



Territory of Guam
Territorio Guam

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

REFER TO
LEGISLATIVE SECRETARY

Rec'd
11/26/91
JF

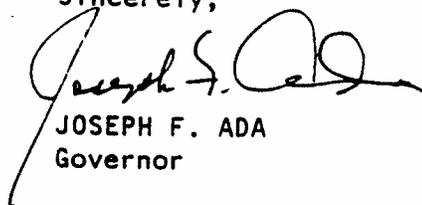
NOV 26 1991

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. 143, which I have signed into law this
date as Public Law 21-65.

Sincerely,



JOSEPH F. ADA
Governor

Attachment

210533



TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

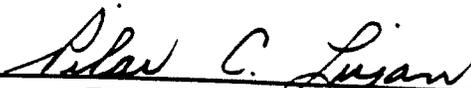
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 143 (COR), "AN ACT TO ESTABLISH WITHIN THE GUAM MASS TRANSIT AUTHORITY THE TERRITORIAL PARKING TASK FORCE TO STUDY GUAM'S PUBLIC PARKING AND PEDESTRIAN SAFETY REQUIREMENTS AND TO APPROPRIATE FUNDS THEREFOR, AND TO AMEND THE EXECUTIVE BRANCH BUDGET ACT OF 1992 RESPECTING EXPENDITURES BY THE DEPARTMENT OF EDUCATION AND POSITIONS IN THE DEPARTMENT OF AGRICULTURE," was on the 8th day of November, 1991, duly and regularly passed.



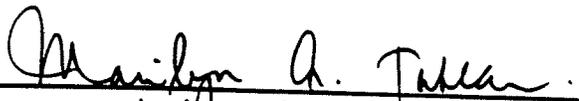
JOE T. SAN AGUSTIN
Speaker

Attested:



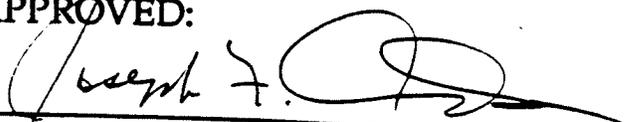
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 15th day of November, 1991, at
3:30 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: November 26, 1991

Public Law No. 21-65

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 143 (COR)

As substituted by the Committee
on Tourism and Transportation
and as further substituted by
Committee on Rules

Introduced by:

H. D. Dierking
J. P. Aguon
E. P. Arriola

J. G. Bamba
A. C. Blaz
M. Z. Bordallo
D. F. Brooks
E. R. Dueñas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
M. D. A. Manibusan
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 ESTABLISH WITHIN THE GUAM MASS TRANSIT
AUTHORITY THE TERRITORIAL PARKING TASK FORCE TO
STUDY GUAM'S PUBLIC PARKING AND PEDESTRIAN
SAFETY REQUIREMENTS AND TO APPROPRIATE FUNDS
THEREFOR, AND TO AMEND THE EXECUTIVE BRANCH
BUDGET ACT OF 1992 RESPECTING EXPENDITURES BY
THE DEPARTMENT OF EDUCATION AND POSITIONS IN
THE DEPARTMENT OF AGRICULTURE.

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

2 **Section 1. Legislative finding.** The Legislature finds that Guam,
3 experiencing an exponential growth in the number of vehicles as well as
4 pedestrians on its roadways, must provide for more public parking, and for
5 greater pedestrian and cyclist safety since the current highway system is
6 overburdened and there are not enough public parking places to
7 accommodate ever-growing parking needs, nor are pedestrians and cyclists
8 adequately protected. The Legislature further finds that not only will
9 additional public parking facilities enhance the existing mass transit system,
10 but, more importantly, will alleviate traffic congestion and decrease many
11 traffic hazards, and that a new approach to pedestrian and cyclist safety is
12 required.

13 Therefore, the Legislature directs that a task force be created to study
14 the public parking, pedestrian and cyclist safety requirements of Guam
15 (encompassing, as well, projections for future growth) and the scope of work
16 required to provide adequate parking facilities and to insure pedestrian and
17 cyclist safety. The Legislature further directs that the task force investigate
18 and identify all locations in Guam that are in need of public parking facilities
19 and what must be done to increase safety for pedestrians and cyclists, while
20 taking into account the future growth of the territory resulting from its
21 tourism and construction industries.

22 **Section 2. Task Force: Creation.** There is hereby created within the
23 Guam Mass Transit Authority, the Territorial Parking and Pedestrian Safety
24 Task Force (the "Task Force") which Task Force shall issue a request for
25 proposals ("RFP") from consulting firms to conduct a study of the scope of

1 work required to provide adequate public parking, pedestrian and cyclist
2 safety for Guam, such study to include a review of existing studies on
3 parking, pedestrian and cyclist safety. The RFP shall be advertised in
4 publications of general circulation. The Task Force shall also seek
5 information and prepare recommendations regarding possible funding
6 sources and management schemes.

7 **Section 3. Task Force: Composition.** The General Manager of the
8 Guam Mass Transit Authority ("GMTA") shall chair the Task Force, which
9 shall be composed of the following: The chief executive officers or their
10 designees of the following government of Guam agencies: (i) Department of
11 Public Works, (ii) Department of Land Management, (iii) Bureau of Planning,
12 and (iv) Guam Police Department; one (1) representative from the Mayors'
13 Council; and one (1) representative from the Guam business community
14 appointed by the Governor.

15 **Section 4. Reports: Submission of.** The Task Force shall submit its
16 findings and recommendations to the Legislature in the form of a report and
17 a draft RFP within one hundred eighty (180) days of the date of enactment of
18 this Act.

19 **Section 5. Appropriation.** Fifty Thousand Dollars (\$50,000) are hereby
20 appropriated from the General Fund to GMTA to fund the operations of the
21 Task Force and the issuance of the RFP. GMTA shall administer such
22 appropriation separate and apart from its other funds.

23 **Section 6.** This Act may be cited as the "Territorial Public Parking and
24 Pedestrian Safety Task Force Act of 1991".

25 **Section 7. (a) Funding.** Because of the high rate of inflation in Guam
26 between the initial preparation of the 1992 fiscal year budget for the

1 government of Guam and its implementation, the Legislature finds that it is
2 necessary to make an adjustment in the expenditures of the Department of
3 Education.

4 **(b) Amendment.** Section 4 of Chapter II of Public Law 21-42
5 (Department of Education, Executive Branch Budget Act of 1992) is amended
6 as follows: All amounts listed as "Totals" are appropriations; and if the total
7 appropriation for an object category is not exceeded, all amounts within an
8 object category which are not totals for expenditure, are only the suggested
9 costs of the purposes for which expenditure is authorized, and may be both
10 under-utilized or exceeded for the various purposes listed.

11 **Section 8. Amendment re Department of Agriculture.** Section 2 (a)
12 NOTE in Chapter IV of Public Law 21-42 (the Executive Branch Budget Act) is
13 hereby amended to read:

14 "NOTE: The positions within the Department of
15 Agriculture created pursuant to P.L. 21-03, subpart E (For Plan
16 Protection & Quarantine) and subpart G (For Fish & Wildlife Law
17 Enforcement) of Part II (Department of Agriculture) of Section 1
18 of Chapter III and incumbent employees occupying them, are
19 hereby converted from temporary appointment to permanent
20 appointment by operation of this Section, and no further action
21 other than changes of records shall be taken by any territorial
22 agency to effectuate this conversion."



SENATOR JOHN PEREZ AGUON

VICE SPEAKER

CHAIRMAN, COMMITTEE ON TOURISM & TRANSPORTATION
21ST GUAM LEGISLATURE

155 Hessler Place, Agana, Guam, U.S.A. • 96910 • (671)472-3435/472-3497 • Telefax: (671)477-8358

August 26, 1991

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

Dear Mr. Speaker:

The Committee on Tourism & Transportation, to which Bill 143, "AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991" , was referred, wishes to report its findings and recommendations.

The Committee voting record on Bill 143 as substituted by the Committee on Tourism & Transportation, is as follows:

TO PASS	<u>15</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.

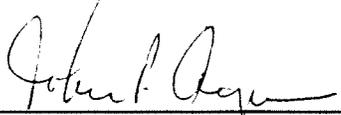
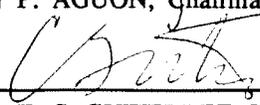
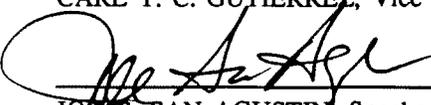
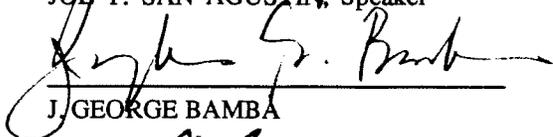
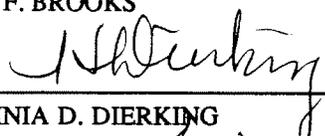
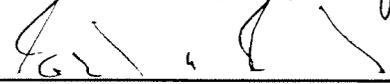
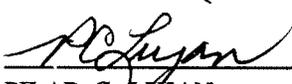
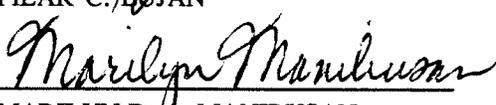
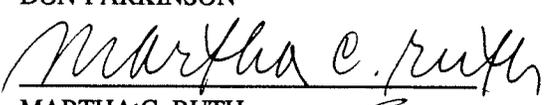
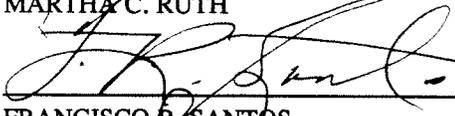
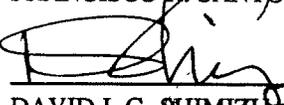
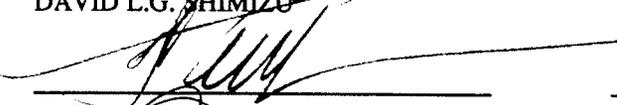
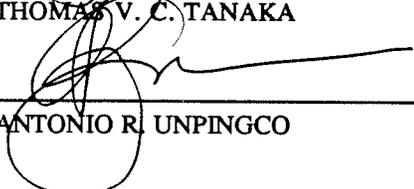
Sincerely,


John Perez Aguon

Attachments

VOTING SHEET • COMMITTEE ON TOURISM & TRANSPORTATION

BILL 143 as substituted by the Committee on Tourism & Transportation: AN ACT TO ESTABLISH WITHIN THE GUAM MASS TRANSIT AUTHORITY THE TERRITORIAL PARKING TASK FORCE TO STUDY THE PUBLIC PARKING REQUIREMENTS OF THE TERRITORY AND TO APPROPRIATE FUNDS THERETO, AND TO CITE THE ACT AS THE TERRITORIAL PUBLIC PARKING TASK FORCE ACT OF 1991.

	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	TO PLACE IN INACTIVE FILE
 JOHN P. AGUON, Chairman	✓			
 CARL T. C. GUTIERREZ, Vice Chairman	✓			
 JOB T. SAN AGUSTIN, Speaker	✓			
 J. GEORGE BAMBA	✓			
 DORIS F. BROOKS	✓			
 HERMINIA D. DIERKING	✓			
 ERNESTO M. ESPALDON	✓			
 PILAR C. LUJAN	✓			
 MARILYN D. A. MANIBUSAN	✓ 8/20/91 mdm			
 DON PARKINSON	✓			
 MARTHA C. RUTH	✓ 8/20/91			
 FRANCISCO R. SANTOS	✓			
 DAVID L.G. SHIMIZU	✓			
 THOMAS V. C. TANAKA	✓			
 ANTONIO R. UNPINGCO	✓			



21st Guam Legislature COMMITTEE ON TOURISM and TRANSPORTATION

COMMITTEE REPORT

BILL 143: AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

PUBLIC HEARING:
Feb. 28, 1991

VICE SPEAKER JOHN PEREZ AGUON, Chairman
SENATOR CARL T.C. GUTIERREZ, Vice Chairman

Members:

SPEAKER JOE T. SAN AGUSTIN

SENATOR J. GEORGE BAMBA
SENATOR DORIS F. BROOKS
SENATOR HERMINIA D. DIERKING
SENATOR ERNESTO M. ESPALDON
SENATOR PILAR C. LUJAN
SENATOR MARILYN D.A. MANIBUSAN

SENATOR DON PARKINSON
SENATOR MARTHA C. RUTH
SENATOR FRANCISCO R. SANTOS
SENATOR DAVID L.G. SHIMIZU
SENATOR THOMAS V.C. TANAKA
SENATOR ANTONIO R. UNPINGCO

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Committee Report

Bill No. 143

An act to add a new article 5 to Title 12, Guam Code Annotated, to create the Guam Parking Authority, to provide for the installation of parking meters, to establish an advisory committee, and to conduct a comprehensive parking study in Agana, to establish the Parking Authority fund, and cite the act as The Parking Authority Act of 1991.

Background

Bill 143, introduced by Sen. Herminia Dierking was referred to the Committee on Tourism & Transportation. The substance of this bill was previously introduced as Bill 174 in the Twentieth Legislature by Senator Ted Nelson.

Introduction

The Committee on Tourism & Transportation convened for a Public Hearing on February 28, 1991 in the Legislative Session Hall to hear testimony on several bills that have been introduced. Included on the agenda was Bill 143: AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

Committee Members in attendance:

Chairperson, Senator John Perez Aguon

Senators: Pilar Lujan, Michael Reidy, Dr. David Shimizu,
Francisco Santos, Tony Unpingco.

Individuals/Agencies present to provide testimony:

Fred Carl Santos , General Manager - Guam Mass Transit Authority
GMTA also provided written testimony in favor of Bill 143.

Individuals/Agencies providing written testimony only:

Francisco Aguigui, Asst. Chief of Police - Guam Police Department

The Guam Police Department provided testimony in favor of Bill 143 , citing the following reasons:

1. Will help alleviate parking problems in Agana
2. Will generate some amount of revenue

Summary of Public Hearing

Senator Aguon commenced the hearing of this bill with an invitation for anyone present who wished to testify on Bill 143 to come forward. Fred Santos, General Manager of Guam Mass Transit Authority was recognized as the only individual present to provide testimony. Santos then read from his written testimony, whereby GMTA's stance on Bill 143 is quite clear. "This will be my third appearance in a series of attempts during the last four years to bring forth the reality...of our parking congestion as it adversely affects the flow of traffic...". Santos gave some eye opening statistics on the number of vehicles on the roads currently and eluded to the impact that this trend will have on our traffic and parking situation in the near future. Santos went on to say that "GMTA is strongly recommending that it is appropriate and timely to start the mechanism rolling for the inevitable"... rather than delaying the process with proposals and studies. Additionally, "The Parking Authority Act of 1991 is appropriately designated under the purview of GMTA...and is conducive to the agency's goals and objectives."

Santos was queried on the projected revenue and operational cost of incorporating a new division (The Parking Authority) into Mass Transit: Senator David Shimizu posed the idea of having the Parking Authority under a special fund, much like the TAF (Tourist Attraction Fund); and overseen by the Committee...as in the manner that Guam Mass Transit Authority is being assisted by the Committee on Tourism and Transportation. Fred Santos expressed objection to this, stating that he believes that the Parking Authority would better function as an autonomous sub-agency overseen by GMTA.

The question of feasibility (in terms of operational cost & cost effectiveness) for Mass Transit to manage the Parking Authority was raised by Senators Shimizu & Unpingco. This in turn lead to the question of projected revenue. Fred Santos declined to give details or dollar figures.....stating that his agency in the past prepared and presented detailed plans and financial projections to the legislature, only to be "shot down". Therefore, his objective now is to start the ball rolling for a Parking Authority, first of all.....once this is in place, then he will be happy to provide plans or projections.

Senator Shimizu requested that the record reflect that no dollar amount was given.

The Chairman wanted the record to reflect that since he chaired the committee that oversees GMTA, he has made the commitment to assist this agency in providing the services that are so badly needed. Now GMTA is operating at a much greater efficiency than before ;and he will continue to support Mass Transit in its efforts.

Senator Unpingco indicated that he could not make a decision for or against this bill without the information requested (projected revenue figures and operational costs) from GMTA.

Senator Lujan is in favor of this bill. She expressed the importance of autonomous agencies, such as GMTA, having the authority to go through the Administrative Adjudication process rather than coming before the Legislature on a piecemeal basis for this authority.

Senator Reidy is in favor of this bill. He sited the importance of recognizing that mass transit is now becoming an integral part of our transportation situation.

The hearing was then concluded with members of the Committee commending Fred Santos for his attendance.

Summary of Dialogue

Fred Santos: Read from his written statement in support of the bill.

The Chairman then gave the floor to Senator David Shimizu.

David Shimizu: I would like to commend Fred for appearing here. As I understand the bill's provisions, the funds will be managed by a citizen's group under the auspices of GMTA. Is this a unique situation?

F.S. No. This situation is common all across the county.

DS. Does mass transit in Hawaii also govern parking meters?

F.S. In Hawaii, the revenue is not used by the agency. They are the servicing agency that collects the revenues (from parking activities).

D.S. So this would go into a general fund, like to the Treasurer of Guam?

F.S. Yes.

D.S. What about a special fund like the TAF (Tourist Attraction Fund) which is overseen by a Committee.....that will then re-appropriate those funds based on transportation in its totality?

F.S. Do not recommend that direction. GMTA is an autonomous agency....it would be more flexible for GMTA to initiate this program....more effective if the agency funds for its own needs.

D.S. Is the majority of funding for operational needs still coming from the Committee on Tourism & Transportation?

F.S. Yes. Chairman of the Committee (Sen. John Aguon) has taken care of GMTA operating costs. Any parking revenue is not a profit making venture....it just maintains itself. The funds will not be used by GMTA....strictly for Parking Authority.

D.S. Since GMTA is currently taken care of by the TAF, will it be cost effective to create another authority (the Parking Authority) as another division which will require additional manpower and accounting systems? What is your estimated revenue?

F.S. I would like to refrain from getting into detailed information on this at this time.

D.S. I would think that before you would embark on an undertaking of this type, that you would have some idea of the revenue forecast....because it may not be prudent to go forward with the proposed plan.

F. S. My concern is to start the mechanics....start the planning, and the assessment. Until we can formulate the plan of action... only then can we present it to you and talk in terms of revenue. Right now I would only be speculating.

- D.S. I will settle for speculation.
- F.S. Senator, I can not even venture to give you dollar figures right now. Funding from the TAF is fine because the economy is healthy right now. However, if the economy weakens, GMATA's needs will certainly not be at the top of the list.
- D.S. Let the record reflect that a dollar amount was not given.
- John Aguon: Let the record reflect that GMATA is now functioning better than it has in the past, since I have taken chairmanship oversight. I have told the General Manager (Fred Santos) not to worry about the funding.....get the program together.....and I will worry about getting the money to get a mass transit system together. Up to now, we have not short changed you. In the future, as long as your plans are sensitive to the needs of our people, GMATA will be functioning efficiently and effectively.

The Chairman then gave the floor to Senator Tony Unpingco.

- Tony Unpingco: Clarification of statistics mentioned in your testimony....80,000 registered vehicles?....15,000 cars imported each year?....approximately 100,000 cars on the road now?.....how recent are these figures?
- F.S. These figures are as of last year.
- T.U. It is apparent that there is a parking problem in Agana, even without studies, it looks feasible to place parking meters in Agana. What about meters on San Vitores?.... perhaps this would discourage people from parking so that it would encourage mass transit.
- F.S. Due to the limited parking in that area, this is a target area for GMATA to make their assessment. Right now we would just like to see the bill passed so that we can start the ball rolling.
- T.U. You mentioned that this is your third appearance before a Legislative hearing on this subject. Surely you must have some idea of how to implement this proposed Parking Authority, in terms of dollar figures.
- F.S. Senator, that was my mistake in the past. My staff worked hard on a plan and presented it. However, it was shot down. So I have learned from this lesson.... this is a very sensitive issue....and I do not want to see it turned down again.
- T.U. It is your job to provide us with information. Since I do not have the information that I need from you, it is very difficult for me to make any decisions on this bill.

The Chairman gave the floor to Senator Francisco Santos, who waived his turn to make any comments. Then the floor was given to Senator Pilar Lujan.

- Pilar Lujan: I know that Fred (Santos) is frustrated, because he has come before us with good ideas but none of his ideas ever came to reality....but patience is a virtue I sense that the agency (GMATA), because of lack of authority, can not exercise the Administrative Adjudication process. If all autonomous agencies could go

through the AA process, they would be able to come up with plans for action. However, this is not the case; and as such, creativity and innovation is stifled....each agency has to come before us to request for this authority. We need to look at the agencies to allow the ideas to come forward. Fred Santos has gone through the trouble of making detailed plans in the past, only to find that they are not approved. We need to look at other agencies who are also experiencing the problem of bringing their ideas piecemeal before the Legislature. I am in favor of this bill.

The Chairman then had a question for Fred Santos.

John Aguon: In reference to the comprehensive master plan of the Territory, to what extent is GMTA participating with this?

F.S. We are working hand-in-hand with the master plan.

J.A. Will the request for study be a duplication of that plan?

F.S. No.... this will be a part of it.

The Chairman then recognized Senator Michael Reidy.

Michael Reidy: We have to recognize that mass transit is complex and is fast becoming an integral part of our society...we need to start thinking in terms of getting out of our cars and into alternate forms of transportation. I will support this bill.

F.S. I am glad that you have responded this way...we feel that we can enhance the transportation for this area.

M.R. Perhaps a study could be done and at least presented.

F.S. All sorts of studies can be done....only to accumulate dust. We do not want to do that....or duplicate the efforts of other agencies. We want to be the agency that is in charge, responsible to generate revenue....and also providing the services for the people.

There being no other comments, this concluded the hearing on Bill 143.

Substitution by the Committee on Tourism & Transportation

Bill 143 was discussed by the Committee Chairman, Senator John Aguon and the sponsor of the bill, Senator Herminia Dierking. Taking into consideration the information gathered from the public hearing, they concluded that Bill 143, as introduced, was potentially riddled with snags in terms of jurisdiction issues (property ownership and areas of authority for enforcement) for the proposed parking meters, which are not clearly defined. Additionally, Bill 143 as introduced, was restrictive specifically to parking meters and to conducting a parking study in Agana. Therefore, the Committee on Tourism and Transportation has substituted Bill 143 to reflect the following:

- a) In lieu of a Parking Authority, establish a territorial parking task force to study the public parking requirements of the territory (not limited to only Agana and only parking meters).
- b) The task force is to issue a Request For Proposal for consulting firms (to include international firms) to study the scope of work required to provide public parking facilities for the territory.
- c) Appropriate fifty thousand dollars (\$50,000) from the General Fund to the Guam Mass Transit Authority to fund expenses related to the functions of the task force.

Bill 143, as substituted by the Committee on Tourism and Transportation follows.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 143

As substituted by the Committee
on Tourism & Transportation

Introduced by:

H.D. Dierking

AN ACT TO ESTABLISH WITHIN THE GUAM MASS
TRANSIT AUTHORITY THE TERRITORIAL PARKING
TASK FORCE TO STUDY THE PUBLIC PARKING
REQUIREMENTS OF THE TERRITORY AND TO
APPROPRIATE FUNDS THERETO, AND TO CITE THE
ACT AS THE TERRITORIAL PUBLIC PARKING TASK
FORCE ACT OF 1991.

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

2 Section 1. LEGISLATIVE STATEMENT. The Legislature finds that the
3 territory, experiencing an exponential growth in the amount of registered
4 vehicles on its roadways, needs to provide for adequate means of public
5 parking. Furthermore, the Legislature finds that our current highway and
6 road system are overburdened and that there are no public parking polices to
7 accommodate parking needs. The Legislature is of the opinion that not only
8 will public parking facilities enhance the existing mass transit system, but
9 more importantly, will alleviate traffic congestion.

10 Therefore, the Legislature is desirous that a task force be created to
11 study the public parking requirements of the territory (encompassing, as well,
12 projections for the territory's future growth) and the scope of work required
13 to provide adequate parking facilities. Furthermore, the Legislature intends
14 that the task force enlist the services of qualified consultants via a Request for
15 Proposal. The task force should investigate and identify all locations in the

1 territory that are in need of public parking facilities or policies; while taking
2 into account the future growth of the territory emanating from its tourism
3 and construction industries.

4 Section 2. Task Force: Creation. There is hereby created within the
5 Guam Mass Transit Authority, The Territorial Parking Task Force (the
6 "TASK FORCE") which shall issue a Request for Proposal (the "RFP") for
7 consulting firms to conduct a study of the scope of work required to provide
8 public parking for the territory. The RFP shall be advertised in local, national,
9 and international publications. The Task Force shall also seek information
10 and prepare recommendations regarding possible funding sources and
11 management schemes.

12 Section 3. Task Force: Composition. The General Manager of the
13 Guam Mass Transit Authority (GMTA) shall chair the Task Force, which
14 shall be comprised of the chief executive officers or their designees of the
15 following agencies: (a) Department of Public Works; (b) Department of Land
16 Management; (c) Bureau of Planning; (d) Guam Police Department; (e) one
17 representative from The Mayors' Council; and (f) one representative from the
18 business community which shall be appointed by the Governor.

19 Section 4. Reports: Submission of. The Task Force shall submit its
20 findings and recommendations to the Legislature in the form of a report and
21 a draft RFP within ninety (90) days from the date of enactment.

22 Section 5. Appropriation. Fifty Thousand Dollars (\$50,000) are
23 hereby appropriated from the General Fund to the Guam Mass Transit
24 Authority to fund expenses related to the functions of the Task Force and the
25 issuance of the Request for Proposal. GMTA shall administer such funds
26 separate and apart from all other funds.

- 1 Section 6. This Act may be cited or referred to as the Territorial Public
- 2 Parking Task Force Act of 1991.

APPENDIX

- A. Referral Letter for Bill 143, as introduced by Senator Dierking
- B. Bill 143, As introduced by Senator Dierking
- C. Notice of Public Hearing to :
Committee Members
Guam Chamber of Commerce
- D. Advertisement of Public Hearing
- E. Listing of Invitees
- F. Sign-in Sheet
- G. Written Testimony from Fred C. Santos, GMTA
- H. Written Testimony from Francisco Aguigui, GPD
- I. Memo from Senator Dierking - Re: Report out Bill 143

DUPLICATE

SENATOR
HERMINIA D. DIERKING
TWENTY-FIRST GUAM LEGISLATURE

CHAIRMAN, COMMITTEE ON TOURISM &
TRANSPORTATION & COMMUNICATIONS

REC'D BY: _____

February 4, 1991

COMMITTEES

MEMORANDUM

Chairperson:
Rules

General
Governmental
Operations

Vice-Chairperson
Ways & Means

Energy,
Utilities and
Consumer
Protection

Member:
Housing,
Community
Development,
Federal,
and
Foreign Affairs

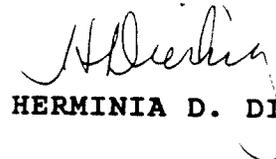
Judiciary
and
Criminal Justice

TO: Chairperson, Committee on Tourism and
Transportation

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 143

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.


HERMINIA D. DIERKING

Enclosure

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 163

Introduced by:

H. D. DIERKING 

 AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

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

2 Section 1. A new Article 5 is hereby added to Title 12, Guam
3 Code Annotated to read:

4 "Article 5

5 Guam Parking Authority

6 §6501. Guam Parking Authority, creation of. There is
7 hereby created within the government of Guam, a Guam Parking
8 Authority (the "PARKING AUTHORITY"). The Parking Authority
9 shall be a division of the Guam Mass Transit Authority (the
10 "TRANSIT AUTHORITY") and the General Manager of the Transit
11 Authority shall manage the Parking Authority.

12 §6502. Guam Parking Authority, duties and
13 responsibilities. The Parking Authority shall be responsible for
14 the development, operation and maintenance of self-supporting
15 public parking facilities within the territory. In carrying out
16 its duties and responsibilities the Parking Authority is
17 authorized to install parking meters on public rights-of-way

1 and to construct an improve parking lots, plazas, and facilities
2 for the convenience of the general public.

3 §6503. Advisory Committee. There is hereby established
4 an Advisory Committee (the "COMMITTEE") which shall be
5 comprised of the Directors of Public Works, Commerce, Land
6 Management, and the General Manager of the Transit Authority.
7 The Committee in conjunction with the Board of Directors shall
8 prepare a comprehensive parking study on the need to install
9 parking meters and on the need to construct parking facilities
10 and plazas. The Committee and the Board of Directors shall
11 submit an interim report sixty (60) days from the date of its
12 first meeting. The Committee and the Board of Directors shall
13 promulgate rules and regulations subject to the Administrative
14 Adjudication Law.

15 §6504. Parking Authority Fund. There is hereby
16 established a Guam Parking Authority Fund (the "FUND")
17 separate and apart from any other funds administered by the
18 Transit Authority and independent records and accounts shall
19 be maintained in connection therewith. All revenues derived
20 from the activities of the Parking Authority shall be deposited
21 into the Fund and utilized for the purposes of the Parking
22 Authority."

23 Section 2. Title. This Act may be cited or referred to as the
24 Guam Parking Authority Act of 1991.



SENATOR JOHN PEREZ AGUON
VICE SPEAKER
CHAIRMAN, COMMITTEE ON TOURISM & TRANSPORTATION
21ST GUAM LEGISLATURE

155 Hessler Place, Agana, Guam, U.S.A. • 96910 • (671)472-3435/472-3497 • Telefax: (671)477-8358

MEMORANDUM

February 19, 1991

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

Please be advised that I have scheduled a public hearing for 1:30 p.m. Thursday, February 28, 1991, in the Legislative Public Hearing Room of the Guam Legislature on the following bills:

BILL NO. 122: AN ACT TO DIRECT THE DEPARTMENTS OF PARKS AND RECREATION AND PUBLIC WORKS TO PLAN THE REDEVELOPMENT OF AFLEJE MEMORIAL AND NIMITZ BEACH PARKS IN AGAT AND THE TANGUISSON BEACH PARK IN TUMON, COMMISSION AN ARCHITECT TO DESIGN THE CONSTRUCTION OF PAVILLIONS, BARBECUE PITS AND OTHER ACCESSORY FACILITIES AND MAKING AN APPROPRIATION OF THREE MILLION DOLLARS FOR SUCH PURPOSES.

BILL NO. 127: AN ACT TO AMEND §1106 (a) AND (b) OF CHAPTER 1, TITLE XII GUAM CODE ANNOTATED RELATIVE TO THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE GUAM AIRPORT AUTHORITY.

BILL NO. 143: AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

BILL NO. 171: AN ACT TO APPROPRIATE TWO HUNDRED SEVENTY THOUSAND DOLLARS FROM THE TOURIST ATTRACTION FUND TO THE DEPARTMENT OF PUBLIC WORKS TO INSTALL CROSS-WALK SIGNAL LIGHTS ON SAN VITORES ROAD IN TUMON.

Your presence and participation at the hearing will be sincerely appreciated.


JOHN PEREZ AGUON

c: All Senators

**NOTICE OF PUBLIC HEARING
21ST GUAM LEGISLATURE**

**Committee on Tourism
and Transportation**

**Sen. John Perez Aguon,
Chairman**

**1:30 P.M. THURSDAY, FEB. 28, 1991
LEGISLATIVE PUBLIC HEARING ROOM**

BILL NO. 122: An act to direct the Departments of Parks and Recreation and Public Works to plan the redevelopment of Afileje Memorial and Nimitz Beach Parks in Agat and the Tanguisson Beach Park in Tumon, commission an architect to design the construction of pavilions, barbecue pits and other accessory facilities and making an appropriation of Three Million Dollars for such purposes.

BILL NO. 127: An act to amend §1106 (a) and (b) of Chapter 1, Title XII Guam Code Annotated relative to the composition of the Board of Directors of the Guam Airport Authority.

BILL NO. 143: An act to add a new Article 5 to Title 12, Guam Code Annotated, to create the Guam Parking Authority, to provide for the installation of parking meters, to establish an advisory committee, and to conduct a comprehensive parking study in Agana, to establish the Parking Authority Fund, and to cite the act as the Parking Authority Act of 1991.

BILL NO. 171: An act to appropriate Two Hundred Seventy Thousand Dollars from the Tourist Attraction Fund to the Department of Public Works to install cross-walk signal lights on San Vitores Road in Tumon.

The public is invited to express their views.

15 PACIFIC DAILY NEWS, Wednesday, February 27, 1991

LISTING OF INVITEES
BILL NO. 143

<u>NAME</u>	<u>POSITION</u>
-Dave Santos	Chairman, Guam Chamber of Commerce
-Eloise Baza	President, Guam Chamber of Commerce
-Tito Mantanona	President, Mayor's Council
-Joseph F. Ada	Governor of Guam
-Elizabeth Barret Anderson	AG, Dept. of Law
-Fred Carl Santos	General Manager, GMTA
-Ban Pablo	President, Bd. of Directors, GMTA
-Adolfo Sgambelluri	Chief of Police, GPD
-Benigno Palomo	Director, Dept. of Public Works
-Janice Maloney	News Director, KUAM News
-Ken Booth	News Director, Cable News
-Fermin Merlan	City Editor, Guam Tribune
-David Mebane	Legislative Reporter, Guam Tribune
-Melinda Coats Leon Guerrero	K-57 Radio News
-Marshall Santos	Legislative Reporter, PDN
-Shannon Babauta	City Editor, PDN



COMMONWEALTH NOW!

Guam Mass Transit Authority

Government of Guam
P.O. Box 24383, GMF, Guam 96921
Telephone: 649-9247/9848



RECD BY: _____

DATE: _____ TIME: _____

February 28, 1990

VICE SPEAKER JOHN PEREZ AGUON
Chairman, Committee on Tourism & Transportation
21st Guam Legislature
155 Hessler Place
Agana, Guam 96910

Re : Bill No. 143

Dear Mr. Chairman and Committee Members:

The question at hand is "whether or not there is a need to improve parking activities and facilities along the busiest streets on Guam". Parking and traffic conditions are critical, sensitive and serious issues. This will be my third appearance in a series of attempts during the last four years to bring forth the reality of the consequences of our parking congestion as it adversely affects the flow of traffic, the life and safety of our people, their mental and emotional condition, etc.

The number of registered vehicles on Guam has now exceeded 80,000 and the average annual importation of new vehicles into the island is about 15,000. By year 1996 if the trend continues, an estimated 75,000 additional vehicles will be on the roads, streets and highways of Guam. Traffic and parking conditions will be severely impacted if there are no important improvements and planning and development which take place ahead of time.

I believe we can all agree that our current parking facilities are inadequate for our existing situation, as well as, future planned expansion. Land to construct parking facilities is also not readily available nor accessible along the busiest streets and highways. In fact, land is fast becoming scarce and very expensive to acquire. If such facilities are to be built, their use must be controlled in an orderly manner in order to effect maximum usage.

GMTA is strongly recommending that it is appropriate and timely to effectuate the mechanism to start planning and preparing for the inevitable. We need to proceed in the direction that is most economically effective, efficient and viable. Through extensive research and planning we can formulate and develop an acceptable parking program with appropriate regulatory requirements. Let us allow the merits of the Administrative Adjudication process to determine the course of action.

Bill 143, if enacted into law, is the source of authority whereby GMTA can initiate the best course of action. Let us not debate the target locations, mechanisms, proposals, regulations, etc. We will present to you such a plan of action, when it is completed.

Let us first allow the planners and engineers, who are the experts, to develop such programs before we debate their merits and effectiveness.

The Parking Authority Act of 1991 is appropriately designated under the purview of GMTA. It is conducive to the agency's goals and objectives. Its role is to transport commuters through various transportation modes thereby decreasing the number of vehicles along our roads, streets, highways and at parking facilities within the busiest and most congested areas.

Our Park and Ride Program will play a significant role by providing parking facilities away from congestion and areas where parking facilities are inadequate. This program will soon become popular and acceptable as it was in the rest of our nation as traffic conditions become unbearable. This program will interact with the Parking Authority's plan of action through the regulatory enforcement process.

Thank you.

Sincerely,


FRED CARL SANTOS
General Manager

FileName: Bill143a



JOSEPH F. ADA
Governor of Guam
FRANK F. BLAS
Lieutenant Governor

Government of Guam
GUAM POLICE DEPARTMENT

287 West O'Brien Drive
Agana, Guam 96910
U.S. Territory of Guam



COLONEL A.P. SGAMBELL
Chief of Police

DUPLICATE
Date: _____

March 5, 1991
(Code OD)

Senator John Perez Aguon
Chairman, Committee on Tourism & Transportation
21st Guam Legislature
155 Hessler Place, Agana, Guam 96910

Dear Senator Aguon:

The following comments are submitted your information:

Bill No. 143: AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AND ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

The Guam Police Department is in favor of the passage of this particular bill because of the following reasons:

1. The provisions of the bill would alleviate, to a certain degree, the parking problems in the Agana area.
2. The Government of Guam would realize a certain amount of revenue generated from the parking meter system.

Bill No. 171: AN ACT TO APPROPRIATE TWO HUNDRED SEVENTY THOUSAND DOLLARS FROM THE TOURIST ATTRACTION FUND TO THE DEPARTMENT OF PUBLIC WORKS TO INSTALL CROSS-WALK SIGNAL LIGHTS ON SAN VITORES ROAD IN TUMON.

The Guam Police Department is in favor of the passages of Bill 171 because of the following reasons:

1. The installation of cross-walk signal light at:
 - a. Pacific Island Club
 - b. Guam Plaza Hotel
 - c. Fujita Hotel

Memo to Senator Aguon
Bill 143 & 171
Page 2

2. Other locations where installations of cross-walk signal light are urgently needed is one of the alternatives in preventing vehicular traffic accidents and/or pedestrian fatalities.

Sincerely,



FRANCISCO T. AGUIQUI
Major, Guam Police Department
Assistant Chief of Police for Operations
By direction of the Police Chief



DUPLICATE
Senator **HERMINIA D. DIERKING**

21st GUAM LEGISLATURE

Committees:

CHAIRPERSON:

Rules

**General
Governmental
Operations**

VICE CHAIRPERSON:

Ways & Means

**Energy
Utilities and
Consumer
Protection**

MEMBER:

**Economic and
Agricultural
Development**

Education

**Health,
Ecology and
Welfare**

**Housing
Community
Development,**

**Federal and
Foreign Affairs**

**Judiciary
and
Criminal Justice**

**Tourism and
Transportation**

**Youth, Senior
Citizens, and
Cultural Affairs**

March 28, 1991

REC'D: *rit*
DATE: 4/1/91 51

MEMORANDUM

To: Chairperson, Committee on Tourism & Transportation

From: Chairperson, Committee on Rules

Subj: Bill No. 143

As the sponsor of Bill No. 143, I urge the Committee to favorably report out this bill.

This bill was prepared in response to the critical parking problem throughout Agana. In our discussions concerning the parking requirements for the new legislative complex, it became readily apparent that the parking problem in Agana went beyond the legislature and involved numerous public and private office complexes.

The bill was crafted to take advantage of the technical expertise available at the Guam Mass Transit Authority. I believe that the development of a public mass transit system and the solution to the parking problem in Agana are interrelated.

Herminia D. Dierking
HERMINIA D. DIERKING

Introduced

FEB 16 '91

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 143(COR)

Introduced by:

H. D. DIERKING

AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 12, GUAM CODE ANNOTATED, TO CREATE THE GUAM PARKING AUTHORITY, TO PROVIDE FOR THE INSTALLATION OF PARKING METERS, TO ESTABLISH AN ADVISORY COMMITTEE, AND TO CONDUCT A COMPREHENSIVE PARKING STUDY IN AGANA, TO ESTABLISH THE PARKING AUTHORITY FUND, AND TO CITE THE ACT AS THE PARKING AUTHORITY ACT OF 1991.

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11 Authority shall manage the Parking Authority.

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15 public parking facilities within the territory. In carrying out
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13 promulgate rules and regulations subject to the Administrative
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18 Transit Authority and independent records and accounts shall
19 be maintained in connection therewith. All revenues derived
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21 into the Fund and utilized for the purposes of the Parking
22 Authority."

23 Section 2. Title. This Act may be cited or referred to as the
24 Guam Parking Authority Act of 1991.