



2012 DEC 31 AM 11: 22 *De*

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

December 27, 2012

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

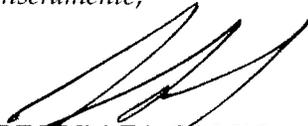
31-12-2045

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 12/28/12
Time 5:04 pm
Received by RAW

Dear Madame Speaker:

Transmitted herewith is Bill No.541-31 (COR) "AN ACT TO REZONE LOT 10063 REM (PORTION 1), MUNICIPALITY OF DEDEDO, CONTAINING AN AREA OF APPROXIMATELY 5,432 ± SQUARE METERS, AND BORDERED BY HARMON LOOP ROAD", which I signed into law on December 26, 2012 as Public Law 31-275.

Senseramente,


EDDIE BAZA CALVO

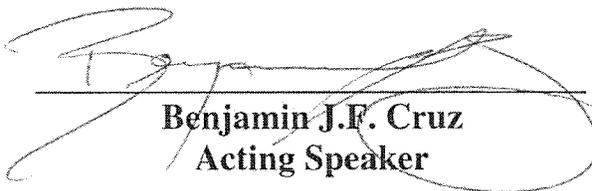
Attachment: copy of Bill

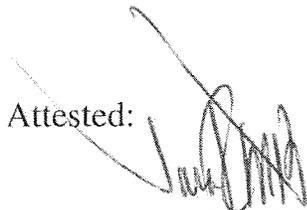
2045

I MINA'TRENTAI UNU NA LIHESLATURAN GUĀHAN
2012 (SECOND) Regular Session

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

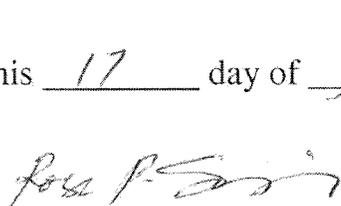
This is to certify that **Bill No. 541-31 (COR)**, "AN ACT TO REZONE LOT 10063 REM (PORTION 1), MUNICIPALITY OF *DEDEDO*, CONTAINING AN AREA OF APPROXIMATELY 5,432 ± SQUARE METERS, AND BORDERED BY *HARMON LOOP ROAD*", was on the 14th day of December, 2012, duly and regularly passed.


Benjamin J.F. Cruz
Acting Speaker

Attested: 

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guāhan* this 17 day of Nov, 2012, at 11:40 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED: 

EDWARD J.B. CALVO
I Maga'lahaen Guāhan

Date: DEC 26 2012

Public Law No. 31-275

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 541-31 (COR)

Introduced by:

R. J. Respicio
T. C. Ada
B. J.F. Cruz

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

**AN ACT TO REZONE LOT 10063 REM (PORTION 1),
MUNICIPALITY OF *DEDEDO*, CONTAINING AN AREA
OF APPROXIMATELY 5,432 ± SQUARE METERS, AND
BORDERED BY *HARMON LOOP ROAD*.**

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

2 **Section 1. Approval of Rezoning.** Pursuant to an October 12, 2012,
3 Memorandum to the Building Permits and Inspection Administrator of the
4 Department of Public Works (DPW), via the Director of DPW and the Director of the
5 Department of Land Management (DLM), a change in the zoning designation of a lot
6 in the municipality of *Dededo*, specifically Lot 10063 REM (Portion 1), containing an
7 area of approximately 5,432 ± square meters, is approved.

1 **Section 2. Rezoning.** Lot 10063 REM (Portion 1), municipality of *Dededo*,
2 containing an area of approximately 5,432 ± square meters, bordered by *Harmon*
3 Loop Road, and currently zoned One-Family Dwelling Zone (R1), is hereby rezoned
4 to Commercial Zone (C). A section of Lot 10063 REM (Portion 1) *shall* be designated
5 for a ponding basin.

6 **Section 3. Effective Date.** This Act *shall* be effective upon enactment.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (SECOND) Regular Session

Date: 12/14/12

VOTING SHEET

Bill No. 541-31(COR)

Resolution No. _____

Question: _____

NAME	<u>YEAS</u>	<u>NAYS</u>	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	<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					EA
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

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

DEC 11 2012

2012 DEC 11 AM 11:02

MM

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

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

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 541-31 (COR)

Vice Chairman
Committee on Education

Dear Speaker Won Pat:

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

Transmitted herewith is the Committee Report on Bill No. 541-31 (COR):
"An act to rezone property situated in the Municipality of Dededo, specifically
Lot 10063 REM. (Portion 1), containing an area of approximately 5,432±
square meters, bordered by Harmon Loop Road" and which was referred to
the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
Retirement, and Land.

Committee votes are as follows:

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

- 5 TO PASS
- 0 TO NOT PASS
- 2 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Committee
Report
On

Bill No. 541-31 (COR): “An act to rezone property situated in the Municipality of Dededo, specifically Lot 10063 REM. (Portion 1), containing an area of approximately 5,432± square meters, bordered by Harmon Loop Road”



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

DEC 11 2012
MEMORANDUM

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

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

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairman

Subject: Committee Report on Bill No. 541-31 (COR)

Vice Chairman
Committee on Education

Transmitted herewith for your consideration is the Committee Report on Bill No. 541-31 (COR): "An act to rezone property situated in the Municipality of Dededo, specifically Lot 10063 REM. (Portion 1), containing an area of approximately 5,432± square meters, bordered by Harmon Loop Road" introduced by Senator Rory Respicio.

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

This report includes the following:

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

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 541-31 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Notices of Public Hearing
7. Copy of the Public Hearing Agenda
8. Fiscal Note

Member
Committee on the Guam
Military Buildup and
Homeland Security

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.

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

Si Yu'os Ma'åse',

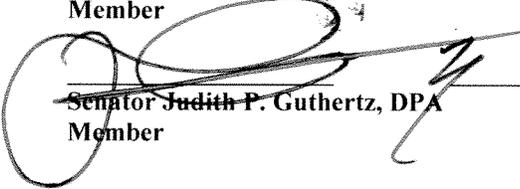
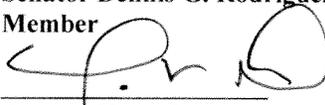
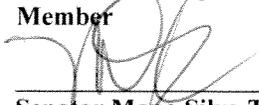
Vicente (ben) Cabrera Pangelinan
Chairman

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill No. 541-31 (COR): "An act to rezone property situated in the Municipality of Dededo, specifically Lot 10063 REM. (Portion 1), containing an area of approximately 5,432± square meters, bordered by Harmon Loop Road"

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairperson	✓				
 Speaker Judith T. Won Pat, Ed.D. Vice Chairperson	✓				
 Vice Speaker Benjamin J.F Cruz Member	✓				
Senator Tina R. Muña-Barnes Member					
 Senator Judith P. Guthertz, DPA Member					
Senator Dennis G. Rodriguez, Jr. Member					
 Senator V. Anthony Ada Member			✓		
Senator Christopher M. Dueñas Member					
 Senator Maña Silva Taijeron Member			✓		



Bill 541-31 (COR) received a public hearing under Bill No. 534-31 (LS) on December 6, 2012.

Committee Report

Bill No. 534-31 (LS): "An act to rezone property situated in the Municipality of Dededo, specifically Lot 10063 REM. (Portion 1 and Portion 3), together containing an area of approximately 10,864± square meters, bordered by Harmon Loop Road"

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on December 6, 2012 at 9:00 am 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 on November 29, 2012 (5-Day Notice), and again on December 4, 2012 (48 Hour Notice).

(a) Committee Members and Senators Present

Vice Speaker Benjamin J. Cruz, Acting Chairman
Senator V. Anthony Ada, Member
Senator Tina Muña Barnes, Member
Senator Judith Guthertz, Member
Senator Thomas Ada

(b) Appearing before the Committee

Mr. Peter San Nicolas

(c) Written Testimonies Submitted

Mr. Monte Mafnas, Director Department of Land Management
Joaquin Flores, General Manager Guam Power Authority
Mr. Thomas Cruz, Chief Engineer Guam Waterworks Authority
Senator Rory Respicio

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

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

None

(b) Testimony

Senator Cruz: We have Mr. San Nicolas who signed up to testify, please speak Mr. San Nicolas.

1. Mr. Peter San Nicolas

Mr. San Nicolas: Good morning senators my name is Peter San Nicolas. I am here in support of this rezoning but I am also a licensee of this lot by Chamorro Land Trust to do commercial business. I have fish shops there, a restaurant, and we intend to do other developments for this particular lot but we are currently held back by its current zone of R-1. If you take a look at the map at the back it separates the residential area with a gas line. So it won't affect the residential area. Across the street is also the flea market. That's all senators.

Panel Comments and Questions

Senator Cruz: I think for the viewing public we should say Lot 10063 is that corner of Marine Drive and Harmon Loop Road. I want to note for the record we received testimony from Guam Power Authority that has no objection. Waterworks has submitted testimony and Land Management. Does anyone have any questions?

Senator V. Ada: On Lot 10063 portion 1 is there anything on that lot currently?

Mr. San Nicolas: No but this lot is interconnected to lot portion 3. They are 2 separate lots. We use to bring water from that location. We put in a 6 inch water line and a fire hydrant. Its better we rezone both lots rather than coming back because that portion would still be R-1.

Senator V. Ada: This is 2 separate lots but you only hold a license for one lot.

Mr. San Nicolas: They gave me a license for portion 3 with a phase one and a phase two but phase two wasn't on paper.

Senator V. Ada: My concern is the standing rules is one lot per bill. According to the bill we are rezoning portion one and portion three which are two separate lots.

Senator Cruz: We will have the committee address that, thank you Mr. San Nicolas.

This concludes the testimony on Bill No. 534. There being no additional individuals to present any additional testimony, 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 senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 541-31 (COR), with the recommendation **To Pass**.

I MINA TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 541 -31 (COR)

Introduced by:

R.J. RESPICIO
T.C. ADA
B.J. CRUZ

AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1), CONTAINING AN AREA OF APPROXIMATELY 5,432 ± SQUARE METERS, BORDERED BY HARMON LOOP ROAD.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 SECTION 1. "Approval of Rezoning. Pursuant to an October 12, 2012,
3 Memorandum to the Building Permits and Inspection Administrator of the
4 Department of Public Works (DPW), via the Director of DPW and the
5 Director of the Department of Land Management (DLM), a change in the
6 zoning designation of a lot in the Municipality of Dededo, specifically lot
7 10063-REM. (Portion 1), containing an area of approximately 5,432 ± square
8 meters, is approved.

9 SECTION 2. Rezoning. "Lot 10063-REM. (Portion 1), containing an
10 area of approximately 5,432 ± square meters, bordered By Harmon Loop
11 Road, currently zoned "R-1," is hereby rezoned to "C." A section of Lot
12 10063 Rem. (Portion 1) shall be designated for a ponding basin."

13 SECTION 3. "Effective Date. This Act shall be effective upon
14 enactment."



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
 December 6, 2012

Bill No. 534-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Peter San Nicolas					✓	✓

324 W. Soledad Ave. Hagatna, Guam 96910
 Ph. 473-4236 Fax. 473-4238
 Email: senbenp@guam.net



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



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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

December 3, 2012

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

Senator Vicente (ben) C. Pangelinan
31st Guam Legislature
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and Land
324 W. Soledad Ave., Suite 100
Hagatna, GU 96932

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

SUBJECT: Comments on Bill 534-31(LS)

Bueñas Yan Hafa Adai:

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

The Department has reviewed previous Legislative Bills on the same subject matter and provides the following:

BILL 534-31 (LS) – AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPLITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. PORTION (1 AND PORTION 3), TOGETHER CONTAINING AN AREA OF APPROXIMATELY 10,864± SQUARE METERS BORDERED BY HARMON LOOP ROAD.

Telephone:
671-649-LAND (5263)

1. This Bill does not consider the entire area – Basic Lot 10063. There exist within this area a once government office now a GTA office and GTA Storage Yard; and a GWA pump station that is still designated as an R-1 (Single Family Dwelling) Zone.
2. The rezoning of said lots in this legislative proposal would be consistent with the Dededo Municipal Planning Council's intent to encourage common community grounds for commercial activities as expressed by controlled use of the Dededo Buffer Strip for the Dededo Flea Market. From a land use perspective would encourage and promote consistent and orderly urban growth. Notwithstanding; said lots do have their challenges from a development perspective and if re-zoned, we wish to note the following concerns:
 - a. Applying safe egress and ingress. Such properties are wedged between two numbered routes known for high traffic activities; Route 27 (Harmon Loop Road) and Route 1 (Marine Corps Drive). We encourage appropriate designs to encourage safe access and egress from these lots.

Facsimile:
671-649-5383



Comments on Bill 534-31 (LS)

December 3, 2012

Page 2 of 2

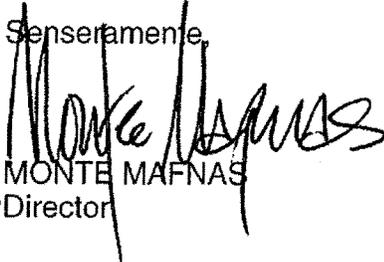
- b. Applying proper comprehensive use and planning for the property. Since issuance of the Lessee's permit to operate, present condition

Lot 10063 REM (Portions 1 & 3) maintain a collection of various structures that are non-comprehensive from a land use planning perspective. We encourage the Chamorro Land Trust Commission to assess such uses for the purpose of designing and applying a comprehensive plan that would otherwise promote highest and best use of public lands.

In respect to potential impacts to our mandates as requested by the Bureau of Budget Management and Resources, passage of Legislative Bill 534-31 (LS) will not have any affects, thereof.

In ending, the Department would like to remind all concern that our Liheslaturan Guåhan delegated land use development including zone changes through Public Law 1-88, as amended. Furthermore, a viable existing zone change process exist, is efficient, and considers all aspect of land use planning in protecting the community and our island's interest rather than the one (1) public hearing spot zoning legislative process where the criteria of Public Necessity, Convenience and General Welfare must be justified in support of the vested community and the island. This legislative process defeats the purposes of community planning.

Senseraamente,


MONTE MAFNAS
Director

cc: Planning Division, DLM



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

December 3, 2012

The Honorable Vicente C. Pangelinan
Senator, 31th Guam Legislature
324 W. Soledad Ave. Suite 101
Hagatna, Guam 96910

Subject: Lot 10063REM, Municipality of Dededo, to rezone from "R-1" (Single-Family Dwelling) to "C" (Commercial). **Bill No. 534-31**

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electrical Code, National Electrical Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection
 - Provide scheduling and magnitude of project power demand requirements for new loads
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.

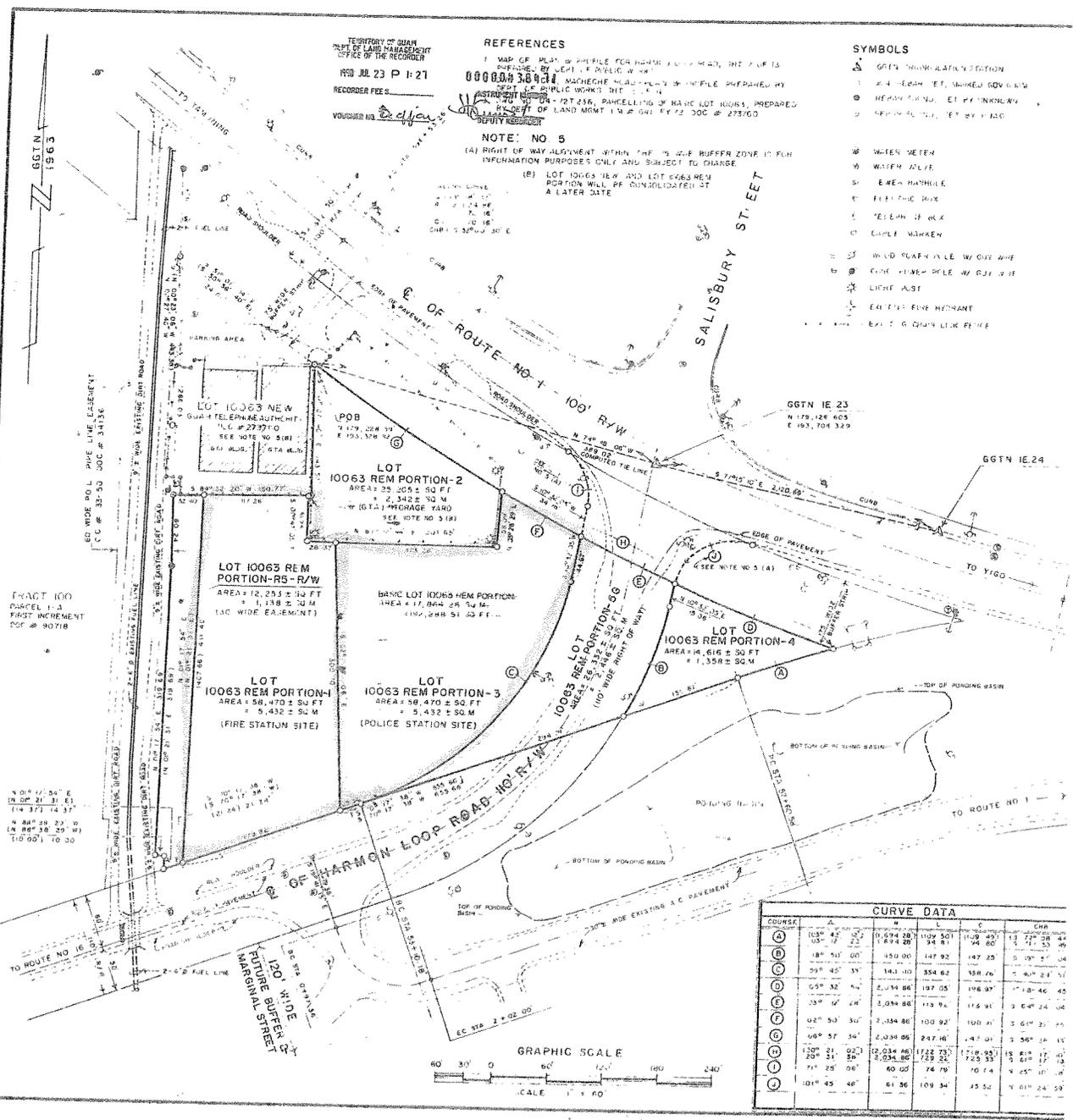
Sincerely,


JOAQUIN C. FLORES, P.E.
General Manager

ASG/arp



7052





GUAM WATERWORKS AUTHORITY

578 North Marine Corps Drive Tamuning, Guam 96913-4111

December 4, 2012

The Honorable Senator Vicente C. Pangelinan
Thirty First Legislature
324 West Soledad Avenue
Hagatna, Guam 96932



SUBJECT: Bill No. 534-31 (LS): An Act to Rezone Property Situated in the Municipality of Dededo, Specifically Lot No. 10063 REM. (Portion 1 and Portion 3), Together Containing an Area of Approximately 10,864 Square Meters, Bordered by Harmon Loop Road, from Residential "R-1" to Commercial "C" Zone.

Dear Honorable Senator Pangelinan:

This is in response to your letter dated November 30, 2012, inviting the Guam Waterworks Authority (GWA) to a public hearing to provide written or oral testimony regarding the above subject. This letter shall serve as GWA's position statement for the above zone change request related to availability of water and sewer infrastructures to serve the above subject lot. This position statement shall not be construed as a notice that water and wastewater services are immediately available for the subject lot, nor that the current water and sewer systems have the capacities to accommodate the future developments without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve the properties shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to serve the subject property shall be at the expense of the property owner.

WATER

GWA records show that there is an existing fourteen inches (14") waterline located along Harmon Loop Road fronting the subject lot. There is also an existing six inches (6") waterline located along the east side of Lot 10063 REM Portion -R5-R/W (30' wide easement) of the subject lot.

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

December 6, 2012

The Honorable Vicente C. Pangelinan
Committee on Appropriations, Taxation, Public
Debt, Banking, Insurance, Retirement, & Land
Suite 101 Quan Building
324 W. Soledad Ave.
Hagåtña, Guam 96910

Dear Senator Pangelinan:

Hafa adai. Thank you for publicly hearing Bill No. 534-31 (LS): AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1 AND PORTION 3), TOGETHER CONTAINING AN AREA OF APPROXIMATELY 10,864± SQUARE METERS, BORDERED BY HARMON LOOP ROAD. I respectfully request that you make the following Sponsor Statement a part of the public record of the hearing in which this bill is discussed.

SPONSOR STATEMENT:

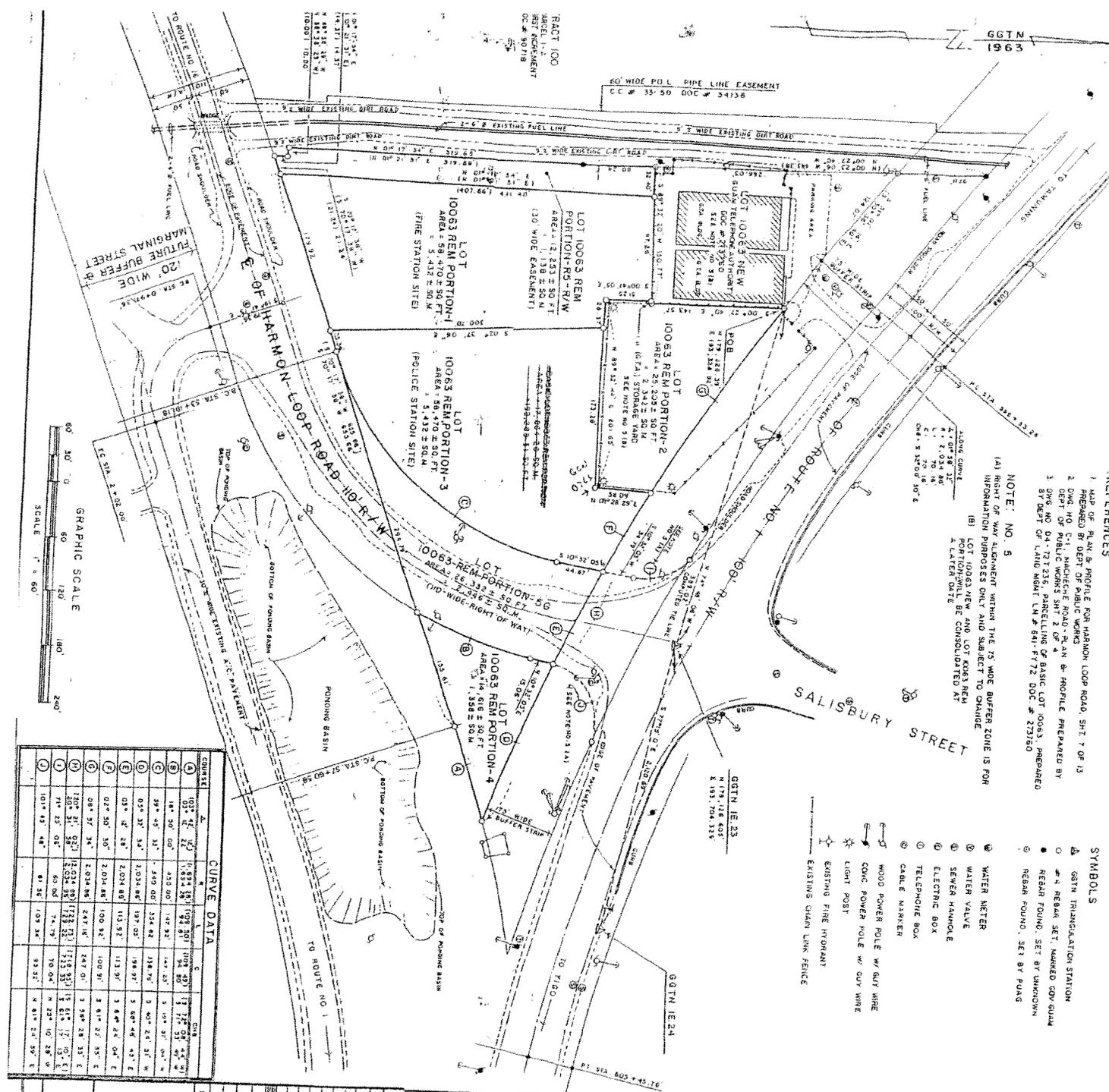
Pursuant to an October 12, 2012 Memorandum to the Building Permits and Inspection Administrator of the Department of Public Works (DPW), Mr. Marvin Q. Aguilar, the Acting Guam Chief Planner of the Department of Land Management, with the concurrence of DLM Director Mr. Monte Mafnas, approved a change in the zoning designation to R-1 of a lot in the Municipality of Dededo, specifically lot 10063-REM. (Portion 3), containing an area of approximately 5,432 ± square meters (copy of map attached), with the understanding that certain conditions shall specifically be adhered to, including the following:

- "1. The storage building approved as an accessory structure shall be permitted to be used for that specific purpose, for all activities permitted without a conditional use permit under an R-1 (Single Family Residential Dwelling) Zone; and
- "2. The occupant of the property, doing business as 'Acfayan, Inc.,' shall be permitted to utilize the storage building as an accessory to related activities concerning the sale of agricultural and aquacultural products for a period not to exceed one (1) year; and
- "3. Other commercial uses shall not be permitted by 'Acfayan, Inc.,' or any other users of the premises, or any other agent, whether private or public, or through any sub-lease."

Bill No. 534-31 (LS) merely follows these conditions and instructions, and additionally includes Portion 1 of Lot 10063, as all three portions of Lot 10063 are adjacent to each other, and interconnected. Utilities cross portion 1, and the re-zone of portion 1 will benefit the area, since the portion 1, 2 and 3 lots are commercial in nature and being utilized for similar purposes. *Si Yu'os Ma'åse* for your cooperation in this matter.

Very truly yours,


Rory J. Respicio

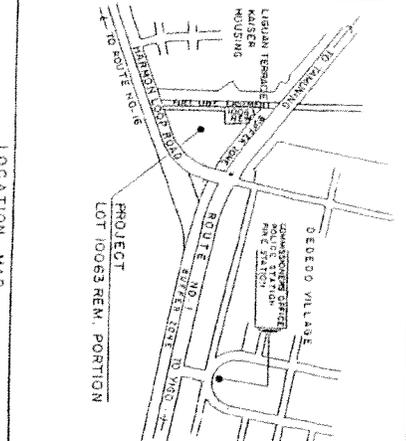


- REFERENCES**
- MAP OF PLAN & PROFILE FOR HARMON LOOP ROAD SHT 7 OF 13 PREPARED BY DEPT OF PUBLIC WORKS
 - DWG NO. C-11, MANICHE ROAD - PLAN & PROFILE PREPARED BY DEPT OF PUBLIC WORKS SHT 2 OF 4
 - NO. 04-121235, PARCELLING OF BASIC LOT 10063, PREPARED BY DEPT OF LAND MGMT LM # 641-FY72 DOC # 273750
- NOTE: NO. 5**
- (A) RIGHT OF WAY ALIGNMENT WITHIN THE 75' WIDE BUFFER ZONE IS FOR INFORMATION PURPOSES ONLY AND SUBJECT TO CHANGE
- (B) LOT 10063 NEW AND LOT 10063 REM PORTION WILL BE CONSOLIDATED IN A LATER DATE

- SYMBOLS**
- ▲ GGTN TRANSFORMATION STATION
 - #4 REBAR SET MARKED COPY-GUAM
 - REBAR FOUND, SET BY UNKNOWN
 - REBAR FOUND, SET BY PUSAS
 - ⊙ WATER METER
 - ⊙ WATER VALVE
 - ⊙ SEWER HANDED
 - ⊙ ELECTRIC BOX
 - ⊙ TELEPHONE BOX
 - ⊙ CABLE MARKER
 - ⊙ WOOD POWER POLE W/ GUY WIRE
 - ⊙ CONC POWER POLE W/ GUY WIRE
 - ⊙ LIGHT POST
 - ⊙ EXISTING FIRE HYDRANT
 - ⊙ EXISTING CHAIN LINK FENCE

GRAPHIC SCALE
0 30' 60' 90' 120' 150' 200'

CHORD	ANGLE	CHORD	ANGLE	CHORD	ANGLE	CHORD	ANGLE
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E
101.43	48°	81.35	103.24	31.32	81.11	24.59	3° E



LOCATION MAP
NOT TO SCALE

CERTIFICATION:

I, INSUROR & ENGINEER HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND THAT IT IS BASED UPON A FIELD SURVEY MADE IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 9, TITLE XIV OF THE GOVERNMENT CODE OF GUAM AND RESOLUTIONS THEREUNDER.

Inspector of Land Management
DATE: 9-18-80

APPROVED: _____
INSPECTOR OF LAND MANAGEMENT DATE: _____

SUBJECT	BY	DATES	ABSTRACT OF TITLE
SUBJECT	BY	DATES	ABSTRACT OF TITLE
RESERVED	BY	DATES	ABSTRACT OF TITLE
FIELD SURVY	BY	DATES	ABSTRACT OF TITLE
COMPUTED	BY	DATES	ABSTRACT OF TITLE
DRAWN	BY	DATES	ABSTRACT OF TITLE
CHECKED	BY	DATES	ABSTRACT OF TITLE

DEPARTMENT OF GUAM
LAND SURVEY DIVISION

REAL ESTATE REQUIREMENTS
PARCELLING OF
LOT 10063 REM PORTION
(POLICE AND FIRE STATION SITES)

MUNICIPALITY OF DEDEDO
SEC. 1

SCALE 1" = 60'

DRAWING NUMBER
SHEET 1 OF 1

Island of Guam, Government of Guam
Department of Land Management, Office of The Recorder

File for record in Instrument No. 132545
for the year 05 Month 08 Day 16 Time 1227
Recording Fee 13 Agfayan
Deputy Recorder

Chamorro Land Trust Commission Commercial License Agreement

THIS LICENSE AGREEMENT is made effective as of July 1, 2005 by and between the Chamorro Land Trust Commission whose mailing address is P.O. Box 2950, Agana, Guam 96910 ("Licensor") and Agfayan, Incorporated whose mailing address is P.O. Box 217955 Guam Main Facility Barrigada Guam, 96921 ("Licensee").

RECITALS

WHEREAS, Licensor has jurisdiction over Lot No. 10063 REM PORTION-3, Municipality of Dededo, Guam, by virtue of the "Administrative Transfer of Jurisdiction of Certain Government of Guam Lands" dated January 19, 1994, recorded under Document No. 503740 at the Department of Land Management; and

WHEREAS, Licensee had demonstrated interest to the government of Guam in commercially leasing Lot No. 10063 REM PORTION-3, Municipality of Dededo, Guam, containing an area of 5,432 ± square. meters, more accurately described and delineated in Exhibit "A" of this Agreement, hereinafter referred to as the "PROPERTY" for the purpose of a locally owned and managed Farmer's Retail Outlet with related consumer services facilities; and

WHEREAS, Licensee has been engaged in the operation of cultivating aquaculture produce on island and providing these produce commodities to the local market; and

Initials: AS PSM
TAE

WHEREAS, Licensee is certified by the Government of Guam's Department of Agriculture as a bonafied farmer; and

WHEREAS, Licensee's aquaculture farm activities has been and continues to be a vital resource for the University of Guam's College of Agriculture and Life Sciences internship program; and

WHEREAS, Licensee's aquaculture farm activities has been and continues to be a leading role model of Guam's Farming Industry for the elimination of related imported food commodities by providing fresh produce to the local markets; and

WHEREAS, Licensee, realized a need to provide additional food and related commodities and consumer services facilities for wholesaling and retailing activities for local residents; and

WHEREAS, Licensor received testimony from Licensee, outlining its intentions, proposed activities and physical plant layout within the PROPERTY; and

WHEREAS, Licensee has outlined its intentions of providing accommodations for Flea Market Vendors

WHEREAS, Licensee, is particularly interested in the PROPERTY; and

WHEREAS, Licensor has determined that highest and best use of the PROPERTY is not realized in residential, Industrial, or agricultural activities; and

WHEREAS, the PROPERTY can be used most effectively by Licensee; and

WHEREAS, Licensor has the authority to grant a twenty one (21) year license for such purposes pursuant to §75107(c) of Title 21, Guam Code Annotated; and

WHEREAS, on April 20, 2000 Licensor approved to grant such license;

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree as follows:

I

GRANT OF LICENSE; DESCRIPTION OF PROPERTY

Licensor hereby grants to Licensee a license to occupy and use, subject to all of the terms and conditions of this Agreement, the following described real PROPERTY:

Initials:
 TAE

Lot No. 10063 REM PORTION-3, Municipality of Dededo, **Guam**, containing an area 5,432 ± square. meters, as delineated in that certain sketch marked Exhibit "A" attached and made a part hereof.

In order to comply with federal and local law and regulations, and to protect public safety, Licensee may use any and all reasonably appropriate means of restricting public access to Licensee's equipment and/or facilities; provided, however, the Lessor shall have the right to itself and to the agents and representatives of the government in which said licensed PROPERTY are situated, to enter and cross any portion of said licensed PROPERTY for the purpose of performing any public or official duties; provided, further, in the exercise of such rights, the Lessor shall not unreasonably interfere with the Licensee's use and enjoyment of the PROPERTY.

II

TERM

Except as otherwise provided herein, the term of this Agreement shall be for a period not to exceed twenty one (21) years, commencing July 1, 2005 (the "Commencement Date") and ending at midnight on July 1, 2025 (the "Termination Date").

III

OPTION TO EXTEND

Licensee shall have the right to extend the term of this Agreement upon the same terms, covenants and conditions as herein contained, except as otherwise provided herein, for one (1) successive additional period of twenty one (21) years from and after the Termination Date hereof. In order to exercise said option to extend; Licensee shall deliver to Licensor written notice of the intent to extend the term, no later than sixty (60) days before the end of the then-current term of the Agreement. Such notice shall include a market value appraisal of the aforementioned real property for determining fair market rental value of the property relative to the period in which the option to extend the term of the license is being exercised by the Licensee. Such appraisal report shall be conducted by a qualified appraiser licensed to do business on Guam. In no event shall the term of this Agreement and any extensions thereof exceed the period stipulated herein.

Initials:
 TAE

IV

LIMITATION TO DESCRIBED PURPOSE

The PROPERTY may be occupied and used by licensee solely for the activities proposed by Licensee and for incidental purposes relative to a Farmer's Produce & General Merchandise Retail Outlet to include but not limited to consumer services facilities from the Commencement Date, and continuing until this agreement is terminated as provided herein. In no event shall licensee begin any required licensed activity without obtaining all requisite authorization and permits from the appropriate Government of Guam and/or Federal Agency or Authority.

V

COMPENSATION

Licensor and Licensee expressly acknowledge that a deferment of compensation for this license shall be allowed for the construction period of six (6) months commencing on the effective date of this agreement.

Licensor and Licensee expressly acknowledge that compensation for this license shall be equal to six percent (6%) per year of the fair market value of the PROPERTY, and that the initial fair market value has been determined and mutually agreed upon to be **Seven Hundred Thousand and No/100 Dollars (\$700,000.00)**.

1. The initial monthly rental fee is **Three Thousand Five Hundred and 00/100 Dollars (\$3,500.00)**, based upon the fair market rental value of the licensed property. The monthly fee is payable monthly in the amount of **\$3,500.00** due on the beginning term of the lease as stated in paragraph I and monthly thereafter.
2. If Licensee shall exercise its option to extend the term of the Agreement, the monthly fee during the extended term shall be determined to be equal to one twelfth (1/12) of six percent (6 %) of the fair market value of the leased land, exclusive of the improvements on the PROPERTY. Determination of fair market

Initials:
TAE

value shall be based on the highest and best use of the land on the applicable rent adjustment date, taking the leasehold into account. The determination shall take into account the parties agreement that the initial monthly fee is the above stated percentage applied to a fair market value of \$700,000.00 and shall also take into account any determination of market value made under this license for the purpose of adjustments for the period preceding the applicable rent adjustment date.

VI

TERMINATION

This Agreement may be terminated by either party on ninety (90) days written notice for cause. For purposes of this Agreement, cause shall mean the non-compliance of any provisions of this Agreement, the Chamorro Land Trust Act, or any adjudicated regulations of the Licensor. Pursuant to 21 Guam Code Annotated Section 75107(c), the term of this Agreement shall be for a period not to exceed twenty-one (21) years. Upon termination by notice for cause for non-compliance of any provisions of this Agreement, the Chamorro Land Trust Act, any adjudicated regulations of the Licensor, or expiration of twenty-one (21) years, this Agreement shall become null and void, except that either party may enforce any and all obligations of Licensee arising out of acts or failure to act, occurring prior to such termination.

VII

TAXES AND FEES

Any and all taxes, fees and assessments, to include, taxes on improvements to Chamorro Land Trust Lands and assessments of Payments in lieu of Real Property Taxes on Chamorro Land Trust Land, as provided pursuant to Section 9 of Public Law 24-168, levied upon the real property described herein shall be borne and paid for by the Licensee.

VIII

NO INTEREST IN REAL PROPERTY

Licensee expressly acknowledges and agrees that it does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in the above described

Initials:
 TAE

real property of Licensor, by virtue of the rights granted under this Agreement or its occupancy or use granted herein.

IX

ASSIGNMENT OF RIGHTS

The rights of Licensee under this Agreement are personal to Licensee and may not be transferred or assigned to any other person, firm, corporation or other entity.

X

INDEMNIFICATION OF LICENSOR

In consideration of the privilege granted by this Agreement, Licensee shall not claim any costs, claims or damages from Licensor in connection with or on account of any injuries or damages arising in or on the real property described above regardless of the fault or negligence of Licensor while being used by Licensee and Licensee's Officers, employees, members, guest(s) or invitees and Licensee shall indemnify Licensor from any and all costs, losses, claims or damages of any kind or nature arising in connection with the use of the real property described above by Licensee and Licensee's officers, employees, members, guest(s) or invitees.

XI

NO WARRANTY

Licensor does not warrant or represent that the real property described above is suitable for the purposes for which it is permitted to be used, nor that the Licensee is specifically entitled to the issuance of any permits necessary to carry out any activity on said real property.

XII

ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

Initials: CS RLM
TAE

XIII

MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

XIV

GOVERNING LAW

It is agreed that this Agreement shall be governed by, constructed, and enforced in accordance with 21 GCA, Chapter 75, and the laws of Guam.

XV

NO WAIVER

The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same continue and remain in full force and effect as if no such forbearance or waiver had occurred.

XVI

BINDING EFFECT

This Agreement shall bind and inure to the benefit of any respective successors of the parties.

XVII

NOTICES

Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given when sent by certified or registered mail to the respective address of each party as set forth at the beginning of this Agreement.

Initials:
 TAE

will not cancel or change insurance coverage without first giving Chamorro Land Trust Commission and Licensee thirty (30) days prior written notice of such change or cancellation.

XXI

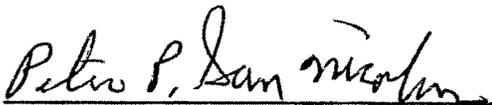
PRE-EXISTING CONDITIONS AND RELEASE OF LIABILITY

Parties recognize there may be known or unknown pre-existing conditions on subject property, and agree to hold each other harmless from any liability arising out of such conditions.

IN WITNESS THEREOF, each party to this Agreement has caused it to be executed at Agana, Guam, on the due date and year first above written.

By:  _____

Thomas A. Elliott
Administrative Director
Chamorro Land Trust Commission
Date: 6/16/05

By:  _____

Peter P. San Nicolas
President
Agfayan, Incorporated
Date: 6-17-05

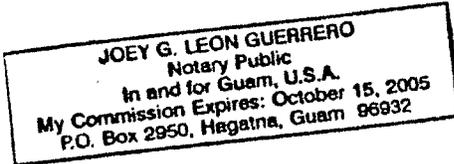
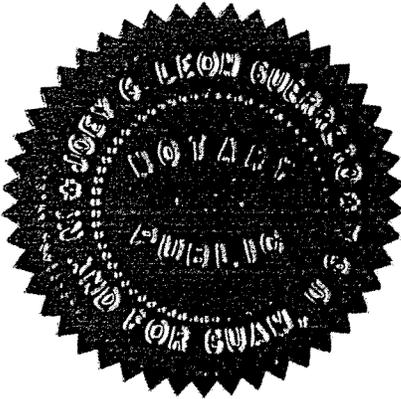
Initials:  
TAE

ACKNOWLEDGEMENT

On this 22nd day of June, 2005, before me the undersigned notary personally appeared Thomas A. Elliott, Administrative Director, known to me to be the person whose name is subscribed to the within instrument and for it's stated purpose.

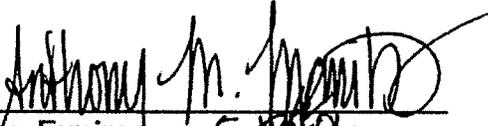
In witness whereof I have hereunto affixed my name and official seal.

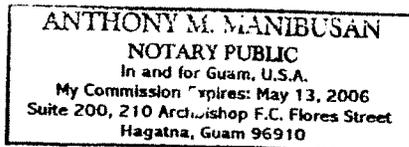
Notary Public 
My Commission Expires _____



On this 17th day of June, 2005, before me the undersigned notary personally appeared Peter P. San Nicolas, known to me to be the person whose name is subscribed to the within instrument and for it's stated purpose.

In witness whereof I have hereunto affixed my name and official seal.

Notary Public 
My Commission Expires 5-13-06





COMMITTEE ON RULES

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

2012 NOV 21 PM 1:48

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

November 21, 2012

VIA FACSIMILE
(671) 472-2825

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note -
Bill No. 534-31 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Unu 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.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Rory J. Respicio

Attachments

Cc: Clerk of the Legislature



COMMITTEE ON RULES

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MAJORITY LEADER

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Christopher M. Duenas

November 21, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill No. 534-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 534-31 (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

MESSAGE CONFIRMATION

NOV-21-2012 09:26 AM WED

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 2
START TIME : NOV-21-2012 09:26 AM WED
ELAPSED TIME : 00' 20"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
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November 21, 2012

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Bureau of Budget & Management Research
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Very Truly Yours,

Rory J. Respicio

Attachments
Cc: Clerk of the Legislature

Rec'd by: Analy N
date: 10:41 AM
time: 11/21/12

I Mina'Trentai Unu Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
534-31 (LS)	R. J. Respicio, T. C. Ada, B. J.F. Cruz	AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1 AND PORTION 3), TOGETHER CONTAINING AN AREA OF APPROXIMATELY 10867+ SQUARE METERS, BORDERED BY HARMON LOOP ROAD.	11/20/2012 3:43 pm	11/21/2012		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land			



COMMITTEE ON RULES

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MINORITY MEMBERS:

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ASST. MINORITY LEADER

Senator
Christopher M. Duenas

November 21, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill No. 534-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 534-31 (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 Mind'Trentai Unu Na Liheslaturan Guddan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

1 message

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

Thu, Nov 29, 2012 at 4:45 PM

Hafa Adai,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Thursday, December 6, 2012 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

Confirmation Hearing

Mr. Elmore A. Cotton, Member, Board of Equalization

Ms. Cynthia V. Ecube, Member, Board of Equalization

Mr. Thomas Tanaka, Member, Cockpit License Board

Bills

Bill No 510-31 (COR): An Act to Add a new Section 8 to Chapter VIII of Public Law 31-233 Relative to the continuing appropriations for the Mayor's Council of Guam.

Bill No. 514-31 (COR): An Act to *Amend* Section 1512.3(a)(2)(B) of Article 5, Chapter 1, Title 5 of the Guam Code Annotated Relative to Reprioritizing the Payment of Income Tax Refund with the Remaining \$18 Million of Series B Bond Series.

Bill No. 528-31 (COR): An Act to Add a new Chapter 58C to Title 5 of the Guam Code Annotated, Relative to the lease of school busses for Guam's school children also known as the Yellow School Bus Procurement Act of 2012.

Bill No. 534-31 (LS): An Act to Rezone property situated in the Municipality of Dededo, specifically Lot 10063 REM. (Portion 1 and Portion 3), together containing an area of approximately 10,864± square meters, bordered by Harmon Loop Road.

Bill No. 535-31 (COR): An Act to Repeal and Re-Enact Section 18 of Public Law 31-229 to authorize the University of Guam to pledge certain revenues and enter into installment purchase and sale agreements for the purpose of refinancing the Jesus and Eugenia Leon Guerrero School of Business and Public Administration Building.

Yanggen un nisisita spesiât na setbision, put fabot âgang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi www.guamlegislature.com Yanggen para un na'hâlom testigu-mu, chule' para i ifisinin-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kuation Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

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--
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Listserv: phnotice@guamlegislature.org

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

November 29, 2012

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing Notice – FIRST NOTICE

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

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

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Mr. Elmore A. Cotton, Member, Board of Equalization
Ms. Cynthia V. Ecube, Member, Board of Equalization
Mr. Thomas Tanaka, Member, Cockpit License Board

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Memo to Senators
November 29, 2012
Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

1 message

Lisa Dames <cipo@guamlegislature.org>

Thu, Nov 29, 2012 at 4:49 PM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, krystal@kuam.com, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Kevin Kerrigan <kevin@k57.com>, Betsy Brown <betsy@k57.com>, gerry@mvguam.com, zita@mvguam.com, marvic@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, jpsablan@guampdn.com, life@guampdn.com

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 4, 2012

Memorandum

To: Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing Notice – SECOND NOTICE

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

Vice Chairman
Committee on Education

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

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
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Memo to Senators
December 6, 2012
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

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

Tue, Dec 4, 2012 at 8:38 AM

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - Second Notice

1 message

Lisa Dames <cipo@guamlegislature.org>

Tue, Dec 4, 2012 at 8:40 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, krystal@kuam.com, Ken Quintanilla <kenq@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, zita@mvguam.com, marvic@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumatol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, jpsablan@guampdn.com, life@guampdn.com

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I Mina'Trentai Unu Na
Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan
Office of the People

155 Hesler St., Hagatna, Guam 96910

Ph: 473-4236 Fax: 473-4238

Email: senbenp@guam.net

Website: www.senbenp.com

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Huebes, gi diha 6 gi Disembre 2012

Thursday, December 6, 2012

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

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

TAREHA
(AGENDA)

Komfitmasion Siha:
(Confirmation Hearing)

Mr. Elmore A. Cotton, Member, Board of Equalization

Ms. Cynthia V. Ecube, Member, Board of Equalization

Mr. Thomas Tanaka, Member, Cockpit License Board

Priniponi Siha:
(Bills)

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COMMITTEE ON RULES

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

2012 DEC 11 PM 2:20

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

October 5, 2012

MEMORANDUM

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: **Patricia C. Santos**
Clerk of the Legislature

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Vice Speaker
Benjamin J. F. Cruz

Subject: **Supplement to Committee Report -
Bill Nos. 534-31 (LS) & 541-31 (COR)**

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adai!

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

Transmitted herewith is a supplement to the Report on **Bill Nos. 534-31 (LS)** "AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1 AND PORTION 3), TOGETHER CONTAINING AN AREA OF APPROXIMATELY 10867± SQUARE METERS, BORDERED BY HARMON LOOP ROAD." and

Senator
Thomas C. Ada

541-31 (COR) "AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1), CONTANING AN AREA OF APPROXIMATELY ± 5,432 SQUARE METERS, BORDERED BY HARMON LOOP ROAD." submitted by Senator vicente c. pangelinan.

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Please include this memo and the attachment as a "Supplement" to the Committee Report on Bill Nos. 534-31 (LS) and 541-31 (COR).

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Senator
Christopher M. Duenas

Si Yu'os ma'åse'!



COMMITTEE ON RULES

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

Supplement to the Committee Report on Amended Bill No. 534-31 (LS)

**"AN ACT TO REZONE PROPERTY SITUATED
IN THE MUNICIPALITY OF DEDEDO,
SPECIFICALLY LOT 10063 REM. (PORTION 1
AND PORTION 3), TOGETHER CONTAINING
AN AREA OF APPROXIMATELY 10867+
SQUARE METERS, BORDERED BY HARMON
LOOP ROAD."**

*NOTE: The original Committee Report on
Amended Bill No. 534-31 (LS)
was filed on December 11, 2012.



COMMITTEE ON RULES

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ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

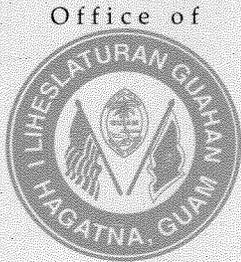
Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

Supplement to the Committee Report on Bill No. 541-31 (COR)

**"AN ACT TO REZONE PROPERTY SITUATED
IN THE MUNICIPALITY OF DEDEDO,
SPECIFICALLY LOT 10063 REM. (PORTION 1),
CONTANING AN AREA OF APPROXIMATELY
± 5,432 SQUARE METERS, BORDERED BY
HARMON LOOP ROAD."**

*NOTE: The original Committee Report on
Bill No. 541-31 (COR)
was filed on Dec. 11, 2012.



the People

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

Vice Chairman
Committee on Education

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

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Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

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

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2012

The Honorable Rory Respicio
Chairman
Committee on Rules
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Re: Bill 534 & 541 Committee Report

Hafa Adai Senator Respicio,

Please see attached testimony from Attorney Randall Cunliffe of Cunliffe & Cook Law Offices, which was received at our office after the committee reports were filed with the Committee on Rules.

I ask that you include the attached testimony in the committee reports for Bill No. 534 and Bill No. 541.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator

cc: Committee Members

Office of Senator Rory J. Respicio	
Name :	<i>Waine</i>
Date/Time	<i>DEC 11 2012 10:55am</i>

F. RANDALL CUNLIFFE
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

Cunliffe & Cook

Suite 200
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Hagåtña, Guam 96910

TELEPHONE (671) 472-1824
TELEFAX (671) 472-2422
E-MAIL cclaw@teleguam.net

December 5, 2012

Honorable Vicente C. Pangelinan, Senator
I Mina'trentai Unu Na Liheslaturan Guåhan
Chairman, Committee on Appropriations, Taxation,
Public Debt, Banking, Insurance, Retirement, and Land
Suite 101 Quan Building
324 W. Soledad Ave.
Hagåtña, Guam 96910



RE: **Bill No. 534-31**
A Legislation to Rezone Lot No. 10063 REM Portion 1
and Lot No. 10063 (Portion 3), Dededo, Guam

Dear Senator Pangelinan:

I am writing in support of the legislation to rezone Lot No. 10063 REM Portion 1 and 10063 REM Portion 3, Dededo, Guam from R1 to commercial for the Chamorro Land Trust Commission.

I represent Agfayan Inc., who has a License Agreement for Lot No. 10063 REM (Portion 3), which contains 5,432± square meters. Agfayan Inc. has a restaurant, fish shop, bakery and storage facilities on the property, and because it is zoned R1, business licenses are hard to obtain. This lot and Lot 10063 REM (Portion 1) are across the street from the Dededo Flea Market and are useful to the Chamorro Land Trust and its licensees for flea market type operations. The property has a 75 foot easement between Portion 1 and the residential area that is adjacent. Lot 10063 NEW and 10063 REM (Portion -2) are contiguous to the lots before your committee, and they are occupied by GTA. There should be no adverse consequence to any immediate neighbors by rezoning these properties to commercial.

I have been in communication with Mr. Monte Mafnas, Director of the Chamorro Land Trust Commission, and he has been very supportive of this rezoning for the Chamorro Land Trust properties. The Guam Environmental Protection Authority apparently wants a portion of

Honorable Vicente C. Pangelinan, Senator
I Mina'trentai Unu Na Liheslaturan Guåhan
Chairman, Committee on Appropriations, Taxation,
Public Debt, Banking, Insurance, Retirement, and Land
December 5, 2012
Page Two

Lot 10063REM (Portion 1) to be dedicated to a ponding basin for these properties so that water does not run off onto Marine Drive or Harmon Loop Road. I believe it would be beneficial not only to my client, but to the Chamorro Land Trust to be able to have these 2 lots that are under the jurisdiction of the Chamorro Land Trust rezoned to commercial so that they can have their best use for the Commission and recipients of their properties.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

CUNLIFFE & COOK

A handwritten signature in cursive script, appearing to read "F. Randall Cunliffe".

F. RANDALL CUNLIFFE

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 541 -31 (COR)

Introduced by:

R.J. RESPICIO
T.C. ADA
B.J. CRUZ

AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1), CONTAINING AN AREA OF APPROXIMATELY 5,432 ± SQUARE METERS, BORDERED BY HARMON LOOP ROAD.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 SECTION 1. "Approval of Rezoning. Pursuant to an October 12, 2012,
3 Memorandum to the Building Permits and Inspection Administrator of the
4 Department of Public Works (DPW), via the Director of DPW and the
5 Director of the Department of Land Management (DLM), a change in the
6 zoning designation of a lot in the Municipality of Dededo, specifically lot
7 10063-REM. (Portion 1), containing an area of approximately 5,432 ± square
8 meters, is approved.

9 SECTION 2. Rezoning. "Lot 10063-REM. (Portion 1), containing an
10 area of approximately 5,432 ± square meters, bordered By Harmon Loop
11 Road, currently zoned "R-1," is hereby rezoned to "C." A section of Lot
12 10063 Rem. (Portion 1) shall be designated for a ponding basin."

13 SECTION 3. "Effective Date. This Act shall be effective upon
14 enactment."

2012 DEC 10 PM 3:13