMMITTEE ON RULES

TWENTIETH GUAM LEGISLATURE
163 Chalan Santo Papa
Agana, Guam 96910
(671) 472-3438/39

FILE




February 6, 1989

MEMORANDUM

To: Chairman, Committee on Tourism & Transportation
From: Chairperson, Committee on Rules
Subject: Communications (Adjustments of Guam Mass
Transit Authority

The following communication was received by my office and is being forwarded to your Committee for your information:

1. Routes, Schedules and Fare Adjustments of the Guam Mass Transit Authority submitted by Mr. Fred Santos.


HERMINIA D. DIERKING

attachments



PILAR C. LUJAN
SENATOR • LEGISLATIVE SECRETARY

February 3, 1989

Memorandum

To: Chairwoman, Committee on Rules

From: Legislative Secretary

Subject: Route, Schedule and Fare Adjustments

RECEIVED
COMMITTEE ON RULES
DATE: 2/3/89
TIME: 2:45 pm.
BY: [Signature]

Pursuant to Section 24202 of the Government Code of Guam, the Guam Mass Transit Authority has filed proposed Route, Schedule, and Fare Adjustments with the Office of the Legislative Secretary.

Transmitted herewith is a copy of the filed Routes, Schedules and Fares for referral pending Rules Committee ratification.

A copy of this memorandum with attachments has also been transmitted to the committee with oversight purview to provide adequate review by the Legislature during the required filing period.

Pilar C. Lujan
PILAR C. LUJAN
Legislative Secretary

Attachments

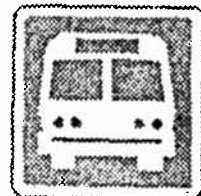
cc: Committee on Tourism and Transportation

*Pls. refer to the
Committee on
Tourism*

ASAP
*Please file
2/11/89*
[Signature]

Guam Mass Transit Authority

Government of Guam
P.O. Box 24383, GMF, Guam 96921
Telephone: 649-9247/9846



January 26, 1989

PROPOSED ROUTES, SCHEDULES, AND FARES

PUBLIC TRANSPORTATION

CHAPTER I. Guam Mass Transit Authority

A. Routes:

- PT-1 Yigo-Dededo-Tamuning
- PT-2 Dededo-Tamuning
- PT-3 Barrigada-Dededo-NCS
- PT-4 Tamuning-Agana-MTM-Barrigada-Mangilao-Ordot-Chalan Pago-Sinajana-Agana-Tamuning
- PT-5 Tamuning-Agana-Sinajana-Chalan Pago-Ordot-Mangilao-Barrigada-MTM-Agana-Tamuning
- PT-6 Agana-Sinajana-Agana Heights-Agana-Asan-Piti
- PT-7 Piti-Cabras Island-Santa Rita-Agat-Umatat-Merizo-Inarajan
- PT-8 Merizo-Inarajan-Talofoto-Yona-Mangilao

B. Schedules:

Schedules will be on a 90-minute one way headway on routes PT-1, PT-2, PT-3, PT-4, PT-5, PT-6. A two way effective headway of 45 minutes will be in most areas due to two routes covering the same area. In the areas covered by Routes PT-7 and PT-8 service will be increased to four times per day. Service will be Monday thru Saturday excluding Government of Guam holidays. Service hours will be generally from 6AM to 6PM with route PT-1 extended to approximately midnight.

C. Fares:

- (1) \$0.75 per ride standard fare on all routes
- (2) Students ride at a student fare of \$0.50 per ride with current identification card with picture issued by their school. Card must have an expiration date or indicate a school year.
- (3) Children 5 years of age and below ride free when accompanied by a person 16 years of age and above.

PROPOSED ROUTES, SCHEDULES, AND FARES 1989
Continuation, Page 2

- (4) Uniformed Police Officers (Guam Police Department) and uniformed Firefighters (Guam Fire Department) ride free.
- (5) Persons 55 years of age and above ride at a special fare of \$0.35 per ride with current identification card issued by Guam Mass Transit Authority, Guam Association of Retired Persons, or Medicare.
- (6) Handicapped persons ride at a special fare of \$0.35 per ride (when identified by an authorized Government of Guam health professional as meeting the requirements of Code of Federal Regulations 49 Part 27.5) with current identification card with picture issued by Guam Mass Transit Authority.
- (7) Standard fare passengers may purchase a standard transfer ticket for 25¢ which is good for 60 minutes.
- (8) Special Fare passengers may be issued a special transfer ticket for free which is good for 60 minutes.
- (9) Student fare passengers may purchase a standard transfer ticket for 25¢ which is good for 60 minutes.
- (10) Standard fare and Student fare passengers may purchase discount 25¢ ticket books (48 each) for \$10.00 (a savings of \$2.00 per book). These tickets may be used (in the proper denominations) for a standard fare (75¢ - three tickets) a Student fare (50¢ - 2 tickets), or a standard transfer (25¢ - one ticket).
- (11) Standard Transfers and Special Transfers are good for 60 minutes only after validation by the originating Transit driver. Validation consists of recording (a) date, (b) time, (c) driver initials, (d) originating transit route, and (e) destination transit route on the back of tickets.
- (12) GMTA's management and staff ride free.
- (13) Guam Public Transit Contractor's management and staff ride free.
- (14) Special fare passengers may purchase discount 35¢ ticket books (36 each) for \$10.00 (a savings of \$2.60 per book). These tickets may be used for a special fare.
- (15) Disabled Veterans ride at a special fare of 35¢ per ride with current Disabled Veterans identification card.

PROPOSED ROUTES, SCHEDULES, AND FARES 1989
Continuation, Page 3

- (16) Refunds of fares are not allowed
- (17) Passengers must have exact change or tickets before boarding transit vehicles.
- (18) Drivers are not permitted to accept cash for transit fares. All cash must be deposited directly into fareboxes.
- (19) Transfer fees are assessed at every Transfer Station. Whether a passenger is transferring to another bus or continuing to another route, a fee of 25¢ is assessed before departure.

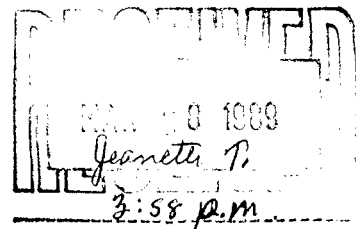
Changing Buses to connect to another route is a Transfer. Continuing on the same bus while changing routes is also defined as a transfer.

All routes change at every Transfer Station. A valid card for the Handicapped, Senior Citizens and Disabled Veterans are exempted on Transfer Fees.

All Transfer Coupons must be validated by the Bus Driver before transferring to another bus. Transfer Coupons, once validated are valid for only one hour. Exception to this rule applies only if Schedule Runs are interrupted or delayed due to breakdowns, traffic congestions, accidents, etc.

SENATOR HERMINIA D. DIERKING
CHAIRPERSON, COMMITTEE ON RULES

TWENTIETH GUAM LEGISLATURE
163 Chalan Santo Papa
Agana, Guam 96910
(671) 472-3438/39



March 7, 1989

MEMORANDUM

TO: Chairperson, Committee on Ways & Means
Committee on Tourism and Transportation

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 492

The above Bill is referred to your Committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting.

It is recommended that a joint hearing be coordinated with the Committees involved.

EDWARD D. REYES
Acting

Enclosure

FILE

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 492

Introduced By:

ACKNOWLEDGEMENT RECEIPT

Received By: Paiv
Time: 5:16 pm
Date: 3/1/89

J. P. AGUON *Jpa*

AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT
AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS AND
TO PROVIDE SUPPLEMENTAL FUNDING FOR THE GUAM MASS
TRANSIT AUTHORITY FOR FISCAL YEAR 1989.

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

2 Section 1. The Proposed Routes, Schedules and Fares approved by the Guam
3 Mass Transit Authority Board of Directors on January 18, 1989, are hereby
4 approved subject to the following:

5 1. Item no. C11, Page 2 of the Proposed Routes, Schedules and Fares
6 1989 is amended to read as follows:

7 "Standard Transfers and Special Transfers are good for [60
8 minutes only] the full day on the date of issuance after validation by
9 the originating Transit driver. Validation consists of recording (a)
10 date, (b) [time, (c)] driver initials, [(d)] (c) originating transit route,
11 and [(e)] (d) destination transit route on the back of tickets."

12 Section 2. Section 13 of Public Law 19-34 is repealed and reenacted to
13 read as follows:

14 "Section 13. Expenses of Guam Mass Transit Authority. One
15 Hundred Sixty Six Thousand Thirty-Four Dollars (\$166,034) is hereby
16 appropriated from the General Fund to the Guam Mass Transit Authority
17 for its administrative and operational expenses for Fiscal Year 1989.
18 All funds appropriated hereunder which are unexpended as of September
19 30, 1989, shall revert to the General Fund."



JOHN PEREZ AGUON
SENATOR
20TH GUAM LEGISLATURE
CHAIRMAN, COMMITTEE ON
TOURISM & TRANSPORTATION

FILE

324 Soledad Avenue, Suite 202, Quan's Building, Agana, Guam U.S.A. 96910 • (671)472-3435, 472-3497, 477-7569 • Fax: (671)477-8358

February 15, 1989

MEMORANDUM

TO: Members, Committee on Tourism & Transportation
FROM: Chairman
SUBJECT: Public Hearing

Please be advised that I have scheduled a public hearing on Tuesday, February 28, at 9 a.m. in the Legislative Session Hall. I have invited the Committees on Ways & Means and General Governmental Operations to participate as the subject matter has been jointly referred. The hearing concerns the following:


BILL 174 - AN ACT TO ESTABLISH THE GUAM PARKING AUTHORITY WITHIN THE GUAM MASS TRANSIT AUTHORITY TO PROVIDE FOR THE INSTALLATION OF PARKING METERS.

BILL 458 - AN ACT TO ESTABLISH A SOURCE OF FUNDING FOR THE PUBLIC TRANSIT FUND AND FOR OTHER RELATED PURPOSES.

Additionally, the Committee on Tourism and Transportation will be continuing immediately following Bills 174 and 458 on the following:

ROUTE, SCHEDULE AND FARE ADJUSTMENTS FOR THE GUAM MASS TRANSIT AUTHORITY.

Your participation will be appreciated. Copies of the matters to be heard are attached for your convenience.


JOHN PEREZ AGUON

Attachments

c: All other Senators

LIST OF INVITEES TO PUBLIC HEARING
COMMITTEE ON TOURISM & TRANSPORTATION
9 A.M. TUESDAY, FEB. 28, 1989

The Honorable Joseph F. Ada
Governor of Guam

Chick Whitfield, President
Chick's Motors

Ed Pippinger, President
Board of Directors
Guam Mass Transit Authority

Paul Galvez, General Manager
Mark's Motors

Fred Carl Santos
General Manager
Guam Mass Transit Authority

Chris Gerber, General Manager
Ocean Pacific Motors

Wilfred P. Aflague, Director
Department of Administration

John Mendiola, Vice President
Pacific Motors

Michael J. Reidy, Director
BBMR

Jeffrey B. Jones, General Manager
Triple J. Enterprises

Benigno Palomo, Director
Department of Public Works

Florencio T. Ramirez
Servicio Para I Manamko

Dr. Eddie del Rosario
Advocacy Office for Disabled

Lola Rojas
Guma Mami

John Thomas Brown, Chairman
Guam Chamber of Commerce

Eloise Baza, President
Guam Chamber of Commerce

Philip Gerling, President
Guam Automotive Dealers Assn.

David Muir, General Manager
Atkins Kroll

GUAM MASS TRANSIT AUTHORITY PUBLIC HEARING

Please note that the Public Hearing on the proposed **ROUTE, SCHEDULE AND FARE ADJUSTMENT** has been re-scheduled for Tuesday, Jan. 17, 1989 at the GMATA Office.

Rule: NTS 1989
:0 p.m. at

Fred Carl Santos, General Manager
P. O. Box 24383, GMF Guam 96921

The Public is Invited to Attend

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America's Finest-Guam's Favorite



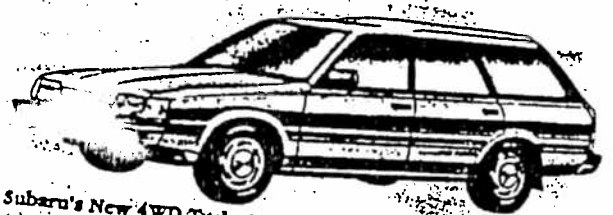
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Financed, No Down • P.O. Box DH Agaña, Guam 96910
Tel: 472-2274 • Fax: 472-6181

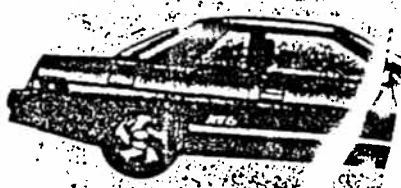
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The Justy ECVT offers better acceleration
overdrive ratio for quieter, more fuel
transmission
a higher
gent driving.



Subaru's New AWD Turbo Touring Wagon
America's best retail selling wagon, import or domestic
in an uncompromising experience in handling and performance
and more for an active family.



Subaru XT6 Full Time AWD
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of a personal luxury coupe



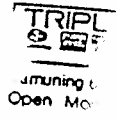
Subaru GL10 Sedan
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*Based on an average price of \$10.00 per gallon of regular unleaded gasoline.

\$5000 Slot Machines Available

LAS VEGAS (AP) — Spare change burning a hole in your pocket?

Caesars Palace may have come up with an answer — slot machines that swallow specially minted \$500 tokens.

The new machines were unveiled Friday afternoon, just in time to catch the New Year's holiday crowd flocking to this gaming capital. The city is expecting 110,000 visitors over New Year's, traditionally one of the resort's biggest weekends.

The first customer was no stranger to Caesars. Mike Matuk of Bakersfield, Calif., who won \$1.28 million on a Caesars slot machine Christmas Day, played a number of coins.

He was followed by John Abruscato of New York City, who played a little longer.

Both won a few, lost a few and left empty-handed. Matuk, however, returned a short time later and repeated his Midas act of Christmas.

He pulled the machine's first big jackpot, \$25,000.

Caesars officials say the new machines are the first in the world to accept \$500 tokens. Numerous resorts have machines that accept \$100 tokens.

"We're not expecting a great amount of volume, but we expect there will be customer interest," said Caesars spokeswoman Debbie Munch. "We're not putting them out there just for show."

The slots were designed for Caesars by Universal Manufacturing Co. of Tokyo. Each of three machines accepts one \$500 token for each pull of the handle.

The machines feature a top jackpot of \$250,000 — not much of a bargain when compared with the \$1 million-plus payouts offered on nearby \$1 machines.

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- Dededo (Next to 1st Savings & Loan) - Harmon (Rte. 16)

Offer expires Jan. 31, 1989

Guam Mass Transit Authority PUBLIC HEARING

The Guam Mass Transit Authority will hold a Public hearing on the following Proposed Rule:

ROUTE, SCHEDULE, AND FARE ADJUSTMENTS 1989

Date: Thursday, January 12, 1989
Time: 6PM to 7PM
Place: GMTA Office, next to Contractors License Board, Department of Public Works Complex

I. Proposed Routes

- PT-1 Yigo-Dededo-Tamuning
- PT-2 Dededo-Tamuning
- PT-3 Barrigada-Dededo-NCS
- PT-4 Tamuning-Agana-MTM-Barrigada-Mangilao-Ordof
-Chalan Pago-Sinajana-Agana-Tamuning
- PT-5 Tamuning-Agana-Sinajana-Chalan Pago-Ordof
-Mangilao-Barrigada-MTM-Agana-Tamuning
- PT-6 Agana-Sinajana-Agana Heights-Agana-Asan-Piti
- PT-7 Piti-Cabras Island-Santa Rita-Agat-Umatac-Merizo-Inarajan
- PT-8 Inarajan-Talofoto-Yona-Mangilao

II Proposed Scheduling

Schedules will be on a 90 minute one way headway on Routes PT-1, PT-2 PT-3, PT-4, PT-5, PT-6. A two way effective headway of 45 minutes will be in some areas due to two routes covering the same area. In the areas covered by Routes PT-7 and PT-8 service will be increased to four times per day. Service will be Monday thru Saturday excluding Government of Guam holidays. Service hours will be generally from 6AM to 6PM with route PT-1 extended to approximately midnight.



III Proposed Fares

All routes will have a base fare of 75 cents (A reduction on some routes from \$1.00). Regular transfer fares are 25 cents Special fares for senior citizens (55 and over), handicapped persons, and children (5 and under) will remain at 35 cents for all routes and special transfers free for all routes. Five copies of the Proposed Rule are on file at the Guam Mass Transit Office, Dept. of Public Works Complex next to Contractors License Board, Tamuning, where they may be examined by interested persons during normal working hours. Interested persons are invited to submit written data or views to:

Fred C. Santos, General Manager
P.O. Box 24383
G.M.F. Guam 96921

THE PUBLIC IS INVITED TO ATTEND

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Velma Freese
(Formerly from
Toledo Fashions)

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DAVE'S OCEAN
PACIFIC AUTOMOTIVE
Mon.-Sat. 8am to 7pm Sun. 10am - 6pm

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649-2392

BINGO

at the
SHRINE CLUB
in
Agana Heights Across the Naval Hospital
Monday, January 2, 1989 at 1:30 P.M.
Door opens at 10:30 A.M.

- 3 Give-Away New Year's Specials
- \$2,000.00 - 75 Nos. - Blackout
- \$1,000.00 - 75 Nos. - Blackout
- \$500.00 - 75 Nos. - Blackout

- 2 Early Bird Specials
- \$1,700.00 Game: Solid Diamond
- \$500.00 - Game: Letter X

* First 20 Players will receive 1 sheet for \$2,000.00.
Discount rate for Senior Citizens. Cash Prize for regular Games: \$200.00 Each.



LLumar® window film reduces the sun's heat to raise your driving pleasure. Available in a variety of eye-appealing tints, the film makes a sporty car look expensive. And an expensive car look priceless. What's more, LLumar boosts fuel efficiency. Cuts down on dangerous glare. Stops the sun from fading upholstery. Ensures greater privacy. And acts like a steel curtain to safeguard you and your family from flying glass in case of an accident. Test drive LLumar today. Because LLumar takes the heat so you don't have to.

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Tel: 646-7034/1749

If you believe in your business,
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Now, Waltrip has the big 1

By Gannett News Service
DAYTONA BEACH, Fla. — On his 17th try, in a car numbered 17, and with his 17-month-old daughter waiting along pit row, Darrell Waltrip finally won No. 1 — the Daytona 500 Sunday.

Now the three-time Winston Cup champion can say he's won everything stock car racing has to offer, ending his 500 winless streak at the 2.5 mile raceway.

He's been faster and stronger in other tries, but it was luck that finally brought him to victory lane Sunday at the Daytona International Speedway as 150,000 fans watched. Waltrip gambled his Chevrolet Monte Carlo could run 132.5 miles on one tank of gas, while others could only last 120 miles.

"The fuel pressure went to zero twice with two laps to go and it came back up," Darrell, of Franklin, Tenn., said while hugging daughter Jessica, who was born on the 17th. "I can't believe I won the Daytona 500. Don't lie to me. I'm not dreaming, am I?"

Sharing Waltrip's shock was Kenny Schrader and Dale Earnhardt, who finished second and third. They both stopped nine laps short of the finish line because their Chevys were running on empty.

Schrader, Waltrip's teammate, seemed stunned that the 500 he dominated got away in the last 25 miles. "I was surprised he could go 53 laps," Schrader said. "I know drafting can't help that much."

Arena Football closing

DETROIT (AP) — Arena Football will suspend operations in 1989 while attempting to re-structure and resume play in 1990, officials with the league champion Detroit Drive said Monday.

"The limited partnership has lost confidence in the present management structure," General Manager Gary Vitto said in a news release. "We will use the time to re-structure the league to everyone's benefit and move forward with the 1990 season."

Drive spokesman Russ Gregory said Monday night that operators of the league's six franchises had reached an impasse with Chicago businessman Jim Foster, the league's founder and commissioner, over business matters. Both sides "have differences that can't be worked out this year," Gregory said.

Foster, as general partner of the league, collected fees from the franchise operators who held limited partnerships, Gregory said. The fees covered all players' salaries and other operating costs, although the franchisees were responsible for obtaining playing sites, he said.

The Detroit franchise is held by Mike Ilitch, owner of the NHL's Detroit Red Wings. Gregory said Ilitch and other franchisees would hold discussions about re-structuring, but he could not provide details.

"We believe in arena football and we were successful on the field, having won the 1988 championship, and we led the league in attendance," Vitto said. "It's a great spectator sport, and the fans of Detroit were tremendous in supporting us."

Arena Football began in 1987 with a four-team preview season. Last year, it had teams in Detroit, Chicago, New York, Pittsburgh, Los Angeles and Providence.

Allison angry at Bodine

Davey Allison was mad. Allison, fuming after Geoff Bodine caused him to crash early in Sunday's Daytona 500, called Bodine a "little weasel!" and offered to fight "the son of a biscuit-eater" after the race.

Bodine, who has had run-ins with other drivers, tried to pull his No. 5 Chevrolet in behind Allison on lap 24 of the 200-lap race and clipped the back end of Allison's No. 28 Ford. The impact of the collision crunched Allison against the wall.

"It was bad enough he hit me once, but then he hit me again," said Allison, whose father Bobby is still recovering from a near-fatal accident last year.

As Allison was just about to get his car straightened out, Bodine's Chevy bumped him again, sending the Ford spinning into the grass and into a dirt embankment. Allison's car barrel-rolled once before settling down on all four tires.

Allison drove away from the accident and guided the car to a 25th-place finish, although the car was in such bad shape, it was without a hood and featured a makeshift windshield attached to the body with duct tape. At one point during the race, a fender flew off.

Afterward, Bodine tried to apologize to Allison, but Allison wanted no part of it — showing Bodine away and saying "apologies in the garage are too late."

Allison's crew separated the two drivers. "He (Bodine) had guts enough to come into my garage stall afterward and tell me he'd made a mistake," Allison said. "Like I didn't already know. I was the one who was over there upside down. I just didn't want to see the son of a biscuit-eater. The little weasel."

Said Bodine, who finished fourth: "Davey wanted to mix it up and duke it out. But I'm a little older and that's not my style. ... I think he needs to realize we all make mistakes. The important thing is to admit it to yourself and tell everyone involved you're sorry. It was my fault, I know it."

NOTICE OF JOINT PUBLIC HEARING TWENTIETH GUAM LEGISLATURE

9 A.M. TUESDAY, FEBRUARY 28, 1989. SESSION HALL. COMMITTEE ON TOURISM & TRANSPORTATION. To hear the following: **BILL 174** - An act to establish the Guam Parking Authority within the Guam Mass Transit Authority to provide for the installation of parking meters; and **BILL 458** - An act to establish a source of funding for the Public Transit Fund and for other related purposes. Joint Hearing with the COMMITTEE ON WAYS & MEANS and the COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS.

Immediately following, the COMMITTEE ON TOURISM & TRANSPORTATION will hear the following: **Route, Schedule and Fare Adjustments for the Guam Mass Transit Authority.**

MEMBERS OF THE PUBLIC ARE INVITED TO EXPRESS THEIR VIEWS.



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Interested individuals may apply in person at the J&G Personnel Office, 2nd floor, Agana Shopping Center, MON-FR., 8:30 to 11:30 a.m. and 1:30 to 4:30 p.m.

*** EQUAL OPPORTUNITY EMPLOYER ***

FEDERAL LAW requires presentation of proof of citizenship or U.S. work eligibility, i.e., birth certificate, U.S. passport, naturalization card, green card, or equivalent document prior to being hired. We comply with this law on a non-discriminatory basis.

NO DIVORCE \$350
 (Both Parties Sign)
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 192 Archbishop Flores St., Agaña
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 Call between 3-5pm M-F
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HAVE YOU LOOKED FOR YOUR Free Theatre Tickets Today?

Every week the Pacific Daily News will run the name of one Guam resident in the classified section of the newspaper. The name will run on a daily basis (Monday through Friday). If you see your name in the classified section just drop by the Pacific Daily News Community Relations Department for two tickets to the movie of your choice. There is no purchase necessary. You can stop by the front desk of the Daily News to check the classified section on a daily basis.

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Applicants Must Be Knowledgeable In All Aspects Of Service Department
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 AGANA GUAM
 477-9214/18/17

GUAM MEMORIAL HOSPITAL AUTHORITY

Guam Memorial Hospital Authority is accepting applications for the following positions to establish a list:

- NEUROSURGEON
- REGISTERED ASSOC. ADMIN MEDICAL RECORDS
- NEONATOLOGIST
- REGISTERED DIETITIAN
- PATHOLOGIST
- RADIOLOGIC TECHNOLOGIST
- EMERGENCY ROOM PHYSICIAN BOARD CERTIFIED
- INHALATION THERAPIST
- REGISTERED STAFF NURSES ALL SPECIALTIES
- HOSPITAL PHARMACIST
- ELECTRONIC DATA PROCESSING MANAGER
- ADMINISTRATOR, SUPPLY MANAGEMENT
- COMPUTER SYSTEM ANALYST I & II
- HOSPITAL PLANNER, CONSULTANT
- REGISTERED MEDICAL RECORDS ADMINISTRATOR
- BOARD SECRETARY

APPLICATIONS ARE BEING ACCEPTED DAILY during regular office hours (8 a.m. to 5 p.m.) weekdays at Guam Memorial Hospital Personnel Office. For further information, call 646-5801/6711 ext. 171.

EQUAL OPPORTUNITY EMPLOYER

Federal Law requires presentation of proof of citizenship or eligibility to work in the U.S. We comply with this law on a non-discriminatory basis.

Guam Mass Transit Authority



Announces the proposed NEW PUBLIC TRANSIT ROUTES, SCHEDULES, FARES and TRANSFER STATIONS to be in effect soon!

SERVICES

HOURS OF OPERATION

1. Routes 2 to 6 operate from 6am to 6:45pm
2. Route 1 operates from 6am to 11:45pm
3. Routes 7 and 8 operate from 6am to 7:15 p.m. (4 runs a day)

DAYS OF OPERATION

1. Six days a week for 300 days a year
2. No operation on Sundays and Government of Guam Legal Holidays

BUS FARES

Regular Fare	.75¢
Handicapped Persons	.35¢
Senior Citizens	.35¢
Disabled Veterans	.35¢
Students	.50¢
Children to 5 years	.35¢
Transfer Fee (Coupons are valid for 1 hour)	.25¢

HIGHLIGHTS

IMPROVEMENTS & EXPANSION OF SERVICES

1. Will increase frequency of runs to 17 villages. This means that buses will be returning to the villages more often than before.
 - a. Dededo and Yigo from 3 to 10 times a day
 - b. Dededo and NCS from 0 to 8 times a day
 - c. Dededo and Barrigada from 5 to 17 times a day
 - d. Dededo and Tamuning from 20 to 32 times a day
 - e. Tamuning and Agana from 9 to 19 times a day
 - f. Agana-MTM and Barrigada from 9 to 17 times a day
 - g. Agana-Chalan Pago-Ordot and Mangilao from 9 to 17 times a day
 - h. Agana-Sinajana-AHTS-Asan and Piti from 9 to 17 times a day
 - i. UOG and Inarajan from 3 to 4 times a day
 - j. Agana and Merizo from 3 to 4 times a day
 - k. Inarajan and Merizo from 0 to 4 times a day.
2. Will reduce the waiting period for passengers to WAVE-A-RIDE along bus routes from 90 to 45 minutes to the following routes:
 - a. Dededo-Tamuning-Dededo
 - b. Tamuning-Agana-Tamuning
 - c. Agana-Sinajana-AHTS-Asan-Piti
Piti-Asan-AHTS-Sinajana-Agana
 - d. Dededo-Barrigada-Dededo

INSTRUCTIONS

Transfer fees are assessed at every Transfer Station. Whether a passenger is transferring to another bus or continuing to another route, a fee of .25¢ is assessed before departure.

Changing Buses to connect to another route is a Transfer. Continuing on the same bus while changing routes is also defined as a transfer.

All routes change at every Transfer Station. A valid card for the Handicapped, Senior Citizens and Disabled Veterans exempts them from Transfer Fees.

All Transfer Coupons must be validated by the Bus Driver before transferring to another bus. Transfer Coupons once validated are valid for only one hour. Exceptions to this rule apply only if Scheduled Runs are interrupted or delayed due to breakdowns, traffic congestion, accidents, etc.

Refunds are not allowed.

Passengers must have exact change before boarding.

Drivers are not permitted to accept cash for bus fares.

For information call the Dispatcher at 472-2173 from 5:30am to 8:00pm.

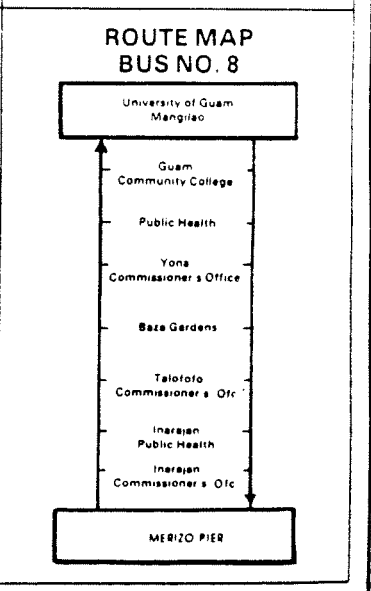
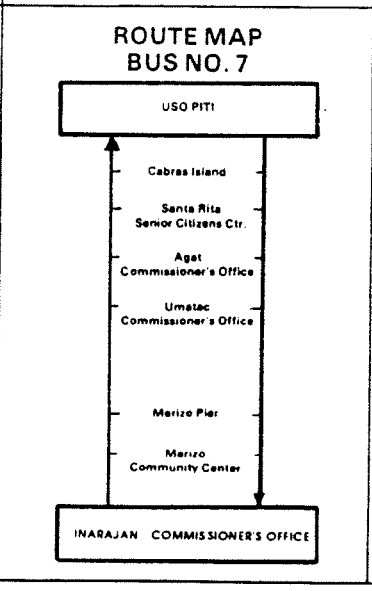
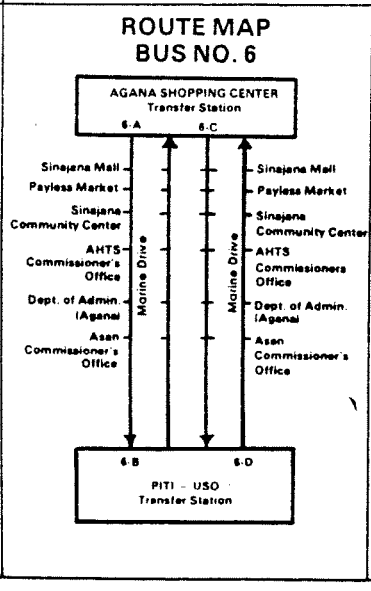
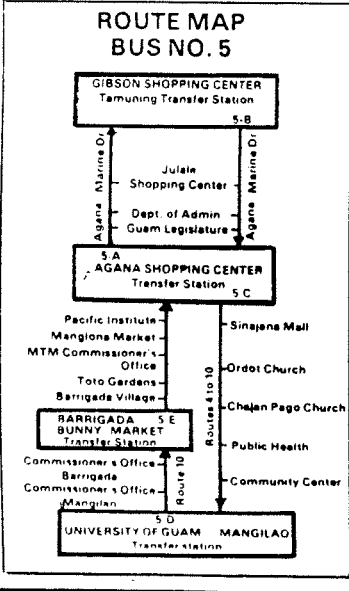
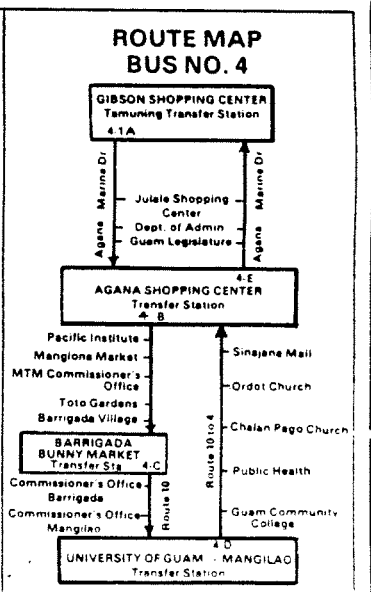
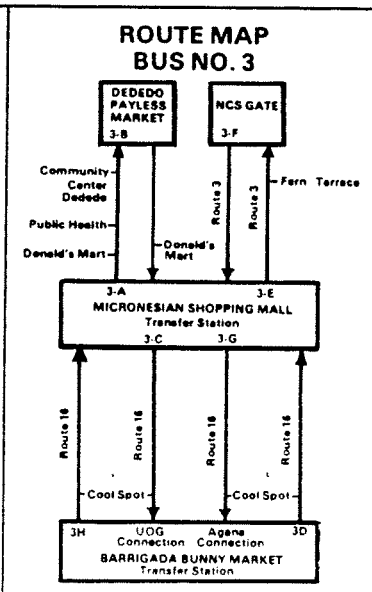
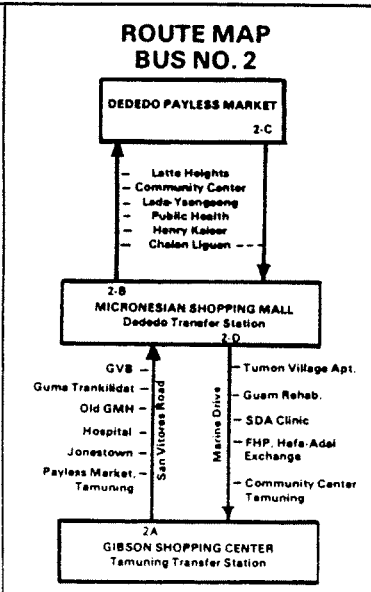
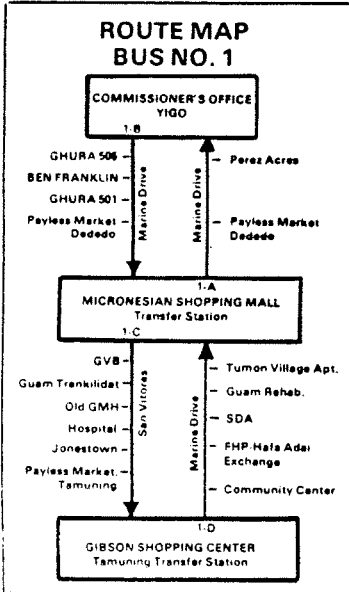
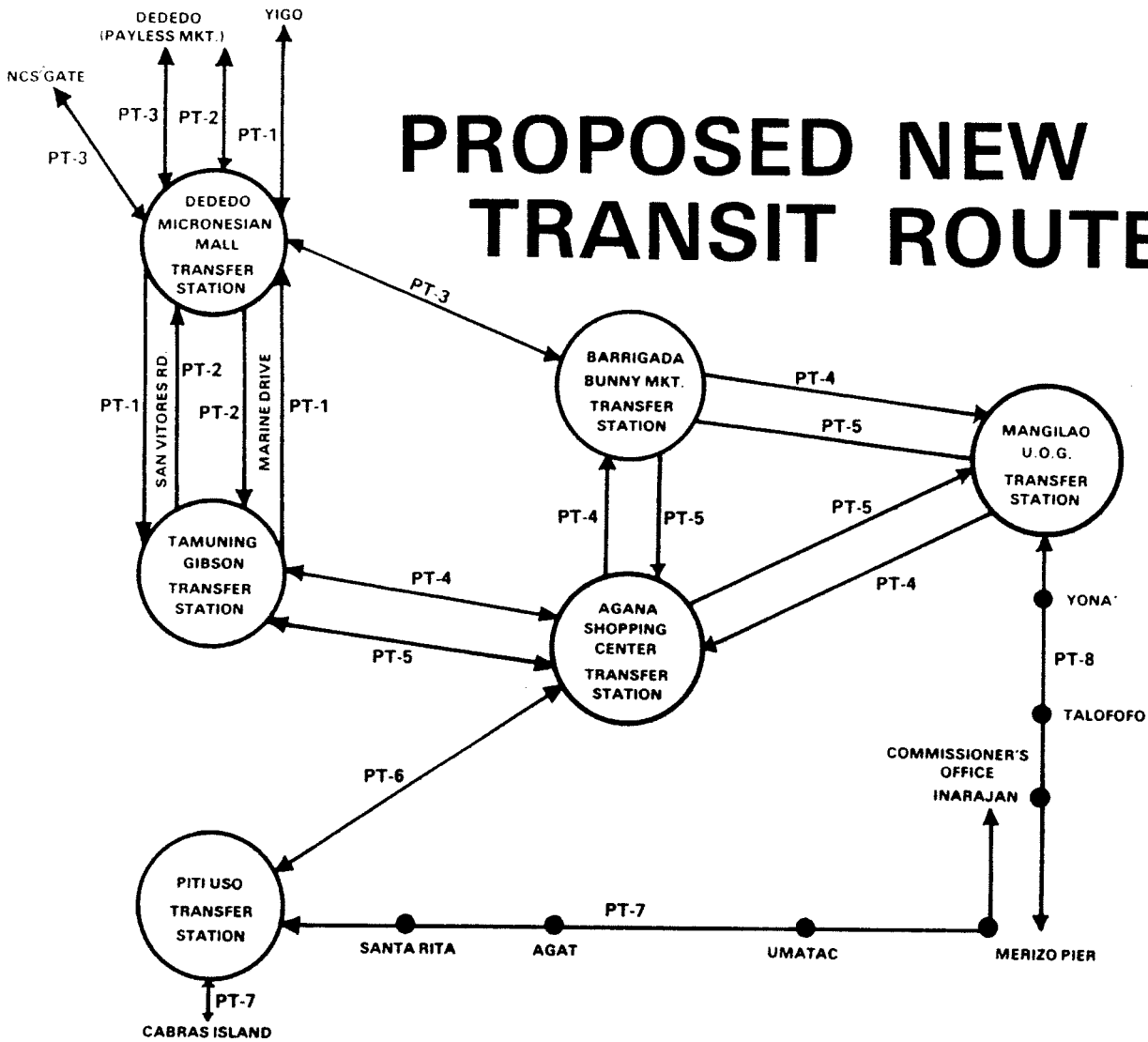
For complaints and suggestions call GMTA office at 649-9247 or 649-9846 from 8:00am to 5:00 p.m. Monday thru Friday

BUS NO. & ROUTES

- PT-1 Yigo-Dededo-Tumon-Tamuning-Harmon-Dededo-Yigo
- PT-2 Latte Heights-Dededo-Harmon-Tamuning-Tumon-Dededo-Latte Heights
- PT-3 NCS-Dededo-Barrigada-Dededo-NCS
- PT-4 Tamuning-Agana-MTM-Barrigada-Mangilao-Chalan-Pago-Ordot-Agana-Tamuning
- PT-5 Agana-Tamuning-Agana-Ordot-Chalan Pago-Mangilao-Barrigada-MTM-Agana
- PT-6 Agana-Sinajana-AHTS-Agana-Asan-Piti-Asan-Agana-AHTS-Sinajana-Agana
- PT-7 Inarajan-Merizo-Umatag-Agat-Santa Rita-Cabras Island-Piti-Santa Rita-Agat-Umatag-Merizo-Inarajan
- PT-8 Merizo-Inarajan-Talofoto-Yona-Mangilao-Yona-Talofoto-Inarajan-Merizo

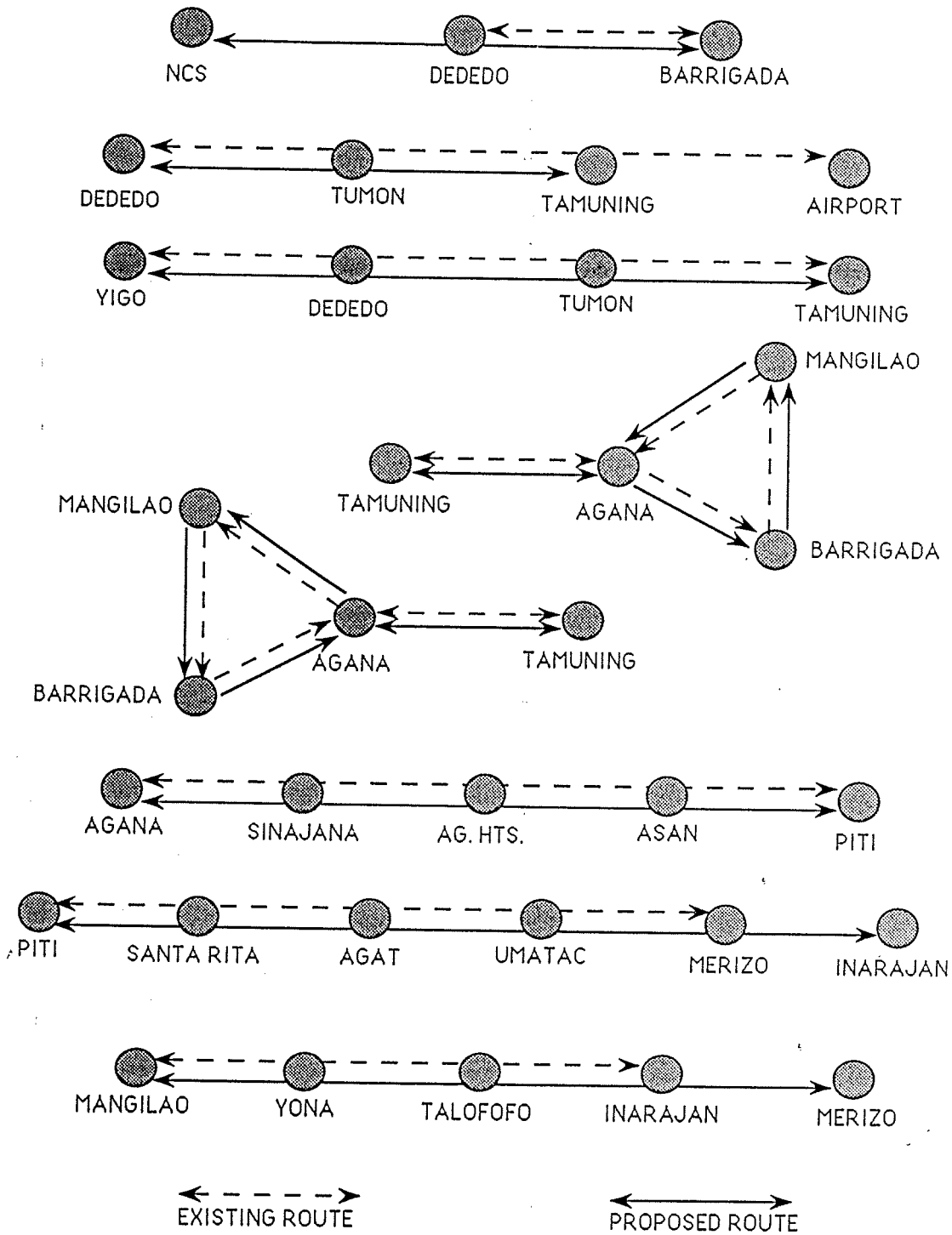
SCHEDULES TO BE ANNOUNCED LATER

PROPOSED NEW TRANSIT ROUTES



GUAM MASS TRANSIT PROPOSED ROUTE AND SCHEDULE CHANGES

ROUTES	EXISTING FREQUENCY	PROPOSED FREQUENCY	INCREASE (DECREASE)
Dededo and Yigo	3x daily	10x daily	+7x daily
Dededo and Ncs	0	8	+8x daily
Dededo and Barrigada	8	17	+9x daily
Dededo and Tamuning	20	32	+12x daily
Tamuning and Agana	9	19	+10x daily
Agana-MTM and Barrigada	9	17	+8x daily
Agana-Chalan Pago-Ordos and Mangilao	9	17	+8x daily
Agana-Sinajana-Agana Heights-Asan and Piti	9	17	+8x daily
UOG and Inarajan	3	4	+1x daily
Agana and Merizo	3	4	+1x daily
Inarajan and Merizo	0	4	+4x daily
Agana and Agat	8	4	-4x daily
Dededo and Airport	9	0	-9x daily





PROTECTION AND ADVOCACY FOR THE DEVELOPMENTALLY DISABLED
PROTECTION AND ADVOCACY FOR THE MENTALLY ILL INDIVIDUAL
CLIENT ASSISTANCE PROGRAM

Post Office Box 8830, Tamuning, Guam 96911
Telephone: (671) 646-9026 or 646-9027 or 646-6204
Fax: (671) 649-4390



W. P. A. D.

Western Pacific Association of the Disabled

P.O. Box 6959 Tamuning, Guam, U.S.A. 96911
FAX No. (671) 649-5777



A Non-Profit, Non-Governmental Agency Of Disabled People Seeking Independence, Productivity and Community Integration

February 27, 1989

Committee on Tourism & Transportation

Committee on Ways & Means

Committee on General Governmental Operations

Dear Senators:

We, the undersigned wish to present these testimonies on the following items:

1. Bill 174 - This bill is commendable in its intent but we'd rather see that the Guam Parking Authority be in private hands or at the very least, be consumer-controlled. The Guam Parking Authority may be franchised by the Legislature to non-profit organizations of disabled people or provide for representatives of disabled organizations to sit in on a consumer-controlled Board. We view this as an opportunity for possible employment of disabled persons as parking lot/meter attendants and other related jobs.

We also recommend that the existing special account for handicapped parking violations now held by D.V.R. be transferred to the Guam Parking Authority.

We further recommend that GovGuam provide incentives for private ventures to develop private parking lots for the convenience of the public.

Whatever form the Guam Parking Authority may evolve into, we beg you to please consider the plight of our disabled population and make sure that enough safeguards, incentives, and opportunities are provided for them to insure their independence, productivity and integration with the community.

A private non-profit, independent Federally-funded Agency governed by
MARIANAS ASSOCIATION FOR RETARDED CITIZENS (M.A.R.C.); A N. A. P. A. S. Affiliate

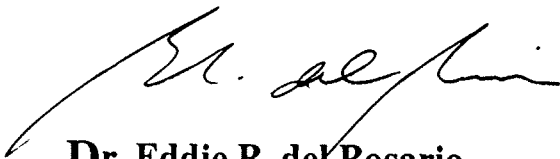
2. Bill 458 - We have spoken favorably about this bill on a previous occasion. We only hasten to add that assurances please be included so that G.M.T.A. buses will be equipped with appropriate lifters to enable full accessibility to disabled riders. This of course implies proper maintenance so that they are fully operational at all times.

3. 1989 Route, Schedule, and Fare Adjustments - We are in full agreement with this. May we just ask if this would allow for disabled riders to be transported to and from hotel row (San Vitores Road) where some of them are now employed or will soon be employed?

Thank you very much for this opportunity to comment for and on behalf of the disabled community of Guam.



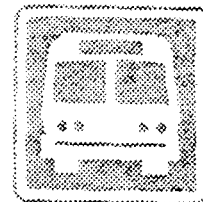
Ms. Patricia R. Botten
President, W.P.A.D.



Dr. Eddie R. del Rosario
Administrator, Guam Advocacy Office

Guam Mass Transit Authority

Government of Guam
P.O. Box 24383, GMF, Guam 96921
Telephone: 649-9247/9846



March 03, 1989

ACKNOWLEDGEMENT RECEIPT

Received By Pete J. J. J.
Time 4:45
Date 3/8/89

SENATOR JOHN PEREZ AGUON
Chairman, Committee on Tourism and Transportation
20th Guam Legislature
163 Chalan Santo Papa
Agana, Guam 96910

Re : Routes, Schedules and Fares Adjustment - 1989

Dear Mr. Chairman and Committee Members:

I am requesting for your assistance and support with respect to the adoption of the Guam Public Transit's new Routes, Schedules, Fares Adjustment - 1989. This new system will provide a more efficient and effective service for our riders. It will provide the following improvements:

1. Will increase frequency of runs to 17 villages. This means that buses will be returning to the villages more often than before.
 - a. Dededo and Yigo from 3 to 10 times a day.
 - b. Dededo and NCS from 0 to 8 times a day
 - c. Dededo and Barrigada from 8 to 17 times a day
 - d. Dededo and Tamuning from 20 to 32 times a day
 - e. Tamuning and Agana from 9 to 19 times a day
 - f. Agana-MTM and Barrigada from 9 to 17 times a day
 - g. Agana-Chalan Pago-Ordot and Mangilao from 9 to 17 times a day
 - h. Agana-Sinajana-AHTS-Asan and Piti from 9 to 17 times a day
 - i. UOG and Inarajan from 3 to 4 times a day
 - j. Agana and Merizo from 3 to 4 times a day
 - k. Inarajan and Merizo from 0 to 4 times a day.
2. Will reduce the waiting period for passengers to WAVE-A-RIDE along bus routes from 90 to 45 minutes to the following routes:
 - a. Dededo-Tamuning-Dededo
 - b. Tamuning-Agana-Tamuning
 - c. Agana-Sinajana-AHTS-Asan-Piti
Piti-Asan-AHTS-Sinajana-Agana
 - d. Dededo-Barrigada-Dededo

The 45-day requirement will take effect March 19 would allow only two weeks of preparation before the FY89 school training year commences under the AHRD-JTPA program. GMTA and AHRD have an approved contract to provide transportation services for AHRD students for \$12,000. Prepaid fare coupons are to be issued to all eligible JTPA students. The FY89 school training session will commence during the first week of April.

- continued -

The school locations are:

Guam Community College
Pacific Institute in Maite
International Business College in Tamuning

There are about 400 students enrolled each year. They have different hours of classes and may take more than two weeks to orientate each student concerning routes, schedules and transfer requirements to get to and from schools. Additionally, prepaid fare coupons may take three weeks to order and made available for distribution.

March 15th approval for the route, schedule and fare adjustment will provide the Agency complete time to visit the various schools for purposes of orientation.

It is best that we are allowed more time to answer and address the concern of each student in advance and to avoid last minute adjustment or confusion at the time training sessions begin.

We ask that this routes, schedules, fares adjustment be approved during March 15, 1989 scheduled session.

Should you or any of your committee have any questions, please feel free to call our office.

Thank you.

Sincerely,


FRED CARL SANTOS
General Manager

/msa



Twentieth Guam Legislature

163 Chalan Santo Papa Street
Agana, Guam 96910

March 14, 1989

MEMORANDUM

To: Senator J. P. Aguon,
From: Legislative Counsel,
Subject: Legislative amendments to agency
rules and regulations.

You have requested advice regarding the procedure by which the Legislature may exercise its lawful authority under §24202 of the Administrative Adjudication Law to "approve, disapprove or amend any rule within forty-five (45) calendar days from the date of filing [by any agency] with the Legislative Secretary."

Before responding, it is well first to clarify precisely the nature of this "quasi-legislative" activity. The U.S. Supreme Court, in Immigration and Naturalization Service v Chadha, stated:

"To be sure, some administrative agency action - rule-making, for example - may resemble 'lawmaking.' See 5 USC §551(4), which defines an agency's 'rule' as 'the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy...'"

103 S. Ct. 2764 (F.N. 16.) at 2785, 462 U.S. 919, 77 L. Ed. 2d 317 (1983) (emphasis in original).

Interestingly, no body of rules was ever amended by the 19th Guam Legislature, and only one was disapproved. The Registrar of the Office of the Legislative Secretary informs us that current practice assumes adoption of any rule filed in that office absent notification to the contrary from the Office of the Speaker within 45 days of receipt from the agency. The one example of disapproval of newly filed rules was that of Guam Memorial Hospital rate increases which were reported out of the Committee on Health, Welfare & Ecology but failed to garner eleven votes of the members. It has been suggested that since every bill must be preceded by a public hearing, amendments may not be feasibly adopted by enactment within the time limit specified.

JPA/Agency Rules
215 CK:pjt
Page -1-

In 1975, the Legislature published its intent behind the Administrative Adjudication Act:

"§24200. Legislative Intent.

It is the intent of the Legislature to establish a uniform method of making, adopting, promulgating, filing and publishing rules by all agencies of this Territory, to permit public participation therein and provide a method of making rules readily accessible to the public. It is not intended to give to any agency any additional rule-making power or authority and no additional or new power or authority to make or adopt rules is given to any agency by this Act."

The Legislature failed to clarify, however, the exact method of exercising its oversight, thus raising the question whether a resolution suffices in lieu of a bill. Rules and regulations are not considered general and permanent laws of Guam, Title 1, Guam Code Annotated, §103, and one is prompted next to ask whether a law is the only appropriate vehicle of revision.

The Guam Legislative Drafting Manual, prepared in 1987 by this office states, in part:

"A resolution is an official expression of the Legislature or, in the case of a rules resolution, of the Committee on Rules. Resolutions are not laws. They cannot be used to require or forbid action under penalty of law.

Resolutions of the entire Legislature can be used, for example, to extend congratulations or condolences, to make a request, to establish or amend the Legislature's standing rules, to establish a special investigatory committee, to confirm nominations, to endorse a position or course of action, to accept senatorial resignations, or to establish policies or procedures with respect to the internal operations of the Legislature. Rules resolutions generally are used for expressions of condolences or commendation, but may be used to express the intent of any action that can be taken by that Committee.

Many statutes authorize the Legislature to amend, approve or disapprove, by resolution, certain Executive Branch actions, such as the promulgation of rules and regulations. However, as a result of the United States Supreme Court's ruling in the Chadha case, resolutions cannot be used to amend [or] to disapprove rules and regulations or other executive actions, whether or not such is authorized by statute. The amendment or disapproval of such actions must be in the form of a law. If the Legislature merely wishes to express its approval of a particular Executive Branch action, such approval may be expressed through a resolution.

Resolutions do not require the approval of the Governor."

This office respectfully disagrees with the previous Legislative Counsel that the holding of Chadha, supra, is necessarily so restrictive as to preclude amendment by resolution. Chadha primarily involved an action by one house of Congress that failed to withstand challenge under Article I, §1, of the Constitution, and only secondarily a conflict with the Presentment Clause contained in §7 of Art. I, which is mirrored in §18 of the Organic Act.

Chadha cannot be interpreted so narrowly since its holding is limited to certain actions. The Court, per Burger, C.J., continued:

"Not every action taken by either House is subject to the bicameralism and presentment requirement of Art. I...whether actions taken by either House are, in law and fact, an exercise of legislative power depends not on their form but upon 'whether they contain matter which is properly to be regarded as legislative in its character and effect.'"

103 S. Ct. at 2784

The Court explained that the choice by Congress to delegate authority to the Attorney General to allow deportable aliens to remain in the country was "precisely the kind of decision that can be implemented only in accordance with the procedures set out in Art. I" involving "determinations of policy that Congress can implement in only one way; bicameral passage followed by presentment to the President." Id., at 2786. In sharp contrast to the unconstitutional features of the Congressional resolution successfully challenged in Chadha, a legislative body acts well within its powers as long as it does not usurp judicial autonomy. The petitioner in Chadha faced a serious deprivation of rights vis a vis a "legislative exercise of the judicial function, or more simply -- trial by legislature." Powell, J., concurring, 103 S. Ct., at 2790. Characterizing the House Resolution as "adjudicatory" in nature, Justice Powell carefully devised this test to determine when one branch impermissibly interferes with the constitutionally assigned function of another's: Does the act in question raise the dangers the Framers sought to avoid? Id., at 2791, F.N. 7. Is adoption or rejection of agency rules, after full public disclosure, a legislative function properly addressed through resolution? In consimili casu, consimili debet esse remedium. It thus becomes doubly important to note that Congress, after receipt from the Executive Branch may approve modify or amend, in whole or in part, the Guam Constitution, by joint resolution. P.L. 94-584 (90 Stat. 2899).

"When there is an established practice in a deliberative body or there has been a previous decision on a question, the practice or precedent may be said to govern. When there is no practice or precedent governing a question which has arisen, the presiding officer may consider the usages and precedents of other deliberative bodies." Mason's Manual of Legislative Procedure, §39.

In this case, the body may be guided in part by precedent and in part by innovation. While there is no provision of law declaring the Legislature's method of acting favorably or unfavorably on a body of agency regulations in general, there is one provision of law detailing the method of acting upon the rules of the Department of Parks and Recreation in particular:

" (a) To establish fees, rules and regulations to accomplish the purpose of the Department, provided, that any rules shall not be effective until approved by the Legislature by a resolution or amended by the Legislature by a resolution. If the Legislature fails to act on the rules within one hundred twenty (120) calendar days after such rules are filed with the Legislative Secretary, they shall be deemed approved."

Government Code §26003(a) (emphasis supplied).

In following the procedure of amending by resolution, the Legislature is spared the necessity of holding a public hearing. (It is well to note that the public has already had the opportunity to express its views at the agency level.) Furthermore, since the legislative branch may act only through a bill or resolution, its rejection of proposed rules must occur through an official communication.

The United States Constitution provides Congress with abundant means to oversee and control its administrative creatures. Beyond the obvious fact that Congress ultimately controls administrative agencies in the legislation that creates them, other means of control, such as durational limits on authorizations and formal reporting requirements, lie well within Congress' constitutional power. See, generally, Immigration and Naturalization Service v Chadha, supra; Buckley v Valeo, 424 U.S. 1, 96 S. Ct. 612, 46 L. Ed. 2d 659 (1976), (holding that administrative rule-making powers are legislative in nature).


One unusual provision that has withstood judicial scrutiny was known as the "report and wait" rule. The statute examined in Sibbach v Wilson, 312 U.S. 1, 61 S. Ct. 422, 85 L. Ed. 479 (1941), provided that the newly promulgated Federal Rules of Civil Procedure 'shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session.' Act of June 19, 1934, ch. 651, §2, 48 Stat. 1064. This statute did not provide that Congress could unilaterally veto the Federal Rules but rather, gave it the opportunity to review the Rules before they became effective and to pass legislation barring their effectiveness if the Rules were found objectionable. This technique was used by Congress when it acted in 1973 to stay, and ultimately to revise, the proposed Rules of Evidence.)

To conclude, one way of amending proposed rules and regulations of an administrative agency is through passage of a bill presented to the Governor pursuant to §18 of the Organic Act. Public hearings on the proposed rules could be scheduled for the date thirty days after receipt

of same by the Legislative Secretary. In the absence of potential encroachment upon executive power by the legislature, no constitutional challenge to this method can be raised. Should amendment by resolution be preferred, however, both precedent and reason combine to validate such action.

This is a policy question that should be decided by the Legislature. After the decision is made, then the Standing Rules should be amended to spell out the method of review and action. Incidentally, my personal view is that a resolution should be used to approve or reject but a bill for amendment.

If we can be of further help, please let us know. In thinking about this problem it occurs to me that amending §24202 might be the best thing to do, spelling out in that section precisely how the Legislature exercises its oversight responsibility.



ANDREW M. GAYLE

AMG:pv

ADDENDUM

You have further requested an opinion on whether the public hearing held February 28 on proposed regulatory changes affecting Guam Mass Transit Authority meets the requirement of Title 2, Guam Code Annotated, §2103, although a bill to enact the proposed changes was not introduced until March 2.

§2103 states that, except when emergency conditions exist, "[n]o bill may be passed by the Legislature unless it has received a public hearing..."

In this case, there can be no doubt that the public hearing held on February 28 addressed substantially all sections of the bill introduced shortly thereafter. The law disregards trifles. Civil Code §3533. While such hearing did not comply with the technical requirements of §2103, it provided ample notice and opportunity to interested persons wishing to present their views.

The common law rules of construction advise liberal interpretation to serve the ends of justice. Hence, we should read §2103 as the general notice provision it was designed to be, and the only question remaining is: Was notice to the public of the contents of the proposed bill sufficient?

"[Legislative] Committees provide interested parties the opportunity for input before proposed legislation is presented to the entire body." 1 Sutherland, Statutory Construction, §11.02. "The hearing provides an opportunity for interested parties to appear and present evidence and make arguments. It also affords the committee an opportunity to furnish information which it has procured through its own investigation." Id., §11.12.

Because the intent of §2103 was not violated, the public hearing held on February 28 afforded adequate public notice sufficient to meet that statute's requirements.


ANDREW M. GAYLE

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 492
As substituted by the
Committee on Tourism & Transportation

Introduced by:

J. P. Aguon
T. S. Nelson
E. P. Arriola

J. G. Bamba
M. Z. Bordallo
D. F. Brooks
H. D. Dierking
E. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
M. D. A. Manibusan
D. Parkinson
F. J. A. Quitugua
E. D. Reyes
M. C. Ruth
J. T. San Agustin
F. R. Santos
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AMEND AND APPROVE GUAM
MASS TRANSIT AUTHORITY ROUTE,
SCHEDULE AND FARE ADJUSTMENTS.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. The Proposed Routes, Schedules and Fares approved by
3 the Guam Mass Transit Authority Board of Directors on January 18, 1989,
4 are hereby approved subject to the following:

5 1. Item no. C. (11), page 2 of the Proposed Routes, Schedules
6 and Fares 1989, is amended to read:

7 ¹¹(11) Standard Transfers and Special Transfers shall be coded to
8 indicate the issuing route. Transfers are valid only on the day
9 of issuance and are not valid for the issuing route. Drivers must

1 validate transfers by dating and initialing them. Transfers are
2 good for one trip only."

3 Section 2. Item no. C. (11) as amended by Section 1 of this Act may
4 be further amended in accordance with the procedures of the Administrative
5 Adjudication Law.

Introduced

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

MAR 2 '89

Bill No. 492 (LS)

Introduced By:

J. P. AGUON *Jpa*

AN ACT TO AMEND AND APPROVE GUAM MASS TRANSIT
AUTHORITY ROUTE, SCHEDULE AND FARE ADJUSTMENTS AND
TO PROVIDE SUPPLEMENTAL FUNDING FOR THE GUAM MASS
TRANSIT AUTHORITY FOR FISCAL YEAR 1989.

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

2 Section 1. The Proposed Routes, Schedules and Fares approved by the Guam
3 Mass Transit Authority Board of Directors on January 18, 1989, are hereby
4 approved subject to the following:

5 1. Item no. C11, Page 2 of the Proposed Routes, Schedules and Fares
6 1989 is amended to read as follows:

7 "Standard Transfers and Special Transfers are good for [60
8 minutes only] the full day on the date of issuance after validation by
9 the originating Transit driver. Validation consists of recording (a)
10 date, (b) [time, (c)] driver initials, [(d)] (c) originating transit route,
11 and [(e)] (d) destination transit route on the back of tickets."

12 Section 2. Section 13 of Public Law 19-34 is repealed and reenacted to
13 read as follows:

14 "Section 13. Expenses of Guam Mass Transit Authority. One
15 Hundred Sixty Six Thousand Thirty-Four Dollars (\$166,034) is hereby
16 appropriated from the General Fund to the Guam Mass Transit Authority
17 for its administrative and operational expenses for Fiscal Year 1989.
18 All funds appropriated hereunder which are unexpended as of September
19 30, 1989, shall revert to the General Fund."