I Mina'Trentai Dos Na Liheslaturan Received Bill Log Sheet

| | | | Din Log one | | | | | |
|---------------|-----------------|---|--------------------|------------------|--------------------|---------------------------------------|-----------------------------------|----------------|
| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
| | FRANK B. AGUON, | AN ACT TO REZONE LOT NO. 5221-1-4- | 6/9/14 | 06/09/14 | Committee on | 8/05/14 | 09/24/14 | Fiscal |
| 00 | JR. | R1, MUNICIPALITY OF BARRIGADA, | 3:07 p.m. | | Appropriations, | 9 a.m. | 4:21 p.m. | Note Requested |
| ω | | FROM AGRICULTURE ZONE (A) TO | | | Public Debt, Legal | | | 6/12/14 |
| O. | | MULTI-FAMILY DWELLING ZONE (R-2). | | | Affairs, | | | Fiscal Note |
| <u> </u> | | | | | Retirement, | | | Waiver |
| | | | | | Public Parks, | | | 6/19/14 |
| 32-198 | | | | | Recreation, | | | |
| (') | | | | | Historic | | | |
| i | | | | | Preservation, and | | | |
| - | | | | | Land | | | |
| . . | DATE PASSED | TITLE | TRANSMITTED | | DUE DATE | DATE SIGNED BY I MAGA'LAHEN GUAHAN | PUBLIC LAW NO. | NOTES |
| 349-32 (COR), | 10/3/2014 | AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2). | 10/6/14 | 6:32 p.m. | 10/17/2014 | 10/13/2014 | 32-198 | PASSED |



Eddie Baza Calvo

Governor

RAY TENORIO

Lieutenant Governor

Office of the Governor of Guam.

JOCT 1 6 2014

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

32-14- 2146 Office of the Speaker Judith T. Won Pat, Ed.D.

Date: 10.17.14 Time: 444pm Received By: ___

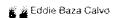
Dear Madame Speaker:

Transmitted herewith is Bill No. 349-32 (COR) "AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2)," which I signed into law on October 13, 2014 as Public Law 32-198.

Senseramente.

EDDIE BÁZA CALVO

P.O. Box 2950 • Hagatna, Guam 96932









I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

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

This is to certify that Bill No. 349-32 (COR), "AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2)," was on the 3rd day of October, 2014, duly and regularly passed.

| | Judith T. Won Pat, Ed.D. | | |
|--|---|--|--|
| | Speaker | | |
| Attested Tina Rose Muña Barnes Legislative Secretary | | | |
| This Act was received by <i>I Maga'lahen</i> (2014, at 6:32 o'clock 2.M. | Guåhan this day of, | | |
| APPROVED: | Assistant Staff Officer Maga'lahi's Office | | |
| EDWARD J.B. CALVO | | | |
| I Maga'lahen Guåhan | | | |
| Date:0CT_1 3 2014 | | | |
| Public Law No | | | |

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

Bill No. 349-32 (COR)

Introduced by:

1

FRANK B. AGUON, JR.

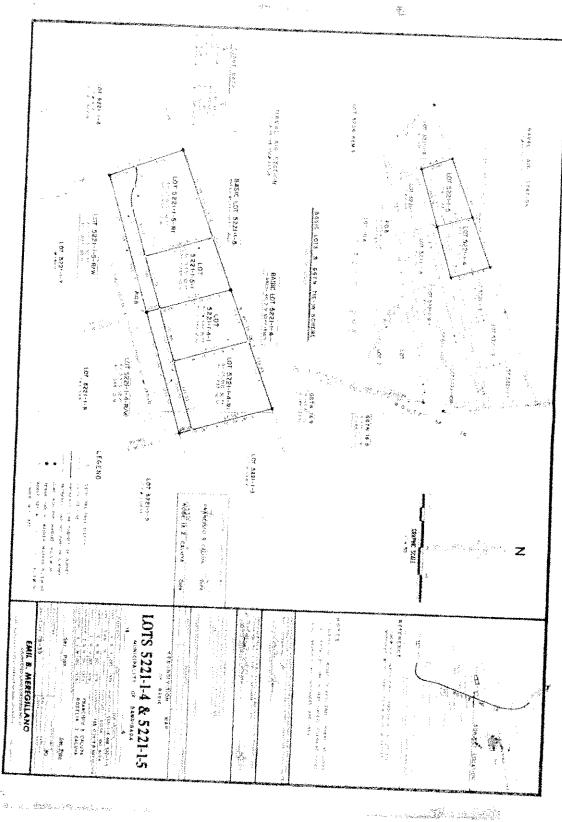
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA. **FROM** AGRICULTURAL **ZONE** (A) TO MULTIPLE **DWELLING ZONE (R2).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guahån finds 2 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1 3 in the municipality of Barrigada, self-constructed a two story duplex on the 4 existing property and converted it into a four-plex building. The intention of 5 Victorino and Fina Mercado was to accommodate their children and finance their 6 education through the rental of the additional units. As the children and heirs of the 7 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado 8 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband 9 and wife), one half (1/2) undivided interest, as community property owners of Lot 10 No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an 11

- 1 area of \pm 1,858 square meters, as shown on Drawing No. EBM 79-39, L.M. No.
- 2 098 FY80, prepared by Emil B. Meregillano, RLS No. 51, dated January 22,
- 3 1980;- LM098FY80 Map Pac #310027, located in the municipality of Barrigada,
- 4 Guam, would like to continue to utilize the existing property as additional income
- 5 and access the accumulated equity in their property. (Attachment A)
- 6 Furthermore, I Liheslaturan Guahån finds that the present property is zoned
- 7 as an Agricultural Zone (A), and prior to construction, all building and occupancy
- 8 permits were approved, certifying compliance with all applicable rules, regulations
- 9 and laws by the proper government agencies. This places the four-plex in an
- 10 approved and legal structure, but the non-conforming status restricts the current
- 11 property owners access to the accumulated equity in their property.
- Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
- through the rezoning of Lot No. 5221-1-4-R1, in the municipality of *Barrigada*,
- from Agricultural Zone (A) to Multiple Dwelling Zone (R2).
- 15 Section 2. Lot Rezoning. Notwithstanding any other provisions of law,
- 16 Lot No. 5221-1-4-R1, in the municipality of Barrigada and owned by Elmer C.
- 17 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
- 18 Danilo B. Bugayong (husband and wife), is hereby rezoned from Agricultural Zone
- 19 (A) to Multiple Dwelling Zone (R2).
- 20 Section 3. Effective Date. The provision contained herein shall take
- 21 effect upon the enactment of this Act.
- Section 4. Severability. If any provision of this Act or its application to
- 23 any person or circumstance is found to be invalid or contrary to law, such
- 24 invalidity shall not affect other provisions or applications of this Act which can be
- 25 given effect without the invalid provisions application, and to this end the
- 26 provisions of this Act are severable.



Bill 349-32(ax)

345/

I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

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

This is to certify that Bill No. 349-32 (COR), "AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2)," was on the 3rd day of October, 2014, duly and regularly passed.

| | Judith T. Won Pat, Ed.D. Speaker |
|--|---|
| Tina Rose Muña Barnes Legislative Secretary | |
| This Act was received by <i>I Maga'lahen</i> (2014, at 6.32 o'clock 2.M. | Guåhan this day of, |
| APPROVED: | Assistant Staff Officer Maga'lahi's Office |
| EDWARD J.B. CALVO I Maga'lahen Guåhan | |
| Date: | |
| Public Law No. | |

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

Bill No. 349-32 (COR)

Introduced by:

1

FRANK B. AGUON, JR.

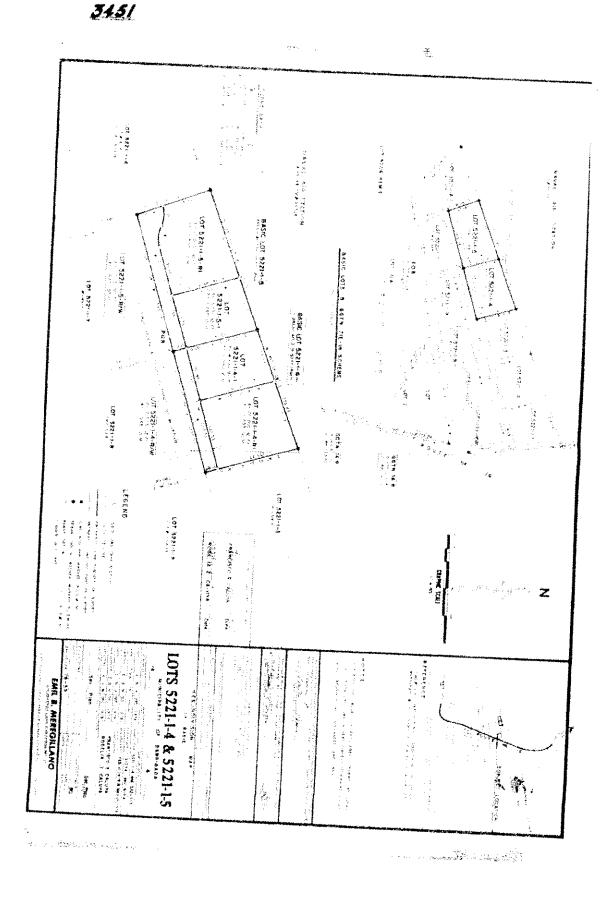
T. C. Ada
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R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO REZONE LOT 5221-1-4-R1, NO. MUNICIPALITY **OF** BARRIGADA. **FROM** AGRICULTURAL **ZONE** (A) TO **MULTIPLE DWELLING ZONE (R2).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guahan finds 2 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1 3 in the municipality of Barrigada, self-constructed a two story duplex on the 4 existing property and converted it into a four-plex building. The intention of 5 Victorino and Fina Mercado was to accommodate their children and finance their 6 education through the rental of the additional units. As the children and heirs of the 7 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado 8 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband 9 and wife), one half (1/2) undivided interest, as community property owners of Lot 10 11 No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an

- 1 area of ± 1,858 square meters, as shown on Drawing No. EBM 79-39, L.M. No.
- 2 098 FY80, prepared by Emil B. Meregillano, RLS No. 51, dated January 22,
- 3 1980;- LM098FY80 Map Pac #310027, located in the municipality of Barrigada,
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- 5 and access the accumulated equity in their property. (Attachment A)
- 6 Furthermore, I Liheslaturan Guahån finds that the present property is zoned
- 7 as an Agricultural Zone (A), and prior to construction, all building and occupancy
- 8 permits were approved, certifying compliance with all applicable rules, regulations
- 9 and laws by the proper government agencies. This places the four-plex in an
- 10 approved and legal structure, but the non-conforming status restricts the current
- property owners access to the accumulated equity in their property.
- Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
- through the rezoning of Lot No. 5221-1-4-R1, in the municipality of Barrigada,
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- 15 Section 2. Lot Rezoning. Notwithstanding any other provisions of law,
- 16 Lot No. 5221-1-4-R1, in the municipality of Barrigada and owned by Elmer C.
- 17 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
- Danilo B. Bugayong (husband and wife), is hereby rezoned from Agricultural Zone
- 19 (A) to Multiple Dwelling Zone (R2).
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- 21 effect upon the enactment of this Act.
- Section 4. Severability. If any provision of this Act or its application to
- 23 any person or circumstance is found to be invalid or contrary to law, such
- 24 invalidity shall not affect other provisions or applications of this Act which can be
- 25 given effect without the invalid provisions application, and to this end the
- 26 provisions of this Act are severable.



Bill 349-32/ax



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN

THIRTY-SECOND GUAM LEGISLATURE 155 Hesler Place, Hagåtña, Guam 96910

October 6, 2014

The Honorable Edward J.B. Calvo I Maga'lahen Guåhan Ufisinan I Maga'lahi Hagåtña, Guam 96910

Dear Maga'lahi Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 42-32 (COR), 136-32 (COR), 213-32 (COR), 284-32 (COR), 287-32 (COR), 292-32 (COR), 294-32 (COR), 295-32 (COR), 299-32 (COR), 300-32 (COR), 303-32 (COR), 324-32 (COR), 325-32 (COR), 327-32 (COR), 337-32 (COR), 347-32 (COR), 348-32 (COR), 349-32 (COR), 352-32 (LS), 354-32 (LS), 362-32 (COR), 384-32 (COR), 388-32 (LS) and 393-32 (COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on October 3, 2014.

Sincerely,

TINA ROSE MUÑA BARNES Legislative Secretary

Enclosures (24)

I MINA TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

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

This is to certify that **Bill No. 349-32** (**COR**), "AN ACT TO REZONE LOT NO. **5221-1-4-R1**, **MUNICIPALITY OF** *BARRIGADA*, **FROM AGRICULTURAL ZONE** (**A**) **TO MULTIPLE DWELLING ZONE** (**R2**)," was on the 3rd day of October, 2014, duly and regularly passed.

| | - Charle |
|--|---|
| | Judith T. Won Pat, Ed.D. Speaker |
| Attested: | |
| Tina Rose Muña Barnes Legislative Secretary | |
| This Act was received by I Maga'lahen | Guåhan this day of, |
| 2014, at o'clockM. | |
| APPROVED: | Assistant Staff Officer Maga'lahi's Office |
| | |
| EDWARD J.B. CALVO I Maga'lahen Guåhan | |
| Date: | |
| Public Law No. | |

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

Bill No. 349-32 (COR)

Introduced by:

1

FRANK B. AGUON, JR.

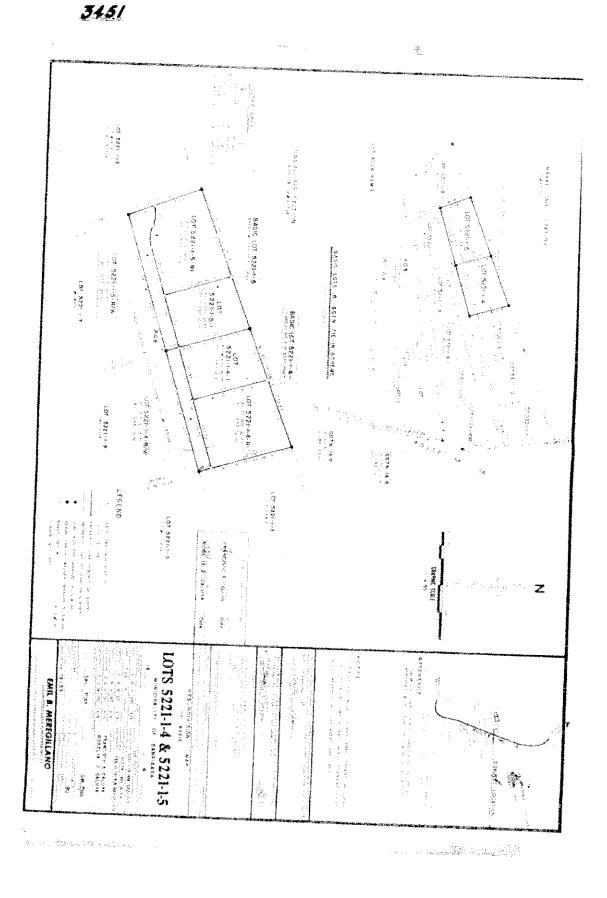
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- 26 provisions of this Act are severable.



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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

SEP 1 8 2014

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

I Mina'trentai Dos 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. 349-32 (COR), as introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill 349-32 (COR), as introduced, "An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2)" sponsored by Senator Frank Aguon, Jr., which was referred to the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

7 TO PASS

Ø NOT TO PASS

4 TO REPORT OUT ONLY

TO ABSTAIN

TO PLACE IN INACTIVE FILE

Sincerely,

Vice Speaker Benjanin J.F. Cruz Chairman

> 324 W. Soledad Avenue, Hagatna, Guam Tel: (671) 473-4236 / 473-4237 Fax: (671) 473-4238 cipo@guamlegislature.org

COMMITTEE REPORT ON

Bill No. 349-32 (COR), As Introduced Sponsored by Senator Frank Aguon, Jr.

An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2).



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

SEP 1 8 2014

MEMORANDUM

To: All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

From: Vice Speaker Benjamin J.B. Cruz,

Chairperson

Subject: Committee Report on Bill No. 349-32 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 349-32 (COR), as introduced, "An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2)", sponsored by Senator Frank Aguon, Jr.

This report includes the following:

- Committee Voting Sheet
- 2. Committee Report Narrative
- 3. Copy of Bill No. 349-32 (COR), As Introduced
- 4. Public Hearing Sign-in Sheet
- 5. Copies of Written Testimonies
- 6. Copy of Fiscal Note
- 7. Copy of COR referral Bill No. 349-32 (COR)
- 8. Notices of Public Hearing
- 9. Copy of the Public Hearing Agenda

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.

Sincerely,

Vice Speaker Benjamin J.F. Cruz

Chairman

I MINA' TRENTAI DOS NA LIHESLATURAN GUÂHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill No. 349-32 (COR), as introduced, "An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2)"

| Committee Members | To Pass | Not To | Report Out | Abstain | Inactive File |
|--|---------------------------------------|--------|--|--|--|
| Vice Speaker BJ Cruz Acting Chairperson | | Pass | Only | Processor de la constanta de l | |
| Speaker Judith T. Won Pat Member | | | ************************************** | | |
| Senator Tina Rose Muña-Barnes Member | · · · · · · · · · · · · · · · · · · · | | 1/ | | |
| Senator Dennis Rodriguez, Jr. Member | **** | | | ************************************** | Minimum and a same and |
| Senator Michael San Nicolas Member | | VIII | | | |
| TLL | | | * A Company of the Co | ************************************** | |
| Senator Tommy Morrison Member | ş | | i me | | |
| Senator Michael Limtiaco Member | | | | | APATRA Printerson Providence (Printerson Auditorial Auditoria |



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill No. 349-32 (COR), An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2).

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on August 5, 2014 at 9:00am in *I Liheslatura*'s public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets and newspaper of general circulation on July 29, 2014 (5-Day Notice), and again on August 3, 2014 (48 Hour Notice).

(a) Committee Members and Senators Present

Vice Speaker Benjamin J.F. Cruz, Chairman Senator Tina Muna Barnes, Member Senator Tom Ada Senator Frank Aguon, Jr.

(b) Appearing before the Committee

Mr. Michael Borja, J.B. Borja, Director for the Department of Land Management Mr. Elmer C. Mercado

(c) Written Testimonies Submitted

Mr. Michael Borja, J.B. Borja, Director for the Department of Land Management Mr. Elmer C. Mercado

II. COMMITTEE PROCEEDINGS

Chairman Benjamin Cruz. We will proceed with Bill No. 349-32 (COR), An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2).

Senator Aguon, you are the main sponsor. Would you like to make an opening statement?

Senator Frank Aguon Jr. Thank you very much, Vice Speaker. We have the Mercado family representative who will provide testimony on this bill. If you take a look at the legislative findings and intent, I think it is self-explanatory. This family came into inherited property and it was not appropriately zoned. They now come to the Legislature to ask consideration for an appropriate zone change and I look forward to the comments.

Chairman Benjamin Cruz. Please proceed, Mr. Mercado.

Mr. Elmer C. Mercado. Good morning, Mr. Chairman and members of the Committee. [Read testimony verbatim. See attached]

Chairman Benjamin Cruz. Thank you very much. Mr. Borja, do you wish to provide testimony?

Mr. Michael Borja. Thank you very much. On Bill No. 349 on the issue of the property to be rezoned from Agriculture to R-2 in Barrigada, I would have preferred the process to go through our chain. But, in this specific matter while we always want to make sure that the land zone changes are to be in the interest of the owner, this zone change is a requirement because they obviously are not in an R-1 or even Agriculture; they go well beyond that to an R-2.

If they had gone through the process of trying to obtain the zone change through us and we went through the regulatory agencies, in this specific case as an R-2 requirement, the sewer changes – or waste water change requirement - EPA would say that they could not use a septic tank, but they would have to be hooked up to a sewer. What we know of this specific property is that the only active sewer lines reside up on Route 16, which are about four house lots away and above the house lot. So, it would an incline for a sewer waste line to go up in that area.

What the regulatory agencies always try to do in all aspects for zone change requirement request is to find alternative ways for them to still obtain that zone change so they can realize what they need. In this case, I think what EPA – and I can't specifically speak on their behalf – but, through our practice with them is that they may have to build something and not use a leaching field, but to build multiple septic tanks that would have to be regularly pumped out and that would satisfy the requirement for a multi-unit lot like an R-2.

We respectfully ask that with this zoning change, there be conditions placed on this R-2 change that should be necessary and that's only speaking for one specific kind of issue. I don't know if there are any others; GPA would have to also look and see that all these different units are not on one power meter that they need to be on separate power meters, for example. Those are the kinds of things that are necessary for obtaining an R-2 property. In this case, it really should an R-2, but does it comply? Most likely it may not comply on some cases.

We ask that this individual property owner work with the regulatory agencies to achieve what is required and that there be conditions placed on the change to R-2.

Chairman Benjamin Cruz. Besides the septic tank and the possibility of having to review with GPA, are there others we need to address?

Mr. Michael Borja. Municipal Planning Council for Barrigada needs to have some kind of input on this matter, especially since it goes from an Agriculture to R-2. That is a significant jump. Just to let the gentleman know, in this process going from Agriculture to R-2, it can be based on the signature from the Director of Land Management. It does not have to go through the Land Use Commission. It can be made into a Summary Zone Change. Now, many of the same requirements stand with the Summary Zone Change as far as getting the regulatory agency's inputs through the Application Review Committee process. It does not have to go through the Land Use Commission. Once all those conditions are satisfied, then the Chief Planner's office does a kind of notice of action. Then, it is based on the signature of Director of Land Management. It can be a much quicker process.

Chairman Benjamin Cruz. Can you sit down with him after this hearing to see if there is a way you can expedite this?

Mr. Michael Borja. Sure, as we will do with the folks for the previous bills heard today, we are going to work with each one of them. There are steps that are necessary and very willing to work with these individuals.

Senator Frank Aguon, Jr. Mr. Mercado, you have heard directly from Mr. Borja, the Director of Land Management who has extended his assistance and guidance. What I would like to request is that you and your family work closely with his office and if by chance, the proceedings are not satisfactory within the next two weeks, then I would like to request that you let me know if you want to proceed with this legislation and I will work with my colleagues to see if can proceed. But, I anticipate that your efforts will be fruitful working with the Department of Land Management. Can I ask you to consider going that route initially? If within fourteen days if it is not satisfactory in terms of the timing of the process and the progression of the discussions, then we can revisit this proposal. The intent is to make sure that your family has optimal usage of your property. You were very frank about why you wish the property to be rezoned; so you can apply economic benefits to assist your family. I appreciate that. Thank you, Mr. Chairman.

Chairman Benjamin Cruz. Inasmuch as all the bills have the record open for the next ten days, it might behoove you to see if you can move it faster through the Director than with us, because we go into budget session next Monday and I don't anticipate reporting bills out until September. If you guys can work this out and get back to Senator Aguon or get back to my office and let us know that if it looks like it is getting resolved and that you are satisfied with the treatment you are receiving. Then, we won't need this route.

This concludes the testimony on Bill No. 349-32 (COR). There being no additional individuals to present any additional, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at office@guam.net

This hearing is adjourned.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 349-32 (COR), as introduced with the recommendation TO REPORT OUT ONLY

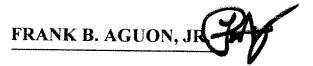
MINA' TRENTAI DOS NA LIHESLATURAN GUÂHAN 2014 (SECOND) Regular Session

Bill No. 349 - 32 (COR)

Introduced by:

1

19



AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guahan finds 2 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1, 3 in the Municipality of Barrigada, self-constructed a two story duplex on the 4 existing property and converted it into a four-plex building. The intention of 5 Victorino and Fina Mercado, was to accommodate their children and finance their 6 education through the rental of the additional units. As children and heirs of the 7 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado 8 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband 9 and wife), ½ undivided interest, as community property owners of Lot No. 5221-1-10 4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858 \pm 11 square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80, 12 prepared by Emil B. Meregillano, RLS No. 51, dated January 22, 1980;-13 LM098FY80 Map Pac #310027, located in the Municipality of Barrigada, Guam 14 would like to continue to utilize the existing property as additional income and 15 access the accumulated equity in their property. (Attachment A) 16 Furthermore, I Liheslaturan Guahån finds that the present property is zoned 17 Agricultural (A), and prior to construction, all building and occupancy permits 18

were approved, certifying compliance with all applicable rules, regulations and

2011 AM -97 3 07

- laws by the proper government agencies. This places the four-plex in an approved
- and legal structure but the non-conforming status restricts the current property
- 3 owners access to the accumulated equity in their property.
- Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
- 5 through the rezoning of Lot No. 5221-1-4-R1, in the Municipality of Barrigada,
- 6 from Agricultural (A) to Multi-Family Dwelling Zone (R-2).
- Section 2. Lot Rezoning. Notwithstanding any other provisions of law,
- 8 Lot No. 5221-1-4-R1, in the Municipality of Barrigada and owned by Elmer C.
- 9 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
- Danilo B. Bugayong (husband and wife) is hereby rezoned to Multi-Family
- Dwelling Zone (R-2).
- Section 3. Effective Date. This provision contained herein shall take
- effect immediately upon enactment of the Act.
- Section 4. Severability. If any provision of this Act or its application to any
- 15 person or circumstance is found to be invalid or contrary to law, such invalidity
- shall not affect other provisions or applications of this Act which can be given
- effect without the invalid provisions application, and to this end the provisions of
- this Act are severable.



Mina trentai Dos na Liheslaturan Guahan

Vice Speaker Benjamin J.F. Cruz, Chairman

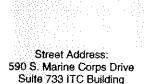
COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

August 5, 2014 Bill No. 349 SIGN UP SHEET

| MICHAEL BORJA DLM COMM Molecko | NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | WRITTEN ORAL SUPPORT |
|--------------------------------|---------------|---------|-------|-------|---------|------|----------------------|
| | MICHAEL BORJA | DLM | | | | | 651 |
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324 W. Soledad Ave. Hagatna, Guam 96910 Ph. 473-4236 Fax. 473-4238 Email: senbenp@guam.net





Tamuning, GU 96913

Mailing Address: P.O. Box 2950 Hagatña, GU 96932

Website: http://dlm.guam.gov

E-mail Address: dlmdir@dlm.guam.gov

Telephone: 671-649-LAND (5263)

Facsimile: 671-649-5383





DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management) GUBETNAMENTON GUÅHAN (Government of Guam)



MICHAEL J.B. BORJA Director

DAVID V. CAMACHO Deputy Director

EDDIE BAZA CALVO Governor

RAY TENORIO Lieutenant Governor

August 1, 2014

Vice Speaker Benjamin J.F. Cruz Chairman, Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land 32nd Guam Legislature 324 W. Soledad Avenue Hagatna, Guam 96910

Subject: Testimony - Bill No. 349-32 (COR) Rezone Lot #5221-1-4-R1 Agriculture to R2

Buenas yan Hafa Adai! The Department of Land Management has reviewed the listed bill and submits the following:

This legislation is asking a property to be rezoned without the vetting necessary in our Territory's statues that calls for the "technical and professional review, analysis, advice, and agency positions concerning various development activities on Guam."

The Application Review Committee (ARC) made up of our regulatory agencies is mandated to review requests for zone changes that are submitted to the Department of Land Management. Their tasking is:

- (a) Ensure compliance with regulatory standards, procedures, policies, rules and regulations;
- (b) Ascertain the overall environmental, socioeconomic, infrastructural and cultural impact of proposed projects;
- (c) Evaluate alternative development activities or subdevelopment alternatives with applicant/developer/petitioner to provide the best development plan for the community;
- (d) Assist other ARC member agencies and other government agencies in establishing social, physical infrastructural, economic, and cultural programs and standards for the proper development of Guam's present and future growth;
- (e) Develop and provide official position statements by government of Guam agencies on applications submitted under the Zoning and Subdivision Laws, the Territorial Seashore Protection Act and other such laws as may be enacted by the Legislature.

By curtailing this review process, lots may be rezoned that may not be in compliance with regulatory standards. Additionally, the broad nature of a

commercial zone may be contrary to the desires of the immediate surrounding communities since there is no input from the respective municipal planning councils.

The Department of Land Management greatly supports zone changes especially when they are in the economic interest of our island and to the benefit of the land owner. We encourage business development and strongly recommend using the processes already in place so we can ensure that the tools necessary for business development are available to land owners who seek to change the zoning of their property. Additionally, land rezoning from Agricultural to Residential (R2) can use the more abbreviated process available under the Summary Zone Change. It still undergoes a review by the ARC but when no objections are found, the director can approve the zone change.

In this specific case, a major concern with making the zone change for Lot #5221-1-4-R1 from Agricultural to Residential (R2) is that R2 zoning requires a connection to a sewer because septic tank use is significantly restricted and requires critical consultation with Guam Environmental Protection Agency. Sewer does not exist on the adjacent street of this property but a connection on Route 16 is available, however, it is on an elevation higher than the subject lot. If this property owner had used the established methods for zone changes, they would have been informed of this issue and been provided with any available alternatives.

Senseramente,

MICHAEL /J.B. BC

Director

Personal Testimony Bill No. 349-32 (COR)

August 5, 2014

Elmer Mercado PO Box 217782 Barrigada, Guam 96921

Good morning, Mr. Chairman, Benjamin J.F. Cruz, and members of the committee.

Thank you Senator Frank Aguon for Introducing Bill No. 349-32 to your committee and entertaining my request to rezone our property from zone "Agriculturai" to zone "R2".

My name is Elmer Mercado. I am a resident of 162 Sgt Peter Aguon Street In Barrigada. I have been a resident of Guam for over 30 years.

My parents purchased the property In 1984 and slowly put up a temporary house. Five years later, my parents and the siblings, self-constructed a two story dupiex with the intention to put their children to college. Once the siblings started college, the economy wasn't doing well, so my parents converted the dupiex into a four-piex bullding to help us pay for our college.

In 2005, my father passed away and my mother in 2009. Before she passed away, she fought cancer for 8 years. The siblings went through a costly cancer treatment with my mom and the probate set us back financially.

As children and heirs of the property, my sister and I are trying to legitimize what my parents have setup and would like to pursue this request to rezone our property as supplemental income to help levitate our finical burden.

Sincerely,

Eimer C. Mercado

CERTIFICATE OF TITLE

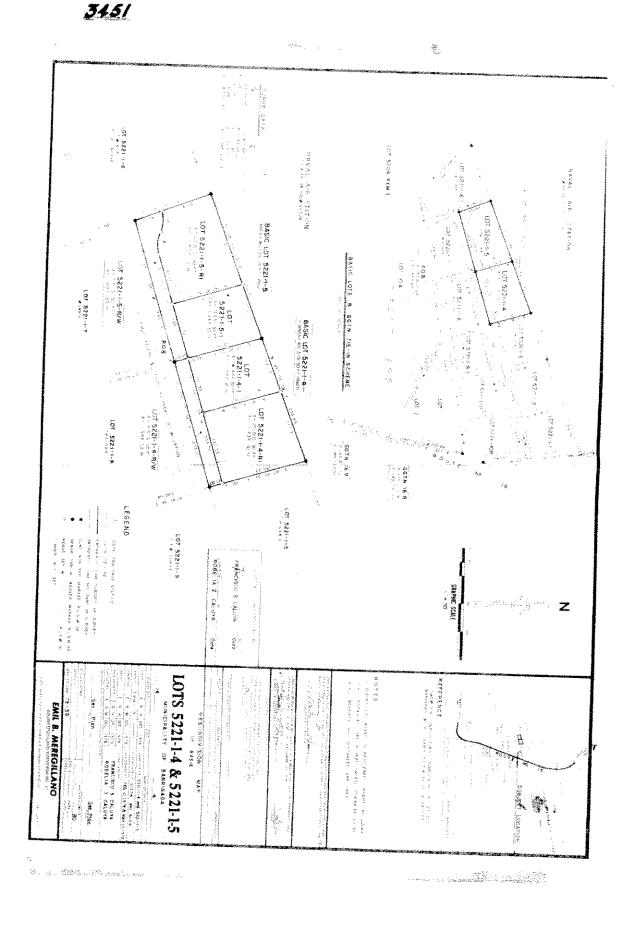


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DUPLICATE - TITLE 21 GCA \$29124



Bill 349-32(ar)

Department of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No.

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DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Jaime C. Mercado (dob: 07/11/70), mailing address 2 148th PL SW, Lynnwood, WA 98087 and Joseph Homer C. Mercado (dob: 05/09/73), mailing address is 2 148th PL SW, Lynnwood, WA 98087 in consideration of love and affection, as Grantors do now give, grant, convey and confirm to our brother and his wife, Elmer C. Mercado (dob: 11/17/75) and Lulu T. Mercado (dob: 09/23/83), as husband and wife, mailing address PO BOX 217782, Barrigada, GU 96921 and our sister and her husband, Therese M. Bugayong (dob: 05/02/69) and Danilo B. Bugayong (dob: 07/26/64), as husband and wife, mailing address 8608 11th PL SE, Lake Stevens, WA 98258 our undivided interest in the following described real property:

Lot No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858± square meters, as shown on map Drawing No. EBM 79-39, prepared by Emil Meregillano, RLS No. 51, dated January 22, 1980; - LM098FY80 Map Pac #310027

Together with all and singular the tenements, hereditaments and appurtenances thereon belonging, or in anywise appertaining and all existing improvements and/or structures unto said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of June, 2013.

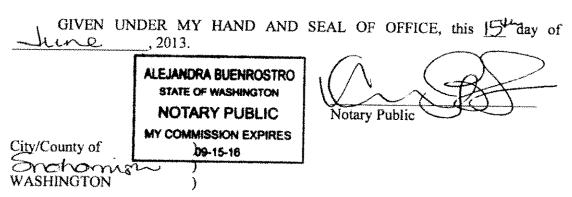
Grantors:

aime C. Mercado

oseph Homer C. Mercado

| Grantees: | 1 | Jun 7. M |
|---|-------------|--------------------|
| Elmer C. Mercado | | Lulu T. Mercado |
| Therese M. Bugay. Therese M. Bugayong | eng | Danilo B. Bugayong |
| City/County of Society County of WASHINGTON |))) | |

BEFORE ME, the undersigned authority, on this day personally appeared **Jaime** C. Mercado, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



BEFORE ME, the undersigned authority, on this day personally appeared **Joseph Homer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of 32013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES

OR 15-18

Lot 5221-1-4-RI, Parrigada Heed 5716 ift

Page 2 of 4

City/County of Snchomen
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WASHINGTON
)

BEFORE ME, the undersigned authority, on this day personally appeared **Therese M. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES 09-15-16

City/County of)
STICKETTUSK)
WASHINGTON)

Notary Public

BEFORE ME, the undersigned authority, on this day personally appeared **Danilo B. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5 day of , 2013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES 09-15-16 Notary Public

Lot 5221-1-4-RI, Barrigada Deed of Gift Page 3 of 4

| | GUAM |) | | | |
|--|-----------------------------|---|-------------------------------------|-------------------------------------|---------------------|
| | instrument, a consideration | ORE ME, the undersigned author, known to me to be the person and acknowledged to me that I therein expressed. N. UNDER MY HAND AN | n whose name is some executed the s | subscribed to the same for the purp | foregoing poses and |
| (5) (5) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4 | August | , 2013. FERLYN C. APRESTO NOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: April 02, 2016 P.O. Box 23149 Barrigada, Guam 9692 | Notary Put | C april | day of |
| (194. | GUAM |))) | | | |

BEFORE ME, the undersigned authority, on this day personally appeared Lulu T.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this & day of

Mercado, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and

)

Log 5227-1-4-R1, Barrigada Deed of Gift Page 4 of 4

consideration therein expressed.

_, 2013.

FERLYN C. APRESTO
MOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: April 02, 2016
P.O. Box 23149 Barrigada, Guam 96921

COMMITTEE ON RULES



I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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

Senator Rory J. Respicio Chairperson Majority Leader

June 19, 2014

Senator Thomas C. Ada Vice Chairperson Assistant Majority Leader

Memorandum

To:

Senator Vicente (Ben) C. Pangelinan Member Rennae Meno
Clerk of the Legislature

Speaker

From: Senator Rory J. Respicio

Judith T.P. Won Pat, Ed.D.

Majority Leader & Rules Chair

Member Sub

Subject: Waivers

Senator Dennis G. Rodriguez, Jr. Member

Hafa Adai!

Vice-Speaker Benjamin J.F. Cruz Member

Attached please find the waivers for the bill numbers listed below. Please note that the waivers are issued on the bills as introduced.

Legislative Secretary Tina Rose Muña Barnes Member

WAIVERS:

Senator Frank Blas Aguon, Jr. Member Bill No. 347-32(COR) Bill No. 348-32(COR) Bill No. 349-32(COR)

Senator Michael F.Q. San Nicolas Member Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Senator
V. Anthony Ada
Member
MINORITY LEADER

Si Yu'os ma'åse'!

Senator Aline Yamashita Member



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOSE S. CALVO ACTING DIRECTOR

JOHN A.B. PANGELINAN ACTING DEPUTY DIRECTOR

JUN 182014

The Bureau requests that Bill No. 349-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 349-32(COR) is an Act to rezone Lot. No. 5221-1-4-R1, Municipality of Barrigada, from an Agricultural Zone (A) to a Multiple-Family Dwelling Zone (R-2).

The Bill proposes that the specified lot be rezoned so that the owners can properly access the equity of their property. Per the Department of Revenue & Taxation, the land tax rate and the building tax rate would not change regardless of the change to any property's zoning. Per the Department of Land Management, zone changes done through legislation are not charged any fees in regards to zone change amendments or certification of zoning fees. There is no component of the Bill that requires an act to make any changes to the property's existing infrastructure.

The intent of the Bill poses no fiscal impact upon any funds of the Government of Guam.

JOSE S. CALVO Acting Director



I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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

Senator Rory J. Respicio CHAIRPERSON MAJORITY LEADER

June 9, 2014

MEMORANDUM

Senator Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER

To:

Rennae Meno

Senator Vicente (Ben) C. Pangelinan

Member

Clerk of the Legislature

Speaker Judith T.P. Won Pat, Ed.D.

Member

Attorney Therese M. Terlaje Legislative Legal Counsel

Senator

From:

Senator Rory J. Respicio

Dennis G. Rodriguez, Jr.

Member

Chairperson of the Committee on Rules

Vice-Speaker Benjamin J.F. Cruz Member

Subject: Referral of Bill No. 349-32(COR)

Legislative Secretary Tina Rose Muña Barnes Member As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 349-32(COR).

Senator Frank Blas Aguon, Jr. Member

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of I Mina'trentai Dos na Liheslaturan Guåhan.

Senator Michael F.Q. San Nicolas Member Should you have any questions, please feel free to contact our office at 472-7679.

Senator V. Anthony Ada Member MINORITY LEADER Si Yu'os Ma'åse!

Senator Aline Yamashita Member

Attachment

I Mina'Trentai Dos Na Liheslaturan Received Bill Log Sheet

| FISCAL | |
|-----------------------------------|---|
| DATE COMMITTEE REPORT FILED | |
| PUBLIC HEARING DATE | |
| CMTE REFERRED | Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land |
| DATE REFERRED | 06/09/14 |
| DATE INTRODUCED | 6/9/14 3:07 p.m. |
| TITLE | AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2). |
| SPONSOR | FRANK B. AGUON, JR. |
| BILL NO. | 349-32 (COR) |



Lisa Dames <cipo@guamlegislature.org>

REVISED AGENDA

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Tue, Jul 29, 2014 at 2:56 PM

PLEASE SEE REVISED AGENDA FOR PUBLIC HEARING NOTICE - AUGUST 5, 2014

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing on Tuesday, August 5, 2014 beginning at 9:00am in the Guam Legislature Public Hearing Room.

The following is on the agenda:

Bill No. 341-32 (COR) - Introduced by Senator Vicente (ben) Cabrera Pangelinan

An Act to rezone Lot No. 14NEW, Block No. 16 in the Municipality of Dededo from Multi-Family Dwelling (R-2) to Commercial (C).

Bill No. 342-32 (COR) - Introduced by Senator Vicente (ben) Cabrera Pangelinan

An Act to rezone Lot No. 22, Block 9 in the Municipality of Dededo from Residential (R-1) to Commercial (C).

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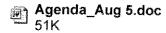
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Public Hearing - FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Tue, Jul 29, 2014 at 2:11 PM

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PLEASE SEE REVISED AGENDA FOR PUBLIC HEARING NOTICE - AUGUST 5, 2014

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing on Tuesday, August 5, 2014 beginning at 9:00am in the Guam Legislature Public Hearing Room.

The following is on the agenda:

Bill No. 341-32 (COR) - Introduced by Senator Vicente (ben) Cabrera Pangelinan

An Act to rezone Lot No. 14NEW, Block No. 16 in the Municipality of Dededo from Multi-Family Dwelling (R-2) to Commercial (C).

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An Act to *Rezone* Lot 2-R3, Block 2, Tract 172, Municipality of Dededo, from One-Family Zone (R-1) to Commercial Zone (C).

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An Act to authorize I Maga'lahen Guahan to exchange government-owned property in Asinan Ordot-Chalanp Pago reserved for the Department of Public Health & Social Services for government-owned property in Dededo owned by the Chamorro Land Trust Commission.

Bill 332-32 (LS) - Introduced by Senator Tina Muna Barnes

An Act to Authorize I Maga'lahen Guahan to exchange Government-owned property in Asinan Ordot-Chalan Pago reserved for the Department of Public Health & Social Services for Government-owned property in Tamuning owned by the Chamorro Land Trust Commission

Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapåsi nu i fendon gubetnamento.

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, Aug 1, 2014 at 4:38 PM

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing on Tuesday, August 5, 2014 beginning at 9:00am in the Guam Legislature Public Hearing Room.

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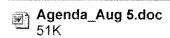
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Lisa Dames

Chief of Staff
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Public Hearing - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Aug 1, 2014 at 4:37 PM

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Sorry for inconvenience. See corrected agenda:

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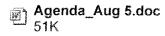
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| smendiola@guamlegislature.org |
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| stephaniemendiola@gmail.com |
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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Måttes, gi diha 5 gi Agosto, 2014 Tuesday, August 5, 2014

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

> TAREHA (AGENDA)

alas nuebi gi egga'an (9:00 AM)

Priniponi Siha: (Bills)

Bill No. 341-32 (COR) – Introduced by Senator Vicente (ben) Cabrera Pangelinan An Act to rezone Lot No. 14NEW, Block No. 16 in the Municipality of Dededo from Multi-Family Dwelling (R-2) to Commercial (C).

Bill No. 342-32 (COR) - Introduced by Senator Vicente (ben) Cabrera Pangelinan An Act to rezone Lot No. 22, Block 9 in the Municipality of Dededo from Residential (R-1) to Commercial (C).

Bill No. 343-32 (COR) - Introduced by Senator Vicente (ben) Cabrera Pangelinan An Act to rezone Lot No. 16, Block No. 16, in the Municipality of Dededo from Multi-Family (R-2) to Commercial (C).

Bill No. 345-32 (COR): Introduced by Senator Vicente (ben) Cabrera Pangelinan An Act to amend Section 3, Section 4, and to repeal Section 6 all of Public Law 21-130 to authorize Department of Land Management to exchange private property taken for the construction of the Agat-Umatac Highway with government land.

Bill No. 347-32 (COR) – Introduced by Vice Speaker BJ Cruz An Act to Rezone Lot No. P10.9A-3-R19, in the Municipality of Dededo from Agriculture (A) to Commercial (C).

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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz, Chairman

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Bill No. 348-32 (COR) - Introduced by Vice Speaker BJ Cruz An Act to Rezone Lot No. P10.9A-3-16, in the Municipality of Dededo from Agriculture (A) to Commercial (C).

Bill No. 349-32 (COR) – Introduced by Senator Frank Aguon, Jr. An Act to Rezone Lot No. 5221-1-4-R1, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Family Dwelling Zone (R-2).

Bill 329-32 (COR) – Introduced by Senator Chris Duenas An Act to Rezone Lot No. 2-1 NEW, Tract 132, Municipality of Agat, From One-Family Dwelling (R-1) to Commercial Zone (C).

Bill No. 330-32 (COR) – Introduced by Senator Chris Duenas An Act to *Rezone* Lot 2-R3, Block 2, Tract 172, Municipality of Dededo, from One-Family Zone (R-1) to Commercial Zone (C).

Bill 287-32 (COR) – Introduced by Senator Tina Muna Barnes An Act to authorize I Maga'lahen Guahan to exchange government-owned property in Asinan Ordot-Chalanp Pago reserved for the Department of Public Health & Social Services for government-owned property in Dededo owned by the Chamorro Land Trust Commission.

Bill 332-32 (LS) – Introduced by Senator Tina Muna Barnes An Act to Authorize *I Maga'lahen Guahan* to exchange Government-owned property in Asinan Ordot-Chalan Pago reserved for the Department of Public Health & Social Services for Government-owned property in Tamuning owned by the Chamorro Land Trust Commission

Yanggen un nisisita espesiàt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagátña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagatña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at office@senbenp.com

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Munoz said he's very happy for his cast, crew, "and especially for my funders who also contributed to the project." He noted however that in moments of euphoric triumph "one must always remain anchored in humility and grace. This is an industry where you experience amazing peaks and low aftitude valleys. It's important to focus on doing quality work and dangerous to be caught up in the hype."

This is the first time Munoz has utilized the web to release a film. He decided to take this route to get an audience.

"More people watch content on computers and smart phones then they do on - of people making an artsy film in his beat. He traditional televisions. Looking at the analytics, more people have seen 'Griot's Lament' over the past three weeks then my fast three films combined."

The feedback and reviews make the efforts worthwhile with funding being a huge obstacle to the success of the project. Additionally, Munoz recounted an incident when his team was aimost shot down by the LAPD because they weren't officially permitted to film.

"The officer was actually happy to see a group."



Guam native Alex Munoz, right, is shown filming his latest work "Griot's Lament.

could have shut us down, but instead he let us off the hook

Noting the outstanding contributions of people from Guam, Munoz mentioned locals Jeannett Da Duck and Thelma Herhenova

"Averill Leano did an amazing job doing the color correction and creating an award winning moon shot. The film looks good because of Averill's great eye. And the film sounds amazing because of Teddy Salas. We were up until 3 in the morning mixing the film. I have never met with a sound mixer who is so creative, innovative, and efficient. I am very proud of Averill and Teddy's contributions. Success is always best when it is shared."

While webisode 2 will be released on Michael Jackson's birthday, in the meantime, Munoz looks forward to more contributions to Guam's film scene.

"I'm going to get back to Guam to conduct another FYI FILMS workshop with youth at DYA in 2015. We were just awarded a significant grant. Hove working with youth, particularly on Guam."

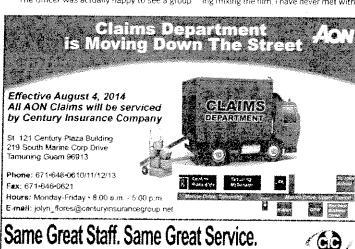
Youth can also look forward to the 671/213 Alfiance, an initiative meant to offer support and networking for people

from Guam and all of the Marianas heading to Los Angeles in pursuit of a film career.

'We plan to offer two 671/213 Alliance scholarships before the year ends. Eve one thousand dollar grants will be awarded to filmmakers on Guam to support them in their filmmaking

He will also complete work on a documentary and proceed with the development of a local animation series.

Griot's Lament is viewable on Vimeo and Genius.com







Mina trodai Das na Liheslaturan Guifian 32nd GUAAI LEGISLATURE

Dente COPAM Editors (APPON). Vice Speaker Denjamma (E. Cittz/ Committee in Appropriations, Pathic Debt, Acting Char-Ingal Wasts, Reticement, Pathic Parks, Recreation, Historic Deservation, and Land

HENUNGOK PUPBLEKO (PUBLIC HEARING)

gi Måttes, gi diha 5 qi Agoste, 2014 Yeesday, Angest 5, 2014

itton inekangak Pophieko ai Liberlaturan Guithar (Guara Legislature Public Haering Room)

TAREHA (AGENDA)

afas nuabi gi eggalan (9:60 AA)

BR No. 341-37 (COR) — introduced by Senator Vinceras (Sen) Capras a Pengethan An Act Screams Lox No. 14465 y Block No. 15 in the Hannopality of Depedo from Motor Family

Bill Ma. 342-32 (COA) - Entocolori by Sicriator Vinanse (barr), Cabriera Plangalassiv. 80-401 to rational Les No. 22. (Block 9 in the Municipality of Dedictio from Residential (R. 1) to

66 No. 543-32 (COR) - Paradioces by Seneior Vicense (berg Calaries Plangelinian An Act In rezione Lio Rico 15, Block No. 15 in this Micropality of Dedecto Intim Muth Fainty IR-2) is Commenced.

BRI No. MS-32 (COR): Producted by Swedick treatile (ben) Codings Partywhilan. An Arth ameny Swedick S. Swedick 6, and to reposit Spectral 5 at of Public Law 21 (50 to authorize Cognitives of Law Management is exclusive; provide property laters for the constriction of the Again Unidod Highway, with government laters.

BBI No. 347-32 (CDR) - somotioped by risce Speaker BD Croz An Act to Reporte Lip No. 918 (AA-3-819) as the Mannespathy of Declaric from Agriculture (A) in Commercia (C).

266 No. 149-12 (CDA) - indeptation by Sentation Franz, Agustin is An Action Engages for No. 500 (1-4-4) - Managestin of Bengeda Irom Ageolytica John (A) to Manafamily Dealthing Zone (2-2)

<mark>8# 429-32 (CDA) -</mark> tomosulest by Senaso China Querrae An An Io Razone Londo (SH 1895) Tract 15% Aramapaity of Agar From Che-Farnay C<mark>healan</mark>g

Bitt No. 33th-32 (CORE) - Exhaustices by Senator Ober Disease. An AUS Fearers and 2-93. Stack 2-73 and 172 Senatorpolicy of Buddens: Irom Gree Fearery Zone. 19 to the Commercial Senator.

Biff 287-02 (COR) – Inhobuted by Sevetor Tray Munic Barries.

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provincent Central property in Declaration and thy the Champion Lind Trais Commission.

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Vice Speaker Benjamin J.F. Cruz, Chairman
Committee on Appropriations, Pathic Deht, Legal
Affairs, Retirement, Public Parks, Recreation,
Historic Preservation, and Land

MERINGOK PUPBLEKO (PUBLIC HEARING)

gi Måttos, gi diha 5 gi Agosto, 2014 Tuesday, August 5, 2014

Kishton Inekungok Puphleko gi I Littestaturen Gudhen (Guarn Legistature Public Hearing Room)

TAREHA (AGENI)A)

xias noebi gi ogga'an (9:00 AM)

Priniponi Siha: (BiBs)

BBI No. 341-32 (COM) — introduces by Senator Viconte den) Cabrers Pangetinan An Act to record Lot No. 14NEW, Block No. 16 in the Maunicipality of bedeato from Marti-Pannily Dwelling (R-2) to Commercial (G).

Bill No. 342-32 (COR) - instructured by Senator Viceron (tren) Cabrera Paragelinan An Act to sprone Lot No. 22, Block 9 in the Manistratility of Declario from Residential (R-1) to Commercial (C).

Silli No. 343-32 (CORG) - Instructional by Sensitiv Vicentie (ben) Cabrera Pringellinan An Act to record Life Mo. 16, Block Mo. 18, in the Missiospality of Decesio from Multi-Family (R-2) to Commental (C).

mear-ranger of a commentation.

Bit No. 345-32 (DNR), introduced by Senetian Vicintle (ben) Caltrars Pengsisten. An Act for amend Section 5, Section 4, and to repeat Section 6 as of Public Caw 21-130 to authorize Department of Land Management to exchange private property lakes for the construction of the Agail-Umstac Highway with government land.

Bill No. 347-32 (CCR) - Introduced by Vice Speaker BJ Cruz An Act to Rezone Lot No. 210 3A-3-R19, in the Manicipality of Dededo from Agriculture (A) to Commercial (C).

Bill No. 348-32 (COR) - Introduced by Mce Speaker BJ Couz An Act to Rezone Lot No. P10.94-3-16, in the Municipality of Dededo from Agricusture (A) to Commercial (C).

Bill No. 349-32 (COR) - Introduced by Sensity Frank Agusti, Jr. An Act to Recone Lot No. 5221-1-4-81, Municipality of Barrigada, from Agriculture Zone (A) to Multi-Fansity Dwelling Zone (R-Z).

B8 323-32 (COF) - Introduced by Senator Clark Duenas An Act to Rezone Lot No. 2-1 MCW, Tract 132, Maricopelity of Agat, From One-Family Dwelling (R-1) to Commercial Zone (C).

Bill Mo. 330-32 (COR) - Introduced by Senator Onris Duenos An Act to Rezone Lot 2-R3, Block 2, Tract 172, Municipality of Dededo, from One-Family Zone (R-1) to Commercial Zone (C).

Bill 257-32 (ORF) — introduced by Senator Trial Mura Barnes An Act to softonics I Magazishen Goodan to exchange government-owned property in Adman Crotic-Challen Pago reserved for the Department of Public Health & Social Sonices for government-owned property in Dededo owned by the Chamorro Land Trust Commission.

Still 322-32 (LS) — introduced by Senetic Time blance Berness An Act to Authorize I Mage later Gualtern to exchange Government-owned property in Assistan Orbit-Challen Tago reserved for the Department of Public Hesta A Social Senices for Government-owned property in Tambering owned by the Chemorro Land Trust Commission.

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Eugene H. Santos P.O. Box 10414 Tamuning, Guam 96931

Ref: Applicant Ms MICHELE. LEON GURRERO, EUGENE H. SANTOS, request for a zone change from "A" Agricultural to "C" Commercial zone, Municipality of Dededo.

Dear Mr. Santos,

The DPW is in receipt of your letter seeking assistance providing comments to a Zone Change to the following lots:

- (1.) Zone change from "A" (Agricultural) to "C" (Commercial) zone for the proposed Community Laundromat and Café on lot designated as DLM Map No.P10.9A-3-16 Municipality of Dededo.
- (2.) Zone change from "A" (Agricultural, Conditional use permit for Retail Store) to "C" (Commercial) zone with existing Retail Store on lot designated as DLM Map No.P10.9A-3-R19, Municipality of Dededo.

The above subject lots are corner lots with front yard facing Chalan Langet and side yard facing Chalan Mannantos. Chalan Langet is a 40' wide Public Access and Utility Right of Way with two (2) lanes paved road approximately twenty-two (22') feet wide with traffic flow which is low during the day or evening hours and will not impact its normal traffic flow.

DPW believes that the rezoning of the above lots will not have adverse effects on the residential area where as Lot P10.9A-3-R19 has been approved for conditional use permit for a Retail Store. Additionally, a Laundromat and Cafe is essential and/or public convenience to the surrounding neighborhood. The DPW therefore recommends approval for zone change.

Sincerely

Carl V Dominguez

CAL

COMMITTEE ON RULES I Mina'trentai Dos na Liheslaturan Gui

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator Rory J. Respicio Chairperson Majority Leader

June 19, 2014

Senator Thomas C. Ada Vice Chairperson Assistant Maiority Leader

Senator Vicente (Ben) C. Pangelinan Member

Speaker Judith T.P. Won Pat, Ed.D. Member

Senator Dennis G. Rodriguez, Jr. Member

> Vice-Speaker Benjamin J.F. Cruz Member

Legislative Secretary Tina Rose Muña Barnes Member

> Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator Aline Yamashita Member Memorandum

To: Rennae Meno

Clerk of the Legislature

From: Senator Rory J. Respicio

Majority Leader & Rules Chair

Subject: Waivers

Hafa Adai!

Attached please find the waivers for the bill numbers listed below. Please note that the waivers are issued on the bills as introduced.

WAIVERS:

Bill No. 347-32(COR) Bill No. 348-32(COR) Bill No. 349-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO GOVERNOR JOSE S. CALVO ACTING DIRECTOR

RAY TENORIO LIEUTENANT GOVERNOR JOHN AB PANGELINAN ACTING DEPUTY DIRECTOR

JUN 182014

Senator Rory J. Respicio Chairperson, Committee on Rules I Mina'trentai Dos na Liheslaturan Guåhan The 32nd Guam Legislature 155 Hesler Place Hagåtna, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note Waiver on the following Bill Nos.: 347-32(COR), 348-32(COR), and 349-32(COR).

If you have any question(s), please do not he sitate to call the office at 475-9412/9106.

Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

671 4722825 08:05 59 a.m. 06-18-2014 5 / 5



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO GOVERNOR JOSE S. CALVO ACTING DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A.B. PANGELINAN ACTING DEPUTY DIRECTOR

JUN 182014

The Bureau requests that Bill No. 349-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 349-32(COR) is an Act to rezone Lot. No. 5221-1-4-R1, Municipality of Barrigada, from an Agricultural Zone (A) to a Multiple-Family Dwelling Zone (R-2).

The Bill proposes that the specified lot be rezoned so that the owners can properly access the equity of their property. Per the Department of Revenue & Taxation, the land tax rate and the building tax rate would not change regardless of the change to any property's zoning. Per the Department of Land Management, zone changes done through legislation are not charged any fees in regards to zone change amendments or certification of zoning fees. There is no component of the Bill that requires an act to make any changes to the property's existing infrastructure.

The intent of the Bill poses no fiscal impact upon any funds of the Government of Guam.

OSE S. CALVO Acting Director

COMMITTEE ON RULES

155 H E-mail

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator Rory J. Respicio CHAIRPERSON MAJORITY LEADER

June 12, 2014

Senator Thomas C. Ada Vice Chairperson Assistant Majority Leader

VIA E-MAIL

john.rios@bbmr.guam.gov

Senator Vicente (Ben) C. Pangelinan Member John A. Rios Director Bureau of Budget & Management Research P.O. Box 2950 Hagåtña, Guam 96910

Speaker Judith T.P. Won Pat, Ed.D. Member

RE: Request for Fiscal Notes-Bill Nos. 344-32 (COR) through 350-32(LS)

Senator Dennis G. Rodriguez, Jr. Member

Hafa Adai Mr. Rios:

Vice-Speaker Benjamin J.F. Cruz Member Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Legislative Secretary Tina Rose Muña Barnes Member Si Yu'os ma'åse' for your attention to this matter.

Senator Frank Blas Aguon, Jr. Member Very Truly Yours,

Senator Michael F.Q. San Nicolas Member My J. Respicio Senator Rory J. Respicio

Chairperson of the Committee on Rules

Senator
V. Anthony Ada
Member
MINORITY LEADER

Attachment (1)

Senator Aline Yamashita Member

Cc: Clerk of the Legislature

| Bill Nos. | Sponsors | Title |
|--------------|--------------------------------|--|
| 344-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO ADD A §1114 AND §1115 TO CHAPTER 1 OF TITLE 11AND A NEW ITEM (E) TO CHAPTER 21, DIVISION 2, TITLE 5 GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DEPARTMENT OF REVENUE AND TAXATION TO PUBLISH UNCLAIMED INCOME TAX REFUND CHECKS AND TO ESTABLISH THE INCOME TAX REFUND ASSISTANCE HOTLINE ALSO KNOWN AS THE TAX PAYER ASSISTANCE CLAIM SUPPORT ACT OF 2014. |
| 345-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO AMEND SECTION 3, SECTION 4, AND TO REPEAL SECTION 6 ALL OF PUBLIC LAW 21-130 TO AUTHORIZE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTUCTION OF THE AGAT – UMATAC HIGHWAY WITH GOVERNMENT LAND. |
| 346-32 (COR) | Michael T. Limtiaco | AN ACT TO ADD NEW §8138.6, 8138.7,8138.8, AND 8138.9 TO CHAPTER 8 OF TITLE 4GCA RELATIVE TO CREATING A SEPARATE BOARD OF TRUSTEES FOR MEMBERS OF THE DEFINED CONTRIBUTION RETIREMENT PLAN. |
| 347-32 (COR) | B. J.F. Cruz | AN ACT TOREZONE LOT NO. P10.9A-3-R19, IN THE MUNICIPALITY OF DEDEDO FROM AGRICULTURE (A) TO COMMERCIAL (C). |
| 348-32 (COR) | B. J.F. Cruz | AN ACT TOREZONE LOT NO. P10.9A-3-16, IN THE MUNICIPALITY OF DEDEDO FROM AGRICULTURE (A) TO COMMERCIAL (C). |
| 349-32 (COR) | FRANK B. AGUON, JR. | AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2). |
| 350-32 (LS) | Brant T. McCreadie | AN ACT TO APPROPRIATE THE SUM OF SIX HUNDRED THOUSAND DOLLARS (\$600,000) FROM THE SUPPLEMENTAL APPROPRIATION REVENUE (SAR) FUND FOR THE PURPOSE OF PAYING PRIOR YEARS OVERTIME INCURRED BY THE GUAM POLICE DEPARTMENT. |

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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

Senator Rory J. Respicio CHAIRPERSON MAIORITY LEADER

June 9, 2014

Senator Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER

Senator Vicente (Ben) C. Pangelinan

Member

Speaker Judith T.P. Won Pat, Ed.D. Member

Senator Dennis G. Rodriguez, Jr. Member

> Vice-Speaker Benjamin J.F. Cruz Member

Legislative Secretary Tina Rose Muña Barnes Member

Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator Aline Yamashita Member **MEMORANDUM**

To: Rennae Meno

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

From: Senator Rory J. Respicio

Chairperson of the Committee on Rules

Subject: Referral of Bill No. 349-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 349-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN 2014 (SECOND) Regular Session

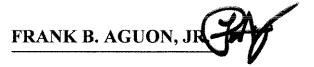
Bill No. 349 - 32 (COR)

Introduced by:

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AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guahån finds 2 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1, 3 in the Municipality of Barrigada, self-constructed a two story duplex on the 4 existing property and converted it into a four-plex building. The intention of 5 Victorino and Fina Mercado, was to accommodate their children and finance their 6 education through the rental of the additional units. As children and heirs of the 7 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado 8 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband 9 and wife), ½ undivided interest, as community property owners of Lot No. 5221-1-10 4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858 ± 11 square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80, 12 prepared by Emil B. Meregillano, RLS No. 51, dated January 22, 1980;-13 LM098FY80 Map Pac #310027, located in the Municipality of Barrigada, Guam 14 would like to continue to utilize the existing property as additional income and 15 access the accumulated equity in their property. (Attachment A) 16 Furthermore, I Liheslaturan Guahan finds that the present property is zoned 17

Agricultural (A), and prior to construction, all building and occupancy permits

were approved, certifying compliance with all applicable rules, regulations and

- laws by the proper government agencies. This places the four-plex in an approved
- 2 and legal structure but the non-conforming status restricts the current property
- 3 owners access to the accumulated equity in their property.
- Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
- through the rezoning of Lot No. 5221-1-4-R1, in the Municipality of Barrigada,
- from Agricultural (A) to Multi-Family Dwelling Zone (R-2).
- Section 2. Lot Rezoning. Notwithstanding any other provisions of law,
- 8 Lot No. 5221-1-4-R1, in the Municipality of Barrigada and owned by Elmer C.
- 9 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
- Danilo B. Bugayong (husband and wife) is hereby rezoned to Multi-Family
- 11 Dwelling Zone (R-2).
- Section 3. Effective Date. This provision contained herein shall take
- effect immediately upon enactment of the Act.
- Section 4. Severability. If any provision of this Act or its application to any
- person or circumstance is found to be invalid or contrary to law, such invalidity
- shall not affect other provisions or applications of this Act which can be given
- effect without the invalid provisions application, and to this end the provisions of
- this Act are severable.

CERTIFICATE OF TITLE

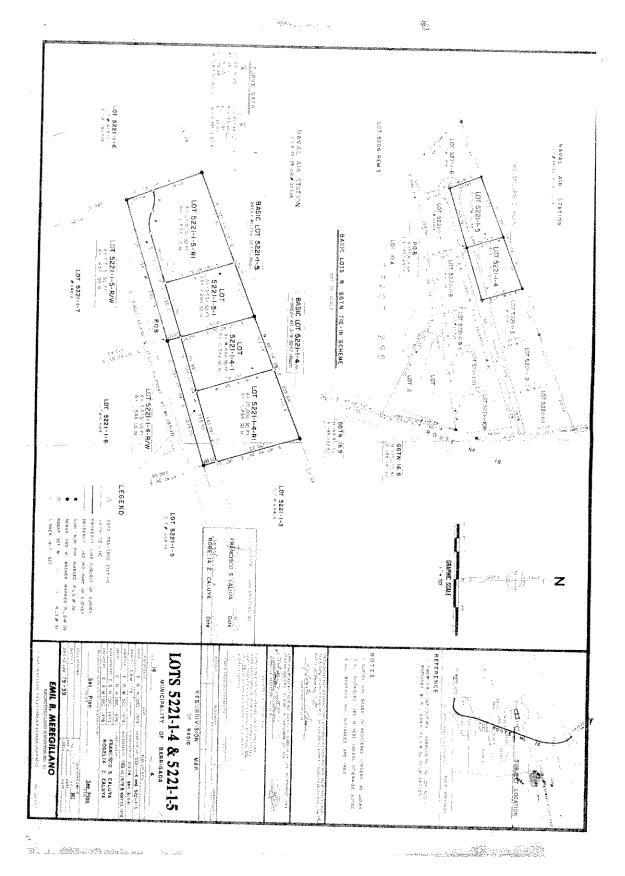


TERRITORY OF GUAM DEPARTMENT OF LAND MANAGEMENT



| Municipality | v registered | 132765 | | 3 June, 19 | | Occurrent No. <u>85583</u> 1 Vol. |
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| I minister from | n Number | C.T. No. | 132764 | | Guaranteed Claim Certificate of Title | |
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| HAGATNA | GUAM) This is to cert | 15 Fo that | There | se M. Rugaya | ng and Danilo B. Bugayou | e. Husband and Wife. |
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| now residing | . | Barre | essile . | Municipali | y/Territory of | Guam |
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DUPLICATE - TITLE 21 GCA \$29124



6. C.

Department of Guam, Government of Guam
Department of Land Management Officer of the Recorder

855838

File for Record is Instrument No.

Nonth Day Time (18)

Recording Fee Receipt No.

Deputy Recorder (18)

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Jaime C. Mercado (dob: 07/11/70), mailing address 2 148th PL SW, Lynnwood, WA 98087 and Joseph Homer C. Mercado (dob: 05/09/73), mailing address is 2 148th PL SW, Lynnwood, WA 98087 in consideration of love and affection, as Grantors do now give, grant, convey and confirm to our brother and his wife, Elmer C. Mercado (dob: 11/17/75) and Lulu T. Mercado (dob: 09/23/83), as husband and wife, mailing address PO BOX 217782, Barrigada, GU 96921 and our sister and her husband, Therese M. Bugayong (dob: 05/02/69) and Danilo B. Bugayong (dob: 07/26/64), as husband and wife, mailing address 8608 11th PL SE, Lake Stevens, WA 98258 our undivided interest in the following described real property:

Lot No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858± square meters, as shown on map Drawing No. EBM 79-39, prepared by Emil Meregillano, RLS No. 51, dated January 22, 1980; - LM098FY80 Map Pac #310027

Together with all and singular the tenements, hereditaments and appurtenances thereon belonging, or in anywise appertaining and all existing improvements and/or structures unto said Grantees, their heirs and assigns forever.

Grantors:

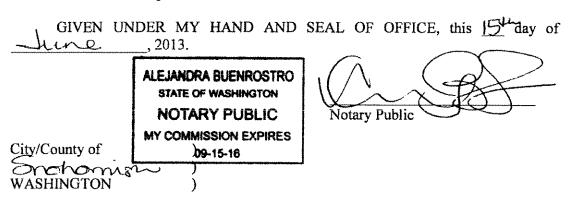
aime C. Mercado

oseph Homer C. Mercado

Lot 5221-1-4-R1, Barrigada Deed of Gift Page 1 of 4

| Grantees: | Jun 7. Mun |
|---|--------------------|
| Elmer C. Mercado | Lulu T. Mercado |
| Therese M. Bugayers Therese M. Bugayong | Byw |
| Therese M. Bugayong | Danilo B. Bugayong |
| City/County of .) STONOTING) WASHINGTON) | |

BEFORE ME, the undersigned authority, on this day personally appeared **Jaime** C. Mercado, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



BEFORE ME, the undersigned authority, on this day personally appeared **Joseph Homer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of 2013.

ALEJANDRA BUENROSTRO
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES

Lot 5221-1-4-RI, Barrigada Dec 15716 iff
Page 2 of 4

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City/County of Snohomen
)
WASHINGTON
)

BEFORE ME, the undersigned authority, on this day personally appeared **Therese M. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES 09-15-16

City/County of)
Six herry (5)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Danilo B. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5 day of .2013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES

09-15-16

Lot 5221-1-4-R1, Barrigada Deed of Gift Page 3 of 4

G of 6

Notary Public

| GUAM |)) | |
|--|---|---|
| C. Mercado instrument, a consideration | RE ME, the undersigned authority, on this day personally appeared Elmer, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes and therein expressed. N UNDER MY HAND AND SEAL OF OFFICE, this day of | |
| A STATE OF THE STA | FERLYN C. APRESTO NOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: April 02, 2016 P.O. Box 23149 Barrigada, Guam 96921 | |
| GUAM | | - |

BEFORE ME, the undersigned authority, on this day personally appeared Lulu T. Mercado, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this gray of day of 2013.

FERLYN C. APRESTO

MOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: April 02, 2016 P.O. Box 23149 Barrigada, Guam 96921

Notary Public

Lat 5221-1-4-R1, Barrigada Deed of Gift Page 4 of 4