

*Handwritten mark*



**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

January 5, 2012

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

31-11-1219  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 1/5/12  
Time \_\_\_\_\_  
Received by *[Signature]*

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 253-31 (COR), "AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A "LAND ZONING CONSIDERATION REPORT" FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION", which I signed into law on January 4, 2012 as **Public Law 31-157**.

*Senseramente,*

*[Signature]*  
**EDDIE BAZA CALVO**

Attachment: copy of Bill

2012 JAN -5 PM 4: 27A

1219

**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 Substitute Bill No. 253-31 (COR), "AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A "LAND ZONING CONSIDERATION REPORT" FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION", was on the 22<sup>nd</sup> day of December, 2011, duly and regularly passed.



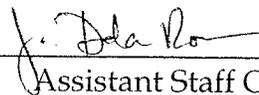
Judith T. Won Pat, Ed.D.  
Speaker

Attested:

  
\_\_\_\_\_  
Tina Rose Muña Barnes  
Legislative Secretary

-----

This Act was received by *I Maga'lahaen Guåhan* this 23<sup>rd</sup> day of Dec., 2011, at 10:35 o'clock A.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

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

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

JAN 04 2012

Public Law No. 31-157

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

**Bill No. 253-31 (COR)**

As substituted by the Committee on Rules;  
and amended on the Floor.

Introduced by:

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

**AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE  
2, GUAM CODE ANNOTATED, RELATIVE TO  
REQUIRING A “LAND ZONING CONSIDERATION  
REPORT” FROM THE DEPARTMENT OF LAND  
MANAGEMENT FOR ANY ZONING LEGISLATION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that it is the final authority for designating the zoning for all real property on  
4 Guam. When a bill to establish a particular zoning designation comes before the  
5 Body for debate and approval, the zoning designation request may not have

1 undergone the same degree of scrutiny as if it had gone through the process of  
2 review conducted by the Guam Land Use Commission.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to require that each bill  
4 seeking to designate a particular zoning for any real property be accompanied by a  
5 “Land Zoning Consideration Report” prepared by the Department of Land  
6 Management, reflecting the recommendations of the Department’s Land Planning  
7 Division, in the same manner as it would do so for the Guam Land Use  
8 Commission. This “Land Zoning Consideration Report” *shall* also reflect the  
9 recommendations of the Department’s Application Review Committee if the  
10 proposed zoning of property in question is greater than an R-2 designation zone.  
11 This report *shall* be requested from the Department of Land Management by the  
12 Legislative Standing Committee on Lands, and *shall* be appended to the  
13 committee report on the bill prior to the bill’s placement on the session agenda.

14 **Section 2.** A new §2110 is *added* to Chapter 2, Title 2, Guam Code  
15 Annotated, to read:

16 **“§ 2110. “Land Zoning Consideration Reports” Required for**  
17 **Land Zoning Legislation.** Any bill that seeks to designate a particular  
18 zoning for any real property *shall not* be placed on a legislative session  
19 agenda *until* a “Land Zoning Consideration Report” has been issued by the  
20 Department of Land Management

21 The non-submission of a “Land Zoning Consideration Report” to the  
22 appropriate Legislative Standing Committee *shall not* preclude the Standing  
23 Committee from publicly hearing any bill, as provided in Subsection (c),  
24 *infra*.

25 (a) Preparation of “Land Zoning Consideration Report.” A  
26 “Land Zoning Consideration Report” *shall* be prepared by the

1 Director of the Department of Land Management, the Department's  
2 Land Planning Division and, if the proposed zoning of property in  
3 question is greater than an R-2 designation zone, the head of the  
4 Department's Application Review Committee. The Report *shall* be  
5 prepared in consultation with other permitting governmental  
6 departments and agencies, and the property owner, as deemed  
7 necessary by the Department.

8 (b) Contents of "Land Zoning Consideration Report." A  
9 "Land Zoning Consideration Report" prepared in accordance with  
10 this Section *shall* include:

11 (1) the recommendation of the Land Planning  
12 Division;

13 (2) if applicable, the recommendation of the  
14 Application Review Committee;

15 (3) a map of the subject property;

16 (4) a contact listing for the surrounding property  
17 owners, for the purposes of notifying surrounding property  
18 owners of any public hearings or other public discussions to be  
19 held in regards to the zoning designation request;

20 (5) evidence of any consultation made, at the  
21 discretion of the Department, with other permitting  
22 governmental departments and agencies, and the property  
23 owner, in consideration and review of the requested zoning  
24 designation; and the outcome of any such consultation; and

1                   (6) input from the Municipal Planning Council of  
2 each municipal district to be affected by a proposed zone  
3 change.

4                   (c) Timely Response for Submission of “Land Zoning  
5 Consideration Report” or Waiver Granted. The Department of Land  
6 Management *shall* provide to the requesting Standing Committee, the  
7 “Land Zoning Consideration Report” *no later than* forty-five (45)  
8 calendar days from receipt of the request for the report.

9                   Other governmental departments and agencies or property  
10 owners consulted by the Department *shall* provide their response to  
11 any inquiries made by the Department with regard to the preparation  
12 of a “Land Zoning Consideration Report” *no later than* thirty (30)  
13 calendar days from the date of receipt of such inquiry.

14                   Should the Department need an extension for preparing the  
15 report, the Department *shall* notify, in writing with justification, the  
16 Chairperson of the requesting Standing Committee, who *shall* grant  
17 the Department an extension for *up to* fifteen (15) calendar days.  
18 Such notice *must* be received by the Chairperson of the requesting  
19 Standing Committee *prior* to the last day of the original forty-five  
20 (45) day timeframe granted.

21                   Should the Department fail to meet the deadlines imposed in  
22 this Section, the requirements stipulated in this Section for the “Land  
23 Zoning Consideration Report” *shall* be waived. This waiver *does not*  
24 prohibit the Department from issuing a report at any time past their  
25 deadline.

1           (d) Inclusion in Committee Report Required. The “Land  
2 Zoning Consideration Report” *shall* be made a part of the Committee  
3 Report of the Standing Committee reporting the bill out of Committee  
4 for consideration by *I Liheslatura* (the Legislature); and *shall*  
5 accompany the bill throughout its course of discussion, from public  
6 consideration, to Floor debate, and through passage, if applicable.

7           (e) Revision of “Land Zoning Consideration Report”. In the  
8 event that a zoning bill is amended or substituted while in Committee  
9 for which a “Land Zoning Consideration Report” had been previously  
10 obtained, and for which the change will have an additional impact  
11 from that reported on the previously obtained report, the Standing  
12 Committee with jurisdiction over the zoning bill *shall* obtain a  
13 “Revised Land Zoning Consideration Report” following the same  
14 process outlined in this Section, *except* that the Department of Land  
15 Management *shall* submit the “Revised Land Zoning Consideration  
16 Report” *no later than* thirty (30) calendar days from the date of  
17 receipt of the request for the revised report.”

6

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 12/22/11

## VOTING SHEET

SBill No. 253-31(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
0
0
0

CERTIFIED TRUE AND CORRECT:

  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

### MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

**AUG 10 2011**

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

*I Mina'trentai Unu na Liheslaturan Guåhan*  
155 Hesler Place  
Hagåtña, Guam 96910

**RE: Committee Report on Bill No. 253-31 (COR) As Substituted**

*Hafa Adai* Speaker Won Pat:

The Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human and Natural Resources hereby reports out its findings and recommendations on **Substitute Bill No. 253-31 (COR) - "AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A "LAND ZONING CONSIDERATION REPORT" FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION."**

Committee votes are as follows:

<u>  6  </u>	TO DO PASS
<u>  0  </u>	TO NOT PASS
<u>  0  </u>	TO REPORT OUT ONLY
<u>  0  </u>	TO ABSTAIN
<u>  0  </u>	TO PLACE IN INACTIVE FILE

Very Truly Yours,

  
**Rory J. Respicio**

2011 AUG 10 11 09 AM  
WPM



## COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

MAJORITY  
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vicente c. pangelinan

MINORITY  
MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

## COMMITTEE REPORT ON BILL NO. 253-31 (COR) AS SUBSTITUTED BY THE COMMITTEE ON RULES

**“AN ACT TO ADD A NEW § 2110 TO  
CHAPTER 2, TITLE 2, GUAM CODE  
ANNOTATED, RELATIVE TO  
REQUIRING A “LAND ZONING  
CONSIDERATION REPORT” FROM  
THE DEPARTMENT OF LAND  
MANAGEMENT FOR ANY ZONING  
LEGISLATION.”**



# COMMITTEE ON RULES

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ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

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Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
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ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

August 09, 2011

**MEMORANDUM**

**To:** All Members  
Committee on Rules

**From:** Senator Rory J. Respicio 

**Subject:** Committee Report on  
Bill No. 253-31 (COR) As Substituted

Transmitted herewith for your review and consideration is the Committee Report on **Substitute Bill No. 253-31 (COR) - "AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A "LAND ZONING CONSIDERATION REPORT" FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION."**

This report includes the following supporting documents:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 253-31 (COR) As Substituted
- Bill No. 253-31(COR)
- Public Hearing Sign-in Sheet
- Written Testimony(ies) Submitted
- Referral of Bill No. 253-31(COR)
- Fiscal Note for Bill No. 253-31(COR)
- Public Hearing Notices
- 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 me.

*Si Yu'os Ma'åse!*



# COMMITTEE ON RULES

*I Minãtrentai Unu na Libeslaturan Guåhan* • 31<sup>st</sup> Guam Legislature

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## COMMITTEE VOTE SHEET

**Substitute Bill No. 253-31 (COR) – “AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A “LAND ZONING CONSIDERATION REPORT” FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.”**

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson		 8/9/11				
Senator Judith P. Guthertz Vice-Chairperson		 8/9/11				
Speaker Judith T. Won Pat, Ed.D. Member		 8/10/11				
Vice-Speaker Benjamin J.F. Cruz Member		 8/10/11				
Legislative Secretary Tina Rose Muña Barnes Member		 8/9/11				
Senator Thomas C. Ada Member						
Senator vicente c. pangelinan Member						
Senator Dennis G. Rodriguez, JR. Member						
Senator Adolpho B. Palacios Member						
Senator Aline A. Yamashita, Ph.D. Member						
Senator Christopher M. Duenas Member		 8/10/11				



## COMMITTEE ON RULES

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### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

##### Introduction and Committee Referral

BILL NO. 253-31 (COR) – “AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION,” was introduced by Senator Chris Duenas on June 28, 2011; and was subsequently referred to the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human and Natural Resources on June 29, 2011.

##### Scheduled for Public Hearing

Senator Rory J. Respicio, Chairperson of the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human and Natural Resources convened a public hearing on Thursday, July 7, 2011 at 9:00 AM in the Legislature’s Public Hearing Room. Among the items on the day’s agenda was the consideration of Bill No. 253-31 (COR).

##### Public Notice Requirements

In accordance with the Open Government Law, notices were disseminated to all senators and to all main media broadcasting outlets on June 29, 2011 and July 5, 2011. Individual notices were also issued to the Department of Labor and the Department of Administration.

##### Committee Members/Senators Present at Hearing

Senator Rory J. Respicio, Chairperson  
Senator Judith P. Guthertz, Vice-Chairperson  
Speaker Judith T. Won Pat, Ed.D., Member  
Senator Thomas C. Ada, Member  
Senator Adolpho B. Palacios, Sr., Member  
Senator Christopher M. Duenas, Member  
Senator Aline A. Yamashita, Ph.D, Member  
Senator V. Anthony “Tony” Ada

## II. SUMMARY OF TESTIMONY & DISCUSSION

**Senator Respicio** called the hearing to order at 9:03 AM, announced the title of Bill 253, explained the justification for the referral of the bill to the Rules Committee and then deferred to bill sponsor Senator Chris Duenas for opening remarks on the bill.

**Senator Duenas** explained that he drafted the bill after several concerns were brought to his attention during the year and a half that he was the director of the Department of Land Management. A number of constituents, to include the Mayor's Council, have experienced instances of zoning that have impeded on their opportunity from time to time. He saw fit that they might want a report from Land Management.

**Senator Respicio** then opened the floor for testimony and recognized President of the Mayors' Council of Guam, Dededo Mayor Melissa Savares, along with Piti Mayor Vicente "Ben" Gumataotao.

**Mayor Savares** appeared before the Committee in support of the bill, but expressed the concerns of the mayors with spot zoning. She provided the Committee with a brief explanation as to the different parts of the zoning process, or different processes in place, when it comes to re-zoning, including what the Department of Land Management (DLM) does. She explains that when a process bypasses DLM, there is increased concern regarding stress on the infrastructure in the neighborhood.

This issue tied into her next concern, which dealt with outreach. When zoning follows the traditional route, through the Guam Land Use Commission, DLM notifies all of the surrounding property owners via certified mail. With zoning legislation, however, many times the information on re-zoning is published in the newspaper or announced on the radio or on TV, but people claim that they don't read the newspaper or don't listen to the radio or watch TV. So she would like to see a requirement for all of the surrounding property owners to be notified.

**Senator Respicio** suggests that this outreach component can be incorporated into the language such that DLM would provide the listing of all the surrounding property owners and the Legislative Committee would be required to notify each owner.

**Mayor Gumatao** also appeared before the Committee to express his support of the bill. He is in favor of the Legislature being able to help with zoning issues because it makes it a lot easier for the people of Guam.

**Senator Duenas** clarified that the bill does not change the public hearing process, it just requires a report on the zoning bill to support the legislation. The summary zone changes do not change in terms of the Director's authority at the Department of Land Management. The key is that the reports to be required would give the Legislature more information when considering and deciding on zoning bills.

**Senator Respicio** added that recent legislation enhanced outreach in the form of requiring the posting of 4x8 notices/signs on the property to be rezoned. If this Legislature is going to enhance the rezoning process from this end, maybe this signage requirement is something the Legislature could do too.

**Senator Guthertz** asked about the zoning process in general and questioned whether the Legislature has to be involved at all. Her belief was that the bill creates another Land Use Commission within the Legislature, and she is concerned as to whether senators should re-zone property at all. She posted the questions, "Is that the responsibility of the Legislature?" and "If the GLUC was operating the way it was designed to, do you think the Legislature should be involved in this process?"

**Senator Duenas** explained that the issues he found while serving on the GLUC was making quorum and only meeting a twice every month. Because of the trouble with making quorum, there had been times when up to three months would pass and the Commission wouldn't be able to meet.

**Senator Duenas** also found Senator Guthertz' opinion interesting, because his original draft of this bill would remove the Legislature from the zoning process, but at least six other senators didn't believe that the Legislature should be stripped of that authority.

**Mayor Savares** explained that when it comes time for the village public hearings, a handful of residents, or representatives for a resident, will show up; and don't typically last very long.

**Senator Guthertz** added that she also attended several meetings, and was concerned that sometimes there is no one taking minutes. Land Management

didn't even at least have the meetings recorded if they couldn't have a secretary there to take minutes.

**Mayor Savares** expressed her belief that, at least as far as her constituents are concerned, the people look up to the Legislature to resolve their issues. Culturally, the people believe the Legislature is a resource to address their grievances.

**Senator Guthertz** is glad that the community believes that the senators have a role to play when it comes to making tough decisions, but maybe if the senators at least restricted themselves to residential re-zoning, then that might be reasonable.

**Mayor Savares** added that each village has a municipal planning council, and a resolution from each one should be attached before they can approve the request.

**Mayor Gumataotao** said that the bottom line is that the Legislature is saving the mayors' time, and what he needs more of, is time.

**Senator Tom Ada** expressed his concern about Section 2 in the bill, regarding the timing of the report. He recommends that the report should be required prior to the public hearing because during the public hearing is when members have a chance to cross-examine the Department of Land Management as to why they are making the certain recommendations that will be in the report.

Secondly, he expressed his concern with Section 2(b) of the bill, requiring an analysis with an explanation of methodology of the Committee, should it choose to adopt a different recommendation than that indicated in the report by DLM.

Lastly, he thinks that the bill strengthens the Legislative process on these types of bills.

**Senator Palacios** agreed, adding that he wants to retain his power as an elected official. The senators are the lawmakers, not the Department, he says. He would not like for their power to be diluted for the sake of slot zoning.

**Senator Yamashita** expressed her support of the bill because of the effect it will have in better facilitating "customer service," but also concerned with whether or not this shines light on the need for a certain function within our government needing review, namely the zoning process/function. She does believe, though,

that the Legislature does need assistance by the people who are the experts in this field.

**Senator Respicio** recapped that the bill should be amended and that the Legislature should be subjected to the same requirements that the TLUC goes through to inform residents of the property that is to be rezoned. The Committee on Lands Chairman really goes above and beyond in notifying the public. Also suggests that if Land Management doesn't respond, the Legislature can still act. Like in the case of fiscal notes being required, BBMR has 14 days to respond and if they don't respond then a waiver is authorized.

**Mr. Jose Garrido**, a Dededo resident, wanted to speak on the bill because he has the experience of being an employee of the Department and is a member of the Application Review Committee. It is very important that whoever it is to approve a rezone to please consult the development requirements of Guam, which is a brief description of what rezoning means or conditional use, and what are the criteria of permitted development under that particular zone. Summary zone changes are those minor things that the Director may approve but still requires a position statement from each of the ARC members. Does not believe that the zone change of a 400-acre property should not be subject to Legislative approval. Recommended that the Legislature may rezone but develop a criteria as to the size of the property and the type of development on that property that the Legislature may approve. What is the effect of a Legislative rezoning on the ARC and Guam Land Use Commission authority as per the law that created them because there might be some conflict in regards to rezoning by legislation and rezoning by application to the Guam Land Use Commission. Sometimes in a rezoning, there is a need to know why someone is rezoning. Wanted to bring up that there is a proposed hospital for Route 3, and believes that there is such a thing as a hospital zone.

**Senator Duenas** responded that the hospital to be built fell under Puntan Dos Amantes or Two Lover's Point.

**Mr. Garrido** wants to see it as a "hospital zone" because it implies restrictions in the adjoining property, that way the surrounding development can't contaminate the hospital. He then thanked the Chairman and the Senators for allowing him to testify.

**Senator Duenas** thanked Mr. Garrido and acknowledged that the bill will have to go back and a lot of work will have to be done on it. He thinks that looking at agriculture zone to R-2 at one level can be accommodated, while anything above

that will have to go through the whole ARC process. Bearing the expenses, it should be the same requirement and process of applying to Land Management and all fees should be processed to Land Management and those are points that will be worked on in Committee.

**Senator Respicio** thanked the individuals for their testimony. There being no further discussion, **Senator Respicio adjourned the public hearing at approximately 9:50 AM.**

### III. FINDINGS & RECOMMENDATIONS

In response to the suggestions presented during the public hearing and submitted by the Department of Land Management, Bill 253 was revamped to reflect a similar statutory structure as the statute requiring fiscal notes on all legislation. The findings and intent were clarified, but the original intent of the legislation was kept intact.

The “report” required was given a name, “Land Zoning Consideration Report” (LZCR). The statutory requirements were structured in such a way that an LZCR would be requested by the Legislative Lands Committee (or Standing Committee with jurisdiction over the zoning bill), and is required to be provided by the Department of Land Management prior to holding a public hearing on a zoning bill, or reporting the bill out of committee, or placing the bill on a a Session agenda.

The substitute version of Bill 253 reflects clear language to address the preparation, contents, timeframe for submittal, committee report inclusion requirement, and revisions of Land Zoning Consideration Reports.

Therefore, the Committee on Rules hereby reports out **Substitute Bill No. 253-31 (COR) - “AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A “LAND ZONING CONSIDERATION REPORT” FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION”,** with the recommendation to TO PASS.

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) REGULAR SESSION

**Bill No. 253-31(COR)**

As Substituted by the Committee on Rules.

Introduced by:

Chris Duenas  
J.T. Won Pat, Ed.D.

---

**AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A "LAND ZONING CONSIDERATION REPORT" FROM THE DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that it is  
3 the final authority for designating the zoning for all real property on Guam. When a bill to  
4 establish a particular zoning designation comes before the Body for debate and approval,  
5 the zoning designation request may not have undergone the same degree of scrutiny as if it  
6 had gone through the process of review conducted by the Guam Land Use Commission.

7           Therefore, it is the intent of *I Liheslaturan Guåhan* to require that each bill seeking to  
8 designate a particular zoning for any real property be accompanied by a "Land Zoning  
9 Consideration Report" prepared by the Department of Land Management, reflecting the  
10 recommendations of the Department's Land Planning Division, in the same manner as it  
11 would do so for the Guam Land Use Commission. This "Land Zoning Consideration  
12 Report" shall also reflect the recommendations of the Department's Application Review  
13 Committee if the proposed zoning of property in question is greater than an R-2  
14 designation zone. This report shall be requested by the Legislative Committee on Lands

1 from the Department of Land Management; and shall be appended to the committee report  
2 on the bill prior to the bill's placement on the session agenda.

3 **Section 2.** A new § 2110 is *added* to Title 2 Guam Code Annotated, Chapter 2, to  
4 read:

5 **“§ 2110. “Land Zoning Consideration Reports” Required for Land Zoning**  
6 **Legislation.** Any bill that seeks to designate a particular zoning for any real property, shall  
7 *not* be publicly heard, reported out by a Standing Committee of *I Liheslaturan Guåhan*, or  
8 placed on a legislative session agenda, *unless* a “Land Zoning Consideration Report” has  
9 been issued by the Department of Land Management, upon the request of the Legislative  
10 Standing Committee with jurisdiction over the bill.

11 Failure of the Department to provide a “Land Zoning Consideration Report” to the  
12 appropriate Legislative Standing Committee, shall *not* preclude the Standing Committee  
13 from publicly hearing or reporting out of Committee any bill, as provided in subsection (c),  
14 *infra*.

15 **(a) Preparation of “Land Zoning Consideration Report.”** A “Land Zoning  
16 Consideration Report” shall be prepared by the Director of the Department of Land  
17 Management, the head of the Department's Land Planning Division and, if the proposed  
18 zoning of property in question is greater than an R-2 designation zone, the head of the  
19 Department's Application Review Committee. The Report shall be prepared in  
20 consultation with other permitting governmental departments and agencies, and the  
21 property owner, as deemed necessary by the Department.

22 **(b) Contents of “Land Zoning Consideration Report.”** A “Land Zoning  
23 Consideration Report” prepared in accordance with this Section shall include:

24 **(1)** The recommendation of the Land Planning Division; and

1           (2) If applicable, the recommendation of the Application Review  
2 Committee; and

3           (3) A map of the subject property; and

4           (4) A contact listing for the surrounding property owners, for the  
5 purposes of notifying surrounding property owners of any public hearings or other  
6 public discussions to be held in regards to the zoning designation request; and

7           (5) Evidence of any consultation, made, at the discretion of the  
8 Department, with other permitting governmental departments and agencies, and  
9 the property owner, in consideration and review of the requested zoning  
10 designation; and the outcome of any such consultation.

11       **(c) Timely Response for Submission of “Land Zoning Consideration Report”**  
12 **or Waiver Granted.** The Department of Land Management shall provide to the requesting  
13 Standing Committee, the “Land Zoning Consideration Report” no later than forty-five (45)  
14 calendar days from receipt of the request for the report.

15       Other governmental departments and agencies or property owners consulted by the  
16 Department shall provide their response to any inquiries made by the Department with  
17 regard to the preparation of a “Land Zoning Consideration Report” no later than thirty (30)  
18 calendar days from the date of receipt of such inquiry.

19       Should the Department need an extension for preparing the report, the Department  
20 *shall* notify, in writing with justification, the Chairperson of the requesting Standing  
21 Committee, who shall grant the Department an extension for up to fifteen (15) calendar  
22 days. Such notice *must* be received by the Chairperson of the requesting Standing  
23 Committee *prior* to the last day of the original forty-five (45) day timeframe granted.

24       Should the Department fail to meet the deadlines imposed in this Section, the  
25 requirements stipulated in this Section for the “Land Zoning Consideration Report” *shall* be

1 waived. This waiver does not prohibit the Department from issuing a report at any time  
2 past their deadline.

3 **(d) Inclusion in Committee Report Required.** The “Land Zoning Consideration  
4 Report” shall be made a part of the Committee Report of the Standing Committee reporting  
5 the bill out of Committee for consideration by the Legislature; and shall accompany the bill  
6 throughout its course of discussion, from public consideration, to Floor debate, and  
7 through passage, if applicable.

8 **(e) Revision of “Land Zoning Consideration Report”.** In the event that a  
9 zoning bill is amended or substituted while in Committee for which a “Land Zoning  
10 Consideration Report” had been previously obtained, and for which the change will have  
11 an additional impact from that reported on the previously obtained report, the Standing  
12 Committee with jurisdiction over the zoning bill *shall* obtain a “Revised Land Zoning  
13 Consideration Report” following the same process outlined in this Section, except for that  
14 the Department of Land Management *shall* submit the “Revised Land Zoning  
15 Consideration Report” no later than thirty (30) calendar days from the date of receipt of the  
16 request for the revised report.”

-0-

*I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2011 (FIRST) REGULAR SESSION

Bill No. 253-31 (COR)

Introduced by:

Chris Duenas *CD*  
J.T. Won Pat, Ed.D. *JTW*

2011 JUN 28 PM 1:49

AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM  
CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT  
FROM THE LAND PLANNING DIVISION, DEPARTMENT OF  
LAND MANAGEMENT FOR ANY ZONING LEGISLATION.

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

2           **Section 1.       Legislative Intent.** *I Liheslaturan Guåhan* is the final authority for designating the  
3 zoning for all real property on Guam. When a bill to establish a particular zoning designation comes before  
4 the body for its debate and approval, it may not have undergone the same degree of scrutiny as if it had gone  
5 through the process of review conducted by the Guam Land Use Commission. Therefore, it is the intent of  
6 this legislation to require that each bill seeking to designate a particular zoning for any real property be  
7 accompanied by a report prepared by the Land Planning Division in the same manner as it would do so for the  
8 Guam Land Use Commission. This report shall be requested by the Committee on Rules from the Department  
9 of Land Management in the same manner as it requests for fiscal notes from the Bureau of Budget and  
10 Management Research. The report shall be appended to the bill's committee report *prior* to the bill's  
11 placement on the session agenda.

12           **Section 2.       A new § 2110 is added to Chapter 2, Title 2, Guam Code Annotated to read:**

13           “§ 2110   **Legislative Zoning bills.** (a) Upon the introduction of each bill that seeks to designate a  
14 particular zoning for any real property, the Committee on Rules *shall* request from the Department of Land  
15 Management a report that contains its recommendation(s) on the zoning request contained in the bill and a  
16 map of the subject property.

17           (b) The legislative committee to which the bill was referred *shall* append to its committee report the  
18 Department of Land Management's recommendation on the zoning designation being sought. *If* the  
19 committee chooses to recommend a different zoning designation, it *shall* provide an analysis of why it is  
20 doing so and the methodology used to support its recommendation. This analysis *shall* be contained in the  
21 bill's committee report.”

**Public Hearing  
Sign-in Sheet(s)  
for Bill No. 253-31 (COR)**



**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**



**CHAIRPERSON**  
 COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
 AFFAIRS; AND HUMAN & NATURAL RESOURCES

*I Mind'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**PUBLIC HEARING SIGN-IN SHEET**  
 Thursday, July 7, 2011-9:00 AM  
*I Liheslatura* • Public Hearing Room • Hagåtña, Guam

**Bill No. 253-31 (COR)** – C. Duenas – “An act to add a new § 2110 to Chapter 2, Title 2, Guam Code Annotated, relative to requiring a report from the Land Planning Division, Department of Land Management for any zoning legislation”

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
<i>John A. Garza</i>	<i>Guam Citizens</i>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<i>632-7968</i>	

**Written Testimonies**  
**Submitted on**  
**Bill No. 253-31 (COR)**



**DIPATTAMENTON MINANEHAN TANO'**  
(Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
(Government of Guam)



EDDIE BAZA CALVO  
Governor

CARLOS R. UNTALAN  
Acting Director

RAY TENORIO  
Lieutenant Governor

Street Address:  
590 S. Marine Corps Drive  
Suite 733 ITC Building  
Tamuning, GU 96913

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

Website:  
<http://dlm.guam.gov>

E-mail Address:  
[dldir@dlm.guam.gov](mailto:dldir@dlm.guam.gov)

Telephone:  
671-649-LAND (5263)

Facsimile:  
671-649-5383

July 6, 2011

Honorable Senator Christopher M. Duenas  
Suite 701A, DNA Building  
238 ArcheBishop Flores St.  
Hagåtña, Guam 96910

SUBJECT: Comment on Bill 253-31 (COR) - **AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.**

Bueñas Yan Hafa Adai!

We are supportive in providing input to any zoning or rezoning action submitted to the Guam Legislature for its review and decision however, the requirement to submit a "Report" to the Committee on Rules, we foresee, will be an additional burden to the Division of Land Planning. Nonetheless, we submit our recommendations as follows:

**1<sup>st</sup>** – The "Report" being considered which is to be pattern after the same "Staff report" format that is submitted to the Guam Land Use Commission implies detailed research, input from other permitting governmental departments and agencies, that must be analytically scrutinized and integrated into the final report. Our research, information gathering and analysis required typically spans about 60-days prior to submitting to the Commission.

As can be realized, if the "Report" content is to take into account an excellent comparative analysis, then permitting government departments and agencies such as Guam Water Works Authority, Guam Power Authority, Department of Public Works, Guam Environmental Protection Agency, Department of Agriculture, Department of Parks and Recreation, Historic Preservation, Bureau of Statistics and Plans, must be included and required to submit its agency position to the Department of Land Management. Moreover, a time period for their position submittal must be identified, e.g., within 30-days, 45-days, etc. Included in this information and data gathering is coordination with the property owner as well as conducting a site inspection of the property.



Continuation of Letter

RE: Comment on Bill 253-31 (COR)

July 6, 2011

Page 2 of 2 Comment on Bill 253-31 (COR)

This implies that the Bill should not be schedule for a public hearing until the Department's "Report" has been received by the Committee on Rules.

2<sup>nd</sup> – The Division has and continues to submit its comments under the current procedure. While it is not as in depth as the report submitted before the Commission, nonetheless, the analysis performed and the recommendations provided is reasonably adequate.

We recommend that if Bill 253-31 is to be passed, that the "Report" required of the Department will then be the single document submittal to the legislature; and that the current procedure for this Department to submit its comments will not be necessary.

I can be reached at 649-5263 extensions 311 or 612, should you have additional questions or need further clarification,

Senseramente,



Carlos R. Untalan

Acting Director, Department of Land Management

Cc: Chairman, GLUC

**Fiscal Note Waiver on  
Bill No. 253-31 (COR)**

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORRAY TENORIO  
LIEUTENANT GOVERNOR

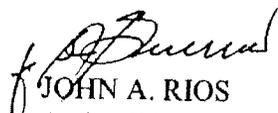
JUL 18 2011

BENITA A. MANGLONA  
DIRECTORSTEPHEN J. GUERRERO  
DEPUTY DIRECTOR

The Bureau requests that Bill No. 253-31 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill is administrative in nature and intends to add a new Section 2110, to Chapter 2, Title 2 Guam Code Annotated relative to requiring a report from the Department of Land Management (DLM) for any zoning legislation. This report shall be requested by the Committee on Rules from the DLM in the same manner as it requests for fiscal notes from the Bureau of Budget and Management Research and be appended for the bill's committee report prior to the bill's placement on the session agenda.

The passage of this Bill would not have a financial impact on the Government of Guam.

  
JOHN A. RIOS  
Acting Director

**Referral of  
Bill No. 253-31 (COR)**



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011 JUN 29  
MJJ  
AM 11:45

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

Speaker  
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Vice Speaker  
Benjamin J. F. Cruz

Senator  
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LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Ducnas

June 29, 2011

**MEMORANDUM**

**To:** Pat Santos  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** Senator Judith P. Guthertz, DPA  
*Acting Chairperson, Committee on Rules*

MJJ

**Subject:** Referral of Bill No. 253-31 (COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 253-31 (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 Unu na Liheslaturan Guåhan*.

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

*Si Yu'os Ma'åse!*

(1) Attachment

*I Mina Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**June 28, 2011**

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?
253-31 (COR)	C. M. Duenas, J. T. Won Pat, Ed.D.	AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.	06/28/11 1:49 p.m.	2/29/11		Committee on Rules, Federal Foreign & Micronesia Affairs and Human & Natural Resources			

**Public Hearing  
Notices & Agenda  
for Bill No. 253-31 (COR)**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES

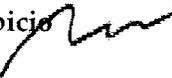


*I Mina'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

June 29, 2011

**MEMORANDUM**

**To: All Members**  
Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources

**From: Senator Rory J. Respicio** 

**Subject: First Notice of Public Hearing – Thursday, July 7, 2011, 9:00 A.M.**

*Håfa Adai!* Please be advised that I will be conducting a **public hearing on Thursday, July 7, 2011, beginning at 9:00 A.M.**, in the Public Hearing Room to receive testimony on the following items:

- **BILL NO. 154-31 (COR)** – J.P. GUTHERTZ, DPA – AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.
- **BILL NO. 193-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW §44115 TO CHAPTER 44 OF TITLE 22, GUAM CODE ANNOTATED, ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS SEEKING CAREERS IN THE CONSTRUCTION TRADES; PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND, CITING THIS ACT AS THE “BUILDING GUAM’S TRADES SCHOLARSHIP PROGRAM.”
- **BILL NO. 244-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITME (I) TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DISCLOSURE OF AN EMPLOYER’S NAME, ADDRESS AND TELEPHONE NUMBER IN ADVERTISEMENTS OF JOB OPPORTUNITIES REQUIRED FOR CERTIFICATE OF TEMPORARY ALIEN LABOR.

**Memo to Committee**

**Re: Public Hearing – Thu, Jul 7, 2011, 9:00 AM**

**June 29, 2011**

**Page 2**

- **BILL NO. 245-31 (COR)** – B.J.F. CRUZ –AN ACT TO ADD A NEW ITEM TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING NON-IMMIGRANT TEMPORARY WORKERS TO PARTICIPATE IN THE RECRUITMENT AND SELECTION OF PERSONNEL OR THE PROCESSING OF APPLICATIONS FOR TEMPORARY ALIEN LABOR CERTIFICATION.
- **BILL NO. 246-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM (Q) TO §1106 OF ARTICLE 1 OF CHAPTER 1 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DIRECTOR OF LABOR TO POST JOB OPPORTUNITIES AT MAYORS' OFFICES.
- **BILL NO. 253-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.
- **BILL NO. 254-31 (COR)** – R.J. RESPICIO – AN ACT TO ADD A NEW SUBITEM (J) TO §9104 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING ADMINISTRATIVE LEAVE FOR INJURED INDIVIDUALS CERTIFIED BY THE WORKER'S COMPENSATION PROGRAM.

Written testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hagåtña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: All Senators  
Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Elaine Tajalle <etajalle@guamlegislature.org>

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## 1st Notice of PH: Thu, Jul 7, 9AM

1 message

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Senator Rory J. Respicio <cor@guamlegislature.org>

Wed, Jun 29, 2011 at 5:10 PM

To: phnotice@guamlegislature.org

Hafa Adai:

Please see attached for the first notice of the public hearing scheduled for Thursday, July 7, 2011 at 9:00 AM.

Thank you,  
Rory

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**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547



2011.06.29\_Memo to All Sens\_RE-2011.07.07 PH Notice1.pdf  
195K

Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

June 29, 2011

For Immediate Release

**First Notice of Public Hearing**  
**Thursday, July 7, 2011 – 9:00 AM**

(Hagåtña, Guam) Please be advised that the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources will be conducting a public hearing on **Thursday, July 7, 2011**, beginning at **9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following:

- **BILL NO. 154-31 (COR)** – J.P. GUTHERTZ, DPA – AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.
- **BILL NO. 193-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW §44115 TO CHAPTER 44 OF TITLE 22, GUAM CODE ANNOTATED, ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS SEEKING CAREERS IN THE CONSTRUCTION TRADES; PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND, CITING THIS ACT AS THE "BUILDING GUAM'S TRADES SCHOLARSHIP PROGRAM."
- **BILL NO. 244-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITME (I) TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DISCLOSURE OF AN EMPLOYER'S NAME, ADDRESS AND TELEPHONE NUMBER IN ADVERTISEMENTS OF JOB OPPORTUNITIES REQUIRED FOR CERTIFICATE OF TEMPORARY ALIEN LABOR.

For Immediate Release

"First Notice of Public Hearing: Thu, Jul 7, 2011, 9:00 AM"

June 29, 2011

Page 2

- **BILL NO. 245-31 (COR)** – B.J.F. CRUZ –AN ACT TO ADD A NEW ITEM TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING NON-IMMIGRANT TEMPORARY WORKERS TO PARTICIPATE IN THE RECRUITMENT AND SELECTION OF PERSONNEL OR THE PROCESSING OF APPLICATIONS FOR TEMPORARY ALIEN LABOR CERTIFICATION.
- **BILL NO. 246-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM (Q) TO §1106 OF ARTICLE 1 OF CHAPTER 1 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DIRECTOR OF LABOR TO POST JOB OPPORTUNITIES AT MAYORS' OFFICES.
- **BILL NO. 253-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.
- **BILL NO. 254-31 (COR)** – R.J. RESPICIO – AN ACT TO ADD A NEW SUBITEM (J) TO §9104 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING ADMINISTRATIVE LEAVE FOR INJURED INDIVIDUALS CERTIFIED BY THE WORKER'S COMPENSATION PROGRAM.

For copies of the above mentioned bills please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

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Rory Respicio <cor@guamlegislature.org>

## 1st Notice of PH: Thu, Jul 7, 9AM

Senator Rory J. Respicio <cor@guamlegislature.org>

Wed, Jun 29, 2011 at 5:12 PM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@pacificnewscenter.com  
Bcc: am800guam@gmail.com, info@chinesetimesguam.com, publisher@glimpsesofguam.com, managingeditor@glimpsesofguam.com, gktv23@hotmail.com, hana@guam-shinbun.com, khmg@hbcguam.net, mahoquinene@guam.net, admin@leapguam.com, richdevera@gmail.com, ajuan@kijifm104.com, koreatv@kuentos.guam.net, koreannews@guam.net, kcn.kelly@gmail.com, ksto@ite.net, kstonews@ite.net, kstokish@gmail.com, malafunkshun@kuam.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, nick.delgado@kuam.com, john@kuam.com, lannie@kuam.com, michele@kuam.com, mindy@kuam.com, joan@kuam.com, jesselujan27@yahoo.com, mabuhaynews@yahoo.com, gerry@mvguam.com, amier@mvguam.com, zita@mvguam.com, janela@mvguam.com, therese.hart.writer@gmail.com, editor@mvguam.com, gina@mvguam.com, Jennifer@mvguam.com, reporter3@glimpsesofguam.com, miseke@mvcguam.com, roly@kktb.com, rgibson@k57.com, parroyo@k57.com, tcoffman@k57.com, thebigshow@guamcell.net, monty.mcdowell@amiguam.com, norman.aguilar@guamcc.edu, cmhanson@guam.net, news@k57.com, thebigshow@k57.com, jtyquiengco@spbg Guam.com, onlyonguam@acubedink.com, dcrisost@guam.gannett.com, rlimtiaco@guampdn.com, slimtiaco@guampdn.com, egthompson@guampdn.com, gdumat-ol@guampdn.com, odngirairikl@guampdn.com, roneggers@sbcglobal.net, mwatanabe@guampdn.com, lmatthews@guampdn.com, bmkelman@guampdn.com, cmelyan@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, aalladi@guampdn.com, ylee2@guam.gannett.com, life@guampdn.com, kevin@spbg Guam.com, betsy@spbg Guam.com, carlsonc@pstripes.osd.mil, guam@pstripes.osd.mil, tritent@pstripes.osd.mil, AmrheinS@pstripes.osd.mil, FilePS&Sstorieshere@stripes.osd.mil, kai@spbg Guam.com, malainse@gmail.com, pdkprg@gmail.com, info@guamwave.com, bbautista@spbg Guam.com, pacificjournalist@gmail.com, editor@saipantribune.com, mcpherson.kathryn@abc.net.au, hill.bruce@abc.net.au, xiosormd@gmail.com, xiosormd@yahoo.com, action@weareguahan.com, admin@weareguahan.com, ricknauta@hitradio100.com, officemanager@hitradio100.com, "Rory J. Respicio" <rorjfor@guam@gmail.com>, tinaokada <tinaokada@gmail.com>, eugenemarques@gmail.com, sem@guamlegislature.org, communications@guam.gov, frankaguon23@gmail.com, oliviampalacios@gmail.com, tjaitano@cs.com, mlwheeler2000@yahoo.com, marymaravilla19@gmail.com, mspeps@hotmail.com, troy.torres@guam.gov, phillip.leonguerrero@guam.gov, phillipsguam@gmail.com

Hafa Adai:

Please see attached media release regarding the first notice of the public hearing scheduled for next Thursday, July 7, 2011 at 9:00 AM in the Legislature's Public Hearing Room.

Thank you,  
Rory

—  
**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guahan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547



Rory Respicio <cor@guamlegislature.org>

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## PH Notice-Bill 253: Thu, Jul 7, 9AM

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Senator Rory J. Respicio <cor@guamlegislature.org>

Fri, Jul 1, 2011 at 3:23 PM

To: anisia.terlaje@dlim.guam.gov, mcogadmin@teleguam.net, msavares@guamcell.net, joanne.brown@dpw.guam.gov, david.camacho@galc.guam.gov, director@cltc.guam.gov, eo@guamrealtors.com, ljprovido <ljprovido@guam-peals.org>, tlcvalezuella@yahoo.com, jpcamacho@revtax.gov.gu  
Bcc: "Rory J. Respicio" <rorifyorguam@gmail.com>, bill phillips <phillipsguam@gmail.com>, sem@guamlegislature.org, tinaokada <tinaokada@gmail.com>, hansonguam@gmail.com, Elaine Tajalle <etajalle@guamlegislature.org>

Hafa Adai, All:

The **public hearing on Bill No. 253-31 (COR)** - "AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION", has been scheduled for next **Thursday, July 7, 2011 at 9:00 AM** in the Legislature's Public Hearing Room. Attached, please find a copy of the first public notice of the hearing, as well as a copy of the agenda, both of which include information on obtaining a copy of the bill and submitting testimony, should you be interested.

Thank you,  
Rory

—  
**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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### 2 attachments

 **2011.06.29\_PR1\_PH-2011.07.07.pdf**  
226K

 **2011.07.07\_PH\_Agenda.pdf**  
360K

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Min'trentai Unu na Libeslaturan Guahan*  
**THIRTY-FIRST GUAM LEGISLATURE**

July 5, 2011

**MEMORANDUM**

**To: All Members**  
Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources

**From: Senator Rory J. Respicio** 

**Subject: Second Notice of Public Hearing – Thursday, July 7, 2011, 9:00 A.M.**

*Håfa Adai!* Please be advised that I will be conducting a **public hearing on Thursday, July 7, 2011, beginning at 9:00 A.M.**, in the Public Hearing Room to receive testimony on the following items (to be heard in the order indicated):

1. **BILL NO. 253-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.
2. **BILL NO. 193-31 (COR)** – C.M. DUENAS – AN ACT TO ADD A NEW §44115 TO CHAPTER 44 OF TITLE 22, GUAM CODE ANNOTATED, ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS SEEKING CAREERS IN THE CONSTRUCTION TRADES; PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND, CITING THIS ACT AS THE "BUILDING GUAM'S TRADES SCHOLARSHIP PROGRAM."
3. **BILL NO. 244-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITME (I) TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DISCLOSURE OF AN EMPLOYER'S NAME, ADDRESS AND TELEPHONE NUMBER IN ADVERTISEMENTS OF JOB OPPORTUNITIES REQUIRED FOR CERTIFICATE OF TEMPORARY ALIEN LABOR.

**Memo to Committee**

**Re: Public Hearing – Thu, Jul 7, 2011, 9:00 AM**

**July 5, 2011**

**Page 2**

4. **BILL NO. 245-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING NON-IMMIGRANT TEMPORARY WORKERS TO PARTICIPATE IN THE RECRUITMENT AND SELECTION OF PERSONNEL OR THE PROCESSING OF APPLICATIONS FOR TEMPORARY ALIEN LABOR CERTIFICATION.
5. **BILL NO. 246-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM (Q) TO §1106 OF ARTICLE 1 OF CHAPTER 1 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DIRECTOR OF LABOR TO POST JOB OPPORTUNITIES AT MAYORS' OFFICES.
6. **BILL NO. 254-31 (COR)** – R.J. RESPICIO – AN ACT TO ADD A NEW SUBITEM (J) TO §9104 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING ADMINISTRATIVE LEAVE FOR INJURED INDIVIDUALS CERTIFIED BY THE WORKER'S COMPENSATION PROGRAM.
7. **BILL NO. 154-31 (COR)** – J.P. GUTHERTZ, DPA – AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.

Written testimony should be addressed to Senator Rory J. Respicio, Chairperson, Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hågatña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: All Senators  
Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Elaine Tajalle <etajalle@guamlegislature.org>

## 2nd Notice of PH: Thu, Jul 7, 9AM

4 messages

Senator Rory J. Respicio <cor@guamlegislature.org>  
To: phnotice@guamlegislature.org

Tue, Jul 5, 2011 at 11:15 AM

Hafa Adai:

Please see attached for the second notice of the public hearing scheduled for Thursday, July 7, 2011 at 9:00 AM.

Thank you,  
Rory

--

**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina' Trentai Unu Na Liheslaturan Guåhan*  
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 2011.07.05\_Memo to All Sens\_RE-2011.07.07 PH Notice2.pdf  
191K

Elaine Tajalle <etajalle@guamlegislature.org>  
To: Flo Terlaje <fterlaje@guamlegislature.org>

Wed, Jul 6, 2011 at 9:12 AM

[Quoted text hidden]

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Si Yu'os ma'åse',  
Si Elaine

--  
Elaine V. Tajalle  
Administrative Officer  
Office of Senator Rory J. Respicio  
*I Mina' trentai Unu Na Liheslaturan Guåhan*  
The 31st Guam Legislature  
155 Hesler Place  
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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

July 5, 2011

For Immediate Release

**Second Notice of Public Hearing**  
**Thursday, July 7, 2011 – 9:00 AM**

(Hagåtña, Guam) Please be advised that the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources will be conducting a public hearing on **Thursday, July 7, 2011**, beginning at **9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following (to be heard in the indicated order):

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For Immediate Release

"Second Notice of Public Hearing: Thu, Jul 7, 2011, 9:00 AM"

July 5, 2011

Page 2

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7. **BILL NO. 154-31 (COR)** – J.P. GUTHERTZ, DPA – AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.

For copies of the above mentioned bills please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

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Rory Respicio <cor@guamlegislature.org>

## 2nd Notice of PH: Thu, Jul 7, 9AM

Senator Rory J. Respicio <cor@guamlegislature.org>

Tue, Jul 5, 2011 at 11:17 AM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@pacificnewscenter.com  
Bcc: am800guam@gmail.com, info@chinesetimesguam.com, publisher@glimpsesofguam.com, managingeditor@glimpsesofguam.com, gktv23@hotmail.com, hana@guam-shinbun.com, khmg@hbcguam.net, mahoquinene@guam.net, admin@leapguam.com, richdevera@gmail.com, ajuan@kijifm104.com, koreatv@kuentos.guam.net, koreannews@guam.net, kcn.kelly@gmail.com, ksto@ite.net, kstonews@ite.net, kstokish@gmail.com, malafunkshun@kuam.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, nick.delgado@kuam.com, john@kuam.com, lannie@kuam.com, michele@kuam.com, mindy@kuam.com, joan@kuam.com, jesselujan27@yahoo.com, mabuhaynews@yahoo.com, gerry@mvguam.com, amier@mvguam.com, zita@mvguam.com, janela@mvguam.com, therese.hart.writer@gmail.com, editor@mvguam.com, gina@mvguam.com, Jennifer@mvguam.com, reporter3@glimpsesofguam.com, miseke@mvcguam.com, roly@ktkb.com, rgibson@k57.com, parroyo@k57.com, tcoffman@k57.com, thebigshow@guamcell.net, monty.mcdowell@amiguam.com, norman.aguilar@guamcc.edu, cmhanson@guam.net, news@k57.com, thebigshow@k57.com, jtyquiengco@spbguam.com, onlyonguam@acubedink.com, dcrisost@guam.gannett.com, rlimtiaco@guampdn.com, slimtiaco@guampdn.com, egthompson@guampdn.com, gdumat-ol@guampdn.com, odngirairikl@guampdn.com, roneggers@sbcglobal.net, mwatanabe@guampdn.com, llmatthews@guampdn.com, bmkelman@guampdn.com, cmelyan@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, aalladi@guampdn.com, ylee2@guam.gannett.com, life@guampdn.com, kevin@spbguam.com, betsy@spbguam.com, carlsonc@pstripes.osd.mil, guam@pstripes.osd.mil, trittent@pstripes.osd.mil, AmrheinS@pstripes.osd.mil, FilePS&Sstorieshere@stripes.osd.mil, kai@spbguam.com, malainse@gmail.com, pdkprg@gmail.com, info@guamwave.com, bbautista@spbguam.com, pacificjournalist@gmail.com, editor@saipantribune.com, mcpherson.kathryn@abc.net.au, hill.bruce@abc.net.au, xiosormd@gmail.com, xiosormd@yahoo.com, action@weareguahan.com, admin@weareguahan.com, ricknauta@hitradio100.com, officemanager@hitradio100.com, "Rory J. Respicio" <rorryforguam@gmail.com>, tinaokada <tinaokada@gmail.com>, eugenemarques@gmail.com, sem@guamlegislature.org, communications@guam.gov, frankaguon23@gmail.com, oliviampalacios@gmail.com, tjtaitano@cs.com, mlwheeler2000@yahoo.com, marymaravilla19@gmail.com, mspeps@hotmail.com, troy.torres@guam.gov, phillip.leonguerrero@guam.gov, phillipsguam@gmail.com

Hafa Adai:

Please see attached media release regarding the second notice of the public hearing scheduled for this Thursday, July 7, 2011 at 9:00 AM in the Legislature's Public Hearing Room.

Thank you,  
Rory

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**Rory J. Respicio**  
Senator

Majority Leader and Chairperson  
Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547



Stephanie Mendiola <sem@guamlegislature.org>

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## Fwd: DLM Comments for Bill 253-31

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Rory J. Respicio <roryforguam@gmail.com>  
To: Stephanie Mendiola <sem@guamlegislature.org>

Thu, Jul 7, 2011 at 1:29 PM

Sent from my iPhone

Begin forwarded message:

**From:** "Myrna email" <myrna.jimenez@dml.guam.gov>  
**Date:** July 7, 2011 11:07:50 AM GMT+10:00  
**To:** <roryforguam@gmail.com>  
**Cc:** "Carlos Untalan" <carlos.untalan@dml.guam.gov>  
**Subject:** DLM Comments for Bill 253-31  
**Reply-To:** <myrna.jimenez@dml.guam.gov>

Hafa Adai Senator Respecio:

Pursuant to your request, please see the attached comments on Bill 253-31 in which we submitted to Senator Duenas for your information and disposition.

Should you have any questions, please feel free to contact Carlos Untalan, Acting Director at 649-5263 ext. 311 or 612.

Thanks,

Myma



Senator Chris Duenas - Comments on Bill 253-31.pdf

1290K

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**PUBLIC HEARING**

**Thursday, July 7, 2011 • 9:00 AM**

**Legislature's Public Hearing Room • Hagåtña, Guam**

**AGENDA**

- I. Call to Order**
- II. Announcements**
- III. Items for Public Consideration**
  - 1. BILL NO. 253-31 (COR) – C.M. DUENAS – AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT FROM THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT FOR ANY ZONING LEGISLATION.**
  - 2. BILL NO. 193-31 (COR) – C.M. DUENAS – AN ACT TO ADD A NEW §44115 TO CHAPTER 44 OF TITLE 22, GUAM CODE ANNOTATED, ESTABLISHING A SCHOLARSHIP PROGRAM FOR ECONOMICALLY-DISADVANTAGED STUDENTS SEEKING CAREERS IN THE CONSTRUCTION TRADES; PROVIDING FUNDING SOURCES FOR THE PROGRAM; AND, CITING THIS ACT AS THE "BUILDING GUAM'S TRADES SCHOLARSHIP PROGRAM."**
  - 3. BILL NO. 244-31 (COR) – B.J.F. CRUZ – AN ACT TO ADD A NEW ITME (I) TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DISCLOSURE OF AN EMPLOYER'S NAME, ADDRESS AND TELEPHONE NUMBER IN ADVERTISEMENTS OF JOB OPPORTUNITIES REQUIRED FOR CERTIFICATE OF TEMPORARY ALIEN LABOR.**

4. **BILL NO. 245-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM TO §7118.1 OF CHAPTER 7 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING NON-IMMIGRANT TEMPORARY WORKERS TO PARTICIPATE IN THE RECRUITMENT AND SELECTION OF PERSONNEL OR THE PROCESSING OF APPLICATIONS FOR TEMPORARY ALIEN LABOR CERTIFICATION.
  
5. **BILL NO. 246-31 (COR)** – B.J.F. CRUZ – AN ACT TO ADD A NEW ITEM (Q) TO §1106 OF ARTICLE 1 OF CHAPTER 1 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO REQUIRING THE DIRECTOR OF LABOR TO POST JOB OPPORTUNITIES AT MAYORS' OFFICES.
  
6. **BILL NO. 254-31 (COR)** – R.J. RESPICIO – AN ACT TO ADD A NEW SUBITEM (J) TO §9104 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING ADMINISTRATIVE LEAVE FOR INJURED INDIVIDUALS CERTIFIED BY THE WORKER'S COMPENSATION PROGRAM.
  
7. **BILL NO. 154-31 (COR)** – J.P. GUTHERTZ, DPA – AN ACT TO ADD A NEW SUB ITEM 3104(A) AND 3105(A) TO CHAPTER 3, AND ADD A NEW SUB ITEM 20007(A) TO CHAPTER 20, AND ADD A NEW SUB ITEM 21007(A) TO CHAPTER 21, ALL OF TITLE 3 GUAM CODE ANNOTATED AND TO ADD A NEW SUB ITEM 2109(A) AND AMEND SUB SECTIONS 2110(A) AND 2111 OF CHAPTER 21, TITLE 1 GUAM CODE ANNOTATED RELATIVE TO THE REGISTRATION, EDUCATION CAMPAIGN AND VOTING PROCESS FOR THE PLEBISCITE ON POLITICAL STATUS FOR GUAM.

**IV. Closing Remarks**

**V. Adjournment**

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For copies of the above mentioned bills, please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [cor@guamlegislature.com](mailto:cor@guamlegislature.com), or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at our office. For more information, please call 472-7679. We look forward to your attendance and participation. *Si Yu'os ma'âse'!*

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN  
2011 (FIRST) REGULAR SESSION**

Bill No. 253-31 (COR)

Introduced by:

Chris Duenas *CD*  
J.T. Won Pat, Ed.D. *JTW*

2011 JUN 28  
PM 1:19  
*JTW*

**AN ACT TO ADD A NEW § 2110 TO CHAPTER 2, TITLE 2, GUAM  
CODE ANNOTATED, RELATIVE TO REQUIRING A REPORT  
FROM THE LAND PLANNING DIVISION, DEPARTMENT OF  
LAND MANAGEMENT FOR ANY ZONING LEGISLATION.**

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

**Section 1. Legislative Intent.** *I Liheslaturan Guåhan* is the final authority for designating the zoning for all real property on Guam. When a bill to establish a particular zoning designation comes before the body for its debate and approval, it may not have undergone the same degree of scrutiny as if it had gone through the process of review conducted by the Guam Land Use Commission. Therefore, it is the intent of this legislation to require that each bill seeking to designate a particular zoning for any real property be accompanied by a report prepared by the Land Planning Division in the same manner as it would do so for the Guam Land Use Commission. This report shall be requested by the Committee on Rules from the Department of Land Management in the same manner as it requests for fiscal notes from the Bureau of Budget and Management Research. The report shall be appended to the bill's committee report *prior* to the bill's placement on the session agenda.

**Section 2. A new § 2110 is added to Chapter 2, Title 2, Guam Code Annotated to read:**

**“§ 2110 Legislative Zoning bills. (a)** Upon the introduction of each bill that seeks to designate a particular zoning for any real property, the Committee on Rules *shall* request from the Department of Land Management a report that contains its recommendation(s) on the zoning request contained in the bill and a map of the subject property.

**(b)** The legislative committee to which the bill was referred *shall* append to its committee report the Department of Land Management's recommendation on the zoning designation being sought. *If* the committee chooses to recommend a different zoning designation, it *shall* provide an analysis of why it is doing so and the methodology used to support its recommendation. This analysis *shall* be contained in the bill's committee report.”