



FILE COPY

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
THIRTY THIRD GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

February 22, 2016

The Honorable Edward J.B. Calvo  
*I Maga'låhen Guåhan*  
*Ufisinan I Maga'låhi*  
*Hagåtña, Guam*

OFFICE OF THE GOVERNOR  
CENTRAL FILES  
RECEIVED BY *Kal Sola*  
TIME *2:59* DATE *2/22/16*

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 213-33 (COR), 223-33 (COR), 235-33 (LS), 238-33 (LS), 241-33 (COR), 242-33 (COR), 244-33 (COR) and 247-33 (COR); and Substitute Bill Nos. 89-33 (LS), 149-33 (COR), 191-33 (LS), 218-33 (COR), 228-33 (COR), 229-33 (COR), 231-33 (LS), 236-33 (LS), 245-33 (COR) and 248-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on February 18, 2016.

Sincerely,

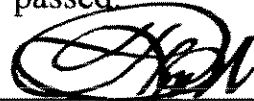
  
TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (18)

*I MINA TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2016 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 218-33 (COR), "AN ACT TO AMEND § 40128(f) OF ARTICLE 1, CHAPTER 40, DIVISION 4, TITLE 5, GUAM CODE ANNOTATED; AND TO AMEND § 60115 OF ARTICLE 1, CHAPTER 60, § 61623 OF SUBARTICLE 2 OF ARTICLE 6, CHAPTER 61, AND § 61638 OF SUBARTICLE 3 OF ARTICLE 6, CHAPTER 61, ALL OF DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING RESPONSIBLE DEVELOPMENT IN GUAM," was on the 18<sup>th</sup> day of February 2016, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:

  
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 22ND day of FEBRUARY,  
2016, at 2:59 o'clock P.M.

  
Assistant Staff Officer  
*Maga'låhi's Office*

APPROVED:

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EDWARD J.B. CALVO  
*I Maga'låhen Guåhan*

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

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

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN*  
2015 (FIRST) Regular Session

**Bill No. 218-33 (COR)**

As substituted by the sponsor and  
the Committee on Municipal Affairs,  
Tourism, Housing and Historic Preservation;  
and amended on the Floor.

Introduced by:

Tommy Morrison  
R. J. Respicio  
T. R. Muña Barnes  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
Frank F. Blas, Jr.  
B. J.F. Cruz  
James V. Espaldon  
Brant T. McCreadie  
Dennis G. Rodriguez, Jr.  
Michael F.Q. San Nicolas  
Mary Camacho Torres  
N. B. Underwood, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* § 40128(f) OF ARTICLE 1,  
CHAPTER 40, DIVISION 4, TITLE 5, GUAM CODE  
ANNOTATED; AND TO *AMEND* § 60115 OF ARTICLE 1,  
CHAPTER 60, § 61623 OF SUBARTICLE 2 OF ARTICLE  
6, CHAPTER 61, AND § 61638 OF SUBARTICLE 3 OF  
ARTICLE 6, CHAPTER 61, ALL OF DIVISION 2, TITLE  
21, GUAM CODE ANNOTATED, RELATIVE TO  
PROMOTING RESPONSIBLE DEVELOPMENT IN  
GUAM.**

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

2 **Section 1.** § 40128(f) of Article 1, Chapter 40, Division 4, Title 5, Guam

3 Code Annotated, is hereby *amended* to read:

1           “(f) Review and express its support or opposition on all variance  
2 applications, zone changes, and government leases involving land within  
3 their districts, pursuant to §§ 61623, 61638, and 60115 of Title 21, Guam  
4 Code Annotated. The Municipal Planning Council of each municipal district  
5 to be affected by other proposed projects reviewed by the Guam Land Use  
6 Commission *shall* review the request and express its support or opposition  
7 thereon by resolution adopted by a majority of its members, and such  
8 resolutions *shall* be forwarded to the Guam Land Use Commission.

9           For each variance application, zone change, government lease,  
10 conditional use application, and other proposed project reviewed by the  
11 Guam Land Use Commission involving land in Guam, the relevant  
12 Municipal Planning Council of Guam’s respective villages *shall* conduct a  
13 minimum of two (2) separate public meetings, pursuant to the requirements  
14 of Chapter 8, Division 1, Title 5, Guam Code Annotated.”

15       **Section 2.** § 60115 of Article 1, Chapter 60, Division 2, Title 21, Guam  
16 Code Annotated, is hereby *amended* to read:

17           “**§ 60115. Review by Municipal Planning Councils.**

18           Notwithstanding any other law, rule or regulation, all sales, or leases  
19 of real property owned by the government of Guam for a term of ten (10)  
20 years or longer, *except* the leasing of government land reserved as a cultural  
21 center as mandated by Public Law Number 22-18, *shall* be reviewed by the  
22 Municipal Planning Council of the municipal district in which the real  
23 property to be sold or leased is located, and its support or opposition thereon  
24 expressed by resolution adopted by a majority of the members of the  
25 Municipal Planning Council, after a public hearing thereon, with such  
26 resolution to be forwarded to *I Maga’låhen Guåhan* and to *I Liheslaturan*  
27 *Guåhan* prior to their respective consideration of the proposed sale or lease.

1 For each proposed sale or lease of real property owned by the  
2 government of Guam involving land in Guam, the relevant Municipal  
3 Planning Council of Guam’s respective villages *shall* conduct a minimum of  
4 two (2) separate public meetings, pursuant to the requirements of Chapter 8,  
5 Division 1, Title 5, Guam Code Annotated.”

6 **Section 3.** § 61623 of Subarticle 2, Article 6, Chapter 61, Division 2, Title  
7 21, Guam Code Annotated, is hereby *amended* to read:

8 **“§ 61623. Review by Municipal Planning Council.**

9 The Municipal Planning Council of each municipal district to be  
10 affected by a proposed variance *shall* review the request and express its  
11 support or opposition thereon by resolution adopted by a majority of its  
12 members, and submit such resolution to the Commission within twenty (20)  
13 days from the date of its public hearing thereon for the Commission’s  
14 consideration thereof pursuant to § 61620.

15 For each proposed variance involving land in Guam, the relevant  
16 Municipal Planning Council of Guam’s respective villages *shall* conduct a  
17 minimum of two (2) separate public meetings, pursuant to the requirements  
18 of Chapter 8, Division 1, Title 5, Guam Code Annotated.”

19 **Section 4.** § 61638 of Subarticle 3, Article 6, Chapter 61, Division 2, Title  
20 21, Guam Code Annotated, is hereby *amended* to read:

21 **“§ 61638. Review by Municipal Planning Council.**

22 The Municipal Planning Council of each municipal district to be  
23 affected by a proposed zone change *shall* within forty (40) days from the  
24 date of a public hearing held thereon by such Council express its support or  
25 opposition thereon by resolution adopted by the majority of its members.  
26 Such resolution *shall* be forwarded to *I Maga’låhi* (the Governor) for his

1 consideration thereof pursuant to § 61634 within twenty (20) days from the  
2 date of its adoption.

3 For each proposed zone change involving land in Guam, the relevant  
4 Municipal Planning Council of Guam's respective villages *shall* conduct a  
5 minimum of two (2) separate public meetings, pursuant to the requirements  
6 of Chapter 8, Division 1, Title 5, Guam Code Annotated.”

7 **Section 5. Severability.** If any provision of this Act or the application to  
8 any person or circumstance is found to be invalid or contrary to law, such  
9 invalidity *shall not* affect other provisions or applications of this Act which can be  
10 given effect without the invalid provision or application, and to this end the  
11 provisions of this Act are severable.