



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

DEC 01 1997


Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Bill No. 157 (LS), "AN ACT TO CREATE THE HAGATNA RESTORATION AND REDEVELOPMENT AUTHORITY.", which was vetoed by the Governor and overridden by the Legislature on November 21, 1997, which I have designated to be **Public Law No. 24-110**.

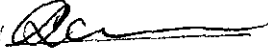
Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

00554

Attachment

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	12:30 p.m.
Date	12/1/97

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 12-01-97
Time: 11:12 am
Rec'd by: 
Print Name: Charlene Duena

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 157 (LS), "AN ACT TO CREATE THE HAGATNA RESTORATION AND REDEVELOPMENT AUTHORITY," returned to the Guam Legislature without approval of the Governor, was reconsidered by the Guam Legislature and after such reconsideration, the Guam Legislature did, on the 21st day of November, 1997, agree to pass said bill notwithstanding the objection of the Governor by a vote of nineteen (19) members.



ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by the Governor this 25th day of November, 1997, at
11:45 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

Public Law No. 24-110

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 157 (LS)

As amended by the Committee on
Rules, Government Reform and
Federal Affairs and as amended
on the Floor.

Introduced by:

A. R. Unpingco
A. C. Blaz
L. Leon Guerrero
E. J. Cruz
Felix P. Camacho
C. A. Leon Guerrero
F. E. Santos
J. C. Salas
L. F. Kasperbauer
Francisco P. Camacho
F. B. Aguon, Jr.
M. C. Charfauros
T. C. Ada
E. Barrett-Anderson
J. M.S. Brown
W. B.S.M. Flores
Mark Forbes
A. C. Lamorena, V
V. C. Pangelinan
A. L.G. Santos
J. Won Pat-Borja

AN ACT TO CREATE THE HAGATNA
RESTORATION AND REDEVELOPMENT
AUTHORITY.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings.** The Guam Legislature finds that
2 United States Military Forces bombed and leveled Hagatna during World
3 War II. Although the military government laid out plans partitioning and
4 subdividing Hagatna into blocks, and constructed a sewer system and laid
5 out roads, by and large Hagatna was never restored or redeveloped.
6 Buildings were constructed here and there, a helter/skelter situation.
7 Fractional lots resulted from the military government's subdivision of
8 Hagatna. Landowners were never able to utilize their lots because they were
9 extremely small, and/or landlocked and therefore unusable. Hagatna is
10 characterized by properties which suffer from economic dislocation,
11 deterioration and disuse because of irregular forms and shapes and
12 inadequate sizes for proper usefulness and development. As a result there
13 exists a reduction of, or lack of, proper utilization of Hagatna to such an
14 extent that it constitutes a serious physical, social or economic burden on the
15 community of Hagatna which cannot reasonably be expected to be reversed
16 or alleviated by private enterprise acting alone.

17 The Guam Legislature further finds that:

18 (a) Hagatna is a blighted area and constitutes a serious and
19 growing menace which is condemned as injurious and inimical to the
20 public health, safety and welfare of Hagatna in which they exist and of
21 the people of Guam.

22 (b) Such blighted area presents difficulties and handicaps which
23 are beyond remedy and control solely by a regulatory processes in the
24 exercise of police power.

1 (c) They contribute substantially and increasingly to the
2 problems of, and necessitate excessive and disproportionate
3 expenditures for, crime prevention, correction, prosecution and
4 punishment; the treatment of juvenile delinquency; the preservation of
5 the public health and safety; and the maintaining of adequate police,
6 fire, and accident protection and other public services and facilities.

7 (d) This menace is becoming increasingly direct and substantial
8 in its significance and effect.

9 (e) The benefits which will result from the remedying of such
10 conditions and the restoration and redevelopment of Hagatna will
11 accrue to all the residents of Guam.

12 The Guam Legislature also finds and declares that:

13 (a) Such conditions of blight in Hagatna tend to further
14 obsolescence, deterioration and disuse because of the lack of incentive
15 to the individual landowner and his inability to improve, modernize or
16 rehabilitate his property while the condition of the neighboring
17 properties remains unchanged.

18 (b) As a consequence the process of deterioration of Hagatna
19 frequently cannot be halted or corrected except by redeveloping the
20 entire area, or substantial portions of it.

21 (c) The remedying of such conditions may require the public
22 acquisition at fair prices of adequate areas, the clearance of the area
23 through demolition of existing obsolete, inadequate, unsafe, and
24 unsanitary buildings, and the redevelopment of the areas suffering from

1 such conditions under proper supervision, with appropriate planning,
2 and continuing land use and construction policies.

3 For the foregoing reasons it is declared to be the policy of Guam:

4 (a) To protect and promote the restoration and development
5 and redevelopment of Hagatna and the general welfare of the people of
6 Guam by remedying such injurious conditions through the employment
7 of all appropriate means.

8 (b) That whenever the redevelopment of Hagatna cannot be
9 accomplished by private enterprise alone, without public participation
10 and assistance in the acquisition of land, in planning and in the
11 financing of land assembly, in the work of clearance, and in the making
12 of improvements necessary therefor, it is in the public interest to employ
13 the power of eminent domain, to advance or expend public funds for
14 these purposes, and to provide a means by which Hagatna may be
15 redeveloped, restored or rehabilitated.

16 (c) That the redevelopment of Hagatna and the provisions for
17 appropriate continuing land use and construction policies in them
18 constitute public uses and purposes for which public money may be
19 advanced or expended and private property acquired, and are
20 governmental functions of government concern in the interest of health,
21 safety, and welfare of the people of Guam.

22 (d) That the necessity in the public interest for the provisions of
23 this part is declared to be a matter of legislative determination.

24 In addition, the Guam Legislature hereby declares it to be the policy of
25 Guam that in undertaking the restoration of Hagatna shall be no

1 discrimination because of race, color, religion, sex, marital status, national
2 origin or ancestry.

3 **Section 2.** A new Chapter 79 is hereby added to Title 21 of the Guam
4 Code Annotated to read as follows:

5 **"CHAPTER 79.**

6 **ARTICLE 1.**

7 **HAGATNA RESTORATION AND REDEVELOPMENT.**

8 **Section 79101. Name of Act.** This Act may be known as the,
9 'Hagatna Restoration and Redevelopment Act.'

10 **Section 79102. Definitions.** For the purposes of this Chapter:

11 (a) **'Authority'** means the Restoration and Redevelopment
12 Authority created by this Act.

13 (b) **'Hagatna'** means the Municipality of Hagatna as defined in
14 §403 of Title 1 of the Guam Code Annotated.

15 (c) **'Restoration and Redevelopment'**. Restoration and
16 Redevelopment means the planning, development, replanning,
17 redesign, clearance, reconstruction, or rehabilitation, or any
18 combination of these, of all Hagatna, and the provision of such
19 residential, commercial, industrial, public, or other structures or spaces
20 as may be appropriate or necessary in the interest of the general welfare,
21 including recreational and other facilities incidental or appurtenant to
22 them.

23 **Section 79103. Projects Included in Restoration and**
24 **Redevelopment.** Restoration and Redevelopment include:

1 (a) The alteration, improvement, modernization, reconstruction,
2 or rehabilitation or any combination of these, of existing structures in
3 Hagatna.

4 (b) Provision for open-space types of use, such as streets and
5 other public grounds and space around buildings, and public or private
6 buildings, structures and improvements, and improvements of public or
7 private recreation areas and other public grounds.

8 (c) The re-planning or redesign or original development of
9 areas in Hagatna as to which either of the following conditions exist.

10 (1) The areas are stagnant or improperly utilized
11 because of defective or inadequate street layout, faulty lot
12 layout in relation to size, shape, or accessibility, or
13 usefulness, or for other causes.

14 (2) The areas require re-planning and land assembly
15 for reclamation or development in the interest of the general
16 welfare because of widely scattered ownership, tax
17 delinquency, or other reasons.

18 **Section 79104. Continuance of Existing Buildings.** Restoration
19 and Redevelopment do not exclude the continuance of existing
20 buildings or uses whose demolition and rebuilding or change of use are
21 not deemed essential to the redevelopment and rehabilitation of
22 Hagatna.

23 ARTICLE 2.

24 DECLARATION OF POLICY.

1 **Section 79201. Reasons for Necessity of Decent Housing and**
2 **Genuine Employment Opportunities.** The Guam Legislature finds and
3 declares that decent housing and genuine employment opportunities for
4 all the people of Guam are vital to the Guam's future peace and
5 prosperity, for all of the following reasons:

6 (a) Hazardous, congested and unsanitary housing
7 debilitates occupants' health to the point of impairing motivation
8 and achievement.

9 (b) Lack of employment opportunity creates despair and
10 frustration which may precipitate violence.

11 (c) Unfit housing and lack of employment opportunity
12 depend on each other to perpetuate a system of dependency and
13 hopelessness which drains Guam of its valuable financial and
14 human resources.

15 **Section 79202. Fundamental Purpose of Redevelopment.** The
16 Guam Legislature further finds and declares that a fundamental
17 purpose of redevelopment is to expand the supply of low- and
18 moderate-income housing, to expand employment opportunities for
19 jobless, underemployed, and low-income persons, and to provide an
20 environment for the social, economic, and psychological growth and
21 well-being of all citizens.

22 **ARTICLE 3.**

23 **ESTABLISHMENT AND PLAN.**

24 **Section 79301. Establishment.** There is within, and a public
25 corporation and autonomous instrumentality of, the government of

1 Guam, the "HAGATNA RESTORATION & REDEVELOPMENT
2 AUTHORITY." The powers, rights, privileges, functions and duties of
3 the Authority shall be vested in seven (7) Commissioners. The
4 Commissioners shall be appointed by the Governor by and with the
5 advice and consent of the Guam Legislature, to serve for a term of five
6 (5) years.

7 (a) Before taking office or entering on duty, each Commissioner,
8 as well as each employee of the Authority, shall take the oath of office
9 required of all officers and employees of the government of Guam.

10 (b) Any Commissioner may be removed by the Governor for
11 inefficiency, neglect of duty or misconduct in office, after a hearing
12 before the Governor or a hearing officer specially designated by him for
13 the purpose.

14 (c) A Commissioner shall receive no compensation for his
15 services, but shall be entitled to payment of official travel costs and
16 reimbursement of expenses actually and necessarily incurred in the
17 discharge of his duties and functions.

18 (d) The Governor shall designate a Chairman and Vice-
19 Chairman from among the Commissioners. The Commissioners shall
20 constitute the Board of Commissioners of the Authority. The Board
21 may employ an Executive Director of the Authority who shall serve at
22 the pleasure of the Board, technical experts, such other officers, agents
23 and employees, permanent and temporary, as it may deem necessary,
24 and shall determine their qualifications, duties, tenure and
25 compensation. For such legal service as it may require, the Authority

1 may employ or retain its own counsel and legal staff. The Authority
2 may delegate to one (1) or more of its officers, agents or employees, such
3 powers and duties as it may deem proper. The Board shall adopt
4 personnel rules pursuant to 4 GCA §4105 and §4106.

5 (e) Four (4) Commissioners shall constitute a quorum of the
6 Board of Commissioners of the Authority for the purpose of conducting
7 the business of the Authority and exercising its powers, and for all other
8 purposes. A vote of the majority of Commissioners present at any
9 meeting of the Board shall prevail.

10 (f) Non-voting ex-officio members shall include representatives
11 from the Department of Parks and Recreation, the Richard F. Taitano
12 Micronesian Area Research Center, the Chamorro Language
13 Commission, the Department of Land Management and the Guam
14 Preservation Trust. These members shall provide technical assistance to
15 insure accuracy in the development of the Plan.

16 **Section 79302. Hagatna Restoration and Redevelopment Plan.**

17 The Authority shall develop a Plan (the "Plan") to carry out the
18 purposes of this Chapter, which shall include the planning, preparation,
19 development, construction, acquisition, lease, disposition,
20 reconstruction, improvement, alteration, extension, repair, maintenance
21 and operation of the Hagatna Restoration and Redevelopment Project
22 (the "Project"); shall include the terms and conditions for the reuse of the
23 properties; shall include standard of eligibility for ownership or
24 occupancy of housing, dwellings and facilities; shall include installation,
25 construction or reconstruction of streets, utilities, parks, playgrounds

1 and other public improvements. In developing the Plan, the Authority
2 is authorized to conduct surveys, appraisals, soundings, test borings or
3 any other technical investigations.

4 **Section 79303. Powers and Duties of the Authority.** The
5 Authority shall have all the powers necessary and convenient to carry
6 out and perform the purposes and provisions of this Chapter, except the
7 power to levy and collect taxes or special assessments, including the
8 following, in addition to other powers granted in this Article, and may:

9 (1) sue and be sued;

10 (2) have a seal and modify it;

11 (3) enter into and execute contracts and instruments of
12 every kind and nature, necessary or convenient to the exercise of
13 its powers and functions;

14 (4) make, and from time to time modify and repeal,
15 bylaws, rules and regulations, not inconsistent with this Article,
16 providing for the internal organization and management of the
17 Authority, for the administration of its affairs and operations, and
18 for carrying into effect the powers and purposes of the Authority;

19 (5) borrow money from public and private sources and
20 give such security therefor as may be required;

21 (6) apply for and accept advances, loans, grants,
22 contributions, gifts, donations, appropriations of funds and any
23 other form of financial assistance from the Federal Government,
24 the government of Guam, or other public body of agency, or from

1 any sources, public or private, for the purposes of this Article,
2 and enter into and carry out contracts in connection therewith;

3 (7) deposit funds in banking institutions which are
4 members of the Federal Deposit Insurance Corporation;

5 (8) invest funds in property or securities approved for
6 investment by the Federal Government or the government of
7 Guam;

8 (9) therein, by lease, option, purchase, gift, grant, donation,
9 appropriation, bequest, devise or by the exercise of eminent
10 domain or otherwise;

11 (10) own, hold, improve, clear or prepare for
12 redevelopment any such property;

13 (11) sell, lease, exchange, transfer, assign, mortgage, pledge
14 or otherwise dispose of, or encumber any real or personal
15 property, or any interest or estate in such;

16 (12) acquire by condemnation any interest in real property,
17 including a fee simple title thereto, which the Authority may deem
18 necessary for, or in connection with, any project under this Article;
19 provided, that as a condition to the exercise of the power of
20 eminent domain to acquire any real property or interest therein
21 which the Authority may deem necessary for its purposes under
22 this Article, the Authority shall first adopt a resolution finding
23 and declaring that the acquisition of such property is necessary for
24 such purposes;

1 (13) exercise the power of eminent domain in the manner
2 now or which may be hereafter provided by law for the exercise of
3 such power by the government of Guam, except that the
4 complaint in eminent domain proceedings shall be brought in the
5 name of and on behalf of the Authority as plaintiff and title to the
6 property shall vest in the Authority;

7 (14) notwithstanding any other provision of law, to
8 establish zones and boundaries, after public hearing, regulating
9 buildings and structures and the nature and extent of their use, so
10 that the Project may be developed in an orderly manner in
11 accordance with the Plan.

12 (15) provide or arrange or contract for the furnishing or
13 repair by any person or agency, public or private, of services,
14 privileges, works, streets, roads, public utilities or other facilities
15 of every kind and nature, for and in connection with the
16 preparation, planning, development, construction, operation and
17 disposition of the Project;

18 (16) install, construct and reconstruct streets, utilities,
19 parks, playgrounds and other public improvements;

20 (17) insure or provide for the insurance, in any stock or
21 mutual company or any public or private insurance facility, of any
22 real or personal property or operations of the Authority, against
23 any risks and hazards;

1 (18) cooperate with, and participate in activities of local,
2 regional or national agencies, organizations, institutions or other
3 official or unofficial bodies engaged in the same related fields;

4 (19) lease any dwellings, accommodations, land, structures
5 or facilities embraced in the Project;

6 (20) clear or prepare any property owned by it for
7 redevelopment, conservation or rehabilitation;

8 (21) make such expenditures, subject to the provisions of
9 this Article or any other applicable law, regulation or restriction,
10 as may be necessary for the activities and operations of the
11 Authority and carry out the purposes of this Article; and

12 (22) conduct examinations and investigation on any
13 matters material to the functions or operations of the Authority.

14 **Section 79304. Approval by the Governor and the Guam**
15 **Legislature.** The Authority shall submit the Plan to the Governor who,
16 if he approves the same, shall transmit the Plan to the Guam Legislature
17 in the form of a bill for adoption, amendment, modification or rejection
18 by the Guam Legislature. Such Plan shall not be effective until either
19 approved by statute or it shall have complied with the provisions of this
20 law and forty-five (45) calendar days have elapsed from the date of
21 receipt by the Guam Legislature of its transmittal, and two (2) legislative
22 days have elapsed after the elapse of the forty-five (45) calendar days.
23 The Legislative Secretary may request that the Authority submit all or
24 part of the record of any public hearings on the Plan. The Guam
25 Legislature may approve, disapprove or amend said Plan so transmitted

1 within the combined period of the forty-five (45) calendar days and two
2 (2) legislative days.

3 **ARTICLE 4.**
4 **BONDS.**

5 **Section 79401. Issuance of Bonds, Terms and Conditions**
6 **Generally.**

7 (a) The Authority shall have the power to issue bonds, from time
8 to time, in its discretion, for any of its corporate purposes. The
9 Authority shall also have power to issue refunding bonds for the
10 purpose of paying or retiring bonds previously issued by it. The
11 Authority may issue refunding bonds for the purpose of paying or
12 retiring bonds previously issued by it. The Authority may issue such
13 types of bonds as it may determine, including, without limiting the
14 generality of the foregoing, bonds on which the principal and interest
15 are payable exclusively from the income and revenues of the Project, or
16 from its revenues generally.

17 (b) Any such bonds may be additionally secured by a pledge of
18 any loan, grant or contribution, or parts thereof, from the Federal
19 Government or other sources, or a pledge of any income or revenue of
20 the Authority, or mortgage of any project, or part thereof, or other
21 property of the Authority.

22 (c) Neither the Commissioners of the Authority nor any person
23 executing the bonds shall be personally liable on the bonds by reason of
24 the issuance of the bonds.

1 (d) The bonds and their obligations of the Authority shall not be a
2 debt of Guam and in no event shall such bonds or obligations be
3 payable out of any funds or properties other than those of the
4 Authority, and they shall not constitute an indebtedness within the
5 meaning of any debt limitation or restriction.

6 (e) Bonds of the Authority are declared to be issued for an
7 essential public and governmental purpose and, together with interest
8 thereon and income therefrom, are exempt from all taxes. The
9 provisions of this Article exempting from taxation the Authority, its
10 Property, and its bonds and interest thereon and income therefrom,
11 shall be considered part of the security for the repayment of the bonds
12 and shall constitute, by virtue of this Article and without necessity of
13 being restated in the bonds, a contract between the bondholders, and
14 each and everyone of them, including all transferees of said bonds from
15 time to time, on the one hand, and the Authority and Guam on the
16 other.

17 **Section 79402. Maturity of Bonds; Interest; Sale; Validity;**
18 **Actions Involving Bonds.**

19 (a) Bonds of the Authority shall be authorized by its resolution,
20 may be issued in one (1) or more series and shall be offered, awarded
21 and executed in such manner, bear such date or dates, mature at such
22 time or times, bear interest at such rate or rates, not exceeding the most
23 recently published rate at which the U.S. Department of Treasury sells
24 its treasury bills per annum, be in such denomination or denominations,
25 be in such form, bearer, order, coupon or registered, carry such

1 conversion or registration privileges, have such rank or priority, be
2 payable in such medium of payment, at such place or places, and be
3 subject to such terms of redemption, with or without premium, as such
4 resolution of the Authority, trust indenture or mortgage may provide,
5 and shall be fully negotiable.

6 (b) The bonds may be sold at a public or private sale at not less
7 than par.

8 (c) In case any of the Commissioners or officers of the Authority
9 whose signatures appear on any bonds or coupons shall cease to be
10 such Commissioners or officers before the delivery of the bonds, their
11 signatures shall, nevertheless, be valid and sufficient for all purposes,
12 the same as if the Commissioners or officers had remained in office until
13 such delivery.

14 (d) In any suit, action or proceeding involving the validity or
15 enforceability of any bond of the Authority or the security therefor, any
16 such bond reciting in substance that it has been issued by the Authority
17 to aid in financing a project as defined in this Article, shall be
18 conclusively deemed to have been issued for such purpose, and the
19 project shall be conclusively deemed to have been planned, located and
20 carried out in accordance with the purposes and provisions of this
21 Article.

22 (e) (1) When the Authority sells bonds at a private sale, no
23 person standing in a fiduciary relationship with the Authority shall
24 purchase any of the bonds.

1 (2) As used in this Subsection, "person" means a natural
2 person, corporation, partnership, trust or the employer of a natural
3 person.

4 (3) If the provisions of this Subsection are violated, then the
5 sale of the bonds to the violating person shall be deemed null and void
6 ab initio.

7 **Section 79403. Powers of Authority With Respect to Bonds or**
8 **Obligations.** In connection with the issuance of bonds or the incurring
9 of obligations, and in order to secure the payment of such bonds or
10 obligations, the Authority, in addition to its other powers, may:

11 (1) pledge all or any part of its gross or net rents, fees or
12 revenues, to which its right then exists, or may thereafter come into
13 existence;

14 (2) mortgage all or any part of its real or personal property, then
15 owned or thereafter acquired;

16 (3) covenant against pledging all or any part of its rents, fees
17 and revenues, or against mortgaging all or any part of its real or
18 personal property, to which its right or title then exists or may thereafter
19 come into existence or against permitting or suffering any lien on such
20 revenues or property; covenant with respect to limitations on its right
21 to sell, lease or otherwise dispose of any project or any part thereof; and
22 covenant as to what other, or additional debts or obligations may be
23 incurred by it;

24 (4) covenant as to the bonds to be issued and as to the issuance
25 of such bonds in escrow or otherwise, and as to the use and disposition

1 of the proceeds thereof; provide for the replacement of lost, destroyed or
2 mutilated bonds; covenant against extending the time of the payment of
3 its bonds or interest thereon; and to covenant for redemption of the
4 bonds and to provide the term and conditions thereof;

5 (5) covenant subject to the limitations contained in this Article,
6 as to the rents and fees to be charged in the operation of projects, the
7 amount to be raised each year or other period of time by rents, fees and
8 other revenues, and as to the use and disposition to be made thereof;
9 create or authorize the creation of special funds for moneys held for
10 construction or operating costs, debt services, reserves or other purpose,
11 and covenant as to the use and disposition of the moneys held in such
12 funds;

13 (6) prescribe the procedure, if any, by which the terms of any
14 contract with bondholders may be amended or abrogated, the amount
15 of bonds the holders of which must consent thereto and the manner in
16 which such consent may be given;

17 (7) covenant as to the use, maintenance and replacement of any
18 or all of its real or personal property, the insurance to be carried
19 thereon, and the use and disposition of insurance moneys;

20 (8) covenant as to the rights, liabilities, powers and duties
21 arising upon the breach by it of any covenant, condition or obligation;
22 and covenant and prescribed as to events of default and terms and
23 conditions upon which any or all of its bonds or obligations shall
24 become or may be declared due before maturity, and as to the terms and

1 conditions upon which such declaration and its consequences may be
2 waived;

3 (9) vest in any obligee of the Authority the right to enforce the
4 payment of the bonds or any covenants securing or relating to the
5 bonds; vest in an obligee or obligees holding a specified amount in
6 bonds the right, in the event of a default by the Authority, to take
7 possession of and use, operate and manage any project or any part
8 thereof or any funds connected therewith, and to collect the rents and
9 revenues arising therefrom, and to dispose of such moneys in
10 accordance with the agreement of the Authority with said obligees;
11 provide for the powers and duties of such obligees and limit the
12 liabilities thereof; and provide the terms and conditions upon which
13 such obligees may enforce any covenant or rights securing or relating to
14 the bonds; and

15 (10) exercise all or any part or combination of the powers herein
16 granted; make covenants and do any and all such acts and things as
17 may be necessary or convenient or desirable in order to secure its bonds,
18 or in the absolute discretion of the Authority, as will tend to make the
19 bonds more marketable notwithstanding that such covenants, acts or
20 things may not be enumerated herein.

21 **Section 79404. Rights of Obligee.** An obligee of the Authority, in
22 addition to all other rights which may be conferred on such obligee,
23 subject only to any contractual restrictions binding upon him, may, by a
24 civil action:

1 (1) compel the Authority and the Commissioners, officers,
2 agents or employees thereof to perform each and every term, provisions
3 and covenant contained in any contract of the Authority with or for the
4 benefit of such obligee, and carry out any or all such covenants and
5 agreements of the Authority and fulfill all duties imposed upon the
6 Authority by this Article; or

7 (2) enjoin any acts or things which may be unlawful, or
8 the violation of any of the rights of such obligee of the Authority.

9 **ARTICLE 5.**

10 **REAL PROPERTY TAX ON IMPROVEMENTS.**

11 **Section 79501.** All taxes assessed, levied and collected by the
12 government of Guam by virtue of the Real Property Tax Law, on
13 improvements, buildings and structures, to be constructed within the
14 Project, over and above the real estate taxes currently assessed, levied
15 and collected, shall revert to the Authority for its use and disposition.

16 **ARTICLE 6.**

17 **GUAM CAPITOL DISTRICT.**

18 **Section 79601.** Creation of Guam Capitol District. The Guam
19 Capitol District is hereby established, consisting of the grounds and
20 structures comprising the old Guam Congress Building (the old
21 legislative building), Skinner Plaza, Plaza de Espana, the Manuel F.L.
22 Guerrero Administration Building and upon the termination or
23 expiration of any leases attached to the property, the Post Office in
24 Hagatna. Properties included in the Guam Capitol are hereby placed
25 under the control and supervision of the Guam Legislature. This

1 Section shall not be interpreted as preventing the development and
2 beautification of Skinner Plaza, as detailed in the Budget Act for Fiscal
3 Year 1998. Government agencies and departments utilizing facilities in
4 the Guam Capitol District shall continue to do so unless subsequently
5 and otherwise indicated by the Guam Legislature. The Department of
6 Parks and Recreation, the Department of Public Works and other
7 government agencies that may provide maintenance, security and other
8 services on property within the Guam Capitol District shall continue to
9 do so unless subsequently and otherwise indicated by the Guam
10 Legislature. The provisions of other Sections of this Act do not apply to
11 the Guam Capitol District.”

12 **Section 3. Effective Date.** This Act shall take effect sixty (60) days
13 from the date of passage.

14 **Section 4. Appropriation.** The sum of Five Hundred Thousand
15 Dollars (\$500,000.00) is hereby appropriated from the General Fund to the
16 Authority for the effective implementation of the Hagatna Restoration and
17 Redevelopment Project. This appropriation shall be reimbursed by the
18 Authority to the General Fund within five (5) years after the implementation
19 of this Act.



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 24 1997

Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Dear Speaker Unpingco:


Enclosed please find Bill No. 157 (LS), "AN ACT TO CREATE THE HAGATNA RESTORATION AND REDEVELOPMENT AUTHORITY.", which I have vetoed.


The legislation would create a separate and autonomous government entity with powers of eminent domain, charged with revitalizing the capital city of Agana (Hagåtña). The task of revitalizing the center of our major city is important for the well-being of our people, however, there are some provisions in this bill which cause me to veto it at this time.

The legislation transfers buildings now under the purview of the Executive Branch, such as the Manuel F. L. Guerrero Administration Building now housing the Department of Education and Department of Administration offices, the Plaza de España, Skinner Plaza, the land under the Post Office to the Legislature. The legislation then prescribes that the Executive Branch still retains the responsibility to maintain these areas and buildings. This provision violates the separation of powers doctrine, and may subject these centrally located and historic properties to being leased to private parties without any review or check.

The appropriation of \$500,000 contained within the bill has no funding source.

Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By:	
Time:	5:28pm
Date:	10.24.97

Attachment

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

00515

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 10/24/97
Time: 1:05
Rec'd by: 
Print Name: Charlene Duran

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 157 (LS), "AN ACT TO CREATE THE HAGATNA RESTORATION AND REDEVELOPMENT AUTHORITY," was on the 9TH day of October, 1997, duly and regularly passed.



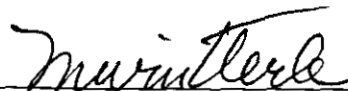
ANTONIO R. UNPINGCO
Speaker

Attested:



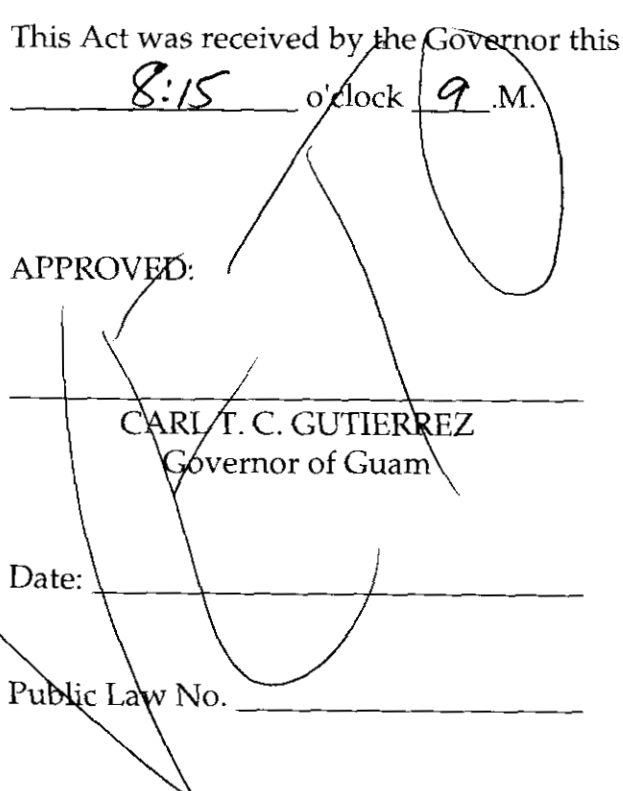
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 14th day of October, 1997, at
8:15 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: _____

Public Law No. _____

24-110

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs

Senator Mark Forbes, Chairman



OCT 03 1997

Speaker Antonio R. Unpingco
Twenty-fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

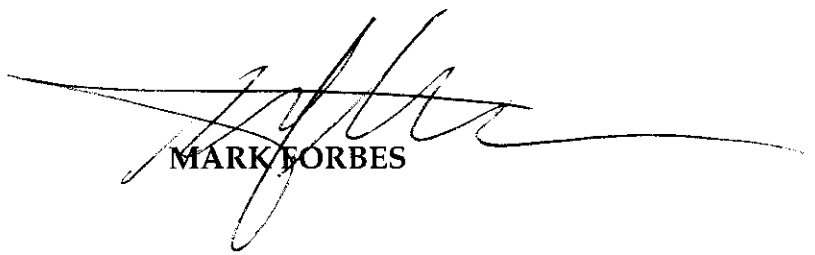
The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 157 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 157**, as amended by the Committee, "An act to create the Agana Restoration and Redevelopment Authority."

The voting record is as follows:

TO PASS	<u>8</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments

2nd Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs


Senator Mark Forbes, Chairman



OCT 03 1997

MEMORANDUM

TO: Committee Members

FR: Chairman 

SUBJECT: Committee Report- Bill No. 157, as amended by the Committee, "An act to create the Agana Restoration and Redevelopment Authority."

Transmitted herewith for your information and action is the report on Bill No. 157 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 157, as amended by the Committee
4. Public Hearing Sign-in Sheet
5. Written Testimony
6. Fiscal Note/Fiscal Note Waiver
7. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

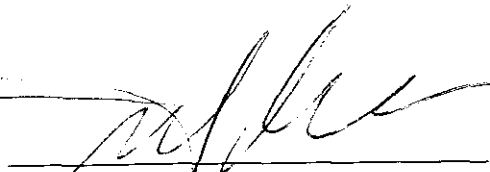
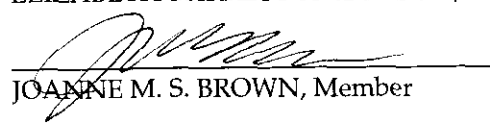

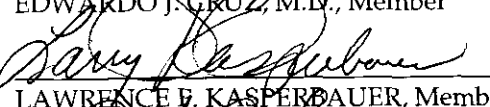

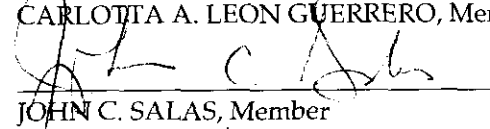
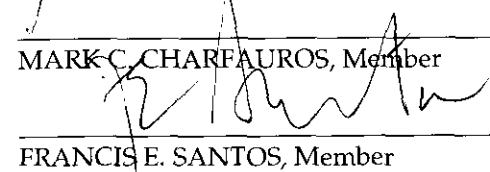
MARK FORBES

Attachments

Committee on Rules, Government Reform and Federal Affairs
Twenty Fourth Guam Legislature

Voting Record

Bill No. 157, as amended by the Committee, "An act to create the Agana Restoration and Redevelopment Authority."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANTHONY C. BLAZ, Vice-Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ELIZABETH BARRETT-ANDERSON, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 JOANNE M. S. BROWN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FELIX P. CAMACHO, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 EDUARDO J. CRUZ, M.D., Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 LAWRENCE F. KASPERBAUER, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ALBERTO A. C. LAMORENA V., Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CARLOTTA A. LEON GUERRERO, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 JOHN C. SALAS, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARK C. CHARFAUROS, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FRANCIS E. SANTOS, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANTONIO R. UNPINGCO, Ex-Officio Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TWENTY-FOURTH GUAM LEGISLATURE

**COMMITTEE ON RULES,
GOVERNMENT REFORM & FEDERAL AFFAIRS
SENATOR MARK FORBES, CHAIRMAN**

Committee Report

On

Bill No. 157

as amended by the Committee

“An act to create the Agana Restoration and Redevelopment Authority.”

I. OVERVIEW

On June 23, 1997, the Committee on Rules, Government Reform and Federal Affairs conducted a public hearing on Bill No. 157, "An act to create the Agana Restoration and Redevelopment Authority." The hearing took place at 9:00A.M. in the Public Hearing Room of the Guam Legislative Building. Public notice was given through an announcement in the June 19, 1997 issue of the Pacific Daily News.

Senators in attendance were:

Senator Mark Forbes, Chairman
Senator Edwardo Cruz, Member
Senator Tony Lamorena, Member
Senator Mark Charfauros, Member
Senator Tom Ada
Senator Frank Aguon
Senator Willy Flores
Senator Lou Leon Guerrero
Senator Ben Pangelinan

Appearing before the Committee to testify on the bill were:

Former Governor Paul Calvo
Mayor Felix Ungacta
Mr. Pedro Ada
Mr. Anthony Leon Guerrero
Mr. Jesus Leon Guerrero

II. SUMMARY OF TESTIMONY:

Mr. Jesus Leon Guerrero, Director of the Agana Restoration and Redevelopment Corporation testified **in favor** of Bill No. 157. Mr. Leon Guerrero emphasized the importance of restoring the capital city of Agana. He presented measures necessary to this effort to restore Agana, such as the implementation of zoning laws. He also discussed the financing of the restoration efforts through the issuance of bonds and the need for initial investment capital. Concepts such as a civic center, museum and small boutiques were also presented by Mr. Leon Guerrero as aspects to the redevelopment of Agana.

Mr. Anthony Leon Guerrero, President of the Agana Restoration and Redevelopment Corporation also testified **in favor** of Bill No. 157. He stated that this legislation has the potential to accomplish great things in restoring Agana to what it was.

Former Governor Paul Calvo also testified **in favor** of Bill No. 157. He testified on the necessity to redevelop Agana, particularly after the real estate drain that resulted from the BRAC decision to allow the government of Guam to utilize Tiyan.

Mr. Pedro Ada presented testimony **in favor** of Bill No. 157. He stressed that in every state throughout the country, the capital city is always one of the biggest tourist attractions. He encouraged the development of Agana as a true capital wherein the entire community would support these efforts to make it a premier attraction to the visitors.

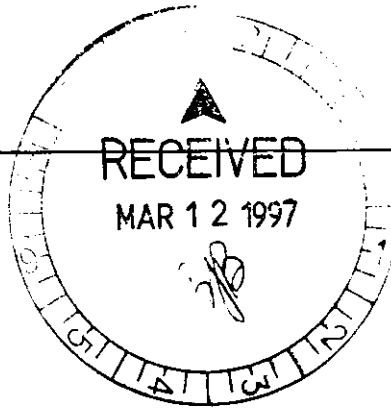
The mayor of Agana, Mayor Felix Ungacta also testified **in favor** of Bill No. 157 and stated that the legislation is much needed.

FINDINGS AND RECOMMENDATIONS

The Committee finds that Bill No. 157, if passed into law, would establish the Agana Restoration & Redevelopment Authority, who would in turn, develop the Agana Restoration & Redevelopment Plan. This measure would address the numerous problems that have plagued the capital since World War II. The problems of fractional lots, landlocked lots, and the inability to utilize lots due to irregular forms or inadequate size, have never been seriously addressed. The Committee finds that Bill No. 157 provides legislation that would create an instrumentality whose specific purpose is to address these issues that prevent Agana from being developed to its potential. To address and resolve the problems which plague Agana would only serve to improve the entire island community by ensuring that the capital serves as a showcase of the island's economic prosperity and cultural richness.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 157 was referred, does hereby submit its findings and recommendations to the Twenty-fourth Guam Legislature **TO DO PASS BILL NO. 157**, as amended by the Committee, "An act to create the Agana Restoration and Redevelopment Authority."

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman

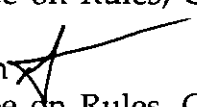


FILE COPY

MAR 12 1997

MEMORANDUM

TO: Chairman
Committee on Rules, Government Reform and Federal Affairs

FROM: Chairman 
Committee on Rules, Government Reform and Federal Affairs

SUBJECT: Referral-Bill No. 157

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

ANTHONY A. LEON GUERRERO

President
and
Chief Executive Officer

Bank of Guam

"The People's Bank"

MEMBER OF THE FEDERAL
DEPOSIT INSURANCE CORP.

P.O. Box BW
Agaña, Guam 96910
Tel: 472-5271/3/5



June 23rd, 1997

The Honorable Mark Forbes
Senator, Twenty-Fourth Guam Legislature
Chairman, Committee on Rules,
Governmental Reform and Federal Affairs
Agaña, Guam

Dear Mr. Chairman,

I thank you and the distinguished Members of your Committee for giving me the opportunity to provide my testimony regarding Bill 157, "An Act to Create the Agaña Restoration and Redevelopment Authority." At the outset, I would like for you to know that I fully favor the passage of this legislation into law, since I believe that it has the potential to do great things for both the economic and the social well-being of the people and the community of Guam.

Agaña is our capital city, and has held a central position in all of the affairs of our island for many centuries. It is also the seat of our government and of the Archdiocese of Agaña, both of which are so important in the lives and culture of the Chamorro People and all of the people of Guam. As such, the city should reflect our spirit and our pride; it should stand as a beacon to show the entire world our quality and our dignity as a people. Unfortunately, over the past several decades, this beacon has fallen into disrepair and, dare I say, disarray. As a symbol of all of the things that are good, even excellent, about Guam, it sadly misses the mark.

The Bill before you intends to correct this situation. That, by itself, is laudable. However, the Bill goes considerably further: It is a well-constructed, carefully considered piece of legislation that effectively ensures the success of the projects which it anticipates. It forms the objectives of its language, establishes the means of attaining those objectives, and properly empowers the people of Guam, through the Agaña Restoration and Redevelopment Authority, in carrying out their desire to bring the process to fruition.

Simultaneously, the Bill protects existing, legitimate private interests within Agaña. It underscores the importance of participation by all parties at interest in the successful rejuvenation of our capital. This defuses what might otherwise become a process bogged down in contention between parties and groups with conflicting and contrasting goals.

Also, the Bill directly and eloquently addresses the proper objectives of economic and social development by explicitly recognizing the issues surrounding the creation of decent housing and

meaningful employment opportunities for our people. Rarely, if ever, have I seen those objectives so precisely spelled out in a public document. Clearly, a great deal of introspection and thought went into the writing of this fine piece of legislation.

All I can say is, it's about time we as a community took positive action to restore our pride in ourselves and in our community through a concrete effort toward rebuilding Agaña, the primary symbol with which we express our principles and our heritage to people everywhere. I urge you to pass this Bill swiftly and unanimously so that the work to restore Agaña can begin as soon as possible.

Again, I thank you for the opportunity to express my views on this important matter. Should you have any questions, I will be more than happy to answer. Otherwise, I would only like to request that I be given any role, no matter how small, in helping to transform the objectives of Bill 157 into a reality. Thank you.



Anthony A. Leon Guerrero

FISCAL NOTE
BUREAU : BUDGET AND MANAGEMENT RESEAR

Bill No. 157 (LS) Date Received: 04/03/97

Amendatory Bill: No Date Reviewed: 04/22/97

Department/Agency Affected: N/A
 Department/Agency Head: N/A
 Total FY Appropriation to Date: N/A

Bill Title (preamble): **AN ACT TO CREATE THE AGANA RESTORATION AND REDEVELOPMENT AUTHORITY.**

Change in Law: Adds a new Chapter 79 to Title 21, GCA

Bill's Impact on Present Program Funding:

Increase _____ Decrease _____ Reallocation _____ No Change X

Bill is for:
 Operations: _____ Capital Improvement: X Other: _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

Program Category	General Fund	OTHER	TOTAL
Autonomous Agencies	\$500,000	\$0	\$500,000

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND	\$500,000	\$0	\$0	\$0	\$0	\$500,000
OTHER -	\$0	1/	1/	1/	1/	1/
TOTAL	\$500,000	\$0	\$0	\$0	\$0	1/

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? 1/

IF NO, ADDITIONAL AMOUNT REQUIRED: 1/

AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND	\$0	\$0	\$0	\$0	\$0	\$0
OTHER - 1/	1/	1/	1/	1/	1/	1/
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0

ANALYST: William P. Taitingfong

DATE: 4/25/97

DIRECTOR: Joseph E. Rivera, Acting

DATE: 5/5/97

FOOTNOTE: 1/ See attached comments.

Comments to Bill No. 157 (LS)

Bill No. 157 (LS) will add a new Chapter 79 to Title 21, Guam Code Annotated relative to the Agana Restoration and Redevelopment Act and the creation of the Agana Restoration & Redevelopment Authority as an autonomous instrumentality of the government of Guam.

The Agana Restoration and Redevelopment Authority shall oversee the projects pursuant to Sections 79103 and 79104 of this Act and must develop an "Plan" to the Governor for his approval and transmittal to Legislature for action. The Agana Restoration and Redevelopment Authority shall comprise of seven (7) Commissioners appointed by the Governor. Commissioners shall receive no compensation for services but may employ an Executive Director and other employees as deemed necessary.

The Authority may also retain its own legal counsel, and shall have the powers as specified under Section 79303 of this Act as well as the the power to issue Bonds and Refunding Bonds. In addition, all taxes levied and collected by the government of Guam by virtue of Real Property Tax Law on improvements, buildings and structures to be constructed within the project, shall revert to the Authority for its use and deposition.

The Bill appropriates the sum of \$500,000 from the General Fund to the Authority to implement the Agana Restoration and Redevelopment Project and to be reimbursed by the Authority to the General Fund within five (5) years after implementation of this Act.

Bill 157 (LS) will pose an impact to the General Fund. As such, any additional appropriation from the General Fund will exceed the level imposed by P.L. 23-14 ninety-five percent (95%) limit of the revenue estimate for the same year or the actual revenues of the previous fiscal year. In addition, the estimated multi-year revenue and fund requirements are dependent on the establishment of this Authority.

June 27, 1997

**The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910**

**RE: Bill 242 - Act to Amend Section A107 Title 5(GCC), Chapter 8 Relative to
Notice of Meetings**

Buenas yan Saluda:

As a concerned citizen, I urge you and the members of your committee to vote in favor of the referenced bill. Your vote will be a vote to keep the democratic process alive. It will afford every citizen of this Territory an opportunity to present testimony on issues affecting their livelihood.

In the past, I have been unable to attend or submit testimony, for or against, orally or writing, on issues affecting our Island because I was not aware of a hearing date, time, or place. In many instances, an announcement if made, would be broadcast on the K-57 radio morning show or appear in the Pacific Daily News on the day of the hearing. However, as you will acknowledge, it is difficult to rearrange employees schedules, or request leave on such short notice.

Recently, there have been a number of bills discussed at the Legislature that will have a tremendous impact in our lives as we prepare to enter the 21st Century. However, due to lack of awareness/notification, I was unable to provide testimony.

Your support of Bill 242 will reaffirm the right of every citizen to have advance notice of all public decision making processes that will affect their livelihood for years to come. Therefore, as a citizen and a constituent, I encourage you to vote yes on Bill 242.

Si Yu'os Ma'ase yan Sesoramente,

Philip W. Hallat

June 27, 1997

**The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910**

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Si Yu'os Ma'ase yan Sesoramente,

Joann M. Mason

June 27, 1997

The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910

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Recently, Senator Lamorena conducted an oversight hearing on the Commerce Department, addressing the future of the Chamorro Village. Many of the business owners at the Village would have testified, however, we learned about the hearing after the fact.

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Si Yu'os Ma'ase yan Sesoramente,

Victor Ande Parent
~~Victor Ande Parent~~

June 27, 1997

The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910

RE: Bill 242 - Act to Amend Section A107 Title 5(GCC), Chapter 8 Relative to
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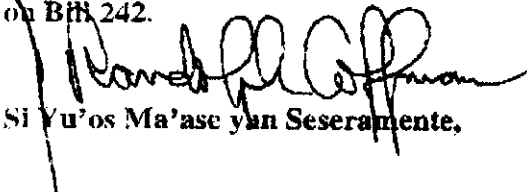
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Si Yu'os Ma'ase yan Sesaramente,

FAX # 477-1715

June 27, 1997

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Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910

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Si Yu'os Ma'ase yan Seseramente,

Barbara J. Lincanon

June 27, 1997

The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910

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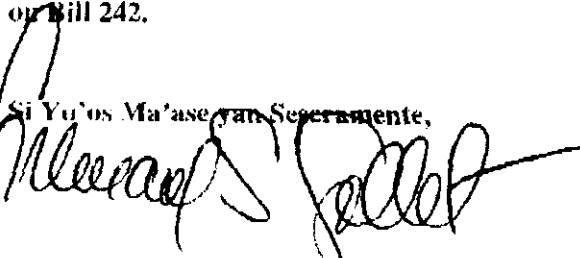
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June 27, 1997

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Agana, Guam 96910**

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Notice of Meetings**

Buenas yan Saluda:

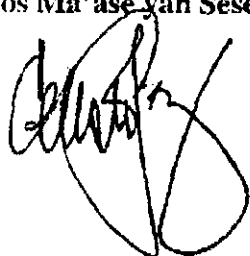
As a business person and concerned citizen, I urge you and the members of your committee to vote in favor of the referenced bill. Your vote will be a vote to keep the democratic process alive. It will afford every citizen of this Territory an opportunity to present testimony on issues affecting their livelihood.

In the past, I have been unable to attend or submit testimony, for or against, orally or writing, on issues affecting our Island because I was not aware of a hearing date, time, or place. In many instances, an announcement if made, would be broadcast on the K-57 radio morning show on the day of the hearing. However, as you will acknowledge, it is difficult to rearrange employees schedules, or request leave on such short notice.

Recently, Senator Lamorena conducted an oversight hearing on the Commerce Department, addressing the future of the Chamorro Village. Many of the business owners at the Village would have testified, however, we learned about the hearing after the fact.

Your support of Bill 242 will reaffirm the right of every citizen to have advance notice of all public decision making processes that will affect their livelihood for years to come. Therefore, as a citizen and a constituent, I encourage you to vote yes on Bill 242.

Si Yu'os Ma'ase yan Seseramente,



June 27, 1997

**The Honorable Mark Forbes
Chairperson, Committee on Rules
Twenty-Fourth Guam Legislature
155 Kessler St.
Agana, Guam 96910**

**RE: Bill 242 - Act to Amend Section A107 Title 5(GCC), Chapter 8 Relative to
Notice of Meetings**

Buenas yan Saluda:

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Si Yu'os Ma'ase yan Sesoramente,





BUREAU OF BUDGET & MANAGEMENT RESEARCH

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JUN 18 1997

The Bureau requests that Bill No(s). 242 be granted a waiver pursuant to Public Law 12 -229 for the following reason(s):

Bill No. 242 which reads "An act to amend Section 8107 (a) and (b) and Section 8108 of Title 5 GCA Chapter 8 relative so notice of meetings" proposes to identify a specific time line in which public agencies are to notify the general public of any regular and/or special meetings. More specifically, public agencies would be required to give five (5) working days (120 hours) public notice and a second public notice at least twenty four (24) hours prior to the start of any regular and/or special meeting. As such, to the extent that such notifications of regular and/or special meetings are published or broadcasted at no charge to respective department(s) as public service announcements, the subject Bill (242) poses no fiscal impact on the Government of Guam's general operations.

Frances J. Balajadia
for Joseph E. Rivera
Acting Director, BBMR

am/16
dk
6/17/97

