

Reponses to the Questionnaire from the Guam Association of Realtors

From: James C. Moylan

A. REAL ESTATE RELATED

1. When the Governor first declared a State of Public Health Emergency in March of this year, after hearing the cries of many industries, I had requested that the Governor reconsider the list of “non-essential” services, and review which ones can open up safely. The Real Estate Industry was on top of the list, as it really made no sense as to why we were preventing transactions which generate taxes, assist small business owners, and can be conducted virtually.

I have been a strong proponent of small business owners, and many the proposals I have introduced this term have made that statement. For example, I have continued to be the advocate for reducing the Business Privilege Tax (BPT) from 5% to 4%, and at the start of the pandemic, introduced legislation to amend the Dave Santos Act to increase the qualifying threshold, so more entities may benefit. Likewise, Bill 351 proposed to utilize CARES Act monies to create a grant program for small businesses and was glad that the Governor decided to enact this program through an Executive Order.

So to answer the question, I will certainly support the preparation and passage of legislation to classify the whole of real estate industry as being a “True Essential Service”, and if fortunate to get re-elected and to be part of a majority, the Guam Association of Realtors can be assured that their voices will be heard with action.

2. Just as the initial question, when the concerns were raised by realtors that the Guam Land Use Commission (GLUC) was deemed non-essential, I did reach out to the Governor on this issue. Likewise, the same was noted for other agencies whose actions were vital towards attaining a new business license or a renewal. Now more than ever the island needs economic activity, and if the barriers to such opportunities is the government of Guam, then something needs to be done.

Also, to answer the question, yes, I would support the classification of the GLUC application processing an essential service.

B. GENERAL GOVERNMENT

1. I did introduce Bill 265-35 this term to establish a Citizens Legislature, hence a Part Time Legislature. Unfortunately, I am not attaining any support in this term for the measure to advance. If given the opportunity to serve in the 36th Guam Legislature, I will introduce the legislation once again, as I am a strong believer in the concept to allow for greater representation. So, to answer the question, yes, I support the creation and passage of legislation to change the operation of the Guam Legislature from a full time to a part time.
2. I did introduce multiple measures this term to reduce the BPT, including Bill 9-35 which was introduced on inauguration day for the current legislature. Just as the previous question, I did not attain any support for the bills to address the issue, hence if given the opportunity to serve in the 36th Guam Legislature, I will certainly reintroduce legislation to reduce the BPT from 5% to 4%.
3. I do not support increasing taxes or fees to address the government's shortfalls, and considering our economic conditions, that would be detrimental towards small businesses. As I have reiterated previously, the government needs to deeply review its expenditures and reduce spending on less critical entities. During the FY21 Budgetary process I had made some of these recommendations, and they represent a fraction of what our government needs to do to control spending.
4. The Government of Guam can reduce expenditures without impacting payroll. There are several approaches to take as noted in the previous question, a deep review of expenses must be the priority, and this includes removing any contracts or redundancies within agencies. If we can consolidate entities (i.e. consolidating GLUC, CLTC, and ALC to one entity under DLM and reducing the costs associated with management), eliminate positions such as deputy directors, then we are on the right track.

If given the opportunity to serve in the next legislature, I will continue to propose ideas to reduce these expenditures, without impacting the core services needed.

5. I have always been a firm believer that the minimum wage should be set by market conditions and not arbitrarily by the government. Ultimately these are expenditures that affects small businesses and impacts the job market adversely. Considering our present economic situation, I absolutely will not support any legislation which further increases the minimum wage, as we need to find ways to resurrect our economy, and creating new taxes, fees or expenses takes us back several steps.
6. I am absolutely in favor of reducing taxes and fees to assist in the start of small businesses and maintaining their viability. My legislative record has evidenced this, and the proposals I have introduced since the State of Public Health Emergency was declared, clearly defines what we need to do as a government to help resurrect our economy.

Not only do we need to reduce taxes and fees, but we need to restructure how business activity is conducted on island, and this starts with making Guam a business-friendly jurisdiction.

This includes creating a true One Stop Business License and Permitting Center and assuring that there is a smooth process with business transactions (inclusive of what was noted in one of the earlier questions on the concerns with the GLUC).

7. Regarding privatization or Public Private Partnerships (PPP), I did introduce Bill 305-35 to propose a PPP for the management of the Guam Memorial Hospital. I am also a proponent for privatizing the Guam Regional Transport Authority (GRTA) along with the maintenance of our public parks. On the latter I did introduce Bill 58-35 at the start of this term to establish these PPP's, but unfortunately while there was strong community support (inclusive of from the visitor industry), the legislation was being stalled in the legislative committee. If give the opportunity to serve in the 36th, these measures will certainly be brought to the table for discussion once again.
8. I am a staunch supporter of the military buildup and marine relocation, as it is one of the three pillars of our economy and has been consistent even during the pandemic. My legislative record will showcase that I was the only senator who from the onset, elected not to be a co-sponsor of a Resolution in 2019 which proposed to pause the buildup. I support a responsible process, particularly when it comes to assuring that any artifacts, remains, or anything of historical value, are protected, and in the many discussions (and field trips) with the military partners I walked away with that assurance.