

I Mina'Trentai Dos 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 |
|--------------|--------------------------------|--|------------------------|---------------|---|---------------------|-----------------------------|--|
| 259-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE ON A VALUE FOR VALUE BASIS PRIVATELY OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF BARRIGADA UPON CERTIFICATION BY THE DEPARTMNT OF PUBLIC WORKS FOR USE OF A PONDING BASIN FOR FLOOD MITIGATION FOR GOVERNMENT OF GUAM OWNED PROPERTY LOCATED IN THE | 1/10/2014 1:46 p.m. | 01/10/14 | Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land | 02/10/14 9a.m | | Fiscal Note Requested 01/13/14 Fiscal Note Received 4/22/14 |



COMMITTEE ON RULES

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

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Rory J. Respicio
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MAJORITY LEADER

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Thomas C. Ada
VICE CHAIRPERSON
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April 22, 2014

Memorandum

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

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

Subject: **Fiscal Notes / Waivers**

Hafa Adai!

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

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

FISCAL NOTES:

- ✓ Bill No.259-32(COR)
- ✓ Bill No. 279-32(COR)
- ✓ Bill No. 287-32(COR)
- ✓ Bill No. 293-32(COR)
- ✓ Bill No. 294-32(COR)
- ✓ Bill No. 301-32(COR)
- ✓ Bill No. 303-32(COR)

WAIVER:

- ✓ Bill No. 233-32(COR)
- ✓ Bill No. 295-32(COR)
- ✓ Bill No. 297-32(COR)
- ✓ Bill No. 300-32(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'!

2014 APR 22 M 9:42

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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

EDDIE BAZA CALVO
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DEPUTY DIRECTOR

APR 21 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 259-32(COR), 279-32(COR), 287-32(COR), 293-32(COR), 294-32(COR), 301-32(COR), 303-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 233-32(COR), 295-32(COR), 297-32(COR), and 300-32(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. 259-32 (COR)

AN ACT TO AUTHORIZE /MAGA'LAHEN GUAHAN TO EXCHANGE ON A VALUE FOR VALUE BASIS PRIVATELY OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF BARRIGADA UPON CERTIFICATION BY THE DEPARTMENT OF PUBLIC WORKS FOR USE OF A PONDING BASIN FOR FLOOD MITIGATION FOR GOVERNMENT OF GUAM OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF DEDEDO.

| Department/Agency Appropriation Information | |
|---|--|
| Dept./Agency Affected: Public Works | Dept./Agency Head: Carl V. Dominguez, Director |
| Department's General Fund (GF) appropriation(s) to date: | 11,235,337 |
| Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund (\$597,019); Guam Highway Fund (\$8,132,517) | 8,729,536 |
| Total Department/Agency Appropriation(s) to date: | \$19,964,873 |

| 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 | \$3,145,845 |
| Total Department/Agency Appropriation(s) to date: | \$3,504,220 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|---|------------|
| | General Fund: | Guam Highway Fund / Land Survey Revolving | Total: |
| FY 2013 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2014 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2014 Appro. (Bill No. 1(4-S)) | \$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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Guam Highway Fund / Land Survey Revolving Fund | 1/ | 1/ | 1/ | 1/ | 1/ | 1/ |
| Total | 1/ | 1/ | 1/ | 1/ | 1/ | 1/ |

- Does the bill contain "revenue generating" provisions? / / Yes /X/ 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? / / Yes /X/ 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: /X/ Yes / / No
 /X/ Requested agency comments not received by due date / / Other: _____

Analyst: Angela Flores, BMA IV Date: 4/14/14 Director: John A. Rios, Director Date: **APR 21 2014**

Footnotes: 1/ See Attachment

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 259-32 (COR)

Comments:

The proposed legislation is to authorize for land exchange on a value for value basis privately owned property located in the Municipality of Barrigada (Lot No. 2264-1-R3, Guam Estate No. 58813, containing an area of +/- 11,322.54 square meters, Certificate of Title No. 91059) with a *portion* of Government of Guam property located in the Municipality of Dededo designated for land exchange pursuant to P.L. 22-18 (Lot No. 10120-R16 containing an area of +/- 70 acres, which is +/- 283,280.2 square meters) for flood mitigation and public use as a ponding basin. Per the Department of Public Works (DPW), in that the Barrigada lot is a low land, such may be considered a natural area for collection of water from storms and heavy rains, or a natural ponding basin. Additionally, no determination has been made on the *necessity* to acquire such lot to construct a ponding basin, estimated to cost \$300,000, inclusive of design and percolation testing. Only if highway related, may such costs be funded under the Guam Highway Fund. In view thereof, scarce government land assets will be impacted. The Bill language does *not* specify whether both lands to be exchanged are of similarly designated zones, inclusive of buildings, and what is the basis in "value for value" as these affect property tax revenue to the Government of Guam. Additional impacts may result which cannot be determined at this time, to include Department of Land Management (DLM) costs to perform survey, mapping, appraisal and registration of the properties to be exchanged to be absorbed by the Land Survey Revolving Fund (LSRF). Any costs to be absorbed by DPW and DLM associated under this proposed legislation would require additional appropriations under General Fund or GHF and LSRF, only as applicable, for DPW and DLM due to the current FY14 funding already being obligated for other contracts/projects.



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January 13, 2014

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. 257-32 (COR) through 261-32(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 |
|-----------------|-----------------------------|--|
| 257-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO AMEND § 4107, CHAPTER 4, TITLE 5 OF THE GUAM CODE ANNOTATED, TO AMEND SECTIONS 5 AND 6 OF PUBLIC LAW 30-37, TO AMEND SECTION 7 OF PUBLIC LAW 31-76 AND TO AMEND SECTION 1107(g), CHAPTER 1, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO ENHANCING I MAGA'LAHEN GUÅHAN'S COMPREHENSIVE PROGRAM AND FINANCIAL PLAN THROUGH IDENTIFYING THE GUAM DEPARTMENT OF EDUCATION, THE UNIVERSITY OF GUAM, AND THE GUAM COMMUNITY COLLEGE APPROPRIATIONS AND TO INCREASE TRANSPARENCY, ACCOUNTABILITY, AND PLANNING IN THE BUDGET REPORTING OF TAX CREDITS. |
| 258-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO ADD A NEW SECTION 4122 TO CHAPTER 4 AND TO AMEND SECTIONS 22704(a) AND (c), CHAPTER 22 OF TITLE 5 OF THE GUAM CODE ANNOTATED AND TO ADD SECTION 3(d) TO PUBLIC LAW 30-37, RELATIVE TO REQUIRING LEGISLATIVE APPROPRIATION FOR THE GOVERNMENT OF GUAM PURCHASE, LEASE-TO-OWN, AND/OR LEASE-PURCHASE OF REAL PROPERTY AND FOR OTHER PURPOSES. |
| 259-32 (COR) | Vicente (ben) C. Pangelinan | AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE ON A VALUE FOR VALUE BASIS PRIVATELY OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF BARRIGADA UPON CERTIFICATION BY THE DEPARTMENT OF PUBLIC WORKS FOR USE OF A PONDING BASIN FOR FLOOD MITIGATION FOR GOVERNMENT OF GUAM OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF DEDEDO. |
| 260-32 (COR) | B. J.F. Cruz | AN ACT TO ADD A NEW SUBSECTION (f) TO § 13104 OF CHAPTER 13 OF TITLE 4 OF THE GUAM CODE ANNOTATED; RELATIVE TO REQUIRING A TAX CLEARANCE FROM THE DEPARTMENT OF REVENUE AND TAXATION WITHIN THE FINANCIAL DISCLOSURE OF ALL CANDIDATES FOR PUBLIC OFFICE AND ALL OFFICIALS APPOINTED BY I MAGA'LAHI WHOSE APPOINTMENT IS SUBJECT TO THE CONSENT OF I LIHESLATURAN GUÅHAN. |
| 261-32 (COR) | B. J.F. Cruz | AN ACT TO ADD A NEW § 76405 TO ARTICLE 4 OF CHAPTER 76 OF TITLE 11 OF THE GUAM CODE ANNOTATED; RELATIVE TO REQUIRING A TAX CLEARANCE FOR PROFESSIONAL LICENCES. |



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V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

January 10, 2014

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. 258-32(COR) and 259-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 258-32(COR) and 259-32(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 GUÁHAN
2013 (FIRST) Regular Session

Bill No. 259-32 (COR)

Introduced by:

V. C. Pangelinan 

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUAHAN* TO EXCHANGE ON A VALUE FOR VALUE BASIS PRIVATELY OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF BARRIGADA UPON CERTIFICATION BY THE DEPTMNT OF PUBLIC WORKS FOR USE OF A PONDING BASIN FOR FLOOD MITIGATION FOR GOVERNMENT OF GUAM OWNED PROPERTY LOCATED IN THE MUNICIPALITY OF DEDEDO

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. The owners of Lot Number 2264-1-R3, Estate No. 58813, in the Municipality of Barrigada find that their property is a natural collection of water from storms and heavy rains.. They have offered and requested that the government take their property to develop a ponding basin and water runoff collection to ease flooding in the village and in return be given government land in exchange.

I Liheslaturan Guahan hereby intends to allow the exchange of the privately owned lot for government land designated for land exchanges upon the certification by the Director of the Department of Public Works and the Engineering Division within the Department of Public Work that the privately owned lot is required by the government for a ponding basin and flood mitigation.

Section 2. Authorization for Land Exchange. (a) The Director of the Department of Public Works and the Engineering Division within the Department of Public Works *shall* determine and issue a written certification attesting to the

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1 requirement that the privately owned property described in Subsection (b) below is
2 required for flood mitigation and for public use as a ponding basin by the
3 government of Guam.

4 (b) Pursuant to Public Law 22-73, *I Liheslaturan Guahan* hereby authorizes
5 *I Maga'lahen Guahan* upon the determination and certification as outlined in
6 Subsection (a) above to exchange on a value for value basis privately owned
7 property located in the Municipality of Barrigada described as:

8 Lot Number 2264-1-R3, Municipality of Barrigada, Guam
9 Estate No. 58813, containing an area of \pm 11,322.54
10 square meters, as marked and designated on Map Drawing
11 No. 828T63B, prepared by Juan T. Untalan, RLS No. 6,
12 dated October 1, 1963 and described on Document No.
13 467272, recorded at the Department of Land
14 Management, government of Guam. Certificate of Title
15 Number 91059.

16 with a portion of government of Guam property located in the Municipality of
17 Dededo designated for land exchange pursuant to Public Law 22-18 described as:

18 Lot No. 10120-R16 containing an area of \pm seventy (70)
19 acres.

20 (b) Survey Mapping and Registration. Notwithstanding any other provision
21 of law, the Director of the Department of Land Management shall perform or
22 cause to be performed the necessary survey, mapping, appraisal and registration of
23 the properties to be exchange.

24 **Section 3. Severability.** *If* any provision of this Act or its application to any
25 person or circumstance is held invalid, the invalidity *shall not* affect other
26 provisions or applications of this Act which can be given effect without the invalid
27 provision or application and to this end the provisions of this Act is severable.