

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
152-32 (COR)	T. R. Muña Barnes	AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146-6, 146-7 AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).	07/15/13 2:52 p.m.	7/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Fiscal Note Requested 07/24/13 Fiscal Note Received 08/14/13



COMMITTEE ON RULES

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

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

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

August 14, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

Senator
Vicente (Ben) C. Pangelinan
Member

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

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

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

Senator
Dennis G. Rodriguez, Jr.
Member

Subject: **Fiscal Notes / Waiver**

Vice-Speaker
Benjamin J.F. Cruz
Member

Hafa Adai!

Legislative Secretary
Tina Rose Muña Barnes
Member

Attached please find the fiscal notes and waiver for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Senator
Frank Blas Aguon, Jr.
Member

FISCAL NOTES:

Bill Nos. 149-32(COR), 150-32(COR), and 152-32(COR)

Senator
Michael F.Q. San Nicolas
Member

WAIVER:

Bill No. 154-32(COR)

Senator
V. Anthony Ada
Member
MINORITY LEADER

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

Senator
Aline Yamashita
Member

Si Yu'os ma'åse'!

2013 AUG 14 PM 12:24
[Signature]

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

FACSIMILE INFORMATION PAGE

PLEASE DELIVER TO: Senator Rory Respicio

FACSIMILE NUMBER: 472-3547

FROM: BBMR

Total Pages including this page: 8

If you do not receive legible copies of all the pages, please call back as soon

as possible. Phone numbers (671) 475-9412/9450. Fax number (671) 472-2825

RE: Fiscal Note on the following Bill Nos.: 149-32(COR), 150-32(COR), 152-32(COR)
and Fiscal Note Waiver on the following Bill Nos.: 154-32(COR).

COMMENTS: Fiscal Notes to be picked up via Central Files.

Thank You!

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

AUG 09 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.: 149-32(COR), 150-32(COR), 152-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 154-32(COR).

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

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 152-32 (COR)**

AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146-6, 146-7 AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Land Management	Dept./Agency Head: Monte Mafnas, Director
Department's General Fund (GF) appropriation(s) to date:	380,082
Department's Other Fund (Specify) appropriation(s) to date: Land Survey Revolving Fund	3,227,764
Total Department/Agency Appropriation(s) to date:	\$3,607,846

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
(Specify Special 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: // Yes /X/ No
/X/ Requested agency comments not received as of the due date // Other:

Analyst: Jason Baza Date: 8/6/13 Director: John A. Rios Date: _____
 Jason W. Baza, BMA I John A. Rios, Director

Footnotes:
 1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 152-32 (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 would rezone Lot Nos. 146-4, 146-5, 146-6, 146-7, and 146-R7 from a Single-Family Dwelling Zone (R-2) to a Commercial Zone (C) containing a combined area of 10,595± square meters in the municipality of Merizo. The reason behind the rezoning is based on the owners' desire to develop and construct a grocery store, Laundromat, coffee shop, and a fast food restaurant. There is potential for revenue through several factors: (a) Gross Receipt Taxes from the income generated through the desired establishments' revenues; (b) Income Taxes from the payment of employees working in the desired establishments; (c) Cost of building permits; (d) Utilities costs for power and water; (e) Cost of Health Inspections; and (f) Cost of Business Licenses. Assuming that the proposed legislation is passed and a grocery store is to be constructed at an anticipated 4,000 square feet, the Bureau estimates that \$2,720 (\$0.68/sq. ft. for commercial building multiplied by 4,000 sq. ft.) will be received by the Department of Public Works in the form of a building permit and \$1,241.60 will be received by the Department of Revenue and Taxation in the form of building taxes. Once constructed, the Bureau estimates that \$100,000 of yearly revenues will be generated by the grocery store that has an anticipated five (5) employees conducting store operations. Of that \$100,000, the Bureau estimates that \$4,000 for GRT (4% revenues gained by the grocery store); \$5,714.80 (7% of employee wages; \$1,142.96 per employee) for income taxes; and \$100 in the form of a business license will be received by the Department of Revenue and Taxation. The Bureau estimates that \$220 (\$220 per establishment with 1-9 employees) will be received by the Department of Public Health and Social Services in the form of a sanitation permit. The cost for power and water would be dependent on the usage of the grocery store. The total estimated potential revenue after analyzing the construction of ONLY the grocery store, the Bureau estimates that \$13,996.40 will be received by the respective Government of Guam departments.



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Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

July 24, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes- Bill Nos. 152-157(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Thomas C. Ada
Acting Chairperson of the Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 JUL 24 AM 11:15
JMB

Bill Nos.	Sponsor	Title
152-32 (COR)	T. R. Muña Barnes	AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146- 6, 146-7 AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).
153-32 (COR)	Aline A. Yamashita, Ph.D., Dennis G. Rodriguez, Jr.	AN ACT RELATIVE TO THE RIGHTS OF NURSING MOTHERS AND CHILDREN RELATIVE TO BREASTFEEDING TO BE KNOWN AS THE "NANA YAN PATGON ACT," BY ADDING A NEW CHAPTER 4B, DIVISION 1 OF TITLE 19, GUAM CODE ANNOTATED; BY AMENDING SECTION 22107, DIVISION 2, CHAPTER 22 OF TITLE 7, GUAM CODE ANNOTATED; BY ADDING A NEW SECTION 80.49.1 OF CHAPTER 80, ARTICLE 2 OF TITLE 9, GUAM CODE ANNOTATED; AND, BY ADDING A NEW SECTION 1036 TO CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED.
154-32 (COR)	T.R. Muna Barnes, B.T. Mc Credie	AN ACT TO ADD NEW §7103(g) OF CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING FROM VEHICLE REGISTRATION REQUIREMENTS CERTAIN MOTORIZED UTILITY VEHICLES OPERATED BY GUAM MAYORS IN ACCORDANCE WITH, AND IN FURTHERANCE OF, THEIR STATUTORILY PRESCRIBED DUTY TO OVERSEE, COORDINATE AND OTHERWISE UNDERTAKE THE BEAUTIFICATION AND MAINTENANCE OF THEIR VILLAGES.
155-32 (COR)	R.J. RESPICIO, T.C. ADA, B.J. CRUZ, T.R. MUÑA BARNES, D.G. RODRIGUEZ, A.A.Y AMASHITA, Ph.D. V.A. ADA	AN ACT TO ACCEPT AND APPROVE THE TERMS AND CONDITIONS OF THE APPENDED AGREEMENT BETWEEN THE BANK OF GUAM AND I LIHESLATURAN GUÅHAN, WITH THE ASSISTANCE AND ADVICE OF THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA), RELATIVE TO FINANCING THE RECONSTRUCTION OF THE HISTORIC GUAM LEGISLATURE BUILDING IN HAGÁTÑA, IN CONJUNCTION WITH THE GUAM PRESERVATION TRUST, TO INCLUDE MODERNIZING, REFURBISHING AND RESTORING THE EXISTING STRUCTURE, WHICH IS AN IMPORTANT COMPONENT OF THE REVITALIZATION OF HAGÁTÑA.
156-32 (COR)	Judith T. Won Pat, Ed.D. B.J.F. Cruz Tina R. Muna Barnes C. M. Duenas	AN ACT TO CREATE THE GUAM TRADEMARK COMMISSION FOR THE DEVELOPMENT OF A CULTURAL TRADEMARK STATUTE FOR THE PROTECTION AND PRESERVATION OF GUAM'S CHAMORRO CULTURAL ARTS
157-32 (COR)	T.C. Ada R.J. Respicio B.J. Cruz	AN ACT TO ADD A NEW §5404 TO 5 GCA CHAPTER 5 RELATIVE TO THE PROCEEDS DERIVED FROM THE DISPOSAL OF EXCESS OR SURPLUS SUPPLIES AND EQUIPMENT.



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July 15, 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. 152-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 152-32(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

Bill No. 152.32 (COR)

Introduced By:

T.R. MUÑA BARNES

**AN ACT TO REZONE LOT NOS. 146-4, 146-5, 146-6, 146-7
AND 146-R7, IN THE MUNICIPALITY OF MERIZO FROM
SINGLE-FAMILY DWELLING ZONE (R-1) TO
COMMERCIAL ZONE (C).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the owners of Lot Nos. 146-4, 146-5, 146-6, 146-7 and 146-R7, located in the Municipality of Merizo, Guam have submitted an application with the Guam Land Use Commission (GLUC) for consideration to rezone the aforementioned lots from Single-Family Dwelling Zone (R-1) to Commercial Zone (C).

I Liheslaturan Guåhan finds that it is the desire of the owners to develop these properties to its highest potential by constructing a commercial building for the purposes of providing rental space for a Grocery Store, Laundromat, Coffee Shop, a Fast Food Restaurant, and the like.

I Liheslaturan Guåhan further finds that rezoning the aforementioned lots from Single-Family Dwelling Zone (R-1) to Commercial Zone (C) would yield the government additional revenues through the form of increased real estate taxes, commercial and other fees upon development of the properties, as well as providing employment opportunities for residents living in Merizo, and the nearby villages.

2013 JUN 15 PM 2:52
[Signature]

1 *I Liheslaturan Guåhan* further finds that in allowing for the GLUC process
2 to take place, it was on **September 13, 2012** that the owners were advised that the
3 GLUC meeting was canceled due to a lack of quorum; on **September 27, 2012** a
4 meeting of the GLUC was held whereby a quorum was established, however the
5 Zone Change Application was tabled; on **December 13, 2012** a meeting of the
6 GLUC was held whereby a quorum was established, however due to the lack of
7 sufficient votes to approve the zone change, the application was tabled; on
8 **February 14, 2013** a meeting of the GLUC was held whereby a quorum was
9 established, however the Zone Change Application was tabled; on **May 9, 2013** the
10 GLUC meeting was canceled due to a lack of quorum; on **June 27, 2013** the
11 GLUC meeting was canceled due to a lack of quorum; and on **July 11, 2013** the
12 GLUC meeting was canceled due to a lack of quorum.

13 *I Liheslaturan Guåhan* further finds that the Zone Change Application has
14 been on the Guam Land Use Commission's Agenda for the past seven (7)
15 scheduled meetings and as a result of the GLUC's inability to establish a quorum,
16 as well as garner sufficient votes to approve the application, the property owners of
17 Lot Nos. 146-4, 146-5, 146-6, 146-7 and 146-R7, located in the Municipality of
18 Merizo, Guam are now seeking the assistance of *I Liheslaturan Guåhan*.
19 Therefore, in an effort to assist the owners develop their property to its best
20 possible use, it is the intent of *I Liheslaturan Guåhan* to authorize the rezoning of
21 the lots described herein.

22 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
23 Lot Nos. 146-4, 146-5, 146-6, 146-7 and 146-R7, containing a combined area of
24 10,595 +/- Square Meters located in the Municipality of Merizo, Guam is hereby
25 rezoned from Single-Family Dwelling Zone (R-1) to Commercial Zone (C).

26 **Section 3. Effective Date.** This provisions contained herein shall take
27 effect immediately upon enactment of this Act.