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OFFICE OF THE COVERNOR UPISINAN I MAGAUAHI AGANA, GUAM 9000 U S.A

# AUG 20 1990

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The Honorable Joe T. San Agustin Speaker, Twentieth Guam Legislature 155 Herman Cortez Street Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 1208, which I have signed into law this date as Public Law 20-202.

Sincerely, JOSEPH F. ADA Governor

Attachment



### TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

# **CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR**

This is to certify that Substitute Bill No. 1208 (LS), "AN ACT TO APPROPRIATE THREE MILLION, FIVE HUNDRED NINETY-SEVEN THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS (\$3,597,364) FROM THE FISCAL YEAR 1991 REVENUES TO THE DEPARTMENT OF PUBLIC WORKS TO DESIGN AND CONSTRUCT NEW FACILITIES FOR THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR A SPEEDWAY PARK, FOR BUS STOP SHELTERS, FOR A SEWER COLLECTOR IN MERIZO, FOR A MEMORIAL OF THE OLD TALOFOFO CEMETERY, AND FOR PAYMENT ON A WRONGFUL DEATH," was on the 1st day of August, 1990, duly and regularly passed.

Speaker

. it

Attested:

PILAR C. LUJÁN

Senator and Legislative Secretary

This Act was received by the Governor this 1046 day of  $\alpha_{ugust}$ , 1990, at 10.30 o'clock  $\beta_{ugust}$ .m.

Assistant Staff Officer

Governor's Office

APPROVED: JOSEPH F. ADA Governor of Guam AUG 20 1990

Date:

Public Law No. 20-202

# TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 1208 (LS) As substituted by the Committee on Economic Development and further substituted by the Committee on Rules

Introduced by:

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

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AN ACT TO APPROPRIATE THREE MILLION, FIVE HUNDRED NINETY-SEVEN THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS (\$3,597,364) FROM THE FISCAL YEAR 1991 REVENUES TO THE DEPARTMENT OF PUBLIC WORKS TO DESIGN AND CONSTRUCT NEW FACILITIES FOR THE DEPARTMENT OF AGRICULTURE AND TO APPROPRIATE FUNDS FOR A SPEEDWAY PARK, FOR BUS STOP SHELTERS, FOR A SEWER COLLECTOR IN MERIZO, FOR A MEMORIAL OF THE OLD TALOFOFO CEMETERY, AND FOR PAYMENT ON A WRONGFUL DEATH.

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

2 Section 1. Legislative findings. For over two decades, the Department 3 of Agriculture (the "Department") has been situated in its present facilities in 4 Mangilao. During this period, save for minor repairs, the buildings have 5 remained the same. As a result, normal wear and tear, passage of at least one 6 super-typhoon, minimal preventive maintenance activities, and use of 7 previously-accepted asbestos materials have rendered the facilities unsafe 8 and inefficient.

9 Guam's rapid growth in population and economic stature over the past 10 decade has contributed significantly to the growth in demand for government 11 agricultural services by farmers and other ranchers. Such demand has 12 surpassed the Department's service delivery capacity.

13 The Legislature finds that the Department's facilities must be upgraded 14 in order to provide more efficient and effective services to the people of 15 Guam and, just as important, to provide a safe work environment for its 16 employees and for the public.

Section 2. Appropriation. 17 Three Million, Five Hundred Ninety-Seven Thousand Three Hundred Sixty-Four Dollars (\$3,597,364) are appropriated 18 from the Fiscal Year 1991 revenues of the General Fund to the Department of 19 Public Works to design and construct new facilities for the Department in 20 21 Mangilao. These funds will be used for the removal and disposal of asbestos 22 materials in existing structures, construction of a Forestry Division nursery, storage, equipment, and garage facilities; construction of an Agricultural 23 24 Development nursery, storage equipment, and garage facilities; construction 25 of Aquatic and Wildlife Resources boathouse, storage, and garage facilities; a 26 veterinary/entomologist laboratory; fencing; a plant inspection facility; an 27 incinerator; a Guam rail ('koku') facility; and for administrative offices.

28 Section 3. Two Hundred Fifty Thousand Dollars (\$250,000) are 29 appropriated from the Fiscal Year 1991 revenues of the General Fund to the 1 Department of Parks and Recreation to implement the provisions of Public 2 Law 13-48, providing for a speedway park.

3 Section 4. Two Hundred Ten Thousand Dollars (\$210,000) are 4 appropriated from the Fiscal Year 1991 revenues of the General Fund to the 5 Guam Mass Transit Authority to design and construct bus-stop shelters.

6 Section 5. Two Hundred Ten Thousand Dollars (\$210,000) are 7 appropriated from the Fiscal Year 1991 revenues of the General Fund to the 8 Department of Public Works to construct a sewer collector near N. Reyes Lane, 9 in the municipality of Merizo.

10 Section 6. Fifty Thousand Dollars (\$50,000) are appropriated from the 11 Fiscal Year 1991 revenues of the General Fund to the Department of Public 12 Works to design, construct and erect a suitable monument commemorating 13 the site of the old Talofofo cemetery, in the vicinity of Talofofo Bay.

14 Section 7. One Hundred Thousand Dollars (\$100,000) are appropriated 15 from the General Fund to the Department of Law for immediate payment to 16 the Estate of Peter Mark Cruz, deceased, Manuel Q. Cruz, Administrator, as 17 payment in full of the government of Guam's liability for the wrongful death 18 of said Peter Mark Cruz.

# TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

	ROLL CALL SHEET		
Bill No. <u>1208</u>	Date:	8/1/90	
Resolution No.		· ·	
QUESTION:			

	AYE	NAY	NOT VOTING	ABSENT
J. P. Aguon				
E. P. Arriola	V			
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				
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M. C. Ruth				
J. T. San Agustin				
F. R. Santos	~			
T. V. C. Tanaka				
A. R. Unpingco				
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Twentieth Guam Legislature

163 Chalan Santo Papa Street Agana, Guam 96910

25 July 1990

SPEAKER JOE T. SAN AGUSTIN Twentieth Guam Legislature 163 Chalan Santo Papa Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Economic Development, to which was referred BILL NO. 1208 [An Act to Appropriate One Million, Five Hundred Thousand Dollars (\$1,500,000) to Public Works for Design and Construction of a new Department of Agriculture Building], wishes to report back to the Legislature with its recommendation to pass Substitute Bill No. 1208. The voting record is as follows:

TO PASS	<u>12</u>
NOT TO PASS	_0
TO REPORT OUT ONLY	_0
TO PLACE IN INACTIVE FILE	_0
OFF-ISLAND	_0

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

) D, REYES

Attachments.



Twentieth Guam Legislature

163 Chalan Santo Papa Street Agana, Guam 96910

19 July 1990

### MEMORANDUM

TO: Members, Committee on Economic Development

FROM: Chairman, Committee on Economic Development

SUBJECT: Committee Report - Bill No. 1208

Transmitted herewith for your information and action is the Committee on Economic Development's Report on Bill No. 1208 [An Act to Appropriate One Million, Five Hundred Thousand Dollars (\$1,500,000) to Public Works for Design and Construction of a new Department of Agriculture Building].

The narrative report is accompanied by the following:

- 1. Bill No. 1208;
- 2. Committee on Economic Development Voting Sheet;
- 3. Written Testimony; and
- 4. Substitute Bill No. 1208.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.

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EDWARD D. REYES

Attachments.

### ECONOMIC DEV COMMITTEE ELOPMENT C 20th Guam Legislature

BILL 1208 - AN ACT TO APPROPRIATE THE SUM OF THREE MILLION, FIVE HUNDRED NINETY-SEVEN THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS (\$3,597,364) TO THE DEPARTMENT OF PUBLIC WORKS FOR DESIGN AND CONSTRUCTION OF NEW FACILITIES FOR THE DEPARTMENT OF AGRICULTURE

TO NOT TO REPORT INACTIVE OFF-PASS PASS OUT ONLY FILE ISLAND MA EDWARD D. REYES, Chairman MADELEINE Z. BORDALLO, Vice-Chairman JOHN P. AGUON, Member ARRIOLA, Member ELIZABETH HERMINIA D. DIERKING Member PILAR C. LÚJÁN, Member GØRDON MAIL OUX. Member TED S. ON Member JOE SAN AGUSTI FRANCISCO R. SANTOS, Member BAMBA Member ORGE

MANIBUSAN, Member

TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

Bill No. 1208 (Substitute Bill of the Committee on Economic Development)

Introduced By:

AN ACT TO APPROPRIATE THE SUM OF THREE MILLION, FIVE HUNDRED NINETY-SEVEN THOUSAND, THREE HUNDRED SIXTY-FOUR

HUNDRED NINETY-SEVEN THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS (\$3,597,364) TO THE DEPARTMENT OF PUBLIC WORKS FOR DESIGN AND CONSTRUCTION OF NEW FACILITIES FOR THE DEPARTMENT OF AGRICULTURE.

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

Legislative Findings. 2 SECTION 1. For over two decades, the 3 Department of Agriculture has been situated in its present facilities in Mangilao. During this period, save for minor repairs, the buildings 4 have remained the same. As a result, normal wear and tear, passage of 5 at least one super-typhoon, minimal preventive maintenance activities, 6 7 and use of previously-accepted asbestos materials have rendered the facilities unsafe and inefficient. 8

9 Guam's rapid growth in population and economic stature over the past 10 decade has contributed significantly to the growth in demand for 11 government agricultural services by farmers and other ranchers. Now, 12 that demand has surpassed Agriculture's service delivery capacity.

The Legislature finds that the Department of Agriculture's facilities must be upgraded in order to provide more efficient and effective services to the people of Guam and, just as important, to provide a safe work environment for employees and the public.

17 SECTION 2. Three Million, Five Hundred Ninety-Seven Thousand, Three 18 Hundred Sixty-Four Dollars (\$3,597,364) are hereby appropriated to the 19 Department of Public Works for design and construction of new facilities

for the Department of Agriculture in Mangilao. These funds will be used 1 for: removal and disposal of asbestos materials in existing structures; 2 construction of Forestry Division nursery, storage, equipment, and 3 garage facilities; construction of Agricultural Development nursery, 4 storage, equipment, and garage facilities; construction of Aquatic and 5 Resources boathouse, storage, and garage Wildlife facilities; 6 Veterinary/Entomologist lababoratory; fencing; plant 7 inspection facility; incinerator; rail ('koku') facility; and, administrative 8 offices. 9

### TWENTIETH GUAM LEGISLATURE

### Committee on Economic Development Report

### Bill No. 1208

### I. Introduction

The Bill's Title: An Act to Appropriate One Million Five Hundred Thousand Dollars (\$1,500,000) to Public Works for Design and Construction of a New Department of Agriculture Building.

It was referred by the Rules Committee on February 13, 1990 jointly to the Committees on Ways and Means, General Governmental Operations, and Economic Development.

The Committee on Economic Development held a public hearing at the Pacific Arcade conference room, Agana, on March 28, 1990 commencing at 9:00 a.m. Present were E. D. Reyes, Chairman, and Senators J. G. Bamba, P. C. Lujan, T. S. Nelson and F. R. Santos.

### II. <u>Testimony</u>

Written testimony supporting this Bill was submitted by Mr. Antonio S. Quitugua, Director, Department of Agriculture. Mr. Jose Manibusan, his Deputy Director, read the testimony at the hearing.

Mr. Quitugua recommended that the Committee address the design phase to assure that the requirements of the various divisions within his Department are given consideration. According to estimates from the Design and Analysis Section, Department of Public Works, the design phase will cost about one hundred thousand dollars (\$100,000). Upon completion of the design phase, they would know the total appropriation needed for the building. He attached to his testimony a certification by Mr. Felipe Billote, a Department of Public Works engineer, recommending that the existing building be condemned because it is structurally unsafe.

The senators were interested in knowing if Department of Agriculture considered a site other than the present location for its main offices. Senator Santos was concerned that the Department has been giving up land in Mangilao for residential use and that the Administration does not give priority to Agriculture's programs. Mr. Manibusan indicated they were pleasantly surprised by the receptiveness of the Legislature to this bill and their assurances to act quickly but Agriculture is still reviewing sites for central administrative offices and two field sites, one in the north and another in the south. They would consider past neighborhood experiences which prevent them from engaging in programs that involve spraying or creating foul odor. Senator Lujan noted that not all ramifications of rebuilding the Department have been considered so it would be premature to proceed with construction at this time. Although the Senators all indicated they favored the Bill, they desire more information about building costs, proposed sites and programs.

Department of Agriculture concurred, promising to develop an estimated cost proposal on the building needs.

### III. Committee Findings and Recommendations

The Committee on Economic Development found in the course of the public hearing that there is consensus among legislators, agricultural officials and farmers that new government agricultural facilities are needed. Existing facilities are dilapidated and the land space available for agricultural projects has dwindled or been put to other use as a result of neighborhood pressure to halt piggery operations, cattle grazing or crop spraying. In addition, the Department of Labor's Occupational Safety audited and reviewed Health Division (OSHA) and facility for asbestos, finding Agriculture's an unacceptable level of 30-40% asbestos in the buildings.

On July 10, 1990 the Department of Agriculture submitted to the Committee on Economic Development its research and findings paper entitled "New Agriculture Building and Supplemental Budget Needs". Therein, the Department listed its existing spacial dimensions and expansion needs as well as program projections. The Committee concurs with the Department's request for construction funds and the detailed use of those funds have been incorporated into a substitute bill of the Committee's. The programmatic needs described in the paper will be treated by the Committee on Ways & Means in the course of its examination of the Executive Branch's supplemental budget request later this year. For the record, the Department's paper is appended to this report.

The Committee on Economic Development has prepared a Substitute Bill No. 1208 which includes the justification and spacial projections for Agriculture's new facilities and the Committee recommends to the full body its passage into law. The Committee also advises that, in the event of the Bill's passage into law, temporary offices and support buildings must be identified for the duration of the construction period. COMMITTEE O ECONOMIC DE LOPMENT 20th Guam Legislature

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BILL NO. 1208 - An Act to Appropriate One Million Five Hundred Thousand Dollars (\$1,500,000) to Public Works for Design and Construction of a New Department of Agriculture Building

### SIGN-IN SHEET

NAME/ORGANIZATION	T E WRITTEN	S T ORAL	I M O FOR	N Y AGAINST
JOSE Manibusan Do Agr.		~		
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TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

Bill No. /208 (15)

Introduced by:-

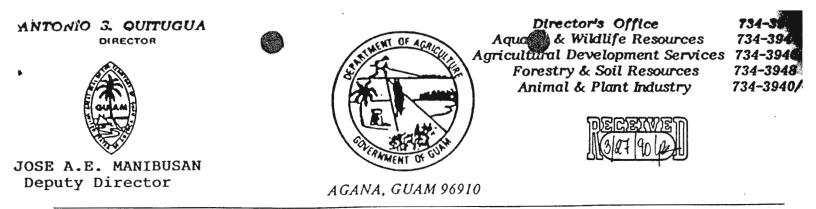
T. S. Nel 5n

Introduce

FEB 0 8 '90

AN ACT TO APPROPRIATE ONE MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) TO PUBLIC WORKS FOR DESIGN AND CONSTRUCTION OF A NEW DEPARTMENT OF AGRICULTURE BUILDING.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: 2 Section 1. Legislative findings: Whereas the 3 Department of Public Work have found that the present 4 structure of the Department of Agriculture is unsafe. It 5 is therefore the intent of the Legislature to provide safe 6 and sound environment to the employees and the General Public. 7 The sum of One Million Five Hundred Section 2. Thousand Dollars (\$1,500,000) is appropriated from the General 8 9 Fund to the Department of Public Works for design and 10 construction of a new Department of Agriculture building.



March 27, 1990

Senator Edward R. Reyes Chairman, Committee on Economic Development Twentieth Guam Legislature 163 Chalan Santo Papa St. Agana, Guam 96910

Mr. Chairman and members of the Committee on Economic Development:

My name is Antonio S. Quitugua and I am the Director of Agriculture. I am here to testify on Bill 1208 and Bill 1283. Both Bills proposes to appropriate one million five hundred thousand dollars (\$1,500,000) to Public Works for design and construction of a new Department of Agriculture building. We favor the intent of the Bill; however, we recommend that the design Committee addresses the phase to assure that the requirements of the various Divisions taken into are consideration. According to estimates from the Design and Analysis Section of Public Works, the design phase will cost approximately one hundred thousand dollars (\$100,000).

Upon completion of the design phase, then we would know the total appropriation needed for the new building.

Attached is a certification from Public Works relative to the condition of the Department of Agriculture's building.

Should you have any questions, please call me at 734-3942/43. Thank you for the opportunity to comment on Bill 1208 and Bill 1283.

ANTONIO S.

Attachment



### CERTIFICATION

The Department of Agriculture's Building was inspected by the Department of Public Works and was found to be structurally unsafe. Beams supporting the roof are badly corroded. The roof leaks that a recent downpour caused flooding to the Director's Office with about I foot of water causing great danger to the Employees and the General Public. Walls are badly dillapidated due to termites. As a result of the inspection, Public Works recommends that the building should condemned to safeguard the employees and the General Public from accidents and immediate danger.

Photos of the recent flooding at the Department are attached.

E BILLOTE

FELIPE BILLOTE Engineer III 2/9/90 Building Maintenance Division

# EXHIBIT A





P.O. Box 9970 Tamuning, Guarn 96911 . (671)648-9244 . Fax(671)648-9004 Division of Occupational Safety and Health

. ITC Bidg, 3rd Floor, Tarturing

M.C

### MEMORANDUM

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Director To: Department of Agriculture

Via: Director of Labor

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DEPARTMENT C

Chief Officer From:

Subject: Asbestos Contaminated Materials (ACM)

A comprehensive occupational safety and health inspection was conducted at all your facilities on March 26, 1990. During the inspection, bulk (material) samples were randomly selected and taken from at least three (3) building sites for "asbestos" testing as described in the attached sampling data.

The samples were sent to and analyzed by the Federal OSHA Industrial Hygiene Laboratory at Wisconsin. The samples numbered BS-10 and BS-12, the upper exterior wall finishing material on the building occupied by the Director and the pitched roofing sheets used at the old pig farm structure comprised 30% and 40% chrysotile asbestos respectively.

The asbestos contaminated materials are non-friable (not easily crushable or breakable by the squeezing of the palm of the hands), and is therefore not considered a real threat to health, provided it is not broken, damaged, or demolished in such a manner that would cause the dormant or bonded asbestos fibers to escape and release into the atmosphere or environment.

While the non-friable or bonded form of the asbestos do not pose an immediate danger of exposure; the fact is, the potential for release of the cancerous fibers is ever present when the material is broken, crushed or demolished. Therefore, we strongly recommend the removal of the ACM and replacement with non-asbestos building materials to facilitate an asbestos-free environment in your facility for the safety of your employees and the community.

You are reminded that assuring a safe workplace and healthful working condition and environment for your employees is a requirement mandated by Public Law 19-19, Title 10, GCA, Chapter 87, Occupational Safety and Health.

As usual, your full cooperation and expeditious resolution of this potential problem is requested and expected.

FRANK T. GUEVARA

Commonwealth Now!

Attachment



SAMPLE REF:	BS-10 3070
DATE OF SAMPLE:	3/26/90
LOCATION:	Dept. of Agriculture, Mangilao
	South end of building, Director's
	office
TYPE/MATERIAL	Wall insulation, roofing sheet
SAMPLED BY:	E. Santos/A. Santos
SAMPLE REF:	BS-11 mant Brack
DATE OF SAMPLE:	
LOCATION:	Dept. of Agriculture, Incinerator
	room ceiling
TYPE/MATERIAL:	Ceiling material
SAMPLED BY:	E. Santos/A. Santos
	*****
🗧 SAMPLE REF:	BS-12 UO70
DATE OF SAMPLE:	3/27/90
LOCATION:	Dept. of Agriculture, Old pig far
	Mangilao
TYPE/MATERIAL:	Roofing
SAMPLED BY:	E. Santos/A. Santos

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ISDULYOUNA TH THE WISCONSIN OF UPATIONAL HEALTH LABORATE AMPLE ANALYSIS RESULTS



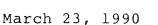


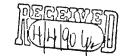
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### 2. Analysts Convents

pproximate minimum detection limit for CHRYSOTILE asbestos y Fourier Transform Infrared (FTIR) is 1 %

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Edward D. Reyes Chairman Economic Development 20th Guam Legislature P.O. Box CB-1 Agana, Guam 96910

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Senator Reyes & Members of the Committee:

We, the undersign Farmers and concerned citizens of Guam urge you to pass Bill No's. 1208 & 1283, "An Act to Appropriate One Million Five Hundred Thousand Dollars (\$1,500,000) to Public Works for design and construction of a new department of Agriculture building and Bill  $1042 \pm 12.70$ "An Act to designate Lot 7150-R4 New 1-1 containing an area of 8,094 square meters (2 acres) situated in the municipality of Yigo as the site for the Slaughterhouse of Guam and to rezone said Lot". It's time to do something for Guam and its people and not just for outside investors. Let's accommodate the people of Guam, support these three Bills.

Village Phone No. Name A.H. 477-7687 Farova 734-3113 Mungilo DEDEDO 472-8857-54 RINU Moi 1.30 (JUA-~7 -1(0 FADRU 1046-515 munine Calen Mang 7450

Name

Village

Phone No.

Dededo Rodol to D. Palagana\_ FRED S.A. MENDIULA SINALANA RANK P. IORES 111 OSEDHB. SANTOS HGAT Dedeko rene Unitalin 5 inojena read J. Cyclique anifaces P. de Treasan DEDEDO Tamumin A. ABASUARE Mapus 2031 (100 G. DELEON DEDETDO Vicente Paro amm Eff D.T. Bareins Merizo = 2. Cm lu Bronni June Cequir Ager Jolares L. D. Benavente mangelad Claim J. Mc and Nemetry Hill Wran 2. Inarajan · Cal emity Hell had AdACAO al Brithe 1 parate 12 Land Martin Trant-M. Berleiterit M.V. Daguiz > Mangilao Barrigada Darnow naria to Sangaela 'dia 1 Bac enald Majang

653-2260 4-77-1203 <u>477-108</u>4 565-3036 632-5137 6532005 632-5630 649-0897 477-7039 632 009 646-18n 828-8211 734-2518 565-5333 734-4845 477-6915 477-4190/1 477-6915 4723228 632-6828 734-6621 234-2575 734-2772 632-1781 734-4575 neaela 734-45-75 417-3461

CC: ALL SENATORS

### March 23, 1990

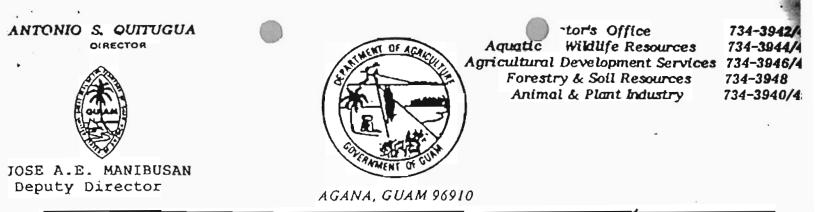
Edward D. Reyes Chairman Economic Development 20th Guam Legislature P.O. Box CB-1 Agana, Guam 96910

Senator Reyes & Members of the Committee:

We, the undersign Farmers and concerned citizens of Guam urge you to pass Bill No's. 1208 & 1283, "An Act to Appropriate One Million Five Hundred Thousand Dollars (\$1,500,000) to Public Works for design and construction of a new department of Agriculture building and Bill 1350, "An Act to designate Lot 7150-R4 New 1-1 containing an area of 8,094 square meters (2 acres) situated in the municipality of Yigo as the site for the Slaughterhouse of Guam and to rezone said Lot". It's time to do something for Guam and its people and not just for outside investors. Let's accommodate the people of Guam, support these three Bills.

Name /	Village	Phone No.
Name M	Mary Care DF	477-2207
V. J. James		653-12:0
Murra Phanchicki		477-2264
Marteen Pangelina		653-1744
F. Concorre C. Car	Kelnen age	653-1746
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Village Phone No. Name i partial Vinco 653-19112 653-231 2 71.6. 17 4777729 TOTU 477-7729 ゐ 477-5223 977-5733 32-52184 Rento 31 )a: 311 Dedella 6321827 6329578 Octer Ko



7/10/90/5

June 29, 1990

Honorable Edward D. Reyes Chairman Committee on Economic Development Twentieth Guam Legislature P.O. Box CB-1 Agana, Guam 96910

Dear Senator Reyes:

I am transmitting the Department of Agriculture's proposal on funding requirements for new buildings and supplemental budget needs for program expansion as per your request made on March 28, 1990 at the hearings for Bill Nos. 1208 and 1283 (enclosed). The proposal is straightforward, but if you need clarification or have questions then I and my staff stand ready to assist you.

I urge speedy action for Guam's economic welfare and, most importantly, to assist our farmers.

Sincerely,

Enclosures



### NEW AGRICULTURE BUILDING AND SUPPLEMENTAL BUDGET NEEDS

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Submitted by:

# DEPARTMENT OF AGRICULTURE

At the request of:

COMMITTEE ON ECONOMIC DEVELOPMENT SENATOR EDWARD D. REYES, Chairman

> Public Hearing Held On: March 28, 1990

### INTRODUCTION

On March 28, 1990, the Committee on Economic Development, chaired by Senator Edward D. Reyes held a public hearing on Bill Nos. 1208 and 1283. Both bills were to appropriate funds, in the amount of \$1,500,000, for the construction of new facilities to replace the damaged and dilapidated buildings now housing the Department of Agriculture.

At those hearings, the Department of Agriculture testified that, while the intent was supported, the amount being considered may be inadequate. The Committee informed the Director of Agriculture to develop an estimated cost proposal on the building needs and to then submit this to the Committee for its action.

The Director of Agriculture also mentioned at the hearings that the Department needed additional funds for personnel and other costs if it is to properly discharge its responsibilities under existing laws. The Director of Agriculture was, again, told to develop an estimated cost proposal for submission to the Committee.

### EXISTING BUILDINGS

The Department of Agriculture's existing office and ancillary buildings' dimensions are as follows:

Office/Bldg.	Dimension (ft.)		Area (Sq. ft.)
Director	23 x 50		1,150
ADS <sup>1</sup> /AWR <sup>1</sup>	50 x 90		4,500
CO <sup>1</sup> /Rail Lab	30 x 50		1,500
F&SR <sup>1</sup> /Boathouse	63 x 102		6,426
Eqpt. Shed	40 x 50		2,000
F&SR <sup>1</sup> /Plant Nursery	62 x 76		4,712
F&SR <sup>1</sup> Nursery	40 x 60		2,400
PPQ <sup>1</sup> /Plant Nursery/Garage	64 x 143		9,152
Animal Industry	50 x 120		6,000
Plant Nursery	36 x 143		5,148
Plant Nursery	17 x 30		510
	Т	otal	43,498

<sup>1</sup>ADS - Agricultural Development A&WR - Aquatic and Wildlife Resources CO - Conservation Officers F&SR - Forestry and Soil Resources PPQ - Plant Protection and Quarantine Thus, if the Department is to have the existing building replaced then it would need the square footage shown above.

However, the figures presented are misleading since the cost for an office building and ancillary building are different. A further breakdown to distinguish between office and ancillary buildings is as follows:

Offices/Lab	Dimension (ft.)	<u>Area (Sq. ft.)</u>
Director ADS/A&WR CO/Rail Lab F&SR/Boathouse PPQ/Plant Nursery/Garage Animal Industry	23 x 50 50 x 90 30 x 50 63 x 102 64 x 143 50 x 120	1,150 4,500 1,500 6,426 9,152 <u>6,000</u>
	Total	28,728
Ancillary	Dimension (ft.)	<u>Area (Sq.ft.)</u>
Eqpt. Shed F&SR/Plant Nursery F&SR Nursery Plant Nursery Plant Nursery	40 x 50 62 x 76 40 x 60 36 x 143 17 x 30	2,000 4,712 2,400 5,148 510
	Total	14,770

An engineer was consulted on the building construction cost and he provided the following estimates:

Type	<u>Cost/Sq. ft.</u>
Reinforced concrete	\$55 - 60
Metal (Butler type)	30 - 35
Site work	5 - 10%

Thus using the above figures, estimated costs for replacement are as follows:

Type	Area (sq.ft.)	Est. Cost Range
Office Ancillary Site Work	28,728 14,770	\$1,580,040 - 1,723,680 443,100 - 516,950 101.157 - 224,063
	Total	\$2,124,297 - 2,464,693

# EXISTING BUILDINGS AND EXPANSION NEEDS

The rapid development occurring on the island necessitate programs expansion. If the Department is to provide adequate services then it would have to hire additional personnel. These personnel cannot be housed under the existing facilities since it would just aggravate the present over-crowded conditions. Space requirements, including expansion, for the Director's and Division's offices and ancillary buildings are as follows:

DIVISION	AREA (Sq. ft.)	
Director's Office	4,000	4,000
Forestry (SCS)		4,000
Office (SCS) Nursery Ancillary (storage/eqpt./garage ADS	3,100 7,200 4,000	4,706 8,000 6,000 25,806 offer
Office Nursery Ancillary (storage/eqpt/garage)	4,706 12,000 2,000	7,200 12,000
<u>A&amp;WR</u> Office Ancillary (boathouse/storage/garage)	8,000 4,000	19,200 xmor ( 4,000
<u>Veterinary/Entomologist</u>		2,000
Office/Lab	<u>6,000</u>	4,000 10,000 aneillan
Total	48,820	

Again using the aforementioned construction cost figures, estimated costs are as follows:

Type	Area	Est. Cost Range
Office	25,806	\$1,419,330 - 1,548,360
Ancillary (Metal)	10,000	300,000 - 350,000
Nursery (\$60,000 ea. :	x 8)	480,000 - 480,000
Site Work (5-10%)		107,166 - 231,716
Fencing (2387 linear f	t. @ \$24/ft.)	57,288 - 57,288

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Removal, disposal* (shipment) asbestos	l <sup>*</sup> (shipment) asbestos materials		) -	100,000
	Total	\$2,423,780	-	2,767,364

Other needs/costs for the Department are as follows:

<u>Facility</u>		Estimated Co	st
Slaughterhouse and equipment Plant Inspection Service Incinerator Rail Facility Satellite Stations Paved Parking		\$200,000 270,000 200,000 160,000 700,000 250,000	L00,000
	Total	\$1,780,000	3,597,364

Therefore, the total estimated cost for replacement and expansion is in the range of \$4,203,780 - 4,547,364.

### PROGRAM EXPANSION

The Department, in response to concerns by the Administration, Legislature and the farmers, need to hire additional personnel to accommodate the concerns. The Animal Industry Division will have to be revived to accommodate the need for livestock upgrading and operation of the slaughterhouse.

The economic boom being experienced on island has seen tremendous increases in the volume of imports for produce, ornamental plants and cut flowers. Present staffing level is not adequate to handle the volume of increased work in a timely manner, usually resulting in delays and thereby creating losses to importers. The inspections of imported produce, ornamental plants and cut flowers has only been recently transferred to the Department and had previously been performed by Customs and Quarantine Division of the Department of Commerce. The Department of Agriculture needs additional personnel to do timely, thorough inspections on imports.

Personnel and all others need for Animal Industry and PPQ are as follows:

<sup>\*</sup> The Department of Labor Occupational Safety & Health Administration (OSHA) Division audited and reviewed the Department's facility and had on their findings in most of our facilities containing 30-40% asbestos.

### <u>Animal Industry</u>

<u>Personnel</u> (Grade/Rate)	No.	Salary	<u>Benefits</u>	<u>Total</u>
Livestock Caretaker (W-19) Supplies and Materials Vehicles	3	\$13,393	\$2,737	\$51,502
	1			2,000 10,000
			Total	\$63,502
PPO				
Personnel (Grade/Rate)	No.	<u>Salary</u>	<u>Benefit</u>	Total
Clerk Typist III	1	\$13,393	\$2,009	\$15,402
Clerk Typist III PPQ Officer I (PR 27) Supplies and Materials	1 3			\$15,402 51,502 2,000
Clerk Typist III PPQ Officer I (PR 27)	1	\$13,393	\$2,009	\$15,402 51,502

# AQUATIC AND WILDLIFE RESOURCES

### Program Title: Administration and Coordination

### **Justification**

The bulk of the Division of Aquatic and Wildlife Resources' programs are 100% federally funded through the Dingell-Johnson (DJ) Federal Aid in Sport Fish Restoration and Pittman-Robertson (PR) Federal Aid in Wildlife Restoration Programs, the Wallop-Breaux (WB) Trust Fund and the Endangered Species Conservation Program. These programs carry a number of limitations and constraints that severely hamper the ability of the Division to fully perform its statutory responsibilities. Specifically, the DJ, PR, and the WB programs, which provide the majority of the Divisions operating budget, forbid the use of federal funds for law enforcement activity. This creates a major problem because the Division Chief and the Assistant Chief have major responsibilities for the administration and supervision of the Division's Law Enforcement Section and its staff of Conservation Officers, and yet they cannot legitimately charge the time that these responsibilities require to these Federal Aid programs. The involvement of the Division's biological staff in the preparation and promulgation of fish and wildlife cases as expert witnesses, and participation in the licensing and permitting process, and the involvement of the clerical

staff in the preparation of arrest reports, typing of regulations, sale of hunting licenses and various permits, etc. is also not in strict compliance with the federal restrictions on the use of these funds. The Department of Agriculture strongly believes that these are very important responsibilities and therefore the Chief and the rest of the staff do as much as possible, and donate a certain amount of time to ensure that these needs are met.

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The Division's ability to fully perform its statutory responsibilities to manage and conserve all fish and wildlife resources on Guam is further hampered by the restriction of the DJ and WB fisheries Federal Aid programs to only recreational finfish. These funds may not be used to study or manage other aquatic organisms such as shellfish and crustaceans, nor for any management or promotion of commercial fisheries, This has caused some major difficulties in the management of the islands shellfish resources and the protection of our coral reefs because we cannot conduct population surveys, conduct biological studies, nor draft or enforce regulations for the protection of these organisms. Additionally, the direct involvement of the Division in commercial fisheries programs and in regional fisheries issues is not possible, despite the Department's statutory responsibility for "...the control and regulation of fish and game in and about Guam..."(Section 12301, Government Code of Guam).

These problems could be resolved if the Division were to receive an appropriation of local funds that would cover the required involvement of the Chief and his staff in these matters and allow the Federal Aid funding that the Division receives to be strictly applied to the biological research and management programs that they are intended to fund.

### Budget Summary

The proposal is to provide local funding in the amount equivalent to 50% of the personnel costs of the administrative staff including the Division Chief, Assistant Chief, Administrative Assistant, Word Processing Secretary II, Secretary Typist I, and Clerk Typist III, a total of 3 FTE's. This level of staffing is fully justified when the amount of involvement of these administrative personnel in non-Federal Aid matters is recognized. In addition, it is proposed that a portion of certain operational costs of the Division be underwritten by local funding, such as the contractual costs of office equipment leasing and maintenance, including typewriters, computers, and photocopy machines, as well as a portion of the office supplies. The additional personnel being requested and increased workload of the Division justifies the hiring of a Word Processing Supervisor.

50% of current Administration/Coordination budget and one Word Processing Supervisor: \$128,000

# Program Title: <u>Technical Assistance</u>

### **Justification**

With the rapid pace of development on Guam, the Division of Aquatic and Wildlife Resources is increasingly required to render technical assistance in the form of technical review of development plans, permit applications, zone changes and variances, and environment impact statements and assessments. The Division has a legal responsibility to perform this important function, which is manifest by its participation in the DRC process and in various committees and task forces. Although some of this technical assistance activity involves the sport fish and wildlife resources that are covered by the Divisions various Federal Aid programs, much of it does not directly involve these resources and therefore the Division cannot properly charge these activities to its Federal Aid projects. Because of the growing magnitude of the Division's technical assistance responsibility, it is vital that adequate local funding now be provided to enable Division staff to legitimately carry out this function.

### **Budget Summary**

The technical assistance function requires the involvement of staff from both the Wildlife and Fisheries Sections of the Division because of the broad range of subjects addressed. Based upon the current technical assistance workload, it is proposed that approximately 2 FTE's, at at least the Biologist II level, be assigned to the technical assistance function. This will assure that adequate qualified staff are available to perform technical assistance and to fulfill the Division's legal responsibilities in this area. Providing this level of funding will free the Division's limited Federal Aid funding for needed fish and wildlife resource conservation activities that are legitimately supported by Federal Aid.

# Program Title: Law Enforcement

### **Justification**

The Division of Aquatic and Wildlife Resources has the legal responsibility for the protection of Guam's fish and wildlife resources. Guam's fish and wildlife conservation

laws and regulations are presently enforced by eight permanent Conservation Officers of the Division, who are peace officers as defined by law. These officers are responsible for enforcement of these laws on an island-wide basis, 24-hours a day, but are hampered in their ability to efficiently do so due to the small size of the enforcement staff. Because of the size of the island and the magnitude of the illegal hunting and fishing problem affecting Guam's fish and wildlife resources, there is a real need to increase the size of this enforcement staff in order that more uniform coverage of the island be possible. Also of vital importance is the need to replace the Division's aging fleet of law enforcement vehicles and to provide the Conservation Officers with needed equipment including body armor, weapons, radios, binoculars, spotting scopes and cameras.

### <u>Budget Summary</u>

As proposed, the changes in the Division's Law Enforcement Program include the addition of three new Conservation Officers in FY '91. This will allow the Division to eventually be able to field two shifts of four officers each plus a supervisor, or alternatively, to field three shifts of a minimum of two officers plus a supervisor in order to effect true 24-hour coverage on an as-needed basis. This proposal includes the needed protective equipment for the new officers plus the equipment to fully equip the existing staff of Conservation Officers with the equipment necessary to permit them to fully and efficiently perform their jobs. Also included is the replacement of the deteriorating vehicular fleet and the initiation of a program of regular replacement of vehicles as they age. A schedule and cost breakdown follows:

### Law Enforcement Budget Request

Personnel (Garage/Rate)	<u>No.</u>	Salary	<b>Benefits</b>	<u>Total</u>
Conservation Officer II (PR38-1) Conservation Officer I (PR33-1) Supplies & Materials (Uniforms, fu Eqpt. (Radios, vehicles, weapons,		\$20,625 17,744 , scopes, etc.)	\$3,284 3,284	\$23,909 42,056 4,500 <u>40,000</u>
			Total	\$110,465

### Forestry & Soil Resources

Guam has limited land and soil resources for the use of its people and its ever expanding industries. The boom in development all over the island would need massive establishment of forest and improvement of conservation reserves in order to balance the needs and recreational requirements of the people that these developments would cater to.

We would establish forests which is an essential element for a healthy water cycle and supply. This fire resistant tree species make up the much needed watershed areas, served as refuge and shelter for wild pigs, deer and birds. The program needs additional personnel and equipment to continue forestation and provide fire support during high fire danger. The three (3) existing fire trucks are ten (10) years old and in dire need of replacement.

### Summary

Personnel	<u>No</u> .	Salary	<u>Benefits</u>	<u>Total</u>
Forestry Aide I Clerk I Fire Truck	4 1 2	\$62,300 10,433	\$12,112 2,563	\$74,412 12,996 <u>44,000</u>
			Total	\$131,408

### Agricultural Development Services

### Administration and Coordination

For many years, the A.D.S. Division was short handed for technical staff support. Program enforcement needed to be upgraded to ensure the interest of the Department in terms of land areas, and services to the farmers is to be maintained at a high level of performance. Newly enacted laws have also been effectuated thus further increasing the activities and responsibilities of the Division. The recently created Agricultural Board of Commissioners, for example, would adversely impact on the ability of the Division to respond to the needs of the Board. Therefore, to ease some of these problems, it is essential to hire a Clerk Typist I and Planner III. The Planner III would develop new programs and provide technical assistance to DRC in terms of agricultural impacts. The Division is in dire need of transportation to be able to continue their services to the farmers of Guam.

Personnel	<u>No</u> .	- <u>Salary</u>	<u>Benefit</u>	Total
Clerk Typist I Planner III Wagon (4x4)	1 1 1	\$11,353 29,617	\$2,713 4,443	\$14,066 34,060 <u>20,000</u>
			Total	\$68,126

# **Director's Office**

With the enactment and creation of the Agricultural Board of Commissioners, the increasing workload on documents both incoming and outgoing; and anticipated increase of administrative functions on the current manpower level, it is therefore, necessary to request for additional staff to maintain the department's operational requirement.

# Summary

Position	<u>No</u> .	Salary	<u>Benefits</u>	<u>Total</u>
Board Secretary Messenger Clerk Clerk Typist I	1 1 1	\$18,000 11,353 11,353	\$2,700 1,703 1,703	\$20,700 13,056 <u>13,056</u>
			Total	\$46,812

# **SUMMARY**

Α.	Exis	ting Building and Expansion Needs		\$4,203,780 - 4,547,364
Β.	Prog	gram Expansion	FTE	
	1.	Animal Industry	4	63,502
	2.	Plant Protection Quarantine	6	88,904
	3.	Aquatic and Wildlife		
		<ul><li>a) Administrative &amp; Coordination</li><li>b) Technical Assistance</li><li>c) Law Enforcement</li></ul>	4 2 3	128,000 56,000 110,465

				Grand Total	\$5,240,581
				Sub-Total	\$671,217
6.	Director's Office		3		46,812
5.	Agricultural Development Service	•	2		68,126
4.	Forestry		5		131,408

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TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

Bill No. 1208 (15)

Introduced by:

T. S. Nel

AN ACT TO APPROPRIATE ONE MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) TO PUBLIC WORKS FOR DESIGN AND CONSTRUCTION OF A NEW DEPARTMENT OF AGRICULTURE BUILDING.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: 2 Section Legislative 1. findings: Whereas the 3 Department of Public Work have found that the present 4 structure of the Department of Agriculture is unsafe. It 5 is therefore the intent of the Legislature to provide safe 6 and sound environment to the employees and the General Public. 7 Section 2. The sum of One Million Five Hundred 8 Thousand Dollars (\$1,500,000) is appropriated from the General 9 Fund to the Department of Public Works for design and 10 construction of a new Department of Agriculture building.