



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

**MAY 01 1998**

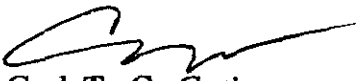
Refer to  
**Legislative Secretary**

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guáhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 321 (COR), "AN ACT TO BAN STRUCTURES IN OR ON SIDEWALKS OR PUBLIC RIGHTS OF WAY", which was vetoed and subsequently overridden by the Mina'Bente Kuáttro na Liheslaturan Guáhan, the Twenty-Fourth Guam Legislature, on April 27, 1998. This legislation is designated as **Public Law No. 24-182**.

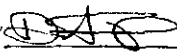
Very truly yours,


  
Carl T. C. Gutierrez  
I Maga'lahaen Guáhan  
Governor of Guam

00780

Attachment: copy attached for signed bill or overridden bill  
original attached for vetoed bill

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

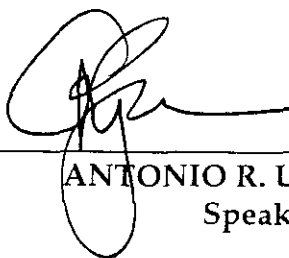
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By:	
Time	2:30 pm
Date	5.1.98

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 5/1/98  
Time: 11:00 am  
Rec'd by:   
Print Name: Janice Mesa

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

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


This is to certify that Substitute Bill No. 321 (COR), "AN ACT TO BAN STRUCTURES IN OR ON SIDEWALKS OR PUBLIC RIGHTS OF WAY," returned without approval of *I Maga'lahaen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 27<sup>th</sup> day of April, 1998, to pass said bill notwithstanding the veto of *I Maga'lahaen Guahan* by a vote of nineteen (19) members.



---

ANTONIO R. UNPINGCO  
Speaker

Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I MAGA'LAHEN GUAHAN* this 28<sup>th</sup> day of April  
      , 1998, at 4:20 o'clock P.M.



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Assistant Staff Officer  
Governor's Office

**TWENTY-FOURTH GUAM LEGISLATURE**  
**1997 (FIRST) Regular Session**

**Bill No. 321 (COR)**

As substituted by the Committee  
on Finance and Taxation and further  
substituted and amended on the Floor.

Introduced by:

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

**AN ACT TO BAN STRUCTURES IN OR ON  
SIDEWALKS OR PUBLIC RIGHTS OF WAY.**

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

2        **Section 1. Legislative Intent.**        The Guam Legislature finds that the  
3        practice of placing utility structures or appurtenances along roadways is

1 unsafe and a direct threat to the safety of motorists and passengers. It also  
2 finds that the practice of placing power poles, telephone pedestals and utility  
3 appurtenances in sidewalks poses an even greater threat to the safety of  
4 motorists and pedestrians, in addition to being aesthetically detrimental to the  
5 passing viewer. Further, while access to the sidewalks is difficult and in some  
6 cases impossible for some citizens with disabilities, the impediments in  
7 sidewalks conflict with the intent of the Americans with Disabilities Act.

8         The Guam Legislature further finds that utility companies and agencies  
9 install and construct their appurtenances and structures in the sidewalks and  
10 along roadways in consideration of cost and convenience and without serious  
11 regard to the safety or aesthetics of this practice or the discrimination against  
12 citizens with disabilities. The Guam Legislature declares that safety should be  
13 the highest and utmost priority, and that discrimination against the disabled  
14 cease immediately.

15         **Section 2. Banning of Power Poles and Telephone Pedestals on**  
16 **Sidewalks.** Notwithstanding any other provisions of law, the Department of  
17 Public Works (“DPW”), the Guam Telephone Authority, the Guam Fire  
18 Department, the Guam Power Authority and the Guam Waterworks  
19 Authority, or any other public or private entity, shall not construct, place, erect  
20 or install any power poles, telephone pedestals, guy lines and tie downs, or  
21 any other structures that protrude into and above the sidewalks, including fire  
22 hydrants, but not including natural landscaping structures, except for wide  
23 sidewalks, where landscaping allows for a four foot (4’) clearance alongside  
24 the roadways. The placement of these or any other types of structures shall be  
25 approved by DPW, which shall approve locations for such structures.

1 DPW shall within thirty (30) days of the enactment of this Provision,  
2 notify any agency, department or entity who is in violation of this Act, that  
3 within two (2) years of the enactment of this Provision all structures must be  
4 removed from the sidewalks, or the sidewalk widened or modified to comply  
5 with this Act, at each agency's cost, except for the Guam Power Authority,  
6 which shall have ten (10) years from the effective date of this Act to relocate its  
7 structures, or three (3) years from the effective date of this Act to reroute the  
8 sidewalks where its structures occur.

9 **Section 3. Establishment of Crash Barriers/Impact Absorbers**  
10 **Around Concrete and Steel Poles in the Rights of Way.** Any private entity  
11 or agency or department of the government of Guam which has any steel or  
12 concrete structure, or any other structure in the right of way, must within two  
13 (2) years from the date of this law place either crash barriers or impact  
14 absorbers, which must be approved by both DPW and the Federal Highway  
15 Administration, around these structures to protect motorists who lose control  
16 of their vehicles.

17 **Section 4. Compliance with the Americans with Disabilities Act.**  
18 Notwithstanding the provisions of the Americans with Disabilities Act  
19 ("ADA"), landscaping may be placed within the rights of way, provided that it  
20 leaves a minimum sidewalk access of four feet (4') in width and such  
21 placement would *not* interfere with the minimum requirements of the ADA.

22 **Section 5. Penalties for Failure to Comply.** If any private entity,  
23 agency, or department or entity of the government of Guam fails to comply  
24 with any of the provisions of §2 of this Act, the Department of Integrated  
25 Services for Individuals with Disabilities ("DISID") is authorized to charge the

1 private entity, or the agency or department which owns the structures at a rate  
2 of Twenty-five Dollars (\$25.00) per structure per day in the right of way. The  
3 funds shall be deposited into a separate fund administered by the Department  
4 of Administration for DISID, to be released quarterly for the purposes of the  
5 maintenance and upkeep of sidewalks.

6 If any private entity, or agency or department of the government of  
7 Guam, fails to comply with §3 of this Act, DPW may authorize the compliance  
8 with this Act by hiring, or contracting with private construction companies or  
9 individuals licensed to do business on Guam, to place crash barriers or impact  
10 absorbers around non-complying structures. All contracts and work under  
11 this Section shall comply with the Guam Procurement Law to include  
12 emergency provisions. DPW may also perform the work with its crews.  
13 Billing for work completed will be made directly to the owners of such  
14 structures, after approval of the work by DPW. Payment for work performed  
15 is due and payable within thirty (30) days of billing, subject to interest on late  
16 payments at a rate of twelve percent (12%) per annum, compounded monthly.

P.L. 24-182



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

ANTHONY C. BLAZ

LEGISLATIVE  
COMMITTEE  
MEMBERSHIP

Chairman  
Finance & Taxation

Vice-Chairman  
Rules,  
Government Reform  
& Federal Affairs

Education

Natural Resources

Health &  
Human Services

Tourism, Economic  
Development & Cultural  
Affairs

Judiciary,  
Public Safety &  
Consumer Protection

Transportation,  
Telecommunications, &  
Micronesian Affairs

MEMBERSHIP

Guam Finance  
Commission

Commission on Self  
Determination

September 30, 1997

The Honorable Speaker Antonio R. Unpingco  
24th Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Finance and Taxation now reports its findings on Bill No. 321, "An Act to Ban Structures in Sidewalks or Public Rights of Way," to the full Legislature with the recommendation TO DO PASS.

Votes of the committee members are as follows:

To Pass	<u>11</u>
Not To Pass	_____
Inactive File	_____
Abstained	_____
Off-Island	_____
Not Available	_____

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

Anthony C. Blaz

Attachments



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

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Transportation,  
Telecommunications, &  
Micronesian Affairs

MEMBERSHIP

Guam Finance  
Commission

Commission on Self  
Determination

September 30, 1997


To: Senator Mark Forbes, Vice Chairperson  
Speaker Antonio R. Unpingco, Ex-Officio Member  
Senator Elizabeth Barrett-Anderson, Member  
Senator Joanne M.S. Brown, Member  
Senator Edwardo J. Cruz, Member  
Senator Lawrence F. Kasperbauer, Member  
Senator Alberto A.C. Lamorena, V, Member  
Senator Carlotta A. Leon Guerrero, Member  
Senator John C. Salas, Member  
Senator Thomas C. Ada, Member  
Senator Mark C. Charfauros, Member  
Senator William B.S.M. Flores, Member  
Senator Francis E. Santos, Member

From: Vice Speaker Anthony C. Blaz, Chairperson  
Committee on Finance and Taxation

Re: Voting Sheet on Bill No. 321

Transmitted herewith are the voting sheet and Committee Report on Bill No. 321 for your review and signature.

Your attention to this matter is greatly appreciated.

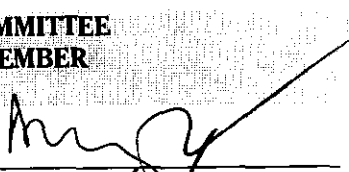
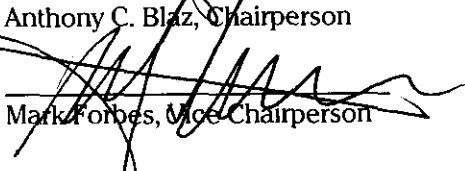
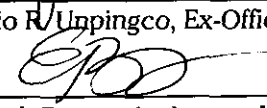
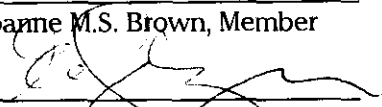
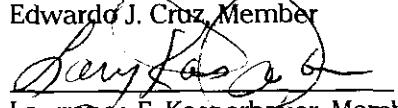
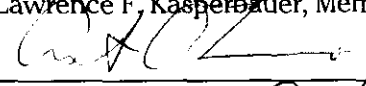
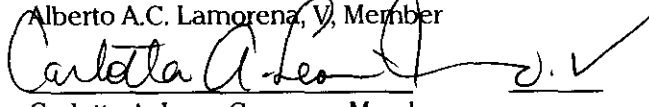
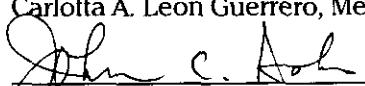
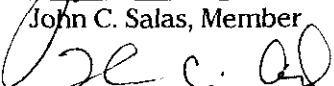
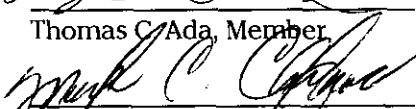
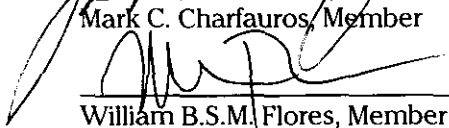
  
Anthony C. Blaz



# Committee on Finance and Taxation

## Voting Sheet on Bill No. 321

"AN ACT TO BAN STRUCTURES IN SIDEWALKS OR PUBLIC RIGHTS OF WAY."

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Anthony C. Blaz, Chairperson	✓			
 Mark Forbes, Vice Chairperson	✓			
Antonio R. Urrungco, Ex-Officio				
 Elizabeth Barrett-Anderson, Member	✓			
Joanne M.S. Brown, Member				
 Edwardo J. Cruz, Member	✓			
 Lawrence F. Kasperbauer, Member	X			
 Alberto A.C. Lamorena, Member	✓			
 Carlotta A. Leon Guerrero, Member	✓			
 John C. Salas, Member	✓			
 Thomas C. Ada, Member	✓			
 Mark C. Charfauros, Member	✓			
 William B.S.M. Flores, Member	✓			
Francis E. Santos, Member				

8 OCTOBER 1997

TO: SENATOR EDUARDO J. CRUZ

FM: STEVE PHILLIPS , GSYFA

SUBJ: OPERATING FUNDS FOR YOUTH FOOTBALL TEAMS

THE ORGANIZATION AND MANAGEMENT OF A YOUTH FOOTBALL TEAM IS AN EXPENSIVE VENTURE DUE TO THE HIGH COSTS OF EQUIPMENT AND UNIFORMS EACH YEAR.

WITH YOUR HELP APPROXIMATELY 1000 GIRLS AND BOYS, AGES 6-15 WILL CONTINUE TO HAVE THE OPPORTUNITY TO LEARN AND EXPERIENCE THE FUNDAMENTALS OF YOUTH FOOTBALL, CHEERLEADING, GOOD SPORTSMANSHIP, FAIR PLAY, PHYSICAL FITNESS, DISCIPLINE, AND RESPONSIBILITY ASSOCIATED WITH A TEAM ORIENTED ACTIVITY.

COSTS TO PLAY ARE HIGH, MANY FAMILIES CANNOT AFFORD TO PAY. PLAYERS COME OUT TO PLAY, FIND OUT THE COSTS INVOLVED AND DONOT RETURN. THESE KIDS ARE OUT ON THE STREETS. WE NEED TO HELP THEM GET INVOLVED AND TO PLAY.

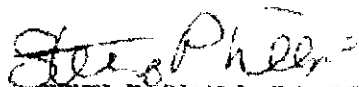
EACH YEAR IT BECOMES MORE DIFFICULT TO RAISE FUNDS AS THE PRIVATE SECTOR IS SATURATED WITH REQUESTS EVERY DAY. CAR WASHES ARE NOT THE ANSWER.

THE LEAGUE WANTS TO EXPAND NEXT YEAR AND IT WILL COST EACH TEAM APPROXIMATELY \$9,000.00 TO SET UP A NEW DIVISION.

IT COSTS AROUND \$15,000.00 A YEAR TO FIELD A TEAM WITH THREE DIVISIONS. AGES 6-10, 11 & 12 AND 13-15.

PLAYER FEES ARE NOT ENOUGH TO COVER COSTS.

HOPE THIS HELPS. IF YOU NEED MORE INFO PLEASE CALL ME AT 637-6227.



STEVE PHILLIPS, PRESIDENT, GUAM SAINTS YOUTH FOOTBALL ASSOC.

PS: THE LEAGUE HAS A STRICT "SAY NO TO DRUGS AND ALCOHOL PROGRAM"

TEAMS LEFT OUT OF PREVIOUS APPROPRIATION: GUAM SAINTS YOUTH FOOTBALL ASSOCIATION, ISLAND EAGLES, GUAM RAIDERS AND SOUTHERN COWBOYS.

**Committee on Finance and Taxation**  
**Report on Bill No. 321**

"AN ACT TO BAN STRUCTURES IN SIDEWALKS OR PUBLIC RIGHTS OF WAY."

**PUBLIC NOTICE:**

Pursuant to the requirements of the Standing Rules, notice of the Public Hearing on Bill No. 321 was published in the Pacific Daily News on Sunday, September 28, 1997.

**PUBLIC HEARING:**

The Committee on Finance and Taxation conducted a public hearing on Monday, September 29, 1997 in the Office of Vice Speaker Anthony C. Blaz, Conference Room, to hear testimonies on Bill No. 321.

**MEMBERS PRESENT:**

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:

- Senator Edwardo Cruz
- Senator Lawrence Kasperbauer
- Senator Tom Ada
- Senator Mark Charfauros
- Senator William B.S.M. Flores

Other Senators present were:

- Senator Frank B. Aguon, Jr.
- Senator Lou Leon Guerrero
- Senator Vicente C. Pangelinan
- Senator Judith Won-Pat Borja

**Providing Public Testimony on the Bill:**

- Albert San Agustin, Rehab Services & Facilities Administrator,  
Department of Voc Rehab.
- Dr. Eddie Del Rosario, Advocacy Office
- David Cruz, Guam Developmental Disabilities Council
- Berni Grajek, GDDC

**BACKGROUND ON BILL 321:**

Dr. Eddie Del Rosario testified in support of Bill 321 and urged that the bill include modifications that will address benefits for persons with disabilities. His attached testimony outlines the recommended changes.

David Cruz testified in support of Bill 321 and outlined that the GDDC is in full support of rights of way being in compliance with the American's with Disabilities Act. In his written testimony (attached) he outlines several recommended changes.

Albert San Agustin testified in support of the bill and included insight into current laws that are not being enforced.

**FINDINGS:**

The Committee finds impractical, unsound and unsafe, the governments practice of planning above ground utility structures along roadways as well as power poles, telephone pedestals and utility appurtenances in sidewalks. Overall, safety and essential accommodation are paramount. Such dangerous practices should be put in check, discontinued and mitigated as feasible and practical.

**COMMITTEE RECOMMENDATION:**

The Committee, having conducted a sufficient hearing, does hereby recommend to the Legislature to **DO PASS Bill 321- AN ACT TO BAN STRUCTURES IN SIDEWALKS OR PUBLIC RIGHTS OF WAY.**



**Protection & Advocacy of the Marianas**  
 (Formerly M.A.R.C.) dba Advocacy Office  
 Suite 204, Reflection Center, Chalan Santo Papa, Agana, Guam  
 Tel. (671) 472-8985 / 6 / 7 ; Fax: (671) 472-8989  
 P.O. Box 8830 Tamuning, GU 96931



September 29, 1997

Senator William B.S.M. Flores, P.E.  
 24<sup>th</sup> Guam Legislature  
 Agana, Guam

**Oleh Vitkovitsky**

President

**Al Harrell**

Vice President

**Jun Mercurio**

Secretary

**Gorgonio Cabot**

Treasurer

Board Members:

**Franklin Castro**

**Cheryl Hipolito**

**Linda Leon Guerrero**

**Nemi Macario**

**Tom Punzalan**

**Louie Yanza, Esq.**

Dear Senator Flores and your esteemed colleagues:

Thank you very much for calling our attention to Bill No. 321 and for inviting us to submit testimony on same.

We applaud the intent of this bill especially as it relates to the benefit of persons with disabilities. Equally important, this bill addresses safety issues which translate into primary prevention measures to mitigate mortality and morbidity (particularly traumatic conditions resulting in disabilities) among Guam's population as well as Guam's visitors.

May we suggest some changes to the bill if you please:

Staff:

**Dr. Eddie del Rosario**

Exec. Director

**Bernice Franquez**

PADD Advocate

**Angela Tackney**

PAIMI Advocate

**Dave Retumalta**

**Joseph Destefano**

Admin. Support

1. Kindly use "people first" language such as "citizens with disabilities", "persons with disabilities", etc.
2. This bill would be a perfect vehicle to fully comply with A.D.A. by addressing the requirements for curb cuts, accessible routes or path of travel, detectable warning surfaces, audible traffic signals, proper & adequate signage, etc. Those of us in the disabilities field are most anxious to work with the leaders in the public and private sectors who share with us our vision of a fully accessible Guam by July 26, 2000. This will be a worthwhile investment not only for all of us residing on Guam but also for the future of Guam's tourism. Guam can be a showcase of full accesibility in this part of the world.
3. Maintenance of accessible features undertaken by State & Local Governments is incorporated in A.D.A. as well as Section 504 of the Rehab. Act of 1973. Wouldn't it be more appropriate for DISID to administer the future funds resulting from penalties for failure to comply instead of DPW?

Once again, thank you for the opportunity to comment on Bill 321. Should you or your staff have any questions, please don't hesitate to contact us.

For and on behalf of the officers and members of the Board of Directors of P.A.M. dba Advocacy Office, I remain,

Respectfully yours,

A handwritten signature in black ink, appearing to read "E. del Rosario". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eddie R. del Rosario, MD, MPH  
Executive Director



Guam

# Developmental Disabilities Council

Konseihelon Guåhan para i Taotao ni Maninutet desde ki Manhoben

104 E STREET, TIYAN, GUAM 96913 • TEL: (671) 475-9127 • FAX: (671) 475-9128

September 29, 1997

The Honorable Anthony C. Blaz  
Vice-Speaker  
24th Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Vice-Speaker Blaz:

Hafa Adai and dangkolo na si Yu'os ma'åse' for affording the Guam Developmental Disabilities Council (GDDC) with the opportunity to provide testimony in support of the intent of Bill No. 321.

The GDDC is in full support of rights of way being in compliance with the Americans with Disabilities Act (ADA) Title II and III. The GDDC believes that in order to promote independence, productivity, inclusion and integration of individuals with disabilities within our community our government must come into compliance with the ADA.

The following are concerns we have with Bill 321:

- Section 1, Page 1, Line 8 please change language to “citizens with disabilities”.
- Section 1, Page 2, Line 1, please change “the disabled and physically challenged”, to “citizens with disabilities”.
- Bill 321 does not address curbs which are at this time also a barrier in sidewalks. Curb cuts must be added to sidewalks to be in compliance with the ADA.
- Section 5 of Bill 321 does not address failure to comply with Section 4.
- If penalties to comply with Section 4 will be comparable to penalties for Section 2, who will be the enforcing agency? Is it Department of Public Works? Don't all construction clearances already have to go through them?
- As in penalties for Section 3, will Department of Public Works be authorized to remove the sidewalk barriers?

- In many cases Department of Public works has issued occupancy permits to new buildings which do not comply with the ADA, what assurances do we have that they will penalize other government entities for not being in compliance with Bill 321 if it becomes law?

In closing, the passage of Bill 321 with the above questions addressed will truly promote **INDEPENDENCE, PRODUCTIVITY, INCLUSION** and **INTEGRATION** of persons with disabilities and their families into our community.

The GDDC appreciates the efforts of Senators William B. Flores, Judith Won Pat-Borja and Lou Leon Guerrero, in addressing this very significant issue which will improve the quality of life of persons with disabilities in our community.

Si Yu'os Ma'åse'



David Cruz

Chairperson  
Legislative Committee



CARL T.C. GUTIERREZ  
Governor of Guam

MADELEINE Z. BORDALLO  
LT. Governor



## TESTIMONY TO BILL NO. 321

On behalf of Director Joseph Artero-Cameron and the Department of Vocational Rehabilitation, we support the legislative intent of maintaining a safe environment for persons with disabilities and the intent of removing threats to the safety for motorists and passengers through Bill No. 321. All sidewalks must be accessible for wheelchairs by instituting curb cuts so that wheelchair users can access and exit sidewalks safely. The day has arrived where persons with visual impairments can walk with a white cane without an impediment of a street sign, a fire hydrant, a pothole, that would constitute a threat to the safety and well being of a person with total blindness.

Is it possible to impose a sanction on the enforcement agencies for its lack of reasonable enforcement? For instance, persons without disabilities have problems accessing the sidewalks of the Pacific Daily News. Isn't it unlawful now to park on sidewalks? I want a penalty for lack of enforcement by the Guam Police, Department of Public Works, EPA and related regulatory fonctionnaires.

Let's first review the unenforceable laws. Thank you for the opportunity to comment.

A handwritten signature in black ink, appearing to read "Albert T. San Agustin".

**ALBERT T. SAN AGUSTIN**  
Rehab Services & Facilities  
Administrator  
Department of Voc Rehabilitation

PUBLIC HEARING ON BILL NO. 321

OFFICE OF VICE SPEAKER ANTHONY C. BLAZ, CONFERENCE ROOM

September 29, 1997, 4:30 P.M.

SIGN-IN SHEET



Dr. Eddie Del Rosario  
Berni Garayak

ADVOCACY OFFICE  
G DDC

472-8885/617  
FAX 472-8989  
475-9127

BBMR-F2

FISCAL NOTE  
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 321 Date Received September 16, 1997  
Amendatory Bill YES  NO  Date Reviewed September 23, 1997

Department/Agency Affected: Department of Public Works  
Department/Agency Head: Mr. Tony Quinata, Acting Director  
Total FY appropriation to Date: \$31,974,521

Bill Title (Preamble): An Act to Ban Structures in Sidewalks or Public Rights of Way

Change in Law: n/a  
Bill's Impact on Present Program Funding:  
 Increase  Decrease  Reallocation  No Change  
Bill is for:  Operations  Capital Improvement  Other

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
<u>Infrastructure &amp; Utilities</u>	<u>-0-</u>		<u>-0-</u>

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>(see comments)</u>					
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO - IF NO, ADD'L AMOUNT REQUIRED n/a  
AGENCY/PERSON/DATE CONTACTED: Department of Public Works / September 23, 1997

ESTIMATED POTENTIAL MULTI-YEAR REVENUES

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Frank Livata DATE 10/2/97 DIRECTOR JOSEPH E. RIVERA DATE OCT 05 1997  
Acting Director

Footnotes: See attached comments.

Bureau of Budget and Management Research  
Fiscal Note Comments to Bill 321  
October 2, 1997

The department will need to develop an island-wide assessment plan of utility structures or appurtenances protruding on and above sidewalks, and to include recommendations for correction measures in relocating such utility structures or widening of sidewalks to comply with the proposed legislation. There will be substantial impact costs in meeting the requirements of the proposed legislation, however, such costs assessment cannot be determined at this time. Revenue estimates in assessing penalties and charges imposed on private and government entities for regulatory noncompliance cannot be determined at this time unless an island-wide assessment plan is developed.