



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 25, 2011

31-11-564

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

5/24/11
11:30 AM
ES

Dear Madame Speaker:

Transmitted herewith is Bill No. 26-31 (COR) "AN ACT TO REZONE A CERTAIN PARCEL IN THE MUNICIPALITY OF TAMUNING FROM MULTIPLE DWELLING ZONE (R2) TO COMMERCIAL ZONE (C)", which I signed into law on May 24, 2011 as **Public Law 31-56**.

Senseramente,

EDDIE BAZA CALVO

2011 MAY 27 AM 9:55

Attachment: copy of Bill

564

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

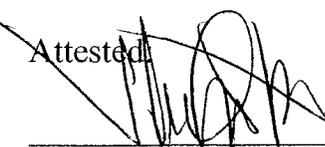
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUĀHAN*

This is to certify that **Bill No. 26-31 (COR)**, “AN ACT TO REZONE A CERTAIN PARCEL IN THE MUNICIPALITY OF *TAMUNING* FROM MULTIPLE DWELLING ZONE (R2) TO COMMERCIAL ZONE (C)”, was on the 10th day of May, 2011, duly and regularly passed.



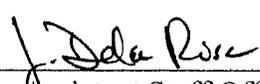
Judith T. Won Pat, Ed.D.
Speaker

Attested



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guāhan* this 12th day of May, 2011, at
10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guāhan
MAY 24 2011

Date: _____

Public Law No. 31-56

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

Bill No. 26-31 (COR)

As amended on the Floor.

Introduced by:

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

**AN ACT TO REZONE A CERTAIN PARCEL IN THE
MUNICIPALITY OF *TAMUNING* FROM MULTIPLE
DWELLING ZONE (R2) TO COMMERCIAL ZONE (C).**

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

2 **Section 1. Legislative Findings.** The owner of the subject property, Ri-
3 cardo B. Eusebio and Mary Ann A Eusebio, are seeking the assistance of *I Lihesla-*
4 *tura* to rezone their property from Multiple Dwelling Zone (R2) to Commercial
5 Zone (C) for the purpose of maximizing its potential use. *I Liheslatura* finds that
6 the subject property is surrounded by other properties zoned Commercial Zone (C).

1 **Section 2. Rezone of a Certain Lot Within Oka, Tamuning, Municipal-**
2 **ity of Dededo.** Lot No. 2149-8NEW-R1, *Tamuning* (formerly *Dededo*), Guam
3 Suburban, as said Lot is described in that Consolidation Survey Map of Lot Nos.
4 2149-8, 2149-9 and 2149-13, into Lot 2149-8NEW-R1, then Severance of Right of
5 Way Survey Map of Lot 8NEW-R1, as shown on Drawing Number MS-88035, as
6 L.M. Check Number 381-FY 88, dated 29 July 1988 and recorded on 01 August
7 1988 under Instrument No. 401574 at Land Management, is hereby rezoned from
8 Multiple Dwelling Zone (R2) to Commercial Zone (C).



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

APR 29 2011

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

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

RE: Committee Report on Bill No. 26-31 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 26-31 (COR), *As* Introduced: "An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone" and which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

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

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

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

**COMMITTEE REPORT
ON**

Bill No. 26-31 (COR), As Introduced

**An act to rezone a certain parcel in the
municipality of Tamuning from Multi Family
Dwelling (R2) to Commercial (C) Zone**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

~~APR 29 2011~~

MEMORANDUM

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

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 26-31 (COR), As Introduced

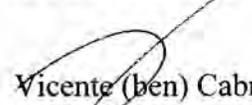
Transmitted herewith for your consideration is the Committee Report on Bill No. 26-31 (COR), As Introduced: An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone" sponsored by Senator F.F. Blas, Jr.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 26-31 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copy of submitted testimony and additional documents
6. Fiscal Notes
7. Copy of COR referral Bill No. 26-31 (COR), As Introduced
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse'


Vicente (ben) Cabrera Pangelinan
Chairman

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
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Committee on
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Member
Committee on the Guam
Military Buildup and
Homeland Security

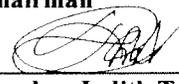
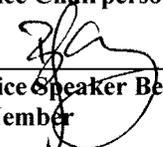
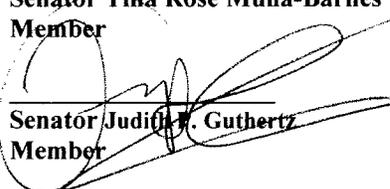
Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

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

Bill No. 26-31 (COR), As Introduced "An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone"

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J. F. Cruz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith F. Guthertz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator V. Anthony Ada Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Christopher M. Duenas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mana Silva Taijeron Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Committee Report

Bill No. 26-31 (COR): "An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone."

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on April 14, 2011 at 1:00 pm in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for the public hearing were disseminate via hand-delivery and electronic mail to all senators and all main media broadcasting outlets on April 7, 2011 (5 day notice), and again on April 12, 2011 (48 hour notice).

(a) Committee Members and Senators present:

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Frank Blas, Jr.

(b) Appearing before the committee:

Dr. Richardo Eusebio

(c) Written Testimony Submitted:

Anisia Terlaje, Acting Director, Dept. Land Management

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

Senator Vicente (ben) Cabrera Pangelinan: The next bill on the agenda is Bill 26-31 An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone. The bill is authored by Senator Frank Blas, Jr. and we will give him the chance to introduce the bill.

Senator Frank Blas, Jr.: Thank you Mr. Chairman. As you stated Bill 26-31 is An act to rezone a certain parcel in the municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone. Mr. & Mrs. Eusebio are seeking assistance from the legislature to rezone this property for the purpose of building a medical facility in that area. We have Dr. Richardo Eusebio here to provide his testimony.

Senator Vicente (ben) Cabrera Pangelinan: Dr. Eusebio please come forward, make sure the microphone is on, introduce yourself and proceed with your testimony.

(b) Testimony

1. Dr. Richardo Eusebio

Dr. Richardo Eusebio: My name is Rick Eusebio. I am a surgeon practicing on Guam since 1992. I've been in private practice in my clinic since 1995 and in that clinic its one where we are paying rent. So during this time period of many years we've come to the realization that it would be nice to have our own clinic. This was strengthen by the fact that my son who has now graduated from medical school is also going into the practice of surgery and it would be nice as most parents understand to have something your son go to. It would be an incentive to have him come back here to join me in my practice.

We decided to look into this property in Tamuning which would be close to the hospital to build our clinic. The property is R2 and it needs to be converted to commercial in order to build the clinic and that was one issue. We have spoken to people who are owners of properties near by. Across from us is a store and that's not a problem, across from us are all commercial. Next to us is Mr. Herero who is the former mayor of Tamuning and we spoken to him and as a matter of fact he owns a parcel of property right next us which is also commercial zoned. He has no objections converting that to commercial.

On the right of us is apartments owned by Mrs. Rapadas and she has no objections for a clinic nearby. So in terms of the neighbors they have no objections to having a clinic there. The only issue is why are we doing it through here. The reason for that is about the way the property and building is being financed. We don't have very much time in order to do this and this seemed to be the best avenue in terms of time to do it this way. The Senator, Frank Blas, Jr. was

kind enough to help us and in doing this and we need the committee's cooperation in order to make this thing a reality to try to establish a clinic in this area is a dream that we wanted as a family. My family is here and my work is here to support it. It will be beneficial to the community and we want to stay and continue our practice on Guam and the intention is nothing but to build a surgery clinic so that we can continue working.

PANEL COMMENTS AND QUESTIONS

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much Dr. Eusebio. Dr. Eusebio the property fronts Farenholt? So it's not set in the back?

Dr. Eusebio.: Yes, not the back.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much. Si Yu'us Ma' ase'. There being no other testimony Bill 26-31 has been duly heard.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 26-31 (COR), As Introduced, with the recommendation To Pass.

I MINA'TRENTAI UNO NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

Bill No. 26-31(COR)

Introduced by:

F. F. Blas, Jr. 
V.A. Ada 
M. Silva-Taijeron  

2011 JAN 12 AM 10:05

AN ACT TO *REZONE* A CERTAIN PARCEL IN THE
MUNICIPALITY OF TAMUNING FROM MULTI
FAMILY DWELLING (R2) TO COMMERCIAL (C)
ZONE.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
2 **Section 1. Legislative Findings.** The owner of the subject property,
3 Ricardo B. Eusebio and Mary Ann A Eusebio, are seeking the assistance of *I*
4 *Liheslatura* to rezone their property from Multi-Family Dwelling (R2) to
5 Commercial (C) zone for the purpose of maximizing its potential use. *I*
6 *Liheslatura* finds that the subject property is surrounded by other properties zoned
7 Commercial (C).
8 **Section 2. Rezone of a Certain Lot within Oka Tamuning,**
9 **Municipality of Dededo.** Lot No. 2149-8NEW-R1, Tamuning (formerly of
10 Dededo), Guam Suburban, as said Lot is described in that Consolidation Survey
11 Map of Lot Nos. 2149-8, 2149-9 and 2149-13, into Lot 2129-8NEW then
12 Severance of Right of Way Survey Map of Lot 2129-8NEW, as shown on Drawing
13 Number MS-88035, as L.M. Check Number 381-FY 88, dated 29 July 88 and
14 recorded on 01 August 88 under instrument No. 401574 at Land Management, is
15 hereby rezoned from Multi-Family Dwelling (R2) zone to Commercial (C) zone.



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**
Thursday, April 14, 2011
Bill No. 26-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Dr. Ricardo Eusebio			reusebio@ teleguam.net				

**F
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OFFICE OF SENATOR FRANK F. BLAS, JR.
31st Guam Legislature, Minority Leader
238 Archbishop Flores St., DNA Bldg., Suite 908
Hagatna, GU 96910
Office 472-2527/31/32
Fax: 472-2528

TO: Sen. Pangelinan
FAX #: 473-4238
DATE: 02.01.11

FROM: Mary

OF PAGES: 3

SUBJECT: Bill 26-31

Message:

Attachd is letter dated 01.19.11 from DLM. Their comments on Bill 26-31
(COR).

Thanks!


m



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



EDDIE BAZA, CALVO
Governor

ANISIA B. TERLAJE
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:
dmdir@dlm.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

January 19, 2011

Honorable Frank F. Blas, Jr.
Ste. 907 DNA Building
238 Archbishop Flores Street
Hagåtña, Guam 96910

REVISED
JAN 20 2011
DATE: [Signature]

Subject: Comments on Bill No. 26-31(COR)

We have reviewed the subject Bills and provide our comments as follows:

Bill No. 26-31(COR) "An Act to Rezone Lot 2149-8NEW-R1 from Multi-Family Dwelling (R-2) to Commercial (C) Zone".

The Department supports the intent of Bill 26-31(COR) which is to rezone Lot No. 2149-8NEW-R1 from Multi-Family Dwelling (R-2) to Commercial (C) Zone; and in which the subject lot fronts Farenholt Avenue. For the past 10 years or so, properties within the vicinity have been rezoned for commercial uses. The strip on both sides of Farenholt Avenue has been transformed from its initial residential use to the current more commercialize area; an area that has seen an extension of mix commercial uses that has extended from Chalan San Antonio; to Hotel Resort entities including support services along Gov. Carlos Camacho Road. Other limited commercial uses and professional offices exist throughout the length of Farenholt Avenue and still other similar uses are being planned and awaiting GLUC review.

It is our understanding that the intent of the rezoning to the CZone is for the property owner to develop the property in order to establish a permanent home for his personal medical clinic; and that the Zone Change will maximize the property's full potential use to accommodate other related commercial accessory uses. Under the propose rezoning, the intended use will be compatible with existing uses in the area.

In any rezoning request, such action must justify **PUBLIC NECESSITY**, **PUBLIC CONVENIENCE** and **GENERAL WELFARE**. Therefore, we submit the following comments:

Continuation of Letter
RE: Comments on Bill N 26-31(COR)
January 19, 2011
Page 2 of 2

In regards to the intended use for "medical services and medically related commercial accessory uses, we find that there is a demand for such services and ancillary care, given fact that GMH is saturated and over extended including existing medical clinics in the area in providing for such services and care. An additional medical clinic is a real need and demand and if this propose clinic is to be realized, then the criteria of **PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE** is easily justified. Additionally, the property abuts Farenholt Avenue; and as such, the CZone designation is appropriate. All infrastructure systems are in place and notwithstanding any infrastructure capacity issues; any propose uses on the property can be readily serviced.

We have reviewed the Central and Northern Land Use Plan (CN LUP) and although it has yet to be approved, the current propose use of this rezoning action is in line with the planned uses in the CN LUP.

Assuming that all these factors of "Public Necessity, Convenience and General Welfare when justified, will enhance the economic impact to the area and the community as a whole. Property taxes certainly could be higher which can contribute to the overall tax base.

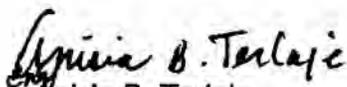
The lease or sale of the property, if undertaken, could also be likely higher and bodes well for government revenues. Taxes on adjacent and abutting properties may be affected, but not necessarily, depending on whether the use(s) are considered offensive and obnoxious as compared to what it was prior to the zoning or rezoning and whether the use is in close proximity to residences, as applicable.

The location of Lot 2149-8NEW-R1 is within an area where most commercial, professional and medical uses exist. The propose "use" is compatible with surrounding uses; and therefore, the propose use is not expected to degrade the physical characteristics in the area nor is it expected to de-value properties.

Should the propose Bill be pass into law, it will not have any fiscal affects on the Department or its operations. We have no objections Bill 26-31(COR).

Contact Planning Division at 649-5263 extension 311, should you have additional questions or need further clarification.

Senseramente,


Anisia B. Terlaje
Acting Director, Land Management

Cc: Planning Division

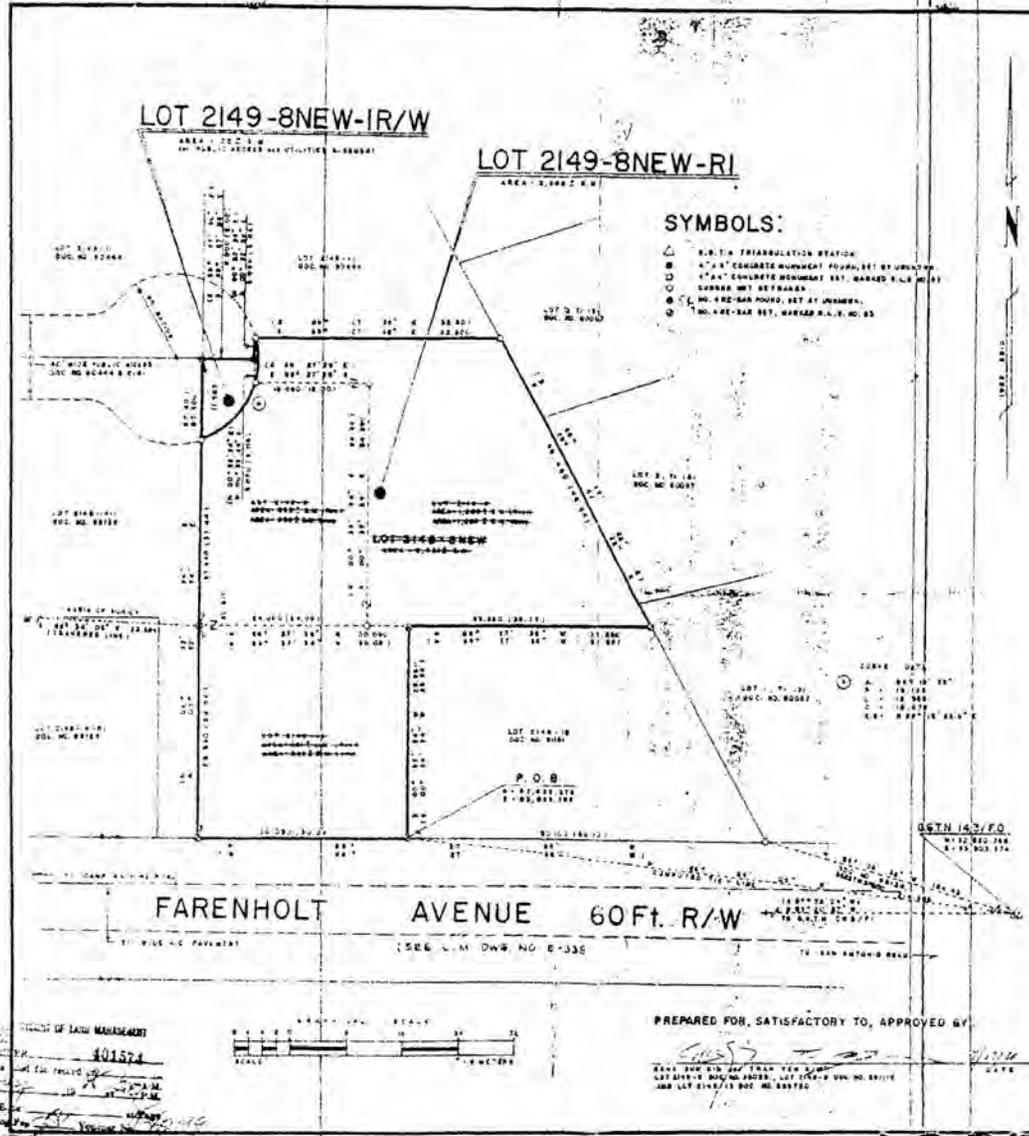
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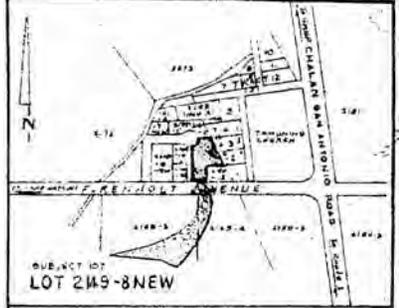
DRAWING NUMBER

6207

10/1/10



- SYMBOLS:**
- △ S.B.T.A. TRIANGULATION STATION
 - 4" x 4" CONCRETE MONUMENT FOUND, SET BY SURVEYOR
 - 4" x 4" CONCRETE MONUMENT SET, MARKED WITH METAL CURVED MET STRIP
 - 1" x 1" x 1" IRON PIVOT, SET AT CORNER
 - 1" x 1" x 1" IRON PIVOT, SET AT CORNER



NOTES

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN
2. ALL DISTANCES GIVEN IN METERS, UNLESS OTHERWISE NOTED
3. MEASUREMENT DISTANCES ARE BASED ON 1983 WMD AND FIELD CONDITION

REFERENCES

1. DWS NO. 11-1729-01, LOT 2149-14, PREPARED BY R.L.S. NO. 8, L.M. NO. 14-PT-70, DCC. NO. 81818.
2. DWS NO. 12-1125-04, LOT 2149-11, PREPARED BY R.L.S. NO. 30, L.M. NO. 17-PT-68, DCC. NO. 81911.
3. DWS NO. 12-1125-04, LOT 2149-8, -7, -6, -5, -4, -3, -2, -1, PREPARED BY R.L.S. NO. 30, L.M. NO. 17-PT-68, DCC. NO. 80446.
4. DWS NO. 12-1125-04, LOT 2149-7, PREPARED BY R.L.S. NO. 30, L.M. NO. 17-PT-68, DCC. NO. 81810.

CERTIFICATIONS

I, MELITON S. SANTOS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN JULY 2009 IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

MELITON S. SANTOS *M.S. Santos* 7/2/10
 REG. NO. 53 DATE

APPROVED PURSUANT TO FUNCTIONAL R-124, TITLE 18, ADMINISTRATION OF LAND

Meliton S. Santos
 TERRITORIAL PLANNER DATE 7/2/10

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF CHAPTER 18, TITLE 18, GOVERNMENT CODE OF TEXAS AND REGULATIONS THEREUNDER ON THIS THE 11th DAY OF JULY 2010.

Meliton S. Santos
 TERRITORIAL SURVEYOR DATE 7/2/10

REV.	DATE	DESCRIPTION	BY	DATE APPROVED
1	7/2/10	ISSUED	M.S. Santos	7/2/10

SURVEY DATA		DATE	
MELITON S. SANTOS			
REGISTERED LAND SURVEYOR NO. 53			
P.O. BOX 2201 ADAMS SUITE 800 TEL 477-4247			
FIELD BY	M.P.	DATE	
COMPUTED BY	M.S.	DATE	
CHECKED BY	M.S.	DATE	
SEVERANCE OF RIGHT OF WAY SURVEY MAP OF			
LOT 2149-8NEW			
LAND SQUARE 11 SECTION 4			
Q.14, T.18N, R.12E, COUNTY OF DALLAS, TEXAS			
MADE LOT 2149-8 (PARTIAL) 1/14/10			
NO. 53			
BY NAME OF			
MS-85035			
TAX MAP NUMBER			
381-FY10B			
SHEET 1 OF 1 SCALE 1"=40'			

6207

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 26-31(COR)**

AN ACT TO REZONE A CERTAIN PARCEL IN THE MUNICIPALITY OF TAMUNING FROM MULTI-FAMILY DWELLING (R-2) TO COMMERCIAL (C) ZONE.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Land Management	Dept./Agency Head: Anicia B. Terlaje, Acting Director
Department's General Fund (GF) appropriation(s) to date:	
Department's Other Fund (Land Survey Revolving Fund) appropriation(s) to date:	\$3,364,411
Total Department/Agency Appropriation(s) to date:	\$3,364,411

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance	\$0	\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / x / Yes / / No
If Yes, see Attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ / x / N/A
3. Does the Bill establish a new program/agency? / / Yes / x / No
If yes, will the program duplicate existing programs/agencies? / x / N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes / x / No
4. Will the enactment of this Bill require new physical facilities? / / Yes / x / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes / / No
/ / Requested agency comments not received by due date / x / Other:

Analyst: Evelyn G. Fernandez Date: 1/21/11 Acting Director: Benita A. Mangiona Date: JAN 24 2011
Evelyn G. Fernandez Benita A. Mangiona

Footnotes:

See attachment to fiscal note.



COMMITTEE ON RULES

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155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Senator
Christopher M. Duenas

January 12, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 22-31 (COR) through 26-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 22-31 (COR) through 26-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'Trentai Unu Na Liheslaturan Guáhan*.

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

Si Yu'os ma'áse!

(4) Attachments

2011 JAN 12 PM 1:00

20

I Mina'trentai Unu Na Liheslaturan Gu áhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee/Office Referred
26-31 (COR)	F.F. Blas, Jr., V.A. Ada, M. Silva-Taijeron	An act to <i>rezone</i> a certain parcel in the Municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone.	1/12/11 10:05 a.m.	1/12/2011		Committee on Appropriation, Taxatin, Public Debt, Banking, Insurance, Retirement and Land



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 7, 2011

Memorandum

To: All 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

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

Bill No. 17-31- (COR): An act to authorize *I Maga'lahaen Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

Bill No. 26-31 (COR): An Act to Rezone a certain parcel in the Municipality of Tamuning from Multi-Family (R2) to Commercial (C).

Bill 39-31 (COR): An Act Relative to Rezoing Lot No. 10117-R6, Located in the Municipality of Dededo, from Commercial ("C") to Light Industrial (M1) for purposes of establishing businesses related to construction and warehouse activities; while ensuring Safety and Environmental concerns of adjacent residents and businesses are properly addressed.

Memo to Senators
April 7, 2011
Page 2

Bill 96-31 (COR): An Act to zone the previously unzoned Lot No. 2181-4NEW-R1NEW, Lot No. 5200-3, and Lot No. 5199-1 in the Municipality of Barrigada to Light Industrial (M-1) Zone.

Bill No. 108-31 (COR): An Act to Rezone Lot No. 20, Block 9, Dededo Village Extension, in the Municipality of Dededo, from Multiple-Family Dwelling (R-2) to Commercial (C) zone.

Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

cc: Tom Unsiong, Sergeant-at-Arms
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PUBLIC HEARING - FIRST NOTICE

from • Lisa Cipollone <cipo@guamlegislature.org>
to phnotice@guamlegislature.org
date Thu, Apr 7, 2011 at 11:01 AM
subject PUBLIC HEARING - FIRST NOTICE
mailed-by guamlegislature.org

Hafa A dai,

Please see attached memo from Senator Vicente Pangelinan regarding public hearing notice for Bills 131-31 at 9:00am and 17-31, 20-31, 26-31, 39-31, 96-31, 108-31 and 109-31 at 1:00pm to be heard on April 14, 2011

Should you have any questions please don't hesitate to call our office at 473-4236.

--
Lisa Cipollone
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Office of Senator ben c. pangelinan
(671) 473-4236
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date Thu, Apr 7, 2011 at 11:09 AM
subject PUBLIC HEARING - FIRST NOTICE
mailed-by guamlegislature.org

Hafa Adai,
Senator Pangelinan will hold a public hearing at 9:00am and 1:00pm on Thursday, April 14, 2011 at the Guam Legislature Public Hearing Room. Please see agenda for details

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)

Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
(9:00 AM)

TAREHA
(AGENDA)

Priniponi Siha
(Bills)

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and

Equipment Projects.

Ala una gi despues di talo'ani
(1:00pm)

Bill No. 17-31- (COR): An act to authorize I Maga'lahaen Guahan to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

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Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

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If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at senbenp@guam.net or log onto www.senbenp.com

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Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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Subject: PUBLIC HEARING - FIRST NOTICE
From: Lisa Cipollone <cipo@guamlegislature.org>
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, jason@kuam.com,



I Mina Trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)
gi Huebes, gi diha 14 gi Abril, 2011 (Thursday, April 14, 2011)
Kuátton Inekungok Pubbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)
Alas 9 gi ega'an (9:00 AM)
TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

Ala una gi despues di talo'áni (1:00 PM)

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Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

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I Mina Trentai Uno Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)
gi Huebes, gi diha 14 gi Abril, 2011 (Thursday, April 14, 2011)
Kuátton Inekungok Pubbleko gi I Liheslaturan Guáhan
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I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 12, 2011

Memorandum

To: All 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
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The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

Bill No. 17-31- (COR): An act to authorize *I Maga'lahren Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

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Memo to Senators
April 12, 2011
Page 2

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cc: Tom Unsiong, Sergeant-at-Arms
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Lisa Cipollone
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Office of Senator ben c. pangelinan
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**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Huebes, gi diha 14 gi Abril, 2011
(Thursday, April 14, 2011)*

*Kuáttion Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)*

*Alas 9 gi ega'an
(9:00 AM)*

**TAREHA
(AGENDA)**

**Priniponi Siha
(Bills)**

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THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)
gi Huebes, gi diha 14 gi Abril, 2011 (Thursday, April 14, 2011)
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Alas 9 gi ega'an (9:00 AM)
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THIRTY-FIRST GUAM LEGISLATURE

**Senator Vicente "ben" Cabrera Pangelinan
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**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)*

*Kuátton Inekungok Pupbleko gi I Lihselaturan Guahan
(Guam Legislature Public Hearing Room)*

***Alas 9 gi ega'an
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Christopher M. Duenas

May 9, 2011

MEMORANDUM

To: Patricia C. Santos
Clerk of the Legislature

From: Rory J. Respicio
Chairperson, Committee on Rules

Subject: Written Testimonies -Bill No. 26-31 (COR)

Hafa Adai!

Transmitted herewith is a memo from Senator vicente (ben) c. pangelinan, Chairperson, Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, forwarding additional testimonies on Bill No. 26-31 (COR).

Please include this memo and the attachment as a "Supplement" to the Committee Report on Bill No. 26-31 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website.

Si Yu'os ma'åse'!

cc: Senator vicente c. pangelinan



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Christopher M. Duenas

Supplement to the Committee Report On Bill No. 26-31 (COR)

"An Act to *rezone* a certain parcel in the Municipality of Tamuning from Multi Family Dwelling (R2) to Commercial (C) Zone."

*NOTE: The original Committee Report on
Bill No. 26-31 (COR)
was filed on May 2, 2011.



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 9, 2011

Memorandum

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

To: Senator Rory Respicio
Chairman
Committee on Rules

From: Senator Vicente (ben) Cabrera Pangelinan

Vice Chairman
Committee on Education

Re: Testimony

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

Please find attached a copy of a supplemental testimony for Bill No. 26, which was received after the committee report was filed.

I hereby request that the attached testimony be included in the committee report for Bill No. 26.

Si Yu'os Ma'ase,

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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5-9-11
Senben Pangelinan



Office of the Mayor

Municipality of Tamuning-Tumon-Harmon

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Francisco C. Blas, Mayor

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Louise C. Rivera, Vice Mayor

email: weezenivera@hotmail.com

May 6, 2011

Honorable Vicente C. Pangelinan
I Mina'Trentai Uno Na Liheslaturan Guahan

Subject: Letter of Support for rezone

Dear Honorable Senator Pangelinan,

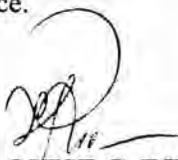
As community leaders for the municipality of Tamuning-Tumon and Harmon and on behalf of our great residents and municipal planning council members we hereby submit to you our letter of support in reference to Bill No. 26-31 for the owners of Lot No. 2149-8NEW-R1 Ricardo B. and Mary Ann A. Eusebio who are seeking the assistance of I Liheslatura to rezone their property from a multi-family dwelling (R2) to a commercial (C) zone for the purpose of maximizing its potential use.

After speaking to the surrounding residents, businesses, property owners and seeking our municipal planning council members input, we as a community favor the support and welcome the approval to have said property rezoned from an R2 zone to a C zone.

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

Sincerely,


FRANCISCO C. BLAS,
Mayor


LOUISE C. RIVERA,
Vice Mayor

I MINA'TRENTAI UNO NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

Bill No. 26-31(COR)

Introduced by:

F. F. Blas, Jr.
V.A. Ada
M. Silva-Taijeron

2011 JAN 12 AM 10:05

**AN ACT TO REZONE A CERTAIN PARCEL IN THE
MUNICIPALITY OF TAMUNING FROM MULTI
FAMILY DWELLING (R2) TO COMMERCIAL (C)
ZONE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings. The owner of the subject property, Ricardo B. Eusebio and Mary Ann A Eusebio, are seeking the assistance of *Liheslatura* to rezone their property from Multi-Family Dwelling (R2) to Commercial (C) zone for the purpose of maximizing its potential use. *Liheslatura* finds that the subject property is surrounded by other properties zoned Commercial (C).

Section 2. Rezone of a Certain Lot within Oka Tamuning, Municipality of Dededo. Lot No. 2149-8NEW-R1, Tamuning (formerly of Dededo), Guam Suburban, as said Lot is described in that Consolidation Survey Map of Lot Nos. 2149-8, 2149-9 and 2149-13, into Lot 2129-8NEW then Severance of Right of Way Survey Map of Lot 2129-8NEW, as shown on Drawing Number MS-88035, as L.M. Check Number 381-FY 88, dated 29 July 88 and recorded on 01 August 88 under instrument No. 401574 at Land Management, is hereby rezoned from Multi-Family Dwelling (R2) zone to Commercial (C) zone.