

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
92-32 (COR) - P.L. 32-045	Michael T. Limtiaco, T.R. Muña Barnes	AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.	4/16/2013 3:47pm	4/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Park, Recreation, Historic Preservation, and Land	5/14/13, 2:00pm	5/6/13, 4:00pm	Fiscal Notes Requested 4/22/13 Fiscal Notes Received 5/6/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	PUBLIC LAW NO.	NOTES
	6/24/2013	AN ACT TO <i>ADD</i> A NEW SUB-ITEM (1) TO § 61103(q) OF ARTICLE 1, AND TO <i>AMEND</i> §§ 61305(a), 61306(a), AND 61307(b)(6) OF ARTICLE 3, ALL OF TITLE 21, GUAM CODE ANNOTATED; AND TO <i>AMEND</i> §§ 30101 AND 30102(a) OF CHAPTER 30, DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR BED AND BREAKFASTS IN R1, R2 AND COMMERCIAL ZONES.	6/26/13	3:00pm	7/8/13	7/5/2013	32-045	As amended on the Floor.



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JUL 08 2013

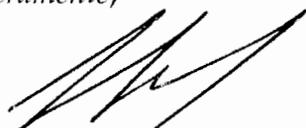
Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-13-565
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 7/8/13
Time: 4:34
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No.92-32 (COR) "AN ACT TO ADD A NEW SUB-ITEM (1) TO § 61103(q) OF ARTICLE 1, AND TO AMEND §§ 61305(a), 61306(a), AND 61307(b)(6) OF ARTICLE 3, ALL OF TITLE 21, GUAM CODE ANNOTATED; AND TO AMEND §§ 30101 AND 30102(a) OF CHAPTER 30, DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR BED AND BREAKFASTS IN R1, R2, AND COMMERCIAL ZONES" which I signed into law on July 5, 2013 as Public Law 32-045.

Senseramente,


EDDIE BAZA CALVO
I Maga'lahaen Guåhan
Governor of Guam

2013 JUL -8 PM 5:00

[Signature]

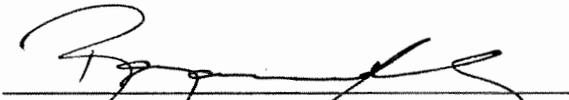
Attachment: copy of Bill



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

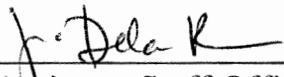
This is to certify that **Bill No. 92-32 (COR)**, "AN ACT TO ADD A NEW SUB-ITEM (1) TO § 61103(q) OF ARTICLE 1, AND TO AMEND §§ 61305(a), 61306(a), AND 61307(b)(6) OF ARTICLE 3, ALL OF TITLE 21, GUAM CODE ANNOTATED; AND TO AMEND §§ 30101 AND 30102(a) OF CHAPTER 30, DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR BED AND BREAKFASTS IN R1, R2 AND COMMERCIAL ZONES", was on the 24th day of June, 2013, duly and regularly passed.


Benjamin J.F. Cruz
Acting Speaker

Attested:


Thomas C. Ada
Acting Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 26th day of June, 2013, at 3:00 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: JUL 05 2013

Public Law No. 32-045

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 92-32 (COR)

As amended on the Floor.

Introduced by:

Michael T. Limtiaco
T.R. Muña Barnes
Vicente (ben) C. Pangelinan
Frank B. Aguon, Jr.
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
Chris M. Dueñas
Brant T. McCreadie
Tommy Morrison
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO ADD A NEW SUB-ITEM (1) TO § 61103(q) OF ARTICLE 1, AND TO AMEND §§ 61305(a), 61306(a), AND 61307(b)(6) OF ARTICLE 3, ALL OF TITLE 21, GUAM CODE ANNOTATED; AND TO AMEND §§ 30101 AND 30102(a) OF CHAPTER 30, DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR BED AND BREAKFASTS IN R1, R2 AND COMMERCIAL ZONES.

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

2 **Section 1.** A new Sub-item (1) is *added* to § 61103(q) of Article 1, Title
3 21, Guam Code Annotated, to read:

1 “(1) *Bed and Breakfast*. A private residence or building appurtenant
2 or accessory to a private residence containing five or fewer rooms intended
3 or designed to be used, or which are used, rented, or hired out to be
4 occupied, or which are occupied for sleeping purposes. No home may be
5 licensed as a Bed and Breakfast whose physical address is the physical
6 address of a registered sex offender.”

7 **Section 2.** § 61305(a) of Article 3, Title 21, Guam Code Annotated, is
8 hereby *amended* to read:

9 **“§ 61305. R1 One-Family Dwelling Zone.**

10 (a) Use Permitted.

11 (1) One-family dwellings.

12 (2) Gardening and the keeping of pets for noncommercial
13 purposes.

14 (3) Bed and breakfasts.

15 (4) Use customarily accessory to any of the above uses,
16 including home occupations and private parking areas with accessory
17 buildings and structures.”

18 **Section 3.** § 61306(a) of Article 3, Title 21, Guam Code Annotated, is
19 hereby *amended* to read:

20 **“§ 61306. R2 Multiple Dwelling Zone.**

21 (a) Use Permitted.

22 (1) One-family dwellings.

23 (2) Duplexes.

24 (3) Multi-family dwellings.

25 (4) Hotels, private groups, and institutions.

26 (5) Bed and breakfasts.

1 (6) Accessory uses and structures for the above.”

2 **Section 4.** § 61307(b)(6) of Article 3, Title 21, Guam Code Annotated, is
3 hereby *amended* to read:

4 “(6) Hotels, motels, bed and breakfasts, and tourist
5 accommodations.”

6 **Section 5.** The first paragraph of § 30101 of Chapter 30, Division 2 of Title
7 11, Guam Code Annotated, is *amended* to read:

8 “§ 30101. **Imposition.**

9 An excise tax is hereby levied and imposed which *shall* be assessed
10 and collected monthly, against transient occupants of a room or rooms in a
11 hotel, lodging house, and bed and breakfast, or similar facility located in
12 Guam according to the following schedule:”

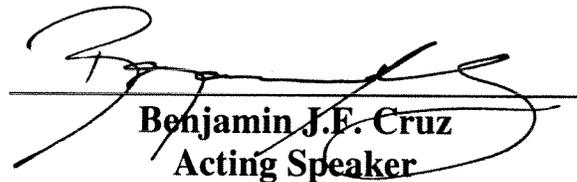
13 **Section 6.** § 30102(a) of Chapter 30, Division 2 of Title 11, Guam Code
14 Annotated, is *amended* to read:

15 “(a) *Transient occupant of a room or rooms in a hotel, lodging house, and*
16 *bed and breakfast facility or similar facilities*” means those persons who occupy
17 such facilities in a specific location for less than ninety consecutive days.”

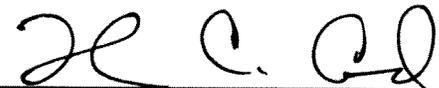
I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

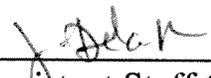
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Benjamin J.F. Cruz
Acting Speaker

Attested:


Thomas C. Ada
Acting Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 26th day of June, 2013, at 3:00 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 92-32 (COR)

As amended on the Floor.

Introduced by:

Michael T. Limtiaco
T.R. Muña Barnes
Vicente (ben) C. Pangelinan
Frank B. Aguon, Jr.
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
Chris M. Dueñas
Brant T. McCreadie
Tommy Morrison
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO ADD A NEW SUB-ITEM (1) TO § 61103(q) OF ARTICLE 1, AND TO AMEND §§ 61305(a), 61306(a), AND 61307(b)(6) OF ARTICLE 3, ALL OF TITLE 21, GUAM CODE ANNOTATED; AND TO AMEND §§ 30101 AND 30102(a) OF CHAPTER 30, DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR BED AND BREAKFASTS IN R1, R2 AND COMMERCIAL ZONES.

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

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2 or accessory to a private residence containing five or fewer rooms intended
3 or designed to be used, or which are used, rented, or hired out to be
4 occupied, or which are occupied for sleeping purposes. No home may be
5 licensed as a Bed and Breakfast whose physical address is the physical
6 address of a registered sex offender.”

7 **Section 2.** § 61305(a) of Article 3, Title 21, Guam Code Annotated, is
8 hereby *amended* to read:

9 “**§ 61305. R1 One-Family Dwelling Zone.**

10 (a) Use Permitted.

11 (1) One-family dwellings.

12 (2) Gardening and the keeping of pets for noncommercial
13 purposes.

14 (3) Bed and breakfasts.

15 (4) Use customarily accessory to any of the above uses,
16 including home occupations and private parking areas with accessory
17 buildings and structures.”

18 **Section 3.** § 61306(a) of Article 3, Title 21, Guam Code Annotated, is
19 hereby *amended* to read:

20 “**§ 61306. R2 Multiple Dwelling Zone.**

21 (a) Use Permitted.

22 (1) One-family dwellings.

23 (2) Duplexes.

24 (3) Multi-family dwellings.

25 (4) Hotels, private groups, and institutions.

26 (5) Bed and breakfasts.

1 (6) Accessory uses and structures for the above.”

2 **Section 4.** § 61307(b)(6) of Article 3, Title 21, Guam Code Annotated, is
3 hereby *amended* to read:

4 “(6) Hotels, motels, bed and breakfasts, and tourist
5 accommodations.”

6 **Section 5.** The first paragraph of § 30101 of Chapter 30, Division 2 of Title
7 11, Guam Code Annotated, is *amended* to read:

8 “**§ 30101. Imposition.**

9 An excise tax is hereby levied and imposed which *shall* be assessed
10 and collected monthly, against transient occupants of a room or rooms in a
11 hotel, lodging house, and bed and breakfast, or similar facility located in
12 Guam according to the following schedule:”

13 **Section 6.** § 30102(a) of Chapter 30, Division 2 of Title 11, Guam Code
14 Annotated, is *amended* to read:

15 “(a) *Transient occupant of a room or rooms in a hotel, lodging house, and*
16 *bed and breakfast facility or similar facilities*” means those persons who occupy
17 such facilities in a specific location for less than ninety consecutive days.”

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall

A.Bill No: 92-32 (COR)

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

15

Yea

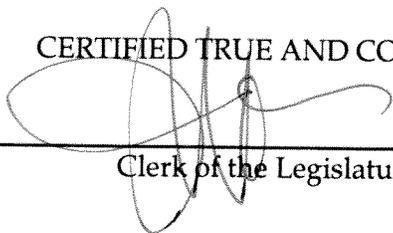
Nay

Not Voting/
Abstained

Out During
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass

June 21, 2013



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JUN 14 2013

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

Speaker

I Mina'trentai Dos 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. 92-32 (COR)

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 92-32 (COR), as introduced: "An act to add a new sub item (1) to 21 GCA § 61103(q), relative to defining a bed and Breakfast; To Amend 21 GCA § 61305, 21 GCA § 61306, and 21 GCA § 61307, Relative to adding a Bed and Breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

4 TO PASS

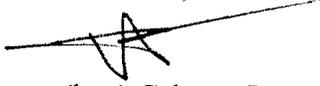
0 TO NOT PASS

3 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',


Vicente (ben) Cabrera Pangelinan
Chairman

2013 JUN 17 AM 9:16

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

**COMMITTEE REPORT
ON**

Bill No. 92-32 (COR)

Sponsored by Senator Mike Limtiaco

“An act to add a new sub item (1) to 21 GCA § 61103(q), relative to defining a bed and Breakfast; To Amend 21 GCA § 61305, 21 GCA § 61306, and 21 GCA § 61307, Relative to adding a Bed and Breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone.”



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

JUN 14 2013
MEMORANDUM

To: All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Chairman

Subject: Committee Report on Bill No. 92-32 (COR)

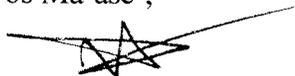
Transmitted herewith for your consideration is the Committee Report on Bill No. 92-32 (COR) as introduced, "An act to add a new sub item (1) to 21 GCA § 61103(q), relative to defining a bed and Breakfast; To Amend 21 GCA § 61305, 21 GCA § 61306, and 21 GCA § 61307, Relative to adding a Bed and Breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone" sponsored by Senator Mike Limtiaco.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 92-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note Request
7. Copy of COR referral
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,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

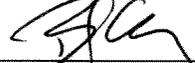
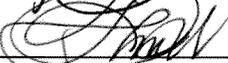
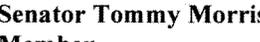
Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill No. 92-32 (COR): "An act to add a new sub item (1) to 21 GCA § 61103(q), relative to defining a bed and Breakfast; To Amend 21 GCA § 61305, 21 GCA § 61306, and 21 GCA § 61307, Relative to adding a Bed and Breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone."

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	✓				
 Vice Speaker Benjamin J. F. Cruz Vice Chairman	✓				
 Speaker Judith T. Won Pat, Ed.D Member	✓				
 Senator Tina Rose Muña-Barnes Member			✓		
 Senator Dennis Rodriguez, Jr. Member			6/14		
 Senator Michael San Nicolas Member			6/14		
 Senator Michael Limtiaco Member	✓				
 Senator Tommy Morrison Member					



Committee Report

Bill No. 92-32 (COR): “An act to add a new sub item (1) to 21 GCA §61103(q), relative to defining a bed and Breakfast; To Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to adding a Bed and Breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone.”

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on May 14, 2013 at 2:00pm in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were published in the newspaper of general circulation as required by the Open Government Law and disseminated via hand-delivery and e-mail to all senators and broadcasting outlets on May 7, 2013 (5-Day Notice), and again on May 10, 2013 and May 12, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Vice Speaker BJ Cruz, Vice Chairman
Speaker Judith T. Won Pat, Member
Senator Tina-Rose Muña-Barnes, Member
Senator Dennis Rodriguez, Member
Senator Mike San Nicolas, Member
Senator Mike Limtiaco, Member
Senator Tommy Morrison, Member
Senator Frank Aguon, Jr.
Senator Tom Ada
Senator Tony Ada
Senator Chris Dueñas
Senator Aline Yamashita

(b) Appearing before the Committee

Ms. Joanna Margarita Blas, Mayor of Asan-Maina

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

(c) Written Testimonies Submitted

Mr. David V. Camacho, Acting Director, Department of Land Management
Mr. Karl A. Pangelinan, General Manager, Guam Visitors Bureau
Mr. Thomas A. Cruz, Chief Engineer, Guam Waterworks Authority

II. COMMITTEE PROCEEDINGS

Chairman Vicente (ben) C. Pangelinan: Bill No. 92-32, we have no body signed up to testify but I would go ahead for the record and have Senator Limtiaco present the synopsis of the bill.

(a) Bill Sponsor Summary

Senator Mike Limtiaco: Thank you Mr. Chair. Bill 92-32 would add a Bed and Breakfast in permissible and conditional uses in certain zones, in an effort to grow the economy and increase opportunities for small business development. Bill 92-32 attempts to tap existing capacity in the current residential real estate market to accommodate the growth in tourism and address the hotel room shortage by amending the current zoning laws to allow for the bed and breakfast establishment as a permissible use in certain zones. This bill creates business opportunities for those that would like to pursue opening their homes to our island visitors and offer our tourist a unique experience that engrosses them in our culture and aspects of our beautiful island that they seldom experience. This bill opens the opportunity to our Southern villages for that matter to participate in our tourism market with little to know investment risk.

Although market research is not available for Guam, US and International surveys and studies have identified that more and more people are flocking to bed-and-breakfast inns. The US study cited that “just 20 years ago, there were only 1,000 B and B’s scattered throughout the country. Today there are more than 28,000 serving more than 50 million guests each year.”

The most recent GVB Japan exit survey from January 2013 shows the following data:

1. 47% of visitors are repeat visitors and it says that having alternative-lodging choices may appeal to repeat visitors.
2. The most important reason listed as choosing Guam is our natural beauty.

In GVB’s five (5) year strategic plan it was noted that visitors were not satisfied as there was a lack of available historical and cultural sightseeing tours and that they were least satisfied with the lack of opportunity to eat local food and enjoy nightlife activities.

Although B and B’s will not completely fill the void pointed out in the survey, it could provide alternate accommodations that could focus on addressing what visitors demand based on the survey, similar to what they have in Japan referred to as, Minshuku. Thank you for the opportunity to speak on this bill and I ask my fellow senators for their support.

Chairman Vicente (ben) C. Pangelinan: For the record, the testimony submitted by the Department of Land Management shows support of the bill and that testimony will be in the committee report. Mayor Blas, please come forward.

(b) Testimony

(1) Ms. Joanna M. Blas, Mayor of Asan-Maina

Mayor Blas: I am here in support of Bed and Breakfast. As you all know I am Joanna Margaret Blas, Mayor of Asan-Maina and I grew up in Asan. My parents ran a Bed and Breakfast in Asan and it was not legal then, this was 1960. He (father) had a lot of Japanese and Korean friends that would write to him and say they need a place and would he accommodate them. We provided. Growing up that was our living, our income for my mom and dad. I wholeheartedly support that. I'm not here to testify for that but when I heard it I said I had to get up there and support it.

As you all know my dad and my mom, the late Maria and Thomas Leon Guerrero Blas, with seventeen (17) kids raised us up by having a Bed and Breakfast for our tourist coming in from Japan. They did have a lot of friends because when my dad passed away a group of high dignitaries from Japan chartered a plane to be there for his funeral. I wholeheartedly support that. For a lot of people, like myself who tried to start it in 1999, was told that it could not be done. So, I left it and rented my house as a whole. Bed and Breakfast is very beneficial just like room rentals, I know there is none for room rentals but a lot of people are renting their homes month by month.

I wholeheartedly support Bed and Breakfast; as that is how my parents raised us up, sent us to school, put food on the table and clothes on our back. Thank you very much.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente (ben) C. Pangelinan: Thank you and Si Yu'os Ma'åse' Madam Mayor.

This concludes the testimony on Bill No. 92-32. 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 office@senbenp.com or through our website at www.senbenp.com.

This hearing is hereby adjourned

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 92-32 (COR) with the recommendation to pass.

2013 APR 16 PM 3:47

**I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session**

Bill No. 92-32(0012)

Introduced by:

Michael T. Lintiaco
T.R. Muña Barnes

AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Adds a new sub-item (1) to 21 GCA § 61103(q) to read:

"(1) *Bed and breakfast.* A building containing five (5) or fewer rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes."

Section 2. Amends 21 GCA § 61305 to read:

"§ 61305. R1 One-Family Dwelling Zone.

(a) Use Permitted.

(1) One-family dwellings.

(2) Gardening and the keeping of pets for noncommercial purposes.

(3) Bed and breakfast.

(4) Use customarily accessory to any of the above uses including home occupations and private parking areas with accessory buildings and structures.

(b) Conditional Use.

(1) Duplexes.

- 1 (2) Schools and churches.
- 2 (3) Parks, playgrounds and community centers.
- 3 (4) Health service office, outpatient with laboratory.
- 4 (5) Utilities and public facilities"

5 **Section 3. Amends 21 GCA § 61306 to read:**

6 **"§ 61306. R2 Multiple Dwelling Zone.**

7 (a) Use Permitted.

- 8 (1) One-family dwellings.
- 9 (2) Duplexes.
- 10 (3) Multi-family dwellings.
- 11 (4) Hotels, private groups, and institutions.
- 12 (5) Bed and breakfast.
- 13 (6) Accessory uses and structures for the above.

14 (b) Conditional Uses.

- 15 (1) Any conditional uses permitted in the R1 zone.
- 16 (2) Health Clinics.
- 17 (3) Utilities and public facilities.
- 18 (4) Air, bus, taxi, auto, rental terminals.
- 19 (5) Accessory uses and structures for the above."

20 **Section 4. Amends 21 GCA § 61307 to read:**

21 **"§ 61307. C Commercial Zone.**

22 (a) Use Permitted.

- 23 (1) One-family dwellings.
- 24 (2) Duplexes.
- 25 (3) Wholesale and retail stores, shops and businesses.
- 26 (4) Amusement enterprises.
- 27 (5) Automobile service station, including minor repairs.
- 28 (6) Bakeries.
- 29 (7) Mortuaries.
- 30 (8) Offices, business or professional, inclusive of professional

1 healing arts offices and clinics, and banks.

2 (9) Personal service shops, including barber shops, beauty parlors,
3 laundromats, and the like.

4 (10) Repair shops and service shops, including shoe repairs,
5 plumbing, dressmaking, and the like, but not including automobile
6 repair shops for major work.

7 (11) Restaurants and cafes.

8 (12) Studios.

9 (13) Other uses which in the judgment of the Commission, as
10 evidenced by resolution in writing, are similar to those listed herein.

11 (14) Uses customarily accessory to any of the above listed uses,
12 including only those accessory to manufacturing, storage, compounding
13 or processing activities which are necessary for the ordinary conduct of
14 said listed uses and which are an integral part thereof.

15 (15) Accessory structures for the above.

16 (b) Conditional Use.

17 (1) Hospital and clinics.

18 (2) Public utility and other public buildings.

19 (3) Shopping centers.

20 (4) Recreation, including cockpits, marinas, amusement centers
21 and drive-in theaters.

22 (5) Multi-family.

23 (6) Hotels, motels, bed and breakfast, and tourist accommodations.

24 (7) Air, bus, taxi and auto rental terminals.

25 (8) Auto sales and car wash.

26 (9) Parking garages and lots.

27 (10) Service vehicle storage.

28 (11) Mini-storage or mini-warehouse.

29 (12) Laundries and cleaning and dyeing establishments.

30 (13) Schools and churches.

- 1 (14) Parks, playgrounds and community centers.
- 2 (15) Utilities and public facilities.
- 3 (16) Accessory uses and structures for the above."



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Tuesday May 14, 2013
Bill No. 92
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Josua Blas	Assn					

5-10-13



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



EDDIE BAZA CALVO
Governor

MONTE MAFNAS
Director

RAY TENORIO
Lieutenant Governor

DAVID V. CAMACHO
Deputy Director

May 8, 2013

Senator Vicente (ben) C. Pangelinan
32nd Guam Legislature
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and Land
324 W. Soledad Ave., Suite 100
Hagatna, GU 96932



SUBJECT: Testimony on Bill No. 92-32

Bueñas Yan Hafa Adai: Submitted is our Testimony on **Bill No. 92-32 – An Act to Add a New Sub-Item (1) to 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the List of Uses Permitted and Conditional Uses allowed in an R1, R2, and Commercial Zone.**

We provide the following testimony:

1. The Department applauds any endeavor that can potentially support the island's business and tourism industry. The use of Bed & Breakfast (B&Bs) facilities have expanded from the weekend leisure users and have evolved its market base as a cost-effective transient housing venue for business people. [sic]
2. We appreciate the intent of this legislative proposal especially when B&Bs have the potential to infuse a more culturally-intrinsic experience as compared to a typical hotel setting. The suggestion to allow B&Bs in all zones other than industrial can be further appreciated as the zoning law allows for "Home Occupation"¹ to exist and the fact that the law also implies B&Bs may exist in certain zoning districts. Our assessment of the proposal per each district follows:
 - a. **B&Bs in a Commercial Zone:** Bed & Breakfast facilities are a commercial enterprise and should rightfully be allowed in "C" (Commercial) zones. One may argue that by virtue of its open interpretation of "tourist accommodations", B&Bs may legally exist under this particular section of the zoning law. This permitted land use is not identified in any other part of the

¹ See 21GCA, §61103(p) and 21GCA, Part 2A, Family Home Occupation Act Accessory Use.

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

zoning laws, with exception to the obvious “H” (Hotel-Resort) Zone, which implies B&Bs, that support transient guests and tourists, are permitted.²

- b. **B&Bs in an “R-2” (Multi-Family Residential) Zone:** *Hotels, Private groups, and Institutions* are permitted in “R-2” zones as an outright allowable use. This implies that the use of B&Bs in such zones, with the understanding that it would create less consternation to surrounding land uses and infrastructure or for that matter its less restrictive nature is taken into consideration, would more than likely fall in line with the spirit of allowable “R-2” uses.
 - c. **B&Bs in an “R-1” (Single-Family Residential) and “A” (Rural-Agricultural) Zones:** The aforementioned “culturally-intrinsic experience” will most likely be had in either an “A” or “R-1” zones and such should be promoted as so. Uses with each zone districts are dictated by allowances that intend to promote desirable community development as supported by the intent to encourage cohesive and harmonious growth. In light of the higher level of land use restrictions in both “A” and “R-1” districts, we are confident that basic regulatory standards as those similar to regulating “*Home Occupations*”, in addition to regulations that control human services, can provide adequate and necessary controls to allow this low-key commercial endeavor to exist harmoniously with its community surroundings and therefore, in this respect, we are of the opinion B&Bs within an “A” and “R-1” zone may be allowed through outright permission.
3. In respect to potential impacts to our mandates as requested by the Bureau of Budget Management and Resources, passage of Legislative Bill 92-32(COR) will not have a negative effect on our department. As well, we anticipate a positive effect to the Government of Guam as a whole with respect to funding from additional GRT.

We support this bill and hope that the information herein submitted will be useful as the Legislature debates the merits of the bill.

Senseramente,


DAVID V. CAMACHO
Acting Director

² See 21GCA, §61311, “H” Zone is for the purpose of being applied to areas to accommodate the needs and desires of visitors, tourists and transient guests[sic](emphasis added).



GUAM VISITORS BUREAU

50th ANNIVERSARY · 1963 - 2013

May 15, 2013

The Honorable Vicente (ben) Pangelinan

Senator

I Mina'trentai Unu Na Liheslatura Guåhan

Chairman

Committee on Land

324 W. Soledad Ave. Suite 100

Hagåtña, Guam 96910

RE: Bill No. 92-32

Håfa Adai Senator Pangelinan,

On behalf of the Board of Directors, Management & Staff we submit this testimony in support of Bill No. 92-32: "An Act to Add a New Sub-Item (1) to 21 GCA § 61103(q), Relative to Defining a Bed and Breakfast; To Amend 21 GCA § 61305, 21 GCA § 61306, And 21 GCA § 61307, Relative to Adding a Bed and Breakfast to the List of Permitted and Conditional Uses Allowed in an R1, R2 and Commercial Zone."

The addition of a Bed and Breakfast in the list of permitted and conditional uses in a R1, R2 and Commercial Zone will not only increase the room inventory for visitors, but will allow for a new defining experience of what Guam has to offer visitors. By allowing these type of businesses in residential and commercial zones will increase economic activity as well as connect visitors with our village communities, a goal GVB has recognized as crucial to giving visitors that unique cultural experience of Guam's people.

Additionally, this bill would allow greater support for Guam's small businesses and an opportunity for island residents to create new small businesses, the backbone of Guam's economy. However, GVB recognizes that if this were allowed, Bed and Breakfast's must meet certain standards to keep with the image we market overseas, that Guam is a world-class destination of choice.

Si Yu'os Ma'ase and thank you for the opportunity to provide this testimony.

Senseramente',

KARL A. PANGELINAN

General Manager

CC: Senators of the 31st Guam Legislature





GUAM WATERWORKS AUTHORITY

578 North Marine Corps Drive | Tamuning | Guam 96913



May 16, 2013

Senator Vicente C. Pangelinan
Thirty Second Legislature
324 West Soledad Avenue Suite 100
Hagatna, Guam 96932

SUBJECT: Bill No. 15-32 (COR): An Act to rezone Lot No. 3, Tract 1942 in the Municipality of Mangilao, from Single-Family (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – An act to add a new sub-item (1) to 21 GCA 51103(q), relative to defining a bed and breakfast; to amend 21 GCA 61305, 21 GCA 61306, and 21 GCA 61307, relative to adding a bed and breakfast to the list of uses permitted and conditional uses allowed in an R1, R2 and Commercial Zone.

Bill No. 104-32 (COR) – An act relative to transfer of the title of ownership of Lot No. 7 NEW, Block No. 1, Tract 1427 located in the municipalities of Tamuning, Tiyan from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Honorable Senator Pangelinan:

This is in respond to your letter dated May 06, 2013 inviting GWA to a public hearing to provide written or oral testimony regarding the above subject. This letter shall serve as GWA's position statement to the above subject Bill No. 15-32 zone change request relative to availability of water and sewer infrastructures to serve the above subject lot. GWA has no objection to Bill Nos. 92-32 and 104-32.

GWA has conducted a site investigation to determine the existing water and sewer facilities adjacent to the subject property. GWA has verified that there is an existing six-inch (6") waterline located along the forty feet (40') public access and utility easement fronting the subject lot. There is no public sewer in the area. The applicant will have to get the approval of the Guam Environmental Protection Agency (GEPA) for the use of a septic system.

BILL 15-32
Lot 3, Tract 1942 Mangilao
Rezoning

Page 2

For additional information please contact Mr. Menglou Wang, Assistant Chief Engineer,
at 647-2612.

Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas A. Cruz', written over a horizontal line.

Thomas A. Cruz, P.E.
Chief Engineer

42-4
5-

LOCATION MAP - LOT 3, TRACT 1942-MANGILAO



ATTACHMENT 1

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 22-32 (COR)**

AN ACT TO ADD A NEW SUB-ITEM (I) TO 21 GCA §61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA §61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: John Camacho, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund	2,077,271
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Domiguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,206
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund	9,160,203
Total Department/Agency Appropriation(s) to date:	\$18,934,409

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$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 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Tourist Attraction Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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? \$ _____
3. Does the Bill establish a new program/agency? /X/ N/A // Yes // 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 as of the due date // Other:

Analyst: <u>Jason Baza</u> Jason W. Baza, BMA I	Date: <u>5/1/13</u>	Director: <u>[Signature]</u> John A. Rice, Director	Date: <u>5/1/13</u>
1/ See attached comments.			

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 92-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	1/	\$0	\$0	\$0	\$0
Tourist Attraction Fund:	1/	\$0	\$0	\$0	\$0
Building and Design Fund	1/	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0

Comments:

1/ The proposed legislation establishes: (a) the definition of a Bed-And-Breakfast and (b) the conditional uses of a Bed-And-Breakfast in a One-Family Dwelling Zone (R1), Multiple Dwelling Zone (R2), and Commercial Zone (C). There is a potential for revenue through several factors: (a) Gross Receipt Taxes from the income generated through a Bed-And-Breakfast establishment; (b) Income Taxes from the payment of employees working in a Bed-and-Breakfast establishment; (c) Cost of building permits, if construction of a Bed-And Breakfast facility is required; (d) Utilities costs for power and water; (e) Cost of Health Inspection; and (f) Cost of a Business License. Exact revenues cannot be calculated at this time due to lack of sufficient data regarding specific Bed-And-Breakfast establishments. Assuming that four (4) B&Bs become operational through this proposed legislation, containing an estimated five rooms and three employees per establishment, the Bureau estimates that \$1,000,000 (\$250,000 each FY per establishment) of revenues will be generated by the B&Bs collectively. Of that \$1,000,000, the Bureau estimates that \$40,000 for GRT (4% revenues gained by B&Bs collectively); \$13,977.60 (7% of employee wages; \$1,164.80 per employee) for income taxes; and \$400 in the form of a business licenses (\$100 per B&B) will be received by the Department of Revenue and Taxation. Assuming that the four B&Bs need to be built, the Bureau estimates that \$2,720 (\$680 per an estimated 1000 sq. ft. establishment) will be received by the Department of Public Works in the form of building permits. The cost for power and water would be dependent on usage of each B&B establishment, which payments will be received by Guam Power Authority and Guam Waterworks Authority respectively. The Bureau estimates that \$290 will be received by the Department of Public Health and Social Services in the form of a sanitation permit.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 16, 2013

MEMORANDUM

To: **Rennae Meno**
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. 92-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **92-32(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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I Mina Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
92-32 (COR)	Michael T. Limtiaco, T.R. Muña Barnes	AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.	4/16/2013 3:47pm	04/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Park, Recreation, Historic Preservation, and Land			



I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

May 7, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

Chairman
Committee on Appropriations,
Public Debt, Legal Affairs,
Retirement, Public Parks,
Recreation, Historic Preservation
and Land

Member
Committee on Education,
Public Libraries
and Women's Affairs

Member
Committee on General
Government Operations and
Cultural Affairs

Member
Committee on Municipal
Affairs, Tourism, Housing and
Hagåtña Restoration and
Development Authority

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

Member
Committee on Aviation, Ground
Transportation, Regulatory
Concerns and Future
Generations

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **2:00m** on **Tuesday, May 14, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Para Komfirmasion:
(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:
(Bills)

Bill No. 15-32 (COR) – Introduced by Senator Tina Muna Barnes: An Act to Rezone Lot No. 3, Tract 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2).

Bill No. 92-32 (COR) – Introduced by Senator Michael Limtiaco: An Act to Add a New Sub-Item (1) to 21 GCA §61103(q), Relative to Defining a Bed and Breakfast; to Amend 21 GCA §61305, 21 GCA §61306, and 21 GCA §61307, Relative to Adding a Bed and Breakfast to the list of Uses Permitted and Conditional Uses allowed in an R1, R2 and Commercial Zone.

Bill No. 55-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No. 1NEW-1, Block No. 2, Tract 1427 located in the Municipalities of Barrigada and Dededo from the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 104-32 (COR) – Introduced by Senator Vicente Pangelinan: An Act Relative to Transfer of the Title of Ownership of Lot No 7, NEW, Block No. 1, Tract 1427 Located in the Municipalities of Tamuning, Tiyan From the Guam International Airport Authority to the Chamorro Land Trust Commission.

Bill No. 89-32 (COR) – Introduced by Senator Michael San Nicolas: An Act to Add a New Article 17 to Chapter 22, Title 5, Guam Code Annotated, Relative to the Responsible Reserve Fund.

Bill No. 100-32 (LS) – Introduced by Speaker Judith Won Pat: An Act to Add a New Item (e) to §21116 of Chapter 21, Division 2, Title 5, Guam Code Annotated, Relative to Requiring the Deposit of Unclaimed or Unpaid Tax Refund Checks into the Income Tax Refund Reserve Fund.

Bill No. 95-32 (COR) – Introduced by Speaker Judith T. Won Pat: An Act to Appropriate the sum of Three Million One Hundred Thousand Dollars (\$3,1000,000.00) Escheated to the General Fund, pursuant to §21116 of Chapter 21, Division 2, Title 5 Guam Code Annotated, for the Purpose of Supporting Unfunded Government of Guam obligations.

Bill No. 97-32 (LS) – Introduced by Senator Dennis Rodriguez: An Act to Appropriate Available Funds from the Guam/Territorial Highway Fund to Designate and Prioritize Certain Capital Improvement Projects, Purchase Heavy Equipment Needed by the Department of Public Works for Flood Mitigation and Fund the Department of Revenue and Taxation’s Transaction Processing System.

Bill No. 79-32 (COR) – Introduced by Speaker Judith Won Pat: An Act to Amend §106119(K) of Chapter 106, Title 11, Guam Code Annotated, Relative to Authorizing the Transfer of Dormant and Unclaimed Bank Account Funds from the Treasurer of Guam to the Guam Housing Corporation’s Housing Trust Fund.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Senadot ben pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na’hâlom testigu-mu, chule’ para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi office@senbenp.com Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature’s website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at office@senbenp.com



Public Hearing - First Notice

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

Tue, May 7, 2013 at 3:47 PM

See corrected date.

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, May **14**, 2013 beginning at 2:00 pm in the Guam Legislature Public Hearing room. To review the bills, on the attached agenda please move your cursor over the bill number. The following is on the agenda.

Para Komfitmasion:

(Confirmation Hearing)

Mr. John Z. Arroyo, Member, Guam Land Use Commission

Priniponi Siha:

(Bills)

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - First Notice

Lisa Dames <cipo@guamlegislature.org>

Tue, May 7, 2013 at 3:22 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, Jon Anderson <editor@mvguam.com>, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairiki <odngirairiki@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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(Bills)

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Lisa Dames

Chief of Staff

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Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

(671) 473-4236 (office)

(671) 473-4238 (fax)

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
Retirement, Public Parks, Recreation, Historic
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INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Måttes, gi diha 14 gi Måyu, 2013
Tuesday, May 14, 2013

Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas dos gi despues di talo'ani
(2:00 PM)

TAREHA
(AGENDA)

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(Confirmation Hearing)

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I Mina Trenta Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
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**gi Måttes, gi diha 14 gi Mäyu, 2013
Tuesday, May 14, 2013**

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**alas dos gi despues di talo'ani
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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

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

Fri, May 10, 2013 at 2:12 PM

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Lisa Dames <cipo@guamlegislature.org>

PUBLIC HEARING - SECOND NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, May 10, 2013 at 2:10 PM

To: news@k57.com, news@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, gerry@mvguam.com, joy@mvguam.com, louella@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Lisa Dames
Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

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I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,
Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLÉKO
(PUBLIC HEARING)**

**gi Måttes, gi diha 14 gi Máyu, 2013
Tuesday, May 14, 2013**

**Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

**alas dos gi despues di talo'áni
(2:00 PM)**

**TAREHA
(AGENDA)**

**Para Komfitmasion:
(Confirmation Hearing)**

Mr. John Z. Arroyo, Member, Guam Land Use Commission

**Priniponi Siha:
(Bills)**

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32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs,
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gi Måttes, gi diha 14 gi Máyu, 2013
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afas dos gi despues di talo'ani
(2:00 PM)

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As of April 23, 2013**

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
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COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
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MINORITY LEADER

Senator
Aline Yamashita
Member

May 6, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos.: 86-32(COR), 88-32(COR), 92-32(COR)

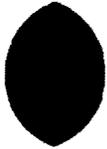
WAIVERS:

Bill No. 82-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 MAY - 6 PM 4: 00

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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Post Office Box 2950, Hagåtña Guam 96932

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GOVERNORJOHN A. RIOS
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MAY 06 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 86-32(COR), 88-32(COR), 92-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 82-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 92-32 (COR)**

AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA §61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA §61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: John Camacho, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund	2,077,271
Total Department/Agency Appropriation(s) to date:	\$11,241,451

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,206
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund	9,160,203
Total Department/Agency Appropriation(s) to date:	\$18,934,409

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$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 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Tourist Attraction Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /X/ Yes // No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
If no, what is the additional amount required? \$ _____
- Does the Bill establish a new program/agency? /X/ N/A // Yes // 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
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No
// Requested agency comments not received as of the due date // Other:

Analyst: <u>Jason Baza</u> Jason W. Baza, BMA I	Date: <u>5/1/13</u>	Director: <u>[Signature]</u> John A. Rios, Director	Date: <u>5/2/13</u>
1/ See attached comments.			

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 92-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	1/	\$0	\$0	\$0	\$0
Tourist Attraction Fund:	1/	\$0	\$0	\$0	\$0
Building and Design Fund	1/	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0

Comments:

1/ The proposed legislation establishes: (a) the definition of a Bed-And-Breakfast and (b) the conditional uses of a Bed-And-Breakfast in a One-Family Dwelling Zone (R1), Multiple Dwelling Zone (R2), and Commercial Zone (C). There is a potential for revenue through several factors: (a) Gross Receipt Taxes from the income generated through a Bed-And-Breakfast establishment; (b) Income Taxes from the payment of employees working in a Bed-and-Breakfast establishment; (c) Cost of building permits, if construction of a Bed-And Breakfast facility is required; (d) Utilities costs for power and water; (e) Cost of Health Inspection; and (f) Cost of a Business License. Exact revenues cannot be calculated at this time due to lack of sufficient data regarding specific Bed-And-Breakfast establishments. Assuming that four (4) B&Bs become operational through this proposed legislation, containing an estimated five rooms and three employees per establishment, the Bureau estimates that \$1,000,000 (\$250,000 each FY per establishment) of revenues will be generated by the B&Bs collectively. Of that \$1,000,000, the Bureau estimates that \$40,000 for GRT (4% revenues gained by B&Bs collectively); \$13,977.60 (7% of employee wages; \$1,164.80 per employee) for income taxes; and \$400 in the form of a business licenses (\$100 per B&B) will be received by the Department of Revenue and Taxation. Assuming that the four B&Bs need to be built, the Bureau estimates that \$2,720 (\$680 per an estimated 1000 sq. ft. establishment) will be received by the Department of Public Works in the form of building permits. The cost for power and water would be dependent on usage of each B&B establishment, which payments will be received by Guam Power Authority and Guam Waterworks Authority respectively. The Bureau estimates that \$290 will be received by the Department of Public Health and Social Services in the form of a sanitation permit.



COMMITTEE ON RULES

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April 16, 2013

MEMORANDUM

To: Rennae Meno
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. 92-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **92-32(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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

2013 APR 16 PM 3:47

Bill No. 92-32(012)

Introduced by:

Michael T. Lintiaico
T.R. Muña Barnes

AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.

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

2 **Section 1. Adds a new sub-item (1) to 21 GCA § 61103(q) to read:**

3 *"(1) Bed and breakfast. A building containing five (5) or fewer rooms*
4 *intended or designed to be used, or which are used, rented, or hired out to be occupied, or*
5 *which are occupied for sleeping purposes."*

6 **Section 2. Amends 21 GCA § 61305 to read:**

7 **"§ 61305. R1 One-Family Dwelling Zone.**

8 (a) Use Permitted.

9 (1) One-family dwellings.

10 (2) Gardening and the keeping of pets for noncommercial
11 purposes.

12 (3) Bed and breakfast.

13 (4) Use customarily accessory to any of the above uses including
14 home occupations and private parking areas with accessory buildings
15 and structures.

16 (b) Conditional Use.

17 (1) Duplexes.

- 1 (2) Schools and churches.
- 2 (3) Parks, playgrounds and community centers.
- 3 (4) Health service office, outpatient with laboratory.
- 4 (5) Utilities and public facilities"

5 **Section 3. Amends 21 GCA § 61306 to read:**

6 **"§ 61306. R2 Multiple Dwelling Zone.**

7 (a) Use Permitted.

- 8 (1) One-family dwellings.
- 9 (2) Duplexes.
- 10 (3) Multi-family dwellings.
- 11 (4) Hotels, private groups, and institutions.
- 12 (5) Bed and breakfast.
- 13 (6) Accessory uses and structures for the above.

14 (b) Conditional Uses.

- 15 (1) Any conditional uses permitted in the R1 zone.
- 16 (2) Health Clinics.
- 17 (3) Utilities and public facilities.
- 18 (4) Air, bus, taxi, auto, rental terminals.
- 19 (5) Accessory uses and structures for the above."

20 **Section 4. Amends 21 GCA § 61307 to read:**

21 **"§ 61307. C Commercial Zone.**

22 (a) Use Permitted.

- 23 (1) One-family dwellings.
- 24 (2) Duplexes.
- 25 (3) Wholesale and retail stores, shops and businesses.
- 26 (4) Amusement enterprises.
- 27 (5) Automobile service station, including minor repairs.
- 28 (6) Bakeries.
- 29 (7) Mortuaries.
- 30 (8) Offices, business or professional, inclusive of professional

1 healing arts offices and clinics, and banks.

2 (9) Personal service shops, including barber shops, beauty parlors,
3 laundromats, and the like.

4 (10) Repair shops and service shops, including shoe repairs,
5 plumbing, dressmaking, and the like, but not including automobile
6 repair shops for major work.

7 (11) Restaurants and cafes.

8 (12) Studios.

9 (13) Other uses which in the judgment of the Commission, as
10 evidenced by resolution in writing, are similar to those listed herein.

11 (14) Uses customarily accessory to any of the above listed uses,
12 including only those accessory to manufacturing, storage, compounding
13 or processing activities which are necessary for the ordinary conduct of
14 said listed uses and which are an integral part thereof.

15 (15) Accessory structures for the above.

16 (b) Conditional Use.

17 (1) Hospital and clinics.

18 (2) Public utility and other public buildings.

19 (3) Shopping centers.

20 (4) Recreation, including cockpits, marinas, amusement centers
21 and drive-in theaters.

22 (5) Multi-family.

23 (6) Hotels, motels, bed and breakfast, and tourist accommodations.

24 (7) Air, bus, taxi and auto rental terminals.

25 (8) Auto sales and car wash.

26 (9) Parking garages and lots.

27 (10) Service vehicle storage.

28 (11) Mini-storage or mini-warehouse.

29 (12) Laundries and cleaning and dyeing establishments.

30 (13) Schools and churches.

- 1 (14) Parks, playgrounds and community centers.
- 2 (15) Utilities and public facilities.
- 3 (16) Accessory uses and structures for the above."