

Office of



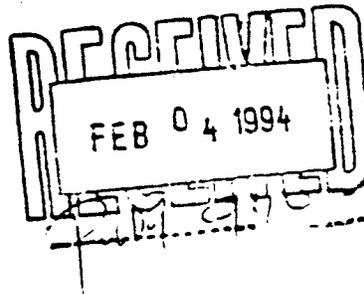
The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

February 3, 1994

Hon. John P. Aguon
Chairman
Tourism, Transportation Committee
TWENTY-SECOND GUAM LEGISLATURE
155 Hesler Street
Agana, Guam 96910



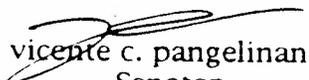
Dear Mr. Chairman:

Thank you for allowing me to sit in and participate on your public hearing on Bill 814. I fully support the intent of the bill and believe these amendments are needed to ensure proper growth and maintenance of our infant mass transit system. The concept of identifying the sources of funding for public services is one that I fully embrace. Because our mass transit system has the potential of becoming an important and necessary mode of transportation, I believe we must begin to outline the framework for which it can ultimately operate without the need for public subsidies.

The absence of a Department of Administration representative at the public hearing was very disturbing to me since I was particularly interested to learn the amount of money that has been deposited into the Public Transit Fund. Enclosed is a copy of statistics that I received from the Guam Energy Office. Multiplying the number of gallons sold by the \$.04 per gallon surcharge, it would appear that the fund should have approximately \$1.8 million in the account. We would need to subtract the drawbacks and the exemption granted to marine fuel sold. In any regards, it would seem that this account should have a balance of well over one million dollars. While this may not be sufficient to completely remove the need for General Fund subsidies to operate our mass transit system, it should certainly help reduce the level of subsidies.

If I can be of any assistance in expediting action on this bill before the full legislature, I will be more than happy to assist you.

Sincerely,


vicente c. pangelinan
Senator

00 2400

GUAM ENERGY OFFICE

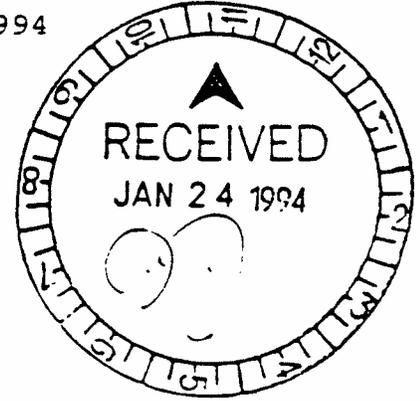
Ufisinan Alerkos Guahan

GUAM ENERGY OFFICE

Mike Brown, Director • Jennifer Sgambelluri, Deputy Director

January 21, 1994

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature
Biscoe Building
1st Floor, Suite 101
Agana, Guam 96910



Dear Senator Pangelinan:

Enclosed for your information is the Guam Energy Office's "1993 Actual Sales of Petroleum Products in Guam" from January 1993 to December 1993.

If you have any questions regarding the enclosed, please call the Guam Energy Office at 477-0557.

Sincerely,


JENNIFER P. SGAMBELLURI
Deputy Director

cc: Lorilee T. Crisostomo
GEL-94-083



Printed on Recycled Paper

c/o The Governor's Office
P.O. Box 2950 • Agana, Guam 96910
Tel: (671) 477-0557 • Fax: (671) 477-0589



1993 ACTUAL SALES OF PETROLEUM PRODUCTS IN GUAM

Disk#7A\Lotus\93PetSa\01 - 21 - 94

ALL VOLUMES REPORTED IN THOUSANDS OF GALLONS

PRODUCT	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
UNLEADED REGULAR GAS	2,748.6	2,655.4	3,280.8	2,868.9	2,934.0	2,916.1	2,897.0	2,915.0	2,856.0	3,073.0	2,886.0	2,668.0	34,698.8
UNLEADED PREMIUM GAS	980.6	969.5	1,071.5	1,047.5	1,056.3	1,085.4	1,332.0	1,026.0	1,025.0	1,148.0	1,231.0	1,154.0	13,111.3
NO. 1 DISTILLATE	6.9	8.0	7.4	5.6	3.8	3.5	14.0	4.0	4.0	3.0	2.0	8.0	70.2
NO. 2 DIESEL FUEL	3,776.4	3,814.1	4,161.1	3,325.8	4,641.0	4,731.4	7,454.0	8,316.0	7,848.0	5,625.0	5,192.0	4,587.0	63,471.8
AVIATION & JET A FUEL	6,570.9	6,069.3	6,957.5	7,496.6	6,892.0	6,537.9	6,968.0	6,416.0	6,275.0	6,803.0	6,487.0	6,676.0	80,149.2
RESIDUAL FUEL	10,329.3	9,194.1	10,121.5	10,865.9	10,413.9	9,589.0	8,327.0	5,676.0	8,044.0	9,543.0	10,565.0	10,408.0	113,076.7
PROPANE	276.2	256.7	302.8	273.7	270.8	352.3	502.0	442.0	(63.0)	263.0	399.0	168.0	3,443.5
TOTAL	24,688.9	22,967.1	25,902.6	25,884.0	26,211.8	25,215.6	27,494.0	24,795.0	25,989.0	26,458.0	26,762.0	25,669.0	308,037.0

SOURCE: GUAM ENERGY OFFICE

(CONSOLIDATED REPORT OF ALL GUAM-BASED PETROLEUM COMPANIES)



GOVERNMENT OF GUAM
AGANA GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
Post Office Box 884 * Agana, Guam 96910
Tel.: (671) 475-1169/1221 * Fax: (671) 472-8483

February 14, 1994

The Honorable John Perez Aguon
Chairman, Committee on Tourism
and Transportation
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Aguon:

We apologize for the delay in providing our response to Bill 814, An Act to Amend the Guam Code Annotated Relative to the Disposition of the Mass Transit Automotive Surcharge.

Generally, we support the Bill assuming that three (3) imperatives are met:

1. The total pledged revenues net of the surcharge for the Limited Obligation Highway Bonds, Series 1992 A are adequate to meet minimum debt service requirements,
2. That proper maintenance of the highway and road systems is adequately budgeted for; and
3. That revenues left unexpended or unencumbered at the end of the fiscal year by the Guam Mass Transit Authority are returned to the Territorial Highway Fund.

We are providing the Committee three (3) charts for their review.

Charts I and II compares Total Pledged Revenues and Pledged Revenues Net of the Surcharge to the Minimum Debt Service Requirement.

Chart I compares this on an individual monthly basis.

Chart II is more illustrative of the financial position and makes the year-to-date comparison at each month.

Noteworthy is that for entire year, had it not been for the surcharge, the government would have failed to meet the minimum debt service requirement.



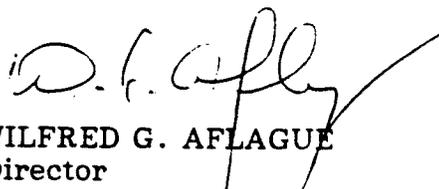
Letter to the Honorable John Perez Aguon
Twenty-Second Guam Legislature
Ref.: Bill 814
Page 2

Chart III shows the monthly comparison in Fiscal Year 1994. In each of the three (3) months, revenues in total were below debt service requirements.

The only reason that the trustee has not determined this state is because companies were required to pay taxes before drawbacks. This requirement was recently repealed and in future months would make the cash flow to the trustee reduced even farther.

We trust the Committee will use this information the wisest manner possible.

Sincerely,


WILFRED G. AFLAGUE
Director

Enclosures

THF Pledged Revenues Compared To Debt Service Requirement Fiscal Year 1993, By Month

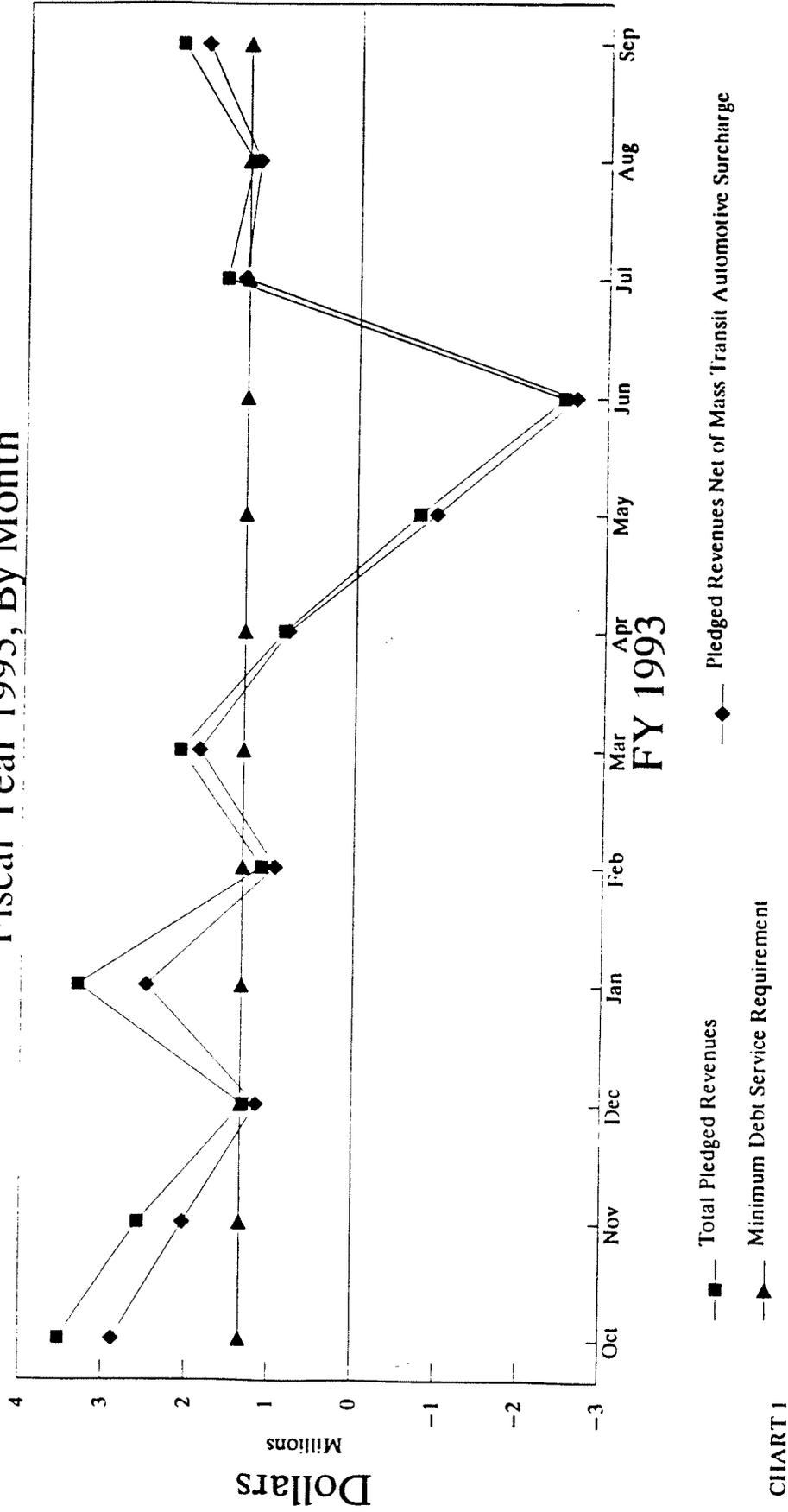


CHART 1

THF Pledged Revenues Compared To Debt Service Requirement Cumulative Fiscal Year 1993, By Month

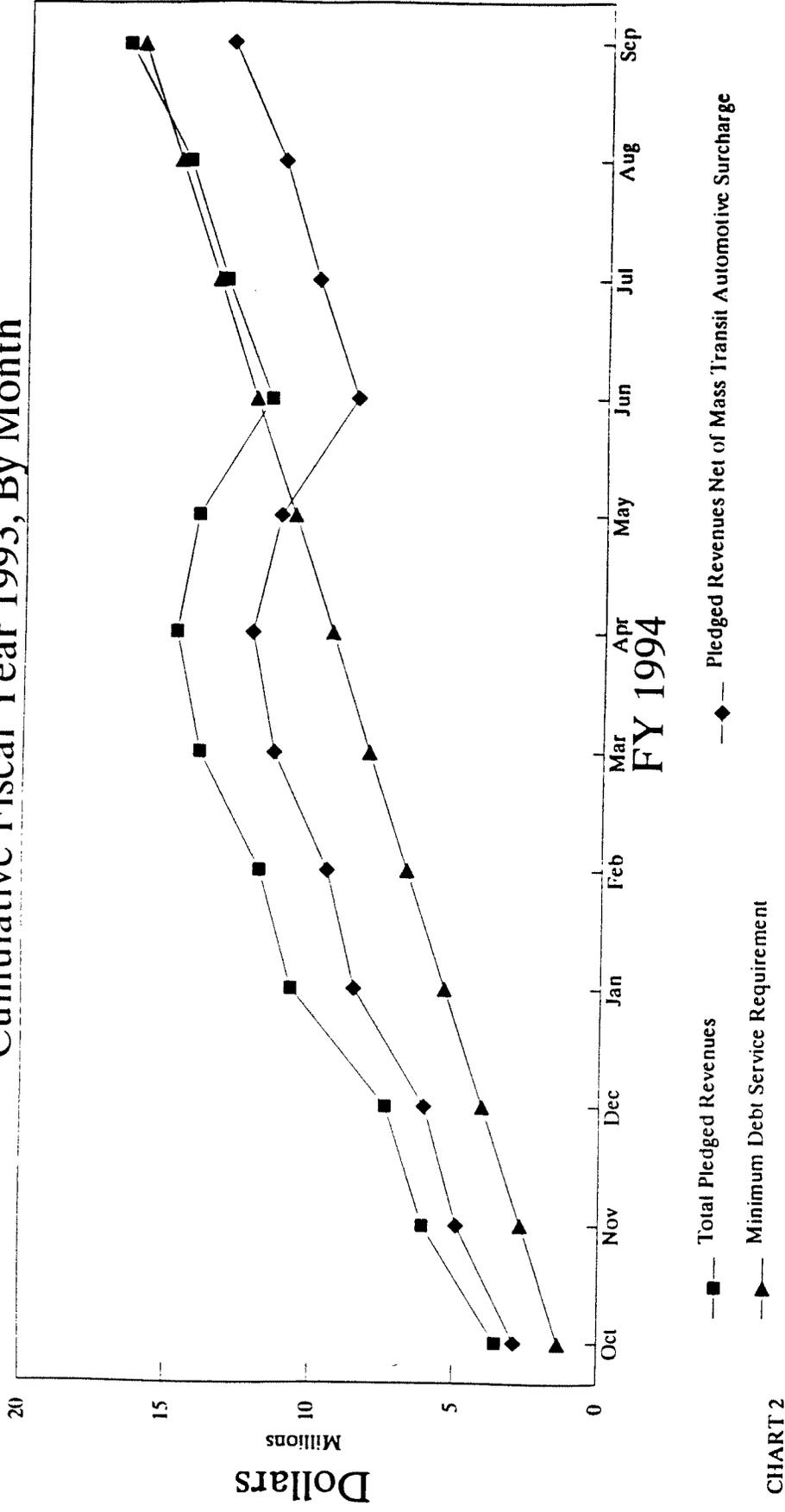


CHART 2

THF Pledged Revenues Compared To Debt Service Requirements Fiscal Year 1994, By Month

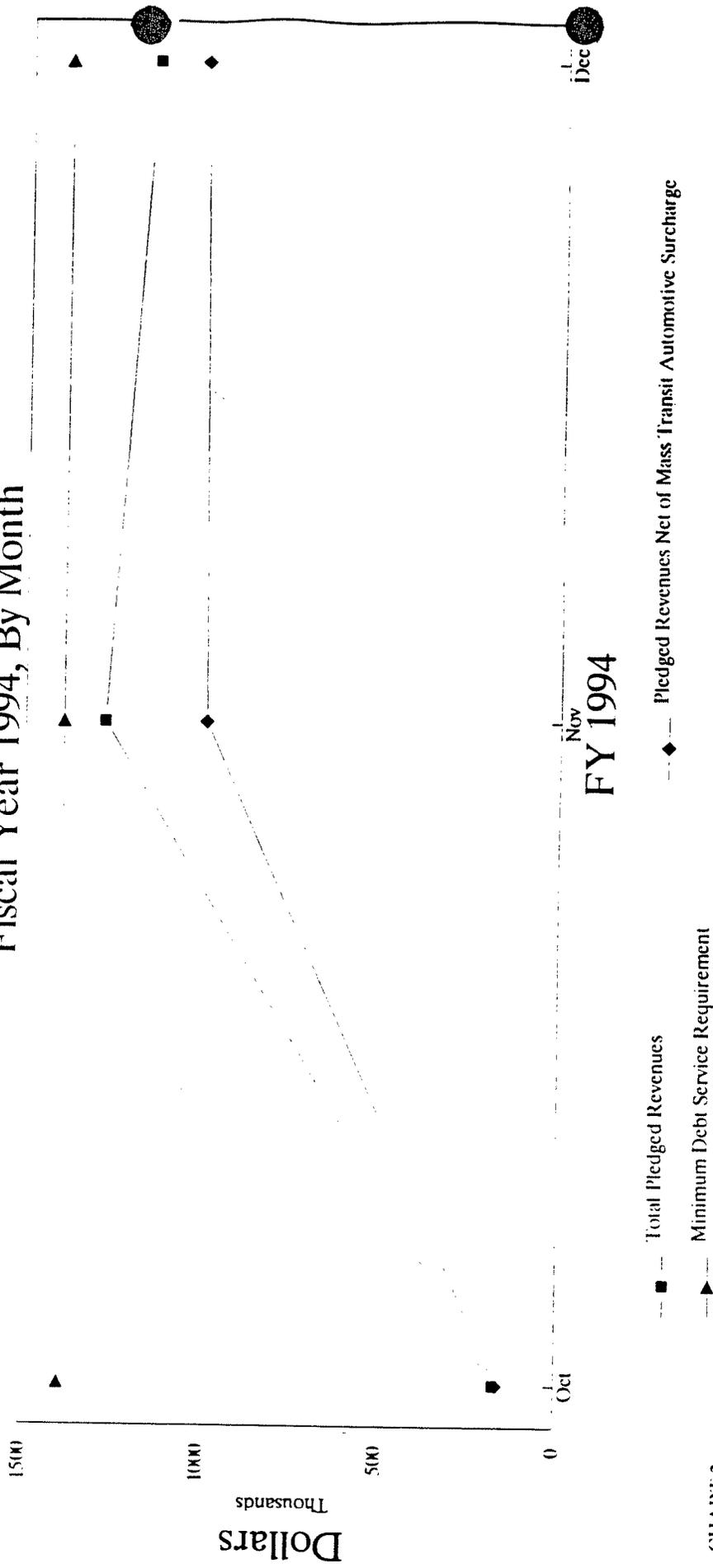
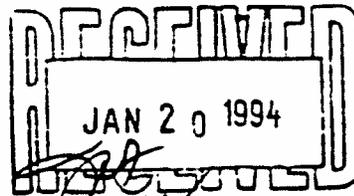


CHART 3



January 14, 1994

Committees:

MEMORANDUM

CHAIRPERSON:

Rules

VICE CHAIRPERSON:

Ways & Means

MEMBER:

Economic-
Agricultural
Development,
and Insurance

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

General
Governmental
Operations and
Micronesian Affairs

Health,
Ecology and
Welfare

Judiciary
and
Criminal Justice

Tourism and
Transportation

Youth, Senior
Citizens and
Cultural Affairs

TO: Chairperson, Committee on Tourism and Transportation

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 814

The above Bill is referred to your Committee as the principal 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

Attachment

TWENTY SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 814

Introduced By:

J.P. Aguon 

AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503
OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO
THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

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

3 Section 1. Subsections (b) and (c) of §26503 of Title 11 Guam Code
4 Annotated are amended to read:

5 “(b) The proceeds of the Mass Transit Automotive Surcharge
6 levied pursuant to Subsection (a) of this Section, as and to the
7 extent released from the pledge of such proceeds pursuant to
8 Subsection (d) of §1504 of Title 5 Guam Code Annotated, are to be
9 placed in a separate fund hereby created and known as the Public
10 Transit Fund to be administered by the [~~Department of~~
11 ~~Administration~~] Guam Mass Transit Authority. For purposes of
12 such pledge and release, the proceeds of the Mass Transit
13 Automotive Surcharge shall be deemed to be the last revenues used
14 pursuant to such pledge and the first revenues released from such
15 pledge. All such proceeds shall be placed into the Public Transit
16 Fund within thirty (30) days after the revenues are released from
17 such pledge.

18 (c) All revenues in the Public Transit Fund shall be used for
19 the operation of the Guam Mass Transit Authority [~~as appropriated~~

1
2
3
4

~~for such purpose by the Legislature, within sixty (60) days after~~
~~the last day of the month in which the revenues are released from~~
~~such pledge]. All revenue from fares generated by the Guam Mass~~
Transit authority shall also be placed in the Public Transit Fund."



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8388

Handwritten initials and date: JPA 1/25/94

January 25, 1994

MEMORANDUM

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

Please be advised that the Committee on Tourism & Transportation will be conducting a Public Hearing on Thursday, February 3, 1994, in the Public Hearing Room beginning at 9 a.m., on the following matters:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

and

Guam Mass Transit Authority proposed rules for changes in fares charged for public and Para Transit services.

As always, your presence and participation will be appreciated.

JOHN PEREZ AGUON

c: All Senators
All Media



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hester St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8358

oh 9
1-27-94

January 25, 1994

The Honorable Joseph F. Ada
 Governor of Guam
 Adelup Complex
 Agana, Guam 96910

ACKNOWLEDGEMENT RECEIPT

Received By Admiral Vela

Time 7:34 p.m. - 0

Date 1/26/94

Dear Governor Ada,

Hafa adai. For your information, the Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 on a number of subjects including the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

and

Guam Mass Transit Authority proposed rules for changes in fares charged for public and Para Transit services.

Copies of the Bill and Rules are enclosed for your convenience.

Sincerely,

JOHN PEREZ AGUON

Enclosures

Bill 814
Rules + Regulations



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8358

Handwritten: 1-28-94

January 25, 1994

John Taitano, President
 Board of Directors
 Guam Mass Transit Authority
 236 East O'Brien
 Agana, Guam 96910

ACKNOWLEDGEMENT RECEIVED
 Received by [Signature]
 Time 1:50 P.M.
 Date 1/27/94

Dear Mr. Santos,

Hafa adai. The Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 on a number of subjects including the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

and

Guam Mass Transit Authority proposed rules for changes in fares charged for public and Para Transit services.

I would appreciate your attendance and input; please prepare 25 copies of your testimony for distribution at the Hearing.

Sincerely,

Handwritten signature of John Perez Aguon

JOHN PEREZ AGUON

c: All Board members



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671)-477-8358

Handwritten: 01/27/94

January 25, 1994

Fred Carl Santos, General Manager
 Guam Mass Transit Authority
 236 East O'Brien
 Agana, Guam 96910

ACKNOWLEDGEMENT RECEIPT
 Received By *[Signature]*
 Time 1:50 P.M.
 Date 1/27/94

Dear Mr. Santos,

Hafa adai. The Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 on a number of subjects including the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

and

Guam Mass Transit Authority proposed rules for changes in fares charged for public and Para Transit services.

I would appreciate your attendance and input; please prepare 25 copies of your testimony for distribution at the Hearing.

Sincerely,

[Handwritten Signature]

JOHN PEREZ AGUON



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8358

Handwritten signature and date: 1-28-94

January 25, 1994

Wilfred G. Aflague
 Director of Administration
 P.O. Box 884
 Agana, Guam 96910

ACKNOWLEDGEMENT RECEIPT
 Received By 11/5/94
 Time 1:00 PM
 Date 1-25-94

Dear Mr. Aflague,

Hafa adai. The Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 on a number of subjects including the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

A copy of the bill is enclosed for your convenience. I would appreciate your attendance and input; please prepare 25 copies of your testimony for distribution at the Hearing.

Sincerely,

Handwritten signature of John Perez Aguon

JOHN PEREZ AGUON

Enclosure

Handwritten note: Bill 814



JA
1-28-94

OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8358

January 25, 1994

Joaquin Blaz
Director of Revenue & Taxation
P.O. Box 2950
Agana, Guam 96910

ACKNOWLEDGEMENT RECEIPT
Received By *Ronnie Gose*
Time _____
Date *01-27-94*

Dear Mr. Blaz,

Hafa adai. The Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 at the Legislature's Public Hearing Room on a number of subjects including the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

A copy of the bill is enclosed for your convenience. I would appreciate your attendance and input; please prepare 25 copies of your testimony for distribution at the Hearing.

Sincerely,

John Perez Aguon
JOHN PEREZ AGUON

Enclosure

BILL 814



OFFICE OF THE VICE-SPEAKER
Twenty-Second Guam Legislature
Senator John Perez Aguon

Handwritten initials and date: 1/28-94

Chairman, Committee on Tourism & Transportation

155 Hesler St., Agana, Guam USA 96910 • (671) 472-3435 • 472-3497 • 472-3570/1/2 • Facsimile: (671) 477-8358

January 25, 1994

Frank Campillo, Chairman
 Guam Chamber of Commerce
 P.O. Box 283
 Agana, Guam 96910

ACKNOWLEDGEMENT RECEIPT
 Received By *[Signature]*
 Time 5:20 pm
 Date 1/27/94

Dear Mr. Campillo,

Hafa adai. For your information, the Committee on Tourism & Transportation will conduct a Public Hearing beginning at 9 a.m. on Thursday, February 3, 1994 in the Legislature's Public Hearing Room on the following:

BILL NO. 814: AN ACT TO AMEND SUBSECTIONS (b) AND (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE MASS TRANSIT AUTOMOTIVE SURCHARGE.

and

Guam Mass Transit Authority proposed rules for changes in fares charged for public and Para Transit services.

Copies of the Bill and Rules are enclosed for your convenience. If you wish to testify, please prepare 25 copies of your testimony for distribution.

Sincerely,

[Signature]
 JOHN PEREZ AGUON

Enclosures

Handwritten: Bill 814
 Rules + Regulations

P.D. - 11 February 3, 1994



Public Hearing Notice

Thursday, February 3, 1994 9 a.m.
Public Hearing Room, Guam Legislature
Pacific Arcade Building, 155 Hesler Street, Agana

SEN. JOHN PEREZ AGUON

**CHAIRMAN, COMMITTEE ON
TOURISM & TRANSPORTATION**

Public Hearing on the Guam Mass Transit Authority AGENDA:

• **BILL NO. 814: AN ACT TO AMEND
SUBSECTIONS (b) AND (c) OF
§ 26503 OF TITLE 11 GUAM CODE
ANNOTATED RELATIVE TO THE MASS
TRANSIT AUTOMOTIVE SURCHARGE.**

• **GUAM MASS TRANSIT AUTHORITY
PROPOSED RULES FOR CHANGES IN
FARES CHARGED FOR PUBLIC AND
PARATRANSIT SERVICES.**

The Public is Invited to Express their Views

Introduced

APR 12 '94

TWENTY SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 967 (15)

Introduced By:

J.P. Aguon

AN ACT TO AMEND SUBSECTION (c) OF §26503 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE PUBLIC TRANSIT FUND; TO AMEND §6304, AND §6505 AND TO REPEAL AND REENACT §6307 OF CHAPTER 6, TITLE 12 GUAM CODE ANNOTATED RELATIVE TO THE GUAM MASS TRANSIT AUTHORITY.

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

2 **Section 1.** Subsection (c) of §26503 of Title 11 Guam Code Annotated is
3 amended to read:

4 “(c) All revenues in the Public Transit Fund shall be used for the
5 operation of the Guam Mass Transit Authority [~~as appropriated for~~
6 ~~such purpose by the Legislature, within sixty (60) days after the last~~
7 ~~day of the month in which the revenues are released from such~~
8 ~~pledge] for the purposes listed in §6203 of Chapter 6, Title 12 Guam
9 Code Annotated. [~~All revenue from fares generated by the Guam~~
10 ~~Mass Transit authority shall also be placed in the Public Transit~~
11 ~~Fund.]”~~~~

12 **Section 2.** §6304 of Chapter 6, Title 12 Guam Code Annotated, is
13 amended to read:

14 “§6304. **General Management.** The Board of Directors, with the
15 approval of the Governor, may appoint such other officers as it deems
16 necessary for the proper conduct of the Authority’s business,
17 including and upon such terms as it deems appropriate, a General

1 Manager who shall be the Chief Executive Officer of the Authority.
2 The Board may employ or retain an attorney, or firm of attorneys,
3 who shall be admitted to practice before the courts of Guam, who
4 shall advise the Board and the General Manager on all legal matters
5 pertaining to the Authority. The Attorney General shall represent
6 the Authority in litigation in which the Authority is interested,
7 provided that the Attorney General may deputize or designate the
8 attorney for the Authority as a Special Assistant Attorney General
9 for this purpose. The terms, conditions and compensation of
10 employment of any such attorney shall be determined by the
11 Board, and the attorney shall serve at the pleasure of the Board. In
12 addition, the Board, with the approval of the Governor, may contract
13 with responsible companies for the operation of buses and other
14 vehicles, facilities and other properties owned and/or operated by
15 the Authority including parking meters and parking facilities. The
16 provisions of Title VII-A of the Government Code shall be applicable
17 to the Authority except when requirements of federal law with
18 respect to the expenditure of federal funds is inconsistent with the
19 provisions of Title VII-A and under such conditions federal law shall
20 control.”

21 **Section 3.** §6505 of Chapter 6, Title 12 Guam Code Annotated is
22 amended to read:

23 “§6505. **Same: Fund.** There is hereby established within the
24 ~~[government of Guam]~~ Guam Mass Transit Authority a Guam
25 Parking Division Fund (the “Fund”) and all revenues derived from the
26 activities of the Division, including but not limited to revenues from
27 parking meters, shall be deposited into the Fund and utilized for the

1 purposes enumerated in §6503.”

2 **Section 4.** §6307 of Chapter 6, Title 12 Guam Code Annotated is
3 repealed and reenacted to read:

4 **“§6307. Guam Mass Transit Authority Fund.** All revenue
5 generated by the Authority, including fares collected from riders
6 and fees collected by the Authority pursuant to §6306 of this
7 Chapter 6, and except as provided by §6505 of this Chapter 6, shall
8 be deposited into the Guam Mass Transit Authority Fund (the
9 “Fund”) which is hereby created. The Fund shall be administered by
10 the Authority, subject to audit by the Bureau of Budget and
11 Management Research which Bureau shall establish the procedures
12 for handling deposits into and payments from the Fund in
13 accordance with generally accepted accounting principles. The funds
14 of the Guam Mass Transit Authority shall be audited annually by an
15 independent certified public accountant or by the public auditor.”