

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
14-36 (COR)	Joe S. San Agustin Tina Rose Muña Barnes James C. Moylan	AN ACT TO AMEND § 61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.	1/7/21 8:11 a.m.	1/13/21	Committee on Health, Land, Justice, and Culture	2/4/21 2:00 p.m.	2/12/21 8:00 a.m. As amended by the Committee on Health, Land, Justice, and Culture	Waiver: 1/13/21	



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

February 9, 2021

The Honorable Tina Rose Muña Barnes

Chairperson, Committee on Rules

I Mina'trentai Sais na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

RE: Committee Report on Bill No. 14-36 (COR), As amended by the Committee on Health, Land, Justice, and Culture

Håfa Adai Chairperson Muña Barnes:

Transmitted herewith is the Committee Report on the **Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice, and Culture** – Senators Joe S. San Agustin, Tina Rose Muña Barnes, and James C. Moylan – “AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.”

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

**COMMITTEE ON RULES
RECEIVED:**

February 10, 2021

8:00 A.M.

Sincerely,

Therese M. Terlaje

Revisions Rec'd:

February 11, 2021 @ 6:43 P.M.

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT

Bill No. 14-36 (COR),

As Amended by the Committee on Health, Land,
Justice, and Culture

Introduced by:

Joe S. San Agustin
Tina Rose Muña Barnes
James C. Moylan

**“AN ACT TO AMEND §61309(c) (4) (A) OF
CHAPTER 61, TITLE 21, GUAM CODE
ANNOTATED RELATIVE TO FAST TRACKING
GUAM LAND USE COMMISSION
CONDITIONAL USE APPLICATIONS FOR
TEMPORARY WORKERS HOUSING FACILITIES
DURING PANDEMIC CONDITIONS OF
READINESS.”**



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

February 9, 2021

MEMORANDUM

To: All Members
Committee on Health, Land, Justice and Culture

From: Speaker Therese M. Terlaje *TMT*
Committee Chairperson

Subject: Committee Report on Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice, and Culture

Transmitted herewith for your consideration is the Committee Report on Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice, and Culture - Joe S. San Agustin, Tina Rose Muña Barnes, James C. Moylan - "AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS. "

This report includes the following:

- Copy of COR Referral of Bill No. 14-36 (COR)
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 14-36 (COR), As Introduced
- Copy of Bill No. 14-36 (COR), As Amended by the Committee on Health, Land, Justice, and Culture
- Amended Mark-up Version
- Copy of Fiscal Note from the Bureau of Budget and Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

January 13, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 14-36 (COR)**

Buenas yan Håfa adai.

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 14-36 (COR).

Please ensure that the subject bill is referred to the **Committee on Health, Land, Justice, and Culture, chaired by Speaker Therese M. Terlaje**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules



I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

FIRST NOTICE of Virtual Public Hearing – Thursday, February 4, 2021 beginning at 9:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Thu, Jan 28, 2021 at 8:23 AM

To: phnotice@guamlegislature.org

Cc: Guam MIS <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>, vanthonyada@gmail.com, vince@senatorfrankblas.com, Chris Duenas <senatorchrisduenas@gmail.com>, j.msbrown@yahoo.com, Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Dr. Anita Enriquez" [REDACTED], "Leilani R. Flores (flores.lani@gmail.com)" <flores.lani@gmail.com>, brian@cravegroup.net, "Joseph M. Borja" <joseph.borja@land.guam.gov>, Cristina Gutierrez <cristina.gutierrez@land.guam.gov>, Nicolas Toft <Nicolas.Toft@land.guam.gov>, Celine Cruz <Celine.Cruz@land.guam.gov>, Art Chan [REDACTED], Edwin Reyes <edwin.reyes@bsp.guam.gov>, Vince Arriola <vince.arriola@dpw.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>, maryrose.wilson@dpw.guam.gov, brian.bearden@epa.guam.gov, noni.amar@epa.guam.gov, Antonio S Gumataotao <agumataotao@gpagwa.com>, bhess@guamwaterworks.org, vlaguana@guamwaterworks.org, jtadeo@guamwaterworks.org, "Jose U. Garrido" <jose.garrido@dpr.guam.gov>, al.masga@dpr.guam.gov, Russell Kanai <russell.kanai@dpr.guam.gov>, Joe Quinata <jqpreservation@guam.net>, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, Daniel D Swavely [REDACTED], Philsan Kim [REDACTED] cbudasi@guamwaterworks.org, Ann Borja <annborja@guamwaterworks.org>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Arlene Acfalle <arlene.acfalle@epa.guam.gov>, "Carlotta A. Leon-Guerrero" <carlotta.leonguerrero@guam.gov>, Ibarra Hernandez <ihernandez@guamlegislature.org>

January 28, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **FIRST NOTICE of Virtual Public Hearing – Thursday, February 4, 2021 beginning at 9:00 a.m.**

Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 beginning at 9:00 a.m.** utilizing the Zoom video conference platform, for the following agenda item:

9:00 AM:

- **Bill No. 27-36 (COR)** - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, *SANTA RITA* IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.
- **Bill No. 28-36 (COR)** - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT 2-1, TRACT 236, *TAMUNING* IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

11:00 AM:

- **Bill No. 39-36 (COR)** - Therese M. Terlaje- AN ACT TO *AMEND* §§ 61303(a), 61620, 61634, AND 61645 OF CHAPTER 61 AND TO *AMEND* §§ 66208, 66212(a), 66303, 66307, 66406, AND 66407 OF CHAPTER 66, ALL OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ENFORCING THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES.

2:00 PM:

- **Bill No. 14-36 (COR)** - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO *AMEND* §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.
- **Bill No. 38-36 (COR)** - Telo T. Taitague- AN ACT TO *AMEND* § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

For individuals wishing to provide live testimony via videoconferencing, please contact our office by email at senatorterlajeguam@gmail.com to register or call 671-472-3586 by COB on Wednesday, February 3, 2021.

Written testimony may be delivered to the Office of Speaker Therese M. Terlaje at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to senatorterlajeguam@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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First Notice of Virtual Public Hearing_Thursday, February 4, 2021 at 9AM_TMT.pdf

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 28, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

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Committee on Health, Land, Justice and Culture

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We look forward to your participation! *Si Yu'os Ma'åse'!*

Kremlin: Russia, US extend arms agreement

By Gabrielle Tétrault-Farber
and Trevor Hunnicutt
Reuters

MOSCOW/WASHINGTON — Russia and the United States have struck a deal to extend the New START nuclear arms control treaty, the Kremlin said on Tuesday, a move that preserves the last major pact of its kind between the world's two biggest nuclear powers.

The White House did not immediately confirm the Kremlin's announcement but said President Joe Biden and Russian President Vladimir Putin had discussed the issue by telephone and agreed that their teams work urgently to complete the extension by Feb. 5,

when the treaty expires.

Signed in 2010, the New START, or Strategic Arms Reduction Treaty, is a cornerstone of global arms control.

It limits the number of strategic nuclear warheads deployed by the United States and Russia to 1,550 each, as well as the number of land- and submarine-based missiles and bombers that deliver them.

The Kremlin declared the breakthrough, which was widely anticipated, in a statement announcing that Putin and Biden had spoken for the first time since Biden took office on Jan. 20.

Moscow and Washington had failed to agree an extension under former U.S. President Donald Trump, whose

It limits the number of strategic nuclear warheads deployed by the United States and Russia to 1,550 each.

administration had wanted to attach conditions to a renewal that Moscow rejected.

The Kremlin said Putin and Biden "expressed satisfaction" that diplomatic notes between the two nations had been exchanged earlier on Tuesday confirming the pact would

be extended and that procedures required for the pact to come into force before it expires would be completed in the coming days.

The White House, in its description of the call, did not say that an agreement had been reached or that diplomatic notes had been exchanged, though its tone was upbeat.

"They discussed both countries' willingness to extend New START for five years, agreeing to have their teams work urgently to complete the extension by Feb. 5," the White House said. "They also agreed to explore strategic stability discussions on a range of arms control and emerging security issues."

Peru orders total lockdown across 10 states

LIMA (Reuters) — President Francisco Sagasti of Peru on Tuesday night announced a total lockdown of the capital and nine other regions following a significant increase in COVID-19 cases, which he said had pushed hospitals close to collapse.

Sagasti said the new measures covering central Peru would remain in effect until at least Feb. 14. They include instructions to work from home, the closure of all non-essential shops, the suspension of inter-regional land and air travel and the extension of a ban on flights coming from Europe to flights from Brazil in a bid to curb new, more contagious strains of the virus.

On Tuesday, Peru reported 4,444 new cases of the coronavirus, taking its total to 1,107,239, and 40,107 deaths. According to Reuters data here, Peru's cases are at 57% of an Aug. 22 peak, when more than 9,000 new cases were confirmed.

Yemenis file rights case over deadly US strikes

(The Washington Post) — Relatives of at least 34 Yemenis alleged to have been killed in American military actions have asked an international human rights body to determine whether the deaths were unlawful, in a case that could draw attention to the human cost of overseas counterterrorism campaigns.

The petition, the first of its kind to be submitted to the Inter-American Commission on Human Rights, asserts that six drone strikes and one Special Operations raid targeting Yemen's al-Bayda governorate during the Obama and Trump administrations inflicted catastrophic damage on two families. Among the dead, the survivors say, were nine children and several members of Yemen's military.

The filing provides new visibility into a counterterrorism campaign that has mostly been shrouded in secrecy, as American military and intelligence officials conduct an extended effort against al-Qaida in the Arabian Peninsula and other militant threats. Since 2015, a parallel conflict between Yemen's Houthi rebels and forces backed by Saudi

Arabia has made communication and media access more difficult, further thrusting the war against extremists into the shadows.

The petition, submitted on behalf of a group of Yemenis by the London-based human rights group Reprieve, which has documented the aftermath of U.S. counterterrorism operations, argues that the repeated targeting of the two families, in addition to lives lost, has taken a psychological toll on survivors.

"Having already suffered enormous loss, the families live in constant fear that the drones flying overhead will strike again, killing more members of their family or their extended tribe or community," Jennifer Gibson, a lawyer with Reprieve, said in one of the petition documents.



Judiciary of Guam

Guam Judicial Center
120 West O'Brien Drive, Hagåtña, Guam 96910
www.guamcourts.org

INVITATION FOR BID NO. IFB 21-01

Emergency Generator & Automatic Transfer Switch (ATS)

The Judiciary of Guam is accepting bids from qualified vendors to supply and install an Emergency Generator and Automatic Transfer Switch (ATS), for the Judiciary of Guam.

Interested and qualified vendors may request for a printed or electronic copies of the IFB package from the Procurement Office, 1st Floor, Guam Judicial Center in Hagåtña, Guam beginning **Thursday, January 21, 2021, from 8:00 a.m. to 5:00 p.m., Guam Standard Time, Monday to Friday**, except Government of Guam holidays.

All bids must be submitted to the Procurement Office **no later than 2:00 pm, Monday, February 8, 2021 (Guam Standard Time)**. All bids will be publicly opened and read aloud on that said date and time at the Administrator of the Courts Conference Room, 1st Floor, Guam Judicial Center in Hagåtña, Guam

For any periodic updates of the IFB please visit the Judiciary's website <http://www.guamcourts.org>. For further information or to request for copies of the IFB package, please contact the Procurement Office at 671-475-3393/3175/3141/3290 or email jpcpepeda@guamcourts.org and/or mantonio@guamcourts.org.

/s/ KRISTINA L. BAIRD
Administrator of the Courts

"The Judiciary of Guam is an equal opportunity provider and employer."

SPEAKER THERESA M. TERLAJE

I Muna Terlat Sina ni Liheslaturan Guåhan
36th Guam Legislature



Committee on Health, Land Justice And Culture

VIRTUAL PUBLIC HEARINGS • THURSDAY, FEBRUARY 4, 2021

9:00 AM:

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Bill No. 28-36 (COR) – Sabina Flores Perez – AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT 2-1, TRACT 236, TAMUNING IN EXCHANGE FOR A GRANT FROM THE OWNER. NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE:Virtual Public Hearing – Thursday, February 4, 2021 beginning at 9:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Feb 2, 2021 at 9:29 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>, vanthonyada@gmail.com, vince@senatorfrankblas.com, Chris Duenas <senatorchrisduenas@gmail.com>, j.msbrown@yahoo.com, Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstrips.osd.mil, carlsonc@pstrips.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Dr. Anita Enriquez" [REDACTED] "Leilani R. Flores (flores.lani@gmail.com)" [REDACTED] 'Joseph M. Borja' <joseph.borja@land.guam.gov>, Cristina Gutierrez <cristina.gutierrez@land.guam.gov>, Nicolas Toft <Nicolas.Toft@land.guam.gov>, Celine Cruz <Celine.Cruz@land.guam.gov>, Art Chan [REDACTED], Edwin Reyes <edwin.reyes@bsp.guam.gov>, Vince Arriola <vince.arriola@dpw.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>, maryrose.wilson@dpw.guam.gov, brian.bearden@epa.guam.gov, noni.amar@epa.guam.gov, Antonio S Gumataotao <agumataotao@gpagwa.com>, bhess@guamwaterworks.org, vlaguana@guamwaterworks.org, jtadeo@guamwaterworks.org, "Jose U. Garrido" <jose.garrido@dpr.guam.gov>, al.masga@dpr.guam.gov, Russell Kanai <russell.kanai@dpr.guam.gov>, Joe Quinata <jqpreservation@guam.net>, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, Daniel D Swavely [REDACTED] Philsan Kim <philsan.kim@nanhawaii.com>, cbudasi@guamwaterworks.org, Ann Borja <annborja@guamwaterworks.org>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Arlene Acfalle <arlene.acfalle@epa.guam.gov>, "Carlotta A. Leon-Guerrero" <carlotta.leonguerrero@guam.gov>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Gina Campos [REDACTED] Guam Association of Realtor <garadmin@guamrealtors.com>

FEBRUARY 2, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing – Thursday, February 4, 2021 beginning at 9:00 a.m.**

Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 beginning at 9:00 a.m.** utilizing the Zoom video conference platform, for the following agenda item:

9:00 AM:

- **Bill No. 27-36 (COR)** - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, *SANTA RITA* IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.
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For individuals wishing to provide live testimony via videoconferencing, please contact our office by email at senatorterlajeguam@gmail.com to register or call 671-472-3586 by COB on Wednesday, February 3, 2021.

Written testimony may be delivered to the Office of Speaker Therese M. Terlaje at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to senatorterlajeguam@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*

NOTE: IN COMPLIANCE WITH OPEN GOVERNMENT LAW, PUBLIC NOTICE FOR THIS HEARING WAS PUBLISHED IN THE GUAM DAILY POST ON JANUARY 28, 2021 (5-DAY NOTICE) AND FEBRUARY 2, 2021 (48-HOUR NOTICE).

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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3 attachments



SECOND Notice of Virtual Public Hearing_Thursday, February 4, 2021 at 9AM_TMT.pdf
407K



5-DAY NOTICE OF PH_ 02.04.21_The Guam Daily Post.pdf
3484K



48 HOUR NOTICE OF PH_ 02.04.21_The Guam Daily Post.pdf
3110K



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

February 2, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson^{Tmt}
Committee on Health, Land, Justice and Culture

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Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*

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We look forward to your participation! *Si Yu'os Ma'åse'!*

Price Elementary's online classes continue today; vaccinations at UOG

Online classes at Price Elementary School will continue today, said Superintendent Jon Fernandez.

A Price Elementary staff member tested positive for COVID-19, according to the Joint Information Center.

"(Today) is an online day so there are no students on campus. Faculty will be teleworking. Staff will be on-site unless they were identified as contacts and required to quarantine," Fernandez said.

17,000 vaccine doses ordered

Teachers and school-based staff are among those who qualify for COVID-19 vaccination.

The Department of Public Health and

Social Services has placed an order for 17,000 doses of COVID-19 vaccine for this month, JIC stated on Monday.

DPHSS' Immunization Program ordered 9,200 doses of the Moderna vaccine and 7,800 doses of the Pfizer-BioNTech vaccine totaling 17,000 doses for the month of February. Both vaccines are anticipated to arrive within three to five business days.

Vaccination at UOG

The Guam National Guard, in partnership with DPHSS and the University of Guam, resumes its COVID-19 vaccination clinic.

The clinic will be held from today, Feb. 2, through Saturday, Feb. 6 from 1

p.m. to 7 p.m. at the UOG Calvo Field House. These clinics are open to the public for individuals 60 years and older, health care workers, school-based staff and daycare workers, and essential government agencies.

The Pfizer-BioNTech vaccine will only be available for those due for their second dose. The Moderna vaccine will be available for both first and second doses. Residents are advised to schedule an appointment online via Eventbrite.

A total of 65 appointments and up to 15 walk-ins will be accepted hourly, according to JIC.

(Daily Post Staff)



VACCINATION: Operation Liberate Guam kicked off its COVID-19 vaccinations at the University of Guam Calvo Field House last week. The vaccination continues today for seniors 60 or older at the field house. Residents in this age group are asked to pre-register online via Eventbrite, <https://bit.ly/3j6vyTd>.

Kevin Milan/The Guam Daily Post

Substance abuse program for prisoners may resume soon

By John O'Connor

john@postguam.com

The Department of Corrections is looking at resuming its Residential Substance Abuse Treatment Program around the third week of February, according to DOC spokesman Maj. Antone Aguon.

More than 30 inmates have been interviewed and assessed for the drug treatment program but the prison only has capacity for up to 16 men and 2 women.

The inmates will be reviewed by a team consisting of RSAT staff, case-

work, security, forensic, and the Guam Behavioral Health and Wellness' New Beginnings representatives next week. A DOC committee will give the initial approval. The candidates will also need approval from the warden. The director will be the last to give the approval for an inmate to attend the substance abuse program, Aguon said.

The program is federally administered by the Bureau of Statistics and Plans but implemented by DOC.

It is open only to inmates who have six to 12 months remaining on their sentences.

Interest in the program had been



DOC: The Department of Corrections main gate is seen on Jan. 26. The prison has nearly double the number of prisoners who want to be in a substance abuse treatment program than there is space available. Norman M. Taruc/The Guam Daily Post

growing but a major roadblock toward expanding has been a lack of space in the DOC facility.

The corrections department was in the process of procuring services

to develop a master plan for a new prison facility in 2019.

The Post submitted a request for an update on the status of that master plan but is awaiting a response from DOC.

SPEAKER THERESA M. TERLAJE

L-Mina'trendal Sais na Liheslaturan Guahan
36th Guam Legislature



Committee on Health, Land Justice And Culture

VIRTUAL PUBLIC HEARINGS • THURSDAY, FEBRUARY 4, 2021

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Guam Cancer Trust Fund Council Meeting

The Guam Cancer Trust Fund Council will hold its monthly meeting online on **Thursday, February 11, 2021**. If interested in attending the meeting, please register with Remylynn Yamanaka at gctf@triton.uog.edu.



The University Of Guam Solicits Applications To Establish A List Of Eligibles For The Following Limited Term Appointment, Full-Time Position, (Subject to the availability of funds):

#030-21 NETWORK PROGRAM ASSOCIATE

Contact the Human Resources Office at (671) 735-2350 for additional information regarding requirements, qualifications and application deadline, 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. View the Human Resources Office website at <http://www.uog.edu/hro> for detailed information on the job announcement.

The University of Guam is a U.S. accredited institution and an Equal Opportunity Employer and Provider and complies with the Americans with Disabilities Act. For assistance, please contact the Director, EEO and Title IX/ADA Coordinator at (671) 735-2244; (671) 735-2243 (TTY).

/s/JOSEPH B. GUMATAOTAO
Acting Chief Human Resources Officer

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

AMENDED SECOND NOTICE of Virtual Public Hearing – Thursday, February 4, 2021 beginning at 11:00 AM 9:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Feb 2, 2021 at 11:01 AM

To: phnotice@guamlegislature.org

Cc: Guam MIS <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Jose Pedro Terlaje <senatorpedo@senatorterlaje.com>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, "Mary C. Torres" <senatormary@guamlegislature.org>, vanthonyada@gmail.com, vince@senatorfrankblas.com, Chris Duenas <senatorchrisduenas@gmail.com>, j.msbrown@yahoo.com, Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstrips.osd.mil, carlsonc@pstrips.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Dr. Anita Enriquez" [REDACTED], "Leilani R. Flores" [REDACTED], [REDACTED] "Joseph M. Borja" <joseph.borja@land.guam.gov>, Cristina Gutierrez <cristina.gutierrez@land.guam.gov>, Nicolas Toft <Nicolas.Toft@land.guam.gov>, Celine Cruz <Celine.Cruz@land.guam.gov>, Art Chan [REDACTED] Edwin Reyes <edwin.reyes@bsp.guam.gov>, Vince Arriola <vince.arriola@dpw.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>, maryrose.wilson@dpw.guam.gov, brian.bearden@epa.guam.gov, noni.amar@epa.guam.gov, Antonio S Gumataotao <agumataotao@gpagwa.com>, bhess@guamwaterworks.org, vlaguana@guamwaterworks.org, jtadeo@guamwaterworks.org, "Jose U. Garrido" <jose.garrido@dpr.guam.gov>, al.masga@dpr.guam.gov, Russell Kanai <russell.kanai@dpr.guam.gov>, Joe Quinata <jqpreservation@guam.net>, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, Daniel D Swavely [REDACTED] Philsan Kim [REDACTED] cbudasi@guamwaterworks.org, Ann Borja <annborja@guamwaterworks.org>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>, Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Arlene Acfalle <arlene.acfalle@epa.guam.gov>, "Carlotta A. Leon-Guerrero" <carlotta.leonguerrero@guam.gov>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Gina Campos [REDACTED] Guam Association of Realtor <garadmin@guamrealtors.com>

FEBRUARY 2, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **AMENDED SECOND NOTICE of Virtual Public Hearing – Thursday, February 4, 2021**
beginning
at **11:00 AM** ~~9:00~~ a.m.

Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 beginning at 9:00 a.m.** utilizing the Zoom video conference platform, for the following agenda item:

~~9:00 AM:~~ POSTPONED AT THE REQUEST OF THE SPONSOR UNTIL FURTHER NOTICE

- **~~Bill No. 27-36 (COR)~~** - Sabina Flores Perez- ~~AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, SANTA RITA IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.~~
- **~~Bill No. 28-36 (COR)~~** - Sabina Flores Perez- ~~AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT 2-1, TRACT 236, TAMUNING IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.~~

11:00 AM:

- **Bill No. 39-36 (COR)** - Therese M. Terlaje- AN ACT TO **AMEND** §§ 61303(a), 61620, 61634, AND 61645 OF CHAPTER 61 AND TO **AMEND** §§ 66208, 66212(a), 66303, 66307, 66406, AND 66407 OF CHAPTER 66, ALL OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ENFORCING THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES.

2:00 PM:

- **Bill No. 14-36 (COR)** - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO **AMEND** §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.
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For individuals wishing to provide live testimony via videoconferencing, please contact our office by email at senatorterlajeguam@gmail.com to register or call 671-472-3586 by COB on Wednesday, February 3, 2021.

Written testimony may be delivered to the Office of Speaker Therese M. Terlaje at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to senatorterlajeguam@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*

NOTE: IN COMPLIANCE WITH OPEN GOVERNMENT LAW, PUBLIC NOTICE FOR THIS HEARING WAS PUBLISHED IN THE GUAM DAILY POST ON JANUARY 28, 2021 (5-DAY NOTICE) AND FEBRUARY 2, 2021 (48-HOUR NOTICE).

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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AMENDED SECOND Notice of Virtual Public Hearing_Thursday, February 4, 2021 at 9AM_TMT.pdf

282K



Office of the Speaker

THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

FEBRUARY 2, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson ^{Tmt}
Committee on Health, Land, Justice and Culture

Subject: **AMENDED SECOND NOTICE of Virtual Public Hearing** – Thursday, February 4, 2021 beginning at **11:00** 9:00 a.m.

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Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*

2:00 PM:

- **Bill No. 14-36 (COR)** - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO *AMEND* §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.
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Office of the Speaker

THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

FEBRUARY 2, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

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Committee on Health, Land, Justice and Culture

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> Wed, Jan 27, 2021 at 4:45 PM
To: "Dr. Anita Enriquez" [REDACTED] "Leilani R. Flores" [REDACTED]
[REDACTED] Nicolas Toft <Nicolas.Toft@land.guam.gov>, Art Chan [REDACTED] Cristina Gutierrez
<Cristina.Gutierrez@land.guam.gov>
Cc: "Joseph M. Borja" <joseph.borja@land.guam.gov>

January 27, 2021

Transmitted via Electronic Mail:

Dr. Anita Enriquez, Chairperson
Guam Land Use Commission
abe@triton.uog.edu

All Members, Guam Land Use Commission

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Chairperson Enriquez and GLUC Commissioners:

The Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 at 10:00 a.m.** utilizing the Guam Legislature's virtual hearing platform. The items on the hearing agenda are as follows:

9:00 AM:

Bill No. 27-36 (COR) - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, *SANTA RITA* IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

Bill No. 28-36 (COR) - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT 2-1, TRACT 236, *TAMUNING* IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

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CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES

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FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE THAT
FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

We are cordially inviting you to attend the hearing to provide valuable feedback on the agenda items. Please
confirm your attendance via email at senatorterlajeguam@gmail.com or call 472- 3586. Upon
confirmation of attendance, the hearing link and virtual hearing guidance will be emailed to you.

We are also accepting written testimony that can be submitted via email, should you not be able to attend the
hearing. All written testimony submitted prior to the hearing will be made available to all Senators and the
public attending the hearings and will be included in the committee report on the bills, which will be
published for public view on the 36th Guam Legislature website.

We look forward to your participation!

Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: www.senatorterlaje.com

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Jan 27, 2021 at 4:49 PM

To: "Dr. Anita Enriquez" [REDACTED] "Leilani R. Flores" [REDACTED]

[REDACTED] Nicolas Toft <Nicolas.Toft@land.guam.gov>, Art Chan [REDACTED] Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>

Cc: "Joseph M. Borja" <joseph.borja@land.guam.gov>

Please note the error in the body of email. Public Hearing time is 9:00 a.m., not 10:00 a.m.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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On Wed, Jan 27, 2021 at 4:45 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:
January 27, 2021

Transmitted via Electronic Mail:

Dr. Anita Enriquez, Chairperson
Guam Land Use Commission
abe@triton.uog.edu

All Members, Guam Land Use Commission

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We look forward to your participation!

Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing on Thursday, February 4, 2021 at 10:00 a.m.

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Jan 27, 2021 at 4:40 PM

To: "Joseph M. Borja" <joseph.borja@land.guam.gov>, Celine Cruz <celine.cruz@land.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>

January 27, 2021

Transmitted via Electronic Mail:

Joseph Borja, Director
Department of Land Management
Joseph.Borja@land.guam.gov

Celine Cruz, Chief Planner
Department of Land Management
celine.cruz@land.guam.gov

Margarita V. Borja, Land Administrator
Department of Land Management
Margarita.Borja@land.guam.gov

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Director Borja, Chief Cruz and Administrator Borja:

The Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 at 10:00 a.m.** utilizing the Guam Legislature's virtual hearing platform. The items on the hearing agenda are as follows:

9:00 AM:

Bill No. 27-36 (COR) - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, SANTA RITA IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

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11:00 AM:

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2:00 PM:

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: Invitation to Virtual Public Hearing on Thursday, February 4, 2021 at 10:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Jan 27, 2021 at 4:51 PM

To: "Joseph M. Borja" <joseph.borja@land.guam.gov>, Celine Cruz <celine.cruz@land.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>

Please note the error in the body of the email. The public hearing time is 9:00 a.m., not 10:00 a.m.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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On Wed, Jan 27, 2021 at 4:40 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:
January 27, 2021

Transmitted via Electronic Mail:

Joseph Borja, Director
Department of Land Management
Joseph.Borja@land.guam.gov

Celine Cruz, Chief Planner
Department of Land Management
celine.cruz@land.guam.gov

Margarita V. Borja, Land Administrator
Department of Land Management
Margarita.Borja@land.guam.gov

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Jan 27, 2021 at 4:55 PM

To: Celine Cruz <celine.cruz@land.guam.gov>, maryrose.wilson@dpw.guam.gov, brian.bearden@epa.guam.gov, noni.amar@epa.guam.gov, Edwin Reyes <edwin.reyes@bsp.guam.gov>, Antonio S Gumataotao <agumataotao@gpagwa.com>, bhess@guamwaterworks.org, vlaguana@guamwaterworks.org, jtadeo@guamwaterworks.org, "Jose U. Garrido" <jose.garrido@dpr.guam.gov>, al.masga@dpr.guam.gov, Russell Kanai <russell.kanai@dpr.guam.gov>, Joe Quinata <jqpreservation@guam.net>

January 27, 2021

Transmitted via Electronic Mail:

Celine Cruz, Chairperson
Application Review Committee (ARC)
Guam Land Use Commission

All Members, Application Review Committee
Guam Land Use Commission

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Chairperson Celine Cruz and ARC Members:

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fri, Jan 29, 2021 at 12:07 PM

To: Daniel D Swavely [REDACTED]

January 29, 2021

Transmitted via Electronic Mail:

Daniel D. Swavely

Consulting Services, Inc.

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Mr. Swavely:

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Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajegum@gmail.com

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fri, Jan 29, 2021 at 12:07 PM

To: [REDACTED]

January 29, 2021

Transmitted via Electronic Mail:

Leonard K. Kaae, Senior Vice President and General Manager
Black Construction Corporation

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Vice President Kaae:

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Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fri, Jan 29, 2021 at 12:07 PM

To: Philsan Kim [REDACTED]

January 29, 2021

Transmitted via Electronic Mail:

Philsan Kim, Project Manager

Nan, Inc.

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Mr. Kim:

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11:00 AM:

Bill No. 39-36 (COR) - Therese M. Terlaje- AN ACT TO *AMEND* §§ 61303(a), 61620, 61634, AND 61645 OF CHAPTER 61 AND TO *AMEND* §§ 66208, 66212(a), 66303, 66307, 66406, AND 66407 OF CHAPTER 66, ALL OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ENFORCING THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES.

2:00 PM:

Bill No. 14-36 (COR) - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO *AMEND* §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

Bill No. 38-36 (COR) - Telo T. Taitague- AN ACT TO *AMEND* § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

We are cordially inviting you to attend the hearing to provide valuable feedback on the agenda items. Please confirm your attendance via email at senatorterlajegum@gmail.com or call 472- 3586. Upon confirmation of attendance, the hearing link and virtual hearing guidance will be emailed to you.

We are also accepting written testimony that can be submitted via email, should you not be able to attend the hearing. All written testimony submitted prior to the hearing will be made available to all Senators and the public attending the hearings and will be included in the committee report on the bills, which will be published for public view on the 36th Guam Legislature website.

We look forward to your participation!

Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajegum@gmail.com

website: www.senatorterlaje.com

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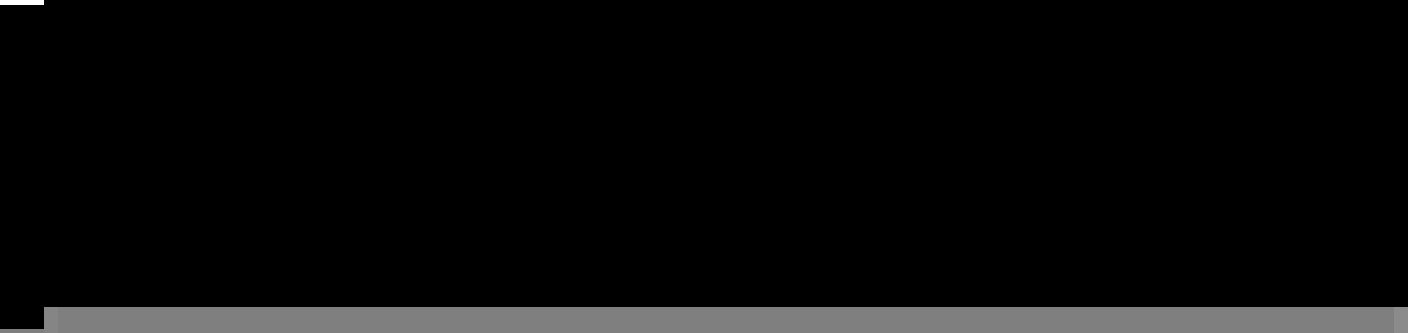
Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fwd: Invitation to Virtual Public Hearing on Thursday, February 4, 2021 at 10:00 a.m.

Therese Terlaje

Sat, Jan 30, 2021 at 9:26 AM

To:



Hafa Adai Save Southern Guam members,

I hope this finds you well. I just wanted to make sure you all received notice of these upcoming hearings on a variety of land bills, some involving the GLUC process. Additional information on Bill 14-36 is also attached. Your testimony is welcome. Feel free to share with the members I may have missed.

Recently, the Committee on Land held an oversight hearing on the Guam Land Use Commission process. You can watch it on YouTube at <https://www.youtube.com/watch?v=v4L4fELfwHg>

Therese M. Terlaje

----- Forwarded message -----

From: **Speaker Therese M. Terlaje** <senatorterlajeguam@gmail.com>

Date: Sat, Jan 30, 2021 at 8:53 AM

Subject: Fwd: Invitation to Virtual Public Hearing on Thursday, February 4, 2021 at 10:00 a.m.

To: Therese Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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----- Forwarded message -----

From: **Speaker Therese M. Terlaje** <senatorterlajeguam@gmail.com>

Date: Wed, Jan 27, 2021 at 4:40 PM

Subject: Invitation to Virtual Public Hearing on Thursday, February 4, 2021 at 10:00 a.m.

To: Joseph M. Borja <joseph.borja@land.guam.gov>, Celine Cruz <celine.cruz@land.guam.gov>, Margarita Borja <Margarita.Borja@land.guam.gov>

January 27, 2021

Transmitted via Electronic Mail:

Joseph Borja, Director
Department of Land Management
Joseph.Borja@land.guam.gov

Celine Cruz, Chief Planner
Department of Land Management
celine.cruz@land.guam.gov

Margarita V. Borja, Land Administrator
Department of Land Management
Margarita.Borja@land.guam.gov

SUBJECT: Invitation to Virtual Public Hearings on Thursday, February 4, 2021 beginning at 9:00 a.m.

Hafa Adai Director Borja, Chief Cruz and Administrator Borja:

The Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Thursday, February 4, 2021 at 10:00 a.m.** utilizing the Guam Legislature's virtual hearing platform. The items on the hearing agenda are as follows:

9:00 AM:

Bill No. 27-36 (COR) - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT NO. 238-2A-4, SANTA RITA IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

Bill No. 28-36 (COR) - Sabina Flores Perez- AN ACT TO SURRENDER AND QUITCLAIM EASEMENT INTERESTS OWNED BY THE GOVERNMENT OF GUAM ON PRIVATE LOT 2-1, TRACT 236, TAMUNING IN EXCHANGE FOR A GRANT FROM THE OWNER, NEW WATER AND SEWER EASEMENTS FOR THE BENEFIT OF GUAM WATERWORKS AUTHORITY ON THE SAME PRIVATE LOT AND TO ALLOW FOR THE ABANDONMENT OF UNUSABLE SEWER LINES AND THE CONSTRUCTION OF NEW WATER AND WASTEWATER FACILITIES.

11:00 AM:

Bill No. 39-36 (COR) - Therese M. Terlaje- AN ACT TO AMEND §§ 61303(a), 61620, 61634, AND 61645 OF CHAPTER 61 AND TO AMEND §§ 66208, 66212(a), 66303, 66307, 66406, AND 66407 OF CHAPTER 66, ALL OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ENFORCING THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES.

2:00 PM:

Bill No. 14-36 (COR) - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

Bill No. 38-36 (COR) - Telo T. Taitague- AN ACT TO AMEND § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

FOR IMMEDIATE RELEASE Residents Invited to Weigh in on Temporary Workers Housing Bill

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fri, Jan 29, 2021 at 10:29 PM

To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Cc: phnotice@guamlegislature.org

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcristost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Guam Progress <guamprogress@yahoo.com>, Kelly Park <kcn.kelly@gmail.com>, michael ko <gktv23@hotmail.com>, tlamorena@gmail.com, Angel Sablan <anghet@hotmail.com>, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Dr. Anita Enriquez [REDACTED]", Leilani R. Flores [REDACTED], Nicolas Toft <Nicolas.Toft@land.guam.gov>, Art Chan [REDACTED]

Residents Invited to Weigh in on Temporary Workers Housing Bill

FOR IMMEDIATE RELEASE (January 29, 2021 – Hagåtña, Guam) – Speaker Therese Terlaje, Chair for the Committee on Land, is inviting government agencies, Mayors and village residents where Temporary Workers Housing Facilities are planned to testify on Bill 14-36 (COR) AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

Bill 14-36 (COR) is sponsored by Senator Joe San Agustin and proposes to waive the following steps in the regular GLUC permitting process for Temporary Workers Housing Facilities during a pandemic:

- Technical review by the Application Review Committee (ARC) agencies:
 - Department of Public Works
 - Guam Environmental Protection Agency
 - Bureau of Statistics & Plans
 - Department of Agriculture
 - Guam Power Authority
 - Guam Waterworks Authority
 - Department of Parks and Recreation and Historic Preservation Office
- Written notice of public hearing by certified mail to property owners within a radius of 500 ft.
- Notice of public hearing on a 4'x 8' sign on the property
- Notice of public hearing by newspaper
- Municipal Public Hearing in the village of the proposed project

- Resolution in support from the Municipal Planning Council
- GLUC Commission Meeting and Action

Current proposals for Temporary Workers Housing Facilities are pending for the villages of Tamuning, Dededo, Barrigada and Mongmong/Toto/Maite.

The public hearing for Bill 14-36 (COR) is scheduled for Thursday, February 4, 2021 at 2 pm via Zoom. For individuals wishing to provide live testimony via videoconferencing, please contact our office by email at senatorterlajeguam@gmail.com to register or call 671-472-3586 by COB on Wednesday, February 3, 2021.

Written testimony may be delivered to the Office of Speaker Therese M. Terlaje at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to senatorterlajeguam@gmail.com.

Bill 14-36 (COR) can be viewed here: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2014-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2014-36%20(COR).pdf)

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For more information, please contact Speaker Therese M. Terlaje's office at (671) 472-3586 or via e-mail at senatorterlajeguam@gmail.com.

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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01.29.21 For Immediate Release Residents Invited to Weigh in On Temporary Workers Housing Bill.pdf
397K



Office of the Speaker

THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

Residents Invited to Weigh in on Temporary Workers Housing Bill

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Bill 14-36 (COR) can be viewed here:

[http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2014-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2014-36%20(COR).pdf)

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For more information, please contact Speaker Therese M. Terlaje's office at (671) 472-3586 or via e-mail at senatorterlajeguam@gmail.com.

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

VIRTUAL PUBLIC HEARING

THURSDAY, FEBRUARY 4, 2021 BEGINNING AT 11:00 AM

AGENDA:

11:00 AM:

- **Bill No. 39-36 (COR)** - Therese M. Terlaje- AN ACT TO **AMEND** §§ 61303(a), 61620, 61634, AND 61645 OF CHAPTER 61 AND TO **AMEND** §§ 66208, 66212(a), 66303, 66307, 66406, AND 66407 OF CHAPTER 66, ALL OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ENFORCING THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMITS, VARIANCES, AND ZONE CHANGES.

2:00 PM:

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- **Bill No. 38-36 (COR)** - Telo T. Taitague- AN ACT TO **AMEND** § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan's* live feed on

YouTube: <https://www.youtube.com/c/GuamLegislatureMedia/featured>.

A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Therese M. Terlaje by phone or via email. We look forward to your participation! *Si Yu'os Ma'åse'!*

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

Date: **Thursday, February 04, 2021**

Time: **2:00 PM**

Bill 14-36 (COR)- - Joe S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Anita Enriquez, Chairperson, Guam Land Use Commission					X		
3	Daniel Swavely, Daniel D. Swavely Consulting Services, Inc.					X	X	
4	William Flores, Former Senator and W. B. Flores & Associates					X	X	
5	Joe Borja, Director, Department of Land Management					X		
6	Mayor Louise Rivera, Tamuning					X		
6	Mayor Rudy Paco, MongMong,Toto, Maite					X		
7	Mayor June Blas, Barrigada					X		
8	Mayor Melissa Savares, Dededo					X		
9	Vice Mayor Jesse Bautista					X		
10	Angel Sablan, Mayor's Council of Guam							
11	Adrian Gogue, Save Southern Guam					X		X



General Contractors

A Tutor Perini Company

February 03, 2021

Speaker Therese M. Terlaje, Chairperson

Committee on Land

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagatna, Guam 96910

Subject: Testimony in support of Bill 14-36 regarding fast-tracking the GLUC process for Temporary Workers Housing Facilities during COVID conditions

Hafa Adai Speaker Terlaje,

Thank you for giving me this opportunity to testify about the experience of Black Construction Corporation in applying for Temporary Workers Housing Facilities. Please also refer to my testimony dated January 20 for your Oversight Hearing on this subject.

It is important to reiterate for the purpose of this hearing's record, that Black Construction Corporation ("Black") now employs approximately 500 local workers. In order to meet its current and likely future workforce requirements, BCC also requires approximately 860 H-2B workers for current projects and as many as 550 H-2B workers for future projects, for a total of at least 1,410 H-2B workers requiring Temporary Workers Housing Facility ("TWHF") accommodations. Of course, we constantly and aggressively recruit local workers at all times.

Knowing the GLUC requirements and typical timelines, Black submitted a TWHF conditional use application for 500 workers on November 14, 2019 and a supplemental application to increase the worker census to 750 on January 22, 2020. Note that our Facility was previously approved for 400 occupants; so both the initial and supplemental applications technically requested capacity for another 350 workers. The ARC meeting occurred on December 05, 2019, but the last agency position statement was not received until March 16, 2020, more than 90 days after the ARC meeting. By then, we were in COVID conditions, and Land Management did not proceed with arranging for the municipal public hearing in Tamuning. This, despite our offer to pay for all costs associated with security and enforcement of mask-wearing and social distancing, sanitizing chairs and restrooms, an audio system in event an outside overflow area was needed and any other costs associated with a DPH&SS-approved protocol. That application's status changed only last week, when Land Management advised that the public hearing is scheduled, at last, for March 11. Note that is 15 months after our ARC meeting; and we must still undertake the municipal public hearing, the Municipal Planning Council public hearing and the GLUC public hearing. Realistically, without the relief offered by Bill 14-36, we will not finish the GLUC process until sometime in May 2021, some 19 months after application submittal, meaning we will definitely miss our window of opportunity to accommodate our incoming workers in a Temporary Workers Housing Facility.

P.O. Box 24667, GMF, Guam 96921 • Phone: (671) 646-4861 • Fax: (671) 646-9086 • Website: www.blackconstructionguam.com





On July 13, 2020, Black submitted a second TWHF application, this time for accommodating 672 workers. That application has never left Planning Division's review at the Preliminary Applicant Interview stage. Realistically, under pre-COVID processing conditions and without the relief offered by Bill 14-36, we will not finish the GLUC process for this second application until sometime in August 2021. Again, we will miss our opportunity to accommodate our incoming workers in a Temporary Workers Housing Facility.

I recount this history to demonstrate that Black submitted its applications in a timely manner, in anticipation of the certain arrival of workers during the 2nd, 3rd and 4th quarters of this year.

We desperately need Bill 14-36 to pass and quickly become law. Otherwise, we will be forced to house more than 1,000 temporary workers in apartments and single family dwellings, most likely throughout Yigo, Dededo, Tamuning, Mangilao and Barrigada, which are closest to our worksites. In addition to the potential impact to neighborhood welfare, such multiple dislocations are a nightmare for fulfilling our responsibilities to feed, transport and provide health care and entertainment for our workers. The increased traffic congestion alone will adversely impact every neighborhood where our workers would be housed.

Bill 14-36 is not perfect, but at this time it is our best alternative. It keeps temporary workers housed in accommodations that were approved by the Legislature more than 10 years ago and protects the public's safety and welfare, because a DPW building and occupancy permit and a DPH&SS sanitary and dormitory permit must be in place before occupancy. Our two properties, Lot 5103-2-R1 and Lot 5161-1-1, are in mid-Harmon and zoned M-1, the required zone for Temporary Workers Housing Facilities. For each property I have enclosed a vicinity map showing the neighboring land uses.

I am prepared to answer the Committee's questions at your hearing, and I have also invited my associate, Dan Swavely, to join me.

Respectfully,
Black Construction Corporation

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

Leonard K. Kaae
Senior Vice President & General Manager



February 3, 2021

Speaker Therese M. Terlaje, Chairperson
Committee on Land
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

Subject: Testimony in support of Bill 14-36 regarding fast-tracking the GLUC process for Temporary Workers Housing Facilities during COVID conditions

Hafa Adai Speaker Terlaje,

We appreciate this opportunity to testify in favor of Bill 14-36. It would provide a very important option to the predicament we now encounter in accommodating temporary workers in private housing arrangements rather than in a Temporary Workers Housing Facility.

For the Committee's information, IAN Corporation operates primarily as IAN Construction Corporation ("IAN") and has been a General Contractor on Guam since 2005. The company's staff includes skilled tradespeople and laborers, engineers and technicians, project managers and corporate administrative staff; and they provide diverse services in the fields of general construction, demolition, excavation, landscaping, renovation and installation. IAN has received four Excellence in Construction and National Safety awards within the past 3 years and is currently engaged in five major projects including the GWA Sewer Line Rehabilitation in Tamuning and Tumon, the LDS Temple in Yigo, Sierra Wharf at Naval Station, a warehouse in Mangilao and the Samsung Solar Farm in Mangilao. IAN has a current workforce of approximately 70 local tradesmen and management and is bringing in about 135 new H-2 workers for military build-up work. In anticipating our need for those new workers, we submitted a GLUC pre-application last July for a Temporary Workers Housing Facility located on two M-1 zoned properties in Barrigada, Lots 5224-3-3 and 5224-3-1-R1 (see enclosed neighborhood vicinity map).

Unfortunately, that pre-application never made it out of the first step of processing, the Preliminary Applicant Interview by DLM Planning Division, until last Thursday, January 28, six months later. We are now making a few minor adjustments to the application package and expect to submit the final application this week. Nonetheless, with 4 major steps remaining in the GLUC process, we will never get approval to build our TWHF in time for our incoming workers. While we submitted our application and accompanying paperwork in time to reasonably expect approval within an accommodating timeframe, it is not too late to rehabilitate this situation. In fact, we have already been forced to house the first increment of temporary workers in apartments in Barrigada, and without Bill 14-36 becoming law very soon, all 135 of our workers will be placed in various venues throughout central Guam.

We find ourselves in an awkward, yet temporary, predicament. Our new TWHF would be relatively small, for 135 workers, and replace warehouse operations currently on those 2 lots. Our company headquarters is in Barrigada, which we consider our home village. We strive to have a good

relationship with our neighbors as well as with Mayor Blas. And even though Bill 14-36 would by-pass public hearing steps, we are still required to get a Public Works building permit and occupancy permit and a Public Health dormitory permit and sanitary permit. This is work-around is not perfect, but it is a preferable outcome, compared to the alternative of distributing our workers into 30-plus private apartments units.

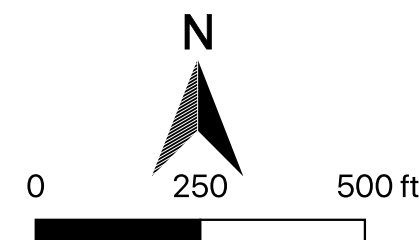
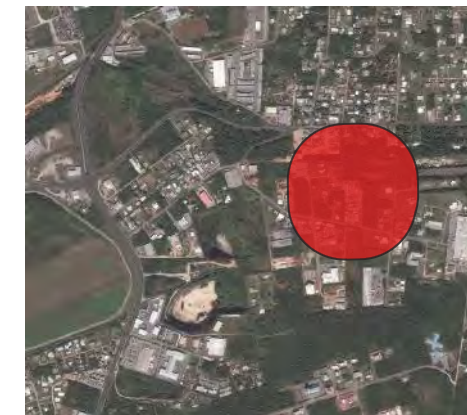
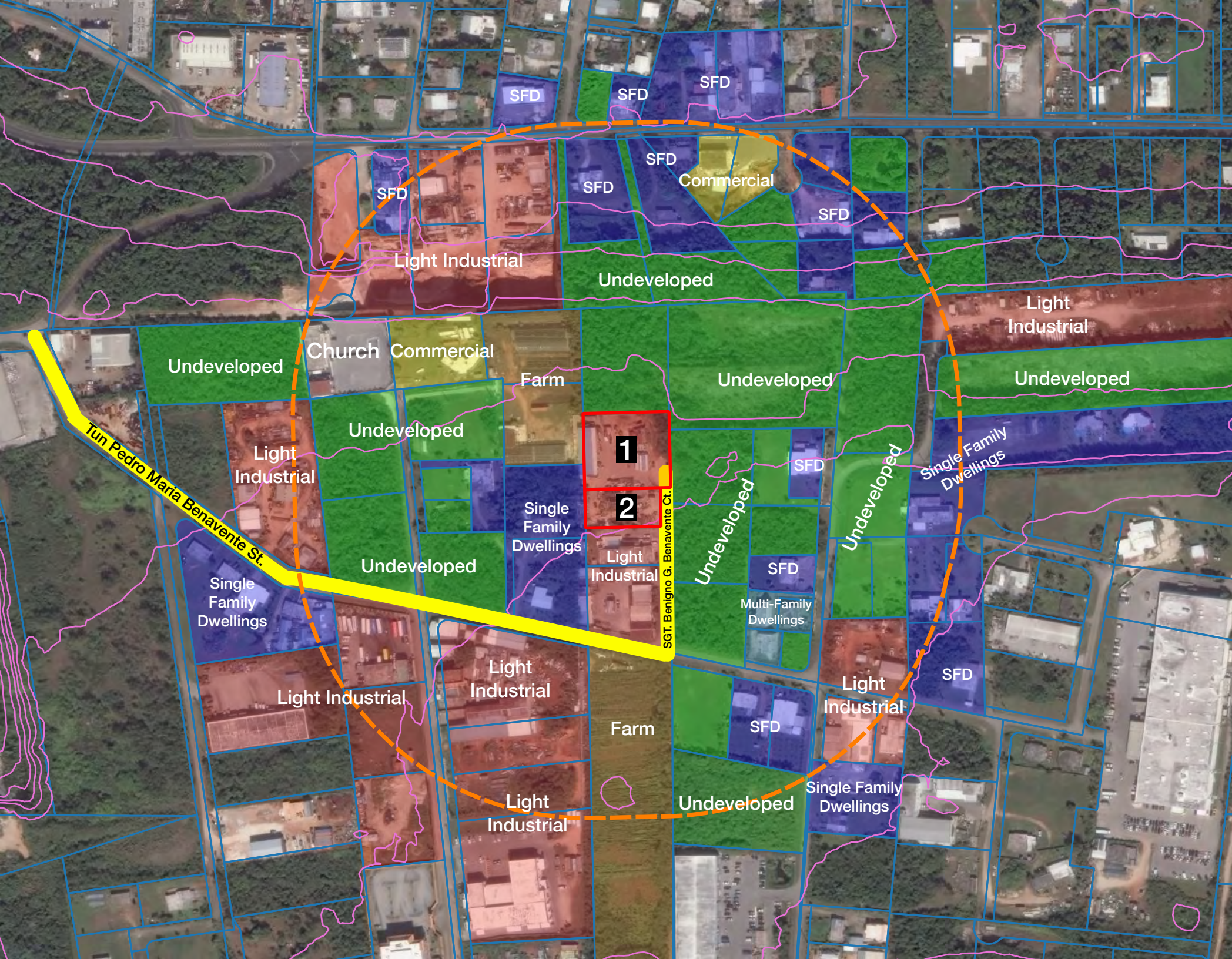
IAN responsibly submitted its application in a timely manner for a TWHF on M-1 zoned property. We did everything correctly, but now we need Bill 14-36 to protect everyone's interests. We hope you and your will Committee agree.




Sincerely,

IAN CORPORATION



Ian Chong,
President



-  750ft Radius
-  Property Boundary
-  33ft Contour Lines

IAN Corporation TWHF

All significant buildings or uses, and any natural or topographic peculiarities within a 750 foot radius from the subject lot's boundaries.

Subject Lots:

1 - Lot 5224-3-3

2 - Lot 5224-3-1-R1



KORANDO CORPORATION
GENERAL CONTRACTOR

P.O. BOX 20538
GMF, GUAM 96921
TEL: (671) 649-7880
(671) 649-7881
FAX: (671) 649-7882
EMAIL: admin@korandocorp.com
acctg@korandocorp.com

To: Senator Therese Terlaje

Subject: Bill to Fast Track Temporary Workforce Housing Facilities during Pandemic Conditions of Readiness

Testimony from Korando Corp.

As the Covid-19 pandemic rages on, and public and private services alike have been suspended or substantially delayed for nearly a year, our contractual obligations remain unchanged. We understand that it is for the public welfare that these services were suspended; we likewise request that *I Liheslaturan Guahan* pass this bill to fast track the TWHF (Temporary Workforce Housing Facility) process for the public welfare.

Our Dept of Defense build-up projects have not been delayed, and even Contract Owners in the private sphere have summarily rejected *force majeure* (“Act of God”) arguments for time extension even as project team personnel were quarantined by DPHSS. Korando Corp. is thus compelled to find housing for incoming H-2B’s among Guam’s limited pool of apartments and houses to meet its contract completion dates. As we have exhausted the maximum limit of 20 for our current TWHF, we are currently working with a real estate agent to procure apartment units to house 15 more H-2B’s planned to arrive by March-May 2021. Our agent has also been directed to not look outside the central villages such as Dededo or Tamuning so as to centralize our workforce. As President Trump’s entry ban precluded the steady flow of H-1B and H-2B workers until Dec. 31, 2020 due to the pandemic, there will be an inevitable backlog of workers that will be flowing to Guam during the first half of 2021 that may flood our already low housing inventory.

Korando Corp. has been preparing plans to apply for a TWHF capable of housing nearly 100 H-2B’s since 2019, but given the pandemic, plans have stalled. Many local small businesses such as ours are faced with no choice but to proceed with procuring private housing for our incoming H-2B’s just to meet construction schedules. This is a substantial cost for businesses

and negatively impacts the community. Also, contractors with vacant TWHF units may also rent their units to other contractors for their H-2B's. This is an efficient solution that would not burden the housing market, while maximizing the number of customers for local businesses when they need it most. The influx of 1,000's of H-2B's may indeed revitalize many small businesses during such economically depressed times. Furthermore, with the 2021 NDAA including H-2B authorization for Guam's civilian projects, an influx of H-2B's will ultimately improve Guam's housing shortage.

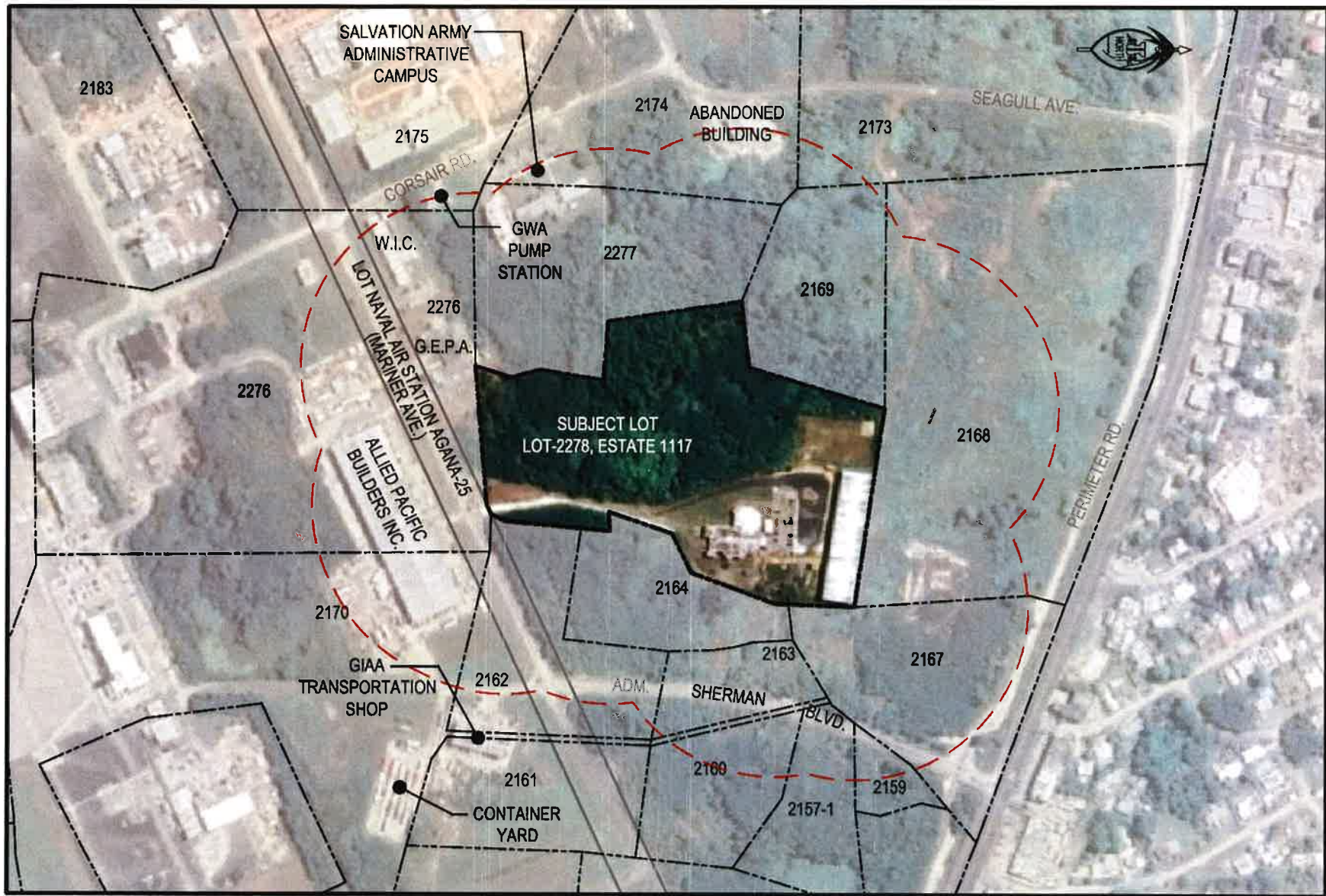
While the CARES Act has provided federal funding to allay some of the worst consequences of the pandemic, Guam must as always rely on Guam. With the tourism industry functionally comatose, the only remaining major source of tax revenue is from the construction industry. To stifle construction operations when all agree that TWHF processes have been significantly delayed due to outside forces is onerous and ultimately hurts Guam.

It is during such unprecedented times that we must work together and coordinate our efforts to promote economic development for the collective good. It is our humble request that *Liheslaturan Guahan* recognize that some of our existing processes may be unduly burdensome during the pandemic and pass this bill to fast track the processing of GLUC applications for TWHF's.

Respectfully,



Jack Kim
Korando Corporation



**NAN CORPORATION
PROPOSED WORKFORCE
HOUSING**

CONDITIONAL USE APPLICATION FOR
WORKFORCE HOUSING IN AN M-1 ZONE

LOT 2278-R1 (ESTATE 1117)

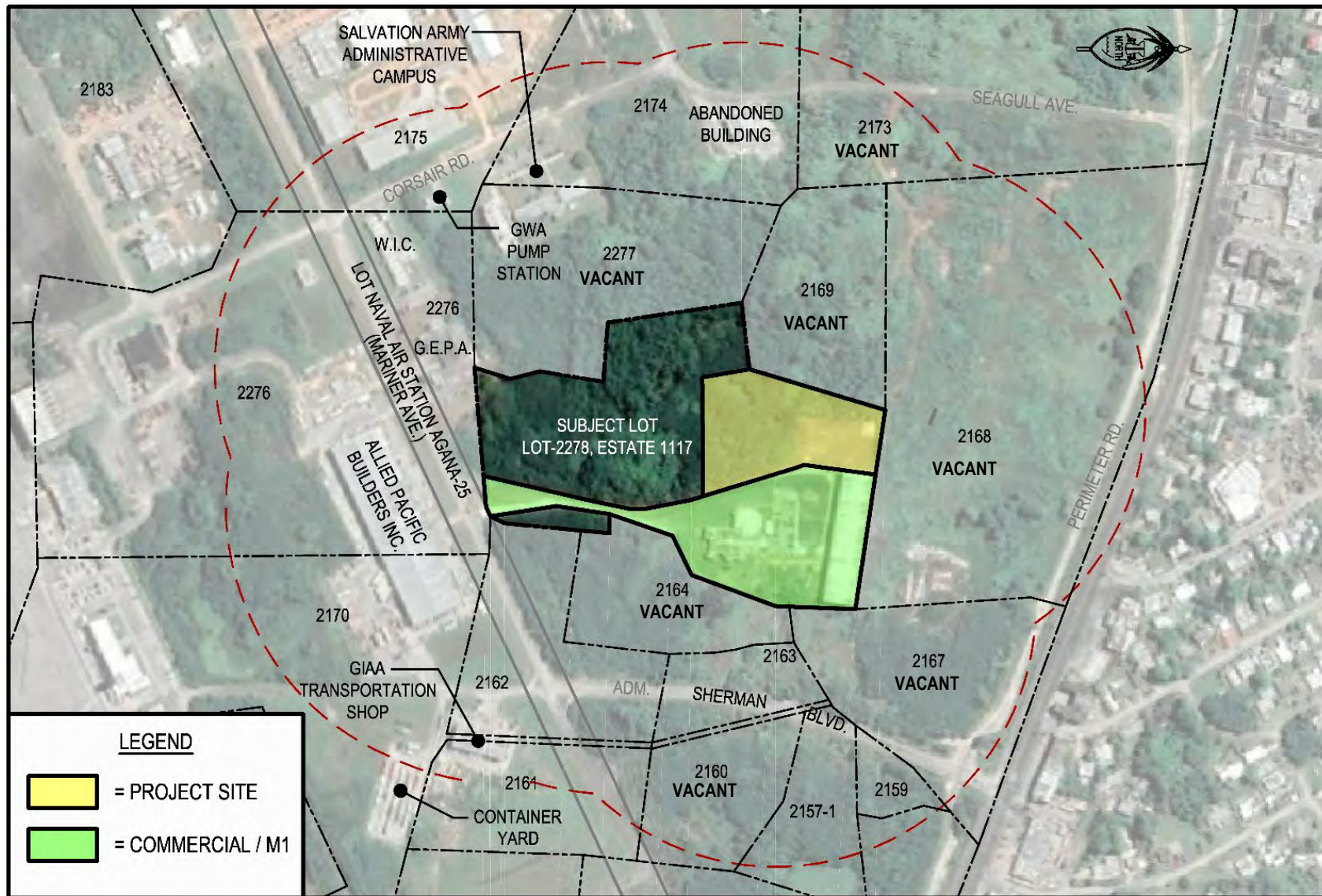
MUNICIPALITY OF BARRIGADA (TIYAN)

PARCELS WITHIN 500' RADIUS (RED DASH LINES.)

Prepared by:



P.O. Box 27747 Barrigada, GU
Tel: (671) 646-1714



**NAN CORPORATION
PROPOSED WORKFORCE
HOUSING**

CONDITIONAL USE APPLICATION FOR
WORKFORCE HOUSING IN AN M-1 ZONE

LOT 2278-R1 (ESTATE 1117)

MUNICIPALITY OF BARRIGADA (TIYAN)

USES WITHIN 750' RADIUS (RED DASH LINES.)

Prepared by:



P.O. Box 27747 Barrigada, GU
Tel: (671) 646-1714



Sp. aker Therese M. Terlaje <senatorterlajeguam@gmail.com>

RE: Sub. ission of Testimony and Location Exhibits for Virtual Public Hearing Bill No. 14-36 (COR) 04 Feb 2021

1 .. ssage

William B. Flores <wbsmflor@wbflores.com>
To: senatorterlajeguam@gmail.com

Wed, Feb 3, 2021 at 4:39 PM

Dispensa yu' – please see added notes in **RED** for clarification of Item No. 2.

2) Attached are two map location and surrounding use exhibits which show the location of the Nan Inc proposed temporary housing facility in Tiyan, Guam. This application for Temporary Workforce Housing **as a Conditional Use** in an M-1 zone is one of the several awaiting action by the Government;

Si Yu'us Ma'ase.

WILLIAM B.S.M. FLORES, P.E.

W.B. Flores & Associates

P.O. Box 27747

Barrigada, Guam 96921

Tel: (671) 646-1714

Fax: (671) 646-1715

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-



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From: William B. Flores [mailto:.. bsmflor@wbflores.com]**Sent:** Wednesday, February 03, 2021 4:36 PM**To:** 'senatorterlajeguam@gmail.com'**Subject:** Submission of Testimony and Location Exhibits for Virtual Public Hearing Bill No. 14-36 (COR) 04 Feb 2021

Hafa Adai Senadora Speaker:

This regards the virtual public hearing for:

Bill No. 14-36 (COR) - J. e S. San Agustin / Tina Rose Muña Barnes / James C. Moylan- AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

- 1) Please add me to the list of attendees to the public hearing. I do not anticipate submitting written or oral testimony at this time although I am in support of the bill as it does not propose to negate or amend the GLUC policy that TWFH facilities should be in centralized, clean and supervised environments;
- 2) Attached are two map location and surrounding use exhibits which show the location of the Nan Inc proposed temporary housing facility in Tiyan, Guam. This application for Temporary Workforce Housing in an M-1 zone is one of the several awaiting action by the Government;
- 3) Also attached is written support of the bill by Korando Corporation which is directly affected by the THWF housing issue as a main sub-contractor to Nan Inc.

Si Yu'us Ma'ase.

WILLIAM B.S.M. FLORES, P.E.

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3 February 2021

The Honorable Speaker Therese M. Terlaje
Chair for the Committee on Land
Guam Congress Building, 163 Chalan Santo Papa
Hagåtña, Guam 96910

Håfa Adai Speaker Terlaje,

Thank you for the opportunity to provide written testimony for the public hearings on the following bills:

- 14-36 (COR) An Act To Amend §61309(C) (4) (A) Of Chapter 61, Title 21, Guam Code Annotated Relative To Fast Tracking Guam Land Use Commission Conditional Use Applications For Temporary Workers Housing Facilities During Pandemic Conditions Of Readiness

Do not concur.

This bill proposes a very dangerous precedent to waive the regular GLUC permitting process for Temporary Workers Housing Facilities during a pandemic, and specifically calls out the Department of Defense build-up projects as the catalyst to waive a process in our zoning law that is in place to ensure the protection of the public's interests, safety and welfare. Amending our zoning law for temporary workforce housing applications when a PCOR restricts public assembly is contrary to this process.

Land use planning is a deliberate process and the build-up involved long-range planning at our national and local governments. Ergo, our GLUC, ARC Agencies, and contractors providing temporary workers to the build-up projects also need to plan accordingly.

As a result of the COVID-19 pandemic, we have adapted to our new working environment and embraced technology to accomplish our work. Our government agencies are also adapting. For example, the public hearing for this bill will be made available via Zoom for those wishing to provide live testimony. This technology, or similar alternative, can also be used for the GLUC application review and permitting process.

If this bill becomes law, it will create unintended consequences where land developers and other interest groups will seek to amend our zoning law that promote their interests. I have witnessed the GLUC application review and conditional approval for a controversial project that residents opposed. Eventually, the GLUC's conditional approval and Notice of Action were revoked after 2 years of opposing the project's approval and the filing of a lawsuit to stop the project. Our fellow residents should not have to resort to these actions. Our government is responsible for protecting the public's interests, safety, and welfare. This bill proposes to do the opposite and will deny us, the people of Guam, our fundamental right to voice our concerns.

- 38-36 (COR) An Act To Amend § 61106(B) Of Article 1, Chapter 61, Division 2, Title 21, Guam Code Annotated, Relative To Establishing An Administrative Fine For The Director Of A Member-Agency Of The Application Review Committee That Fails To Provide Required Reports Or Position Statements On Land Use Applications.

Concur.

- 39-36 (COR) An Act To Amend §§ 61303(A), 61620, 61634, And 61645 Of Chapter 61 And To Amend §§ 66208, 66212(A), 66303, 66307, 66406, And 66407 Of Chapter 66, All Of Title 21, Guam Code Annotated, Relative To Enforcing The Terms And Conditions Of Conditional Use Permits, Variances, And Zone Changes.

Concur.

Honorable Speaker Terlaje, thank you for your time. I can be reached at [REDACTED]@gmail.com or [REDACTED].

Senseramente,
Adrian Gogue

TESTIMONY OF JOSEPH L. CRUZ
CO-CHAIR OF THE GOVERNOR OF GUAM'S ECONOMIC DIVERSIFICATION
WORKING GROUP

TEAM LEADER OF THE CONSTRUCTION AND LABOR INITIATIVE

February 4th, 2021

RE: Bill No. 14-36 (COR) AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.

Dear Madam Speaker Therese Terlaje, on behalf of the Governor of Guam's Economic Diversification Working Group, I thank you for the opportunity to propose a written testimony in regards to the Temporary Workers Housing Facilities.

As it is our working group's mission to introduce alternative economic initiatives to the Island of Guam, we strongly believe the Construction and Labor initiative is a viable "low hanging fruit" with roughly \$750 million worth of stagnant project workloads. As times passes, these projects will indeed be bid out to local contractors who will then require the import of foreign H-2B laborers to perform the necessary scope of work. With roughly 1,500 H-2B applicants already approved, we strongly believe it is necessary to begin proactively preparing for the influx of temporary workers to the island of Guam this coming year by establishing an expedited housing facility for these temporary workers. Properly housing the temporary workers have social and economic impact to Guam. It is imperative that minimal delay occurs on this part to successfully facilitate Guam buildup. Once this foundation has been set, contractors will be able to perform the project workload efficiently and effectively and ultimately bring in the required dollars into the economy of Guam which will assist in the island's overall economic recovery.

We truly believe Guam has the resilience needed to overcome the COVID-19 pandemic and recover from the overall economic downturn the virus has presented onto our island. Again, Madam Speaker, we thank you for this opportunity to present our written testimony in support of fast-tracking Guam land use applications for temporary workers housing facilities.

Sincerely,



Joseph L. Cruz

Co-Chair Governor of Guam's Economic Diversification Working Group
Team Leader of the Construction and Labor Initiative

App Number	Village	Applicant	Lot/Blk/Tract	Type of Application
2020-04	Dededo	Noli J. and Rita L. Serrano c/o Harry Gutierrez; request for ZC from "C" to "M1" zone, for use of an existing contracting office with supportive accessory uses and CU permit to allow the addition of a TWHF.	Lot 8, Tract 14	Zone Change
2020-41	Barrigada	Nan, Inc. c/o WB Flores & Associates; CU to allow for the operation of a TWHF, to house up to 852 temporary workers, M-1 zone	Lot 2278-R1, Estate 1117	Conditional Use
2020-03	Tamuning	Black Construction Corporation c/o Dan Swavely; CU permit request to re-establish a previously approved TWHF and to expand this facility to accommodate 500 workers, M1 zone (updated to 750 workers)	Lot 5103-2R-1	Conditional Use
2020-44	Tamuning	Black Construction Corporation c/o Dan Swavely; request for a CU permit to establish and operate a TWHF (TWHF #3) for up to 672 occupants M-1 zone.	Lot 5161-1-1, Tract 260	Conditional Use
2020-45	Barrigada	Ian Corporation c/o Dan Swavely; CU permit to establish and operate a TWHF for 135 occupants. M1 zone.	Lots 5224-3-3 and 5224-3-1-R1	Conditional Use
2020-52	MongMong/Toto/Maite	Nan, Inc. c/o WB Flores & Associates; CU permit to allow for the operation of a TWHF for up to 84 temporary workers, to include a fenced and secured facility, kitchen, laundry room, lounge area, recreation, sleep quarters, medical services and transportation. M-1 zone.	Lot 1130-2-10	Conditional Use

Application No. 2020-04 – Dededo – to accommodate 30 workers

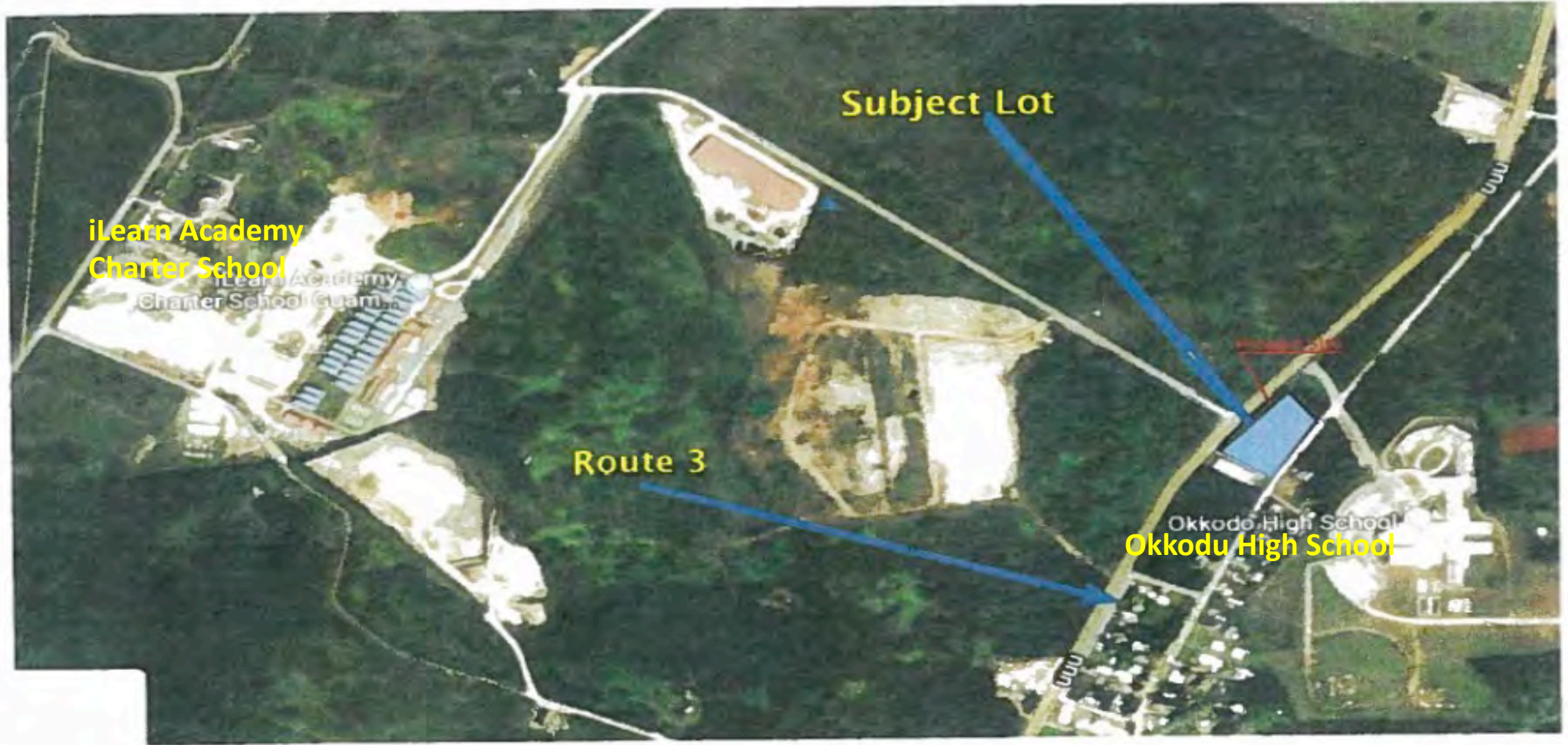
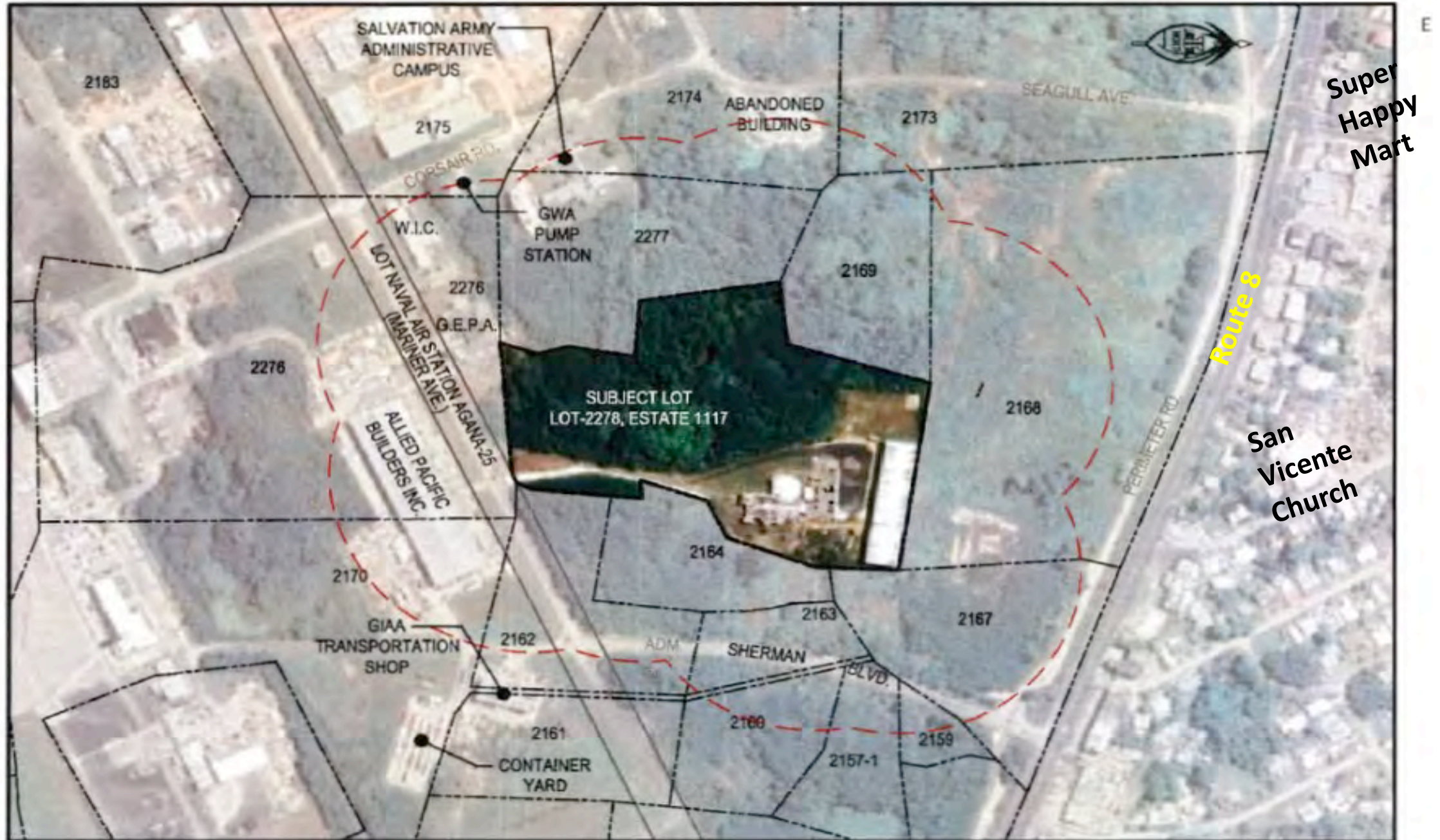


Figure 2. Development on Site consists of 3-structures and Office of the Serrano's Construction and Development Corporation




Application No. 2020-41 – Barrigada – to accommodate 852 workers



Application No. 2020-03 -- Tamuning – to accommodate 750 workers



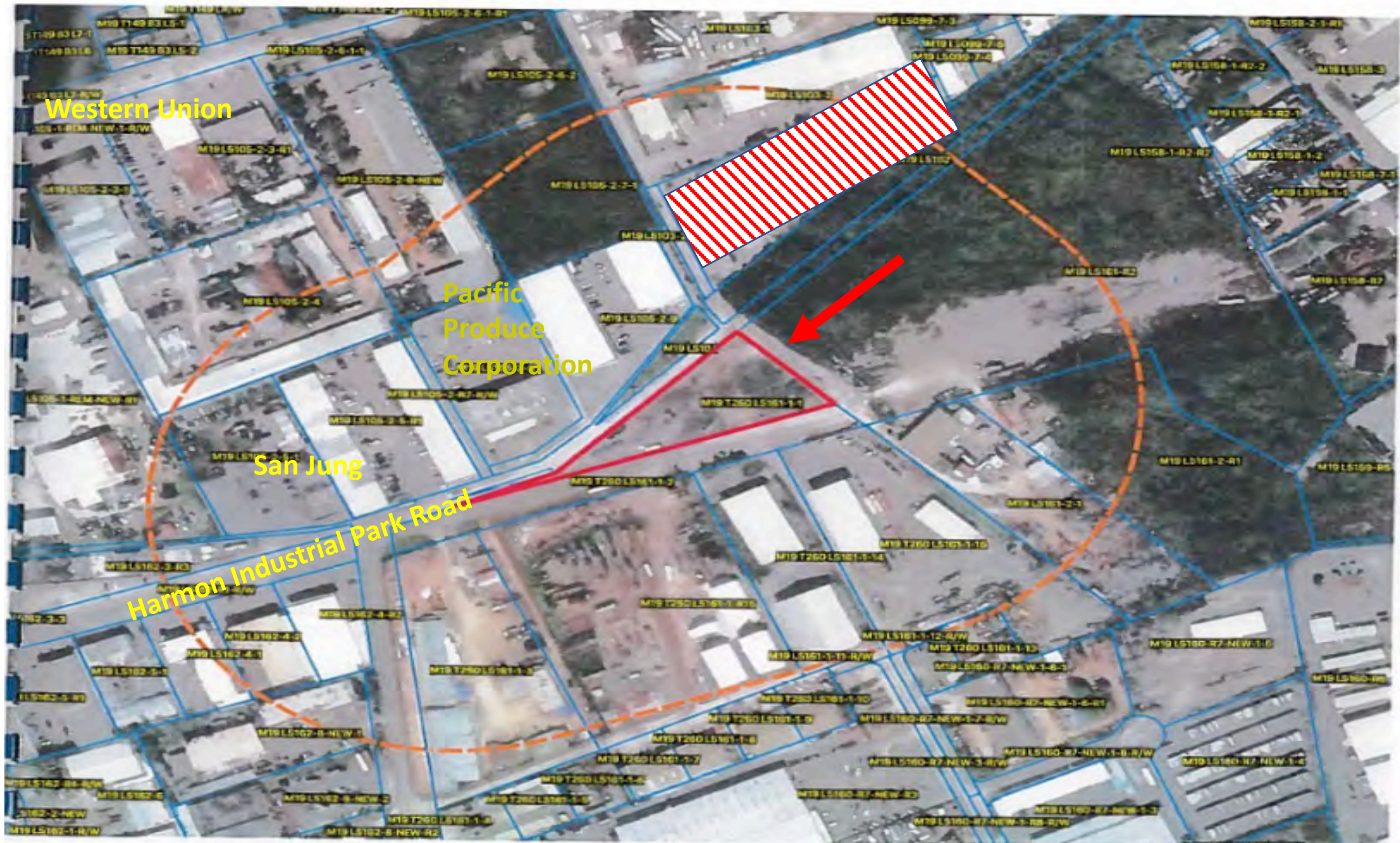
A horizontal scale bar with three segments. The first segment is black and labeled '0' at its left end. The second segment is white with a black border and labeled '250' at its right end. The third segment is white with a black border and labeled '500 ft' at its right end.

-  500ft Radius
-  Property Lines
-  Roadways

Estate 20287
Lot 5103-2R-1

All parcels with correct lot numbers within a 500ft radius from the subject lot's boundaries.

Application No. 2020-44 – Tamuning – to accommodate 672 workers



Application No. 2020-45 – Barrigada – to accommodate 135 workers



Application No. 2020-52 – MongMong/Toto/Maite – to accommodate 84 workers



**21 GCA REAL PROPERTY
CH. 61 ZONING LAW**

- (c) Loading and unloading of automobiles or trucks, but not to use portions of required parking space.
- (d) Service vehicle storage after commercial hours.
- (e) Utilities and public facilities.
- (f) Accessory uses and structures for the above.

SOURCE: GC § 17107.

2017 NOTE: Subsection/subitem designations deleted/alterd pursuant to the authority of 1 GCA § 1606.

§ 61309. *MI* Light Industrial Zone.

- (a) Use Permitted.
 - (1) Any use permitted with or without condition in the commercial zone.
 - (2) The manufacturing, compounding, processing or treating of such products as drugs, cosmetics, and food products (not including fish and meat products nor the rendering of fats and oils).
 - (3) The manufacturing, compounding, assembling or treating of articles or merchandise from previously prepared materials.
 - (4) Automobile repair shops including painting, body and fender work and rebuilding; truck and tractor repairing; and tire retreading.
 - (5) Bottling and packaging plants.
 - (6) Ceramic products manufacturing.
 - (7) Laundries and cleaning and dyeing establishments.
 - (8) Machine shops and sheet metal shops.
 - (9) Warehouses and cold storage plants.
 - (10) Lumber yards, building material salesyards, contractor's equipment storage yards, and the like.
 - (11) Other uses which in the judgment of the Commissions, as evidence by a resolution in writing, are similar to those listed herein.

21 GCA REAL PROPERTY
CH. 61 ZONING LAW

(12) Uses customarily accessory to any of the above listed uses, and accessory buildings.

(b) Conditional Use.

(1) Other industrial uses not objectionable, obnoxious or offensive by reason of odor, dust, smoke, noise, gas fumes, cinders, vibration, flashing lights, or water-carried waste.

(2) Utilities and public facilities.

(3) Accessory uses and buildings for the above.

(c) Policy For Workforce Housing Facilities For Temporary Workers. The policy for the development of temporary workforce housing shall be as follows:

(1) The term temporary workforce housing shall be consistent with § 26A101 (b) of Chapter 26A, Title 10, Guam Code Annotated.

(2) The Guam Land Use Commission (GLUC) shall liberally interpret the term temporary workforce housing in order to ensure the protection of the public's interests, safety and welfare.

(3) Temporary workforce housing is hereby established as an approved conditional use under the M1 Light Industrial Zone pursuant to § 61309, and the GLUC shall not approve any workforce housing development in any zoning area other than an M1 Zone.

(4) (A) Applications for the development of temporary workforce housing shall come before the GLUC as a "Conditional Use" subject to the review process of the Agency Review Committee, and shall be subject to specific conditions of approval as established by the GLUC.

(B) In addition to other conditions imposed by the GLUC, all temporary workforce housing conditions for approvals shall include the following minimum conditions:

21 GCA REAL PROPERTY
CH. 61 ZONING LAW

(i) Unless specifically limited, approvals shall be for an initial term of twenty-four (24) months, and thereafter shall be renewed annually. Renewals shall be on forms issued by the Chief Planner, and subject to inspection by the Chief Planner and a public hearing before the GLUC.

(ii) The project must be served by an adequate sanitary sewer system.

(iii) The project must have adequate fire flow indicated by a minimum six (6) inch diameter water line or other minimum water service conditions imposed by the Guam Waterworks Authority.

(iv) The project must comply with all health and safety regulations of the government of Guam and the OSHA regulations, as applicable.

(v) Each approved project shall include a substantial perimeter fence which shall be at least of “chain link” quality and a minimum six (6) feet in height, and be subject to a complete landscape plan.

(vi) The project must include a development plan indicating specific design parameters for sleeping, toilet and shower facilities, laundry services, food services, security, medical care, transportation services and recreation areas.

SOURCE: GC § 17108. Subsection (c) added by P.L. 31-072:2 (May 25, 2011).

2017 NOTE: Subitem designations added/altered in subsection (c)(4) pursuant to the authority of 1 GCA § 1606.

NOTE: As added by P.L. 31-072:2, subsection (c)(1) included the definition of “temporary workforce housing” in brackets as follows:

[“(b) Temporary workforce housing means any enclosures of living spaces, reasonably contiguous, together with the land appertaining thereto, established, operated or used as living quarters and, at a minimum, fifty-one percent (51%) of the residents are temporary workers, including, but not limited to,

21 GCA REAL PROPERTY
CH. 61 ZONING LAW

facilities known by varying nomenclatures or designations as dormitories, hotels, motels, travel lodges, or tourist homes.”].

As subsection (c)(1) already refers to the definition as found in 10 GCA § 26A101(b), the bracketed portion is redundant and has not been codified.

§ 61310. M2 Heavy Industrial Zone.

(a) Use Permitted.

(1) Any uses permitted in the M1 zone, excepting residential use.

(2) Junk Yards. Under the special provisions set forth in Subarticle 6, Article 5 of this Chapter.

(3) Any other uses not specifically prohibited by law, including those which are or may be objectionable, obnoxious, or offensive by reason of odor, dust, smoke, noise, gas fumes, cinders, vibration, or water-carried waste.

(4) Uses customarily accessory to any of the uses herein permitted, and accessory buildings and structures.

(b) Conditional use.

(1) all residential uses.

(2) Accessory uses and structures for the above.

SOURCE: GC § 17109.

§ 61311. H Resort-Hotel Zone.

Notwithstanding any other provision of law, rule or regulation to the contrary, there is hereby created a H Resort-Hotel Zone for the purpose of being applied to areas to accommodate the needs and desires of visitors, tourists and transient guests.

(a) Purpose.

(1) It applies to specific areas where public roads and public utilities are available or where suitable alternative private facilities are assured. It may apply to a single isolated hotel or resort with or without a commercial mall or shopping section.

Temporary labor camps

Part Number:	1910
• Part Title:	Occupational Safety and Health Standards
• Subpart:	J
• Subpart Title:	General Environmental Controls
• Standard Number:	1910.142
• Title:	Temporary labor camps.

1910.142(a)

"Site."

1910.142(a)(1)

All sites used for camps shall be adequately drained. They shall not be subject to periodic flooding, nor located within 200 feet of swamps, pools, sink holes, or other surface collections of water unless such quiescent water surfaces can be subjected to mosquito control measures. The camp shall be located so the drainage from and through the camp will not endanger any domestic or public water supply. All sites shall be graded, ditched, and rendered free from depressions in which water may become a nuisance.

1910.142(a)(2)

All sites shall be adequate in size to prevent overcrowding of necessary structures. The principal camp area in which food is prepared and served and where sleeping quarters are located shall be at least 500 feet from any area in which livestock is kept.

1910.142(a)(3)

The grounds and open areas surrounding the shelters shall be maintained in a clean and sanitary condition free from rubbish, debris, waste paper, garbage, or other refuse.

..1910.142(a)(4)

1910.142(a)(4)

[Removed]

1910.142(b)

"Shelter."

1910.142(b)(1)

Every shelter in the camp shall be constructed in a manner which will provide protection against the elements.

1910.142(b)(2)

Each room used for sleeping purposes shall contain at least 50 square feet of floor space for each occupant. At least a 7-foot ceiling shall be provided.

1910.142(b)(3)

Beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles shall be provided in every room used for sleeping purposes. Such beds or similar facilities shall be spaced not closer than 36 inches both laterally and end to end, and shall be elevated at least 12 inches from the floor. If double-deck

bunks are used, they shall be spaced not less than 48 inches both laterally and end to end. The minimum clear space between the lower and upper bunk shall be not less than 27 inches. Triple-deck bunks are prohibited.

1910.142(b)(4)

The floors of each shelter shall be constructed of wood, asphalt, or concrete. Wooden floors shall be of smooth and tight construction. The floors shall be kept in good repair.

..1910.142(b)(5)

1910.142(b)(5)

All wooden floors shall be elevated not less than 1 foot above the ground level at all points to prevent dampness and to permit free circulation of air beneath.

1910.142(b)(6)

Nothing in this section shall be construed to prohibit "banking" with earth or other suitable material around the outside walls in areas subject to extreme low temperatures.

1910.142(b)(7)

All living quarters shall be provided with windows the total of which shall be not less than one-tenth of the floor area. At least one-half of each window shall be so constructed that it can be opened for purposes of ventilation.

1910.142(b)(8)

All exterior openings shall be effectively screened with 16-mesh material. All screen doors shall be equipped with self-closing devices.

1910.142(b)(9)

In a room where workers cook, live, and sleep a minimum of 100 square feet per person shall be provided. Sanitary facilities shall be provided for storing and preparing food.

1910.142(b)(10)

In camps where cooking facilities are used in common, stoves (in ratio of one stove to 10 persons or one stove to two families) shall be provided in an enclosed and screened shelter. Sanitary facilities shall be provided for storing and preparing food.

..1910.142(b)(11)

1910.142(b)(11)

All heating, cooking, and water heating equipment shall be installed in accordance with State and local ordinances, codes, and regulations governing such installations. If a camp is used during cold weather, adequate heating equipment shall be provided.

1910.142(c)

"Water supply."

1910.142(c)(1)

An adequate and convenient water supply, approved by the appropriate health authority, shall be provided in each camp for drinking, cooking, bathing, and laundry purposes.

1910.142(c)(2)

A water supply shall be deemed adequate if it is capable of delivering 35 gallons per person per day to the campsite at a peak rate of 2 1/2 times the average hourly demand.

1910.142(c)(3)

The distribution lines shall be capable of supplying water at normal operating pressures to all fixtures for simultaneous operation. Water outlets shall be distributed throughout the camp in such a manner that no shelter is more than 100 feet from a yard hydrant if water is not piped to the shelters.

1910.142(c)(4)

Where water under pressure is available, one or more drinking fountains shall be provided for each 100 occupants or fraction thereof. Common drinking cups are prohibited.

..1910.142(d)

1910.142(d)

"Toilet facilities."

1910.142(d)(1)

Toilet facilities adequate for the capacity of the camp shall be provided.

1910.142(d)(2)

Each toilet room shall be located so as to be accessible without any individual passing through any sleeping room. Toilet rooms shall have a window not less than 6 square feet in area opening directly to the outside area or otherwise be satisfactorily ventilated. All outside openings shall be screened with 16-mesh material. No fixture, water closet, chemical toilet, or urinal shall be located in a room used for other than toilet purposes.

1910.142(d)(3)

A toilet room shall be located within 200 feet of the door of each sleeping room. No privy shall be closer than 100 feet to any sleeping room, dining room, lunch area, or kitchen.

1910.142(d)(4)

Where the toilet rooms are shared, such as in multifamily shelters and in barracks type facilities, separate toilet rooms shall be provided for each sex. These rooms shall be distinctly marked "for men" and "for women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols. If the facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling.

..1910.142(d)(5)

1910.142(d)(5)

Where toilet facilities are shared, the number of water closets or privy seats provided for each sex shall be based on the maximum number of persons of that sex which the camp is designed to house at any one time, in the ratio of one such unit to each 15 persons, with a minimum of two units for any shared facility.

1910.142(d)(6)

Urinals shall be provided on the basis of one unit or 2 linear feet of urinal trough for each 25 men. The floor from the wall and for a distance not less than 15 inches measured from the outward edge of the urinals shall be constructed of materials impervious to moisture. Where water under pressure is available, urinals shall be provided with an adequate water flush. Urinal troughs in privies shall drain freely into the pit or vault and the construction of this drain shall be such as to exclude flies and rodents from the pit.

1910.142(d)(7)

Every water closet installed on or after August 31, 1971, shall be located in a toilet room.

1910.142(d)(8)

Each toilet room shall be lighted naturally, or artificially by a safe type of lighting at all hours of the day and night.

1910.142(d)(9)

An adequate supply of toilet paper shall be provided in each privy, water closet, or chemical toilet compartment.

1910.142(d)(10)

Privies and toilet rooms shall be kept in a sanitary condition. They shall be cleaned at least daily.

..1910.142(e)

1910.142(e)

"Sewage disposal facilities." In camps where public sewers are available, all sewer lines and floor drains from buildings shall be connected thereto.

1910.142(f)

"Laundry, handwashing, and bathing facilities."

1910.142(f)(1)

Laundry, handwashing, and bathing facilities shall be provided in the following ratio:

1910.142(f)(1)(i)

Handwash basin per family shelter or per six persons in shared facilities.

1910.142(f)(1)(ii)

Shower head for every 10 persons.

1910.142(f)(1)(iii)

Laundry tray or tub for every 30 persons.

1910.142(f)(1)(iv)

Slop sink in each building used for laundry, hand washing, and bathing.

1910.142(f)(2)

Floors shall be of smooth finish but not slippery materials; they shall be impervious to moisture. Floor drains shall be provided in all shower baths, shower rooms, or laundry rooms to remove waste water and facilitate cleaning. All junctions of the curbing and the floor shall be coved. The walls and partitions of shower rooms shall be smooth and impervious to the height of splash.

..1910.142(f)(3)

1910.142(f)(3)

An adequate supply of hot and cold running water shall be provided for bathing and laundry purposes. Facilities for heating water shall be provided.

1910.142(f)(4)

Every service building shall be provided with equipment capable of maintaining a temperature of at least 70 deg. F. during cold weather.

1910.142(f)(5)

Facilities for drying clothes shall be provided.

1910.142(f)(6)

All service buildings shall be kept clean.

1910.142(g)

"Lighting." Where electric service is available, each habitable room in a camp shall be provided with at least one ceiling-type light fixture and at least one separate floor- or wall-type convenience outlet. Laundry and toilet rooms and rooms where people congregate shall contain at least one ceiling- or wall-type fixture. Light levels in toilet and storage rooms shall be at least 20 foot-candles 30 inches from the floor. Other rooms, including kitchens and living quarters, shall be at least 30 foot-candles 30 inches from the floor.

..1910.142(h)

1910.142(h)

"Refuse disposal."

1910.142(h)(1)

Fly-tight, rodent-tight, impervious, cleanable or single service containers, approved by the appropriate health authority shall be provided for the storage of garbage. At least one such container shall be provided for each family shelter and shall be located within 100 feet of each shelter on a wooden, metal, or concrete stand.

1910.142(h)(2)

Garbage containers shall be kept clean.

1910.142(h)(3)

Garbage containers shall be emptied when full, but not less than twice a week.

1910.142(i)

"Construction and operation of kitchens, dining hall, and feeding facilities."

1910.142(i)(1)

In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities shall comply with the requirements of the "Food Service Sanitation Ordinance and Code," Part V of the "Food Service Sanitation Manual," U.S. Public Health Service Publication 934 (1965), which is incorporated by reference as specified in Sec. 1910.6.

1910.142(i)(2)

A properly constructed kitchen and dining hall adequate in size, separate from the sleeping quarters of any of the workers or their families, shall be provided in connection with all food handling facilities. There shall be no direct opening from living or sleeping quarters into a kitchen or dining hall.

..1910.142(i)(3)

1910.142(i)(3)

No person with any communicable disease shall be employed or permitted to work in the preparation, cooking, serving, or other handling of food, foodstuffs, or materials used therein, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

1910.142(j)

"Insect and rodent control." Effective measures shall be taken to prevent infestation by and harborage of animal or insect vectors or pests.

1910.142(k)

"First aid."

1910.142(k)(1)

Adequate first aid facilities approved by a health authority shall be maintained and made available in every labor camp for the emergency treatment of injured persons.

1910.142(k)(2)

Such facilities shall be in charge of a person trained to administer first aid and shall be readily accessible for use at all times.

1910.142(l)

"Reporting communicable disease."

1910.142(l)(1)

It shall be the duty of the camp superintendent to report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.

..1910.142(l)(2)

1910.142(l)(2)

Whenever there shall occur in any camp a case of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, or jaundice is a prominent symptom, it shall be the duty of the camp superintendent to report immediately the existence of the outbreak to the health authority by telegram, telephone, electronic mail or any method that is equally fast.

[39 FR 23502, June 27, 1974, as amended at 47 FR 14696, Apr. 6, 1982; 49 FR 18295, Apr. 30, 1984; 61 FR 5507, Feb. 13, 1996; 61 FR 9227, March 7, 1996; 63 FR 33450, June 18, 1998; 70 FR 1141, Jan. 5, 2005; 70 FR 53929, Sept. 13, 2005]

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 14-36 (COR), “An Act to amend §61309(c)(4)(a) of Chapter 61, Title 21, Guam Code Annotated relative to fast tracking Guam Land Use Commission conditional use applications for temporary workers housing facilities during pandemic conditions of readiness,” was introduced on January 7, 2021 by Senators Joe S. San Agustin, Tina Rose Muña Barnes, and James C. Moylan and was subsequently referred by the Committee on Rules to the Committee on Health, Land, Justice and Culture on January 13, 2021.

The Committee on Health, Land, Justice and Culture convened a virtual public hearing on Bill No. 14-36 (COR) on Thursday, February 4, 2021 at 2:00 PM and via Zoom Virtual Conference Platform.

Public Notice Requirements

Notices for the virtual public hearings were disseminated via email to all Senators and all main media broadcasting outlets on Thursday, January 28, 2021 (5-Day Notice) and again on Tuesday, February 2, 2021 (48-Hour Notice). The notice was also published in the Guam Daily Post on Thursday, January 28, 2021 and Tuesday, February 2, 2021.

Senators Present

Senator Therese M. Terlaje, Committee Chairperson
Senator Sabina Flores Perez, Vice Chairperson of Health, Land and Culture
Senator Joe S. San Agustin
Senator James C. Moylan, Minority Leader
Senator Telo T. Taitague, Committee Member
Senator Joanne Brown, Committee Member
Senator Frank F. Blas, Jr.
Senator V. Anthony Ada

BILL NO. 14-36 (COR) COMMITTEE REPORT DIGEST

SENATOR THERESE M. TERLAJE, CHAIRPERSON, COMMITTEE ON HEALTH, LAND, JUSTICE AND CULTURE

THURSDAY, FEBRUARY 4, 2021

Appearing Before the Committee

Dr. Anita Enriquez, Chairperson, Guam Land Use Commission,

Joe Borja, Director, Department of Land Management

Daniel Swavely, Daniel D. Swavely Consulting Services, Inc.

Senator William Flores, W.B. Flores & Associates

Mayor Louise Rivera, Mayor of Tamuning

Mayor Rudy Paco, Mayor of MongMong Toto Maite

Mayor June Blas, Mayor of Barrigada

Vice Mayor Jesse Bautista, Vice Mayor of Barrigada

Mayor Melissa Savares, Mayor of Dededo

Angel Sablan, Executive Director, Mayor's Council of Guam

Adrian Gogue, Vice Chairperson, Save Southern Guam

Written Testimony Submitted by:

Leonard Kaae, General Manager, Black Construction Corporation

Jack Kim, Korando Corporation

William B.S.M. Flores, P.E.

Ian Chong, President, Ian Corporation

Adrian Gogue, Save Southern Guam

Joseph L. Cruz, Co-Chair Governor of Guam's Economic Diversification Working Group

II. SUMMARY OF TESTIMONY & DISCUSSION

The February 4th virtual public hearing was called to order at 2:07 P.M. Bill No. 14-36 (COR) was the second item heard on the agenda. Prior to hearing from the panel, Chairperson Therese Terlaje informed of public hearing notice dates, in compliance with Open Government law and stated Guam Legislature Virtual Hearing guidelines.

Chairperson Therese Terlaje: We will now move to the second item on our agenda, which is Bill No. 14-36 (COR). Senator Joe San Agustin, you may introduce the bill.

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Senator Joe San Agustin: Thank you, Madam Speaker. And Buenas to all. I thank the Speaker for hosting this public hearing for Bill No. 14-36. Bill No. 14-36 (COR) purposes to allow the Guam Land Use Commission to expedite the application process for the temporary workers housing facilities and to mitigate community impacts of about 2,500 temporary workers that we are expecting to arrive on island to assist with the construction of the military build-up and during amid this COVID 19 pandemic. The application for the temporary workers housing facility has been delayed for about a year in my understanding, which results in privately housing the first 1500 temporary workers that have arrived in the northern and central parts of our island. Negative impacts have been bestowed onto our community. As many local families are being denied the opportunity to affordable housing. Bill No. 14-36 as a solution in consultation with the Governor's office to mitigate the negative impacts imposed by the delay of the application process of the temporary workers housing facility. As we are being assisted by the temporary workers, we should also give them a sense of stability as they work on federal, private, and government won projects. I look forward to hearing any testimony again for the bill. Thank you, Madam Speaker.

Chairperson Therese Terlaje: Thank you. Senator San Agustin. There are several people signed up to testify. We will begin again with the Guam Land Use Commission Chairperson, Dr. Anita Borja Enriquez.

Dr. Anita Borja Enriquez: Thank you very much. Madam Speaker, madam chair, members of the committee and members of the 36th Guam Legislature, thank you for this opportunity. I do have present with me the, executive secretary, Mr. Joseph Borja of the Guam Land Use Commission who also serves as director of the Department of Land Management. I just want to note that there are six applications that are outstanding. Two of which are scheduled for a public hearing through the Municipal Planning Council and the other four are still pending for review. And, we just are here to listen to other testimonies that are being presented. Thank you very much.

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Chairperson Therese Terlaje: Thank you, Chairperson Enriquez. Director Borja, did you want to add any testimony on this bill?

Director Joseph Borja: Okay. Yes, just a little correction. We do have six applications for temporary workers housing. Four of them are in the Preliminary Application Interview stage, and two of them are awaiting a public hearing and we provided that information to the committee, the Department of Land Management and the Planning Division. It's always good to have a plan for something foreseeable. Unfortunately, a pandemic and its effects could not be foreseen, especially as it relates to government services. So, we make efforts to adjust and still maintain our mission and mandates subject of existing law. Under the pandemic conditions, the Department of Land Management supports the intent of the bill. And these are why, number one, the location is certified by Land Management during the Preliminary Application Interview that the project is in a M-1 zone, the only zone where temporary workers housing is allowed. And that issue has already been verified and certified by Land Management from the acceptance of that application. Number two is that there are two major issues in any application. The major issue, number one is public safety. The bill still requires one Fire Department clearance. It doesn't negate that. Secondly is public health. The bill still requires the Department of Public Health and Social Services clearance. So those are not bypassed.

The only comment I want to make on the other parts of the bill is that you have to address the public notice issue because there is a statute in there that says no Land Use applications will be approved by the commission and not having met the sign and the public notice requirements. I am paraphrasing that a little bit, but basically the sign and the notice requirements that still have to be maintained. And, those, I believe if that can be added into the bill to make sure that there is some sort of public notice, especially to the surrounding landowners who are probably also M-1 zone properties. But still to fulfill that notice requirement because throughout the GLUC statutes and the zoning statute notice plays a pretty prominent part. At least that could be addressed on the public notice issue. I think that will suffice on some of the notice issues to satisfy the intent of the legislation. And again, it is during a peak core readiness time. I'm not sure if the authors want to amend the bill to also include other natural disasters which may

preclude this issue, but certainly the Pandemic Condition of Readiness restrictions placed on the public assembly, congregation, social distancing, and things of that sort, certainly that played a big part in having to hold these public hearings. Number one and number two, conditional use permits have a special notice factor in the law, but the law also states that the Commission may require the applicant to do the LUPRA part, what we call the LUPRA part, this process, the land use property, what the surrounding landowners are and like that. So, there is already in statute that the Commission may require the applicant to do that part of the public notice requirement under a conditional land use permit is pretty much onerous in the sense that notice factor has to be either by personal notice, walking up to the person, identifying who they are, identifying yourself, almost like serving a subpoena. That is one way to do it. Personal notice. That is pretty tough for the department to do or a notice by a certified mail. And certified mail is not like preparing an envelope and putting a stamp on it and mailing it. We actually have to, if there are 50 landowners in that process, then we would have to research who those landowners are and then put up, make up the certified mail forms, those little pink forms for each one of those letters. They cannot line up physically at the post office and get to the counter and absorb the bad looks of the people behind you because you have got really 50 things to process. I hope the Legislature will also take a look at that and make the public notice factor at least consistent across the board for all types of application and not post something that is really hard to implement, especially during these COVID times to that certified mailing notice.

Other than that, Madam Chair, Speaker, again, the location of these temporary workers housing is in an M-1 zone that is certified by Land Management when we accept the application. And it is the only zone where temporary workers housing are allowed. And then the public safety issue, the bill still requires that it go through the Guam Fire Department and the public health issue. The bill still requires a Department of Public Health and Social Services clearance. And of course, like I said, the public notice issue, I think, has to be hopefully standardized or made in line with all the other applications, things like that. Now conditional uses, you really have to notice this because if you are in a commercial zone and the guy next to you is doing a commercial facility, then it is what it is. It is something that you could do also. But on a temporary workers housing, it is a conditional permit. It is not rezoning the property,

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but it is M-1. And it does provide for an influx of density of people in your neighborhood. So at least that notice, I think should be standardized or at least let the community know of what is happening next door. That is all. Thank you, Madam Chair.

Chairperson Therese Terlaje: Thank you, Director Borja. We will now hear from Mr. Daniel Swavelly.

Daniel Swavelly: Thank you, Speaker. Again, have the other committee members and accompanying present senators seen my testimony? So, I'll just paraphrase it and not read it.

Chairperson Therese Terlaje: We've shared the Google drive folder for this hearing with all the testimonies that we received prior, so, it should be available to them. I'm not sure if they have read it all, so you might want to go through it.

Daniel Swavelly: Okay. So, nonetheless, I'll still paraphrase it because questions and answers will probably bring up everything. I will do it really quickly. I very much appreciate Director Joe's testimony here. He not only saw the intent of it, but he added some meaningful suggestions to improve it. Thank you for that. Yes, we have, I say six or seven applications that have been in the process for the last six to 10 months, except with minor exceptions during the last week or so and none have gone anywhere. Now, the options here are either we put these workers and I count by my count by taking a survey from contractors, by my count, we have well over 2000 H2B workers coming in for sure during the first three quarters of this year. We can either put them in temporary worker housing facilities, or the law allows us to put them in apartments or for rent condos, or for rent single family dwelling units. This is a very imperfect situation for us. If we reject Bill No. 14-36, then we're going to get 2000 plus workers among at least 500 apartments throughout I'm guessing Yigo, Dededo, Mangilao, Barrigada and Tamuning because those are the municipalities closest to our work sites. That is where we want to keep our workers. And if we approve Bill No. 14-36, then we lose the full public transparency of public hearings. Listen, I'm at conflict with this. Okay, I'm a community planner by background. I am in conflict with this. But when you weigh the options here, it's still better to just move ahead with this fast tracking, now during COVID with those

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safeguards in place, as Director Joe just iterated it and let us go for it because the option of going into those apartments, you have to think about this now, over 2000 young unaccompanied males, well paid, no private transportation. Think of those parking lots in the weekends and the weekend evenings. It is a sociological disaster. We can avoid that. Again not perfect, but it is not permanent either. It is just now to let those that are stuck in the system, move ahead to building permit occupancy, permit public health sanitary permit. Public health dormitory permit.

I might add, however, one item that you had on your list, Speaker was the Serrano application. This law would not cover Serrano. This only covers temporary worker housing facilities going in existing M-1 zones. We're not doing any rezoning here. Sorry about that for them. Right? So that is how I get six applications ready not more. That's how I see it. And I hope the mayors agree. And, I hope the senators agree. This is an urgent need. Workers are already here. We are already placing some in apartments. Okay. This isn't something coming in the future. This started last week. It is going to continue. Thank you very much.

Chairperson Therese Terlaje: Thank you, Mr. Swavely. Could you just clarify for the record, is your testimony on behalf of yourself or are you representing anyone?

Daniel Swavely: The letter is from Ian. I represent Black Construction, which has two applications, one for 350 workers, one for 672 workers in the middle of Harmon Industrial Park, not far from their headquarters, actually.

And I also represent Ian Construction, which has an application for 134 workers. That's in the Bello Road, M-1 industrial park area of Barrigada. That's for these. Previously I have also represented Fargo Construction and Reliant.

Chairperson Therese Terlaje: Aren't there two Black Construction pending projects?

Daniel Swavely: Yes, there are. One is for 350 and one is for 672.

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Chairperson Therese Terlaje: Okay. And Director Borja could you please confirm the six projects? Did that include the zone change for Serrano or are there six conditional use applications pending, Director Bora.

Director Joseph Borja: Yes, there are six pending, but the Dan Swavely is right. The Serrano one is predicated on rezoning their property to M-1 from commercial, I believe. They have commercial property. So that's a tandem application and that's where I submitted both applications to your office that if the rezoning doesn't happen, then the worker housing barracks is out of the question, at least for that application because it is not M-1.

Chairperson Therese Terlaje: All right. So in that case, are there only five pending conditional use applications for temporary workforce housing that might be affected by this bill?

Director Joe Borja: Yes, all those other four that Mr. Swavely mentioned. Those were submitted during a PCOR 1 and still awaiting the preliminary application review, but I believe Mr. Swavely's application is for a total of 750 I believe. I think you added a supplement to the original one, I believe was 500, Dan. And then you submitted a supplemental to make it an additional 250, I believe.

Daniel Swavely: May I respond for clarification on that? The clarification on that Joe is that the first application took over the former Paco construction company, temporary worker housing facility, which was already valid for 400. So when we went to 750, we're actually adding 350. And that is the number I used as far as the application is concerned.

Chairperson Therese Terlaje: Okay. So, you both agree that there are five pending conditional use projects before the Guam Land Use Commission? Yes.

Director Joseph Borja: Regarding temporary workers housing, yes, because there are other conditional use projects.

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Chairperson Therese Terlaje: Sorry. Yes. Temporary workforce housing only. Mr. Swavely, five or six?

Daniel Swavely: I can only confirm those, which I am personally representing and that's three.

Chairperson Therese Terlaje: All right. Thank you very much. Okay. We will now hear from former Senator William Flores.

Former Senator William Flores: Buenas and hafa adai and thank you Speaker for allowing us to appear before the Legislature to discuss this bill. I haven't done as many representations in front of the GLUC as Mr. Swavely has, but we're very familiar with this because we have done some significant ones. The particular that is facing us here in terms of the pandemic and the situation that Land Management is faced with and having to deal with this for much of the year from a far off, hands-off perspective. We represent Nan Corporation. There are two applications with Nan Corporation. One of them is the building right next to the Payless in Maite. The application before the land use commission is an administrative action. It was used previously by Guam Shipyard and as a temporary workforce housing. And now it's being used by Nan Corporation, but upon the advice of the Department of Land Management, we submitted, the owner submitted that to make sure that the papers are often placed because apparently there was no issue with the use is my understanding, but there was some issue with some of the paperwork. So that was submitted. The second application is for Nan Corporation in existing M-1 zone in Tiyan to convert their existing warehouse into workforce housing. And that application is one of the ones that's before the Department of Land Management or within the Department of Land Management. And that application proposes to convert an existing warehouse, which was made for 220 mile an hour winds because it was built to military standards into workforce housing with all the amenities and the requirements normally issued by the regulatory agencies and by GLUC. So there's recreation, all the medical access issues, transportation issues are within the application. The problem that Nan Corporation has is that this application was submitted in July, I believe July, August, in anticipation of what we are all hoping. I don't know if you remember, we were hoping it

would be done by the end of 2020, that didn't happen. But now we're into the situation where they were awarded another task order for the military. But now to be clear, I don't like the military buildup, but because the military buildup is happening, we outside of the fence have a responsibility to try to make our community as safe and as efficient as possible to accommodate this buildup. So the issue here which has gone through several GLUCs past is that there has to be an organized system where temporary workforce housing doesn't intrude into the villages. It doesn't, Dan and Mr. Borja have alluded to, into the neighborhoods and affect the quality of life in the neighborhoods. So in keeping with that, of course I support the bill. I really appreciate the fact temporary workforce housing was limited to M-1 conditional uses in an M-1 zone. So our issue again, is not whether or not we want to comply. We will comply with all the requirements. And going back to the previous public hearing, the public hearing just before this, one of the issues that Mr. Swavely mentioned was that some of the comments from the ARC are not germane. And I agree with that primarily because by the time the application reaches the GLUC we would have done a lot of due diligence with the regulatory agencies and may or may not agree with them, but at least we know what their conditions are going to be. So we're already primed and prepared our clients for that. One of the big issues is GWA, Guam Waterworks, and this is something that probably is for another issue. Guam Waterworks requires that before anybody does anything, if you're going to put in a new water and sewer service, you pay in addition to the SDC charge, sometimes GWA will require people to put in (inaudible) in addition to the SDC charge and the way we on the outside, when I say outside, outside of GWA read that is that's what the SDC charges for. The only reason why I mentioned that is because that is the kind of issue that cannot be addressed by the ARC. That's the kind of issue that has to be addressed between the client and the regulatory agency and the same goes for DPW and all the others.

So in short, in order not to sound like rambling, one of the things that the mayors mentioned to me is that they were really concerned about is that this bill would preclude the requirements to notify the mayors. I read the bill. I don't see anything there that would preclude the requirements to notify mayors. I think any prudent applicant would notify the mayors upon submitting, or even prior to submitting their application to the land use commission. And we've done that in this case. And I think you'll hear from the mayor some of their concerns.

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But in all I support this bill. I support this bill only for the applications that are pending there because of the pandemic situation and because really, for all intents and purposes, this was out of Land Management's hands. Obviously no one saw this pandemic coming and no one knew how long and how still we're going to be in this situation. So I thank the authors of the bill and I support the bill. And again, unfortunately because of the military buildup, we outside the fence are forced to now make sure that whatever (inaudible). Thank you, Madam Speaker.

Chairperson Therese Terlaje: Thank you, Senator Flores. We have mayors who are signed up to testify, but I just wanted to clarify, because you've said that you don't think this bill would waive any of the other requirements, yet the bill says whenever a PCOR restricts public assembly, GLUC conditional use applications for the development of temporary workforce housing shall meet only the requirements of, and then they list particular requirements. I read that to exclude the other requirements, so I made a list of those, including the ARC Application Review Committee review, the written notice of public hearing by certified mail as talked about by the director, the notice of public hearing with the sign on the property, the notice of public hearing in the newspaper, then the municipal public hearing itself in the village and the resolution in support of the municipal or by the municipal planning council and the GLUC action because the bill would allow if you comply with the provisions that are included, then you would go straight to the building permit section. Is that how you read the bill Senator Flores?

Former Senator William Flores: Well, the thing is, is about the mayors. I don't know the exact law and I believe either executive order that has never been, that says that any capital improvement projects or any projects of this type in any municipality has to be cleared by the mayor. I don't think that's in the GLUC. I think that is a preceding order many, many years back law or EO, that was (inaudible). So I don't see that as being weighed. Second, in terms of the regulatory agencies, as Mr. Swavely mentioned, all of the comments from the regulatory agencies, the ones that review permits, they are all reviewed at the permit stage. So I don't see how that other than pre-planning, I don't see how that part is waived. Now you do have a point public notice I assume based on Mr. Borja's testimony that that was going to be addressed by the author of the legislation so that's why I didn't speak to that. But that's what I

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meant primarily in terms of notification to the mayors, municipalities and the regulatory agencies those are already covered by existing rules and regulations or law.

Chairperson Therese Terlaje: Well, okay. We'll discuss that later, but when I read this and I checked with Legal, it's pretty much, that's the issue. Does it waive every other requirement except for those listed or not? We'll continue with the Mayor of Tamuning, Mayor Louise Rivera.

Mayor Louise Rivera: Hafa adai everyone. Thank you Madam Speaker for giving us the opportunity. I just want everyone to know that we do have a Municipal Planning Council meeting this evening and I did talk to them, try to get information, so that I can bring it back to you today. And they have been reviewing the bill and the law and they currently asked that we give our written testimony tomorrow in regards to it. But you know, I love all the companies. They helped out a great deal in the community and that is a M-1 zone, but I also want to share that in the past with the fast tracking that has been going on, it didn't do a lot of justice, because property owners felt that they were not informed. So that's why we want to make sure that all the stakeholders or the property owners surrounding these businesses are informed. It's not us personally for me to give my answer because I'm here with you all today. It's the concerns that we have from everyone else. And so again, we will be addressing this at our first Municipal Planning Council meeting for this term. We will be addressing it today and we'll submit a written testimony. Si Yu'os Ma'ase'.

Chairperson Therese Terlaje: Thank you Mayor Rivera. Mayor Rudy Paco? MongMong Toto Maite.

Mayor Rudy Paco: Good evening. Good afternoon. Madam Speaker, can you hear me?

Chairperson Therese Terlaje: Yes, we can.

Mayor Rudy Paco: Okay. I'm not here to burn any bridges, but I totally agree with what Mayor Rivera said about the stakeholders and to notify, I mean, the certified letters to the

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neighborhood. The only issue that I'm having right now is I have the homeless up there. We talked about water issues. Would that affect my community around that neighborhood? I'm not going to say that I disapproved this Bill 14-36, or I approve it, but maybe we can approve it with conditions. Just give me a time to have a meeting with my Municipal Planning Council, because I cannot make that judgment on my own. It has to go to my Municipal Planning Council. You know, what's the use of having a Municipal Planning Council, if I'm going to say I approve it. I hope you understand where I'm coming from. I have nothing against this Bill 14-36 but give me a time to at least the benefit of the doubt to bring it up to my Municipal Planning Council. Okay?

Chairperson Therese Terlaje: Yes. Thank you, Mayor. Thank you Mayor Paco. We'll now hear from Mayor June Blas.

Mayor June Blas: Hafa adai Madam Speaker and of course the fellow senators and my colleagues, Joe Borja and all that are present. We appreciate it. And thank you for inviting us to join into this zoom meeting. The areas that are affected right now for Barrigada, they are on M-1 zone already. And I concurred to both the mayors, that, of course we still need to let our residents know about what is going to be built. Actually, it's built already on some areas and especially the one in Tiyan. The thing about it is that we need to inform, and in this case it is an M-1. But we also need our Municipal Planning Council to approve. The Vice Mayor and I cannot just approve this alone and something like this because it happened in the pandemic. Nobody deserves or because these things happen, but we need to do it respectfully to inform our residents. And the area with the M-1 zone that's affected for Barrigada is in Tiyan. There are no residents really there. It's tucked into the old DMV building. The other one that was affected is the one up in the Bello. That is an M-1 already tucked into the corner as well. But if you can allow us to meet with our MPC next week, we just had our swearing in today so we can meet and then we will give our testimony at that time. And thank you so much.

Chairperson Therese Terlaje: Thank you, mayor Blas. We will now hear from Mayor Melissa Savares of Dededo.

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Mayor Melissa Savares: Thank you. Madam Chair, Madam Speaker. I agree with a lot of the discussions that both Mr. Borja and Mr. Swavely has presented earlier. Of course we want these operators or these construction companies to be good neighbors. As Mr. Swavely said, we actually have a lot of these apartment buildings, complexes that are already in our neighborhoods that are actually being used by several construction companies as their barracks. The concern that I have is that we want to make sure that all of the operations for the workforce housing is contained within the property. Mr. Borja brought up the public safety issues with Guam Fire Department and Department of Public Health. We want to maintain that sanitation is always maintained within the property. And then as well as the beautification of the property, he mentioned the Serrano property earlier. We have had discussions in our Municipal Planning Council meeting about the Serrano property, but we were waiting for ARC documents to come in to see anything, any reports from maybe Department of Public Works because they're fronting Route 3 or even GWA. We know that infrastructure is available within the property. And our concern is that they are very close to the entrance of Okkodu High School. And with that, you know, I know Serrano property has actually applied for a conditional use. And of course, our Municipal Planning Council actually did have this discussion with this particular application and we agreed that once we received the ARC's, like I said, particularly on GWA and DPW, we would have provisions to have them adopting the roadway, fronting their property and make sure that it's safe because like I said, it's right in front, right at the entrance before Okkodu High School. So we want to make sure that it's a safe for them and their buses to get in and out. But at the same time that it's not going to impede their visibility for both them and the families going into Okkodu High School. I actually support the bill with conditions that we, like my colleagues said and Mr. Borja that notices need to go out. I know that in several, a lot of issues where certified mail you have an address that's registered with both Department of Land Management and Department of Revenue and Taxation. However, nobody comes to pick up mail and I have a public hearing that's scheduled for February that we just discussed with Land Management because they need that time period to identify the property owners, if in the case with properties where there are no neighbors. I know we have signage, but if you don't have the immediate property owners traveling in that area, they will not see the sign. Right? So, I am in favor of fast

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tracking, but still having the pertinent agencies, as well as the Municipal Planning Council review the application. Thank you.

Chairperson Therese Terlaje: Thank you very much, Mayor. In the interest of transparency because the mayors are very familiar with the projects that are proposed for their villages, myself, I had to kind of research it. And the senators, I'm not sure if you're all aware. So I would just like to very quickly put up some slides of the list of the projects and where they are just so you get the idea. *(Slides with maps are attached to the committee report)* And, so we could just begin with the first slide. Okay, so this is a list. And as we heard earlier the first item on this list is a rezoning. So it's not a conditional land use or conditional use application on an M-1 property. It's not yet M-1. So that one may not be affected by this bill at this time unless it changes to M-1. That was the Serrano project. And this one is in front of the Okkodu high School. So I'm just going to give you a minute on this list. These are the different projects, but we'll go forward to the maps. This is the Serrano one in front of the high school here in the blue square, the white big development there. Serrano would be along Route 3. Again, this is a rezoning, so not necessarily affected by this bill, unless it is rezoned. So next slide, that previous one was for only for 30 workers housing.

Next slide. This one is a project by Nan Inc. This is in Tiyan on the right. You will see San Vicente Church. And so if you go across San Vicente Church across the Route 8, and of course, this is the one that Mr. Swavely described as, I mean, I'm sorry. Mr. Flores described earlier. This is for 852 workers in Barrigada, Tiyan.

Next slide. This is a Harmon Industrial Park. And as we see on the bottom, you've got Harmon Industrial Park Road and yellow going across and on top and yellow, we've got Ely's Auto Shop. That's the Hamburger Road. So between Hamburger Road and Harmon Industrial Park Road, or there are two Black Construction projects. In red where the arrow is pointing in red, this would be one. And this one if I'm correct Mr. Swavely, it already houses 700, I mean, 400 and it would be for an additional 350. So a total of 750 in the red triangle. Yes. And then, kind of diagonal from there and adjacent to the Harmon Industrial Park is... go to the next slide is the other in red now in the red triangle, that is the other Black Construction project in Harmon

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Industrial Park for 672. Okay. So you see the one in the red, with the red lines. That's the one we talked about in the previous screen and then the red triangle for the 672 workers and then the Harmon Industrial Park Road it's adjacent to.

Okay. Next slide. This is in Dededo. This shows in yellow Tan Pedro Maria Benavente Street. This street comes off of Bello Road, which of course comes off of Route 16. So you go from route 16 from DMV, off of off from Bello Road. You turned onto the Bello area, Benavente Street towards Mid-Pac and IDI. Those are in on the street and this is a project by Ian Corporation. It would house 135 people. This is in Barrigada sorry, it's called Barrigada and not in Dededo.

Next slide. This is the other project by Nan Inc in Maite. You'll see Benson on the top. They mentioned Payless, Maite Payless and the current homeless shelter. Of course, those would be fronting Route 8 and you see Route 8 in yellow, and then the arrows pointing to the subject lot, which is proposed to house 84 workers. This is a project by Nan Inc. All right. Thank you. That's all. I've got, the slides to go back to while we're there. Did I make an error?

Director Joseph Borja: Can I just make a correction for the record? Hamburger Road doesn't exist anymore. It was called Hamburger Road because it was at McDonald's at one end and I believe Burger King at the other end, but more importantly, that road has been renamed in honor of a former Senator. So it's really Adrian C. Santos Road.

Chairperson Therese Terlaje: Oh, thank you for correcting me. Thank you very much, Director Borja. We're going to hear now from Mr... Sorry, Mr. Flores. Would you like to speak, Senator? Thank you.

Former Senator William Flores: Thank you, Madam Speaker, just to clarify the facility that is next to Maite Payless is an existing facility. There are already temporary workers in there. There have been for several years. So if this can be considered primarily an administrative application and really in terms of the urgency of the matter of this one, it is not as, it's not

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really urgent because it's administrative. So we don't even mind if this one is excluded. I mean, it's in there, but we don't mind if this one is excluded and goes through the regular process.

Chairperson Therese Terlaje: Okay. Thank you. So now we've got one more signed up to testify. That will be Adrian Gogue from Save Southern Guam.

Adrian Gogue: Buenas dias. Thank you. Madam Speaker, Madam Chair. I provided my written testimony. So if you don't mind, I hope you can indulge me and I'll read it. Okay. I am Adrian Gogue testifying as a private citizen, a citizen, but I also, I am also the vice chair for Save Southern Guam. I do not concur with Bill 14-36 as written. This bill proposes a very dangerous precedent to waive the regular GLUC permitting process for Temporary Workers Housing Facilities during a pandemic, and specifically calls out the Department of Defense build-up projects as the catalyst to waive a process in our zoning law that is in place to ensure the protection of the public's interests, safety and welfare. Amending our zoning law for temporary workforce housing applications when a PCOR restricts public assembly is contrary to this process. Land use planning is a deliberate process and the build-up involved long-range planning at our national and local governments. Our GLUC, ARC agencies, and those contractors providing temporary workers to the build-up projects also need to plan accordingly and not circumvent our GLUC process. As a result of the COVID-19 pandemic, we have adapted to our new working environment and embraced technology to accomplish our work. Our government agencies are also adapting. Case in point, the public hearing for this bill is being made available via Zoom for those wishing to provide live testimony. This technology, or similar alternative, can also be used for the GLUC application review and permitting process. If this bill becomes law, it will create unintended consequences where land developers and other interest groups will seek to amend our zoning law that promote their interests. I have witnessed the GLUC application review and conditional approval for a controversial project that residents opposed. Eventually, the GLUC's conditional approval and Notice of Action were revoked but only after 2 years of opposing the project's approval and the filing of a lawsuit to stop the project. Our island residents should not have to resort to these actions. Our government is responsible for protecting the public's interests, safety, and welfare. Those are three pillars. And if you can picture it, they form a tripod, and if you

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remove any one of those legs to a tripod, you have a higher risk for the other two pillars to crumble. We talked about safety and helping cover during this fast track process, but it eliminates the public's interest. This bill proposes to do the opposite and will deny us the people of Guam, our fundamental right to voice our concerns. Thank you, Madam Speaker, Madam Chair, for the opportunity to provide testimony.

Chairperson Therese Terlaje: Thank you, Mr. Gogue. We've also received, the committee has received written testimony from Leonard Kai, the general manager of Black Construction in support of the bill, from Mr. Jack Kim Korando Nan Corporation in support of the bill, Mr. Ian Chung, President of Ian Corporation in support of the bill. We received a fiscal note can be BMR, which in summary that the bill is administrative in nature and poses no fiscal impact upon any funds of the government of Guam. We received Legal Bureau opinion that says that Section 2 of the bill creates an exception for new applications for the development of temporary workforce housing. During any pandemic condition of readiness, which restricts public assembly, this exception would among other things, (a) remove application from going before the Guam Land Use Commission, (b) remove applications from being subject to the review process of the Application Review Committee. And (c) would limit the review of such applications to compliance only with 21, GCA 61309 (C) (4) (B) i through iv and requirements imposed by the Department of Land Management. She put that in quotes. It's currently conditional use permits are the temporary workforce housing. Conditional use permits are subject to the ARC and GLUC process, which includes a public hearing pursuant to 21, GCA 60303. The bills removal GLUC and ARC from the review process without specific reference to current mandates under the law may create ambiguity as to whether or not applications for conditional use permits will still require public hearings. The committee should confirm if the intent of the bill is to remove the public hearing requirement for the temporary workforce housing, conditional use permits, and, of course, make amendments accordingly. Of course in our research of which projects this might affect, we were told about the ones that we showed here today, those mayors were informed and we tried to inform the Mayor's Council as well. And, we were also told just from, I think Mr. Swavely that there may be other projects that depending how long the pandemic goes on. That's all we know for now and so at that point,

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I'm going to open this up for questions from my colleagues beginning with the author of the bill, Senator Joseph San Agustin.

Senator Joe San Agustin: Thank you. Madam Speaker, if I can be the last and we have everybody and then I can close it. Thank you.

Chairperson Therese Terlaje: Oh, sure. Okay. Senator Perez.

Vice Chairperson Sabina Perez: Thank you, Madam Speaker. So, I'm looking at the projects. There is, I guess the one in Barrigada I believe, and Harmon Industrial Park. There's like 800, 700 workers, all in one building. It's good to see that you still kept the sewer, sewage and fire and department of public health oversight, but I guess my concern considering that we still have yet to recover from this pandemic, as far as the spread of the disease. My concern is about whether this would potentially exacerbate our state in regards to the pandemic. Generally speaking contagion spreads when there's a high concentration of workers. And I understand that we don't want to diminish the supply. I mean, we definitely need to increase the supply of housing, and we don't want to exacerbate that condition as well. So my concern is in regards to the health of our community, with those housing, if we're going to waive the specifications for the sleeping quarters, toilets, as far as showering facilities, I mean, what are the precautions that we can put in place to prevent the spread?

Chairperson Therese Terlaje: I can address that question, Senator. There is in the bill, it says that certain provisions will be enforced except for these provisions that will be enforced. And, I would like to read those out. I think that might, or Mr. Borja, do you have those in front of you right now? I think that will cover your question. That question, at least it's there. There are provisions that are specifically listed in the workforce housing, conditional use law that will be enforced. It's just those other ones that we talked about earlier that will not.

Director Joe Borja: Give me a minute here, Senator.

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Daniel Swavely: May I respond Speaker? Senator Perez, we kept in place the sanitary permit from public health and the dormitory permit in public health. Well, both of those apply to a density of a workforce housing facility and how many people you can have under one roof and the number of restrooms and dining spaces and things like that. So all that is still in place. Similarly, the public health building permit and occupancy permit requirements are still in place. Now, theoretically, if this bill is passed, you could have a temporary worker housing facility that goes to those permitting processes and fails because that is the obligation of the contractors to comply with everything. So I believe that would be the checkmark, checkpoint for your concern about density and living conditions.

Vice Chairperson Sabina Perez: Thank you. So the other question is for...

Chairperson Therese Terlaje: Sorry, can I just have a Director Borja... Do you have the list in front of you? Do you want to read it? I just want to note what will be enforced.

Director Joseph Borja: Yes, it's on page 42, 21 GCA chapter 61 and basically under a conditional use number 4 (B) a small letter "i". Unless specifically limited approval shall be for an initial term of 24 months and thereafter renewed annually. So that's one. The other one is the project must be served by an adequate sewer system. Two. Three, the projects must have adequate fire flow indicated by a minimum of six diameter waterline or minimum water service conditions imposed by the Guam Water Authority. Four is the project must comply with all health and safety regulations of the government of law. And those regulations as applicable. Five is each approved project shall include a substantial perimeter fence, which shall be at least of chain-link quality and a minimum of six feet in height and be subject to a complete landscape plan and six, the project must include the development plan indicating specific design parameter for sleeping, toilet, and shower facilities. So those are the four conditions. In addition to any conditions imposed by the GLUC all temporary workforce housing conditions for approval shall include the following minimum conditions. And that said there are six items under that section under that paragraph.

Chairperson Therese Terlaje: Thank you, Director. Sorry for the interruption Senator Perez.

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Vice Chairperson Sabina Perez: No worries. Let's see what else? Oh yeah, so the question is for Director Borja regarding the applications you mentioned, there were six applications, two are ready for public hearing.

What is the quickest timeline for those two applications without this bill? What's the quickest those two applications can get out.

Director Joseph Borja: For a public hearing you mean? 30 days to have the public hearing.

Vice Chairperson Sabina Perez: Yes. And then what is the next step?

Director Joseph Borja: And that step is the staff report and then to be placed on the agenda. That's an action item for the GLUC.

Vice Chairperson Sabina Perez: Okay. So if you were to estimate the total amount of time for that, those two applications, what would it be for the final determination you think.

Director Joseph Borja: For the for the GLUC without the bill. I'd say 30 to 45 days. We already have a scheduled public hearing for that one particular one, but it's always good to have a plan during pandemic times, which is not always possible. Now we only were able to get into that 30, 45 day factor because of the easing of the restriction and PCOR 1. But if for any reason, we go back to a PCOR 1 and we have the restrictions on assembly, then all bets are off in the timeframe on that.

Vice Chairperson Sabina Perez: So these two applications have already gone through the ARC. Is that correct?

Director Joseph Borja: Yes.

Vice Chairperson Sabina Perez: Okay. All right. And with this bill, would it speed up the process?

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Director Joseph Borja: Yes.

Vice Chairperson Sabina Perez: How so?

Director Joseph Borja: They won't have to get to approval from these other requirements. Although, you know, they are covered the public health and the public safety, for example, must have adequate fire flow indicated by that and other minimum water services requirements imposed by Guam Waterworks Authority, which is usually water pressure issues. So the Guam Fire Department, they're the ones that indicate adequate fire flow. And then, number four, the project must comply with walls, health, and safety regulations of the government, that's public health clearance. If they don't meet those safety regulations or regulations, then public health shouldn't clear it. And the thing about the chain-link fence, that's to keep people in or keep people out. And then of course, a complete landscape plan. Those are usually approved by the chief planner, a complete landscape plan. And then of course the project must include a development plan, including specific design parameter where sleeping, laundry service, security, medical care. Those are public health clearances and Department of Public Work clearance system, no building permit, but that one wouldn't apply. Of course, there's something like the project that former Senator Willie Flores mentioned because it started preexisting.

Vice Chairperson Sabina Perez: So Mr. Borja, with the 30 to 45 days, does that include clearances from Department of Public Health, Fire Department and, GWA? Can things happen simultaneously or do they have to happen sequentially?

Director Joseph Borja: Now you're talking about with or without the bill?

Vice Chairperson Sabina Perez: Without.

Director Joseph Borja: To go to get clearances, that's part of the process. I don't know how long public health will grant them clearance. I don't know how long Fire Department will give

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them clearance and like Mr. Swavely said, this could go all the way to the permitting process and not making because public health says that the public health requirement is not adequate or Fire Department may come up and say the power of water pressure is not adequate in those areas. But most of the developers, most consultants when they process this they almost always know what's coming down from certain agencies because they meet with them even before they submit these applications. They may not agree with the conversation that they have, but at least it moves the process along and let's them review whatever the position statement is. So, it's not always a guarantee that the law pass that this project will be approved by Fire Department or Public Health, those issues, if you have a timeframe on that.

Vice Chairperson Sabina Perez: Yes. So my line of questioning was really about are there other alternatives to try to fast-track this without having to waive certain requirements of law and where the things can happen in tandem. So we're not waiting for one step to the next versus things you have.

Director Joseph Borja: You can't fast track it without this law, because of that public notice requirement. That's at least a minimum of 25 days. And like I said, to mail those notices out and like that if one land owner doesn't get the notice in that area, the whole application process is basically at a standstill. Now, there was a big case that they have with four condo buildings somewhere near GMH. A lady across the street wasn't getting, given a certified mail notice. And then the project was disapproved or revoked. But then the case was reversed because all those who didn't get the certified mail notice that I believe, a couple of meetings, a couple of public meetings, you know, for that thing. And so she couldn't claim that she didn't know about it, but I believe in that case, certainly she wasn't given a certified mail letter. And that was the mistake of Land Management. It wasn't a mistake of (inaudible).

Vice Chairperson Sabina Perez: Okay. Thank you, Mr. Borja. I have one question for maybe, Mr. Flores. To your knowledge as far as temporary worker housing, has it ever been repurposed for other uses after. The use for temporary workers, for instance, one potential use could be for affordable housing. Is there perhaps an opportunity to, to repurpose these facilities?

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Daniel Swavely: First of all to amplify Director Joe's opinion and to answer Senator Perez, here's how the schedule would work without this bill. And for instance, the two applications which have already been approved for public hearing. I have the first one, it's March 11th. Okay. So that's already more than a month from now. Then we do not go straight to the Guam Land Use Commission. We go to the Municipal Planning Council. Now we have a lot of mayors here and probably it takes a month to give them the application, get it scheduled, do the coordination. That's 60 days from today. Then we go to the GLUC. Okay. Now it could be done in two weeks, but it has never been done in two weeks of my time. Give it another month. So I say this from today, even the Black Construction application that's been scheduled, already it's 90 days before we get to GLUC hearing.

Then begins your other line of questioning. Then the building application process starts because we can't build until we get the application. I do building applications, fast tracking, permitting. It's an oxymoron. It doesn't happen. I have never seen a permit get approved in less than 45 days like this. And I would tell my client. Bet on 60 days. So you have 30, 30, 30, plus 60 that's when we start construction, the train left the station. That's the reality of what we're facing right now. If we start in 30, 30, and 60, we finished three months, four months, maybe if we worked seven days a week. They're all here already. Everybody's here and in apartments, that's the reality. Regarding re-purposing I've never seen it happen. These are basically barracks. Paco's was empty for years and years and years. It was not repurposed. Surely they would have done it. So I don't see it. Although I would certainly be open to suggestions and recommendations as to how that could be done because there will come a day when we will not be need these temporary worker housing facilities.

Vice Chairperson Sabina Perez: Okay. Thank you so much, Mr. Flores and thank you, Madam Speaker.

Chairperson Therese Terlaje: Thank you Senator Perez. Senator Taitague.

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Senator Telo Taitague: Madam Chair, if I can, Mayor Savares has her hand up. I think she wanted to add to Senator Perez's question. If I may allow her first.

Chairperson Therese Terlaje: Sure. Mayor.

Mayor Melissa Savares: Thank you. Okay, so just to add to Senator Perez's question. Part of, I remember when the workforce housing was built near the Two Lovers Point area, repurposing did happen. It's actually happening now where i-Learn Academy is using it for their school. So, there was discussion when that workforce housing that once the construction workers leave, what else can it be used for? And they were looking at affordable housing. But in this case, part of that workforce housing area, where Coretech is currently being used by i-Learn. Thank you.

Senator Telo Taitague: Thank you. Madam Chair and Madam Speaker for the opportunity to speak. I'd like to thank Adrian who's here, Adrian Gogue. I know the family well, and thank you for your testimony today, as well as, Mr. Swavely and, as well as, Willie Flores. I appreciate you being here as well as, and most, especially, to the mayors that are here today, greatly appreciate it. And, of course your director of the Mayor's Council, Angel Sablan. Having you here today says a whole lot. I mean, we've had how many mayors come in today, at least five mayors and advise me or Jesse, good to see you again. So there seems to be, there's a problem here and I hear what you're saying about the importance of letting our community know, what's going on. It's very, very important. I think. But there is a way we can fast-track things and making sure everybody's, I mean, it's thinking outside the box, but not like letting something go, that's important to contribute to something like this workforce, whereas how this workforce housing that we need. What I don't understand, and I think I'll give this to either Dan or Willie. We knew that we needed this housing for the workers at least five years ago. Why didn't you guys get started back then? Okay, Willie. Thank you. Hi Senator. Good to see you. If you can answer that question. I mean, because now here at the witching hour and got a rush rush and bypass all these other things when this could have been done many years ago.

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Former Senator William Flores: Actually the whole process started many years ago. And then, whether or not we like the timeline, we were able to plan for the timeline that occurred under normal circumstances. So as that, when we talked to our clients and they ask us, what are we looking at for a land use permit, not a building permit, but a Guam land use permit. We tell them six to nine months and be ready for a year. So at least we could plan by them. As an example, what Mayor Savares has mentioned. I was involved in the workforce housing permit for the Okkodu workforce housing. That was a three year effort. And that was a three-year effort and it took a long time because there are a lot of requirements from regulatory agencies. Workforce housing I believe is one of the most, in my experience anyway, is one of the most regulated uses that I've seen so far go through the land use commission. So the process did start. I think everybody was caught off balance Senator Taitague, when the pandemic hit because at that time everything just stopped. But even that process had been in preparation I think we started the Ian Corporation planning process in 2017, but there's a lot of work that goes into this, into making sure that our T's are crossed and our I's are dotted. And sometimes we still miss them teasing some I's, you know, because there's a lot of technicalities there, but for the one that we're waiting for we actually started that project with 2017 planning for this. So there is a lot of planning that goes way back, but again, we have fully expected that this would be publicly heard and at least the ARC, whenever these, the ARC process completed by the third quarter of this year or the fourth quarter of this year. What has happened now is like, as in many other aspects of it, whether or not you support the build-up or you don't support the build up or is against in, what has happened now because of the military showing these task orders, the contractors can't really say, okay, I'm bringing in 40 workers until they know they're being issued with task orders. And that's, that's when the process starts kicking in. And so if, for instance, even though, in our case, although there are, our clients are planning for 800 temporary workers, for the next two years, their need is probably most likely for between 400 and 500, but planning down a long-term planning where they're possibly 800. So in response to your question, really this is for all intents and purposes through the normal process, a two to three-year process and many of us were actually already working on it way back.

Senator Telo Taitague: So thank you. Director Borja, please.

Director Joseph Borja: I just had... there's also two other issues that we must be cognizant about. The peak of the military buildup kept shifting. It kept being pushed ahead. They said when they first started looking at the buildup, oh yeah, a couple of years, the peak of the buildup. And then secondly, you had the H2 labor uncertainty, Yes, we're going to put them in, we're going to allow them for inside the fence project. Can we do it also for outside the fence? So those two issues also played a part in, I don't know, call it a delay if you will. But at the peak of the military buildup kept shifting. The can being kicked down the road. And the second factor I believe is that the H2B labor uncertainty, and these are the people that, you know, these, I was saying, workers, housing are being developed for. So there was that uncertainty. And I think that uncertainty only became clearer a few months ago, I believe so that's why the quote unquote rush to get this is because it got approved there. And, you know these companies, I mean, it wouldn't be a real big risk to do that. And I believe in the first one, the big one up there at, I believe the Unix area. They have planned, they believe, 2000, a big worker's housing there. And they were limited by a waterworks, I believe to only 500 to begin with until they comply with certain conditions. And then that's when they moved forward. So there were things in place there to I guess, prevent, runaway development, building thousands of housing units up there. There's not adequate water and it'll drain the water from Dededo for example, in that area. But those two issues also had an effect in, in processing these things. Thank you.

Senator Telo Taitague: Thank you, Joe. Dan, did you want to add to that?

Dan Swavely: Nothing to add.

Senator Telo Taitague: Okay. That being said, when you said it was pushed back, I do know that the Department of Labor had basically this graph showing the peak of the military buildup and how many workers will be on island. I think at the time it was on a 2022 you're anticipating 10,000 additional people here for the military buildup. That was going to be the peak was 2020. And you're absolutely right. Director Bora. It was pushed back. The timeline kept getting pushed back and further back. So, I don't know if it's, it probably might be to Mr.

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Borja or again, Willie or Dan, but is DOD providing any kind of relief for these houses for the workforce on DOD property. If we are going through all these requirements. By government of Guam, which justly so is needed, especially for a community, can DOD provide these workforce housing areas on their own land. Has anybody brought this to DOD to ask them if we can do that?

Dan Swavely: Senator to that question is way above my pay grade.

Senator Telo Taitague: Okay, Dan. Okay. Willie.

Former Senator William Flores: Actually that question was asked and answered by DOD. And their answer was no. This was way back when we were working and, Mayor Savares, I think will recall this. We actually said to DOD, can we, you know, can this thing be... actually, we didn't say can we, we said this thing, workforce housing for all intents and purposes belongs behind the fence within the gate. And they said, no, any contractor who wants to bid that's their responsibility to... and so that question, it was a good question, but it was asked for an answer and their answer was no.

Senator Telo Taitague: Thank you, Willie. How long ago was that question asked to DOD since the pandemic happened and all these delays came into play and now we're playing catch up at a time of a pandemic. Can the question be readdressed to DOD again?

Former Senator William Flores: Okay. Wow. That's a, now that question is above my pay grade, but it was asked as far as I remember, my notes say that the first time it was asked that I was aware of was 2014 or 2015.

Senator Telo Taitague: Yeah, that was a while ago. Mayor Savares. Go ahead.

Mayor Melissa Savares: Yeah, I remember that that discussion, Senator was brought up actually during the Civilian Military Task Force. And remember the task force was created back in 2006. So, that was when we were much younger. And, so, these things also came up

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during the scoping meetings and it was, “can you put them on the military bases?” And then, that's when they said like Mr. Flores said, they said, no. And of course it was...that's why they started looking for land that was closer to where the construction was going to be. And then that's where the development started. So the concerns were these buses and these trucks are going to be on our roadways. And they're going to, you know, all the movement with all this. So at that time we weren't even sure where the buildup was going to be. Remember, they were still, is it going to be down at Naval Base Guam or at Naval Magazine or an Anderson? So that too was unsure, but what they did say was we will help you upgrade your wastewater facility because remember that was... they were going to tap into our wastewater facilities in the North. So that's where they pumped money into. And then that's when the contractors had to even, because even, it was medical. Who are they? Are they going to be sending their construction workers if there was an accident to GMH? That would stress again, GMH that's when they had to guarantee that they would work with private clinics.

Senator Telo Taitague: Thank you, Mayor Savares. Thank you for that history, because if there's anybody who is very well involved in that as the mayor of Dededo where a lot of it was affected, you were there. And even to the point where they downgraded the amount of Marines coming to Guam, too. So it used to be X amount. Now it's only 4,000. So they were lessening the amount of people. Mr. Borja, go ahead, please.

Director Joseph Borja: Yes, DOD is concerned is security with non US citizens on the base. Even today you can be a us citizen, not granted access to the base. So, their concern was a security of having all these people that are non us citizens on the base. So, put them outside.

Senator Telo Taitague: Oh, well, they work on base or I don't know what, so there's still an issue there. They're working on the base, so, okay. Well that, I was hoping that someone from the JRM would be here to talk about what really what are we facing here. How many individuals or how much work there is, but I know we're represented well by, you know, Dan and Willy who's here, who, according to my numbers on the six different projects that was presented to us. And I thank you, Madam Speaker for the opportunity to look at that map, that was very helpful. And I added up to 2,523 workforce housing that, or at least people to house

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for this. So, I don't think that even comes close to the amount of 10,000, that was predicted by Department of Labor for 2022. But I know that or I'm hearing what the mayors have to say, and that's something that we need to really put in consideration because like anything, like the Ordot dump, it's like, you don't want it in your backyard and something like this may cause some community issues. So I greatly appreciate the opportunity and thank you for answering my questions. Willy, Dan and, Mr. Borja and thank you, Mayor Savares.

Chairperson Therese Terlaje: Thank you. Senator Taitague, Senator Blas you are recognized.

Senator Frank Blas: Thank you Madam Speaker, and thank you all for being a part of this hearing process. And as I sit in and listening to the discussions, just takes me back and, Director Joe Borja and even Dan Swavelly and Mayor Savares talked about this. This whole issue has been a moving target. While we have classified and characterize this legislation, and then maybe rightly so at the time, as something that is an emergent or that was urgent to do. Now recognizing, what is happening, not just on our island, but worldwide and more, especially in the nation, does that urgency continue to exist or does it take into consideration many of the other factors that we also have to consider? There's been discussion as to why it hasn't moved in the process and that can be blamed for a number of reasons. One primarily I'm sure everybody's going to say is because of COVID-19 and the restrictions that were placed upon us.

And some of us can say, well, that just exacerbated something that has been existing for a number of years. That said is, it urgent? And is it necessary to bypass or to forego many of the processes that would normally take place to be able to make sure this is done? And then we find ourselves with another Okkodu or Unix property situation. Up ready, ready to go, ready to accept 18,000 contract workers and not show up. And so, I don't know. I mean, I, I see a lot of subject matter experts here. People who've got their ear to the ground and with regard to what we can expect or what we should expect over the next 12 months. And I'd like to hear from anybody who can tell me with any degree of certainty that this is in fact an emergency.

Daniel Swavelly: Yes. The reason the Unix didn't work and something like Unix will never work is because Unix was built on speculation. It was built on the speculation that if you build

an Olympic style barracks facility for thousands of people, and they will come. Here was the problem. Contractors don't want their workers living with other contractors' workers. That's just the fact of the matter because contractors are ultimately responsible for every minute of every day of those workers. Meaning they want that in their own facilities, their own drivers taken back and forth their own. They want to feed them. They want to take care of that's why it didn't work and it will never work in the future. And so now we don't build, we don't think about workers housing facilities until we have as Willie said, a task order, a contract in place that is already costed out. And from that we can determine how many workers are needed. That's why that's the only thing that's going to work. And yes, Senator, I can guarantee you 2,500 are coming in the next three quarters. Okay. Now, listen, this is a conflict in everybody's mind. There is no perfect solution here. I said at the beginning, we have to weigh the options. Pros and the cons of each option. And I maintain that if you're worried about COVID spreading in, for instance, a barracks, imagine COVID spreading among workers in 500 apartments. Just do the math on this. It's just something that looking fast forward nine months. And then look back and go take either option and figure out did I make the right decision? I think the right decision is. Let's just get through it. We cannot ensure every assurance by the existing law to be in place. However, I say that because we have the public works permits and the public health permits we have done a lot better than any ARC position statement. Because they ain't going to get built until those departments agree. Okay. Yeah. I fully understand the need, the capacity and sensitivity to inform your MPC, et cetera, et cetera. And so at that point, let me say that I'm happy to attend any of those hearings. And generically, talk about the situation and specifically talk about my applicants, just to help everybody understand. My purpose the last three months.. I wrote this legislation three months ago, my purpose, the last three months, is that we've made sure everybody understands what's at stake. And then let the chips fall where they may.

Senator Frank Blas: And I appreciate that. There's also that reality that an applicant can go through this whole process and still not be approved. And so I, again, my, I guess consternation was concerned around where, on the fact that we've been at this game since 2006. Okay. And to protect people such as you and your clients, as well as the community, please understand my... I don't want to say... my resistance to this, nor reservation, I just want

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to make sure that okay, we're doing this, because it's best, this is what we need to do now. And albeit that it could have been done earlier. It didn't. We're at this point and it needs to get done. And I just need to be able to get that assurance all the way around. COVID is but one. Yeah. The concern about the spread of the virus is one, but that's one of many that I need to be able to process to have some assurances and some level of comfort that this is the best cup of tea that we can make with what we got. So I appreciate it. Thank you very much. I just want to know if there's anybody else that's on the panel that's on right now that wants to add to that. Well with that, Madam Speaker. Thank you very much. And I will just continue to listen. Thanks.

Chairperson Therese Terlaje: Thank you, Senator Blas. Senator Brown, you are recognized.

Senator Joanne Brown: Thank you very much. Madam Speaker, you know, this is interesting. I kind of follow with the thoughts of Senator Blas. I mean, at the other end, I'm very much an advocate for public notice and public engagement and I will continue to be. And I'm sure in the term of this legislature will introduce legislation related to that. I understand the need for the worker housing. I think that that point has been made very clear and I was wondering why steps weren't made to accelerate how we could do the public engagement process. I mean, we do it now just having public hearings on legislation for the entire island. I don't know. Again. I'm at a loss because I really think what should be spearheading this agenda, and even coming to the legislature to say, how can we facilitate, but also ensure that we have public engagement and have our communities and our village and our residents who would have a concern about this or are supportive of it have a vehicle to which their voices could be heard. If this is such a burning priority, why isn't this something being spearheaded with the administration, coming to us with a recommendation of outlining how they can move forward. I mean, maybe the main sponsor might say the administration did come to him. But it would have been good to have a more outlined agenda to say, this is something we want to put on the front burner and facilitate because when it comes to public engagement, anything that minimizes that I really have a lot of heartache about it. I really do. I mean, I, at least I appreciate the information being provided and the maps to show us where these worker houses would be located. The fact that they are in M-1 zones is a very good thing. I don't see them surrounded by residential homes.

So I don't see, we'll probably have the same concerns as we would if they were located elsewhere, but I would rather see a proposal on how can we facilitate a public engagement either through the forums that we're providing now to the community, to have our public hearings on legislation that's before us as a body. And see how that can be facilitated to cut down the timeline so that the public engagement process is not what's being taken off the table because as I listened and as I read this bill, which a majority of it is an explanation versus the actual, what's actually being put in place is really taking out the public engagement process. And that I have a problem with. If there's a way that timeline can be shortened. If there's a way it can be facilitated through technology or the use of zoom conferencing or whatever the case may be to have people have these public meetings or have the mayors with their councils, have these meetings. Heck if I can go to Kmart and Ross today and be surrounded by people, I don't see why we can't facilitate that to get public input on these facilities, especially as was brought up with Senator Perez. We don't know if they might need these worker houses for the next few years. And then what happens when they no longer need them, but, you are they going to be vacant, empty facilities that are just going to sit there in our communities without alternative uses? Of course all those questions might be looked at as concerns down the road. But I just have some heartache with regards to the fact that the one thing that's being taken off the table to cut the timeline is public engagement and public awareness and us having an ability to hear what are people's concerns are particularly adjacent landowners, who I think should very much have some input in this process because that's their investment as well. And I don't think that should be simply put aside because we need to facilitate because of this pandemic, we're able to communicate through other means. And if that were put in here and we said, okay, let's reduce the timeline, but still allow for our villages to have input for our mayors and our key or municipal planning council on any resident who has a desire to provide public input than I would be very supportive of doing that. But just simply remove the people out of the equation, I have a problem with that. So I just want to put that on the table, but I appreciate the dialogue and the input. I think we understand what's being said to us, but removing the people from the equation is a little problematic for me. Thank you very much, Madam Speaker for the opportunity to comment on this bill.

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Chairperson Therese Terlaje: Thank you, Senator Brown. Minority leader, Senator Moylan. You are recognized.

Senator James Moylan: Thank you, Madam Speaker. And thank you Director Borja. So I understand Director Borja, you're in support of this bill and you made a couple of recommendations also, is that correct?

Director Joseph Borja: Yes, I am.

Senator James Moylan: Okay. Thank you. Thank you for that. And I appreciate you sharing some of your recommendations, as well. In the bill specifically again, it is just during this pandemic period. It's only enforced during the pandemic period. I just want to make that clear. We're having great discussion. It's really helpful. And it seems like a lot of the issues that were brought up were even without this pandemic going on these issues go way back and we'll probably continue on, but this bill again is specific for the pandemic period and Mr. Borja even suggest adding to that pandemic period for other natural disasters as he recommended, because he realizes the shortfalls that they're having to face with providing these services. But we also, during the submitted public statements as well... I want to just highlight some things I've read on the Black Construction's testimony, which we kind of mentioned too. And one of them it's 15 months after the ARC meeting, then they still have to go to the municipal planning hearing. And without relief of this Bill 14-36, the GLUC process we were talking about timelines. Now the GLUC process won't complete until sometime May 2021. That's 19 months after the application was submitted. 19 months, not 30 days, not 45 days, 19 months, meaning they'll definitely miss the window of opportunity to accommodate the workers that Mr. Swavely has said some have already arrived and will the rest will continue to arrive in order to put them into the temporary working housing facility. They're having another 672, but again, they're really talking about, without this Bill 14-36, they're going to miss the window of opportunity. The letter also states they recount this history is to demonstrate that Black Construction submits their applications in a timely manner. There was some question about timeline, also. They've been doing this much longer than I've been a Senator and they know the timelines and, and it was expressed I think by Mr. Swavely as well, but, they know how

long it takes to anticipate things to come on down. So they do submit it in a timely manner, and then they said if we don't do this Bill 14-36, we'll be forced to put more than 1000 temporary workers and apartments and single family dwellings, most likely through Yigo, Dededo, Tamuning, Mangilao and Barrigada which are the closest locations to the work site in addition to the potential impact of that neighborhood welfare. It's going to be, it's a nightmare of fulfilling the responsibilities to feed, transport and provide healthcare with that was another concern, and entertainment of our workers and plus the increase of traffic flow, which the mayors are concerned with as well. Traffic congestion and the impact on every neighborhood where our workers will be housed. I wonder if we're not going to do Bill 14-36, are we going to get public notices to those homes, 500 feet from these apartments or other homes that these companies will be renting to say, hey, by the way, you're going to have, 10 guys in this house next to you. And they're part of the workforce development. And I hope you don't mind but we're going to be renting cars and parking them all over the street wherever we can. And I understand you've been there for 30 years, but don't worry this is only temporary, this is what we're faced with right now. Yeah, it's because of the pandemic situation, but probably goes back further into that. Mr. Swavely was saying since 1972, he's been dealing with this, right. And it's just going to keep the temporary workforce house accommodation. What they're asking for is for these, and especially in this Black Construction letter, he says, we have the temporary building already. I mean, we have the housing available here and it's been approved by the Legislature more than 10 years ago. And it's for the public safety and welfare and everything. So they got the structure, at least for this one in place. The mayor's concerns. Yes. I completely agree with our other public concerns. I completely agree with, but then that has nothing to do with the fault of anybody applying for this. I think as, my colleague had said, it's the procedure process that we haven't been really... It's like red tape. It's so backwards. Just so antiquated. And we should be doing something about it and stepped up, possibility of a thousand workers going to be my neighbor. And there's a condo vacant next to me. Maybe they'll have some good food recipes. I can join them with, to enjoy their new cuisine from wherever they're from. But this bill is which the director has approved is specifically for the COVID period. We're just asking for this. Nothing long-term after that. If COVID is over and the governor says, boom, Eureka stars are aligned, then this bill is not enforced. Right. It's no longer an issue. And we were back to hopefully expediting and

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streamlining this process and getting rid of the red tape to have it safely done. And like Mr. Swavely said if they don't do it right following all the procedures, making sure everything is done correctly, but they Contractor does not do it right, he doesn't get it permitted. But right now we're just concerned of this workforce because of our situation where we're at, that are coming in, that will be, if done properly, we will extremely help our island and probably they can, these guys can work outside our fences as well. But I guarantee we're going to have some good general fund generated from that to help what we desperately need in the government. So I appreciate all the testimony and I look forward for this bill to move forward on the floor. Thanks. Thank you, Madam chair.

Chairperson Therese Terlaje: Thank you. Senator Moylan, Senator Ada. You are recognized.

Senator Tony Ada: Thank you, Madam Speaker. I was just reading the testimonies of both Mr. Gogue, the concerns that he had. And also the testimony from Black Construction. And I think, my concern is the testimony from Black Construction really shouldn't have put that out there. I mean, we're threatening to have thousands of people all over the island. I mean, come on. If we're going to do a buildup, let's do it responsibly. Let's bring in the people responsibility. If we go to a contract that's out there, then we bring on the amount of people that we need for the contract, but to come out and say to the people that we're going to have construction workers all over the islands and single family homes and condo units, whatever it may be.

I can, I understand that, but let's not be telling the people that because that's not the facts and I think Black Construction was irresponsible in that testimony that I saw the written testimony. I wish they were here to actually come out before us so that we can hear what they have to say and not read it. Mr. Gogue has a lot of good concerns, we should invite past processes that don't need to be bypassed. We're going to be setting a precedent that I don't know if we'll be able to repeal. So that's just my concerns, Madam Speaker, and I look forward for this bill to move forward and being voted on the floor.

Chairperson Therese Terlaje: Thank you, Senator Ada. I have a couple questions before the sponsor... Mr. Swavely?

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Daniel Swavely: Thank you. Senator Ada. I wrote that letter for Leonard Kai with this concurrence, of course. We felt it was necessary not to throw some drama or you better do as we say out there. But just to be honest, just be honest, had we not shown it to everyone that this is what's going to happen and it is what's going to happen. You all would've come back and said, why didn't you tell us this is what's going to happen? So that's why we put it in there. Not to pose some sort of, "you better do what we say" or some of the things. Again, we were really working here towards... I shared everything I know with you all. And that's the reason why we wrote that in there. They are coming. They will be housed somewhere, do the math. That's just what I'm saying. Thank you.

Senator Tony Ada: Thank you for that, sir.

Chairperson Therese Terlaje: Thank you. Okay. So my questions would be, so the director of land management did voice his support for the bill, but he also voiced a request that notice be provided. And I think if I'm understanding correctly, the mayors also support for some notice that would be provided. First that their municipal planning councils would be, that the input from the municipal planning councils would be addressed and that notice to the adjacent land owners. So I just wanted to ask, Mr. Swavely and Mr. Flores, Senator Flores, if you would agree to that being included as part of this bill. What type of notice can we include that might address their concerns as well as still keep an expedited process? Can you see any, Mr. Swavely?

Daniel Swavely: Well, that's a really interesting question. Normally on Guam we've learned that a notice means we have an opportunity to talk about something. And I'm concerned... I see that this sort of notice might engender the same feeling. Now a notice saying that "be advised that da da da da is going to happen, assuming all permits are into place in that and a notice that really is fair and reflects both sides of the equation here. Yeah, that, that could be something. I don't think we can go to the 500 foot radius properties though, because that work hasn't even started it at land management yet. And I'll tell you that work is... normally I give four weeks for them right there. And that work hasn't even started. So no, a public notice in

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the newspaper or at the village level or whatever? Yeah we can work something out and I'd be glad to help write something like that. But just as long as it doesn't mean that we're going to have a public hearing in 60 days, you know, and then we're going to decide. we can't wait that long. I'm sorry. These aren't my rules. I'm sorry. That's what we have to live with.

Chairperson Therese Terlaje: Okay. Mr. Flores, Senator Flores.

Former Senator William Flores: Yeah, I don't have any issue with the public notice. I think that if the concerns of the senators and the mayors is that there's not enough notification to the surrounding landowners or to the villagers or even to the whole Island, frankly, because even the current procedure, Senators, if I made without disrespect, I'm not disrespecting, but I've always thought that the current procedure is kind of funny. Not funny in a humorous way, but funny because we are only notifying people within 500 and 750 foot. What about the guy that says 751 foot? And so I've always thought that it probably would be better if we put a flurry of public notices in the media and the print media and in the radio and TV media. If we noticed like that, because put yourself in the place for instance... most of these M-1 projects have already been publicly heard. Most of M-1 zones have probably all have had the benefit of a public hearing, have had the benefit of public input. So there's this element. Now this conditional use in the M-1 zone. That's what we're talking about. Right? So for instance, up in the project, I won't mention the project by name, but the project that's up along Route 3, that's asking for both the zone change and then a conditional use.

If I live in the 751 foot, if I have property in the 751 foot, outside 751 foot radius. Well, that affects me too. Right? So I think that the idea of putting more public notice is fine, but I would think that we would use it as a general notice in the media, whether it be print or ad, I mean, print or TV or radio or all of them, that's fine. I don't see any issue with that. I think the public is well protected by the regulatory agencies. I think that what the concerns might be the social implications. Traffic is a big issue. Traffic is a big concern that probably the public would want addressed. And then in fact, I was speaking with one of the mayors and she was saying that she was hoping that the workforce housing regulations would be amended to say that, look, these are temporary workers, if they're going to be housed in a place where it's near somewhere, a populated place, then there should be a curfew. These guys shouldn't be

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walking around at 10:30, 11 o'clock, 12 o'clock at night. That's something out of my range of expertise, but in terms of public notice, if it can be done efficiently, I don't see any problems. I don't see an issue with it. I think the public should be notified of what's going on, not just in their neighborhood, but on the island. And so that's my position. I'm fine with that.

Chairperson Therese Terlaje: And so the other premise of this bill is that the regulatory agencies who are part of the building permit process, who have to sign off on that building permit are going to get that shot at the review and comment, I guess, on the project and enforcement. But I wanted to ask the mayors. So the bill that doesn't provide for Municipal Planning Council input or since the public hearing would be waived in the village, the villagers input. But would you be able to obtain municipal planning council feedback prior to, I mean, if this bill has passed...just submit that, I'm thinking about it prior to the building permit being issued, if we made it a condition that there's MPC approval prior to the building permit being issued? Would you be able to do that within say 30 days? I just wanted to get your feedback on this. Is that something that might be... Mayor Savares?

Mayor Melissa Savares: Yes. We can get things done. As long as we know, because we have the option to call for a special meeting with our Municipal Planning Council. We can call a special meeting. I mean, my regular meeting is every second Tuesday. I know that Barrigada has theirs. Every second week as well. And we have the opportunity as mayors to call our municipal planning council on a non-regular meeting. So, if something comes up, that's urgent, we will address it by calling our members in.

Chairperson Therese Terlaje: Okay. So the difference would be that you would not have available to you the agency review comments, the ARC committee comments. And you wouldn't have available to you, presumably the input of your villagers. And so it would be the Municipal Planning Council only.

Mayor Melissa Savares: Speaker, our municipal planning council members are made up of people from the villages that represent their different areas. And with that they will get input if it's regarding the Route 3 area, NCS, Astumbo. We would get our representative from that

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area to kind of like canvas the area and talk to the residents and then bring that information back to us so we can make that decision.

Chairperson Therese Terlaje: Any other mayors want provide input on this point? Mayor Blas?

Mayor June Blas: Okay, thank you very much. Yes. I agree with Mayor Melissa. And in terms of informing our residents, in the form of maybe the billboards and putting into TV ads or in newspapers would be great. But we also, yes, the Municipal Planning Council play a very good role because they're like our board. Some of them sit on like waterworks, GPA. They sit on different committees, EPA and any that would affect our community. We have a representative on that department. And so with that being said we can come up... I'll have a meeting next week, Thursday that we have planned so that we can submit our position with conditions with this Bill 14-36. Thank you.

Chairperson Therese Terlaje: Any other mayor? If not, Senator Flores, did you want to say something on that point?

Former Senator William Flores: Yes. The mayors, I don't know how many of the senators are intimately familiar with the packages that are submitted for this process. The mayors are intimately familiar with it. So just to give, if anyone's not familiar with it, when we submit a package like this, every detail is laid out. So you'll see exactly what the building is. You'll see the size of the rooms, where the rooms are located, where the parking is, how many beds per room, where the showers and the toilets are, where the feeding facilities are and the dining facilities, where the recreational facilities are. So when they, when these packages are... our practice is whenever we are doing something in a village, we will give the mayor an advanced copy of what we're planning. And that is the same information that goes to the regulatory agency and much of it has already been in pre discussion with the regulatory agency. So, the details of the... what I'm trying to say is you wouldn't say, we're doing workforce housing. We've got 500 beds. We might put it there. We might put it here. No, the requirements of the agencies are you tell us exactly where you're going to put it. You tell us the exact

configuration. You give us exact dimensions. We coordinate with the Fire Department way ahead in terms of fire and ingress and all that. And with, waterworks and power and the package, by the way, the package that's received by the GLUC, and in our case with advanced copies to mayors tells you how much power is going to be demanded, but the power demands are going to be what the wastewater generation's going to meet, what the water demand is going to be. And, there's also much discussion on traffic and all this other stuff. So this package, well, by the time the mayor's received it should be about 90% correct in terms of the layout. And when I say 90%, that's because during the process as Mr. Swavely alluded to and Mr. Borja alluded to, the regulatory agencies may change some things in there. For instance, the Fire Department may say, no, I don't want the stairs over here. Move it over here. And so we will adhere to that, but whatever package is submitted and received, you basically know if you look at that plan, you basically know where everything is going to go and their dimensions and the numbers. I just wanted to throw that in. Thank you.

Chairperson Therese Terlaje: Thank you. Well for me, I'm very concerned about setting some kind of precedent where we downplay the importance of public input. I just feel like we've come so far in creating opportunity for our people in a village to comment on projects. And so of course it's very concerning to me. However, I do admit that, and I'm not happy with the circumstances, I do agree some of it is COVID related and some maybe not, maybe some just systematic. However, I do believe that compelling case has been made as to this is urgent for us now. And that's why I've tried as the committee chair to put this matter on as one of the first available slots that I've had to have a public hearing. And I've tried to notify the mayors that I thought were especially impacted because the projects are in their village, notified all the mayors through the Mayor's Council. And I have tried to notify the public, especially giving them a summary of what will be bypassed by this bill. And, we've heard today which parts of the law will not be bypassed by this bill. And, just so that I could at least feel like the public been.. I've tried to make the public aware. I don't believe they're fully aware, but that is an effort that I'm trying to make here, and also to treat it as an urgent matter. But, just wanted to ask Mr. Swavely. I've discussed this with you prior to the hearing, and I just wanted to know, because of the urgency, you said that you wrote this bill three months ago, but did you pursue any other resolution of this matter prior to the legislative type of resolution?

Daniel Swavely: Yes, applicants did a couple of things. First of all, we submitted our applications well in advance, right? Black construction. We're talking to them for 2019. And also we reached out to land management and various ways with offers to take public hearings through DPHSS protocols, wherein applicants will pay for a security to make sure their social distancing and mass squaring we'll pay for sanitizing restrooms and sanitizing the chairs at public hearings and even having an overflow area with outdoor speaker and TV and the event that more than 25 or so would show. And we've also suggested that why can't ARC meetings be conducted with zoom. I mean, I have in front of me twice, the number of people that I'm talking to all afternoon then we ever have show up at an ARC meeting. So we asked that too, to date has still not happened. I also wrote a resolution for the commission to pass their authority is as Mr. Borja alluded to, to pass, to put the burden of this property research on the shoulder of applicants, make us responsible for the property research. Okay. So it's going to cost us a few thousand dollars. We will go hire security title or title guarantee or one of those, and the title companies whose profession it is to do property research. And we will hire them to add that to the application. Right. So it's done. We don't have to like, get the application approved and then start that process in house. So we've reached out in a number of ways and, and it was after none of that was successful that I wrote this bill again with deep conflict, because I share your concern. I share your concern, but at the end of the day, this is the best alternative.

Chairperson Therese Terlaje: This is only effective during PCOR conditions such as we are in.

Daniel Swavely: It's a good point, because right now, it looks like, the process is starting again, the way it used to start. I think it was better to add, or maybe Senator Blas alluded to the fact that it worked 10 years ago. Why can't it work now? Well, it can't work now because it didn't work now. Not because it can't, it didn't. Okay. But now, things are starting to come out of planning division. We have our first public hearing. This could be it. I mean, you might say in this bill, this is it, the doors shut. Nobody else. Because somebody submits a temporary worker housing facility today really basically subject to the normal process. All right. Go for it.

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You don't get to do the fast track. Then we're only dealing with the five. agreed upon that have been stuck for so many months.

Chairperson Therese Terlaje: Is there any reason that this was not dealt with through those emergency guidelines that have been put in place by executive order.

Daniel Swavely: I wrote a justification for trying to get in to the emergency declaration under public health, under the public health emergency authority of the Governor. It was hard but we did it and it was reviewed judiciously I'm sure. And it was felt like it just didn't meet the level, the threshold level of being eligible for an emergency declaration. I tried that in November.

Chairperson Therese Terlaje: Through executive orders, not granted?

Daniel Swavely: Yes. That's correct.

Chairperson Therese Terlaje: Senator Flores.

Former Senator William Flores: I wanted to add because, wow, that was a good question that you asked us Speaker regarding what did we try, anything else? One of the other things we tried is we requested if it was possible that the government would allow the building permit to go through the process while the GLUC process was being held up to go through the process at the developers risk, no guarantee from the government, the GLUC, wasn't going to issue the land, the conditional use permit, but to save time at the risk, could we be sending the design through the process? And then once that design was approved, then it would be subject to land use commission hearing with no guarantees from the government. Unfortunately, I think Mr. Borja will confirm that it wasn't within their statutory authority to be able to do that. And so that was the other one of the other ways that we, and we were hoping to see if we could get around the existing situation or through to handle this through the existing situation.

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Chairperson Therese Terlaje: I like that idea. All right. I was going to ask the opposite if we could come back with GLUC after the building permit, but I'm not going to go there right now. So I'm going to go to the sponsor, Senator Joe San Agustin.

Senator Joe San Agustin: Thank you Madam Speaker. And thank you for everyone that has participated in this way. And thank you Mr. Swavely for writing the bill. You know, I received this back in November and we were trying to work this and it was the election time and everything was like, oh, we can't go to this. That's why I introduced the bill as soon as I could. And folks and for the mayors here today, come on, you know, what's coming up. You know what's coming up in your village, start getting your councils going. Get your minutes. Planning calls is going. I was in one of them in Yigo. Once we know something's happening in our village, you just start reacting to it. We're not going to make the reasons that we didn't get notice. Just work this. I've always supported every mayor and I know every one of you all out there, you all know me whenever you needed any help you reach out to me. I responded. Anything I have to do. Save Southern Guam, my wife, my other half is all from the south. So there's not an issue. It's not about trying to rush and trying to bypass and not recognize the people of Guam and then letting them be known. But I believe that Senator Will, mentioned when the packet is submitted, everybody knows what's going on. Put it out. Don't make the excuse you didn't get the official notice. People put it out. If you need some help. I know that Dan Swavely, Willy Flores and everybody else who help with whatever they need to put it out. Putting out a notice is the easiest part, but to delay any issues to get this going, we're all familiar with this about all the military buildup. That is nothing new to any of you folks out here. We've always anticipated the military coming. They never came. That was an issue for 10 years. So, I hope the bill goes before the floor. We'll make the adjustments wherever we need to make the adjustments. We've got some notes given by Mr. Joe Borja and I'll just reach out to him. Give me your notes of what you're recommending. We'll work this for everybody and let's get this bill on the floor and let's vote and let's get this moving. And it's only during the PCOR after that it ends. Now we want to write something that will anticipate anything worse or any other disaster in the future, consider this a notice, be aware and be prepared, and then just move on. Thank you, Madam Speaker. Thank you all for participating in the hearing today.

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Chairperson Therese Terlaje: I want to thank the mayors again for being here today and representing their villages, bringing their concerns to the committee. You are welcome to submit any in writing as soon as you can, please. Of course, we want to find the right balance to remove delays or impediments that were exacerbated because of the pandemic. I do agree that the GLUC and the ARC process is moving now. Public hearings are going to be set. So hopefully this will not become an issue again, and that we can resolve whether electronic hearings are allowed in the future or not. But for the current situation that we are in, we are trying to find a balance for these projects, so that we can, through them, ensure that the community is informed, that they are safe, that their health is not ignored. So we will take all the feedback and work with the sponsor to address the issues raised today and hopefully to move this forward as soon as we can. So I want to thank you all again. Take care of yourself. The hearing is now adjourned. It is 4:52 PM.

III. FINDINGS & RECOMMENDATIONS

Bill No. 14-36 (COR) seeks to fast track the Guam Land Use Commission's conditional use application process for temporary workforce housing facilities (TWHF) during the pandemic conditions of readiness when public assembly is restricted. Representatives from various construction companies who have pending TWHF conditional use applications before the GLUC testified that they submitted applications several months ago only to see delays and a lack of movement in the GLUC process due to restrictions as a result of the pandemic. There are an estimated 2500 temporary workers who will be working on island and will need to be housed in temporary workforce housing facilities. Approximately 1500 temporary workers have already arrived on island which prompted the proposed legislation which would fast-track the pending TWHF applications. The Department of Land Management testified in support of the bill but also voiced a request that public notice still be incorporated in the process for the pending TWHF applications.

The Committee finds that the bill, as introduced, would allow applicants during a pandemic to go from the Project Application Interview (review by Department of Land Management) to the Building Permit Process and bypass the following parts of the GLUC process:

- Technical review by the Application Review Committee (ARC) agencies:
 - Department of Public Works
 - Guam Environmental Protection Agency
 - Bureau of Statistics & Plans
 - Department of Agriculture
 - Guam Power Authority
 - Guam Waterworks Authority
 - Department of Parks and Recreation and Historic Preservation Office
- Written notice of public hearing by certified mail to property owners within a radius of 500 ft.
- Notice of public hearing on a 4'x 8' sign on the property
- Notice of public hearing by newspaper
- Municipal Public Hearing in the village of the proposed project
- Resolution in support from the Municipal Planning Council
- GLUC Commission Meeting and Action

Current proposals for Temporary Workers Housing Facilities are pending for the villages of Tamuning, Dededo, Barrigada and Mongmong/Toto/Maite. Maps of the proposed projects as well as the proposed capacity of the TWHF was provided by the Committee during the public hearing. Mayors from the impacted villages provided input and requested that public notice be given to adjacent landowners and that input from their respective Municipal Planning Councils still be included as part of the GLUC process in relation to this bill and the pending temporary workforce housing facility projects.

As of the date of this report, Guam remains in PCOR2 pursuant to Executive Order No. 2021-03, which limits gatherings to 25. Guam was placed on stay-at-home orders since March 2020,

BILL NO. 14-36 (COR) COMMITTEE REPORT DIGEST

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congregating has been prohibited since March 2020, and government agencies continued operating but with limited access. PCOR 1 was upgraded to PCOR 2 on January 18 and government agencies were directed to recommence public operations still suspended including walk-in services. The mayors and DLM indicated at the public hearing on this bill that Municipal Public Hearings are able to move forward now, and that there is no impediment to GLUC review of the applications that are ready. ARC committee members were not present for the hearing but there was no evidence provided to suggest that the ARC were not able to promptly complete review of the applications. During the hearing, it was suggested by one of the developers who testified, that this bill be limited to pending applications that were filed and affected by the restricted gathering conditions only, and not applications that may be submitted going forward.

The Committee amended the bill based on input from the mayors at the hearing. The amendments included were requiring public notice of the proposed project by way of a sign on the property and newspaper, and requiring a resolution of support from the Municipal Planning Council of the village where the proposed project will be located. Additional amendments were technical corrections suggested by legal.

The Committee on Health, Land, Justice and Culture hereby reports out **Bill No. 14-36 (COR) As Amended by the Committee on Health, Land, Justice and Culture - Joe S. San Agustin, Tina Rose Muña Barnes, and James C. Moylan - "AN ACT TO AMEND § 61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS."** with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 14 -36 (COR)

Joe S. San Agustin 
Tina Rose Muna Barnes 
James C. Moylan 

**AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61,
TITLE 21, GUAM CODE ANNOTATED RELATIVE TO
FAST TRACKING GUAM LAND USE COMMISSION
CONDITIONAL USE APPLICATIONS FOR
TEMPORARY WORKERS HOUSING FACILITIES
DURING PANDEMIC CONDITIONS OF READINESS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Guam contractors engaged in the U.S. military build-up must rely on H-2B visa temporary workers (“temporary workers”) in order to construct the approved Department of Defense build-up projects as well as the off-base projects that are associated with the build-up. The Guam Department of Labor estimates that approximately 1,500 temporary workers are already on Guam; and since January the Department of Land Management has received six Guam Land Use Commission, hereinafter ‘GLUC’, applications for Temporary Workers Housing Facilities or ‘TWHF’ that would accommodate about 2,500 new temporary workers. Additional GLUC applications for TWHFs are to be expected in order to accommodate the projected additional temporary workers, possibly as many as another 1,000, required to complete the remaining military build-up projects as well as build-up associated private and Government of Guam projects.

1 Public Law 31-72 (as §61309 (c) of Article 3, Chapter 61, Title 21, GCA)
2 clarified, among other matters, that temporary workers must be housed in TWHFs
3 located in an M-1 (light industrial) zone and approved by the Guam Land Use
4 Commission (“GLUC”) as a Conditional Use.

5 COVID restrictions imposed on operations at Planning Division of the
6 Department of Land Management (“DLM”) as well as on public assembly at the
7 required Application Review Committee meetings, municipal public hearings,
8 municipal planning council meetings and GLUC public hearings have resulted in
9 virtually no processing of TWHF applications by DLM since February.
10 Nonetheless, the temporary workers are still coming.

11 Without GLUC-approved TWHF applications, the only alternative to
12 housing the first wave of 2,500 temporary workers is their dispersment into
13 private housing arrangements such as single family houses, apartments and for-rent
14 condos. Those commercial arrangements are primarily controlled by two measures:

15 21 GCA Chapter 61 Section 61103 (o)

16 Family. An individual, or two or more persons related by blood or
17 marriage, *or a group of not more than five persons who need not be*
18 *related by blood or marriage living together as a single housekeeping*
19 *unit.* Emphasis added.

20 10 GCA Chapter 26A Section 26A101 (b)

21 *Temporary workforce housing means any enclosures of living spaces,*
22 *reasonably contiguous, together with the land appertaining thereto,*
23 *established, operated or used as living quarters and, at a minimum,*
24 *fifty-one percent (51%) of the residents are temporary workers,*
25 including, but not limited to, facilities known by varying
26 nomenclatures or designations as dormitories, hotels, motels, travel
27 lodges, or tourist homes. Emphasis added.

1
2 Taken together, those sections mean that the housing of unrelated temporary
3 workers in apartments and in for-rent condos is limited to 5 occupants per
4 housekeeping unit; and the total number of temporary workers housed at single
5 complex must be less than 51% of total occupants, or it will be deemed a TWHF
6 and subject to GLUC approval.

7 The net impact of 2,500 temporary employees being housed in apartments
8 and in for-rent condos will affect at least 500 multi-family residential units
9 scattered among dozens of complexes within residential neighborhoods, likely
10 throughout Yigo, Dededo, Tamuning, Barrigada and Mangilao. Additionally, such
11 scattered housing arrangements will create collateral quality-of-life problems such
12 as: transporting the temporary workers from multiple housing locations to and
13 from their places of work, which will increase traffic as well as incur unnecessary
14 expense and unproductive time; and denying affordable housing opportunities for
15 those many Guamanians, both young and old, needing rental units for their own
16 families.

17 This is not sound land use planning. The fabric of Guam's communities is a
18 family-centered neighborhood, and the Guam Legislature preserved that character
19 with Public Law 31-72, which created the concept of Temporary Worker Housing
20 Facilities in only M-1 zones.

21 The *I Liheslaturan Guåhan* understands that temporary workers should be
22 housed in TWHFs located within M-1 zones and that the current imposition of
23 COVID restrictions has prevented timely processing of GLUC applications for
24 TWHFs. In order to protect the welfare and homogeneity of Guam communities,
25 therefore, *I Liheslaturan Guahan* intends to fast track the processing of GLUC
26 applications for TWHFs in order to make those facilities available in M-1 zones
27 and in time to house the arrival of temporary workers, while not sacrificing the

1 basic safeguards imposed by the Department of Land Management for proper
2 zoning and related requirements imposed by P.L. 31-72 as well as the permitting
3 imposed by the Department of Public Works and the Department of Public Health
4 and Social Services.

5 **Section 2.** §61309(c) (4) (A) of Chapter 61, Title 21, Guam Code
6 Annotated is hereby *amended* to read as follows:

7 (4) (A) Applications for the development of temporary workforce housing
8 shall come before the GLUC as a “Conditional Use” subject to the review process
9 of the Agency Review Committee, and shall be subject to specific conditions of
10 approval as established by the GLUC, except during the imposition of any
11 Pandemic Condition of Readiness (“PCOR”) which restricts public assembly.
12 Whenever a PCOR restricts public assembly, GLUC conditional use applications
13 for the development of temporary workforce housing shall meet only the
14 requirements of §61309(c) (4) (B) (i), (ii), (iii) and (iv) of Chapter 61, Title 21,
15 Guam Code Annotated as well as all requirements imposed by the Department of
16 Land Management at the Preliminary Application Interview stage, including
17 location of the Temporary Workers Housing Facility in an M-1 zone. With those
18 conditions for approval certified by the Department of Land Management, the
19 applicant may proceed directly to Temporary Workers Housing Facility permitting
20 by the Department of Public Works for a Building Permit and to the Department of
21 Public Health and Social Services for a Sanitary Permit and a Workers Dormitory
22 Permit.

23 **Section 3. Severability.** If any provision of this Act or its application to any
24 person or circumstance is found to be invalid or contrary to law, such invalidity
25 *shall not* affect other provisions or applications of this Act that can be given effect
26 without the invalid provision or application, and to this end the provisions of this
27 Act are severable.

1 **Section 4. Effective Date.** This Act *shall* become effective immediately
2 upon enactment.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 14-36 (COR)

As Amended by the Committee on Health,
Land, Justice and Culture

Joe S. San Agustin
Tina Rose Muña Barnes
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13 (i) - (iv) of Chapter 61, Title 21, Guam Code Annotated as well as all conditions
14 imposed by the Department of Land Management at the preliminary application
15 interview stage, including:

16 (1) location of the Temporary Workers Housing Facility in an M1 zone,

17 (2) written notice posted on a 4’x 8’ sign on the property for a minimum of two
18 (2) weeks, and notice by newspaper on two (2) separate days of the proposed
19 project including details on the physical size and the number workers who will
20 be housed in the TWHF, and

21 (3) Resolution in support from the Municipal Planning Council of the village
22 where the proposed project will be located.

23 Upon compliance with conditions for approval and certification by the
24 Department of Land Management, the applicant may apply directly to the
25 Department of Public Works for a Building Permit and to the Department of
26 Public Health and Social Services for a Sanitary Permit and a Workers Dormitory
27 Permit.”

1 **Section 3. Severability.** If any provision of this Act or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
3 *not* affect other provisions or applications of this Act that can be given effect without
4 the invalid provision or application, and to this end the provisions of this Act are
5 severable.

6 **Section 4. Effective Date.** This Act *shall* be effective upon enactment.

Committee Markup on Bill No. 14-36 (COR)

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN 2021 (FIRST) Regular Session

Bill No. 14-36 (COR)

As Amended by the Committee on Health,
Land, Justice and Culture

Joe S. San Agustin
Tina Rose Muña Barnes
James C. Moylan

**AN ACT TO *AMEND* § 61309(c) (4) (A) OF CHAPTER 61,
TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO
FAST TRACKING GUAM LAND USE COMMISSION
CONDITIONAL USE APPLICATIONS FOR
TEMPORARY WORKERS HOUSING FACILITIES
DURING PANDEMIC CONDITIONS OF READINESS.**

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Guam contractors engaged in the U.S. military build-up must rely on H-2B visa temporary workers (“temporary workers”) in order to construct the approved Department of Defense build-up projects as well as the off-base projects that are associated with the build-up. The Guam Department of Labor estimates that approximately 1,500 temporary workers are already on Guam; and since January the Department of Land Management has received six Guam Land Use Commission, ~~(hereinafter “GLUC”)~~, applications for Temporary Workers Housing Facilities or ~~(“TWHF”)~~ that would accommodate about 2,500 new temporary workers. Additional GLUC applications for TWHFs are to be expected in order to accommodate the projected additional temporary workers, possibly as many as another 1,000, required to complete the remaining military build-up projects as well as build-up associated private and Government of Guam projects.

1 Public Law 31-72 (~~as § 61309-(c)~~ of Article 3, Chapter 61, Title 21, GCA)
2 clarified, among other matters, that temporary workers must be housed in TWHFs
3 located in an M-1 (~~L~~light ~~I~~ndustrial) ~~Z~~zone and approved by ~~the Guam Land Use~~
4 ~~Commission~~ (“GLUC”) as a Conditional Use.

5 COVID-~~19~~ restrictions imposed on operations at ~~the~~ Planning Division of ~~the~~
6 ~~Department of Land Management~~ (“DLM”) as well as on public assembly at the
7 required Application Review Committee meetings, municipal public hearings,
8 municipal planning council meetings and GLUC public hearings have resulted in
9 virtually no processing of TWHF applications by DLM since February. Nonetheless,
10 the temporary workers are still coming.

11 Without GLUC-approved TWHF applications, the only affordable alternative
12 ~~for~~ housing the first wave of 2,500 temporary workers is their ~~dispersement~~
13 dispersal into private housing arrangements such as ~~single-family~~single-family
14 houses, apartments and for-rent condos. Those commercial arrangements are
15 primarily controlled by two measures:

16 —21 GCA ~~§ Chapter 61 Section~~ 61103-(o):

17 (1) “Family. An individual, or two or more persons related by blood or
18 marriage, *or a group of not more than five persons who need not be*
19 *related by blood or marriage living together as a single*
20 *housekeeping unit.*” 21 GCA § 61103(o) ~~e~~Emphasis added; ~~and-~~

21 (2) 10 GCA ~~Chapter 26A Section~~ § 26A101-(b):

22 “*Temporary workforce housing means any enclosures of living spaces,*
23 *reasonably contiguous, together with the land appertaining thereto,*
24 *established, operated or used as living quarters and, at a minimum,*
25 *fifty-one percent (51%) of the residents are temporary workers,*
26 including, but not limited to, facilities known by varying nomenclatures

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or designations as dormitories, hotels, motels, travel lodges, or tourist homes.” 10 GCA § 26A101(b). ~~e~~Emphasis added.

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Taken together, those sections mean that the housing of unrelated temporary workers in apartments and in for-rent condos is limited to 5 occupants per housekeeping unit; and the total number of temporary workers housed at single complex must be less than 51% of total occupants, or it will be deemed a TWHF and subject to GLUC approval.

The net impact of 2,500 temporary employees being housed in apartments and in for-rent condos will affect at least 500 multi-family residential units scattered among dozens of complexes within residential neighborhoods, likely throughout Yigo, Dededo, Tamuning, Barrigada and Mangilao. Additionally, such scattered housing arrangements will create collateral quality-of-life problems ~~such~~ as:associated with transporting the temporary workers from multiple housing locations to and from their places of work, ~~which willincluding~~ -increased traffic congestion, as well as incur unnecessary expenses, and loss of unproductive work time, and ~~the denying reduction of~~ affordable housing opportunities for those many Guamanians, both young and old, needing rental units for their own families.

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This is not sound land use planning. The fabric of Guam’s communities is a family-centered neighborhood, and the Guam Legislature preserved that character with Public Law 31-72, which created the concept of Temporary Worker Housing Facilities in only M-1 zones.

The *I Liheslaturan Guåhan* understands that temporary workers should be housed in TWHFs located within M-1 zones and that the current imposition of COVID restrictions has prevented timely processing of GLUC applications for TWHFs. In order to protect the welfare and homogeneity of Guam communities,

1 therefore, *I Liheslaturan Guåhan* intends to fast track the processing of GLUC
2 applications for TWHFs in order to make those facilities available in M-1 zones and
3 in time to house the arrival of temporary workers, while not sacrificing the basic
4 safeguards imposed by the Department of Land Management for proper zoning and
5 related requirements imposed by P.L. 31-72 as well as the permitting imposed by
6 the Department of Public Works and the Department of Public Health and Social
7 Services.

8 **Section 2.** §_61309(c) (4) (A) of Chapter 61, Title 21, Guam Code
9 Annotated, is hereby *amended* to read as follows:

10 “(4) (A) Applications for the development of temporary workforce housing
11 shall come before the GLUC as a “Conditional Use” subject to the review process
12 of the Agency Review Committee, and shall be subject to specific conditions of
13 approval as established by the GLUC, except during the imposition of any Pandemic
14 Condition of Readiness (“PCOR”) which restricts-prohibits public assemblypublic
15 hearings. Whenever a PCOR restricts-public assemblyprohibits public hearings,
16 GLUC conditional use applications for the development of temporary workforce
17 housing shall meet only the requirements of § 61309(c) (4) (B) (i) - , (ii), (iii) and
18 (iv) of Chapter 61, Title 21, Guam Code Annotated as well as all requirements
19 conditions imposed by the Department of Land Management at the pPreliminary
20 aApplication iInterview stage, including:

21 (1) location of the Temporary Workers Housing Facility in an M-1 zone,

22 (2) written notice posted on a 4’x 8’ sign on the property for a minimum of two
23 (2) weeks, and notice by newspaper on two (2) separate days of the proposed
24 project including details on the physical size and the number workers who will
25 be housed in the TWHF, and

26 (3) Resolution in support from the Municipal Planning Council of the village
27 where the proposed project will be located.

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1 ~~With those~~ Upon compliance with conditions for approval and certification by
2 the Department of Land Management, the applicant may ~~proceed apply~~ directly
3 to ~~Temporary Workers Housing Facility permitting by~~ the Department of Public
4 Works for a Building Permit and to the Department of Public Health and Social
5 Services for a Sanitary Permit and a Workers Dormitory Permit.”

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6 **Section 3. Severability.** If any provision of this Act or its application to any
7 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
8 *not* affect other provisions or applications of this Act that can be given effect without
9 the invalid provision or application, and to this end the provisions of this Act are
10 severable.

11 **Section 4. Effective Date.** This Act *shall* become effective immediately
12 upon enactment.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

January 13, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Fiscal Note Waiver

Buenas yan Håfa adai,

Attached, please find the fiscal note waiver for the following bill:

Bill No. 14-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

JAN 11 2021

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Singko Na Liheslaturan Guåhan
Thirty-Sixth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Madam Vice Speaker:

The Bureau requests that Bill No. 14-36 (COR) be granted a waiver pursuant to Public Law 12-229, as amended for the following reason(s):

Bill No. 14-36 (COR) is an act to amend §61309 (c)(4)(A) of Chapter 61, Title 21, Guam Code Annotated (GCA) relative to fast tracking Guam Land Use Commission (GLUC) Conditional Use applications for Temporary Workers Housing Facilities (TWHF) during Pandemic Conditions of Readiness (PCOR).

Per the legislation, GLUC Conditional Use applications for the development of TWHF shall still meet the requirements established in §61309 (c)(4)(B) (i), (ii), (iii), and (iv) of Chapter 61, Title 21, GCA. Additionally, each application shall meet the requirements of the Department of Land Management, the Department of Public Works, and the Department of Public Health and Social Services for certified conditions of approval, Building permits, Sanitary permits, and Workers Dormitory permits.

As such, the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE VOTE SHEET

Bill No. 14-36 (COR), As amended by the Committee on Health, Land, Justice, and Culture – Senators Joe S. San Agustin, Tina Rose Muña Barnes, James C. Moylan - “An Act to *amend* §61309(c) (4) (A) of Chapter 61, Title 21, Guam Code Annotated relative to fast tracking Guam Land Use Commission conditional use applications for Temporary Workers Housing Facilities during pandemic conditions of readiness.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Speaker Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> 2/9/21			✓		
Senator Sabina Flores Perez Vice Chairperson of Health, Land and Culture						
Senator Telena C. Nelson Vice Chairperson of Justice						
Vice Speaker Tina Muña Barnes Member	E-Vote 2/9/21	✓				
Senator Joanne M. Brown Member						
Senator Christopher M. Dueñas Member	E-Vote 2/9/21			✓		
Senator Amanda L. Shelton Member	E-Vote 2/9/21			✓		
Senator Telo T. Taitague, Member						
Senator Jose “Pedro” Terlaje Member	E-Vote 2/9/21	✓				

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: BILL 14-36 (COR) AS AMENDED BY THE COMMITTEE

1 message

Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Tue, Feb 9, 2021 at 3:04 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Telena C. Nelson" <senatortcnelson@gmail.com>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedo Terlaje <senatorpedo@senatorjpterlaje.com>

to do pass

On Tue, Feb 9, 2021 at 2:37 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai, Committee Members:

Please see the attached Committee Report for Bill No. 14-36 (COR), *As Amended by the Committee on Health, Land, Justice, and Culture* – Senator Joe S. San Agustin – “AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.”

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
- ☐ To Not Pass;
- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 14-36 (COR)- As Amended by the Committee, which will be filed with the Committee on Rules.

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: BILL 14-36 (COR) AS AMENDED BY THE COMMITTEE

1 message

Office of Senator Amanda L. Shelton <officeofsenatorshelton@guamlegislature.org>

Tue, Feb 9, 2021 at 3:07 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

To report out only. SYM!

Respectfully,

**Senator Amanda L. Shelton***Legislative Secretary**Chairwoman, Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth, and Senior Citizens***Office of the People • Senator Amanda L. Shelton**

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

T +1 (671) 969-2574 • (671) 989-2572

E officeofsenatorshelton@guamlegislature.orgOn Tue, Feb 9, 2021 at 2:37 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai, Committee Members:

Please see the attached Committee Report for Bill No. 14-36 (COR), *As Amended by the Committee on Health, Land, Justice, and Culture* – Senator Joe S. San Agustin – “AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.”

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
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- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 14-36 (COR)- As Amended by the Committee, which will be filed with the Committee on Rules.

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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36th Guam Legislature

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website: www.senatorterlaje.com

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: BILL 14-36 (COR) AS AMENDED BY THE COMMITTEE

1 message

Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Tue, Feb 9, 2021 at 3:14 PM

To do pass

On Tue, Feb 9, 2021, 2:37 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai, Committee Members:

Please see the attached Committee Report for Bill No. 14-36 (COR), *As Amended by the Committee on Health, Land, Justice, and Culture* – Senator Joe S. San Agustin – “AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.”

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: BILL 14-36 (COR) AS AMENDED BY THE COMMITTEE

1 message

Chris Duenas <senatorchrisduenas@gmail.com>

Tue, Feb 9, 2021 at 4:11 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

To Report Out Only.

Si Yu'os Ma'åse',

**Office of Senator Christopher M. Dueñas**

36th Guam Legislature

I Mina'trentai Sais Na Liheslaturan Guåhan

(671) 989-9554 - 116 Chalan Santo Papa, Hagatna

senatorchrisduenas@gmail.com

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi, put fabot ago' guatu gi I numa'huyong gi as senatorchrisduenas@gmail.com yan despues destrosa todu siha I kopian mensâhi. Si Yu'os ma'åse'.

On Tue, Feb 9, 2021 at 2:37 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai, Committee Members:

Please see the attached Committee Report for Bill No. 14-36 (COR), *As Amended by the Committee on Health, Land, Justice, and Culture* – Senator Joe S. San Agustin – “AN ACT TO AMEND §61309(c) (4) (A) OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO FAST TRACKING GUAM LAND USE COMMISSION CONDITIONAL USE APPLICATIONS FOR TEMPORARY WORKERS HOUSING FACILITIES DURING PANDEMIC CONDITIONS OF READINESS.”

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
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- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 14-36 (COR)- As Amended by the Committee, which will be filed with the Committee on Rules.

Office of Speaker Therese M. Terlaje**Committee on Health, Land, Justice and Culture***I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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