EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

2015 SEP 18 PM 3:45

33-15-0870

Office of the Speaker
Judith T. Won Pat, Ed.D
Date: 9/18/2015
Time: 2:43 PM
Received By: CARL SANCHEZ

September 16, 2015

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 57-33 (LS), **" AN ACT TO AMEND § 40128 (f) OF ARTICLE 1, CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MUNICIPAL PLANNING COUNCILS TO REVIEW PROJECTS PROPOSED TO THE GUAM LAND USE COMMISSION (GLUC); AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THE GLUC ZONING AND CONSTRUCTION FORMS,"** which was signed into law on SEPTEMBER 15, 2015 as **Public Law 33-68.**

RAY TENORIO
I Maga'låhen Guåhan Para Pågo

0870

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Substitute Bill No. 57-33 (LS), "AN ACT TO *AMEND* § 40128(f) OF ARTICLE 1, CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MUNICIPAL PLANNING COUNCILS TO REVIEW PROJECTS PROPOSED TO THE GUAM LAND USE COMMISSION (GLUC); AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THE GLUC ZONING AND CONSTRUCTION FORMS,"** was on the 3rd day of September 2015, 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'låhen Guåhan* this 3rd day of Sept, 2015, at 4:45 o'clock P.M.

Elizabeth G. Mafnas
Assistant Staff Officer
Maga'lahi's Office

APPROVED:

RAYMOND S. TENORIO
Acting Governor of Guam

Date: SEP 15 2015

Public Law No. 33-68

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

Bill No. 57-33 (LS)
As substituted by the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

Introduced by:

Frank F. Blas, Jr.
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* § 40128(f) OF ARTICLE 1, CHAPTER 40 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MUNICIPAL PLANNING COUNCILS TO REVIEW PROJECTS PROPOSED TO THE GUAM LAND USE COMMISSION (GLUC); AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THE GLUC ZONING AND CONSTRUCTION FORMS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. *I Liheslaturan Guåhan* finds that the Mayors and Vice Mayors of Guam by law "are authorized to participate in the

consideration of capital improvements program by the Executive Branch. They shall be allowed to express their views, make recommendations on proposed projects for their respective districts." Also, *I Liheslaturan Guåhan* finds that "all government of Guam departments and agencies shall advise in writing and apprise the Mayor of any public works project or activity to be undertaken in his district at least five (5) days prior to the start of said project or activity. In case of an emergency, said department or agency shall advise the Mayor of the same immediately." (P.L. 14-27:9, amended by P.L. 20-33:1)

More importantly, *I Liheslaturan Guåhan* finds that § 40128 of Chapter 40, Title 5, Guam Code Annotated, empowers the Mayors and the Municipal Planning Councils with certain powers, duties and responsibilities, including the right to review and express a view on all variance applications, zone changes, and government leases involving land within their districts, pursuant to §§ 61623, 61638 and 60115 of Title 21, Guam Code Annotated.

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

> "(f) Review and express a view on all variance applications, zone changes. and government leases involving land within their districts, pursuant to §§ 61623, 61638 and 60115 of Title 21, Guam Code Annotated. The Municipal Planning Council of each municipal district to be affected by other proposed projects reviewed by the Guam Land Use Commission *shall* review the request and express its opinion thereon by resolution adopted by a majority of its members, and such resolutions *shall* be forwarded to the Guam Land Use Commission."

Section 3. Amendment to Guam Land Use Commission (GLUC) Zoning and Construction Forms. The Director of the Department of Land Management, serving as the Executive Secretary of the Commission, *shall* inform

1 the Chairman and members of the Guam Land Use Commission, meet and amend
2 the GLUC zoning and construction forms to provide for a written portion or
3 section on the form indicating the Mayor's review, expression, and/or position on
4 the matter.