



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
LEONAN, MAJADAH
AGANA GUAM 96910 USA

RECEIVED
OFFICE OF THE SPEAKER
DATE: 3/3/94
TIME: 4:55
RECD BY: [Signature]

MAR 03 1994

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 361 which I have signed into law this date as
Public Law 22-77.

Sincerely yours,

JOSEPH F. ADA
Governor of Guam

220553

Attachment

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

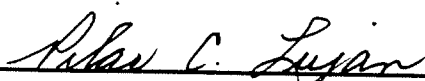
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 361 (LS), "AN ACT TO CREATE THE BUSINESS LICENSE APPLICATION TASK FORCE TO FORMULATE A PLAN FOR A ONE-STOP BUSINESS LICENSE CENTER," was on the 18th day of February, 1994, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



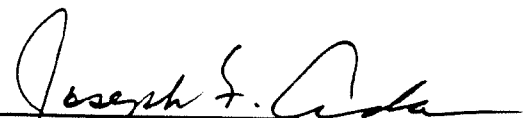
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 23rd day of February
1994, at 3:54 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: March 3, 1994

Public Law No. 22-77

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 361 (LS)

As substituted by the Committee on
Ways and Means and as further
substituted by the Committee on
Rules

Introduced by:

V. C. Pangelinan
J. T. San Agustin
T. C. Ada
C. T. C. Gutierrez
A. C. Blaz
H. D. Dierking
E. P. Arriola
T. S. Nelson
D. L. G. Shimizu
P. C. Lujan
J. P. Aguon
M. Z. Bordallo
D. Parkinson
E. D. Reyes
F. E. Santos
J. G. Bamba
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO CREATE THE BUSINESS LICENSE
APPLICATION TASK FORCE TO FORMULATE A PLAN
FOR A ONE-STOP BUSINESS LICENSE CENTER.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Legislative findings.** The Legislature recognizes that since
3 the inception of the process whereby prospective businesses are required to

1 obtain a business license to do business on Guam, they have been
2 unnecessarily inconvenienced because a business license cannot be obtained at
3 a single governmental office. The applicants have had to obtain approvals at
4 many places, which are miles apart, and the procedures at times take several
5 weeks to complete. Unless the process is made more efficient, there will
6 continue to be unnecessary delays and an increased frustration with the
7 system. In furtherance of reducing the time, travel, and delay caused by
8 having to visit several agencies in order to complete the application
9 procedure, the Legislature finds that a task force should be created to study
10 the feasibility of implementing a One-Stop Business Application Center at the
11 Department of Revenue and Taxation and to compile the steps necessary for
12 such implementation.

13 **Section 2. Business License Application Task Force.** There is hereby
14 created within the government of Guam a Business License Application Task
15 Force (the "Task Force"), consisting of one (1) representative from each of the
16 agencies or departments from which a license applicant could need approval
17 or clearance in order to obtain a business license. The representative for each
18 such agency shall be designated by the director, general manager, or chief
19 executive officer of the agency or department. The representative from the
20 Department of Revenue and Taxation shall be the Chairperson of the Task
21 Force and shall preside over its meetings and direct its activities.

22 **Section 3. Responsibilities and authority of Task Force.** The
23 responsibilities and authority of the Task Force shall be to:

24 (a) **Prepare Plan.** Cause to be prepared, through the expertise
25 and analysis of the Task Force's members, a comprehensive plan which
26 shall put into effect the goal of providing the public a "One-Stop"

1 Business License Application Center". In order to prepare this plan, the
2 Task Force shall:

3 (i) Obtain from each agency involved in giving approvals or
4 clearances for the issuance of business licenses a copy of the law,
5 rule, regulation, Executive Order, or other authority, if any,
6 requiring such approval or clearance;

7 (ii) Undertake analysis of the procedures carried out by
8 each agency separately, and by the agencies as a whole, in the
9 obtaining of approval or clearance for the issuance of a business
10 license, with the aim of simplifying the procedure and making the
11 approval or clearance issued by agencies relevant and necessary
12 for the particular license being issued, as well as speeding up the
13 process for obtaining either approval or rejection of applications
14 for business licenses; and

15 (iii) Hold one (1) or more public hearings on the subject of
16 obtaining business licenses to gather input from the community
17 for improving the process.

18 (b) **Recommendations.** Develop and make detailed
19 recommendations to the Governor and to the Legislature, including
20 minority dissenting opinions, if any, regarding any changes, deletions,
21 or additions to the current application process which would further
22 improve and streamline the process;

23 (c) **Report.** Deliver to the Governor and Legislature within sixty
24 (60) days of the enactment of this Act, a written report detailing the plan
25 and recommendations provided for in this Section. The report shall
26 include the steps necessary to facilitate the expedited application
27 process, which shall be implemented within sixty (60) days of approval

1 by the Legislature by statute of the recommendations in the Task Force's
2 report.

3 **Section 4. Cooperation of government agencies.** All agencies,
4 departments, boards, commissions and other instrumentalities of the
5 government of Guam which are involved in the process of providing
6 approvals or clearances for business licenses shall render such assistance to
7 the Task Force as the Task Force may require.

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

61

Date: 2/18/94

VOTING SHEET (AS REVISED)

Bill No. 361

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL

21 0 _____

Twenty-Second Guam Legislature

155 Hesler Street
Pacific Arcade
Agana, Guam 96910
Telephone: (671) 472-3407 thru 9
Fax: 477-3161



CARL T.C. GUTIERREZ
- Senator

Chairman, Committee
on Ways & Means

Vice-Chairman, Committee
on Rules

Vice-Chairman, Committee
on Tourism & Transportation

December 13, 1993

Honorable Speaker Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

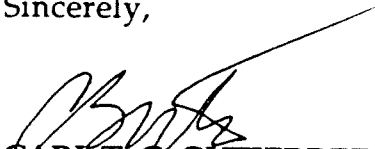
The Committee on Ways & Means wishes to report out its findings on **BILL NO. 361 "AN ACT TO CREATE THE BUSINESS LICENSE APPLICATION TASK FORCE TO FORMULATE A PLAN FOR A ONE STOP BUSINESS LICENSE CENTER"** to the full Legislature with the recommendation to do Pass as Substituted by the Committee on Ways and Means.

The Committee Voting Record is as follows:

TO PASS:	<u>11</u>
NOT TO PASS:	<u>0</u>
ABSTENTIONS:	<u>1</u>
INACTIVE FILE:	<u>0</u>

Copies of the Committee Report and all pertinent documents are attached for your information.

Sincerely,


CARL T. C. GUTIERREZ
Chairman, Committee on
Ways & Means

Twenty-Second Guam Legislature
Committee on Ways & Means

VOTING SHEET

BILL NO.

361

AN ACT TO CREATE THE BUSINESS LICENSE APPLICATION TASK FORCE TO FORMULATE A PLAN FOR A ONE STOP BUSINESS LICENSE CENTER.

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>C. Gutierrez</i> Senator Carl T. C. GUTIERREZ Chairman	✓			
<i>H. Dierking</i> Senator Herminia D. DIERKING Vice-Chairman	✓			
<i>J. P. Aguon</i> Senator John P. AGUON Member	✓			
<i>E. Arriola</i> Senator Elizabeth P. ARRIOLA Member	✓			
<i>T. C. Ada</i> Senator Thomas C. ADA Member	✓			
Senator J. George BAMBA Member				
<i>A. Blaz</i> Senator Anthony BLAZ Member	✓			
<i>P. Lujan</i> Senator Pilar C. LUJAN Member	✓			
Senator Marilyn MAMIBISAN Member				
Senator Ted S. NELSON Member				
Senator Vicente C. PANGELINAN Member	✓			
<i>D. Shimizu</i> Senator David SHIMIZU Member	✓			
<i>A. Unpingco</i> Senator Antonio R. UNPINGCO Member			✓	
<i>J. T. San Agustin</i> Speaker Joe T. SAN AGUSTIN Ex-Officio Member	✓			

COMMITTEE ON WAYS AND MEANS COMMITTEE REPORT ON

BILL NO. 361

AN ACT TO CREATE THE BUSINESS LICENSE APPLICATION TASK FORCE TO FORMULATE A PLAN FOR A ONE STOP BUSINESS LICENSE CENTER.

PURPOSE AND ESSENTIAL ELEMENTS

Bill No. 361 contains five sections. Section 1 contains findings and intent, and states that businesses are unnecessarily inconvenienced in the process of obtaining a business license because a license cannot be obtained from a single office.

Section 2 of the bill creates a Business License Application Task Force represented by one individual from each of the agencies involved in approval or clearance of applicants for business licenses. The individual is to be a designee of the Director or General Manager of the agency.

Section 3 of the bill indicates that the Department of Revenue and Taxation shall be the lead agency and shall preside over the Task Force.

Section 4 sets out the authority and responsibility of the Task Force, which consists of preparing a plan, making recommendations to the Governor and the Legislature, and preparing a report to the Governor and the Legislature within Sixty (60) days.

Section 5 of the bill specifies that all involved agencies shall cooperate with the Task Force.

PUBLIC HEARING

The Committee on Ways and Means conducted a public hearing on September 29, 1993 at 9:00 a.m. in the Legislative Public Hearing Room to gather testimony on Bill No.361. Present at the hearing were the Chairman, Senator Carl T. C. Gutierrez, who conducted the hearing, being joined by Senators T. C. Ada, E.P. Arriola, J. G. Bamba, A.C. Blaz, B. C. Pangelinan, and T. S. Nelson.

TESTIMONY

Four persons or agencies testified in regard to Bill No. 361:

1. Mr. Antonio C. Aguon, representing the Department of Revenue and Taxation, submitted written testimony of Director Joaquin G. Blaz regarding the bill, which is attached. Mr. Aguon then spoke orally, indicating that the Department of Revenue and Taxation is in favor of the bill, and recommended some suggestions. Some of the suggestions include stationing a representative from each of the clearing agencies at the Department of Revenue and Taxation, or have an

individual always on call. Additionally, telecom links could be installed. The Director's testimony also indicated that some agencies are still operating with manual systems, which could be computerized.

Chairman Gutierrez asked if the idea of a one-stop business license center would require a good deal of computer technology to implement. Mr. Aguon replied that that could be the case. Mr. Aguon indicated that the Department of Revenue and Taxation would prefer stationing an individual from each clearing agency at the location of the Department of Revenue and Taxation. Mr. Aguon also indicated that the Department of Revenue and Taxation could get the clearances for the applicant by using fax. He indicated that separate endorsements may be needed, precluding fax endorsements.

Chairman Gutierrez indicated that the Department of Revenue and Taxation should be the lead agency in this matter because of confidentiality, and Mr. Aguon agreed. Mr. Aguon also indicated that Revenue and Taxation is the department that issues the license.

2. **Attorney Charles Troutman of the Office of the Compiler of Laws, Department of Law**, then testified orally. He did not submit any written testimony. Mr. Troutman indicated that the Legislature should go far beyond the provisions of Bill 361. He felt that the applicants would still have to go around and check on the individual agencies to follow up on the processing of the clearances. Mr. Troutman envisions that there would be a lot of passing the buck as to where the particular application is at a particular time.

Mr. Troutman indicated that an analysis needs to be done of the layers of bureaucracy and an analysis of the various laws to determine exactly what is required. Mr. Troutman indicated that there is a "common law" aspect to some of the procedures of the government, and that in some cases practices are engaged in which are not provided for in the law or any rule or regulation. He gave an example of one type of practice which was taken over from the old Naval Government days, and which has since been declared unconstitutional, yet is still practiced. This is the case of employee clearances upon separation from government employment. The law needs to be modified to provide for pre-judgement attachment hearings.

Chairman Gutierrez asked Mr. Troutman if there was a need for any law to implement a one-stop business license center, and Mr. Troutman replied that no law was necessary. Chairman Gutierrez indicated that perhaps this could be done right now by the Governor's Executive Order, and Mr. Troutman replied that that would be correct, and does not need a law.

Mr. Troutman indicated that no matter how many one-stop places there are, there would still be a lot of red tape involved.

Senator Pangelinan indicated that he knew that there is no doubt that no law is needed, however, that the senators as policy directors are sending out a message by the passage of this bill. The bill is to make a change since the Executive Branch is not

responding to complaints from the public. The bill is to given some relief to the public. The bill is to get something done.

Mr. Troutman said that he is not taking exception with the Senator's need to pass such a bill, however, technically and theoretically it is not necessary. This bill will not achieve the goals that the sponsor of the bill wants for it.

Senator Pangelinan disagreed with Mr. Troutman on the effects of the bill. Senator Pangelinan said that the one-stop concept has been done in the past.

Senator Bamba asked if the requirements for clearance were by regulation. Mr. Aguon from the Department of Revenue and Taxation indicated that he was not aware of it. He indicated that he knew of some of the requirements, but that more than ten (10) agencies give clearances.

Senator Bamba indicated that he felt that some of the requirements for clearance are not necessary, for example, certain types of licenses should not require going to every agency, especially if certain agencies do not have purview over the type of activity that a license is being requested for.

Mr. Aguon indicated that a study would need to be done on the requirements of the various agencies and the reasons for them, and a lot of the information would come out at public hearings, which would be conducted by the Department of Revenue and Taxation, should such a bill as this become law.

With no further testimony or questions from members of the Committee on Ways and Means, the Chairman concluded the hearing.

3. **Director F. L. G. Castro, Department of Land Management**, submitted written testimony on Bill 361, which is attached. He did not appear at the public hearing. The written testimony is in favor of the bill, however, offers the suggestion that Bill No. 361 be combined with Bill No. 444, to create a one-stop license/permit application clearance center.

4. **Acting General Manager Alejandro R. Hong-Yee, Guam Telephone Authority**, submitted written testimony that the Guam Telephone Authority does not participate as a clearing agency in the business license process, and does not offer any testimony on the bill.

COMMITTEE ACTION

The Committee on Ways and Means, after consideration of the testimony offered at the public hearing, decided to make the responsibilities of the Business License Application Task Force more specific. To this end, the language in Items (i), (ii) and (iii) of Subsection (a) of Section 4 of the bill were inserted, to require that each agency involved in the business application process provide the authority by which they are issuing approvals or clearances, that an analysis be undertaken by the Task Force to simplify the procedure and make the procedure relevant to the type of license

being sought, and for the Task Force to hold at least one (1) public hearing on the business license application procedure to gather input from the public on possibilities of improving the procedure.

COMMITTEE RECOMMENDATION

The Committee on Ways and Means wishes to report out Bill 361 to the full legislature to do pass, as substituted.

TWENTY-SECOND GUAM LEGISLATURE
FIRST (1993) REGULAR SESSION

Bill No. 361
Substitute Bill by Committee on Ways and Means

Introduced by:

V.C. Pangelinan

[Handwritten signatures and initials: A.C. BLAZ, Edw. ...]

ACT TO CREATE THE BUSINESS LICENSE APPLICATION TASK
FORCE TO FORMULATE A PLAN FOR A ONE-STOP BUSINESS
LICENSE CENTER.

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

1 Section 1. **Legislative Findings.** The Legislature recognizes that since the
2 inception of the process whereby prospective businesses were required to obtain a
3 business license in order to do business on Guam, they have been unnecessarily
4 inconvenienced because a business license cannot be obtain at a single governmental
5 office. The applicants have had to obtain approvals at multiple places, which are miles
6 apart, and the procedures at times, took several weeks to complete. Unless the process
7 is made more efficient, there will continue to be unnecessary delays and an increased
8 frustration with the system. In furtherance of reducing the time, travel, and delay
9 caused by having to visit several agencies in order to complete the application
10 procedure, a Task Force shall be created to study the feasibility of and present the steps
11 necessary to implement a One-Stop Business Application Center at the Department of
12 Revenue and Taxation.

13 Section 2. **Business License Application Task Force.** There is hereby created
14 within the Government of Guam the Business License Application Task Force (the "Task
15 Force"), consisting of one (1) representative from each of the agencies or departments
16 from which an applicant could possibly need approval or clearance in order to obtain a
17 business license. The representative for each agency shall be designated by the Director,
18 General Manager, or Chief Officer of the agency or department.

1 Section 3. **Task Force Chairperson.** The representative from the Department
2 of Revenue and Taxation shall be the Chairperson of the Task Force and shall preside
3 over its affairs.

4 Section 4. **Responsibilities and authority of Task Force.** The responsibilities
5 and authority of the Task Force shall be:

6 a) **Prepare Plan.** To cause to be prepared, through the expertise and analysis
7 of the committee's members, a comprehensive plan which shall put into effect the goal
8 of providing the public a "One-Stop Business License Application Center". In order to
9 prepare this plan, the Task Force shall:

10 (i) obtain from each agency involved in providing approvals or
11 clearances for the issuance of business licenses a copy of the law, rule, regulation,
12 Executive Order, or other authority, if any, for the approval or clearance that the
13 agency provides; and

14 (ii) undertake analysis of the procedures presently carried out by each
15 agency separately, and by the agencies as a whole, in the obtaining of approval
16 or clearance for the issuance of a business license, with the aim towards
17 simplifying the procedure and making the approval or clearance issued by
18 agencies relevant and necessary for the particular license being issued, as well as
19 speeding up the process for obtaining either approval or rejection of applications
20 for business licenses; and

21 (iii) hold one (1) or more public hearings on the subject of obtaining
22 business licenses and gather input from the community for improving the
23 process of obtaining business licenses.

24 b) **Recommendations.** To develop and make detailed recommendations to
25 the Governor and to the Legislature, including minority dissenting opinions, regarding
26 any changes, deletions, or additions to the current application process which would
27 further improve and streamline the application process;

1 c) Report. To deliver to the Governor and Legislature within sixty (60) days
2 of the enactment of this Act, a written report detailing the plan and recommendations
3 provided for in Subsections a) and b) of this Section. The report shall include the steps
4 necessary to facilitate the expedited application process, which shall be implemented
5 within sixty (60) days of approval by the Legislature by statute of the recommendations
6 in the Task Force's report.

7 Section 5. **Cooperation of government agencies.** All agencies, departments,
8 boards, commissions and other instrumentalities of the government which are involved
9 in the process of providing approvals or clearances for business licenses shall render
10 any assistance to the Task Force as the Task Force may require.



Senator **HERMINIA D. DIERKING**

22nd GUAM LEGISLATURE

Received
3/31

Committees:

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**

March 29, 1993

MEMORANDUM

TO: Chairperson, Committee on ~~Ways and Means~~
FROM: Chairperson, Committee on Rules
SUBJ: Referral - Bill No. 361

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.

H. Dierking
HERMINIA D. DIERKING

Attachment

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 361
Introduced by

V.C. Pangelinan

AN ACT TO CREATE THE BUSINESS LICENSE
APPLICATION TASK FORCE TO FORMULATE A
PLAN FOR A ONE STOP BUSINESS LICENSE
CENTER.

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

1 Section 1. (a) Legislative Findings and Intent. The
2 Legislature recognizes that since the inception of the process
3 whereby prospective businesses were required to obtain a business
4 license in order to do business on Guam, they have been
5 unnecessarily inconvenienced because a business license cannot be
6 obtained at a single governmental office. The applicants have had
7 to obtain approvals at multiple places, which are miles apart, and
8 the process took at times several weeks to complete. Unless the
9 process is made more efficient, there will continue to be
10 unnecessary delays and an increased frustration with the system. In
11 furtherance of reducing the time, travel and delay caused by having
12 to visit several agencies in order to complete the application
13 procedure, a Task Force shall be created to study the feasibility of
14 and present the steps necessary to implement a One Stop Business
15 Application Center at the department of Revenue and Taxation.

16 Section 2. There is hereby created within the Government of
17 Guam the Business License Application Task Force consisting of one
18 representative from each of the Agencies or Departments from
19 which an applicant could possibly need clearance or approval in

1 order to obtain a business license. The representative for each
2 agency shall be designated by the Director or General Manager of
3 said agency or department.

4 Section 3. The representative from the Department of
5 Revenue and Taxation shall be the Chairperson and as such shall
6 preside over the Task Force's affairs.

7 Section 4. The responsibilities and authority of the Task Force
8 shall be:

9 (a) Prepare Plan. To cause to be prepared, through the
10 expertise and analysis of the committee's members, a
11 comprehensive plan which shall put into effect the goal of providing
12 the public a one-stop business license application center.

13 (b) Recommendations. To develop and make detailed
14 recommendations to the Governor and the Legislature, including
15 minority dissenting opinions, regarding any changes, deletions, or
16 additions to the current application process which would further
17 streamline the application process.

18 (c) Report. To deliver to the Governor and Legislature
19 within sixty (60) days of the enactment of this act, a written report
20 detailing the information requested in paragraphs (a) and (b) above.
21 The report shall include the steps necessary to facilitate the
22 expedited application process within sixty (60) days of approval by
23 the Legislature of the Task Force's report.

24 Section 5. All agencies, departments, boards, commissions
25 and other instrumentalities of the Government of Guam shall render
26 such assistance to the Task Force as the Task Force may require.



JOSEPH F. ADA
Governor

FRANK F. BLAS
Lieutenant Governor

DEPARTMENT OF

REVENUE & TAXATION

GOVERNMENT OF GUAM

JOAQUIN G. BLAZ, Director • V.M. CONCEPCION, Deputy Director

SEP 27 1993

The Committee on Ways and Means
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Gutierrez:

Thank you for this opportunity to testify on Bill 361, an act to create a business license application task force. Let me begin by saying that I heed the complaints from license applicants as they come across my desk. If there is anything I can do to assist the applicant in the business license process, I insist that such assistance be rendered by my personnel. However, the clearance process isn't entirely under my control. I believe that the entire licensing process would be made much easier for the public to deal with if the entire process were under the control of one agency. I believe that agency must be Revenue and Taxation.

The Department of Revenue and Taxation serves several roles in our community, not the least of which are tax enforcer and licensor. In its unique role of tax enforcer, the department may actually delay the processing of licenses as mandated by Public Law 19-10. This is a justifiable delay and in the public interest. Unreasonable delays must be eliminated and will be eliminated should total control be assumed by Revenue and Taxation.

As the lead agency in the licensing process, the Department of Revenue and Taxation has its fingers on the pulse beat of Guam's licensees. There are other boards that grant licenses in our community, but the majority of licenses are processed and issued by Revenue and Taxation.

While no one licensee need acquire clearances from every Government of Guam agency, we have identified ten Gov-Guam agencies and one federal agency at which clearances may need to be acquired within Revenue and Taxation's licensing procedure. This has proven to be a major obstacle to overcome for some applicants.

I believe that a one stop license processing system can and should be developed with the cooperation of all the agencies involved. In fact, agency representatives were at one time stationed at Revenue and Taxation to provide on the spot clearances. This proved to be a highly successful program worth reviving. While Revenue and Taxation may serve as the clearing house for business license applicants, today, expeditious clearances by individual agencies remain outside the purview and control of Revenue and Taxation.

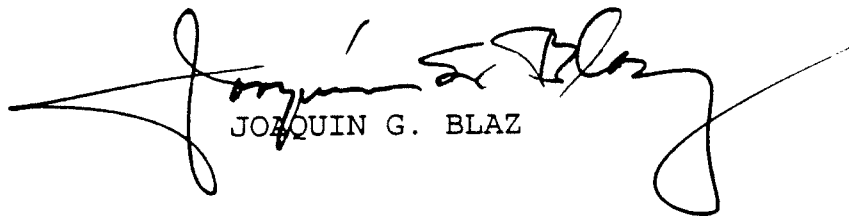
Certainly in this age of instantaneous facsimile transmissions and telecommunications, no one need spend hours or even days travelling from one agency to another securing clearances. Revenue and Taxation should do the walking.

Will any designated government agency be as aggressive in its pursuit of clearances as the applicant himself when it is in his own best interest to pursue it himself? I believe not. We can put the public interest ahead of our own by hastening the processing as best we can.

However, the perception will likely be that the government does not move fast enough. Some will see the product of this proposed task force as just another layer of bureaucracy. However, we should not use this as an excuse not to improve our services.

Should this bill become law, I shall call upon all the agencies involved in the clearance process to either station a responsible employee at Revenue and Taxation on a permanent basis or have that responsible person always on call for expeditious clearance. This responsible person must be granted the authority to make decisions quickly but responsibly and act on those decisions as quickly as if his own house were on fire. I shall insist that telecom links be established among the various information systems in place at our Gov-Guam agencies. Its a disgrace that in our world of computerized data bases, some departments must still extract information manually. On-line information systems can make the licensing process nearly instantaneous. Then and only then shall those obstacles I spoke of be removed. I assure you that the employees at Revenue and Taxation presently do all they can and shall continue to assist the license applicants within the best of their abilities under any rules our government lays down.

I am in support of Bill 361.



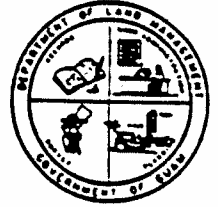
JOAQUIN G. BLAZ



DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO')

Government of Guam
P.O. Box 2950
Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



JOSEPH F. ADA
Governor

FRANK F. BLAS
Lieutenant Governor

F. L. G. CASTRO
Director

JOAQUIN A. ACFALLE
Deputy Director

September 29, 1993

Honorable Carl T.C. Gutierrez
Chairman
Committee on Ways & Means
Twenty-Second Guam Legislature
155 Hesler street, Pacific Arcade
Agana, Guam 96910

Hafa Adai Senator Guttierrez:

I appreciate the opportunity to present this testimony on Bill 361, An Act to create the Business License Application Task Force to formulate a plan for a one stop business license center.

The Department of Land Management is in total agreement with the intent of Bill 361 and supports its passage wholeheartily.

I am well aware of the frustrations of the citizens of Guam who have on numerous occasions complained of having to go to various government offices for business license clearances. As a result, some months back I met with several government officials in an attempt to address the issue of clearing business licenses and building permit applications in a more effective and simplified manner. Several suggestions were made and implemented, however, since those implemented suggestions only involved the Department of Public Works and Land Management, they were not as effective as Bill 361 would be.

Bill 361 will not only eliminate the unnecessary hardship of having to secure various signatures from offices that are miles apart, but also would streamline the process as well, thereby creating a more efficient and effective means of securing a license to conduct business in Guam. This will help promote a better working relationship between the government and the general public. The more efficient a process is the more productive the outcome for all.

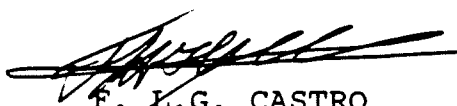


Ltr. to Senator Guttierrez
Re: Testimony on Bill 361
September 28, 1993
Page 2

Department of Land Management not only supports the passage of Bill 361 but also requests that the possibility of creating a **One Stop License/Permit Application Clearance Center** (combination of Bill No. 361 and Bill No. 444) be looked into.

Thank you for the opportunity to comment on this bill.

Si Yu'os Ma'ase',



F. L.G. CASTRO
Director

September 27, 1993

Senator Carl T.C. Gutierrez
Chairman, Committee on Ways & Means
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

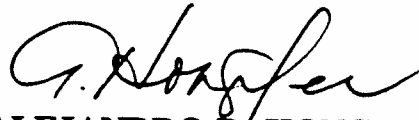
Re: Bill No. 361

Dear Senator Gutierrez:

As Guam Telephone Authority does not participate as a clearing agency in the business license process, we will not offer testimony on Bill No. 361.

Thank you for soliciting our input on the issue.

Sincerely,



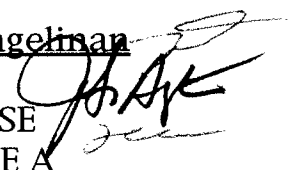
ALEJANDRO R. HONG-YEE
General Manager, Acting

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

APR 12 '93

Bill No. 361 (LS)
Introduced by

V.C. Pangelinan



AN ACT TO CREATE THE BUSINESS LICENSE
APPLICATION TASK FORCE TO FORMULATE A
PLAN FOR A ONE STOP BUSINESS LICENSE
CENTER.

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

1 Section 1. (a) Legislative Findings and Intent. The

2 Legislature recognizes that since the inception of the process

3 whereby prospective businesses were required to obtain a business

4 license in order to do business on Guam, they have been

5 unnecessarily inconvenienced because a business license cannot be

6 obtained at a single governmental office. The applicants have had

7 to obtain approvals at multiple places, which are miles apart, and

8 the process took at times several weeks to complete. Unless the

9 process is made more efficient, there will continue to be

10 unnecessary delays and an increased frustration with the system. In

11 furtherance of reducing the time, travel and delay caused by having

12 to visit several agencies in order to complete the application

13 procedure, a Task Force shall be created to study the feasibility of

14 and present the steps necessary to implement a One Stop Business

15 Application Center at the department of Revenue and Taxation.

16 Section 2. There is hereby created within the Government of

17 Guam the Business License Application Task Force consisting of one

18 representative from each of the Agencies or Departments from

19 which an applicant could possibly need clearance or approval in

1 order to obtain a business license. The representative for each
2 agency shall be designated by the Director or General Manager of
3 said agency or department.

4 Section 3. The representative from the Department of
5 Revenue and Taxation shall be the Chairperson and as such shall
6 preside over the Task Force's affairs.

7 Section 4. The responsibilities and authority of the Task Force
8 shall be:

9 (a) Prepare Plan. To cause to be prepared, through the
10 expertise and analysis of the committee's members, a
11 comprehensive plan which shall put into effect the goal of providing
12 the public a one-stop business license application center.

13 (b) Recommendations. To develop and make detailed
14 recommendations to the Governor and the Legislature, including
15 minority dissenting opinions, regarding any changes, deletions, or
16 additions to the current application process which would further
17 streamline the application process.

18 (c) Report. To deliver to the Governor and Legislature
19 within sixty (60) days of the enactment of this act, a written report
20 detailing the information requested in paragraphs (a) and (b) above.
21 The report shall include the steps necessary to facilitate the
22 expedited application process within sixty (60) days of approval by
23 the Legislature of the Task Force's report.

24 Section 5. All agencies, departments, boards, commissions
25 and other instrumentalities of the Government of Guam shall render
26 such assistance to the Task Force as the Task Force may require.