



FILE COPY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY-THIRD GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 30, 2016

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 162-33 (COR), 200-33 (COR), 299-33 (COR), 312-33 (COR), 330-33 (COR), 332-33 (COR), 336-33 (LS), 337-33 (LS), 350-33 (COR), 356-33 (COR), 357-33 (COR), 358-33 (COR), 379-33 (COR), 380-33 (COR), 385-33 (COR), 389-33 (COR), 391-33 (COR), 392-33 (COR), 397-33 (COR), 398-33 (COR), 399-33 (COR), 402-33 (COR), 403-33 (LS), 404-33 (LS), 406-33 (COR), 407-33 (COR), 409-33 (COR) and 411 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on December 30, 2016.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (28)

PD3 PG CORPZ #374
12/30/16
8:50 PM

**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session**

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

This is to certify that **Bill No. 379-33 (COR)**, "AN ACT TO REZONE LOT NO. 5138-2-R3 NEW-1-1, LOT NO. 5138-2-R3 NEW-1-R2, AND LOT NO. 5138-2-R3 NEW-1-2 FROM ONE-FAMILY DWELLING ZONE (R1) TO COMMERCIAL ZONE (C); TO AUTHORIZE THE GUAM ECONOMIC DEVELOPMENT AUTHORITY, ON BEHALF OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES AND THE CHAMORRO LAND TRUST COMMISSION, TO LEASE AND DEVELOP SAID LOTS AT A COMMERCIAL LEASE RATE FOR AN INITIAL TERM OF TWENTY-FIVE (25) YEARS; TO CONSTRUCT THE DISID BUSINESS CENTER AND ONE STOP COMMUNITY RESOURCE AND WELLNESS CENTER; AND TO ESTABLISH THE GUAM AUTISM CENTER," was on the 30th day of December 2016, duly and regularly passed.



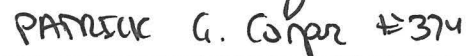
**Judith T. Won Pat, Ed.D.
Speaker**

Attested:



**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 30th day of DEC,
2016, at 8:50 o'clock P.M.



**Assistant Staff Officer
*Maga'låhi's Office***

APPROVED:

**EDWARD J.B. CALVO
*I Maga'låhen Guåhan***

Date: _____

Public Law No. _____

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 379-33 (COR)

As amended by the Sponsor;
and further amended on the Floor.

Introduced by:

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

AN ACT TO REZONE LOT NO. 5138-2-R3 NEW-1-1, LOT NO. 5138-2-R3 NEW-1-R2, AND LOT NO. 5138-2-R3 NEW-1-2 FROM ONE-FAMILY DWELLING ZONE (R1) TO COMMERCIAL ZONE (C); TO AUTHORIZE THE GUAM ECONOMIC DEVELOPMENT AUTHORITY, ON BEHALF OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES AND THE CHAMORRO LAND TRUST COMMISSION, TO LEASE AND DEVELOP SAID LOTS AT A COMMERCIAL LEASE RATE FOR AN INITIAL TERM OF TWENTY-FIVE (25) YEARS; TO CONSTRUCT THE DISID BUSINESS CENTER AND ONE STOP COMMUNITY RESOURCE AND WELLNESS CENTER; AND TO ESTABLISH THE GUAM AUTISM CENTER.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Department of Integrated Services for Individuals with Disabilities (DISID)
4 has administrative jurisdiction of Lot No. 5138-2-R3 NEW-1-R2 (11,168 +/- square
5 meters) and Lot No. 5138-2-R3 NEW-1-2 (7,075 +/- square meters), *Ipao-Tumon*,
6 municipality of *Dededo*.

7 *I Liheslaturan Guåhan* further finds that the Department of Integrated
8 Services for Individuals with Disabilities requires additional revenue to augment its
9 programs and provide improved services that are required to assist individuals with
10 disabilities. It is the intent of DISID, in collaboration and with the assistance from
11 the Guam Economic Development Authority (GEDA), to construct a Business
12 Center and One Stop Community Resource and Wellness Center which would house
13 a one-call, one-click transportation dispatch center, the Guam Regional Transit
14 Authority administrative office, and employment, housing and health-related
15 programs and services currently provided by DISID.

16 *I Liheslaturan Guåhan* further finds that Guam lacks a comprehensive autism
17 center that can address the needs of the over two hundred (200) children identified
18 by the Guam Department of Education who are between the ages of three (3) and
19 twenty-one (21) years old, and countless other children in private schools, home
20 schools, or others waiting to be evaluated. A comprehensive autism center managed
21 by a non-profit organization will enable children and families to receive appropriate
22 and centralized services.

23 *I Liheslaturan Guåhan* also finds that it is in the best interests of the
24 beneficiaries of the Chamorro Land Trust Commission (CLTC), which has
25 jurisdiction over the adjacent half acre Lot No. 5138-2-R3 NEW-1-1 (2,868 +/-

1 square meters), to include this lot as part of the planned development anticipated for
2 this area, thereby allowing CLTC to generate revenues for the purposes identified in
3 CLTC's enabling legislation.

4 It is, therefore, the intent of *I Liheslaturan Guåhan* to authorize the Guam
5 Economic Development Authority, on behalf of the Department of Integrated
6 Services for Individuals with Disabilities and the Chamorro Land Trust
7 Commission, to solicit prospective tenants to lease and develop Lot No. 5138-2-R3
8 NEW-1-1, Lot No. 5138-2-R3 NEW-1-R2 and Lot No. 5138-2-R3 NEW-1-2, *Ipao-*
9 *Tumon*, municipality of *Dededo*, at commercial lease rates.

10 It is further the intent of *I Liheslaturan Guåhan* to construct and maintain a
11 DISID Business Center and One Stop Community Resource and Wellness Center
12 which would house a one-call, one-click transportation dispatch center, and
13 employment, housing and health related programs and services currently provided
14 by the Agency; and it is also the intent of *I Liheslaturan Guåhan* that no less than
15 six thousand (6,000) square feet of space be leased for a comprehensive Guam
16 autism center, and that lease proceeds from said property *shall* be used to fund this
17 project. GEDA is encouraged to utilize a public-private concept for the development
18 and construction of the property using the grant funding from the United States
19 Department of Transportation Veterans Transportation and Community Living
20 initiative received by the Guam Regional Transit Authority for the one-call, one
21 click dispatch center as part of the funding mechanism.

22 **Section 2.** Notwithstanding 2 GCA § 2107(b), the Guam Economic
23 Development Authority (GEDA), on behalf of the Department of Integrated Services
24 for Individuals with Disabilities (DISID) and the Chamorro Land Trust Commission
25 (CLTC), *shall* be authorized to lease and/or develop Lot No. 5138-2-R3 NEW-1-1,
26 containing an area of approximately 2,868 +/- square meters (30,871 +/- square feet),
27 Lot No. 5138-2-R3 NEW-1-R2, containing an area of approximately 11,168 +/-

1 square meters (120,215 +/- square feet), and Lot No. 5138-2-R3 NEW-1-2,
2 containing an area of approximately 7,075 +/- square meters (76,153 +/- square feet),
3 *Ipao-Tumon*, municipality of *Dededo*, as said lots are marked on Drawing Number
4 I4-89T 336, L.M., Check Number 314 FY 89, as described in that Parceling Map of
5 Lot 5138-2-R3 NEW-1 at the Records Division, Department of Land Management,
6 Government of Guam, under Document Number 6951, and attached to this Act as
7 Exhibit "A", at a fair market value commercial rate for a period of fifty (50) years
8 with an initial lease term of twenty-five (25) years with an option to renew at fair
9 market value for a period(s) of up to a total of another twenty-five (25) years. Any
10 subsequent lease renewal options to be entered into *shall* be negotiated at the fair
11 market value commercial lease rate to the benefit of DISID, CLTC, and its programs.

12 A portion of the proceeds received from the lease *shall* be utilized as payment
13 to GEDA in its role as property broker, pursuant to a Memorandum of Understanding
14 between GEDA, DISID and the CLTC; to DISID for the purpose of constructing and
15 maintaining a Business Center and One Stop Community Resource and Wellness
16 Center that would house a one-call, one-click transportation dispatch center, the
17 Guam Regional Transit Authority administrative office, and employment, housing
18 and health-related programs and services currently provided by the Department of
19 Integrated Services for Individuals with Disabilities, which *shall* be in addition to
20 the grant funding the Guam Regional Transit Authority received pursuant to the
21 Veterans Transportation Community Living Initiative, United States Department of
22 Transportation; and to CLTC in an amount proportionately equal to the percentage
23 of CLTC land contained in the total amount of land leased. DISID, CLTC, and
24 GEDA *shall* maximize the property development to its highest and best commercial
25 use to the economic benefit of DISID, CLTC, and the people and economy of Guam.

26 There *shall* be established a separate special fund for DISID. The funds
27 deposited therein *shall* be used only for the purpose of supporting DISID's programs

1 and activities established to benefit its clientele. The funds due to CLTC *shall* be
2 deposited in the established CLTC Survey and Infrastructure Account, which has
3 been established for the purpose of funding the survey of CLTC land and for the
4 construction of infrastructure on the CLTC real property. These two (2) special funds
5 *shall* be respectively managed by DISID and CLTC.

6 **Section 3. Guam Autism Center.** Notwithstanding 2 GCA § 2107(a), the
7 DISID Business Center and One Stop Community Resource and Wellness Center
8 *shall* designate *no less than* six thousand (6,000) square feet of space for the
9 establishment of a comprehensive autism center. The space *shall* be leased at a
10 negotiated rate not to exceed fair market value to a not for profit, 501(c)(3)
11 organization registered on Guam, whose mission is to provide a comprehensive
12 autism center where children and families affected by autism spectrum disorder may
13 receive appropriate services in a centralized location. The selection of a lessee *shall*
14 be through a Request for Proposal issued by the Guam Economic Development
15 Authority.

16 **Section 4.** The real property map for Lot No. 5138-2-R3 NEW-1-1, Lot No.
17 5138-2-R3 NEW-1-R2, and Lot No. 5138-2-R3 NEW-1-2 is hereby incorporated
18 and appended to this Act as Exhibit "A".

19 **Section 5.** Lot No. 5138-2-R3 NEW-1-1, containing an area of
20 approximately 2,868 +/- square meters (30,871 +/- square feet); Lot No. 5138-2-R3
21 NEW-1-R2, containing an area of approximately 11,168 +/- square meters (120,215
22 +/- square feet); and Lot No. 5138-2-R3 NEW-1-2, containing an area of
23 approximately 7,075 +/- square meters (76,153 +/- square feet), *Ipao-Tumon*,
24 municipality of *Dededo*, as said lots are marked on Drawing Number I4-89T 336,
25 L.M., Check Number 314 FY 89, as described in that Parceling Map of Lot No.
26 5138-2-R3 NEW-1 at the Records Division, Department of Land Management,
27 Government of Guam, under Document Number 6951, and appended to this Act as

1 Exhibit "A", are, notwithstanding any other provision of law, rule or regulation,
2 hereby rezoned from One-Family Dwelling Zone (R1) to Commercial Zone (C).

3 **Section 6. No Additional Public Debt or Liability Authorized.** No
4 provision of this Act shall, singly or in combination with the provisions of another
5 Act, be construed to authorize any public borrowing, to include lease-back financing
6 or rental of the property leased under Section 2 of this Act, by any agency or
7 instrumentality of the government of Guam, or public corporation. Notwithstanding
8 any provision of law or of this Act to the contrary, this provision *shall* in no case be
9 severable due to any invalidity in the application of this Act to any person or
10 circumstance.

11 **Section 7. Effective Date.** This Act *shall* become effective upon
12 enactment.

EXHIBIT "A"

