

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

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Ward

Bill No. 218-33 (over)

Introduced by:

T.A. Morrison *T.A.M.*

AN ACT TO ADD A NEW § 40128(j) TO, AND TO AMEND 40128(f) OF, ARTICLE 1, CHAPTER 40, DIVISION 4, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE PARTICIPATION OF MUNICIPAL PLANNING COUNCILS OF SOUTHERN VILLAGES IN THE REVIEW AND APPROVAL PROCESS FOR PROPOSED COMMERCIAL DEVELOPMENTS.

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

2 **Section 1.** A new § 40128(j) is hereby *added* to Article 1, Chapter 40,
3 Division 4, Title 5, Guam Code Annotated, to read:

4 “(j) The Municipal Planning Councils for the Municipalities of Piti,
5 Santa Rita, Agat, Umatac, Merizo, Inarajan, Talofof, and Yona shall review
6 and express its approval or disapproval on proposed hotels and similar large-
7 scale commercial developments requiring the review and consent of the
8 Guam Land Use Commission; and, on all applications for Guam’s
9 Qualifying Certificate programs and other special investment incentives
10 authorized by law. The Municipal Planning Councils shall exercise due
11 diligence by informing, and seeking input from, their respective
12 communities regarding commercial development proposals.”

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

3 “(f) Review and express ~~a view~~ its approval or disapproval on all
4 variance applications, zone changes, and government leases involving land
5 within their districts, pursuant to §§ 61623, 61638, and 60115 of Title 21,
6 Guam Code Annotated. The Municipal Planning Councils shall exercise due
7 diligence by informing, and seeking input from, their respective
8 communities regarding such variance applications, zone changes, and
9 government leases involving land within their districts.”

10
11 **Section 3. Severability.** *If* any provision of this Act or the application to
12 any person or circumstance is found to be invalid or contrary to law, such
13 invalidity *shall not* affect other provisions or applications of this Act which can be
14 given effect without the invalid provision or application, and to this end the
15 provisions of this Act are severable.