



*Office of the Governor of Guam*

P.O. Box 2950 Hagåtña, Guam 96932  
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Office of the People's Speaker  
vicente (ben) c. pangelinan

NOV 30 2004

TIME: 10:40 (AM) (PM)  
RECEIVED BY: *[Signature]*

Felix Perez Camacho  
*Governor*

Kaleo Scott Moylan  
*Lieutenant Governor*

29 NOV 2004

The Honorable Vicente C. Pangelinan  
Speaker  
*Mina' Bente Siete Na Liheslaturan Guåhan*  
Twenty-Seventh Guam Legislature  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 193 (COR), "AN ACT TO ADD A NEW §66202.1 TO TITLE 21, GUAM CODE ANNOTATED, TO REQUIRE GOVERNMENT, AUTONOMOUS, AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING, AND CONSTRUCTION PROJECTS," now designated as **Public Law 27-111**.

*Sinseru yan Magåhet,*

**FELIX P. CAMACHO**  
*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: a copy of the overridden bill is attached

cc: The Honorable Tina Rose Muna-Barnes  
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2004 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 193 (COR), "AN ACT TO ADD A NEW §66202.1 TO TITLE 21, GUAM CODE ANNOTATED, TO REQUIRE GOVERNMENT, AUTONOMOUS, AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING, AND CONSTRUCTION PROJECTS," returned without approval of *I Maga'lahaen Guåhan* was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 24<sup>th</sup> day of November, 2004, to pass said bill notwithstanding the veto of *I Maga'lahaen Guåhan* by a vote of Thirteen (13) Members.

Attested:

  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

  
vicente (ben) c. pangelinan  
Speaker

This Act was received by *I Maga'lahaen Guåhan* this <sup>26<sup>th</sup></sup> day of ~~NOVEMBER~~ 2004, at  
5:05 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's* Office

Public Law No. 27-111

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

**Bill No. 193 (COR)**

As amended on the Floor.

Introduced by:

J. M.S. Brown  
F. B. Aguon, Jr.  
Toni Sanford  
L. F. Kasperbauer  
T. R. Muña Barnes  
C. Fernandez  
F. R. Cunliffe  
Mark Forbes  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
v. c. pangelinan  
J. M. Quinata  
R. J. Respicio  
Ray Tenorio

**AN ACT TO ADD A NEW §66202.1 TO TITLE 21, GUAM  
CODE ANNOTATED, TO REQUIRE GOVERNMENT,  
AUTONOMOUS, AND PUBLIC ENTITIES TO OBTAIN  
PERMITS FOR CLEARING, GRADING, AND  
CONSTRUCTION PROJECTS.**

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

2 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that  
3 there is a need to ensure that the government of Guam follows the same  
4 permitting requirements for environmental projects requiring clearing,  
5 grading and construction as private citizens.

6 **Section 2.** A new §66202.1 is hereby *added* to Title 21, Guam Code  
7 **Annotated, to read as follows:**

1           “§66202.1. (a) A permit for Clearing, Grading, and Construction  
2 shall be required of government, autonomous, and public entities in the  
3 same manner as private citizens. An application for the permit shall be  
4 submitted to the Department of Public Works by the entity who owns the  
5 property, or which is to authorize, complete, or contract for the proposed  
6 project on government land, with the approval of the following agencies  
7 indicated on the application to the Department of Public Works:  
8 Department of Land Management, Zoning Division; Department of Parks  
9 and Recreation; Guam Power Authority; Guam Environmental Protection  
10 Agency; Guam Telephone Authority; Guam Geodetic Network Survey  
11 Division; and the Department of Public Works. No fee shall be charged for  
12 government application for a permit pursuant hereto and the application  
13 shall be submitted in such form as the Building Official may prescribe.  
14 Government entities shall be subject to all other applicable provisions of  
15 this Chapter. Clearing, grading, or construction shall *not* begin on any  
16 government property or project in violation of this statute. Building  
17 Officials and Guam Peace Officers are authorized to issue citations to  
18 violators of this Section in accordance with the Rules and Regulations  
19 promulgated by the Department of Public Works in this regard. Officers  
20 acting in violation of this statute shall be held personally liable for all  
21 damages resulting therefrom, and shall be subject to a fine of One  
22 Thousand Dollars (\$1,000) for each offense, and may be fined up to Five  
23 Thousand Dollars (\$5,000) for violations after the third violation of this  
24 Section.

25           (b) Government, autonomous, and public entities shall *not* be

1 required to obtain the permit required in Subsection (a) for work done in  
2 response to typhoons, earthquakes, or other natural disaster or emergency  
3 as declared by *I Maga'lahaen Guåhan* and requiring an immediate response in  
4 order to minimize environmental damage, restore utility services, or  
5 protect utility systems.”



*Office of the Governor of Guam*

P.O. Box 2950 Hagåtña, Guam 96932


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Office of the People's Speaker  
vicente (ben) c. pangelinan

MAY 07 2004

Felix Perez Camacho  
*Governor*

Kaleo Scott Moylan  
*Lieutenant Governor*

TIME: 4:53 ( ) AM ( ) PM  
RECEIVED BY: 

May 7, 2004

The Honorable Vicente C. Pangelinan  
Speaker  
*Mina' Bente Siete Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Mr. Speaker:

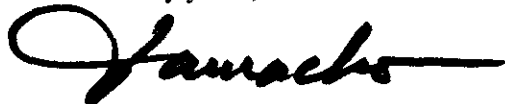
Transmitted herewith is Bill No. 193 (COR), "AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE ANNOTATED AN ACT TO REQUIRING GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION PROJECTS", which I have vetoed.

While I understand the intent of this measure and can appreciate the concern that the government of Guam should be held to the same standards as private sector customers, the clearing, grading and construction projects conducted by the government of Guam often involve responses to customer needs, such as those of the Guam Power Authority, the Guam Telephone Authority, the Guam Waterworks Authority and other services that often require immediate remedy or repair. The delay that would result from the additional permitting requirements will only erode the level of customer service these government agencies are able to provide.

In most cases, the government of Guam contracts large clearing, grading and construction projects to private construction and development companies, which are responsible to secure the appropriate permitting prior to the start of each project.

For these reasons I have vetoed this measure.

Sincerely yours,



**FELIX P. CAMACHO**  
*I Maga' Låhen Guåhan*  
*Governor of Guam*

Attachment: original attached for vetoed bill

cc: The Honorable Tina Rose Muna-Barnes  
Senator and Legislative Secretary

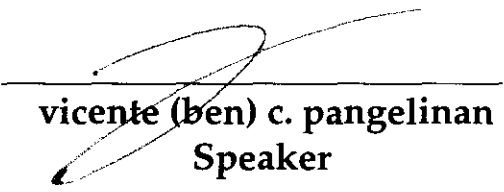
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2004 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

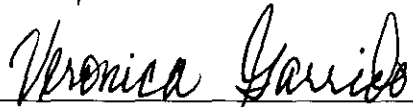
This is to certify that Bill No. 193 (COR), "AN ACT TO ADD A NEW §66202.1 TO TITLE 21, GUAM CODE ANNOTATED, TO REQUIRE GOVERNMENT, AUTONOMOUS, AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING, AND CONSTRUCTION PROJECTS," was on the 23<sup>rd</sup> day of April, 2004, duly and regularly passed.

Attested:

  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

  
vicente (ben) c. pangelinan  
Speaker

-----  
This Act was received by *I Maga'lahaen Guåhan* this 27 day of April, 2004,  
at 11:45 o'clock A. .M.

  
Veronica Garibo  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED  
**VETO**  
FELIX . CAMACHO  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_



Office of Senator Antoinette (Tohi) Sanford  
Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions  
Suite 15B, 777 Route 4, Sinajana, Guam 96910 / Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: [senatorsanford@ite.net](mailto:senatorsanford@ite.net)

March 30, 2004

Senator Lou Leon Guerrero  
Chairperson, Committee on Rules & Health  
TWENTY-SEVENTH GUAM LEGISLATURE  
155 Hesler Street  
Hagatna, Guam 96910

Dear Senator Leon Guerrero,

The Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions, to which **BILL 193**: "An act to add a new Section 66202.1 to Title 21, Guam Code Annotated requiring government, autonomous, and public entities to obtain permits for clearing, grading, and construction project" was referred, wishes to report its findings and recommendation "TO DO PASS".

The voting record is as follows:

TO PASS	<u>7</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.

Antoinette (Tohi) Sanford

Attachment.





Office of Senator Antoinette (Toni) Sanford  
Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions

Suite 15B, 777 Route 4, Sinajana, Guam 96910 /Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: [senatorsanford@ite.net](mailto:senatorsanford@ite.net)

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March 30, 2004

MEMORANDUM

TO: Committee Members  
FROM: Chairwoman  
SUBJECT: Committee Report and Voting

Transmitted herewith for your information and action is the report on the **BILL 193**: "An act to add a new Section 66202.1 to Title 21, Guam Code Annotated requiring government, autonomous, and public entities to obtain permits for clearing, grading, and construction project"

Please review the report and take the appropriate action on the voting sheet. Your prompt attention and action on this matter is greatly appreciated. Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read "A. Sanford", is written over a horizontal line.

Antoinette (Toni) Sanford

Attachment.



# Office of senator Antoinette (Toni) Sanford

## Assistant Majority Leader


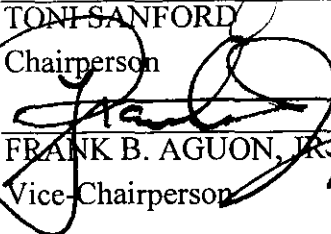
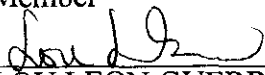


TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions

Suite 15B, 777 Route 4, Sinajana, Guam 96910 / Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: [senatorsanford@ite.net](mailto:senatorsanford@ite.net)

**BILL 193:** "An act to add a new Section 66202.1 to Title 21, Guam Code Annotated requiring government, autonomous, and public entities to obtain permits for clearing, grading, and construction project"

	TO PASS	NOT TO PASS	TO ABSTAIN	INACTIVE FILE
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 TONI SANFORD Chairperson	✓			
 FRANK B. AGUON, JR. 3/1/04 Vice-Chairperson	✓			
LARRY KASPERBAUER Member				
 LOU LEON GUERRERO Member	✓			
JESSE A. LUJAN Member	✓			
TINA MUNA-BARNES Member	✓			
JOHN M. QUINATA Member				
 RORY J. RESPICIO Member				
 BEN C. PANGELINAN Speaker & Ex-officio Member				

**COMMITTEE ON ECONOMIC DEVELOPMENT, RETIREMENT,  
INVESTMENTS, PUBLIC WORKS, AND REGULATORY  
FUNCTIONS**

Twenty-Seventh Guam Legislature  
155 Hesler Street, Hagatna Guam 96910



**COMMITTEE REPORT  
ON**

**BILL 193: "AN ACT TO ADD AN NEW SECTION 66202.1  
TO TITLE 21, GUAM CODE ANNOTATED REQUIRING  
GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES  
TO OBTAIN PERMITS FOR CLEARING, GRADING AND  
CONSTRUCTION PROJECT"**

**COMMITTEE MEMBERS**

Chairperson Senator Toni Sanford

Vice-Chairperson Senator Frank B. Aguon, Jr.

Majority Members

Senator Lou Leon Guerrero

Senator Tina Muna Barnes

Senator John M. Quinata

Senator Rory Respicio

Speaker ben c. pangelinan (ex-officio)

Minority Members

Senator Jesse A. Lujan

Senator Larry Kasperbauer

## I. OVERVIEW

### A. Purpose and Essential Elements

To ensure that Government of Guam agencies and departments, whether it be a line or autonomous, follows the same permitting requirements for environmental projects requiring clearing, grading and construction as private citizens.

### SECTION BY SECTION

**Section 1. Legislative Finding:** Legislature finds a need to ensure that Government of Guam follows the same permitting requirements for environmental projects requiring clearing, grading and construction as private citizens.

**Section 2.** Adds a new section 66202.1 to Title 21, Guam Code Annotated- requiring government, autonomous and public entities to apply for permits for clearing, grading and construction in the same manner as private citizens.

1. Application for permit to be submitted to DPW by entity that owns property or which to authorize, complete or contract for the proposed project on government land and gain clearance by all departments listed on the application.
2. No fee shall be charged for government application for permit but all other applicable provisions shall apply except for fee.
3. Clearing, grading or construction shall not begin on government property or it would be in violation.
4. Building officials and Guam peace officers are authorized to issue citations to violators/Officers in violation shall be personally liable for all damages resulting and shall be subject to \$1,000.00 for each offense and may be fined up to \$5,000 for violations after the third violation.

### B. Public Hearing Conducted

The Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions conducted a public hearing on Wednesday, November 12, 2003 in the Legislative Public Hearing Room, I Liheslaturan Guahan, in Hagatna. Public notice was provided on November 6, 2003

Committee Chairwoman Toni Sanford called the public hearing to order at approximately 12:20 p.m. in the Legislative Public Hearing Room. Committee members present were: Senators Robert Klitzkie, Tina Muna-Barnes, and Carmen Fernandez.

Individuals who appeared before the Committee and provided testimony were: John Benavente, General Manager of Guam Power Authority and Fred Castro, Administrator of Guam Environmental Protection Agency

Another written testimony that was submitted and did not appear before the Committee: Gerald S.A. Perez, Administrator for Guam Economic Development and Commerce Authority.

## II. SUMMARY OF TESTIMONY

**Mr. John Benavente**, Guam Power Authority General Manager appeared before the Committee and provided oral testimony and comments on the bill. Mr. Benavente stated while he supports the intent of Bill 193, he provide proposed amendments to the bill at a later date.

In his oral testimony before the Committee, Mr. Benavente stated GPA does follow the permit – clearing and grading law – however, in the area of maintenance work; line extensions; tree trimming – maintenance within the right of ways and other government – which; GPA does get clearance from GTA, GWA, and DPW, also from the SHPO archeological approval from the Department of Parks and Recreation. GPA is concerned the permitting process might get too lengthy – emergency work to restore – and this bill does this, more the intention of the construction.

In his written testimony (attached) submitted to the Committee subsequent to the November 12, 2003 Public Hearing, Mr. Benevente had stated that GPA be exempt from getting permit to do the following work:

- Pole installation (pole digging) for line extensions
- Conductor upgrades/changes
- Maintenance of existing poles and lines (replacing and repairing)
- Tree-trimming and grubbing (clearing trees above ground)
- In-house cable pulling in underground conduits
- In-house work within substations or power plants
- Construction during typhoon restoration (NEPA and SHPO approval obtained during restoration)
- Responding to emergency oil spills (permits process will hamper response)

**Mr. Benavente** in his written testimony states that if permits will be required, this will lengthen the processing time of customer work orders and the response time to maintenance and emergency situations. GPA's focus remains to ensure that any new policy will only enhance GPA's service reliability and customer satisfaction.

**Mr. Fred Castro**, Guam Environmental Protection Agency Director appeared before the Committee and provided written and oral testimony containing comments on the bill. Mr. Castro stated he feels honored, if there is one Government of Guam agency that has been a model agency in terms of regulatory, safety, and compliance – they manage – they have put on line the most complex broad based system and they have done it commendably. Problems would come from other regulatory considerations like breakage of old pipes and spills and they have been very responsive. They have established within their agency an environmental regulatory compliance capacity. You don't see that at DPW or any of

the other autonomous agencies, but you do see that at GPA. You have to have a very keen conscience awareness of potential environmental impacts. Sometimes when these things happen the adverse impacts are irreversible.

**Mr. Castro** in his written testimony states that this proposed legislation would statutorily address problems and lessons encountered with public projects that by-pass and receives no thorough review and analysis from appropriate permitting agencies of the Government of Guam. Certain adverse environmental and financial impacts are irreversible and costly once clearing, grading, and construction activities proceed. Overall interest of the public need to be protected and states that this Bill serves to do just that recognizing that government project rate as relatively some of the largest and most complex.

**Senator Sanford** had stated that DPW is not represented in the Public Hearing this morning. They were invited to be here. She thinks their absence here is very loud. We are going to follow up with our director here. The permitting section and if the GPA and administrator for GEPA is here we think the director for DPW should have been here.

**Mr. Castro** indicated that the problems of Southern High School, the drainage on Marine drive those we can pre-empt; Government of Guam agencies are among the biggest violators. One house out of set if we circumvent then the whole house falls down. Could be avoided if the permits – if there was some review where to dig.

**Senator Sanford** pointed out that there are some instances where she hears on the radio where they have some construction going on and they cut the whole telephone system. She is not sure if some of these problems can be avoided if the permits have been taken into consideration if there has been some review of where to dig and not to dig.

**Mr. Castro** says that is a simple fix, and if you can envision the hundreds of restoration projects – we can be in a better posture.

**Senator Muna-Barnes** had stated that DPW is responsible for issuing the permits and do they issue permits to themselves as well as payment. The approving authority is the director and he is personally liable. We need a clarification what officials are liable? Amendment to clarify definition of officials. The title of the bill says “government, autonomous and public entities “ and she asked if the word government should be replaced with line agencies, for clarity. She does support the intent of this bill. There has been some instances where Department of Parks and Recreation did have some concerns with environmental work that came into play when there was not any permits issued and no process that DPW made any clearances; She would like to be a co-sponsor.

**Senator Klitzkie** asked about the bill containing a prohibition, a special permitting.

**Mr. Castro** commented about on a national level, for example on wetlands, they have what they call nationwide permits. We can negotiate and issue certain blanket type permits for similar type projects and negotiate for example a major project, for a general

clearance – simplify the procedures to handle phases of construction that were expedited and alleviate any problems of delays.

**Senator Fernandez** stated that she fully supports the bill.

### **III. COMMITTEE FINDINGS/COMMITTEE RECOMMENDATIONS**

The Committee on Economic Development, Retirement, Investments, Public Works, and Regulatory Functions recommends that **BILL 193: “AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE ANNOTATED REQUIRING GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION PROJECT”** to be hereby reported out of Committee with the recommendation **TO PASS**.







# GUAM ENVIRONMENTAL PROTECTION AGENCY



## AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

**Testimony**  
**In support of**  
**Bill No. 193 COR**

**Submitted by: Fred M. Castro, Administrator**

**November 12, 2003**

This testimony is submitted in strong favor of Bill No. 193 COR: "AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE ANNOTATED REQUIRING GOVERNMENT, AUTONOMOUS AND PUBIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION PROJECT."

This proposed legislation would statutorily address previous problems and lessons encountered with public projects that by-pass and receive no thorough review and analysis from appropriate permitting agencies of the Government of Guam.

Certain adverse environmental and financial impacts are irreversible and costly once clearing, grading and construction activities proceed. The overall interests of the public need to be protected and this Bill serves to do just that recognizing that government project rate as relatively some of the largest and most complex.

The following minor changes are also recommended:

- (1) Title – delete "AN ACT TO " after ANNOTATED.
- (2) Section 1, line 4 – "Government of Guam", conventional practice and guidance call for lower case.
- (3) Section 2 – line 1, delete after Land Management and insert Department of before "Parks"; line 7 Grading, and line 9, Officials and Guam Peace Officers, lower case.

Si Yuus Maase for the opportunity to comment.

FRED M. CASTRO

Aturidad Inadilanton



Ikunumihan Guahan

**Governor**  
Felix P. Camacho

**Lieutenant Governor**  
Kaleo S. Moylan

**Testimony of Mr. Gerald S.A. Perez**  
**Administrator, Guam Economic Development and Commerce Authority**  
**on Bill No. 193, "AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE**  
**ANNOTATED REQUIRING GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES**  
**TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION**  
**PROJECTS."**

The Guam Economic Development and Commerce Authority (GEDCA) concurs that there is a need for "the Government of Guam to follow the same permitting requirements for environmental projects requiring clearing, grading and construction as private citizens."

Guam USA ~ The Ultimate Destination



# GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN  
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

November 21, 2003

OFFICE OF SENATOR  
ANTOINETTE (TONI) SANFORD

2151

NOV 28 2003

Senator Antoinette Sanford, Chairperson  
Committee on Appropriation and Budgeting,  
General Governmental Operations, Reorganization and Reform  
Twenty-Seventh Guam Legislature  
155 Hessler Street  
Hagatna, Guam 96910

TIME: \_\_\_\_\_ AM ( ) PM ( )

REC'D BY: AD

Subject: Written Testimony on Bill 193

Dear Senator Sanford:

The Guam Power Authority is submitting written testimony regarding Bill 193, an act requiring government, autonomous and public entities to obtain permits for clearing, grading and construction projects. The concern is that if elements of the bill are not clarified, additional unnecessary time and costs will be expended, GPA's ability to respond to emergencies will be restricted and GPA's operations and service to its ratepayers will be unduly affected.

The Authority is unclear of the definition of "environmental projects." However, the Authority does obtain permits through the Department of Public Works for large projects that involve contractors performing major trenching or clearing. Work performed by GPA without a permit is limited to existing facilities or areas that have already been permitted for clearing, grading and construction, work related to typhoon restoration and work involving responding to emergency oil spills. GPA obtains clearances from GTA, GWA, and SHPO at all times prior to new pole installations or pole change-outs. Additionally, new pole locations are surveyed to ensure they are within the defined rights-of-way. Consequently, GPA is requesting an exemption for the following work:

- Pole installations (pole digging) for line extensions
- Conductor upgrades/changes
- Maintenance of existing poles and lines (replacing and repairing)
- Tree trimming and grubbing (clearing trees above ground)
- In-house cable pulling in underground conduits
- In-house work within substations or power plants
- Construction during typhoon restoration (NEPA and SHPO approval obtained during restoration)
- Responding to emergency oil spills (permit process will hamper response)

If permits will be required, this will lengthen the processing time of customer work orders and the response time to maintenance and emergency situations. GPA's focus remains to ensure that any new policy will only enhance GPA's service reliability and customer satisfaction. Thank you for the opportunity to submit written testimony to further clarify this bill.

Sincerely,

JOHN M. BENAVENTE, P.E.

General Manager

cc: Consolidated Commission on Utilities  
Governor of Guam

original  
to  
Belle

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3bd 2ba house w/ 1/4 acre land

**Talofof House**  
3bd 2.5ba with 1/4 acre land  
**\$128,000**  
0 down \$834.46/mo. plus T & I

**DEDEDO HOUSE**  
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Apply Monday-Friday 9:00 am - 4:30 pm  
Bring current Police Clearance

**Guam Visitors Bureau**  
*Setbision Bisitan Guahan*

THE GUAM VISITORS BUREAU would like to establish a list for the following position:

**MARKETING OFFICER II - Japan Market**  
Pay Grade M1 - M10 \$28,678.00 - \$43,018.00

GVB job applications and descriptions can be picked up at 401 Pale San Vitores Road, Tumon. Deadline to submit applications is 5 p.m. Friday, November 14, 2003. No telephone calls please. Kindly address all correspondences to the Human Resources Department.

Federal and local law requires verification of identity and eligibility of all new hires. GVB complies with the law on a non-discriminatory basis. GVB is an Equal Opportunity Employer.

The Best Service... all the time

**OPEN HOUSE**  
Saturday, November 8th from 10-2pm

**Nimitz Hill**

**FEATURES**  
Location - Views & Sunsets Large Yard Steady Breeze Four Bedrooms 2 1/2 Bath A/C Plus much more!

What more could you ask for?

Gov. Office (Adeup) **Sandy** 687-6006

Follow Today's Realty signs from Route 61

**TODAY'S REALTY**  
Information Deemed Reliable, but not guaranteed! Conditions Apply!  
www.guamhomes.com Anthony Godwin I Principal Broker

**UNIVERSITY OF GUAM**  
UNIBETSEDAT GUAHAN  
MANGILAO, GUAM

Paid with government funds University for Guam  
The University of Guam is soliciting proposals for Classroom Renovations.

The specifications, together with all the necessary response forms, are set forth in the Invitation to Bid No. P01-04. Copies of the specifications may be obtained with a \$20.00 non-refundable fee at the Consolidated Procurement Office located at the Administration Building, University of Guam, Mangilao.

A pre-bid conference will be held on November 14, 2003, Friday, at 9:00 am, at the Marine Laboratory, University of Guam, Mangilao, Guam.

All sealed proposals should be submitted and received by the Consolidated Procurement Office, on or before 2:00 pm, Friday, November 28, 2003.

/s/DR. HAROLD L. ALLEN  
PRESIDENT

**TWENTY-SEVENTH GUAM LEGISLATURE**  
Committee on Economic Development, Retirement, Investment, Public Works & Regulatory Functions

**SENATOR TONI SANFORD, CHAIRPERSON**  
Tel: 479-8664 Fax: 479-8667 Email: senatorsanford@lte.net

**PUBLIC HEARING**  
Wednesday, November 12, 2003  
Legislative Public Hearing Room, Hagatna  
9:00 AM

- Bill No 194 an act to approve the terms and conditions of the revolving line of credit authorized by "the disaster recovery relief fund act of 2002"
- Bill No. 196 An act to amend §5116 of Chapter 5 of Title 16 GCA relative to Motor Carrier Safety and Hazardous Material Regulations and to make changes to §9301 of Chapter 9 Article 3 of Title 30 Guam Administrative Rules relative to policies of Carrier Safety and Hazardous Materials regulations.
- Bill No. 193 An act to add a new section 66202.1 to Title 21, GCA an act to requiring Gov't, Autonomous and Public entities to obtain permit for clearing, grading and construction projects.

THIS AD WAS PAID FOR BY GOV'T FUNDS

IN THE SUPERIOR COURT OF GUAM

CITIBANK Plaintiff,  
vs.  
ISABEL A. BENAVENTE and ANTHONY REID P. ROSARIO, Defendants

CIVIL CASE NO. CV1584-99

**AMENDED NOTICE OF EXECUTION SALE OF REAL PROPERTY**

**TO: DEFENDANT AND TO ALL INTERESTED PERSON**

PLEASE TAKE NOTICE that I, the Marshal of the Superior Court of Guam, pursuant to the Writ of Execution issued by the Superior Court of Guam in the above-entitled case, the Notice of Levy on Real Property dated May 15, 2003, will, on Nov 13, 2003 at 10:00 A.M., at the office of the Mayor of the Municipality of Piti, of the Territory of Guam, sell at public auction, to the highest bidder for cash, all of the right, title and interest of the Defendant in and to the following described real property as is necessary to satisfy the judgment taken against Defendant.

The property to be sold is described as:  
Lot No. 94-R7, Piti, Guam Estate No. 14272, as said lot is marked and designated on Map Drawing No. ISL866P593, dated September 2, 1966 and recorded under Instrument No. 23248, in the department of Land Management, Government of Guam. Area: 1,215± square meters. Certificate of Title No. 18934.

Dated: SEP 25 2003

Superior Court of Guam  
By: Joseph J. Leon Guerrero  
Deputy Marshal

**GHURA**  
Guam Housing and Urban Renewal Authority  
Aturidat Ginima Yas Rinuuban Ciudad Guahan  
117 Blon Veride Avenue • Sinajana, Guam 96926  
Phone: (671) 472-9854 to 4 • Fax: (671) 472-7585 • TTY: (671) 472-9702

Felix P. Camacho Governor  
Kaleo S. Moylan Lt. Governor

**NOTICE FOR PUBLIC COMMENT**  
**REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**  
PAID FOR WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

The Guam Housing and Urban Renewal Authority (GHURA) is requesting public comment regarding the proposed reprogramming of Community Development Block Grant (CDBG) funds from completed and postponed activities to ongoing activities.

Project	Balance
B99-02 New Construction Inarajan Senior Center (completed)	\$ 6,111.03
B99-04 Economic Self Sufficiency (completed)	\$ 3,027.70
B00-02 New Construction Inarajan Fire Station (completed)	\$ 10,597.17
B00-04 One Stop Homeless Assistance Center (completed)	\$ 3,948.09
B01-15 Demolition of Inarajan Mayor/Fire Station (completed)	\$ 16,835.67
B01-17 Renovation of Toto Gardens Multipurpose Bldg. (completed)	\$ 1,080.53
B02-01 Acquisition of facility for Catholic Social Services (postponed)	\$411,488.07
B02-05 Piti Senior Citizens Center (postponed)	\$299,911.74
<b>Total Amount:</b>	<b>\$753,000.00</b>

Reprogramming Proposal	Reprogramming Amount
Increase Funding: Dementia Care Facility	
B99-14	\$ 9,138.73
B00-14	\$ 14,545.26
B01-18	\$ 17,916.20
B02-14	\$ 65,586.81
Increase Funding: Emergency Shelter Facility; B02-15	\$302,813.00
Increase Funding: Rehabilitation of Sinajana Senior Citizens Center; B02-16	\$185,000.00
Increase Funding: Construction of Merizo Senior Citizens Center; B02-17	\$150,000.00
Increase Funding: Construction of Agat Senior Citizens Center; B02-18	\$ 8,000.00
<b>Total Reprogramming:</b>	<b>\$753,000.00</b>

The public is invited to provide oral or written comments on the proposed reprogramming. Written comments will be accepted no later than 5:00 p.m., Wednesday, December 9, 2003 at GHURA's GCIC Office at 414 Soledad Avenue, 3rd Floor, GCIC Building, Suite 306, Hagatna, Guam 96910. For more information, please contact Mr. Michael J. Duenas, Chief Planner from our Research, Planning, and Evaluation Division at (671) 475-1407.

/s/ **RONALD S. DE GUZMAN**  
Executive Director



# Office of Senator Antoinette (Toni) Sanford Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions  
Suite 15B Sinajana Mall, 777 Route 4 Sinajana, Guam 96926 / Telephone (671) 479-TONI Fax (671) 479-8667

November 6, 2003


## MEMORANDUM

TO: All Senators  
FROM: Committee Chair

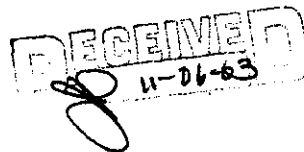
This is to inform you the Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions has scheduled a public hearing 9:00 am Wednesday, November 12, 2003 in the Legislative Public Hearing Room on the following:

- Bill No 194 an act to approve the terms and conditions of the revolving line of credit authorized by "the disaster recovery relief fund act of 2002"
- Bill No. 196 An act to amend §5116 of Chapter 5 of Title 16 GCA relative to Motor Carrier Safety and Hazardous Material Regulations and to make changes to §9301 of Chapter 9 Article 3 of Title 30 Guam Administrative Rules relative to policies of Carrier Safety and Hazardous Materials regulations.
- Bill No. 193 An act to add a new section 66202.1 to Title 21, GCA an act to requiring Government, Autonomous and Public entities to obtain permits for clearing, grading and construction projects.

Your attendance and participation is welcomed and appreciated.

  
Antoinette (Toni) Sanford

Cc: Clerk of the Legislature  
Protocol  
All Media





OFFICE OF SENATOR  
ANTOINETTE (TONI) SANFORD

OCT 28 2003

TIME: \_\_\_\_\_ AM ( ) PM ( )

REC'D BY: Lebrun

Senator Lou Leon Guerrero RN, MPH

October 23, 2003

MEMORANDUM

To: Senator Toni Sanford, Chairwoman  
Committee on Economic Development, Retirement, Investments,  
Public Works & Regulatory Functions

From: Senator Lou Leon Guerrero, Chairwoman *LLG*  
Committee on Rules and Health

Subject: Referral – Bill No. 193 (COR) and Bill No. 196 (COR)

In accordance with Section 6.04.04.01 of the Standing Rules of the Mina' Bente Siete na Liheslaturan Guahan,

**Bill No. 193 (COR) "AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE ANNOTATED AN ACT TO REQUIRING GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION PROJECTS."** and

**Bill No. 196 (COR) "AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS."**

are referred to your Committee on Economic Development, Retirement Investments, Public Works & Regulatory Functions as the principal committee.

**A copy of these bills may be obtained at the office of the Clerk of the Legislature.**

Also in accordance with Section 7.01 of the Standing Rules, the Principal Committee shall notify the Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date, time, subject matter, number and title of the bill for which a public hearing will be held.

Thank you.

Cc: Senator J. M. S. Brown, Author, Bill No. 193 (COR)  
Clerk of the Legislature

Democrat Majority Leader

Committee on Rules & Health  
Chairwoman

Committee on Utilities & Land  
Member

Committee on Appropriation  
& Budgeting, General  
Government Operations  
Reorganization & Reform  
Member

Committee on Community,  
Culture, Recreation &  
Public Broadcasting  
Member

Committee on Economic  
Development, Retirement,  
Investments, Public Works,  
& Regulatory Functions  
Member

Committee on Education  
& Housing  
Member

Committee on Judiciary  
& Transportation  
Member

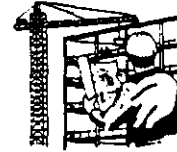
Committee on Youth &  
Senior Citizens,  
Federal & Foreign Affairs  
Member

27th Guam Legislature

155 Hesler Street Hagåtña, Guam 96910

Office 671 . 472-3582 - 5 / 472-3576 Facsimile 671 . 472-3591 Email

*cc: [unclear]*



**BUILDING PERMITS & INSPECTION SECTION  
 APPLICATION FOR PERMIT & PLAN REVIEW**

**IMPORTANT: Applicant must complete all items in sections I, II, III, IV**

Application Number: \_\_\_\_\_  
 Permit Number: \_\_\_\_\_

**I. LOCATION OF BUILDING**

Location \_\_\_\_\_ (No.) \_\_\_\_\_ (Street) \_\_\_\_\_ Zoning District \_\_\_\_\_  
 Between \_\_\_\_\_ (Cross Street) \_\_\_\_\_ and \_\_\_\_\_ (Cross Street) \_\_\_\_\_  
 Subdivision \_\_\_\_\_ Lot # \_\_\_\_\_ Block \_\_\_\_\_ Lot Size \_\_\_\_\_

**II. TYPE AND COST OF BUILDING**

**A. Type of Building**

<input type="checkbox"/> New Building	<input type="checkbox"/> Retaining Wall	<input type="checkbox"/> Repair	_____ Dimension of Building _____
<input type="checkbox"/> Foundation Only	<input type="checkbox"/> Other _____	<input type="checkbox"/> Demolished	
<input type="checkbox"/> Shell Only	<input type="checkbox"/> Add	<input type="checkbox"/> Reconstructed	
<input type="checkbox"/> Fence Wall	<input type="checkbox"/> Alter	<input type="checkbox"/> Relocated	

**B. Ownership**

Private (individual, corporation, non-profit institution, etc.)  Public (Federal, State, or Local Government)

**C. COST**

Cost of Improvements \_\_\_\_\_  
 electrical \_\_\_\_\_  
 plumbing \_\_\_\_\_  
 heating, air conditioning \_\_\_\_\_  
 other (elevator, etc.) \_\_\_\_\_

Nonresidential - Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.

TOTAL COST OF IMPROVEMENT \$ \_\_\_\_\_

**D. PROPOSED USE - (For "Wrecking" most recent use)**

<b>Residential</b>	<b>Non-Residential</b>	<input type="checkbox"/> Office, bank, professional
<input type="checkbox"/> One family	<input type="checkbox"/> Amusement, Recreational	<input type="checkbox"/> Public utility
<input type="checkbox"/> Two or more families	<input type="checkbox"/> Church, other religious	<input type="checkbox"/> School, library, other educational
Enter No. of Units ← _____	<input type="checkbox"/> Industrial	<input type="checkbox"/> Stores, mercantile
<input type="checkbox"/> Transient hotel, motel, or dormitory	<input type="checkbox"/> Parking garage	<input type="checkbox"/> Tanks, towers
Enter No. of Units ← _____	<input type="checkbox"/> Service station, repair garage	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Garage	<input type="checkbox"/> Hospital, institutional	
<input type="checkbox"/> Carport		
<input type="checkbox"/> Other (specify) _____		

**III. SELECTED CHARACTERISTICS OF BUILDING** for new buildings and additions, complete Parts E - K, for wrecking, complete only Part I, for all others skip to IV.

**E. Principal Type of Frame**

Masonry (wall bearing)  Reinforced concrete  Public Sewer

Wood frame  Other (specify) \_\_\_\_\_  Private (septic tank, etc.)

Structural steel

**F. Type of Sewage Disposal**

**G. Type of Mechanical**

Yes  No Central Air Conditioning

Yes  No Will there be an elevator?

**H. Type of Water Supply**

Public Supply  Private (well, cistern)

Total square feet of floor area, all floors, based on exterior dimensions \_\_\_\_\_

Total land area, sq. ft. \_\_\_\_\_

**J. Number of Off-street Parking Spaces**

Enclosed \_\_\_\_\_

Outdoors \_\_\_\_\_

**K. Residential Buildings Only**

Number of bedrooms \_\_\_\_\_

Number of Bathrooms } Full \_\_\_\_\_

Partial \_\_\_\_\_

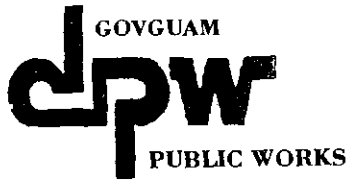
**L. Dimensions**

Number of stories \_\_\_\_\_

**IV. IDENTIFICATION**

	Print Name/ Signature	Mailing Address - Number, street, city, and state	ZIP Code	Telephone
1. Owner or Lessee				
2. Contractor				
	License #			
3. Architect or Engineer				
SEAL NO.				

Has the plan for project been approved by TLUC or TSPC? If so, attach copy of approval and conditions placed on project. The owner of this building and the undersigned agree to conform to all applicable laws of this jurisdiction.



**DIVISION OF BUILDING PERMITS & INSPECTION —  
APPLICATION AND PERMIT FOR CLEARING & GRADING**

PERMIT NUMBER \_\_\_\_\_

LOCATION			ENG. SOILS REPORT		Est. Quantity	Permit Fee	Fee Received
District	Block	Lot	Tract	Date Filed	Excav. Cu. Y.D.	\$	\$
					Fill Cu. Y.D.	\$	By: Date:

Located at \_\_\_\_\_

Lot Area: \_\_\_\_\_ Sq. Ft. \_\_\_\_\_ Acres Overall Dimensions: \_\_\_\_\_

Description of Soil: \_\_\_\_\_ Fill Material: \_\_\_\_\_

Existing Ground: \_\_\_\_\_

Estimated Starting Date: \_\_\_\_\_ 19 \_\_\_\_\_ Estimated Completion Date \_\_\_\_\_ 19 \_\_\_\_\_

Remarks: \_\_\_\_\_

Owner: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Engineer: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Contractor: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

License Number: \_\_\_\_\_

Date of Application: \_\_\_\_\_ 19 \_\_\_\_\_ Applicant: \_\_\_\_\_

Application Revised By: \_\_\_\_\_ Date: \_\_\_\_\_ 19 \_\_\_\_\_

**TO THE APPLICANT:** Permission is hereby given to the above work according to the conditions hereon and according to the approved plans and specification pertaining thereto, subject to compliance with Chapter 70 of the U.B.C. No burning allowed on site unless a burning permit has been issued by the Fire Department.

REMARKS: Not valid without the approval of the Department of Public Works.

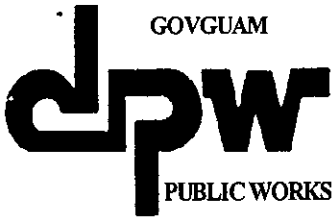
Issued By: \_\_\_\_\_

Building Official Department of Public Works

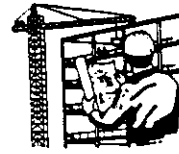
**APPROVAL BY OTHER AGENCIES (Route as indicated)**

AGENCY	DATE	SIGNATURE	COMMENTS
Land Management, Zone			
Parks and Recreation (+)			
Guam Power Authority			
G.E.P.A.			
Guam Telephone Authority			
GGN Survey Division (+)			
Dept. of Public Works			





BUILDING SAFETY IS NO ACCIDENT



**BUILDING PERMITS & INSPECTION SECTION  
APPLICATION FOR PERMIT & PLAN REVIEW**

Application Number: \_\_\_\_\_

Permit Number: \_\_\_\_\_

**TO BE FILLED OUT BY BUILDING PERMIT STAFF ONLY**

**V. PLAN REVIEW RECORD**

Plans Review Required	Date Plans Started	Date Plans Approved	Comments
Architectural			
Structural			
Mechanical/Plumbing			
Flood Control			
Electrical			
HPCC			
Hydraulics/Civil			
Highway Encroachment			
Rights of Way			
Traffic Engineering			

**VI. ZONING PLAN EXAMINATION RECORD TO BE DONE BY DLM**

District \_\_\_\_\_

Use \_\_\_\_\_

Front Yard \_\_\_\_\_

Side Yard \_\_\_\_\_ Side Yard \_\_\_\_\_

Rear Yard \_\_\_\_\_

Ownership Of Property: \_\_\_\_\_  
If not owner, is there a lease or authorization to the property? \_\_\_\_\_

Did this project receive TLUC approval? What are the conditions \_\_\_\_\_

**VII. COMMENTS BY OTHER AGENCIES (Route as Indicated)**

Agency	Date	Signature	Does your Agency recommend approval? If so, seal your response
Land Management, Zone			
- Contractor's License Board			
- Public Health			
E.P.A.			
Public Utility Agency			
Guam Power Authority			
- Fire Prevention Bureau			
Guam Telephone Authority			
GHURA			

Permission is hereby given to the above work according to conditions hereon and according to approved plans and specifications pertaining thereto, subject to compliance with the Uniform Building Code and Government Code of Guam.

**VIII. VALIDATION**

Building Permit Number \_\_\_\_\_ Approved Valuation: \_\_\_\_\_

Building Permit Issued \_\_\_\_\_, 19 \_\_\_\_\_ Plan Checking fee \_\_\_\_\_ Rec'd \_\_\_\_\_

Approved By: \_\_\_\_\_ Building Permit fee \_\_\_\_\_