



Territory of Guam
Territorio de Guam

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

MAY 17 1991

REFER TO
LEGISLATIVE COUNCIL

A handwritten signature in cursive script, appearing to read "Joe".



The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 79, which has been signed into law this date as Public Law No. 21-39.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank F. Blas".

FRANK F. BLAS
Governor of Guam
Acting

Attachment

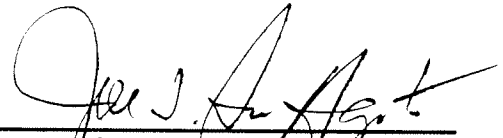
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TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

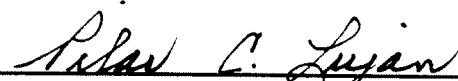
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 79 (LS), "AN ACT TO CREATING A TASK FORCE TO STUDY AND PROPOSE A PLAN FOR JOINT PARTICIPATION OF GUAM AND THE UNITED STATES GOVERNMENT IN THE RELOCATION OF NAVAL AIR STATION, GUAM ("NAS") AND TO CEDE THE LAND PRESENTLY OCCUPIED BY NAS TO THE GOVERNMENT OF GUAM, AND MAKING APPROPRIATIONS FOR THE TASK FORCE, FOR REMOTE CONTROL LOCKS, AND FOR CERTAIN OFF-ISLAND TRIPS," was on the 2nd day of May, 1991, duly and regularly passed.



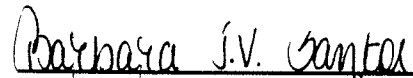
JOE T. SAN AGUSTIN
Speaker

Attested:




PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 1th day of May, 1991, at 2:00 o'clock 2.m.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: MAY 17 1991

Public Law No. 21-39

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 79 (LS)
As substituted by the
Committee on Rules

Introduced by:

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

AN ACT TO CREATING A TASK FORCE TO STUDY AND PROPOSE
A PLAN FOR JOINT PARTICIPATION OF GUAM AND THE UNITED
STATES GOVERNMENT IN THE RELOCATION OF NAVAL AIR
STATION, GUAM ("NAS") AND TO CEDE THE LAND PRESENTLY
OCCUPIED BY NAS TO THE GOVERNMENT OF GUAM, AND
MAKING APPROPRIATIONS FOR THE TASK FORCE, FOR
REMOTE CONTROL LOCKS, AND FOR CERTAIN OFF-ISLAND
TRIPS.

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

2 Section 1. **Legislative intent.** For numerous reasons, it has long been the
3 desire of the people of Guam to relocate the Naval Air Station, Guam ("NAS"),
4 from its present position in the center of Guam where it separates the
5 economic and government centers on Guam from the more residential areas,
6 and generally impedes the natural flow of traffic on Guam. NAS also occupies

1 extremely valuable land, which is removed from participation in the Guam
2 economy, and from use by the people of Guam, either as public land or private
3 land. Recently, the General Accounting Office ("GAO") has released a report
4 which addresses the cost of relocating the activities of NAS to Andersen Air
5 Force Base ("AAFB"), and has determined the cost of this move to be \$229.1
6 Million.

7 Section 2. **Task force.** The territory of Guam desires to do anything in
8 its power to facilitate the relocation of NAS from its present location and the
9 ceding of the land to the government of Guam. In order to carry out this
10 purpose, the Legislature desires to set up a task force to examine a wide range
11 of possibilities and to devise a plan, utilizing whatever resources the
12 government of Guam can provide or devise.

13 Section 3. **Creation of task force.** A task force is hereby created,
14 consisting of thirteen (13) members, consisting of the seven (7) persons
15 appointed by the Governor who may appoint himself, the Speaker of the
16 Legislature, the Chairman of the Legislature's Committee on Ways and Means,
17 the Chairman of the Legislature's Committee on Housing, Community
18 Development, Federal and Foreign Affairs, the Chairman of the Legislature's
19 Committee on Tourism and Transportation, and two (2) members of the
20 Legislature's Minority appointed by the Minority Leader. The Governor shall
21 appoint a chairman for the task force from among its members.

22 Section 4. **Responsibilities.** The task force created by this Act shall first
23 engage in fact-finding to determine from reports already prepared and other
24 sources, including the Department of the Interior and the Department of
25 Defense, a feasible way to relocate NAS and to cede the land presently occupied
26 by NAS to the government of Guam. The plan may include the floating of
27 bonds, joint participation with the United States government in funding the
28 relocation, complete purchase of the land by the government of Guam, or any
29 method as may be feasibly undertaken by the government of Guam. Once such a
30 plan is formulated, it shall be transmitted to the Legislature for implementation
31 through legislation.

32 Section 5. **Appropriation.** Ten Thousand Dollars (\$10,000) are
33 appropriated from the General Fund to the Office of the Governor to fund the
34 task force created in this Act.

1 Section 6. **Remote control locks.** (a) Two Hundred Twenty Thousand
2 Dollars (\$220,000) are appropriated from the General Fund to the Department
3 of Corrections to install remote control locks for all cell doors and
4 egress/ingress doors and local common key operations for each separate unit's
5 egress/ingress doors for the buildings (including "B" Building) at the Adult
6 Correctional Facility and at the Rosario Detention Facility.

7 (b) Forty Thousand Dollars (\$40,000) are appropriated from the
8 General Fund to the Guam Police Department to install remote control locks
9 for all cell doors and egress/ingress doors at the Agaña Lock Up.

10 Section 7. (a) **Legislative purpose.** Guam has just organized an FFA
11 ("Future Farmers of America") Organization which now has 215 members from
12 various public and private schools. Participation in off-island conferences and
13 conventions will strengthen the members' leadership and knowledge, for
14 better service to the FFA, to their schools, and to the community.

15 (b) **Appropriation.** Fifteen Thousand Five Hundred Twenty Dollars
16 (\$15,520) are appropriated from the General Fund to the Department of
17 Agriculture to fund the participation of Guam's Future Farmers of America
18 ("FFA") at the 1991 FFA Washington Conference and the 64th National FFA
19 Convention. The sum appropriated under this subsection shall be equally
20 divided between the 1991 FFA Washington Conference and the 64th National
21 FFA Convention. Within sixty (60) days of the completion of the conference and
22 the convention, the Guam State FFA Advisor shall submit to the Director of
23 Agriculture a report of all expenditures, including but not limited to a balance
24 sheet, a statement of receipts and a general description of expenses arising out
25 of the participation at the conference and the convention.

26 Section 8. **Trip to Tahiti.** Twenty-Eight Thousand Eight Hundred
27 Sixty-Five and Eighty Cents (\$28,865.80) are hereby appropriated from the
28 General Fund to the Department of Parks and Recreation to fund the
29 participation of twelve (12) swimmers and one (1) coach from the **Manukai**
30 Athletic Club in the Open Swimming Championships of French Polynesia to be
31 held in June, 1991 in **Papeete**, Tahiti. Within sixty (60) days of the completion
32 of the championships, the **Manukai** Athletic Club shall submit to the Director of
33 Parks and Recreation a report of all expenditures, including but not limited to a

- 1 balance sheet, a statement of receipts and a general description of expenses
- 2 arising out of the participation at the championships.



**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,
FEDERAL AND FOREIGN AFFAIRS
TWENTY-FIRST GUAM LEGISLATURE
163 Chalan Santo Papa
Agaña, Guam 96910**

Senator Francisco R. Santos
Chairman

Tel: (671) 472-3414/3415
Fax: (671) 477-3048

April 29, 1991

The Honorable Joe T. San Agustin
Speaker
Twenty First Guam Legislature
Agana, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bill No. 79, An Act Creating a Task Force to study and propose a plan for joint participation in the relocation of Naval Air Station and to cede the NAS land to the Government of Guam, conducted a public hearing on said legislation on April 17, 1991, at 9:30 AM, in the Legislative Public Hearing Room.

After due consideration of the measure and the testimonies received, the Committee is herewith reporting its findings and conclusions with the **RECOMMENDATION TO DO PASS** said Bill No. 79. The Committee votes were as follows:

1. To Do Pass:	8
2. To Do Not Pass:	0
3. To Report Out Only	0
4. Off Island	1
5. Did Not Vote	1

Sincerely yours,

F.R. Santos

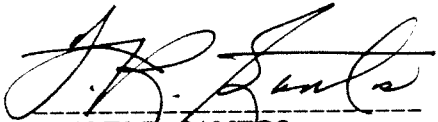
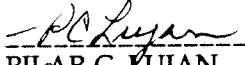

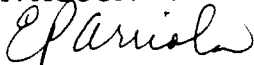

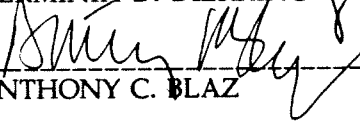

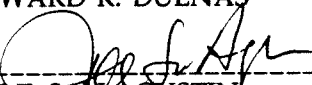
**COMMITTEE ON FEDERAL, FOREIGN AND LEGAL AFFAIRS
 TWENTIETH GUAM LEGISLATURE
 163 Chalan Santo Papa
 Agaña, Guam 96910**

Senator Francisco R. Santos
 Chairman

Tel: (671) 472-3414/3415
 Fax: (671) 477-3048

Voting Sheet

BILL NO. 79: AN ACT CREATING A TASK FORCE TO STUDY AND PROPOSE A
 PLAN FOR JOINT PARTICIPATION IN THE RELOCATION OF NAVAL AIR
 STATION AND TO CEDED THE NAS LAND TO THE GOVERNMENT OF GUAM.

	TO DO PASS	TO DO NOT PASS	TO REPORT OUT ONLY	OFF ISLAND
 FRANK R. SANTOS	✓	-----	-----	-----
 PILAR C. EUJAN	✓	-----	-----	-----
 JOHN P. AGUON	✓	-----	-----	-----
 ELIZABETH P. ARRIOLA	✓	-----	-----	-----
 HERMINIA D. DIERKING	✓	-----	-----	-----
 ANTHONY C. BLAZ	✓	-----	-----	✓
J. GEORGE BAMBA	-----	-----	-----	-----
 MARILYN D.A. MANIBUSAN	✓ <i>mdm</i> 4/29/91	-----	-----	-----
EDWARD R. DUENAS	-----	-----	-----	-----
 JOE F. SAN AGUSTIN EX-OFFICIO	✓	-----	-----	-----

Committee Report

on

Bill No. 79

AN ACT CREATING A TASK FORCE TO STUDY AND PROPOSE A PLAN FOR JOINT PARTICIPATION OF THE TERRITORY OF GUAM AND THE UNITED STATES GOVERNMENT IN THE RELOCATION OF NAVAL AIR STATION, GUAM, (NAS) AND TO CEDE THE LAND PRESENTLY OCCUPIED BY NAS TO THE GOVERNMENT OF GUAM.

PUBLIC HEARING

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred **Bill No. 79**, scheduled and conducted a public hearing on said measure on **April 17, 1991 in the Legislative Public Hearing Room, Guam Legislature Temporary Office Building, Agana, at 9:30 am.** Public notice and advertisement of said hearing was published as required. Likewise, invitations were transmitted to the Governor of Guam, the Bureau of Planning, the Guam Airport Authority, the Commander, Naval Forces Marianas, and the Commanding Officer, Andersen Air Force Base.

MEMBERS PRESENT

Committee members, and other Senators, present at the Public Hearing were:

- 1. Senator Francisco R. Santos, Chairman**
- 2. Senator Pilar C. Lujan, Vice Chairperson**
- 3. Senator Elizabeth P. Arriola**
- 4. Senator Herminia D. Dierking**
- 5. Senator Marilyn D.A. Manibusan**
- 6. Senator Edward R. Duenas**
- 7. Senator Anthony C. Blaz**
- 8. Senator Michael Reidy**

Appearing before the Committee to submit oral testimony on Bill No. 79 were:

1. Mr. Jesss Q. Torres
Executive Director
Guam Airport Authority
2. Mr. Willis Gannon
Consultant, Guam Airport Authority
3. Mr. Tom Jones
Consultant, Guam Airport Authority

Not Appearing before the Committee but submitting written testimony was Mr. Peter Leon Guerrero, Director, Bureau of Planning. Mr. Guerrero's testimony is appended hereto.

BACKGROUND

The subject of the turnover of Naval Air Station (Brewer Field) Guam is one which has received much attention over the last few years. This was especially motivated by recent discussions on the closure of a number of U.S. military installations on a nationwide basis and the formation of special task force on base closures to develop a listing of bases which can be deactivate, closed and/or reduced.

The Government of Guam has been calling for the relocation of Naval Air Station (Brewer Field) Guam activities to Andersen Air Force Base beginning with the redesignation of Andersen from a Strategic Air Command installation to a Tactical Air Command facility, the scale down of activities at Andersen and the transfer of the B-52 bomber squadron and its support personnel and activities. These reductions resulted in the availability of a number of facilities, under-utilization of the runways and related facilities and the projected vacancies and availability of housing units. Likewise the reduction of the activities at NAS indicated that it would not cause extreme difficulties to transfer NAS functions to Andersen.

Much of this was brought to the attention of several U.S. Congressmen and Congresswomen, as well as, Executive Branch officials. Most notable were Congresswoman Patricia Schroeder, Chairperson of the House Sub-committee on Military Installations and Facilities, which came to Guam and conducted public hearings on the matter; and Senator Daniel Inouye, Chairperson of the Senate Committee on Defense Appropriations, who also conducted a public hearing on Guam. At both of these hearings, a relatively in-depth presentation of the desireability for the turnover of NAS was presented.

Because of the discussions and clamor for the transfer of NAS functions to Andersen and the eventual turnover of NAS to the

Government of Guam, the General Accounting Office was requested to perform an in-depth analysis of the costs which would be incurred in such a project.

Bill No. 79 is viewed as the vehicle and instrument by which a continuous effort towards transfer of NAS functions and the turnover of the property can be finally realized and possibly expedited.

LEGISLATIVE INTENT

Bill No. 79 is intended to provide the vehicle and instrument by which a wide range of possibilities to effectuate the transfer of NAS functions and transfer of NAS land to the Government of Guam can be critically and expeditiously examined by a group consisting of representatives from the Executive and Legislative Branches of the Government of Guam. From these possibilities, a series of plans and programs can be developed and eventually, the most feasible and beneficial can be pursued. The Task Force may examine:

1. more closely the present and future needs of the Guam Airport Authority to insure that all contingencies and plans are adequately provided for.

2. the results of the General Accounting Office study to determine and more closely scrutinize the projections developed by GAO.

3. the development of a financing scheme by which the plans and programs developed can be adequately funded.

The Chairman of the Committee pointed out that the NAS relocation and transfer of property is being scrutinized and studied by several different groups:

1. The Guam Airport Authority
2. Guam Airport Authority Consultants
3. The Bureau of Planning
4. The Aviation Policy Task Force
5. The Committee on Tourism and Transportation
21st Guam Legislature
6. The Commission on Self-Determination

RECOMMENDATION

The Committee is of the consensus that the transfer of NAS functions to Andersen Air Force Base and the transfer of ownership of NAS land to the Government of Guam is of such vital importance to the development and stabilization of a viable and lasting economy for Guam, especially in the area of the visitor industry and related aviation services, that studies of this nature must be pursued. The Committee is likewise of the consensus that the Task Force to be created in Bill No. 79 will act as the catalyst and the focal point of these studies since one fiber common to all studies is the probable need for legislation in order to implement their plans and recommendations. **Because of this, THE COMMITTEE RECOMMENDS TO THE TWENTY FIRST GUAM LEGISLATURE THAT BILL NO. 79 BE DULY PASSED.**

SENATOR
HERMINIA D. DIERKING
TWENTY-FIRST GUAM LEGISLATURE

January 22, 1991

COMMITTEES

MEMORANDUM

Chairperson:
Rules
General
Governmental
Operations

TO: Chairperson, Committee on Housing,
Community Development,
Federal and Foreign Affairs

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 79

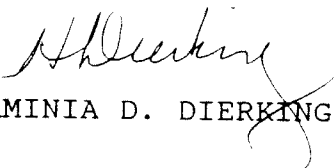
Vice-Chairperson
Ways & Means

Energy,
Utilities and
Consumer
Protection

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 you schedule a Public Hearing at your earliest convenience.

Member:
Housing,
Community
Development,
Federal,
and
Foreign Affairs
Judiciary
and
Criminal Justice

Based on Section 6.04.06.02, Rule VI, of the Standing Rules, upon completion of your Committee findings, if favorable action is recommended, please refer this Bill to the Committee on Ways and Means for their review of the appropriation requested.


HERMINIA D. DIERKING

Enclosure

cc: Committee on Ways & Means
(For Information Only)

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 79

Introduced by:

Gutierrez
C.T.C. Gutierrez
Bamba
J. G. BAMBA
M.O. Manibutsan
M.O. Manibutsan

HEFF
CO...

AN ACT CREATING A TASK FORCE TO STUDY AND PROPOSE A PLAN FOR JOINT PARTICIPATION OF THE TERRITORY OF GUAM AND THE UNITED STATES GOVERNMENT IN THE RELOCATION OF NAVAL AIR STATION, GUAM, (NAS) AND TO CEDE THE LAND PRESENTLY OCCUPIED BY NAS TO THE GOVERNMENT OF GUAM.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. (a) Legislative Intent. For numerous reasons, it has long
3 been a desire of the people of Guam to relocate the Naval Air Station,
4 Guam, (NAS) from its present position in the center of Guam. The present
5 location of NAS separates the economic and government centers on Guam
6 from the more residential areas, and generally impedes the natural flow of
7 transportation on Guam. The present location of NAS also occupies very
8 valuable land, which is removed from participation in the Guam economy,
9 and from use by the people of Guam, either as public land or private land.
10 Recently, the General Accounting Office (GAO) has released a report which
11 addresses the cost of relocating the activities of NAS to Andersen Air Force
12 Base (AAFB), and has determined the cost of this move to be \$229.1
13 Million.

14 The territory of Guam is desirous of doing anything in its power to
15 facilitate the relocation of NAS from its present location, and assisting in
16 the ceding of the land to the government of Guam. In order to carry out
17 this purpose, the Legislature desires to set up a task force to examine a

1 wide range of possibilities and to devise a plan, utilizing whatever
2 resources the government of Guam can provide or devise.

3 (b) Creation of task force. A task force is created, consisting of ten
4 (10) members, consisting of: the Governor; four (4) persons appointed by
5 the Governor; the Speaker of the Legislature; the Chairman of the
6 Legislature's Committee on Ways and Means; the Chairman of the
7 Legislature's Committee on Housing, Community Development, Federal and
8 Foreign Affairs; the Chairman of the Legislature's Committee on Tourism
9 and Transportation; and one (1) member of the Minority who is to be
10 appointed by the Speaker.

11 (c) Responsibilities. The task force created by this Section shall first
12 engage in fact finding to determined from reports already prepared, and
13 other sources, including the Department of the Interior and Department of
14 Defense, a feasible way to relocate NAS and to cede the land presently
15 occupied by NAS to the government of Guam. The plan may include the
16 floating of bonds, joint participation with the United States Government in
17 funding the relocation, complete purchase of the land by the government
18 of Guam, or any method as maybe accomplished by the government of
19 Guam. Once this plan is formulated, it shall be transmitted to the
20 Legislature for implementation through legislation.

21 (d) Appropriation. Ten Thousand Dollars (\$10,000) is appropriated
22 from the General Fund to the Office of the Governor to fund the task force
23 created in this Section.



SETBISION MAMPLANEHA
Bureau of Planning
GOVERNMENT OF GUAM
AGANA GUAM 96910

APR 17 1991

Honorable Frank R. Santos
Chairman, Committee on Housing,
Community Development, Federal
and Foreign Affairs
Twenty-First Guam Legislature
Pacific Arcade Building
155 Hernan Cortes St.
Agana, Guam 96910

Hafa Adai Senator Santos:

Due to prior commitments, I regret that I am unable to appear before your committee to present oral testimony on Bill No. 79, which proposes to create a task force to study and propose a plan for the relocation of NAS and to return the land to the Government of Guam. For the record, I submit this written testimony reflecting the views of the Bureau of Planning on that bill.

Let me begin by commending the Legislature for its support to the bid for NAS relocation. Any support we can muster towards this end intensifies the loud message we are sending to the Federal Government. As you know, the Navy has already gone on record supporting the relocation of NAS activities to Andersen Air Force Base. In this regard, Congressman Blaz is to be commended for his efforts to obtain the Navy's recognition that the reduction of Navy's operations as a result of such a relocation indicates the reduced need for NAS as an operating base.

Guam is in the midst of tremendous economic growth that is primarily tourism based, consequently, expansion of our civilian airport is vital if we are to keep our private economy strong and healthy. The Airport Master Plan demonstrates that existing facilities at the A.B Won Pat International Airport will not be able to accommodate the projected growth in the numbers of travellers as well as cargo and the consequent need for support facility expansion. The only way to accommodate such growth is to utilize lands and facilities currently occupied by the Navy.

Honorable Frank R. Santos
Page 2

The Governor has recognized these needs and the reduced operations at NAS and has quickly proceeded to take advantage of the obvious opportunities to absorb NAS. A dual approach has been taken to facilitate the NAS relocation effort: one, initiate efforts that concentrate on the transfer of lands and facilities that will not require capital outlays by the Government of Guam. It is our view that such outlays would be more effective if their use was allocated to improvements at the airport than to purchasing land or building replacement facilities for the Navy. Second, pursue eventual turn-over of the remaining NAS property at no cost to the people of Guam. We have consistently maintained the position that we should not have to pay because we have already paid - through the blood, sweat and tears of the many Chamorros who built the original airstrip and those that have fought and died in the various wars to protect a democracy in which even we do not completely benefit.

Although the Secretary of Defense's recently announced proposed base closures failed to include Guam as we had hoped, it is our genuine and earnest anticipation that NAS-Guam will be on that list in the very near future. This therefore, is the major contention I have with the bill as it is currently written. In its present form, this bill gives signals that the Government of Guam is interested in assuming at least part of the cost to relocate Navy facilities. It is my view that this signal is not what we want to impart at this time. The relevant federal officials need to be convinced of the national interest inherent in the transfer of NAS lands and facilities at no cost to the Government of Guam. It is signals such as this that may hamper our efforts to convince the Base Closure Commission to include NAS on its closure list. While we have not been successful in this round of closings, we sincerely believe that we will be successful in the development of future lists.

Thank you for the opportunity to comment on Bill 79.


PETER P. LEON GUERRERO
Director


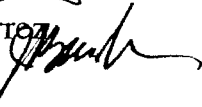
TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Introduced

JAN 23 '91

Bill No. 79 (LS)

Introduced by:


C.T.C. Gutierrez
J. G. BAMBA 

AN ACT CREATING A TASK FORCE TO STUDY AND PROPOSE A PLAN FOR JOINT PARTICIPATION OF THE TERRITORY OF GUAM AND THE UNITED STATES GOVERNMENT IN THE RELOCATION OF NAVAL AIR STATION, GUAM, (NAS) AND TO CEDE THE LAND PRESENTLY OCCUPIED BY NAS TO THE GOVERNMENT OF GUAM.

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