



*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

September 3, 2015

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

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 97-33 (COR), 99-33 (LS), 112-33 (COR), 118-33 (COR), 122-33 (COR), 123-33 (COR), 126-33 (COR), 128-33 (COR), 138-33 (COR) and 140-33 (COR); and Substitute Bill Nos. 57-33 (LS) and 115-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on September 3, 2015.

Sincerely,

  
TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (12)

**FILE COPY**

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

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

This is to certify that Substitute Bill No. 57-33 (LS), "AN ACT TO AMEND § 40128(f) OF ARTICLE 1, CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MUNICIPAL PLANNING COUNCILS TO REVIEW PROJECTS PROPOSED TO THE GUAM LAND USE COMMISSION (GLUC); AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THE GLUC ZONING AND CONSTRUCTION FORMS," was on the 3<sup>rd</sup> day of September 2015, duly and regularly passed.



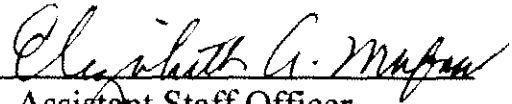
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 3<sup>rd</sup> day of Sept,  
2015, at 4:45 o'clock P.M.



Elizabeth A. Mufson  
Assistant Staff Officer  
*Maga'lahi's* Office

APPROVED:

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

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

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

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

**Bill No. 57-33 (LS)**

As substituted by the Committee on  
Transportation, Infrastructure, Lands,  
Border Protection, Veterans' Affairs  
and Procurement.

Introduced by:

Frank F. Blas, Jr.  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
James V. Espaldon  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
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 OF TITLE 5, GUAM CODE ANNOTATED,  
RELATIVE TO ALLOWING MUNICIPAL PLANNING  
COUNCILS TO REVIEW PROJECTS PROPOSED TO  
THE GUAM LAND USE COMMISSION (GLUC); AND  
TO AUTHORIZE THE DIRECTOR OF THE  
DEPARTMENT OF LAND MANAGEMENT TO  
INCLUDE THE MAYORS IN THE GLUC ZONING AND  
CONSTRUCTION FORMS.**

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

2 **Section 1. Legislative Statement.** *I Liheslaturan Guåhan* finds that the  
3 Mayors and Vice Mayors of Guam by law “are authorized to participate in the

1 consideration of capital improvements program by the Executive Branch. They  
2 shall be allowed to express their views, make recommendations on proposed  
3 projects for their respective districts.” Also, *I Liheslaturan Guåhan* finds that “all  
4 government of Guam departments and agencies shall advise in writing and apprise  
5 the Mayor of any public works project or activity to be undertaken in his district at  
6 least five (5) days prior to the start of said project or activity. In case of an  
7 emergency, said department or agency shall advise the Mayor of the same  
8 immediately.” (P.L. 14-27:9, amended by P.L. 20-33:1)

9 More importantly, *I Liheslaturan Guåhan* finds that § 40128 of Chapter 40,  
10 Title 5, Guam Code Annotated, empowers the Mayors and the Municipal Planning  
11 Councils with certain powers, duties and responsibilities, including the right to  
12 review and express a view on all variance applications, zone changes, and  
13 government leases involving land within their districts, pursuant to §§ 61623,  
14 61638 and 60115 of Title 21, Guam Code Annotated.

15 **Section 2.** Subsection (f) of § 40128 of Article 1, Division 4, Chapter 40, Title  
16 5, Guam Code Annotated, is *amended* to read:

17 “(f) Review and express a view on all variance applications, zone  
18 changes. and government leases involving land within their districts,  
19 pursuant to §§ 61623, 61638 and 60115 of Title 21, Guam Code Annotated.  
20 The Municipal Planning Council of each municipal district to be affected by  
21 other proposed projects reviewed by the Guam Land Use Commission *shall*  
22 review the request and express its opinion thereon by resolution adopted by  
23 a majority of its members, and such resolutions *shall* be forwarded to the  
24 Guam Land Use Commission.”

25 **Section 3. Amendment to Guam Land Use Commission (GLUC)**  
26 **Zoning and Construction Forms.** The Director of the Department of Land  
27 Management, serving as the Executive Secretary of the Commission, *shall* inform

1 the Chairman and members of the Guam Land Use Commission, meet and amend  
2 the GLUC zoning and construction forms to provide for a written portion or  
3 section on the form indicating the Mayor's review, expression, and/or position on  
4 the matter.