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
240-32 (COR)		AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).	12/13/13 4:47 p.m.	12/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Fiscal Note Requested 12/16/13 Fiscal Note Received 1/13/14



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 January 13, 2014 CHAIRPERSON MAJORITY LEADER Senator <u>Memorandum</u> Thomas C. Ada VICE CHAIRPERSON To: Rennae Meno Assistant Majority Leader ****** ****** Clerk of the Legislature Senator \sim Vicente (Ben) C. Pangelinan \mathcal{O} Member Senator Rory J. Respicio/ From: Majority Leader & Rules Chair Speaker Judith T.P. Won Pat, Ed.D. **Fiscal Notes /Waivers** Member Subject: Senator Dennis G. Rodriguez, Jr. Hafa Adai! Member Vice-Speaker Attached please find the fiscal notes, or waivers for the bill numbers Benjamin J.F. Cruz listed below. Member Please note that the fiscal notes, or waivers, are issued on the bills as Legislative Secretary introduced. Tina Rose Muña Barnes Member **FISCAL NOTES:** Bill Nos. 235-32 (COR), 236-32 (COR), 237-32 (COR); 239-32 (COR), Senator Frank Blas Aguon, Jr. 240-32 (COR), 241-32 (COR), and 242-32 (COR) Member WAIVER: Senator Bill No. 245-32 (COR) Michael F.Q. San Nicolas Member Senator Please forward the same to MIS for posting on our website. Please V. Anthony Ada Member contact our office should you have any questions regarding this matter. MINORITY LEADER Senator Si Yu'os ma'åse'! Aline Yamashita Member



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO GOVERNOR

RAY TENORIO LIEUTENANT GOVERNOR JOHN A. RIOS DIRECTOR

JOSE S. CALVO DEPUTY DIRECTOR

FACSIMILE INFORMATION PAGE

PLEASE DELIVER TO: Senator Rory Respicio

FACSIMILE NUMBER: 472-3547

FROM: BBMR

Total Pages including this page: 15

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.: <u>235-32(COR)</u>, <u>236-32(COR)</u>, <u>237-32(COR)</u>, <u>239-32(COR)</u>, <u>240-32(COR)</u>, <u>241-32(COR)</u>, <u>242-32(COR)</u> and Fiscal Note Waiver on the following Bill Nos.: <u>245-32(COR)</u>.

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

Thank You!



BUREAU OF BUDGET & MANAGEMENT RESEARCH

JAN 1 0 2014

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

EDDIE BAZA CALVO GOVERNOR

RAY TENORIO LIEUTENANT GOVERNOR JOHN A. RIOS DIRECTOR

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_ .

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

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 235-32(COR), 236-32(COR), 237-32(COR), 239-32(COR), 240-32(COR), 241-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 245-32(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. <u>240-32 (COR)</u>

AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).

Department/Agency Ap	propriation Information	
Dept/Agency Affected: Department of Land Management	Dept/Agency Head: David Cama	cho, Acting Director
Department's General Fund (GF) appropriation(s) to date:		358,375
Department's Other Fund (Specify) appropriation(s) to date: La	and Survey Revolving Fund	\$3,145,845
Total Department/Agency Appropriation(s) to date:		\$3,504,220

Department/Agency App	ropriation Information	
Dept/Agency Affected: Department of Revenue & Taxation	Dept/Agency Head: John Camacho, Dir	ector
Department's General Fund (GF) appropriation(s) to date:		8,196,472
Department's Other Fund (Specify) appropriation(s) to date: Be	tter Public Service Fund, Tax Collection	
Enhancement Fund		<u>\$2,441,903</u>
Total Department/Agency Appropriation(s) to date:		\$10,638,375

Fund Source Inf	ormation of Proposed Appropriati	on	
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance ¹		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	50	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

		Est	imated Fiscal Impa	ct of Bill		
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	1/	\$0	\$0	\$0	\$(\$(
Tax Collection Enhancement Fund	\$0	\$0	\$0	\$0	\$(\$6
Total	1/	\$0	so	\$0	\$I	\$0
If no, what is 3. Does the Bill If yes, will th	opropriated adequ s the additional an establish a new pr re program duplics	iount required? \$ ogram/agency? ate existing program	ms/agencies?	/ X. / N/A / X. / N/A / X. / N/A	/ / Yes / / Yes / / Yes	// No // No // No
4. Will the enaction of the second se	tment of this Bill a lote coordinated w	tablish the progra require new physic ith the affected dep is not received as o	al facilities? pt/agency? If no, in		/ / Yes / / Yes / / Yes	/X/ No /X/ No /X/ No
Analyst:	ason W. Baza, BM	Date:	8/14 Director:	John A. Rios, I	Other: DifAN	1 0 2014

Footnotes:

1/ See attached comments.

Bureau of Budget & Management Research Attachment to Fiscal Note No. <u>240-32 (COR)</u> (for revenue generating provisions)

		Projected Multi-Y	(ear Revenues		
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$7,091	\$7,091	\$7,091	\$7,091	\$7,091
Special Fund	\$0	\$0	\$0	\$0	\$0
Total	<u>\$7,091</u>	<u>\$7,091</u>	<u>\$7.091</u>	<u>\$7,091</u>	<u>\$7,091</u>

Comments:

1/ Should this proposed legislation become law, there is a potential of revenues generated in the form of a business license and income taxes through the proposed zone change of Lot No. 54 NEW-R1, Block No. 3, containing an area of 1,195± square meters, from a Single Family Dwelling Zone (R1) to a Commercial Zone (C) for the purpose of establishing an assisted living center. The proposed legislation does not state the need to construct more infrastructure on the stated property in order to convert the already existing single-family dwelling into an assisted living center. Due to the proposed legislation not anticipating any construction, there is no anticipated revenues in the form of building permits. Also, because there is no improvement to the stated property in the form of infrastructure, there is no anticipated increase in revenues received in the form of real property taxes. However, because converting the stated property into an assisted living center essentially establishes the said property into a business, in which the Bureau will assume to be a privately owned business. The Bureau estimates that \$100 will be received by the Department of Revenue & Taxation in the form of a business license. Assuming that there are five (5) employees (making an average of \$19,974/annum) working in the established assisted living center, the Bureau estimates that \$6,990.90 (\$19,974 * 5 employees * 7% Income tax rate) will be received by the Department of Revenue and Taxation in the form of income taxes. Per the Department of Revenue and Taxation, there is no change in tax rates whether the property is zoned as residential or commercial. Per the Department of Land Management, there are no fees for rezoning a property if the property is rezoned through legislation. The total estimated fiscal impact amounts to \$7,090.90 to be received by the Department of Revenue and Taxation.



COMMITTEE ON RULES

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Senator Rory J. Respicio Chairperson Majority Leader

December 16, 2013

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 **M**INORITY LEADER

Senator Aline Yamashita Member <u>VIA E-MAIL</u> john.rios@bbmr.guam.gov

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

<u>RE:</u> Request for Fiscal Notes- Bill Nos. 236-32 (COR), 237-32(COR), 238-32 (COR), 239-32 (COR) and 240-32 (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,

12my J. Respicio

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

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
236-32 (COR)	Aline A. Yamashita, Ph.D. T.C. Ada	AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES.
237-32 (COR)	Judith T. Won Pat, Ed.D. Aline A. Yamashita, Ph.D.	AN ACT TO AMEND SUBSECTION 12107(c)(4), SUBSECTION 12107(f) AND SUBSECTION 12107(g) OF CHAPTER 12, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM ACADEMY CHARTER SCHOOL ACT OF 2009.
238-32 (COR)	T.A. Morrison V. Anthony Ada Chris Duenas	AN ACT TO AMEND §1001 OF 1GCA RELATIVE TO REESTABLISHING GUAM DISCOVERY DAY AS A LEGAL HOLIDAY OF THE GOVERNMENT OF GUAM.
239-32 (COR)	Dennis G. Rodriguez, Jr. Michael F.Q. San Nicolas	AN ACT TO ESTABLISH AN EXPEDITED JUDICIAL PROCESS TO ADDRESS CLAIMS RELATIVE TO PROPERTY EXPROPRIATED FOR PUBLIC PURPOSES BY THE GOVERNMENT OF GUAM WITHOUT JUST COMPENSATION.
240-32 (COR)	T.R. MUÑA BARNES	AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).



COMMITTEE ON RULES *I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

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Senator Michael F.Q. San Nicolas Member

> Senator V. Anthony Ada Member MINORITY LEADER

Senator Aline Yamashita Member

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 Nos. 236-32(COR) through 240-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 236-32(COR) through 240-32(COR).**

Please ensure that the subject bills are 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. <u>240-32</u> (cor)

Introduced By:

T.R. MUÑA BARNES

AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C).

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that Harmohanjit and Veena Sachdev are the property owners of Lot Number
54NEW-R1, Block Number 3, located in the Municipality of Tamuning, Guam. *I Liheslaturan Guåhan* further finds that the Sachdevs' acquired Lot No. 54New-R1
through a Warranty Deed. (*Attached as Exhibit "A"*). At the present time there is a
single family dwelling on the property

8 *I Liheslaturan Guåhan* further finds that there is a medical clinic located on 9 an adjacent lot and a dental clinic on another adjacent lot to the Sachdevs' 10 property. The Sachdevs' intend to convert the present single family dwelling to an 11 assisted living center.

In an effort to allow the Sachdevs' to convert the single family dwelling into an assisted living center within close proximity to an existing medical clinic, an existing dental clinic, and the Guam Memorial Hospital, as well as to assist the Sachdevs' in maximizing the highest and best use of their property, it is the intent of *I Liheslaturan Guåhan* to rezone this property from R-1 to C.

1 Section 2. Lot No. 54NEW-R1, Block 3 Rezoned. Notwithstanding any 2 other provisions of law, Lot No. 54NEW-R1, Block No. 3, (Consolidation of Lots 3 52, 53, and 54, Block 3, into Lot54NEW, Block 3, then Parceling thereof), 4 Municipality of Tamuning (Formerly of Dededo), Territory of Guam, Estate Number 12954, Suburban, containing an area of 1,195 +/- square meters, as said 5 lot is marked and designated on Map Drawing No.93-100, L.M. Check Number 6 7 551 FY 93, as described in that Consolidation Survey and Parceling Map, dated 8 March 3, 1994 and recorded March 14, 1994, at the Records Division, in the 9 Department of Land Management, Government of Guam under Document Number 10 504822, is hereby rezoned from Single-Family Dwelling (R-1) to Commercial (C) 11 Zone. (Partial Map attached as Exhibit "B").

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

EXHIBIT A

sland of Guam, Government of Gu Department of Land Management (uam Mice of the Recorder
File for Record is Instrument No	788370
On the Year $\underline{09}$ Moath $\underline{04}$ Da	y az Time /. No
Recording FeeRece	eipt No.
Deputy Recorder	anifir fa
WARRANTY DEED	

TGE

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

LOT NUMBER 54NEW-R1, BLOCK NUMBER 3, (Consolidation of Lots 52, 53 and 54, Block 3, into Lot 54NEW, Block 3, then Parcelling thereof), MUNICIPALITY OF TAMUNING, (Formerly of Dededo), TERRITORY OF GUAM, ESTATE NUMBER 12954, SUBURBAN, as said Lot is marked and designated on DRAWING NUMBER PRB 93-100, L.M. Check Number 551 FY 93, as described in that Consolidation Survey and Parcelling Map, dated MARCH 03, 1994 and recorded MARCH 14, 1994, at the Records Division, Department of Land Management, Government of Guam, under Document Number 504822.

Registered Land, with the LAST REGISTERED OWNER being FRED J. COAD, JR. and JOSEPHINE M. COAD, Husband and Wife, the OWNER OF RECORD being FRED J. COAD, JR. and JOSEPHINE M. COAD, Husband and Wife, Community Property, and the LAST CERTIFICATE OF TITLE REGISTRATION NUMBER being 109308.

AREA:	1,195 +/- SQUARE METERS
	12,868 +/- SQUARE FEET

GUAM, U.S.A.

CITY OF HAGATNA

)) ss)

ON THIS A day of April, 2009, before me, a Notary Public in and for GUAM USA, personally appeared HARMOHANJIT SACHDEV and VEENA SACHDEV, and he/she acknowledged to me that he/she executed the foregoing WARRANTY DEED, as his/her free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Tennich V C NOTARY PUBLIC

My commission expires:

Esc#42.09/EF

Erline C. Fenwick Notary Public In and for Guan U.S.A. My commission expires: July 13, 2011 Hernan Cortes SL., Title Guaranty Side Suite 320, Magama Gu 96932

EXHIBIT B

N 1123 1123 1 PU-4 171.45 ~.) LOT 57, BLK. GGTN MERCY" N 175,462,063 E 175,013,003 P.O.B. /N 175,396.75 E 173,965.82 HOLL ONO and the start GRAPHIC SCALE "说我我"。 CONPUTED SIL SINC N__7 1 17 1 TE 31 57 E (16 95955) 1 5645 - 23 5666 LOT 51. BLK. LOT SA NEW -1 the second NPV-7 -gain y.7 STALL OF THE SCORE 504822 NET TO TARA ble inservent was filed for round on 14 OGTN TIE-IN DETAIL NOT TO SCALE 12 at ______ 74000 1094 at 21 8 LOT 58, BLOCK 3 Bring Cast come Mar 744 oly LOT 57. BLOCK 3 LOT 55, BLOCK 3 LOT 56, BLOCK 3 +07-52-0+004-3-60-4864-9-08-1-59-14-Brook LOT 51, BLOCK 3 HOTSA ----14 NEW - 1. BLOCK 3 14 NEW - 1. BLOCK 3 NEA = 1.2.407 ± 50. H. 1.153 ± 50. H. -t07-54-81-96K-3--toF ADDITIONAL REF.1 -2. DRG # FD-06 (SHTLEOF 2), PINAL SUBDIVISION PLAN OF BLOOK 3, PEREZVILLE SUBDIVISION, OKA, TANUKINS, PREPARED BY FRANK D. PEREZ & BROOZ (1, FILED UNDER DOG # 41217. IN THE LOT 1.2.05 ٢ LOT 54 NEW FRI. BLOCK 3 AREA - 12868 + 50. FT. 00 LOT 5172-1-1 GUAN MENORIAL HOSPITAL OCLAN MENORIAL MOSA c SEE SPECIM TO SAN WTORES . FROM OF WAY, DOCH 28553 -2 SATISFACTORY TO & APPROVED BY : REV SURV PIELD SOOR COMM RESE CHEC SATI APP we Istand NAME 27 1993 FRANK D. PEREZ, JR. Onarr of LOTS 52 & 53, BLOCK 3 U(C., 3 39607) DATE 3 2 EPOR and street CHRISTING R, PEREZ Gener of LOTS 52 & SJ, REGCK 3 DOCH 396071 Jop 13 19173 DATE 45 A 7 A FIED J. CDAD JR. Owner of LOT 54, BLOCK 3 DOC. # 396071 2-55-95-95 SPECIAL NOTE DATE LOTS CERT. OF TITLE REGISTERED ON IN NAME OF S 52, BLOCK 3 # 82661 05/13/38 FRANK O. PEREZ, JR., Hundrond CHRISTONE R. PEREZ, Mite THE PERSE WALL ENTROLCHING BITTO THE ROAD MIGHT OF WAY Joan Line M. Cont. STATIANC M. COAD UNITY of LOT 54, BLOCK 3 UDC 9 595071 53, 51.00X J 82662 05*/*18/68 SHALL BE DEWOLISHED UPON RECORDATION OF THIS MAP THE OWNER OF 9/20/93 DATE FRED & COAD, JR., Hundond JOSENMEE W. COAD, Wite LOT HO. 54 REW-I, BLOCK 3, IS AWARE OF THE WALL ENCRORCHING MICH 54, BLOCK 3 # 30001 05/27/71 LAN THE ROAD. LIKEWISE, FENCE LIKE WILL BE RE-ALKINED ALONG IMMORENTY DOLINGANY LIKE.

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