

108 REFERRED TO
LEGISLATIVE SECRETARY
RECEIVED BY: [Signature]
Date & Time: 4/25/95 10:30
PRINT NAME: [Signature]



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE SPEAKER
Date: 4-24-95
Time: 12:18
Received By: [Signature]
Print Name: Sam Hill

APR 22 1995

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find a copy of Bill No. 1 (LS), "AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF THE AQUACULTURE INDUSTRY ON GUAM BY ADDING A NEW SECTION 47060(g) TO THE GOVERNMENT CODE", which I have signed into law today as **Public Law 23-05**.

I believe that two (2) minor corrections need to be made, however. In Subsection (b) of Section 3 of the bill, the reference to P. L. 18-8 is incorrect. Also, Section 5 of the bill adds a new Subsection (g), which should be Subsection (e) because of prior amendments made to Section 47060 of the Government Code in P.L. 16-111.

Very truly yours,

[Signature]
Carl T. C. Gutierrez

Attachment
230374

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 1 (LS), "AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF THE AQUACULTURE INDUSTRY ON GUAM BY ADDING A NEW SECTION 47060(g) TO THE GOVERNMENT CODE," was on the 7th day of April, 1995, duly and regularly passed.




D. PARKINSON
Speaker

Attested:



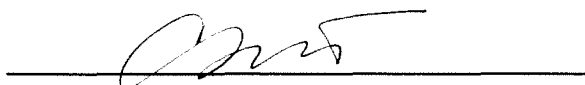
JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 17th day of April,
1995, at 11:35 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 4-22-95

Public Law No. 23-05

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 1 (LS)

Introduced by:

V. C. Pangelinan
T. S. Nelson
J. T. San Agustin
T. C. Ada
J. P. Aguon
E. Barrett-Anderson
A. C. Blaz
J. S. Brown
F. P. Camacho
M. C. Charfauros
H. A. Cristobal
M. Forbes
A. C. Lamorena
C. Leon Guerrero
L. Leon Guerrero
S. L. Orsini
D. Parkinson
A. L. G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF THE AQUACULTURE INDUSTRY ON GUAM BY ADDING A NEW SECTION 47060(g) TO THE GOVERNMENT CODE.

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

2 **Section 1. Legislative Findings.** The Legislature recognizes that while
3 the aquaculture industry on Guam has shown great potential of becoming a
4 significant contributor to the island's economy, further growth and expansion
5 of the industry has been seriously hampered by the complicated permit
6 application process. Many prospective farmers and entrepreneurs have been
7 reluctant or unable to enter the industry, due to the complex, time-
8 consuming, and costly permit application process, which can involve getting
9 approvals from as many as ten separate regulatory agencies. A more
10 streamlined process of obtaining the necessary approvals from the numerous
11 regulatory agencies is needed to reduce the barriers of entry into the industry
12 in the territory. Therefore, the Legislature finds it necessary to create an
13 implementation work group which shall be given the responsibility of
14 developing a plan for the establishment of a one-stop aquaculture permit
15 application center.

16 The Department of Commerce has laid much of the groundwork for the
17 development of commercial aquaculture by providing the vitally needed local
18 source of aquaculture seedstock through its successful management of the
19 Guam Aquaculture Development and Training Center. The Department of
20 Commerce has also been in the forefront in facilitating dialogue between the
21 aquaculture industry and the regulatory agencies as the coordinator of both
22 the Aquaculture Coordinating Committee and the Aquaculture Industry
23 Advisory Committee. Therefore, the Legislature finds it appropriate for the
24 Department of Commerce to be designated as the lead agency in developing
25 the aquaculture industry on Guam.

26 **Section 2. One-Stop Aquaculture Permit Application Work**
27 **Group.** There is hereby created within the government of Guam the One-

1 Stop Aquaculture Permit Application Work Group, (the "Work Group"). It
2 will consist of one (1) representative from each of the agencies or
3 departments from which an applicant may need clearance or approval in
4 order to obtain the required permit or permits; one (1) representative from
5 the Department of Commerce; and three (3) representatives from the
6 aquaculture industry. The representatives from the aquaculture industry
7 shall be chosen by the Guam Aquaculture Industry Advisory Council. The
8 representatives from each agency or department shall be designated by its
9 director or its chief executive officer. The representative from the
10 Department of Commerce shall be the chairperson of the Task Force and as
11 such shall preside over the Task Force's affairs.

12 **Section 3. Duties of the Work Group.** The responsibilities and
13 authority of the Work Group shall be:

14 (a) **Prepare plan.** To cause to be prepared, through the expertise
15 and analysis of the members of the Task Force, a comprehensive plan which
16 shall effectuate the goal of providing the public a One-Stop Aquaculture
17 Permit Application Center;

18 (b) **Application form.** To review and modify the master
19 Aquaculture Permit Application, (the "MAPA"), which was developed by the
20 Department of Agriculture pursuant to P.L. 18-8, for the development of a
21 new comprehensive permit application form which would eliminate the need
22 for all other aquaculture permit application forms currently being used by the
23 regulatory agencies;

24 (c) **Recommendations.** To develop and make detailed
25 recommendations to the Governor and the Legislature, including minority
26 dissenting opinions, if any, regarding any changes, deletions, or additions to

1 the MAPA, the current aquaculture permit application process, and existing
2 laws, rules and regulations; and

3 (d) **Report.** To deliver to the Governor and the Legislature
4 within forty-five (45) days of the enactment of this Act, a written report
5 detailing the plans and recommendations required under subsections (a), (b),
6 and (c) of this section. The report shall include the steps necessary to
7 implement the expedited application process within forty-five (45) days of
8 approval by the Legislature of the Task Force's report.

9 **Section 4. Assistance by Other Agencies.** All agencies, departments,
10 boards, commissions and other instrumentalities of the government of Guam
11 shall render such assistance to the Task Force as the Task Force may require.

12 **Section 5. Lead Agency.** A new subsection (g) is added to section 47060
13 of the Government Code to read:

14 "(g) The Department of Commerce is hereby designated as the lead
15 agency for the development of the aquaculture industry on Guam and as
16 such, the Department of Commerce shall have purview over all matters
17 related to the development of the aquaculture industry on Guam."

TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

Date: 4/7/95

VOTING SHEET

Bill No. 1

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.				✓
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 20 _____ 1



Committee on Economic Agricultural Development and Insurance

TWENTY-THIRD GUAM LEGISLATURE
424 W. O'Brien Dr., Julale Shopping Center, Suite #218
Agaña, Guam 96910
Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

SENATOR JOE T. SAN AGUSTIN (D)
CHAIRMAN

March 16, 1995

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
Suite 222, Julale Shopping Center
424, W. O'Brien Drive
Agaña, Guam 96910

Dear Mr. Speaker:

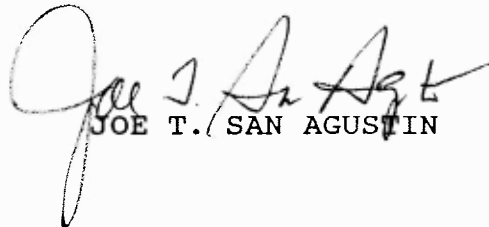
The Committee on Economic-Agricultural Development and Insurance to which was referred Bill #1, has had the same under consideration and now wishes to report back the same with the recommendation to do pass.

The Committee votes are as follows:

To Do Pass	10
Not To Pass	0
Absent	1

A copy of the Committee's Report and other pertinent documents are enclosed for your reference and information.

Sincerely yours,

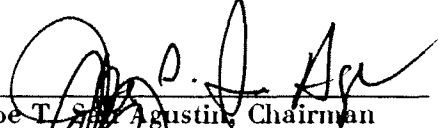
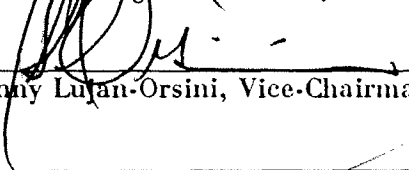
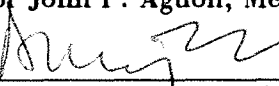
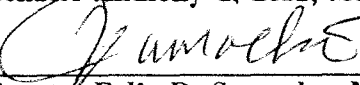

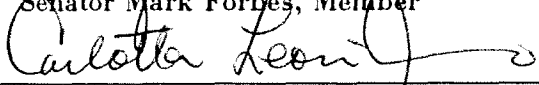


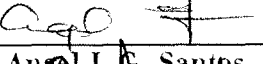
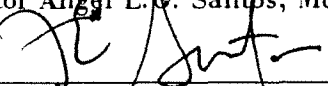

JOE T. SAN AGUSTIN

**Committee on Economic- Agricultural
Development and Insurance**
Twenty-Third Guam Legislature
Senator Joe T. San Agustin, Chairman

Vote Sheet

ON BILL # 1

AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK
GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A
ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE THE
DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT
OF AQUACULTURE INDUSTRY ON GUAM.

Committee Members:	TO DO PASS:	NOT TO PASS:	ABSTAIN:	INACTIVE FILE::
 Senator Joe T. San Agustin, Chairman	✓			
 Senator Sonny Lujan-Orsini, Vice-Chairman	✓			
Senator John P. Aguon, Member				
 Senator Anthony C. Blaz, Member	✓			
 Senator Felix P. Camacho, Member	✓			
 Senator Mark Forbes, Member	✓			
 Senator Carlotta Leon Guerrero, Member	✓			
 Senator Vicente C. Pangelinan, Member	✓			
 Speaker Don Parkinson, Member	✓			
 Senator Angel L. C. Santos, Member	✓			
 Senator Francis E. Santos, Member	✓			

**COMMITTEE ON ECONOMIC- AGRICULTURAL
DEVELOPMENT AND INSURANCE**

Twenty-Third Guam Legislature
155 Hesler Street, Agana, Guam 96910

**COMMITTEE REPORT
ON BILL NO. 1
SPONSOR: V.C. PANGELINAN**

COMMITTEE MEMBERS

Chairman: Senator Joe T. San Agustin
Vice-Chairman: Senator Sonny Lujan-Orsini

Senator John P. Aguon, Member
Senator Anthony C. Blaz, Member
Senator Felix P. Camacho, Member
Senator Mark Forbes, Member
Senator Carlotta Leon Guerrero, Member
Senator Vicente C. Pangelinan, Member
Speaker Don Parkinson, Member
Senator Angel L.G. Santos, Member
Senator Francis E. Santos, Member

COMMITTEE REPORT

PUBLIC HEARING FOR BILL NO. 1:
AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP
TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP
AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF
COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE
INDUSTRY ON GUAM.

Committee Members Present: Sen. J.T. San Agustin, Chairman
Sen. S. Lujan-Orsini, Vice-Chairman
Sen. C. Leon Guerrero
Sen. V.C. Pangelinan

Other Senators Present: Sen. Mark Charfauros
Sen. Hope Cristobal
Sen. Lou Leon Guerrero

I. OVERVIEW

Bill No. 1, sponsored by V.C. Pangelinan, was submitted by the Committee on Rules to the Committee on Economic/Agricultural Development and Insurance for a public hearing to be scheduled (see Exhibit "A").

The Economic/Agricultural Development and Insurance Committee conducted a Public hearing at 7:00 p.m., Tuesday, February 28, 1995 at the Mangilao Community Center, Mangilao Guam.

II. SUMMARY OF TESTIMONY

Testimony: Frank B. Aguon, Dir./Dept. of Commerce
Bill Fitzgerald, Dept. of Commerce
Gilbert E. Robles, Acting Administrator/GEDA
Greg Cruz
Vic Taisipic, Aquaculture farmer

Frank B. Aguon, submitted written/oral testimony as the Acting Director of the Department of Commerce (see Exhibit "B"). Mr. Aguon states that one of the major issues they have faced within the Department of Commerce has been the length of time it takes to obtain an aquaculture permit. It has been the Department of Commerce's responsibility to assess this situation.

Mr. Aguon notes that there have been some unnecessary impediments created in the past from a select number of government agencies. The Department of Commerce's initial approach to this problem was to create an AdHoc committee to locate the problem areas and/or complications. He states that the Department has been working on resolving the problems for approximately 1 1/2 months now, but there continues to be concerns that have not been answered because some agencies have not provided the information requested from the Dept.

Solving the existing problems will also require the full cooperation of several federal entities.

In addition to the one-stop aquaculture permit center, the Department of Commerce is also looking into providing a one-stop "business" center, all to be in the same location. To provide additional assistance for applicants, the Department of Commerce is working to compile a brochure with a list of licensing requirements from each government entity.

Mr. Aguon testifies that the Aquaculture industry is already producing over \$1.6 million in products annually and has the potential to contribute even greater contributions to our island economy. Mr. Aguon states that in the last three years, more than one-hundred (100) individuals have expressed an interest in starting an aquaculture venture. However, these individuals have had difficulty in obtaining an aquaculture permit, which has limited the startup of new ventures. In fact, there have been no new large aquaculture farms started.

The Department of Commerce has recently received four new grant awards from the Pacific Aquaculture Association, totaling \$127,000 and an additional five grants totaling nearly \$145,000 have been approved for

this year. These grants will be used for specific projects (see Exhibit B, pg. 2-3).

Mr. Aguon states that he is in full support of Bill No. 1 and the efforts made on behalf of the Committee to work with the Department of Commerce and the industry to promote and facilitate the development of aquaculture. Additionally, Mr. Aguon is also in support of the designation of the Department of Commerce as the lead agency for Aquaculture.

Gilbert Robles, submits oral testimony in regards to Bill No. 1, as Acting Director on behalf of the Guam Economic Development Authority (see Exhibit "C"). Mr. Robles testimony supports the passing of Bill No. 1 into legislation, with the intention of removing those obstacles that have consistently stood in the way for potential aquaculture farmers.

Mr. Robles also believes the legislation must also mandate that the review of all rules and regulations that apply to the industry and are administered locally. The goal of evaluating current regulatory mandates should be to lift those regulations which place an unwanted and unnecessary burden on the aquaculture entrepreneur. Mr. Robles is confident that if Bill No. 1 is indeed successful, it will prove to be an

effective stimulus for the growth and development of a viable aquaculture industry on Guam.

Greg Cruz, submits oral testimony in regard to Bill No. 1. Mr. Cruz states that he is in favor of “everything good for the island of Guam”, and therefore supports the passage of Bill No. 1. Mr. Cruz also suggests that such proposed legislation be publicized for the public to review for their own information.

Mr. Taisipic, submits oral testimony in regards to Bill No. 1. He mentions that he attended this same type of public hearing, in 1994. At that time, he thought that this Bill would have passed with “flying colors”. He notes that currently, it is too much of a headache to obtain an aquaculture permit.

To this date, Mr. Taisipic has invested over four years and more than \$35,000 (his son’s college tuition), in this project with encouragement from this government. Mr. Taisipic states that he is in full support of Bill No. 1, because he feels he is the “after effect” of the current lengthy process of obtaining an aquaculture permit and will continue to be so, until legislation to change the current process is passed.

III. SENATORS' COMMENTS

Sen. J.T. San Agustin: Requests that Mr. Taisipic provide documentation of the steps he had to go through in obtaining approval for his aquaculture permit (Mr. Taisipic agreed). Sen. San Agustin asks Mr. Taisipic whether or not he had borrowed money from GEDA. Mr. Taisipic responds that he did not, but had inquired about it.

Senator San Agustin also inquires as to the production of "cocktail" type shrimp. Mr. Fitzgerald replies that they have tried supplying the hotel industry with this specific type of shrimp in the past, however, were not able to meet the demand. The hotels have other outlets that are easier to access for the amount of cocktail shrimp they desire.

Mr. Fitzgerald also responds that larvae is no longer being imported from Hawaii but is being exported. The amount exported ranges from 100,000-150,000 pieces a year. Guam's facility is known as a "unique facility", because it is the only facility known to be pathogen free (disease free). In the past, facilities in areas such as China and Taiwan have suffered major turn downs because of diseases. Guam's facility is now receiving requests from Israel for marine fish. Mr. Fitzgerald believes that Guam's facility is, in fact, putting Guam on the map as far as a research and production facility.

Senator S. Lujan Orsini: Inquires as to how long it will be before the AdHoc committee will submit it's recommendations to the committee.

Mr. Aguon, Director, Dept. of Commerce, responds that with full cooperation from the government of Guam and the federal government, it will be anywhere from 2 1/2 - 3 months. However, Mr. Fitzgerald recommends that this specific legislation be expedited despite the time-line of the AdHoc committee. The passing of Bill No. 1 will serve to reinforce the work that the Department of Commerce is currently doing. Mr. Aguon also states that the Department of Commerce has recently received funding for further expansion of the Chamorro Village (eight (8) additional structures). One of these structures has already been designated for use by the aquaculture industry here on Guam.

Senator H. A. Cristobal: Senator Cristobal inquires as to how much it costs to start up an aquaculture farm. Mr. Fitzgerald, of Department of Commerce, responds that for a "backyard" farm it could cost as little as \$300-\$500. However, to start up a farm such as Mr. Taisipic's, it will cost from \$100,000-\$150,000.

Senator M. Charfauros: Senator Charfauros asks Mr. Robles, Acting Administrator, GEDA, if he would consider evaluating the system to determine whether it would be possible for GEDA to work together with

DOC. Sen. Charfauros states that the current system is a three tank system which is limited to species such as Talapia and not conducive to shrimp.

Senator Charfauros mentions the possible purchase of a movable concrete tank system which is a-lot larger and more diverse than the current one. He suggests that DOC administer the suggestions of what type of system should be used and GEDA administer the loan program. In this way the advice, training, and seeds can be provided. This will therefore provide a "win-win" situation which will then create an economic uprising in the area of aquaculture for the island of Guam.

IV. COMMITTEE FINDINGS

The committee finds that the length of time it takes to obtain an aquaculture permit is hampering crucial economic development for our community. Therefore, the committee also finds that the development of a one-stop aquaculture permit center is needed and would eliminate a major barrier for those individuals wishing to participate in the aquaculture industry on Guam.; and, that the Department of Commerce should be named the lead agency to oversee the development of the aquaculture industry on Guam.

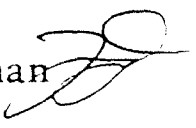
V. COMMITTEE RECOMMENDATIONS

The Committee on Economic-Agricultural Development and Insurance hereby recommends that Bill No. 1, be passed as written in it's entirety.

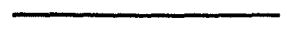
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TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

Bill No. /
Introduced by:

V.C. Pangelinan 

AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.



1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
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3 SECTION 1. Legislative Findings. The Legislature recognizes that
4 while the aquaculture industry on Guam has shown great potential of
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8 entrepreneurs have been reluctant or unable to enter the industry, due to
9 the complex, time-consuming and costly permit application process which
10 can involve getting approvals from as many as ten separate regulatory
11 agencies. A more streamline process of obtaining the necessary approvals
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13 entry into the industry in the territory. Therefore, the Legislature finds it
14 necessary to create an implementation work group which shall be given
15 the responsibility of developing a plan for the establishment of a one-stop
16 aquaculture permit application center.

17 The Department of Commerce has laid much of the groundwork for the
18 development of commercial aquaculture by providing the vitally needed
19 local source of aquaculture seedstock through its successful management of

20 the Guam Aquaculture Development and Training Center. The Department
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22 the aquaculture industry and the regulatory agencies as the coordinator of
23 both the Aquaculture Coordinating Committee and the Aquaculture
24 Industry Advisory Committee. Therefore, the Legislature finds it
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27 **SECTION 2. One-Stop Aquaculture Permit Application Work**
28 **Group.** There is hereby created within the government of Guam the One-
29 Stop Aquaculture Permit Application Work Group, (the "Work Group")., It
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31 departments from which an applicant may need clearance or approval in
32 order to obtain the required permit or permits; one (1) representative
33 from the Department of Commerce; and one (1) representative from the
34 aquaculture industry. The representatives from each agency or
35 department shall be designated by its director or its chief executive officer.
36 The representative from the Department of Commerce shall be the
37 chairperson of the Task Force and as such shall preside over the Task
38 Force's affairs.

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40 authority of the Work Group shall be:

41 (a) **Prepare plan.** To cause to be prepared, through the expertise
42 and analysis of the members of the task Force, a comprehensive plan
43 which shall effectuate the goal of providing the public a One-Stop
44 Aquaculture Permit Application Center;

45 (b) **Application form.** To review and modify the master
46 Aquaculture Permit Application, (the "MAPA"), which was developed by
47 the Department of Agriculture pursuant to P.L. 18-8 for the development
48 of a new comprehensive permit application form which would eliminate
49 the need for all other aquaculture permit application forms currently being
50 used by the regulatory agencies;

51 (c) **Recommendations.** To develop and make detailed
52 recommendations to the Governor and the Legislature, including minority
53 dissenting opinions, if any, regarding any changes, deletions, or additions
54 to the MAPA and the current aquaculture permit application process; and

55 (d) Report. To deliver to the Governor and the Legislature within
56 forty-five (45) days of the enactment of this Act, a written report detailing
57 the plans and recommendations required under subsections (a), (b) and (c)
58 of this section. The report shall include the steps necessary to implement
59 the expedited application process within forty-five (45) days of approval
60 by the Legislature of the Task Force's report.

61 SECTION 4. Assistance by Other Agencies. All agencies,
62 departments, boards, commissions and other instrumentalities of the
63 government of Guam shall render such assistance to the Task Force as the
64 Task Force may require.

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66 designated as the lead agency for the development of the aquaculture
67 industry on Guam and as such, the department of Commerce shall have
68 purview over all matters related to the development of aquaculture
69 industry on Guam.

FEB 07 1995

Bill No. 1
 Amendatory Bill YES NO

Date Received 2-2-95
 Date Reviewed 2-6-95

Department/Agency Affected: Commerce
 Department/Agency Head: Frank Aguon Jr.
 Total FY Appropriation to Date: \$2,113,399

Bill Title (preamble) : AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.

Change in Law: N/A

Bill's Impact on Present Program Funding:
 Increase Decrease Reallocation No Change

Bill is for: Operations Capital Improvement Other (Task Force Permit Center)

FINANCIAL/PROGRAM IMPACT

PROGRAM CATEGORY	ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)		TOTAL
	GENERAL FUND	OTHER	
<u>Economic Development</u>	<u>0</u>		

FUND	ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						TOTAL
	1st	2nd	3rd	4th	5th		
GENERAL FUND	0 (No additional funding required)						
OTHER							
TOTAL	0						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$ N/A
 AGENCY/PERSON/DATE CONTACTED: Commerce / William Fitzgerald / 2-6-95

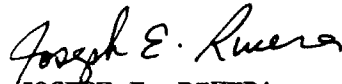
FUND	ESTIMATED POTENTIAL MULTI-YEAR REVENUES						TOTAL
	1st	2nd	3rd	4th	5th		
GENERAL FUND	(No revenue is anticipated from this Act)						
OTHER							
TOTAL							

ANALYST Tano Jess Rivera DATE 2-6-95 DIRECTOR Joseph E. Rivera DATE 2/7/95
Acting Joseph E. Rivera, Acting

COMMENTS:

COMMENTS ON BILL NO. 1

The Bill proposes the creation of a Task Force to plan the development of a "One-Stop Aquaculture Permit Application Center". During the planning stage, existing resources such as the use of printing machine and papers would be used, however negligible in costs. Once the plan is developed, a possible appropriation would be needed for implementation. However, such costs cannot be determined at this time.


JOSEPH E. RIVERA
Acting Director

**Committee on Economic- Agricultural
Development and Insurance**

Twenty-Third Guam Legislature

Senator Joe T. San Agustin, Chairman

Attendance Sheet

February 28, 1995

(Date)

Subject: Public Hearing 7 p.m., Mangilao Community Center; Bill Nos.
1, 22, 66, 69, 78, & 102.

<u>Committee Members:</u>	<u>Present:</u>	<u>Absent</u>	<u>Off-island:</u>
1. Senator Joe T. San Agustin, Chairman	<u> / ✓ /</u>	<u> / /</u>	<u> / /</u>
2. Senator Sonny J. Orsini, Vice-Chairman	<u> / ✓ /</u>	<u> / /</u>	<u> / /</u>
3. Senator John P. Aguon, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>
4. Senator Anthony C. Blaz, Member	<u> / /</u>	<u> / / ●</u>	<u> / /</u>
5. Senator Felix P. Camacho, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>
6. Senator Mark Forbes, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>
7. Senator Carlotta Leon Guerrero, Member	<u> / ✓ /</u>	<u> / /</u>	<u> / /</u>
8. Senator Vicente C. Pangelinan, Member	<u> / ✓ /</u>	<u> / /</u>	<u> / /</u>
9. Speaker Don Parkinson, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>
10. Senator Angel L.G. Santos, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>
11. Senator Francis E. Santos, Member	<u> / /</u>	<u> / /</u>	<u> / /</u>

**Committee on Economic- Agricultural
Development and Insurance**

Twenty-Third Guam Legislature

Senator Joe T. San Agustin, Chairman

Attendance Sheet (continued)

February 28, 1995
(Date)

Other Senators in Attendance:

1. Senator Hope Cristobal
2. Senator Lou Lem Guerrero
3. Senator Mark Chanfauro
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

TESTIMONY:

COMMITTEE ON ECONOMIC-AGRICULTURAL DEVELOPMENT
AND INSURANCE

FEBRUARY 28, 1995

ON:

BILL 1, AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION
WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A
ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE
DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE
DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM

BY:

DEPARTMENT OF COMMERCE

Good evening Mr. Chairman and distinguished Senators, my name is Frank B. Aguon, Jr. and I am the Acting Director of the Department of Commerce.

I would like to express the Department's appreciation for drafting Bill 1 to address the problem of the current permitting process. This is an area of major concern with the Aquaculture Industry Advisory Committee (See Attachment A for AIAC Membership Listing). As you know, we identified this issue as one of the biggest stumbling blocks to aquaculture development for Guam during the June 1994 Governor's Aquaculture Forum and it is uplifting to see that you are taking this action. The Department has taken the initiative to establish a committee of regulatory agencies to address this important issue. We are working to consolidate all regulatory agencies informational needs into one permit application form. However, the passage of Bill No. 1 would reinforce the efforts we have initiated.

Aquaculture is already producing over \$1.6 million in products annually and has the potential to make even greater contributions to our island economy. Despite the fact that annual shrimp production has grown substantially in only 3 years from approximately \$13,000 to \$310,000 in value, most of this growth has taken place in one of the largest farms. Interest in starting new ventures has been high, especially since the establishment of the Guam Aquaculture Development and Training Center, but no new large aquaculture farms have been started, and the number of operating farms has been due to many factors. However, the difficulty of obtaining permits continues to be one of the constraints that have limited the startup of new ventures. In fact, in the last three years more than one-hundred (100) individuals have expressed an interest in starting an



aquaculture venture but only one, Mr. Vicente Taisipic, has continued in the face of a costly, time-consuming, confusing and inconsistent permitting process. Mr. Taisipic has had to endure a process that cost him 3 years time and over \$35,000.

At the 1994 Governor's Aquaculture Forum, certain government agencies continued to express the same bureaucratic response throughout the session that hindered Mr. Taisipic for over three years and resulted in the need for the Forum in the first place. Mr. Taisipic has since been able to obtain his permit because of the highly publicized case of regulatory abuse that came out at the Forum, while other applicants are likely to face a continuing adversarial mind set against the development of new aquaculture farms by the regulatory agencies. We are hopeful that with a one-stop permit process a more positive public service oriented approach will be taken.

In light of this discussion, it is obvious that this industry needs some strong advocates and we are asking that you, your committee, and the rest of the legislature provide the support needed to move this industry forward. Resolution of the problem must go beyond the granting of Mr. Taisipic's permit to insure that a timely, consistent and fair permitting process is established for all future applicants. In this time of fiscal crisis, it is contradictory that agencies seek to hinder the development of new industries that can assist in a much needed economic recovery.

Bill 1 also addresses the more formal designation of Department of Commerce's appointment as the lead for Aquaculture. This was addressed by Governors Bordallo and Ada through an executive order and Memorandum of Understanding and it was previously part of proposed Bill 513 and 1077, along with the recognition of the GADTC as part of the Department of Commerce and the establishment of a GADTC revolving fund. As Bill 513 and 1077 were not introduced for a vote in the 22nd Legislature, we appreciate your re-introducing the issue of Commerce's appointment as the lead agency for aquaculture.

Department of Commerce continues to work diligently to meet the industry's needs. To bring you and the other committee members up-to-date, the department recently received four new grant awards from the Pacific Aquaculture Association, totaling \$127,000. These grants are to be used to carry out the following projects at the GADTC:

- Striped Mullet Hatchery Production and Growout Demonstration (\$35,000)
- Culture of Tropical Marine Aquarium Fishes (\$29,500)
- Identification and Use of Management Methods to Control Competition and Predation by Wild Shrimp and Off-Flavor in Marine Shrimp Farm Ponds (~~\$28,000~~)

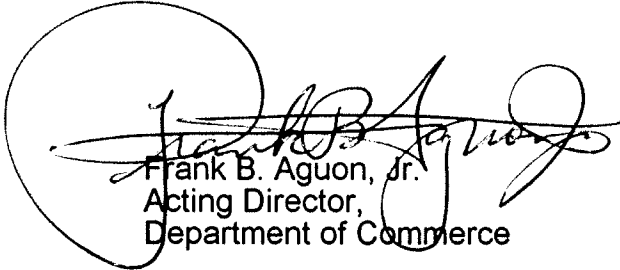
- Improvement of the Production and Profitability of Fresh Water Prawn Culture on Guam (\$35,000)

An additional five grants totaling nearly \$145,000 have been approved for this year.

- Red Tilapia Culture and Marketing (\$34,000)
- Aquaculture Effluent Treatment System (\$34,500)
- Intensive Marine Shrimp Culture Demonstration (\$26,000)
- Catfish Marketing (\$21,030)
- Grouper Culture Development (\$30,800)

As you can see, through the GADTC, we continue to seek ways to diversify aquaculture products and improve the quality and production levels of local farms. These grants are also based on issues brought up by the AIAC.

In closing, we fully support Bill No. 1 and value the efforts you and the Committee members have made to work with my department and the industry to promote and facilitate the development of aquaculture. We hope that we can look forward to the continued support of the Legislature to put forth a concerted effort to insure that the aquaculture industry will achieve its full potential in the future.



Frank B. Aguon, Jr.
Acting Director,
Department of Commerce

AQUACULTURE INDUSTRY ADVISORY COMMITTEE

DEPARTMENT OF COMMERCE
SIXTH FLOOR, GITC BUILDING
TAMUNING, GUAM 96911

John Angoco
HCR Box 16135
Merizo, Guam 96916
TEL: 828-2582
WORK: 477-3581/4

James Badong
P.O.Box 20236
GMF., Guam 96921
TEL: 477-7590

Peter Bautista
USDA-SCS
GCIC Suite 602
414 West Soledad
Agana, Guam 96910
TEL: 477-5940
FAX: 472-7288

John Bernardo
P.O.Box 8535
Tamuning, Guam 96931
TEL: 734-4236
TEL: 339-5111
FAX: 333-2016

Zosef Branch
506 Thomas Street
Tamuning, Guam 96931
TEL: 653-0463
WORK: 646-9468/9

John Brown
CALC
TEL: 734-9119
FAX: 734-6842

Hector Censon
TEL: 632-8742

Mark Charfauros
P.O.Box 1790
Agana, Guam 96910
TEL: 734-2852

Randy Charfauros
General Delivery
Agat, Guam 96915
TEL: 565-4100

Elizabeth Ciupan
Scopes & Concepts
P.O.Box 27189
GMF 96921-7819
TEL: 646-5529
FAX: 646-5448
CEL: 6871037

Dave Crisostomo
CALC
TEL: 734-9119
FAX: 734-6842

Joe Crisostomo
HCR
P.O.Box 17449
Inarajan, Guam 96917
TEL: 828-8250
WORK: 632-2077
FAX: 632-6886

Mike Crisostomo
P.O.Box 7933
Tamuning, Guam 96931
TEL: 649-0379

Don Edquilane
P.O.Box 25453 GMF
Barrigada, Guam 96921
TEL: 477-4394

Roberto Fajardo
P.O.Box 4559
AAFB, Guam 96929
TEL: 653-0115

Alfred Flores
General Delivery
Inarajan, Guam 96917
TEL: 828-8507

Keith Foster
P.O.Box 1428
Agana, Guam 96910

Liu Gang,
Scoop Aquatic Prod. Corp.
P.O.Box 6232
Inarajan, Guam 96917
TEL: 828-8325
FAX: 828-3431

Dan Gregory
P.O.Box 6006
Merizo, Guam 96917
TEL: 828-8393

Roy Gutierrez
P.O. Box 987
Agana, Guam 96910
TEL: 734-3078

Danny Jackson
P.O.Box 26067
Barrigada, Guam 96921
TEL: 632-2857

Mike Lopez
P.O.Box 9242
Dededo, Guam 96929
TEL: 637-4002

Jim McDonald
557 Chalan Macajana
Agana, Guam 96919
TEL: 472-8426
FAX: 472-6062

Fred Mendiola
11 AS Lucas Drive
Talofofo, Guam 96930
TEL: 477-4467

Linh Nguyen
P.O.Box 11298
Yigo, Guam 96929
TEL: 653-3080

Alex Puno
P.O.Box 12007
Tamuning, Guam 96931
TEL: 632-4057
OFFICE: 646-0760
CEL: 687-1588

Danny Saldana
P.O.Box 11434
Tamuning, Guam 96931
TEL: 646-4516

Peter San Nicolas
12 Belmont Avenue
Jonestown
Tamuning, Guam 96911
WORK: 646-5841

Vicente Taisipic
P.O.Box 8757
Yona, Guam 96914
HOME: 789-1937
WORK: 632-2077
FAX: 632-8886

Ariel Tenorio
120 N. GaoGao Court
Liguan Terrace
Dededo, Guam 96912
TEL: 632-8107

George Tsai
Inarajan Aquaculture
Enterprise
P.O.Box 8697
Tamuning, Guam 96911
FARM: 828-8806
MARKET: 646-6302
FAX: 649-7568

Suon Vo
P.O.Box 3839
Agana, Guam 96910
TEL: 565-5635

Ching Hua Wang
Ming-Feng Com Ltd.
HCR Box 17147
Inarajan, Guam 96917
FARM: 789-2642
MARKET: 632-4500

Greg Yamanaka
USDA-SCS
GCIC Suite 602
414 West Soledad Avenue
Agana, Guam 96910
TEL: 477-5940
FAX: 472-7288

TESTIMONY ON BILL NO. 1
AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK
GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP
AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF
COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF
AQUACULTURE INDUSTRY ON GUAM

SUBMITTED BY
GILBERT E. ROBLES,
ACTING ADMINISTRATOR OF THE
GUAM ECONOMIC DEVELOPMENT AUTHORITY

FEBRUARY 28, 1995

GOOD EVENING MR. CHAIRMAN, ESTEEMED MEMBERS OF THE COMMITTEE
ON ECONOMIC AND AGRICULTURAL DEVELOPMENT AND INSURANCE;
LADIES AND GENTLEMEN:

MY NAME IS GILBERT E. ROBLES, DEPUTY ADMINISTRATOR, AND
CURRENTLY, ACTING ADMINISTRATOR OF THE GUAM ECONOMIC
DEVELOPMENT AUTHORITY. I AM HERE TODAY ON THE BEHALF OF THE
AUTHORITY TO PROVIDE TESTIMONY IN SUPPORT OF BILL NO. 1 WHICH
AUTHORIZES THE CREATION OF THE AQUACULTURE PERMIT APPLICATION
WORK GROUP TO FORMULATE THE PLAN FOR THE CREATION OF A ONE-
STOP PERMIT CENTER FOR AQUACULTURAL ACTIVITIES AND DESIGNATES

THE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF THE AQUACULTURE INDUSTRY ON GUAM.

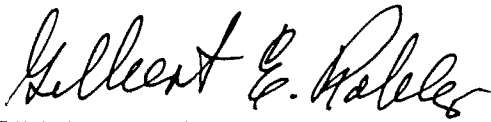
STREAMLINING OF THE REGULATORY PROCESS IN ANY INDUSTRY, BUT ESPECIALLY ONE AS INFANTILE AS AQUACULTURE ON GUAM, ALWAYS SERVES AS AN INCENTIVE FOR INCREASED ECONOMIC ACTIVITY, AND THE ONE STOP PERMIT CENTER REFLECTS THE GROWING TREND OF STREAMLINED REGULATORY PROCESSES, AS EXEMPLIFIED BY THE IMPENDING IMPLEMENTATION OF THE GOVERNMENT OF GUAM'S ONE STOP BUILDING PERMIT CENTER

I WOULD LIKE TO QUALIFY THIS SUPPORT BY STATING GEDA'S POSITION THAT THIS LEGISLATION TAKES A SUBSTANTIAL STEP IN THE DIRECTION OF REMOVING THOSE OBSTACLES WHICH HAVE CONSISTENTLY THWARTED THE EFFORTS OF POTENTIAL AQUACULTURE FARMERS TO ESTABLISH FACILITIES IN THE TERRITORY. BUT, I BELIEVE THAT FOR THIS BILL TO TRULY IMPACT AND SERVE AS AN ECONOMIC STIMULUS FOR AQUACULTURAL DEVELOPMENT ON GUAM, THE LEGISLATION ALSO MUST MANDATE THAT THE GROUP REVIEW AND EVALUATE ALL RULES AND REGULATIONS WHICH APPLY TO THE INDUSTRY AND ARE ADMINISTERED LOCALLY.

THE GOAL OF AN EVALUATION OF CURRENT REGULATORY MANDATES SHOULD BE TO LIFT THOSE REGULATIONS WHICH CREATE AN UNWARRANTED AND UNNECESSARY BURDEN ON THE AQUACULTURAL ENTREPRENEUR.

IN CLOSING I WOULD LIKE TO THANK THE COMMITTEE FOR ALLOWING ME THIS OPPORTUNITY TO TESTIFY ON THE CONCEPT OF THE ONE-STOP AQUACULTURE PERMIT APPLICATION CENTER AND I WOULD LIKE TO REITERATE OUR SUPPORT FOR THE CONCEPT. IT IS OUR STRONG CONVICTION THAT IF THE GOALS ESTABLISHED IN BILL NO. 1 COME TO FRUITION, IT WILL PROVE TO BE AN EFFECTIVE STIMULUS FOR THE GROWTH AND DEVELOPMENT OF A VIABLE AQUACULTURE INDUSTRY FOR GUAM.

THANK YOU.



GILBERT E. ROBLES
ACTING ADMINISTRATOR

COMMITTEE ON ECONOMIC-AGRICULTURAL DEVELOPMENT AND INSURANCE
TWENTY-THIRD GUAM LEGISLATURE
SENATOR JOE T. SAN AGUSTIN, CHAIRMAN

7 P.M
TUESDAY, FEBRUARY 28, 1995
MANGILAO COMMUNITY CENTER

A G E N D A

- I. Call to Order
- II. Introductions of Committee Members
- III. Testimony of Interested Individuals Relative to Bill Nos. 1 and 102.
- IV. Bill No. 1 - AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPT. OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.
- V. Bill No. 102 - AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING FUND WITHIN THE GUAM DEPT. OF COMMERCE FOR THE PURPOSES OF PURCHASING ESSENTIAL EQUIPMENTS, MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE DEVELOPMENT AND TRAINING CENTER.
- VI. Testimony of Interested Individuals Relative to Bill Nos. 22 and 78.
- VII. Bill No. 22 - AN ACT TO ADD A NEW SUBSECTION 62107 TO TITLE 5 OF THE GCA TO REQUIRE THE DEPTS. OF EDUCATION, CORRECTIONS, YOUTH AFFAIRS AND THE GUAM MEMORIAL HOSPITAL TO MAKE MAXIMUM USE OF THE LOCAL PRODUCE AND OTHER FOODSTUFFS.
- VIII. Bill No. 78 - AN ACT ESTABLISHING THE RIGHT TO FARM BY ADDING A NEW SECTION 60353 TO CHAPTER 60, TITLE 5, GCA.
- IX. Testimony of Interested Individuals Relative to Bill Nos. 66 and 69.
- X. Bill No. 66 - AN ACT ADOPTING THE REGIME OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS) WITH RESPECT TO GUAM'S EXCLUSIVE ECONOMIC ZONE (EEZ) AND OTHER RIGHTS AND RESPONSIBILITIES CONTAINED THEREIN.
- XI. Bill No. 69 - AN ACT TO AMEND AND TO REPEAL AND REENACT SUBSECTION 63101 AND SUBSECTION 63115, TITLE 5, GCA RELATIVE TO GIGAO FISHING.
- XII. Adjournment

NOTICE OF PUBLIC HEARING



Twenty-Third Guam Legislature

Senator Joe T. San Agustin

Chairman

*Committee on Economic & Agricultural
Development and Insurance*

Tuesday, February 28, 1995

7:00 p.m.

Mangilao Community Center

Mangilao, Guam

Agenda

- Bill No. 1** AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPT. OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.
- Bill No. 22** AN ACT TO ADD A NEW SUBSECTION 62107 TO TITLE 5 OF THE GCA TO REQUIRE THE DEPTS. OF EDUCATION, CORRECTIONS, YOUTH AFFAIRS AND THE GUAM MEMORIAL HOSPITAL TO MAKE MAXIMUM USE OF THE LOCAL PRODUCE AND OTHER FOODSTUFFS.
- Bill No. 66** AN ACT ADOPTING THE REGIME OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS) WITH RESPECT TO GUAM'S EXCLUSIVE ECONOMIC ZONE (EEZ) AND OTHER RIGHTS AND RESPONSIBILITIES CONTAINED THEREIN.
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- Bill No. 78** AN ACT ESTABLISHING THE RIGHT TO FARM BY ADDING A NEW SECTION 60353 TO CHAPTER 60, TITLE 5, GCA.
- Bill No. 102** AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING FUND WITHIN THE GUAM DEPT. OF COMMERCE FOR THE PURPOSE OF PURCHASING ESSENTIAL EQUIPMENTS, MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE DEVELOPMENT AND TRAINING CENTER.

The public is invited to express their views



Committee on Economic-Agricultural Development and Insurance

TWENTY-THIRD GUAM LEGISLATURE
424 W. O'Brien Dr., Julale Shopping Center, Suite #218
Agaña, Guam 96910
Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

SENATOR JOE T. SAN AGUSTIN (D)
CHAIRMAN

February 9, 1995

MEMORANDUM

TO: All Members, Committee on Economic-Agricultural
Development and Insurance

FROM: Chairman

SUBJECT: Public Hearing - Bills Nos. 1,22,66,69,78,&102

The Committee on Economic-Agricultural Development and Insurance is conducting a public hearing on **Tuesday, February 28, 1995, at 7 p.m., in the Mangilao Community Center on the following Bills:**

- Bill No. 1 - AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.
- Bill No. 22 - AN ACT TO ADD A NEW SUBSECTION 62107 TO TITLE 5 OF THE GUAM CODE ANNOTATED TO REQUIRE THE DEPARTMENTS OF EDUCATION, CORRECTIONS, YOUTH AFFAIRS AND THE GUAM MEMORIAL HOSPITAL TO MAKE MAXIMUM USE OF FRESH LOCAL PRODUCE AND OTHER FOODSTUFFS.
- Bill No. 66 - AN ACT ADOPTING THE REGIME OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS) WITH RESPECT TO GUAM'S EXCLUSIVE ECONOMIC ZONE (EEZ) AND OTHER RIGHTS AND RESPONSIBILITIES CONTAINED THEREIN.
- Bill No. 69 - AN ACT TO AMEND AND TO REPEAL AND REENACT SUBSECTION 63101 AND SUBSECTION 63115, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO GIGAO FISHING.
- Bill No. 78 - AN ACT ESTABLISHING THE RIGHT TO FARM BY ADDING A NEW SECTION 60353 TO CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED.

**Committee on Economic-Agricultural
Development and Insurance
Public Hearing-February 28, 1995
Page 2**

**Bill No.102 - AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING
FUND WITHIN THE GUAM DEPARTMENT OF COMMERCE FOR
THE PURPOSE OF PURCHASING ESSENTIAL EQUIPMENTS,
MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE
DEVELOPMENT AND TRAINING CENTER.**

Your presence at this hearing is appreciated. Thank you for
your attention to this matter.


JOE T. SAN AGUSTIN

cc: Executive Director
Protocol Office
Audio
Archives
Legal
Security
Maintenance
All Senators
Media



**Committee on Economic Agricultural
Development and Insurance**

TWENTY-THIRD GUAM LEGISLATURE
424 W. O'Brien Dr., Julale Shopping Center, Suite #218
Agaña, Guam 96910
Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

SENATOR JOE T. SAN AGUSTIN (D)
CHAIRMAN

February 9, 1995

Dr. John C. Salas
President
President's Office
University of Guam
UOG Station
Mangilao, Guam 96923

Dear Dr. Salas:

The Committee on Economic-Agricultural Development and Insurance is conducting a public hearing on **Tuesday, February 28, 1995, at 7 p.m., in the Mangilao Community Center on the following Bills:**

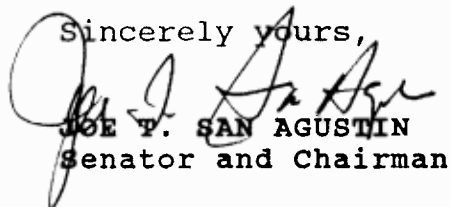
Bill No. 1 - AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.

Bill No. 102 - AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING FUND WITHIN THE GUAM DEPARTMENT OF COMMERCE FOR THE PURPOSE OF PURCHASING ESSENTIAL EQUIPMENTS, MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE DEVELOPMENT AND TRAINING CENTER.

As these Bills directly affect the development of the Territory, you are cordially invited to testify and present your opinion and comments. Copies of the Bills are enclosed for your disposition. The Committee would appreciate receiving twenty (20) copies of your testimony prior to the hearing.

Thank you and we look forward to seeing you at the hearing.

Sincerely yours,


JOE T. SAN AGUSTIN
Senator and Chairman

Enclosures



Committee on Economic-Agricultural Development and Insurance

TWENTY-THIRD GUAM LEGISLATURE
424 W. O'Brien Dr., Julale Shopping Center, Suite #218
Agaña, Guam 96910
Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

SENATOR JOE T. SAN AGUSTIN (D)
CHAIRMAN

February 9, 1995

Mr. Gilbert E. Robles
Acting Administrator
Guam Economic Development Authority
P. O. Box 3280
Agana, Guam 96910

Dear Mr. Robles:

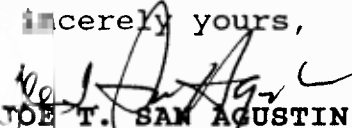
The Committee on Economic-Agricultural Development and Insurance is conducting a public hearing on **Tuesday, February 28, 1995, at 7 p.m., in the Mangilao Community Center on the following Bills:**

- Bill No. 1 - AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.
- Bill No. 102 - AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING FUND WITHIN THE GUAM DEPARTMENT OF COMMERCE FOR THE PURPOSE OF PURCHASING ESSENTIAL EQUIPMENTS, MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE DEVELOPMENT AND TRAINING CENTER.

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Thank you and we look forward to seeing you at the hearing.

Sincerely yours,


JOE T. SAN AGUSTIN
Senator and Chairman

Enclosures



Committee on Economic-Agricultural Development and Insurance

TWENTY-THIRD GUAM LEGISLATURE
424 W. O'Brien Dr., Julale Shopping Center, Suite #218
Agaña, Guam 96910
Tel: (671) 477-8527/9120 • Fax: (671) 477-5570

SENATOR JOE T. SAN AGUSTIN (D)
CHAIRMAN

February 9, 1995

Mr. Frank B. Aguon, Jr
Acting Director
Department of Commerce
591 South Marine Drive
Suite 601, 6th Floor, GITC Building
Tamuning, GU 96911

Dear Mr. Aguon:

The Committee on Economic-Agricultural Development and Insurance is conducting a public hearing on **Tuesday, February 28, 1995, at 7 p.m., in the Mangilao Community Center on the following Bills:**

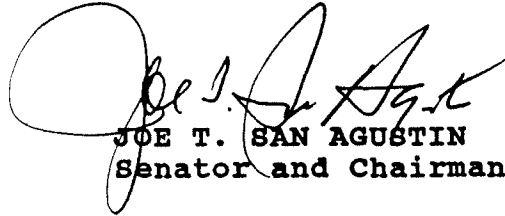
- Bill No. 1 - AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.
- Bill No. 66 - AN ACT ADOPTING THE REGIME OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS) WITH RESPECT TO GUAM'S EXCLUSIVE ECONOMIC ZONE (EEZ) AND OTHER RIGHTS AND RESPONSIBILITIES CONTAINED THEREIN.
- Bill No. 69 - AN ACT TO AMEND AND TO REPEAL AND REENACT SUBSECTION 63101 AND SUBSECTION 63115, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO GIGAO FISHING.
- Bill No. 102 - AN ACT TO ESTABLISH A CAPITOL OUTLAY REVOLVING FUND WITHIN THE GUAM DEPARTMENT OF COMMERCE FOR THE PURPOSE OF PURCHASING ESSENTIAL EQUIPMENTS, MATERIALS AND SUPPLIES FOR THE GUAM AQUACULTURE DEVELOPMENT AND TRAINING CENTER.

Mr. Frank B. Aguon, Jr
Acting Director
Department of Commerce
February 9, 1995
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As these Bills directly affect the development of the territory, you are cordially invited to testify and present your opinion and comments. Copies of the Bills are enclosed for your disposition. The Committee would appreciate receiving twenty (20) copies of your testimony prior to the hearing.

Thank you and we look forward to seeing you at the hearing.

Sincerely yours,



JOE T. SAN AGUSTIN
Senator and Chairman

Enclosures

FEB 6 1995

Bill No. 1
 Amendatory Bill YES NO

Date Received 2-2-95
 Date Reviewed 2-6-95

Department/Agency Affected: Commerce
 Department/Agency Head: Frank Aguon Jr.
 Total FY Appropriation to Date: \$2,113,399

Bill Title (preamble) : AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.

Change in Law: N/A

Bill's Impact on Present Program Funding:
 Increase Decrease Reallocation No Change

Bill is for: Operations Capital Improvement Other (Task Force Permit Center)

FINANCIAL/PROGRAM IMPACT

PROGRAM CATEGORY	ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)		TOTAL
	GENERAL FUND	OTHER	
Economic Development	0		

FUND	ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
	1st	2nd	3rd	4th	5th	TOTAL	
GENERAL FUND	0 (No additional funding required)						
OTHER							
TOTAL							

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$ N/A
 AGENCY/PERSON/DATE CONTACTED: Comerccce / William Fitzgerald / 2-6-95

FUND	ESTIMATED POTENTIAL MULTI-YEAR REVENUES					
	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	(No revenue is anticipated from this Act)					
OTHER						
TOTAL						


ANALYST Tano Jess Rivera DATE 2-6-95 DIRECTOR Joseph E. Rivera DATE 2/7/95
Tano Jess Rivera Joseph E. Rivera, Acting

COMMENTS:

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

JAN 02 95

Bill No. 1 (LS)
Introduced by:

V.C. Pangelinan 

AN ACT TO CREATE THE AQUACULTURE PERMIT APPLICATION WORK GROUP TO FORMULATE A PLAN FOR THE ESTABLISHMENT OF A ONE-STOP AQUACULTURE PERMIT CENTER AND TO DESIGNATE DEPARTMENT OF COMMERCE AS THE LEAD AGENCY FOR THE DEVELOPMENT OF AQUACULTURE INDUSTRY ON GUAM.

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

3 SECTION 1. Legislative Findings. The Legislature recognizes that
4 while the aquaculture industry on Guam has shown great potential of
5 becoming a significant contributor to the island's economy, further growth
6 and expansion of the industry has been seriously hampered by the
7 complicated permit application process. Many prospective farmers and
8 entrepreneurs have been reluctant or unable to enter the industry, due to
9 the complex, time-consuming and costly permit application process which
10 can involve getting approvals from as many as ten separate regulatory
11 agencies. A more streamline process of obtaining the necessary approvals
12 from the numerous regulatory agencies is needed to reduce the barriers of
13 entry into the industry in the territory. Therefore, the Legislature finds it
14 necessary to create an implementation work group which shall be given
15 the responsibility of developing a plan for the establishment of a one-stop
16 aquaculture permit application center.

17 The Department of Commerce has laid much of the groundwork for the
18 development of commercial aquaculture by providing the vitally needed
19 local source of aquaculture seedstock through its successful management of

20 the Guam Aquaculture Development and Training Center. The Department
21 of Commerce has also been in the forefront in facilitating dialogue between
22 the aquaculture industry and the regulatory agencies as the coordinator of
23 both the Aquaculture Coordinating Committee and the Aquaculture
24 Industry Advisory Committee. Therefore, the Legislature finds it
25 appropriate for the Department of Commerce to be designated as the lead
26 agency in developing the aquaculture industry on Guam.

27 SECTION 2. One-Stop Aquaculture Permit Application Work
28 Group. There is hereby created within the government of Guam the One-
29 Stop Aquaculture Permit Application Work Group, (the "Work Group")., It
30 will consist of one (1) representative from each of the agencies or
31 departments from which an applicant may need clearance or approval in
32 order to obtain the required permit or permits; one (1) representative
33 from the Department of Commerce; and one (1) representative from the
34 aquaculture industry. The representatives from each agency or
35 department shall be designated by its director or its chief executive officer.
36 The representative from the Department of Commerce shall be the
37 chairperson of the Task Force and as such shall preside over the Task
38 Force's affairs.

39 SECTION 3. Duties of the Work Group. The responsibilities and
40 authority of the Work Group shall be:

41 (a) Prepare plan. To cause to be prepared, through the expertise
42 and analysis of the members of the task Force, a comprehensive plan
43 which shall effectuate the goal of providing the public a One-Stop
44 Aquaculture Permit Application Center;

45 (b) Application form. To review and modify the master
46 Aquaculture Permit Application, (the "MAPA"), which was developed by
47 the Department of Agriculture pursuant to P.L. 18-8 for the development
48 of a new comprehensive permit application form which would eliminate
49 the need for all other aquaculture permit application forms currently being
50 used by the regulatory agencies;

51 (c) Recommendations. To develop and make detailed
52 recommendations to the Governor and the Legislature, including minority
53 dissenting opinions, if any, regarding any changes, deletions, or additions
54 to the MAPA and the current aquaculture permit application process; and

55 (d) Report. To deliver to the Governor and the Legislature within
56 forty-five (45) days of the enactment of this Act, a written report detailing
57 the plans and recommendations required under subsections (a), (b) and (c)
58 of this section. The report shall include the steps necessary to implement
59 the expedited application process within forty-five (45) days of approval
60 by the Legislature of the Task Force's report.

61 SECTION 4. Assistance by Other Agencies. All agencies,
62 departments, boards, commissions and other instrumentalities of the
63 government of Guam shall render such assistance to the Task Force as the
64 Task Force may require.

65 SECTION 5. Lead Agency. The Department of Commerce is hereby
66 designated as the lead agency for the development of the aquaculture
67 industry on Guam and as such, the department of Commerce shall have
68 purview over all matters related to the development of aquaculture
69 industry on Guam.