



*Office of the Governor of Guam*

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Felix P. Camacho  
*Governor*

Michael W. Cruz, M.D.  
*Lieutenant Governor*

17 DEC 2008

2008 DEC 23 PM 12:23

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*Mina' Bente Nuebi Na Liheslaturan Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is **Bill No. 398(EC)**, "**AN ACT TO *CONDITIONALLY APPROVE* THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2007 REPORT**" which I signed into law on December 15, 2008 as **Public Law 29-125**.

*Sinseru yan Magåhet,*

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

Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,  
Senator and Legislative Secretary

29-08-0979  
12/17/08  
31

**I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN**  
**2008 (SECOND) Regular Session**

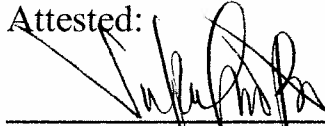
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 398(EC)**, "**AN ACT TO *CONDITIONALLY APPROVE* THE JOSE D. LEON GUERRERO COMMERCIAL PORT OF GUAM MASTER PLAN UPDATE 2007 REPORT**," was on the 13<sup>th</sup> day of December, 2008, duly and regularly passed.



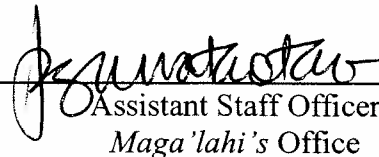
**Judith T. Won Pat, Ed. D.**  
**Speaker**

Attested:



**Tina Rose Muña Barnes**  
**Senator and Secretary of the Legislature**

This Act was received by *I Maga'lahen Guåhan* this 15 day of Dec., 2008, at  
11:25 o'clock a.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



FELIX P. CAMACHO  
*I Maga'lahen Guåhan*

Date: 15 DEC. 2008

Public Law No. 29-125

***I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN***  
**2008 (SECOND) Regular Session**

**Bill No. 398 (EC)**

As amended in the  
Committee of the Whole  
and further amended.

Introduced by:

James V. Espaldon  
Frank F. Blas, Jr.  
Edward J.B. Calvo  
B. J. F. Cruz  
Mark Forbes  
Judith P. Guthertz, DPA  
Frank T. Ishizaki  
J. A. Lujan  
Tina Rose Muña Barnes  
A. B. Palacios, Sr.  
v. c. pangelinan  
R. J. Respicio  
Dr. David L.G. Shimizu  
Ray Tenorio  
J. T. Won Pat, Ed.D

**AN ACT TO *CONDITIONALLY APPROVE* THE JOSE D. LEON  
GUERRERO COMMERCIAL PORT OF GUAM MASTER  
PLAN UPDATE 2007 REPORT.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Jose D. Leon Guerrero Commercial Port of Guam's Master Plan was last  
4 updated and approved in 1999. Though the Master Plan has provided the Port with  
5 the guidance on the development of its properties, *I Liheslaturan Guåhan* finds that  
6 the Master Plan should be updated to meet the growth of our economy and the

1 impact of the proposed relocation of the U. S. Marine Corps troops from Okinawa  
2 to Guam.

3 After conducting two (2) public hearings on the update of the Master Plan,  
4 the Jose D. Leon Guerrero Commercial Port of Guam Board of Directors approved  
5 the Master Plan Update 2007 Report on May 8, 2008. In accordance with Title 5,  
6 Guam Code Annotated, Article 2, §1205, a public hearing was held on September  
7 4, 2008 by the Bureau of Statistics and Plans, whereby the public was given the  
8 opportunity to submit written and oral testimonies on the Master Plan Update 2007  
9 Report. On September 18, 2008, the Bureau of Statistics and Plans recommended  
10 to *I Maga'lahen Guåhan* to transmit the Jose D. Leon Guerrero Commercial Port  
11 of Guam Master Plan Update 2007 Report to *I Mina'Bente Nuebi Na Liheslaturan*  
12 *Guåhan* for the final approval and adoption as an official element in Guam's  
13 Comprehensive Development Plan.

14 *I Liheslaturan Guåhan* finds that insufficient funds currently exist to  
15 implement the Port's Master Plan. The Port has stated it will pursue the financing  
16 required to implement this Plan, and will submit a revised Economic Impact Study,  
17 a revised Financial Feasibility Study, and an Implementation Plan before any  
18 commitment is made by the Port to bind it *or* the government of Guam to the  
19 improvement outlined. *I Liheslaturan Guåhan* finds that investment by the private  
20 sector is a necessary component to the improvement and development of the  
21 facilities at the Jose D. Leon Guerrero Commercial Port of Guam and that such  
22 investment is facilitated by leases *or* other land use arrangements for periods  
23 beyond five (5) years.

24 *I Liheslaturan Guåhan*, therefore, intends to *conditionally approve* the Jose  
25 D. Leon Guerrero Commercial Port Master Plan Update 2007 Report subject to  
26 submission and approval of additional information required to be part of a  
27 comprehensive Master Plan.

1           **Section 2. Master Plan Conditionally Approved.** The Jose D. Leon  
2 Guerrero Commercial Port Master Plan Update 2007 Report is hereby  
3 *conditionally approved* by *I Liheslaturan Guåhan*, subject to *I Liheslatura's*  
4 subsequent approval of the Financial Feasibility Plan and Economic Impact  
5 Assessment to be submitted by the Board of Directors of the Jose D. Leon  
6 Guerrero Commercial Port of Guam, and further subject to the submission by the  
7 Board, and approval by *I Liheslatura*, of an Implementation Plan that establishes  
8 the priorities, identifies viable funding sources and classifies projects according to  
9 whether it is for the Port's organic growth *or* for the military build up.

10           **Section 3.** Notwithstanding any provision of the Plan itself, *neither* the  
11 passage of this Act *nor* the conditional approval of the Master Plan *shall* be  
12 construed to *amend* §10105(i) of Chapter 10, Title 12, Guam Code Annotated.

13           **Section 4.** Notwithstanding any provision of the Plan, *neither* the passage of  
14 this Act *nor* the conditional approval of the Jose D. Leon Guerrero Commercial  
15 Port of Guam Master Plan Update 2007 Report *shall* be construed to repeal *or*  
16 amend any existing law, statute, rule *or* regulation without subsequent and express  
17 repeal *or* amendment by *I Liheslatura*.

18           **Section 5. Severability.** *If* any provision of this law or its application to  
19 any person or circumstance is found to be invalid or contrary to law, such  
20 invalidity shall *not* affect other provisions or applications of this law which can be  
21 given effect without the invalid provisions or application, and to this end the  
22 provisions of this law are severable.