

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 25, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-561

5/26/11
11:29 AM
8

Dear Madame Speaker:

Transmitted herewith is Bill No. 20-31 (COR) "AN ACT TO ZONE LOT NOS. 2176-1-4 AND 2176-1-R5, LOCATED IN THE MUNICIPALITY OF BARRIGADA, AS COMMERCIAL ZONE (C) TO ALLOW FOR COMMERCIAL USE OF THE PROPERTY", which I signed into law on May 24, 2011 as **Public Law 31-54**.

Senseramente,



EDDIE BAZA CALVO

2011 MAY 27 AM 9:54

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

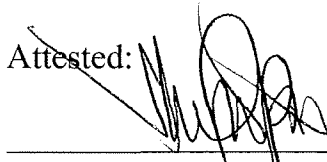
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 20-31 (COR)**, “AN ACT TO ZONE LOT NOS. 2176-1-4 AND 2176-1-R5, LOCATED IN THE MUNICIPALITY OF *BARRIGADA*, AS COMMERCIAL ZONE (C) TO ALLOW FOR COMMERCIAL USE OF THE PROPERTY”, was on the 10th day of May, 2011, duly and regularly passed.



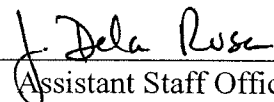
Judith T. Won Pat, Ed.D.
Speaker

Attested:



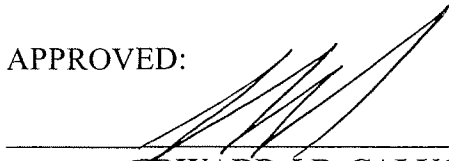
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 12th day of May, 2011, at
10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: MAY 24 2011

Public Law No. 31-54

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 20-31 (COR)

As amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement
and Land, and further amended on the Floor.

Introduced By:

T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO ZONE LOT NOS. 2176-1-4 AND 2176-1-R5,
LOCATED IN THE MUNICIPALITY OF *BARRIGADA*,
AS COMMERCIAL ZONE (C) TO ALLOW FOR COM-
MERCIAL USE OF THE PROPERTY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that Lot # 2176-1-4, consisting of approximately 3,511 square meters, and Lot #
2176-1-R5, consisting of approximately 162 square meters, located in the munici-

1 pality of *Barrigada*, Guam, and owned by the Far East Equipment Company,
2 LLC., are presently unzoned. Said lots are located on the *Tiyan* side directly across
3 the street from the Happy Market in *Barrigada*, and provide ample accommoda-
4 tions to build the owner's proposed Heavy Equipment Dealership Building.

5 Furthermore, *I Liheslaturan Guåhan* finds that the owner of the lot would
6 like to enhance the property's use for commercial purposes, in an effort to maxi-
7 mize the economic benefits and usefulness of the property. *I Liheslaturan Guåhan*
8 further recognizes that in assigning the zone status of Commercial Zone (C), Far
9 East Equipment Company, LLC., is in compliance with the Deed from the Navy to
10 the government of Guam that stipulates that the returned Ancestral Lands property
11 be used for either commercial or industrial purposes.

12 Therefore, it is the intent of *I Liheslaturan Guåhan* to zone the properties
13 described as Lot #2176-1-4 and Lot #2176-1-R5, located in the municipality of
14 *Barrigada*, to Commercial Zone (C) for the benefit of the property owner, and for
15 the community at large.

16 **Section 2. Lot Zoning.** Notwithstanding any other provision of the law,
17 Lot #2176-1-4, consisting of approximately 3,511 square meters, and Lot #2176-1-
18 R5, consisting of approximately 162 square meters, owned by the Far East Equip-
19 ment Company, LLC., and located in the municipality of *Barrigada*, are hereby
20 zoned to Commercial Zone (C).

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

VOTING SHEET

ABill No. 20-31(COR)

Resolution No. _____

Question: _____


<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

APR 29 2011

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina' Trentai Una Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 20-31 (COR), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 20-31 (COR), as amended, An act relative to zoning the property, consisting of two lots, Lot #2176-1-4 and Lot #22176-1-R5, located in the Municipality of Barrigada to Commercial (C) to allow for commercialized use of the property, sponsored by Senator Tina Muna Barnes, which was refereed to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

5 TO PASS
____ NOT TO PASS
____ TO REPORT OUT ONLY
____ TO ABSTAIN
____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse'

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

**COMMITTEE REPORT
ON**

Bill No. 20-31 (COR), As Amended

Sponsored by Senator Tina Muna Barnes

**An act relative to zoning the property, consisting
of two lots, Lot #2176-1-4 and Lot #22176-1-R5,
located in the Municipality of Barrigada to
Commercial (C) to allow for commercialized use
of the property**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

APR 29 2011

MEMORANDUM

To: **All Members**
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 20-31 (COR) , As Amended

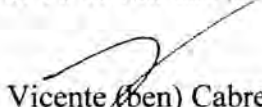
Transmitted herewith for your consideration is the Committee Report on Bill No. 20-31 (COR), as amended, An act relative to zoning the property, consisting of two lots, Lot #2176-1-4 and Lot #22176-1-R5, located in the Municipality of Barrigada to Commercial (C) to allow for commercialized use of the property" sponsored by Senator Tina Muna Barnes.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 20-31 (COR), as introduced
4. Copy of Bill No. 20-31 (COR), as amended
5. Public Hearing Sign-in Sheet
6. Copy of COR referral Bill No. 20-31 (COR), as introduced
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Copy of the Fiscal note
10. Copies of written testimonies

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

Si Yu'os Ma'åse',


Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

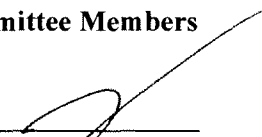

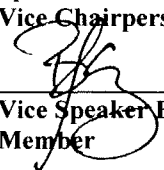
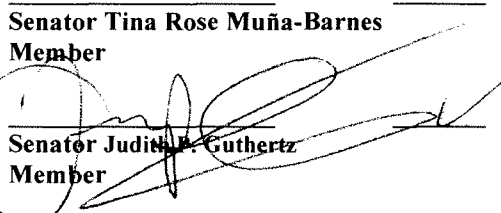

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

**Committee on Appropriations, Taxation, Banking, Public Debt, Insurance,
Retirement, and Land**

Bill No. 20-31 (COR), as amended, An act relative to zoning the property, consisting of two lots, Lot #2176-1-4 and Lot #22176-1-R5, located in the Municipality of Barrigada to Commercial (C) to allow for commercialized use of the property.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J. F. Cruz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith L. Guthertz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator V. Anthony Ada Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Christopher M. Duenas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Mana Silva Taijeron Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 20-31 (COR): "An act relative to zoning the property, consisting of two lots, Lot # 2176-1-4 and Lot # 2176-1-R5, located in the municipality of Barrigada, to Light Industrial (M1) to allow for commercialized use of the property.."

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on April 14, 2011 at 1:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for the public hearing were disseminate via hand-delivery and electronic mail to all senators and all main media broadcasting outlets on April 7, 2011 (5 day notice), and again on April 12, 2011 (48 hour notice).

(a) Committee Members and Senators present:

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Tina Muna-Barnes, Member
Senator Frank Blas, Jr.

(b) Appearing before the committee:

John Limtiaco, Vice President, Far Eastern Equipment Company

(c) Written Testimony Submitted:

Ivan Quinata, Administrator, Guam Environmental Protection Agency
Thomas Morrison, Director, Bureau of Statistics and Plan
Jessie Palican, Mayor, Barrigada
William Long

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Vicente (ben) Cabrera Pangelinan: The next bill on the agenda is Bill 20-31 An act relative to zoning the property, consisting of two lots, Lot # 2176-1-4 and Lot # 2176-1-R5, located in the municipality of Barrigada, to Light Industrial (M1) to allow for commercialized use of the property. The bill was authored by Senator Tina Muna-Barnes and we will give her the opportunity to introduce the bill.

Senator Tina Muna-Barnes.: Si Yu'os Ma'ase' Speaker Pangelinan. Thank you for having this bill heard. Bill 20-31 is An act relative to zoning the property, consisting of two lots, Lot # 2176-1-4 and Lot # 2176-1-R5, located in the municipality of Barrigada, to Light Industrial (M1) to allow for commercialized use of the property. As stated these two lots are approximately 3500 square meters on the first lot and the second lot is approximately 162 square meters. It is located directly across the Happy Market store in Barrigada on the Tiyan side and is owned by the Far Eastern Equipment Company. As noted in the beginning of the legislation the reason for the request of the rezoning is so the owners can build a proposed heavy equipment dealership building.

This legislation is in compliance with the deed from the Navy to the Government of Guam which stipulates that all returned ancestral lands property be used for commercial or industrial purposes. I am hoping that my colleagues will support the efforts of the family to build this dealership building in order to enhance what exists today. The property is directly across the Happy Market in Barrigada on the Tiyan side. Thank you.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much Senator Muna-Barnes. Mr. Limtiaco please come forward and identify yourself for the record.

(b) Testimony

1. John Limtiaco, Vice President, Far Eastern Equipment Company

John Limtiaco: My name is John Limtiaco and I am the Vice President of the Far Eastern Equipment Company. Chairman Pangelinan, Senator Blas and Senator Tina Muna-Barnes, I appreciate you giving me the opportunity to testify on this bill. I would like to answer any questions you may have on the intended development. We are looking for an M1 zoning for two reasons. One the property in the bill currently has a GPA easement that runs almost one quarter of the way in the front of the property so it doesn't give us a good setback requirement in order to build a building that would be ample to house us as a dealership. By going by a M1 zoning it allows for a lower setback to build a building that would meet our needs.

The main operation that will take place at this dealership is mainly a sales operation. There won't be any service operation or anything of that nature. It will strictly be a display and showroom and have salespeople operating out of it.

PANEL COMMENTS AND QUESTIONS

Senator Vicente (ben) Cabrera Pangelinan: So there won't be any repairs and functions like that and service. Just the sales portion?

John Limtiaco: Yes. The main selling will be parts sales and the equipment that we are dealers for. We have a different lot that is in Tiyan that we currently rent from the airport.

PANEL COMMENTS AND QUESTIONS

Senator Vicente (ben) Cabrera Pangelinan: Senator Blas.

Senator Frank Blas, Jr.: Thank you John for being here. I know the property, which is across the street from where I stay, and I have no problem with it. One of my concerns would be accessibility once you build the facility. Are you going to have proper ingress/egress?

John Limtiaco: Yes. We have a preliminary design that allows us access out of the main road.

Senator Frank Blas, Jr.: Can you submit a copy?

John Limtiaco: Yes

Senator Frank Blas, Jr.: Being that there is construction over in that area instead of have to break up roads if we can see that this is something that is necessary as far as a change order. I don't have any problem with the rezoning and recognizing the purpose. I just want to make sure there are no stumbling boxes that you may run into and then come back later to fix it.

John Limtiaco: I have taken a look at that side of the construction and it is complete and it is setup perfectly our coming into the property and getting out of the property.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much Mr. Limtiaco. Si Yu'os Ma' ase'.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 20-31 (COR), as amended by the Committee with the recommendation TO PASS.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 20-31 (COR)

Introduced By:

T.R. Muña Barnes

AN ACT RELATIVE TO ZONING THE PROPERTY, CONSISTING OF TWO LOTS, LOT # 2176-1-4 AND LOT # 2176-1-R5, LOCATED IN THE MUNICIPALITY OF BARRIGADA, TO LIGHT INDUSTRIAL (M-1) TO ALLOW FOR COMMERCIALIZED USE OF THE PROPERTY.

2011 JAN - 7 PM 2:39
[Signature]

1

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

3 Section 1. Legislative Findings and Intent:

4 *I Liheslaturan Guåhan* finds that the property, consisting of two lots, Lot # 2176-1-4 and
5 Lot # 2176-1-R5, of approximately 3,511 square meters, and 162 square meters respectively,
6 located in the municipality of Barrigada, Guam, and owned by the Far East Equipment Compa-
7 ny, LLC. Said lots which are presently located directly across the Happy Market in Barrigada on
8 the Tiyan side may provide ample accommodations to build the owner's proposed Heavy
9 Equipment Dealership Building.

10 Furthermore, *I Liheslaturan Guåhan* finds that the owner of the lot would like to en-
11 hance the property's use for commercial purposes, in an effort to maximize the economic bene-
12 fits and usefulness of the property. *I Liheslaturan Guåhan further recognizes that in assigning*
13 *the zone status of Light Industrial (M-1), Far East Equipment Company, LLC. is in compliance*

1 with the Deed from the Navy to the Government of Guam that stipulates that the returned An-
2 cestral Lands property be used for either commercial or industrial purposes.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to zone the property described as Lot
4 #2176-1-4 and Lot #2176-1-R5, located in the municipality of Barrigada, to Light Industrial (M-1)
5 for the benefit of the property owner and for the community at large.

6 **Section 2. Lot Zoning.** Notwithstanding any provision of the law, Lot #2176-1-4 and Lot
7 #2176-1-R5, consisting of approximately 3,511 square meters, and 162 square meters respec-
8 tively, owned by the Far East Equipment Company, LLC., located in the municipality of Barriga-
9 da, is hereby zoned to Light Industrial (M-1) zone.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 20-31 (COR)

Introduced By: T.R. Muña Barnes
As Amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement
and Land

**AN ACT RELATIVE TO ZONING THE PROPERTY, CONSIST-
ING OF TWO LOTS, LOT # 2176-1-4 AND LOT # 2176-1-R5,
LOCATED IN THE MUNICIPALITY OF BARRIGADA, TO
~~LIGHT INDUSTRIAL (M-1)~~ COMMERCIAL (C) TO ALLOW
FOR COMMERCIALIZED USE OF THE PROPERTY.**

1

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

3 Section 1. Legislative Findings and Intent:

4 *I Liheslaturan Guåhan* finds that the property, consisting of two lots, Lot #
5 2176-1-4 and Lot # 2176-1-R5, of approximately 3,511 square meters, and 162
6 square meters respectively, located in the municipality of Barrigada, Guam, and
7 owned by the Far East Equipment Company, LLC. Said lots which are presently
8 located directly across the Happy Market in Barrigada on the Tiyan side may pro-
9 vide ample accommodations to build the owner's proposed Heavy Equipment Dea-
10 lership Building.

1 Furthermore, *I Liheslaturan Guåhan* finds that the owner of the lot would
2 like to enhance the property's use for commercial purposes, in an effort to maxim-
3 ize the economic benefits and usefulness of the property. *I Liheslaturan Guåhan*
4 *further recognizes that in assigning the zone status of* Light Industrial (M-1), Far
5 East Equipment Company, LLC. is in compliance with the Deed from the Navy to
6 the Government of Guam that stipulates that the returned Ancestral Lands property
7 be used for either commercial or industrial purposes.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* to zone the property de-
9 scribed as Lot #2176-1-4 and Lot #2176-1-R5, located in the municipality of Bar-
10 rigada, to Light Industrial (M-1) for the benefit of the property owner and for the
11 community at large.

12 **Section 2. Lot Zoning.** Notwithstanding any provision of the law, Lot
13 #2176-1-4 and Lot #2176-1-R5, consisting of approximately 3,511 square meters,
14 and 162 square meters respectively, owned by the Far East Equipment Company,
15 LLC., located in the municipality of Barrigada, is hereby zoned to ~~Light Industrial~~
16 ~~(M-1)~~ Commercial (C) zone.



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND**

Thursday, April 14, 2011

Bill No. 20-31 (COR)

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
John Limtiaco	P.O. Box 10838 TAM 1, GU 96931	888-6270	Limtiaco Q far east equipment.com	/			



GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAN PRUTEKSION LINA'LA GUAHAN

EDDIE BAZA CALVO
GOVERNOR OF GUAM

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921
TEL: 475-1658/9 • FAX: 475-8007

RAY TENORIO
LT. GOVERNOR OF GUAM

APR 14 2011

Honorable Vincente C. Pangelinan
Senator, Guam Legislature
Chairman, Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and
Land
155 Hesler St.
Hagatna, GU 96910

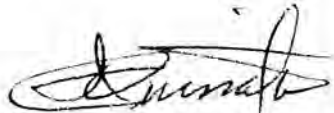
Dear Mr. Chairman:

Buenas yan Saluda.

Please find enclosed my testimony for the Guam Environmental Protection Agency on
Bills: 20-31 (COR), 39-31(COR), 96-31.

Thank you and the Executive Committee for this opportunity to present our comments on
the bills related to zoning, and rezoning.

Dangkolo ns Si Yu'os Ma'ase.


IVAN C. QUINATA
Acting Administrator

Enclosure



"ALL LIVING THINGS OF THE EARTH ARE ONE"

Testimony of

GEPA Planning on behalf of: Administrator

Guam Environmental Protection Agency before the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement and Land

April 14, 2011

PUBLIC HEARING ON BILLS: 20-31 (COR): AN ACT TO ZONING THE PROPERTY, CONSISTING OF TWO LOTS, LOT # 2176-1-4 AND LOT # 2176-1-R5, LOCATED IN THE MUNICIPALITY OF BARRIGADA, TO LIGHT INDUSTRIAL (M-1) TO ALLOW FOR COMMERCIALIZED USE OF THE PROPERTY; BILL 39-31 (COR): AN ACT RELATIVE TO REZONING LOT NO. 10117-R6, LOCATED IN THE MUNICIPALITY OF DEDEDO, FROM COMMERCIAL ("C") TO LIGHT INDUSTRIAL (M1) FOR PURPOSES OF ESTABLISHING BUSINESSES RELATED TO CONSTRUCTION AND WAREHOUSE ACTIVITIES; WHILE ENSURING SAFETY AND ENVIRONMENTAL CONCERNS OF ADJACENT RESIDENTS AND BUSINESSES ARE PROPERLY ADDRESSED AND BILL 96-31 (COR): AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NO. 2181-4NEW-R1NEW, LOT NO. 5200-3, AND LOT NO. 5199-1 IN THE MUNICIPALITY OF BARRIGADA TO LIGHT INDUSTRIAL (M-1) ZONE.

Buenas yan Saluda, Chairman Pangelinan and Committee Members. In response to your invitation, I am pleased to have the opportunity to provide Guam Environmental Protection Agency testimony of the above subject Bills.

BILL 20-31 COR (Lot No. # 2176-1-4 and Lot # 2176-1-R5), of approximately 3,511 square meters, and 162 square meters respectively which are located in the municipality of Barrigada across from the Happy Market in Barrigada on the Tiyan side. Far East Equipment Company, LLC proposes a Heavy Equipment Dealership Building. Zoning to Light Industrial (M-1) will allow Far East Equipment Company, LLC to be in compliance with the Deed from the Navy to the Government of Guam that stipulates that the returned Ancestral Lands property be used for either commercial or industrial purposes. Infrastructure is existing in the area of the

proposed Light Industrial zone and proposed Heavy Equipment Dealership. A heavy equipment dealership will have minimal impact to water and sewer. The owner; however, must obtain Guam Waterworks Authority permission to connect the system prior to construction. GEPA will also require that a storm water disposal plan be submitted for review and approval during the construction and permitting phase.

BILL 39-31 COR (Lot No. 10117-R6), of approximately 79,765 square meters which is located in the municipality of Dededo to be re-zoned from Commercial (C) to Light Industrial (M-1). The subject property is along Route 1 in Dededo north of Wusstig Road and is over the Northern Aquifer. Guam Waterworks Authority Y-series water wells are in the vicinity of the subject lot.

In general, Light Industrial activities in northern municipalities will be required to connect to public sewer to protect the Northern Aquifer. Public sewer is available along Route 1 Marine Corps Drive; however the Northern District Sewage Treatment Plant servicing this area is at or past operational capacity. Guam Waterworks Authority Northern District Sewage Treatment Plant is under a Stipulated Order to comply with the Clean Water Act. In this regard, GEPA discourages the Light Industrial Zone Change at this time.

BILL 96-31 COR (Lot No. 2181-4NEW-R1NEW, Lot No. 5200-3, and Lot No. 5199-1) in the municipality of Barrigada to be zoned to Light Industrial (M-1) to be consistent with the uses of the property in the surrounding parcels. The sewage treatment plant servicing the area is under Stipulated Order to comply with the Clean Water Act. The sewage treatment facility is not in compliance. The GEPA discourages increases in zoning to Light Industrial until the facility is able to handle the sewage demand and that the Hagatna Sewage Treatment Plant be repaired and or upgraded to accommodate existing approved planned development as well as increases in zoning intensity. During the construction permitting phase GEPA will require appropriate storm water treatment for Light Industrial activities on the subject properties. Connection to water and sewer infrastructure will require approval from the system operator.

BUREAU OF STATISTICS AND PLANS

(Bureau of Planning)

Government of Guam



Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

Thomas A. Morrison
Director

TESTIMONY BEFORE THE COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE AND LAND BY THE BUREAU OF STATISTICS AND PLANS

Guam Legislature Public Hearing Room
Thursday, April 14, 2011

Honorable Chairman and Committee Members:

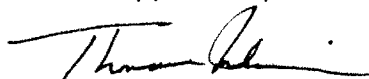
This testimony is provided on behalf of the Bureau of Statistics and Plans in regards to the Bill Nos. 20-31 (COR), 39-31(COR), and 96-31(COR). We have reviewed the said bills and offer the following comments and concerns:

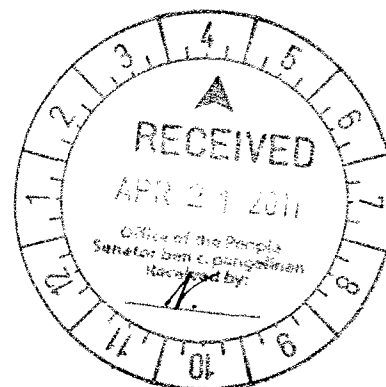
The Bureau has always had concerns with regards to the rezoning of properties by the Guam Legislature. We strongly believe that there is already a process that is in place that works which affords the surrounding neighbors as well as the general public the opportunity to provide comments on proposed zone changes. As you know, the Guam Land Use Commission (GLUC) in conjunction with the Application Review Committee (ARC) is tasked to be responsible for this process. With the technical assistance of the various government agencies and departments, the GLUC has the ability to come to a reasonable decision in the changing of zoning designations. Unlike the legislative zone change process, the GLUC guarantees that the affected surrounding neighborhood within 500 feet of the property proposed to be rezoned is informed by registered mail of the proposal and is invited to attend the GLUC Hearing to discuss any comments or concerns that they may have. Not everybody has access to the printed media to see the public announcements of upcoming public hearings. Furthermore, unlike the legislative process, the GLUC receives technical comments from appropriate government agencies on the impacts of a proposed zone change which is standard policy, prior to arriving to a decision.

The Bureau has attempted to provide a comprehensive review of the proposed zone change. The Bureau contacted your office as well as the various senators' offices that originated these bills, to request for maps of these subject lots mentioned in these bills. We were told to either check with the senator that authored the bill to contact the families who owned the subject lots for a copy of the maps. Prior to the senators authoring and entertaining the bills, what information was available for them to work with? One of the basic information we would need to review this request would be a map indicating the exact location of the subject parcel and information of the surrounding land uses and zoning as well as other pertinent information that would assist us in coming to a decision on the appropriateness of the proposed activity. Had

this been GLUC applications, all of the vital information would have been provided that will assist all the members of the review committee in making a valid and technical decision on the proposed request.

The Bureau recognizes that the legislature has the authority to approve zone changes however involvement and feedback from the public and private sector alike are received through the GLUC process. We feel the legislative route needs to include more input from all stakeholders to receive a thorough review and include technical assistance from the ARC members. Until the process is amended, the Bureau will provide similar comments to all zone changes being routed and processed in this fashion. Thank you for the opportunity to comment on the above mentioned bills.


THOMAS A. MORRISON





JESSIE B. PALICAN
MAYOR

MUNICIPALITY OF
BARRIGADA

OFFICE OF THE MAYOR & VICE MAYOR
124 LUAYAO LANE, BARRIGADA, GUAM 96913



JUNE U. BLAS
VICE MAYOR

April 14, 2011

Honorable Vicente C. Pangelinan
Chairman
Committee on Appropriations, Taxation,
Public Debt, Banking, Insurance, Retirement & Land
Mina Trentai unu na Liheslaturan Guåhan
Hagåtña, Guam 96910

Re: Bill No. 20-31 (COR) "An Act Relative to zoning the property, consisting of two lots, Lot 2176-1-4 and Lot 2176-1-R5, located in the Municipality of Barrigada to Light Industrial (M1) zone to allow for commercialized use of the property.

Chairman Pangelinan, Members of the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement & Land *Buenas yan Saludu para todos hamyu!*

It has come to the attention that Lot No. 2176-1-4 and Lot No. 2176-1-R5, in the Municipality of Barrigada, formerly held by the Federal Government has been returned to the original landowners.

Furthermore, we find that this property (Lot 2176-1-4, Lot 2176-1-R5) in the municipality of Barrigada was returned without a zoning designation. Without an existing zone designation, John Limtiaco is unable to act appropriately on this matter.

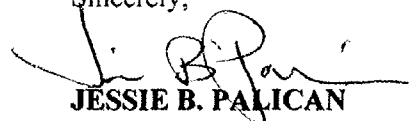
Mr. Chairman, Members of the Committee, the authority to establish a comprehensive zoning plan for Ancestral Lands Commission properties, including those released by the Commission to original landowners, lies exclusively with the Provisional Commission for the Zoning of Ancestral Lands. However, the Commission has not been empanelled since the enactment of Public Law No. 28-133, leaving the landowner(s) with no recourse other than to request *I Liheslaturan Guåhan* to establish an appropriate zone.

Therefore, on behalf of John Limtiaco, and the residents of Barrigada, and having reviewed the request for zone change finds that their request is compatible with the existing use of the area and therefore, support the zone request contained in the legislation. Furthermore, as the MPC area representative, I have determined that the zoning request is reasonable and that the public necessity, public convenience and general welfare will best be served;

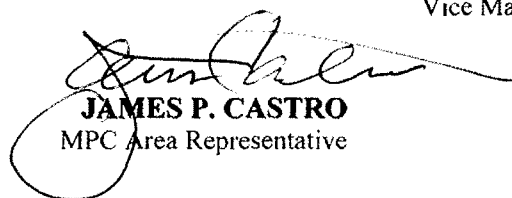
To include the utilities are supported, and landscaping and appearance are adequate due to the current proximity of this property adjacent to Route 16 and the Tri-Intersection in Barrigada.

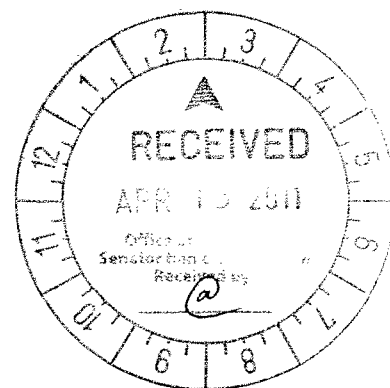
Therefore, on behalf of John Liamtiaco, we request that Bill No. 20-31 (COR) entitled "AN ACT RELATIVE TO ZONING THE PROPERTY IN THE MUNICIPALITY OF BARRIGADA TO LIGHT INDUSTRIAL (M-1) ZONE," be passed by *I Mina'Trentai unu na Liheslaturan Guåhan*, 31st Guam Legislature.

Sincerely,


JESSIE B. PALICAN
Mayor


JUNE U. BLAS
Vice Mayor


JAMES P. CASTRO
MPC Area Representative



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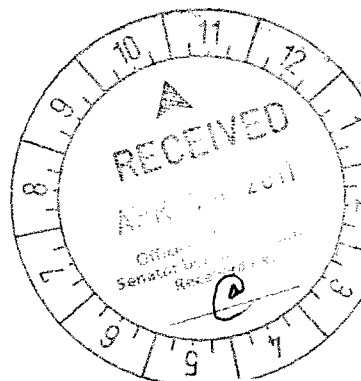
11-14-11
April 14, 2011

Dear Senator Ben Pangelinan,

I am writing you this letter to point out that the zone change request for Bill # ~~296~~²⁹⁶-31 shows disrespect to the original land owners in the area. The sponsor of the bill shows disrespect to the legislature by allowing requests to come to your committee.

Please safeguard all landowners by not allowing any zone change request to come before the legislature. The time has come to stop the circumvention of procedures that are already in place by law. Thank you for your time and consideration.

Sincerely,
William D. Long
Parrigada resident



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 100. **THE FBI**

OWNER



TOTAL LOT AREA: 35,328.50 SQ. FEET
PARKING: VISITORS : 14 SLOTS
EMPLOYEES: 14 SLOTS

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Bureau of Budget & Management Research
Fiscal Note of Bill No. 20-31 (COR)

AN ACT RELATIVE TO ZONING THE PROPERTY, CONSISTING OF TWO LOTS, LOT #2176-1-4 AND LOT #2176-1-R5, LOCATED IN THE MUNICIPALITY OF BARRIGADA, TO LIGHT INDUSTRIAL (M-1) TO ALLOW FOR COMMERCIALIZED USE OF THE PROPERTY.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Land Management	Dept./Agency Head: Anicia B. Terlaje, Acting Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Land Survey Revolving Fund) appropriation(s) to date:	3,364,412
Total Department/Agency Appropriation(s) to date:	\$3,364,412

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / x / Yes / / No
 If Yes, see Attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A / / Yes / / No
 If no, what is the additional amount required? \$ / x / N/A
3. Does the Bill establish a new program/agency? / / Yes /x/ No
 If yes, will the program duplicate existing programs/agencies? / x / N/A / / Yes / / No
 Is there a federal mandate to establish the program/agency? / / Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /x/ No
 / / Requested agency comments not received by due date. /x/ Other: Due to time constraints coordination was not possible. **JAN 21 2011**

Analyst: Evelyn G. Fernandez Date: 1/20/11 Acting Director: Benita A. Manglona Date:

Footnotes:

- 1) See attachment to fiscal note.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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MAJORITY LEADER

Senator
Judith P. Guthertz
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ASST. MAJORITY LEADER

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Senator
vicente c. pangelinan

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ASST. MINORITY LEADER

Senator
Christopher M. Duenas

January 10, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 20-31 (COR) and 21-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 20-31 (COR) and 21-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'Trentai Unu Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(2) Attachments

2011 JAN 11 AM 10:03
Erm

I Mina'trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
20-31 (COR)	T.R.Muña Barnes.	An act relative to Zoning the property, consisting of two Lots, lot # 2176-1-4 and Lot # 2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.	1/07/11 2:39 p.m.	1/10/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			
B21-31 (COR)	Adolpho B. Palacios, Sr.	An act to repeal and reenact Chapter 59 of Title 5, Guam Code Annotated, relative to the construction of a permanent joint public safety headquarters facility for two of Guam's critical law enforcement agencies; this act shall hereby be referred to as <i>The Guam Police Department and Guam Fire Department Joint Headquarters Initiative Act of 2011</i> ".	1/07/11 3:29 p.m.	1/10/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 7, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

Bill No. 17-31- (COR): An act to authorize *I Maga'lahaen Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

Bill No. 26-31 (COR): An Act to Rezone a certain parcel in the Municipality of Tamuning from Multi-Family (R2) to Commercial (C).

Bill 39-31 (COR): An Act Relative to Rezoing Lot No. 10117-R6, Located in the Municipality of Dededo, from Commercial ("C") to Light Industrial (M1) for purposes of establishing businesses related to construction and warehouse activities; while ensuring Safety and Environmental concerns of adjacent residents and businesses are properly addressed.

Memo to Senators
April 7, 2011
Page 2

Bill 96-31 (COR): An Act to zone the previously unzoned Lot No. 2181-4NEW-R1NEW, Lot No. 5200-3, and Lot No. 5199-1 in the Municipality of Barrigada to Light Industrial (M-1) Zone.

Bill No. 108-31 (COR): An Act to Rezone Lot No. 20, Block 9, Dededo Village Extension, in the Municipality of Dededo, from Multiple-Family Dwelling (R-2) to Commercial (C) zone.

Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

cc: Tom Unsiong, Sergeant-at-Arms
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* ● Lisa Cipollone

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PUBLIC HEARING - FIRST NOTICE

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Hafa Adai.

Please see attached memo from Senator Vicente Pangelinan regarding public hearing notice for Bills 131-31 at 9:00am and 17-31, 20-31, 26-31, 39-31, 96-31, 108-31 and 109-31 at 1:00pm to be heard on April 14, 2011.

Should you have any questions please don't hesitate to call our office at 473-4236.

--

Lisa Cipollone

Chief of Staff

Office of Senator ben c. pangelinan

(671) 473-4236

cipo@guamlegislature.org

1stNotice_Sens_PH041411.pdf

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date Thu, Apr 7, 2011 at 11:09 AM

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Hafa A dai,

Senator Pangelinan will hold a public hearing at 9:00am and 1:00pm on Thursday, April 14, 2011 at the Guam Legislature Public Hearing Room. Please see agenda for details.

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)***gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)**Kuáttón Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**Alas 9 gi ega'an
(9:00 AM)***TAREHA
(AGENDA)****Priniponi Siha
(Bills)**

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and

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I Mina Trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)
gi Huebes, gi diha 14 gi Abril, 2011 (Thursday, April 14, 2011)
Kuátton Inekungok Pubbleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)
Alas 9 gi ega'an (9:00 AM)
TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

Ala una gi despues di talo'ani (1:00 PM)

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 12, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

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Memo to Senators
April 12, 2011
Page 2

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cc: Tom Unsiong, Sergeant-at-Arms
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Hafa Adai,
 The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, April 14, 2010 at 9:00 am and 1:00pm at the Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

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INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Huebes, gi diha 14 gi Abrit, 2011
 (Thursday, April 14, 2011)

Kuátton Inekungok Pupbleko gi / Liheslaturan Guåhan
 (Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
 (9:00 AM)

TAREHA
 (AGENDA)

Priniponi Silha
 (Bills)

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 (1:00pm)

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
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Senator Vicente "ben" Cabrera Pangelinan
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INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)

Kuáttón Inekungok Pupbleko gi I Lihelaturan Guahan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
(9:00 AM)

TAREHA
(AGENDA)

Kommitnasion Siha:

Prinsiponi Siha
(Bills)

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

Ala una gi despues di talo'ani (1:00pm)

Bill No. 17-31 (COR): An act to authorize I Magal'ahen Guahan to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-RS, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

Bill No. 26-31 (COR): An Act to Rezone a certain parcel in the Municipality of Tamuning from Multi-Family (R2) to Commercial (C).

Bill No. 39-31 (COR): An Act Relative to Rezoing Lot No. 10117-R6, Located in the Municipality of Dededo, from Commercial ("C") to Light Industrial (M1) for purposes of establishing businesses related to construction and warehouse activities; while ensuring Safety and Environmental concerns of adjacent residents and businesses are properly addressed.

Bill No. 96-31 (COR): An Act to zone the previously unzoned Lot No. 2181-4NEW-R1NEW, Lot No. 5200-3, and Lot No. 5199-1 in the Municipality of Barrigada to Light Industrial (M-1) Zone.

Bill No. 108-31 (COR): An Act to Rezone Lot No. 20, Block 9, Dededo Village Extension, in the Municipality of Dededo, from Multiple-Family Dwelling (R-2) to Commercial (C) zone.

Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

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TUESDAY, APRIL 12, 2011 - MARIANAS VARIETY GUAM EDITION



I Mina'Trentai Unu Na Liheslaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan Office of the People

***INEKUNGOK PUPBLEKO* (PUBLIC HEARING)**

gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)

Kuátton Inekungok Pupbleko gi I Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
(9:00 AM)

***TAREHA* (AGENDA)**

Priniponi Siha **(Bills)**

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

Ala una gi despues di talo'ani
(1:00pm)

Bill No. 17-31- (COR): An act to authorize *I Maga'laken Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 20-31 (COR)

Introduced By:

T.R. Muña Barnes

AN ACT RELATIVE TO ZONING THE PROPERTY, CONSISTING OF TWO LOTS, LOT # 2176-1-4 AND LOT # 2176-1-R5, LOCATED IN THE MUNICIPALITY OF BARRIGADA, TO LIGHT INDUSTRIAL (M-1) TO ALLOW FOR COMMERCIALIZED USE OF THE PROPERTY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent:

I Liheslaturan Guåhan finds that the property, consisting of two lots, Lot # 2176-1-4 and Lot # 2176-1-R5, of approximately 3,511 square meters, and 162 square meters respectively, located in the municipality of Barrigada, Guam, and owned by the Far East Equipment Company, LLC. Said lots which are presently located directly across the Happy Market in Barrigada on the Tiyan side may provide ample accommodations to build the owner's proposed Heavy Equipment Dealership Building.

Furthermore, *I Liheslaturan Guåhan* finds that the owner of the lot would like to enhance the property's use for commercial purposes, in an effort to maximize the economic benefits and usefulness of the property. *I Liheslaturan Guåhan* further recognizes that in assigning the zone status of Light Industrial (M-1), Far East Equipment Company, LLC. is in compliance

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1 with the Deed from the Navy to the Government of Guam that stipulates that the returned An-
2 cestral Lands property be used for either commercial or industrial purposes.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to zone the property described as Lot
4 #2176-1-4 and Lot #2176-1-R5, located in the municipality of Barrigada, to Light Industrial (M-1)
5 for the benefit of the property owner and for the community at large.

6 **Section 2. Lot Zoning.** Notwithstanding any provision of the law, Lot #2176-1-4 and Lot
7 #2176-1-R5, consisting of approximately 3,511 square meters, and 162 square meters respec-
8 tively, owned by the Far East Equipment Company, LLC., located in the municipality of Barriga-
9 da, is hereby zoned to Light Industrial (M-1) zone.