

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)	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).	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
CHAIRPERSON
MAJORITY LEADER

January 13, 2014

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 /Waivers

Vice-Speaker
Benjamin J.F. Cruz
Member

Hafa Adai!

Attached please find the fiscal notes, or waivers for the bill numbers listed below.

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

Legislative Secretary
Tina Rose Muña Barnes
Member

FISCAL NOTES:

Bill Nos. 235-32 (COR), 236-32 (COR), 237-32 (COR); 239-32 (COR), 240-32 (COR), 241-32 (COR), and 242-32 (COR)

Senator
Frank Blas Aguon, Jr.
Member

WAIVER:

Bill No. 245-32 (COR)

Senator
Michael F.Q. San Nicolas
Member

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'!

2014 JAN 13 PM 2:38

**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.: 235-32(COR), 236-32(COR), 237-32(COR), 239-32(COR), 240-32(COR), 241-32(COR), 242-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 245-32(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 GOVERNORJOSE S. CALVO
DEPUTY DIRECTOR

JAN 10 2014

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.: 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), ^{242-32(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. 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).

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Land Management	Dept./Agency Head: David Camacho, Acting Director
Department's General Fund (GF) appropriation(s) to date:	358,375
Department's Other Fund (Specify) appropriation(s) to date: Land Survey Revolving Fund	<u>\$3,145,845</u>
Total Department/Agency Appropriation(s) to date:	\$3,504,220

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

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance ¹		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appr. (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 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Tax Collection Enhancement Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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 appropri: / X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____
- 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
- 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: / / Yes / X/ No
/X/ Requested agency comments not received as of the due date / / Other:

Analyst: Jason W. Baza Date: 1/8/14 Director: John A. Rios **JAN 10 2014**
Jason W. Baza, BMA I John A. Rios, Director

Footnotes:
1/ See attached comments.

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

Projected Multi-Year 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	\$7,091	\$7,091	\$7,091	\$7,091	\$7,091

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 ($\$19,974 * 5 \text{ employees} * 7\% \text{ Income tax rate}$) 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.



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Member
MINORITY LEADER

Senator
Aline Yamashita
Member

December 16, 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. 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,

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 RECIPROCATATION 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).



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MINORITY LEADER


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Aline Yamashita
Member

December 16, 2013

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. 240-32 (over)

Introduced By:

T.R. MUÑA BARNES

2013 DEC 13 AM 4:47

**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:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Harmohanjit and Veena Sachdev are the property owners of Lot Number
4 54NEW-R1, Block Number 3, located in the Municipality of Tamuning, Guam. *I*
5 *Liheslaturan Guåhan* further finds that the Sachdevs' acquired Lot No. 54New-R1
6 through a Warranty Deed. (*Attached as Exhibit "A"*). At the present time there is a
7 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.

12 In an effort to allow the Sachdevs' to convert the single family dwelling into
13 an assisted living center within close proximity to an existing medical clinic, an
14 existing dental clinic, and the Guam Memorial Hospital, as well as to assist the
15 Sachdevs' in maximizing the highest and best use of their property, it is the intent
16 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
5 Number 12954, Suburban, containing an area of 1,195 +/- square meters, as said
6 lot is marked and designated on Map Drawing No.93-100, L.M. Check Number
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"*).

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

EXHIBIT A

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for Record is Instrument No. 788370

On the Year 09 Month 04 Day 03 Time 1:56

Recording Fee 245 Receipt No. _____

Deputy Recorder ATBamfista

TGE

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

THAT ON THIS 1st day of April, 2009, JOSEPHINE M. COAD, whose address is P.O. Box 3610, HAGATNA, GU 96932, hereinafter referred to as "GRANTORS", for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to them paid by HARMOHANJIT SACHDEV and VEENA SACHDEV, husband and wife, whose address is 1088 W MARINE DRIVE SUITE 112 DEDEDO, GU 96929, and hereinafter referred to as "GRANTEES", the receipt, adequacy and sufficiency whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEE, as **Joint Tenants with Rights of Survivorship property**, the following described property:

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**.

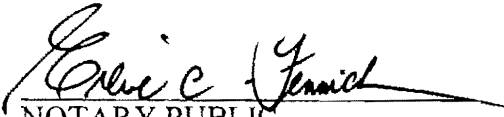
Registered Land, with the LAST REGISTERED OWNER being **FRED J. COAD, JR. and JOSEPHINE M. COAD, Husband and Wife**, the OWNER OF RECORD being **FRED J. COAD, JR. and JOSEPHINE M. COAD, Husband and Wife, Community Property**, and the LAST CERTIFICATE OF TITLE REGISTRATION NUMBER being **109308**.

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

GUAM, U.S.A.)
) ss
CITY OF HAGATNA)

ON THIS 1st 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.



NOTARY PUBLIC
My commission expires:

ESC#42.09/EF

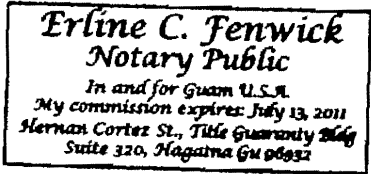


EXHIBIT B

