

I MINA TRENTAI TRES NA LIHESLATURAN GUAHAN  
2015 (FIRST REGULAR SESSION)

Bill No. 57-33 (US)

Introduced by:

F. F. Blas, Jr. *fb*

2015 MAR 17 PM 4:07

AN ACT TO ADD PARAGRAPHS (i) AND (j) TO §40128, DIVISION 4, CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THEIR ZONING AND CONSTRUCTION FORMS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

15 Section 2. Amendment. Paragraph (i) is hereby added to §40128, Division 4, Chapter  
16 40, of Title 5, Guam Code Annotated to read as follows:

17 “(i) Notwithstanding any other law, rule or regulation, all projects to be reviewed  
18 by the Guam Land Use Commission, shall include the Municipal Planning Council of the  
19 municipal district in which the project site is located, and its opinion therein expressed or by

1 resolution adopted by Municipal Planning Council, such resolution shall be forwarded to the  
2 Guam Land Use Commission.”

3 **Section 3. Amendment to Guam Land Use Commission (GLUC) Forms.** The  
4 Director of the Department of Land Management, serving as the Executive Secretary of the  
5 Commission, shall inform the Chairman and members of the Guam Land Use Commission, meet and  
6 amend the forms to provide for a written portion or section indicating the Mayor’s review,  
7 expression and or position on the matter.