



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

April 19, 2016

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

Speaker

I Mina Trentai Tres Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

Rory J. Respicio

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

*2016 10 20 PM 6:32
Jina Olist*

RE: Committee Report on Bill No. 290-33 (COR) As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 290-33 (COR) As Amended, **“AN ACT TO PLACE A PORTION OF TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.”**

Committee votes are as follows:

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

Si Yu'os ma'åse',

TC Ada

Thomas C. Ada



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Libeslaturan Guåban • 33rd Guam Legislature

**COMMITTEE REPORT
ON**

Bill No. 290-33 (COR)

As Amended

**AN ACT TO PLACE A PORTION OF TRACT
3620 (FORMERLY LOT 381-2,
MUNICIPALITY OF INARAJAN) UNDER
THE ADMINISTRATIVE JURISDICTION OF
THE OFFICE OF THE MAYOR OF
INARAJAN AND THE INARAJAN
MUNICIPAL PLANNING COUNCIL.**



Sen. Thomas Ada

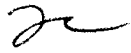
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåban • 33rd Guam Legislature

April 19, 2016

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada**, Committee Chairperson 

Subject: **Committee Report on Bill No. 290-33 (COR) As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 290-33 (COR) As Amended, **“AN ACT TO PLACE A PORTION OF TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.”**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 290-33 (COR), As Introduced
- Copy of Bill No. 290-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimony from: Michael J.B. Borja (*Department of Land Management*)
- Copy of Fiscal Note Request
- COR Referral of Bill No. 290-33 (COR)
- Notices of Public Hearing
- Public Hearing Agenda

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



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
 Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 290-33 (COR) As Amended, "AN ACT TO PLACE A PORTION OF TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL."

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		✓				
SENATOR RORY J. RESPICIO Vice Chairperson	 4-19-16					
VICE SPEAKER BENJAMIN J.F. CRUZ Member		✓				
SENATOR FRANK B. AGUON, JR. Member	 4/19/16	✓				
SENATOR DENNIS RODRIGUEZ, JR. Member	 4/19	✓				
SENATOR NERISSA UNDERWOOD Member		✓				
SENATOR FRANK BLAS, JR. Member						
SENATOR MARY TORRES Member						
SENATOR JAMES V. ESPALDON Member						



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 290-33 (COR) was introduced on April 4, 2016 by Senator Thomas C. Ada and was subsequently referred on April 5, 2016 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on April 14, 2016 at 9:00 am in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 290-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on April 7, 2016 (5-Day Notice) and again on April 11, 2016 (48-Hour Notice). Publication was conducted in the April 7, 2016 issue and April 11, 2016 issue of the **Guam Daily Post**, a newspaper of general circulation, fulfilling the 5-Day Notice and 48-Hour Notice of the Open Government Law requirement.

Senators Present

Senator Thomas C. Ada	<i>Committee Chairperson</i>
Senator Rory J. Respicio	<i>Committee Vice-Chairperson</i>
Senator Frank B. Aguon, Jr.	<i>Committee Member</i>
Speaker Judith T. Won Pat, Ed.D.	Legislative Member
Senator V. Anthony Ada	Legislative Member

The public hearing was Called-to-Order at 9:00am.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada calls the Public Hearing to order and as sponsor, introduces Bill No. 290-33.

Chairperson Ada: He first reads the title of Bill 290-33. Then referring to a projected graphic he says that the area that we are talking about is within the red lines of the map shown. The area that's in yellow is also government land which we're also looking to place under the administrative control of the mayor. The area that we are looking to transfer to the mayor and the council is in a tract that includes a senior citizens center, a fire station and post office mailboxes.

Chairperson Ada then calls those who have signed up to provide testimony.

Michael Borja, *Director*, Department of Land Management (reading from written testimony): He reads his testimony in favor of Bill 290-33. His testimony recommended an amendment to Section 1 of the bill to exclude the transfer of lots not occupied by the existing structures. In addition, the testimony also suggested a source of funding for the cost to consolidate and parcel the lots in Tract 3620 to be transferred to the Mayor of Inarajan and the Inarajan Municipal Planning Council.

Chairperson Ada: First of all, Land Management has no objections to the administrative transfer and control?

Director Borja: Nor does the Chamorro Land Trust. We had already discussed that in the previous bill and it's to be used by the mayors and the Chamorro Land Trust Act approves that kind of activities for the lands to be used for the communities and for the mayors specifically.

Chairperson Ada: Just to clarify for the record, this bill was introduced because the previous bill actually made reference to an incorrect tract number.

Director Borja: Ok.

Mayor Doris Lujan, *Mayor of Inarajan* (oral testimony): We respectfully request that section 1, lines 5 and 6, which states "*multi-purpose sports facility*" be amended to read "*community public facilities.*" Additionally, we request that section 2 be removed in its entirety. Additionally, we request the bill be amended to include Tract 381-1 and all adjacent lots that are located in Tract 3620 be included in this bill.

Chairperson Ada: I guess we're having a change of tract numbers versus lot numbers, but those are details that will get straightened out. As long as we have your written testimony, we'll take a close look at that and work out those details.

Don Weakley, **Inarajan Municipal Planning Council** (oral testimony): About three years ago, the council, under the direction of the Mayor submitted a request to GHURA for funding for a gymnasium under CDBG funds and not knowing at that time that it was under the control of the Chamorro Land Trust. The agreement with the Chamorro Land Trust expires in about six or seven years so GHURA didn't want to touch it unless we could get permanent control of the property. They've given us indication to assist with the funding of the gymnasium and other sports facilities. In addition, the Mayor's concept is to make this area the government center of Inarajan because it's up above any dangerous tidal waves or anything like that. We're one of two villages on the island that does not have our own mayor's office. Someday we hope that the government will provide a mayor's office to the mayor. Right now, we are paying about \$2,600 a month to the church for leasing the mayor's office where we're at now in Malojloj. But we like that area there because public health, fire department, and the senior citizens center is all there so it's an ideal location. We respectfully request your approval of it.

David Chargualaf, Resident of Inarajan (oral testimony): I'm here in support of Bill 290-33 which ultimately gives jurisdiction to our mayor's office and the municipal planning council. I just have two questions. The first one is the bill identifies the use of the land specifically for a multi-purpose center. If in fact we do get jurisdiction, is it restricted to just that? Secondly, the bill states that in the event we don't use the land, it goes back to the Chamorro Land Trust. Is there a timeline or deadline of when we have to use that land? Those are my questions.

Chairperson Ada: The mayor brought up earlier that the properties being transferred for the purpose of the multi-purpose sports facility, but the recommendation is to make it a broader term so that we're not limited to that. If it's used for something else other than what is being envisioned, does it go back to the Chamorro Land Trust. We'll have to go back and take a look at that.

Mr. Chargualaf: The intent is to use it for the multi-purpose center, but are we restricted to use it for just that specifically or can we add on to it?

Mayor Lujan: Senator, earlier I stated that section 2 of this bill be removed in its entirety, which means we don't have any limitations owning the property once it's transferred under the jurisdiction of the mayor's office.

Chairperson Ada: We'll look at that.

Speaker Judi Won Pat: What do you envision now and in the future so we get an idea as to what it is that you're planning to use the land for?

Mayor Lujan: Community public facilities includes educational, recreational, and cultural purposes. Adult learning center, vocational technical training, and anything that is possible for our community to engage in building so it's a general purpose facility for whatever comes up. Inarajan is going to grow and we're going to be needing this type of facility.

Speaker Won Pat: Don (Weakley) mentioned that you would like to have the mayor's office there so that would also include the mayor's office. Ok, thank you.

Chairperson Ada: You're looking at a larger version of what you have in the village now. You have the basketball court back there, the old house that's been renovated which becomes the community meeting center, small computer room back there. It's a very small multi-purpose facility. You really need to start thinking about the growth in the village.

If there are no other questions, then we'll consider Bill 290-33 as having been duly heard. Thank you.

Chairperson Ada adjourns the Public Hearing for Bill No. 290-33 (COR).

Written Testimony Received:

Michael J.B. Borja, *Director* (Department of Land Management)

III. Findings and Recommendation

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement finds and recommends the following relative to Bill 290-33:

- That Tract 3620 in the Municipality of Inarajan is not Chamorro Land Trust Lands but rather is actually from the Public Law 22-18 Government of Guam Reserved Lands List Exhibit to Section 2(b), which referenced an incorrect tract number (Tract 3621).
- Amendment: Section 1, Lines 5 and 6: change *multi-purpose sports facility* to ***community public facilities***.
- Amendment: Section 1, Line 7: Add "*The portion of Tract 3620 to be administratively transferred shall be the areas not occupied by the Senior Citizens Center, the Inarajan Fire Station and the U.S. Postal Service Mailboxes.*"
- Amendment: Section 2: **Remove** in its entirety.
- Amendment to provide and allow a variety of funding options for the consolidation and parceling survey: Determine, provide and allow for funding options. Funding for the survey may be sourced from the Host Community Benefits Fund for the Municipality of Inarajan authorized by Title 10, Chapter 51, Article 4, GCA, or; Alternatively, the survey cost can be incorporated into the construction contract for the facilities. Or the Department of Land Management can be directed to conduct the survey funded by FY2017 appropriated funds.
- That all contiguous Government of Guam lots to Tract 3620 including Lot 381-1 be transferred to the Mayor of Inarajan and Inarajan Municipal Planning Council.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement hereby reports out **Bill 290-33 (COR) As Amended**, with the recommendation to do pass.

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

Bill No. 290-33 (COR)

Introduced by:

T.C. Ada 

2016 APR 4 PM 4:57 PM
AD

AN ACT TO PLACE TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Administrative Jurisdiction. Notwithstanding any other provision of law, rule or regulation, a portion of Tract 3620 (formerly lot 381-2), Municipality of Inarajan, Guam is hereby transferred to the Office of the Mayor of Inarajan and the Inarajan Municipal Planning Council for the purpose of constructing a multi-purpose sports facility. Tract 3620 is described in Department of Land Management map drawing reference number 150-FY85/14-85T246 as shown on Exhibit A. Said administrative jurisdiction and shall become effective upon the enactment of this Act.

Section 2. Property Transfer. Should the remainder portion of Tract 3620 be no longer required for the construction of a multi-purpose sports facility, it shall automatically transfer to the inventory of the Chamorro Land Trust Commission.

Section 3. Responsibilities of the Department of Land Management. The Department of Land Management shall cause a re-survey of Tract 3620 as described in Department of Land Management map drawing reference number 150-FY85/14-85T246 to sever out the portions of Tract 3620 upon which the Senior Citizens Center and the Inarajan Fire Station are situated on. The remaining portion is the portion that will be

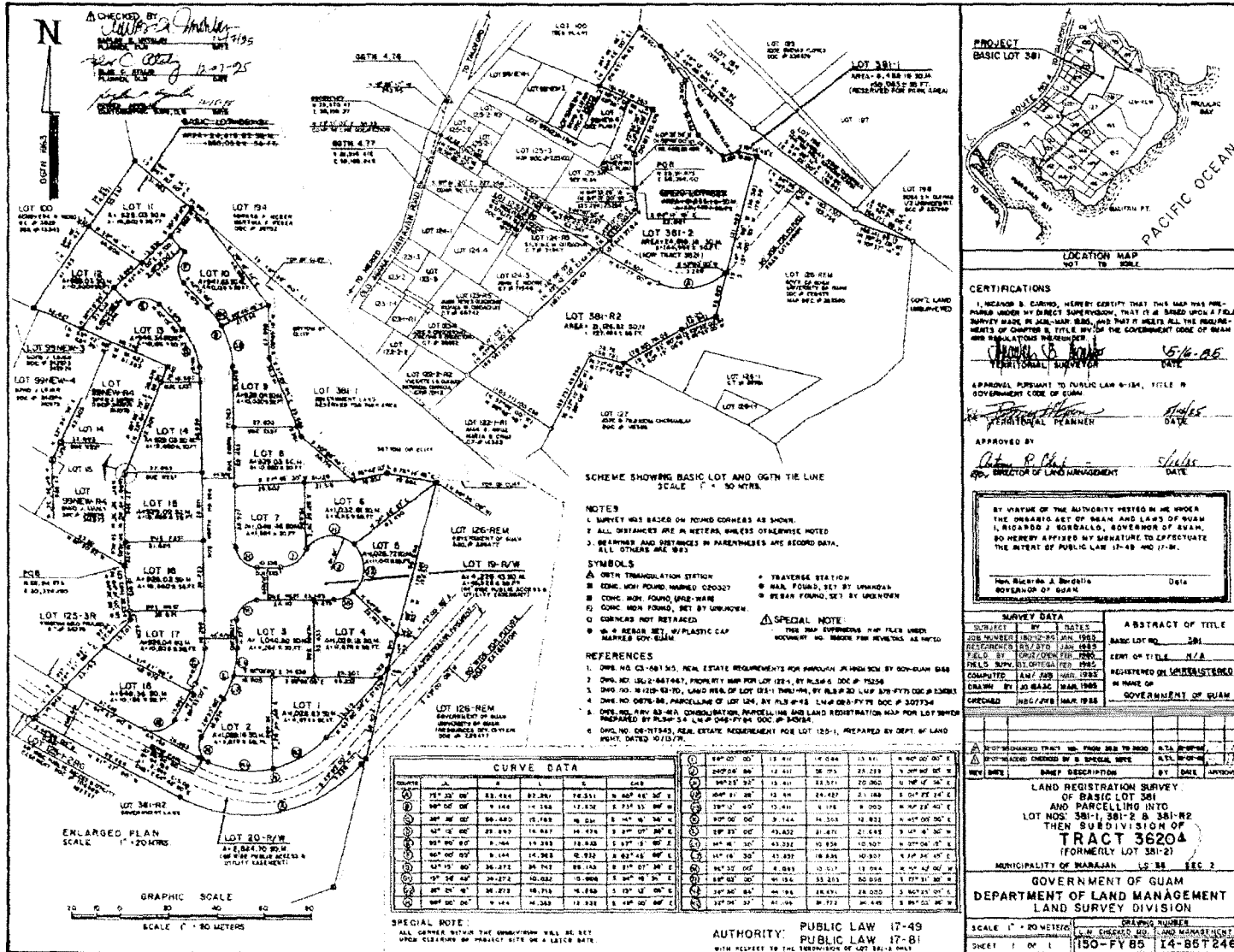
1 administratively transferred to the Office of the Mayor of Inarajan and the Inarajan
2 Municipal Planning Council.

3 **Section 4. Exemption.** § 2107 of Title 2, Guam Code Annotated and the
4 Standing Rules of *I Mina' Trentai Tres Na Liheslaturan Guåhan* relative to the
5 appraisals of land *shall not* apply to this Act.

6 **Section 5. Severability.** *If* any provision of this Law or its application to any
7 person or circumstance is found to be invalid or contrary to law, such invalidity shall *not*
8 affect other provisions or applications of this Law which can be given effect without the
9 invalid provisions or applications, and to this end the provisions of the Law are
10 severable.

Exhibit A to Bill

I-246



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

Bill No. 290-33 (COR)
As Amended by the Author

Introduced by: T.C. Ada

**AN ACT TO PLACE A PORTION OF TRACT 3620
(FORMERLY LOT 381-2, MUNICIPALITY OF
INARAJAN) UNDER THE ADMINISTRATIVE
JURISDICTION OF THE OFFICE OF THE MAYOR
OF INARAJAN AND THE INARAJAN MUNICIPAL
PLANNING COUNCIL.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Administrative Jurisdiction. Notwithstanding any other provision of law, rule or regulation, a portion of Tract 3620 (formerly lot 381-2), Guam, are hereby transferred to the Office of the Mayor of Inarajan and the Inarajan Municipal Planning Council for the purpose of constructing community public facilities. Tract 3620 is described in Department of Land Management map drawing reference number 150-FY85/14-85T246 as shown on Exhibit A. The portion of Tract 3620 to be administratively transferred *shall* be all contiguous Government of Guam lots within Tract 3620 not occupied by the Department of Public Health Senior Citizens Center, the Inarajan Fire Station, and the U.S. Postal Service mailboxes and its surrounding area and access. Said administrative jurisdiction shall become effective upon the enactment of this Act.

Section 2. Resurvey of Tract 3620.

a. The office of the Mayor of Inarajan, in coordination with the Director of the Department of Land Management, shall cause a re-survey of Tract 3620 as

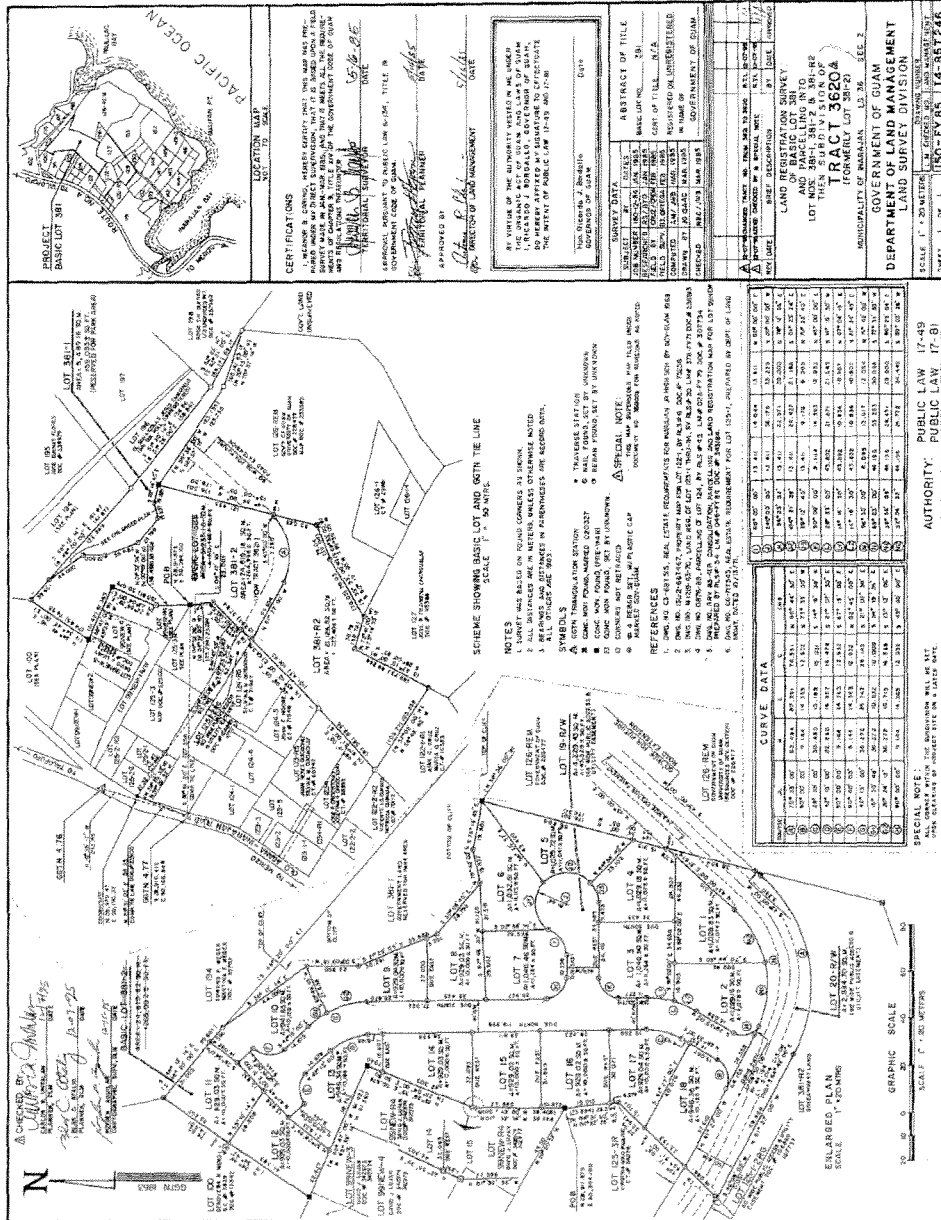
1 described in Department of Land Management map drawing reference number
2 150-FY85/14-85T246 to sever out the portions of Tract 3620 upon which the
3 Department of Public Health Senior Citizens Center, the Inarajan Fire Station and
4 the U.S. Postal Service mailboxes and its surrounding areas and access are situated
5 on. The remaining portion of Tract 3620 is the consolidated portion that will be
6 administratively transferred to the Office of the Mayor of Inarajan and the Inarajan
7 Municipal Planning Council.

8 b. Funding for the required survey may be funded from the Host Community
9 Benefits Fund. Alternatively, the consolidation and parceling of the Lots in Tract
10 3620 may be made a requirement of and performed by the contractor who will
11 construct the multi-purpose public facility for the Office of the Mayor of Inarajan
12 and the Inarajan Municipal Planning Council.

13 **Section 3. Exemption.** § 2107 of Title 2, Guam Code Annotated and the Standing
14 Rules of *I Mina' Trentai Tres Na Liheslaturan Guåhan* relative to the appraisals of land
15 *shall not* apply to this Act.

16 **Section 4. Severability.** *If* any provision of this Law or its application to any
17 person or circumstance is found to be invalid or contrary to law, such invalidity shall *not*
18 affect other provisions or applications of this Law which can be given effect without the
19 invalid provisions or applications, and to this end the provisions of the Law are
20 severable.

Exhibit A to Bill No. 290-33 (COR)



I-246

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
 Public Hearing
 April 14, 2016
 9:00am
I Liheslaturan Guåhan, Hagåtña

Bill No. 290-33 (COR) – T.C. Ada

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
Doris F. Lusan, Mayor	MCOG	✓		✓		482-8945	mayor.dorisflusan@gmail.com
MANNY DUCRAS	SELF			✓			
Don Weakley	mcoG	✓		✓		7971937	ADSO
David Charguataf	self	✓		✓		787-9758	David.Charguataf@san.gov
San Nicolas Frank	Self			✓		828-2014	
MICHAEL BORJA	DLM	/	/				
Jesse Perez	IMPC			✓		486-6362	inalahan@yahoo.com



DIPATTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guahan)



EDDIE BAZA CALVO
 Governor of Guahan

MICHAEL JB BORJA
 Director

RAY TENORIO
 Lieutenant Governor of Guahan

DAVID V. CAMACHO
 Deputy Director

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://land.guam.gov>

E-mail Address:
dldir@land.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

April 12, 2016

Senator Thomas C. Ada
 33rd Guam Legislature
 Chairman, Committee on Transportation,
 Infrastructure, Lands, Border Protection,
 Veteran's Affairs and Procurement
 173 Aspinall Ave, Ste 207
 Hagatna, Guam 96910

4/13/16
 RECEIVED by the
 Office of Senator
 Thomas C. Ada

SUBJECT: Bill No. 290-33 – AN ACT TO PLACE TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.

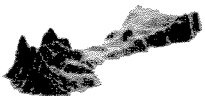
Hafa Adai!

The Department of Land Management has reviewed Bill No. 290-33 and recommends the following technical change to the bill:

- a. Add to Section 1 of Bill No. 290-33: "Tract 3620 is described in Department of Land Management map drawing reference number 150-FY85/14-85T246 as shown on Exhibit A. The portion of Tract 3620 to be administratively transferred shall be the lots not occupied by the Senior Citizens Center, Inarajan Fire Department, and the U.S. Postal Service. Said administrative jurisdiction ~~and~~ shall become effective upon the enactment of this Act."

The intent of Bill No. 290-33 is similar to Bill No. 227-33 which this department commented on in its January 21, 2016 testimony letter. The significant difference with Bill No. 290-33 is the inclusion of an unfunded mandate in Section 3 of the bill onto the Department of Land Management. Instead, the department recommends the following:

- a. The Office of the Mayor of Inarajan and the Inarajan Municipal Planning Council fund the necessary consolidation and parceling of the lots in Tract 3620 being administratively transferred to it from the Chamorro Land Trust Commission. Funding may be sourced from the Host Community Benefits Fund for the



Municipality of Inarajan as authorized by Title 10 Guam Code Annotated, Chapter 51, Article 4; or,

- b. The consolidation and parceling of the lots in Tract 3620 would be required of and performed by the contractor who will construct the multi-purpose sports facility for the Office of the Mayor of Inarajan and the Inarajan Municipal Planning Council.

Thank you for the opportunity to submit this testimony.

Senseramente,

A handwritten signature in black ink, appearing to read "Michael J. Borja", with a horizontal line extending from the end of the signature.

MICHAEL J. B. BORJA
Director



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member


V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

April 18, 2016

Memorandum

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

From: **Senator Rory J. Respicio** 
Chairperson of the Committee on Rules

Subject: **Fiscal Note**

Hafa Adai!

Attached please find the fiscal note for the bill number listed below. Please note that the fiscal note is issued on the bill as introduced.

FISCAL NOTE:
Bill No. 290-33(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'!

2016 APR 19 PM 12:40

Bureau of Budget & Management Research
Fiscal Note of Bill Nos. 290-33 (COR)

AN ACT TO PLACE TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission	Dept./Agency Head: Michael J. B. Borja, Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date: Chamorro Land Trust Operating Fund	1,424,311
Total Department/Agency Appropriation(s) to date:	\$1,424,311

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2015 Unreserved Fund Balance		\$0	\$0
FY 2016 Adopted Revenues	\$0	\$0	\$0
FY 2016 Appro. (P.L. 33-66 thru _____)	\$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 2016 (if applicable)	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$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? \$ _____ / X / N/A
- Does the Bill establish a new program/agency? / X / Yes / / No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes / X / 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 by due date / / Other:

Analyst: <u>Jason Baza</u> Jason Baza, BMA II	Date: <u>4/12/16</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	Date: APR 18 2016
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Notes:
See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 290-33 (COR)

The proposed legislation intends to transfer a portion of Tract 3620 in the municipality of Inarajan to the administrative jurisdiction of the Inarajan Mayor's Office (IMO) and the Inarajan Municipal Planning Council (IMPC) for the purpose of constructing a multi-purpose sports facility.

It should be noted that there have been similar versions of the subject legislation proposed during FY 2016. Bill No. 227-33 (COR) transferred unspecified portions of the subject property to only the IMO for the purpose of constructing the multi-purpose sports facility. Subsequently, Bill Nos. 254-33 (LS) ~ 262-33 (LS) transferred specific portions of Tract 3620 (Lot Nos. 9 thru 17 with an aggregate area of 8,391.2± square meters) to the IMO for the same purpose of constructing a multi-purpose sports facility.

The subject proposed legislation has the same intent to transfer portions of Tract 3620 for the construction of the sports facility, but now to include the IMPC as receiving administrative jurisdiction of the property. In addition, the proposed legislation adds the responsibility of re-surveying Tract 3620 to the Department of Land Management (DLM) to designate which portions of Tract 3620 shall be transferred to the administrative jurisdiction of the IMO and IMPC. Because the added responsibility of re-surveying Tract 3620 imposes an unfunded mandate on DLM, the DLM recommends that the responsibility of covering the cost of the re-survey should be held by the IMPC funded by the Host Community Fund or by the contractor selected to construct the multi-purpose sports facility.

Transferring the subject property to the administrative jurisdiction of the IMO and the IMPC will have several fiscal impacts involving multiple parties. By transferring the subject property to the IMO and the IMPC, the CLTC will not be able to collect lease payments resulting in a loss of revenue. However, by enabling the construction project to commence, revenues in the form of building permits for the sports facility can be anticipated to be received by the Department of Public Works (DPW). Subsequently, when the sports facility is operational, the IMO and IMPC can assess fees for use of the facility (i.e. basketball leagues, team practices, etc.).

Due to lack of sufficient information regarding the current lease agreement of the subject property and the specifics on the design of the new sports facility, the Bureau is unable to determine an approximate dollar amount of potential revenues lost for the CLTC in lease payments and gained by the DPW through the issuance of building permits.

In addition, the construction of the sports facility would increase the total aggregate assessed value of real property on Guam. Per the Certified 2013 Real Property Tax Assessment roll mandated by §24518, Chapter 24, Title 11 GCA, the total land and building aggregate assessed values are \$5.959 Billion and \$5.629 Billion, respectively. The combination of both the land and building assessed values creates the base for the Government of Guam's debt service ceiling, which is ten percent (10%) of the total assessed value. The construction of new facilities on the cited lot will increase the total building assessed value, thus increasing the base for the Government of Guam's debt service ceiling.

It should be noted that the proposed legislation includes a reversionary clause upon inaction of portions of the property. If any portion of Tract 3620 should no longer be needed for construction of the sports facility, that/those portion(s) of Tract 3620 will be reverted back to the Chamorro Land Trust land inventory.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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Rory J. Respicio

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MAJORITY LEADER

Senator

Thomas C. Ada

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ASSISTANT MAJORITY LEADER

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MINORITY LEADER

Mary C. Torres


MINORITY MEMBER

April 5, 2016

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 290-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 290-33(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 Tres 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 Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
290-33 (COR)	T. C. Ada	AN ACT TO PLACE TRACT 3620 (FORMERLY LOT 381-2, MUNICIPALITY OF INARAJAN) UNDER THE ADMINISTRATIVE JURISDICTION OF THE OFFICE OF THE MAYOR OF INARAJAN AND THE INARAJAN MUNICIPAL PLANNING COUNCIL.	04/04/16 4:57 p.m.	04/05/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			Fiscal Note Request 04/05/16



Peter Tran <peter@senatorada.org>

1st Notice of Public Hearing and Roundtable: Thursday, April 14, 2016 at 9:00 a.m. and 2:00p.m.

1 message

Charlene Flores <flores@senatorada.org>

Thu, Apr 7, 2016 at 8:36 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, DLMDIR <dlmdir@land.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, Michael Duenas <mjduenas@ghura.org>, james.gillan@dphss.guam.gov, joey.sannicolas@gfd.guam.gov, chief@gpd.guam.gov, pio@gpd.guam.gov, doagridir@yahoo.com, matt.sablan12@yahoo.com, raunderwood@uguam.uog.edu, lorilee.crisostoo@bsp.guam.gov, Yvette.cruz@epa.guam.gov, gpagm@ite.net, jocelyn.bamba@pb.usda.gov, Sam.Taylor@pb.usda.gov, mcbordallo@guamwaterworks.org, agatmayorsoffice@hotmail.com, Umatac Mayor <umatacmo@gmail.com>, Doris Lujan <mayordorisfloreslujan@gmail.com>, inarajan municipality <inarajanmayorsoffice@gmail.com>, Dale Alvarez <daleealvarez@gmail.com>, talofofomayor@gmail.com, kenjoeada@yahoo.com, mayorernest@yahoo.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, bvalencia@matson.com, mblaw@guam.net, duncan@mccullybeggs.com, gperez@matson.com, "John Thos. Brown" <jngo@ozemail.com.au>, sandra.miller@guam.gov, dfbrooks@guamopa.org, admin@guamopa.org, arcesq@hotmail.com, Jessica Toft <jtoft@guamag.org>, law@guamag.org, claudia.acfalle@gsa.guam.gov, robert.kono@gsa.guam.gov, jpangelinan@gpagwa.com, afduenas@portguam.com, vincentg@guamwaterworks.org, arleen.pierce@dpw.guam.gov, vborja@triton.uog.edu, frankpt@guamairport.net, mcogadmin@teleguam.net

April 07, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing and Roundtable: Thursday, April 14, 2016 at 9:00 a.m. and 2:00p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing and roundtable on **Thursday, April 14, 2016 at 9:00 a.m. and 2:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.

Bill No. 290-33 (COR) – T.C. Ada

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

Bill No. 287-33 (COR) – R.J. Respicio/M.C. Torres

An act to establish the Southern River Erosion Council and to mandate the creation of multi-year masterplans to address the erosion issues related to rivers in southern Guam.

Bill No. 284-33 (COR) – R.J. Respicio

An act to amend Section 3219 (c) of Chapter 3 of Title 16 of the Guam Code Annotated to amend the notice requirement for the sale of used tires.

Bill No. 276 -33 (COR) – T.R. Muña Barnes/J.T. Won Pat, Ed.D.

An act to add a new §75125 to Title 21, Guam Code Annotated, relative to designating a portion of lot 5133-1, *Tumon, Dededo, Guam* as a biodiversity conservation easement for the purpose of providing an area for the preservation of indigenous biodiversity.

2:00 p.m. - Roundtable

Bill No. 162-33 (COR) – T.C. Ada

An act to amend articles 3, 9, and 12 of Chapter 5, Title 5 Guam Code Annotated by amending § 5201, 5210, 5211, 5214, 5215, 5216, 5217, 5219, 5220, 5230, 5231, 5232, 5233, 5235, 5237, 5240, 5245, 5248, 5249, 5251,

5252, and to add a new § 5212, § 5221, and 5254 relative to source selection and contract formation and to amend §§ 5425, 5426, 5427, 5450, 5452, 5480, 5481 and 5485(a) and (b) of article 9; and amend §§ 5703, 5705, 5706(b), 5707(a) and 5708, and add a new § 5710 relative to legal and contractual remedies in Guam Procurement Law.

Testimony on **Bill No. 290-33 (COR)**, **Bill No. 287-33 (COR)**, **Bill No. 284-33 (COR)**, and **Bill No. 276-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, April 15, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

--


Charlene Flores

Policy Analyst

Office of Senator Thomas C. Ada

I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature

671-473-3301

 **1st Notice.pdf**
566K



Office of
Senator Tom Ada

Peter Tran <peter@senatorada.org>

2nd Notice of Public Hearing and Roundtable: Thursday, April 14, 2016 at 9:00 a.m. and 2:00p.m.

1 message

Charlene Flores <flores@senatorada.org>

Mon, Apr 11, 2016 at 8:23 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, DLMDIR <dlmdir@land.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, Michael Duenas <mjduenas@ghura.org>, james.gillan@dphss.guam.gov, joey.sannicolos@gfd.guam.gov, chief@gpd.guam.gov, pio@gpd.guam.gov, doagridir@yahoo.com, matt.sablan12@yahoo.com, raunderwood@uguam.uog.edu, lorilee.crisostoo@bsp.guam.gov, Yvette.cruz@epa.guam.gov, gpagm@ite.net, jocelyn.bamba@pb.usda.gov, Sam.Taylor@pb.usda.gov, mcbordallo@guamwaterworks.org, agatmayorsoffice@hotmail.com, Umatac Mayor <umatacmo@gmail.com>, Doris Lujan <mayordorisfloreslujan@gmail.com>, inarajan municipality <inarajanmayorsoffice@gmail.com>, Dale Alvarez <daleealvarez@gmail.com>, talofofomayor@gmail.com, kenjoeada@yahoo.com, mayorernest@yahoo.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, bvalencia@matson.com, mblaw@guam.net, duncan@mccullybeggs.com, gperez@matson.com, "John Thos. Brown" <jngo@ozemail.com.au>, sandra.miller@guam.gov, dfbrooks@guamopa.com, admin@guamopa.com, arcesq@hotmail.com, Jessica Toft <jtoft@guamag.org>, law@guamag.org, claudia.acfalle@gsa.guam.gov, robert.kono@gsa.guam.gov, jpangelinan@gpagwa.com, afduenas@portguam.com, vincentg@guamwaterworks.org, arleen.pierce@dpw.guam.gov, vborja@triton.uog.edu, frankpt@guamairport.net, mcogadmin@teleguam.net, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, felix.benavente@dpw.guam.gov, MELISSA SAVARES <melissa.savares@gmail.com>

April 11, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing and Roundtable: Thursday,**

April 14, 2016 at 9:00 a.m. and 2:00p.m.

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing and roundtable on **Thursday, April 14, 2016 at 9:00 a.m. and 2:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.**Bill No. 290-33 (COR) – T.C. Ada**

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

Bill No. 287-33 (COR) – R.J. Respicio/M.C. Torres

An act to establish the Southern River Erosion Council and to mandate the creation of multi-year masterplans to address the erosion issues related to rivers in southern Guam.

Bill No. 284-33 (COR) – R.J. Respicio

An act to amend Section 3219 (c) of Chapter 3 of Title 16 of the Guam Code Annotated to amend the notice requirement for the sale of used tires.

Bill No. 276 -33 (COR) – T.R. Muña Barnes/J.T. Won Pat, Ed.D.

An act to add a new §75125 to Title 21, Guam Code Annotated, relative to designating a portion of lot 5133-1, *Tumon, Dededo, Guam* as a biodiversity conservation easement for the purpose of providing an area for the preservation of indigenous biodiversity.

2:00 p.m. - Roundtable**Bill No. 162-33 (COR) – T.C. Ada**


An act to amend articles 3, 9, and 12 of Chapter 5, Title 5 Guam Code

Annotated by amending § 5201, 5210, 5211, 5214, 5215, 5216, 5217, 5219, 5220, 5230, 5231, 5232, 5233, 5235, 5237, 5240, 5245, 5248, 5249, 5251, 5252, and to add a new § 5212, § 5221, and 5254 relative to source selection and contract formation and to amend §§ 5425, 5426, 5427, 5450, 5452, 5480, 5481 and 5485(a) and (b) of article 9; and amend §§ 5703, 5705, 5706(b), 5707(a) and 5708, and add a new § 5710 relative to legal and contractual remedies in Guam Procurement Law.

Testimony on **Bill No. 290-33 (COR)**, **Bill No. 287-33 (COR)**, **Bill No. 284-33 (COR)**, and **Bill No. 276-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, April 15, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

--

Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

 **2nd notice.pdf**
579K

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Updated: March 1, 2016

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Updated: March 1, 2016

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

PUBLIC HEARING

Thursday April 14, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

9:00am

Bill No. 290-33 (COR) – T.C. Ada

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

Bill No. 287-33 (COR) – R.J. Respicio/M.C. Torres

An act to establish the Southern River Erosion Council and to mandate the creation of multi-year masterplans to address the erosion issues related to rivers in southern Guam.

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Testimony on **Bill No. 290-33 (COR)**, **Bill No. 287-33 (COR)**, **Bill No. 284-33 (COR)**, and **Bill No. 276-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, April 15, 2016 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.



Sen. Thomas Ada
Committee on Lands and Transportation

Public Hearing and Roundtable Notice
Thursday, April 14, 2016, 9am and 2pm
I Liheslaturan Guahan, Public Hearing Room

AGENDA FOR PUBLIC HEARING

9:00 AM:

Bill No. 290-33 (COR) - T.C. Ada

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

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An act to add a new §75125 to Title 21, Guam Code Annotated, relative to designating a portion of lot 5133-1, *Tumon, Dededo, Guam* as a biodiversity conservation easement for the purpose of providing an area for the preservation of indigenous biodiversity.

2:00 PM

ROUNDTABLE AGENDA

Bill No. 162-33 (COR) - T.C. Ada

An act to amend articles 3, 9, and 12 of Chapter 5, Title 5 Guam Code Annotated by amending § 5201, 5210, 5211, 5214, 5215, 5216, 5217, 5219, 5220, 5230, 5231, 5232, 5233, 5235, 5237, 5240, 5245, 5248, 5249, 5251, 5252, and to add a new § 5212, § 5221, and 5254 relative to source selection and contract formation and to amend §§ 5425, 5426, 5427, 5450, 5452, 5480, 5481 and 5485(a) and (b) of article 9; and amend §§ 5703, 5705, 5706(b), 5707(a) and 5708, and add a new § 5710 relative to legal and contractual remedies in Guam Procurement Law.

Individuals requiring special accommodations should submit request to Blaine Dydasco at 473-3301.

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Sen. Thomas Ada
Committee on Lands and Transportation

Public Hearing and Roundtable Notice
Thursday, April 14, 2016, 9am and 2pm
I Liheslaturan Guahan, Public Hearing Room

AGENDA FOR PUBLIC HEARING

9:00 AM:

Bill No. 290-33 (COR) - T.C. Ada

An act to place tract 3620 (formerly lot 381-2, Municipality of *Inarajan*) under the administrative jurisdiction of the Office of the Mayor of *Inarajan* and the *Inarajan* Municipal Planning Council.

Bill No. 287-33 (COR) - R.J. Respicio/M.C. Torres

An act to establish the Southern River Erosion Council and to mandate the creation of multi-year masterplans to address the erosion issues related to rivers in southern Guam.

Bill No. 284-33 (COR) - R.J. Respicio

An act to amend Section 3219 (c) of Chapter 3 of Title 16 of the Guam Code Annotated to amend the notice requirement for the sale of used tires.

Bill No. 276 -33 (COR) - T.R. Muña Barnes/J.T. Won Pat. Ed.D

An act to add a new §75125 to Title 21, Guam Code Annotated, relative to designating a portion of lot 5133-1, *Tumon, Dededo, Guam* as a biodiversity conservation easement for the purpose of providing an area for the preservation of indigenous biodiversity.

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