

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
354-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO AUTHORIZE OWNERS OF PRIVATE PROPERTY TO ERECT OR HAVE ERECTED POLITICAL SIGNAGE, BY ADDING A NEW ITEM (5) TO SUBSECTION (a), A NEW ITEM (3) TO SUBSECTION (b), A NEW ITEM (3) TO SUBSECTION (c), EACH OF §61541, PART 5, ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED.	6/16/14 10:28 a.m.	06/17/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Request for Fiscal Note 6/17/14 Fiscal Note Waiver Rec'd 6/24/14 Fiscal Note Rec'd 7/3/14



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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Rory J. Respicio
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MAJORITY LEADER

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Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

July 2, 2014

Memorandum

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

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 318-32(LS)
- Bill No. 325-32(COR)
- Bill No. 326-32(COR)
- Bill No. 332-32(LS)
- Bill No. 354-32(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 JUL -3 PM 12:40

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOSE S. CALVO
ACTING DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOHN AB PANGELINAN
ACTING DEPUTY DIRECTOR

JUL 03 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.: **318-32(LS), 325-32(COR), 326-32(COR), 332-32(LS), and 354-32(COR).**

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



JOSE S. CALVO
Acting Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 354-32 (COR)**

AN ACT TO AMEND SECTION 3, SECTION 4, AND TO REPEAL SECTION 6 ALL OF PUBLIC LAW 21-130 TO AUTHORIZE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTRUCTION OF THE AGAT-UMATAAC HIGHWAY WITH THE GOVERNMENT OF GUAM.

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>\$3,243,905</u>
Total Department/Agency Appropriation(s) to date:	\$3,602,280

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 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 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Land Survey Revolving Fund	1/	\$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: /X/ Yes / / No
/ / Requested agency comments not received as of the due date / / Other:

Handwritten: 7/6/2014

Analyst: <u>Jason W. Baza</u> Jason W. Baza, BMA I	Date: <u>6/19/14</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Acting Director	Date: <u>JUL 03 2014</u>
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Footnotes:

1/ See attached comments.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 354-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Chamorro Land Trust Operations Fund	1/	\$0	\$0	\$0	\$0
Total	<u>1/</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Comments:

1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 354-32 (COR)

The proposed legislation is aimed at *amending* Section 3, Section 4, and *repealing* Section 6, of Public Law 21-130, to authorize the Department of Land Management to exchange private property taken for the construction of the Agat-Umatac Highway with the Government of Guam.

Should this proposed legislation become law, the 21 lots of Block 5B, Tract 3241 will be distributed to the private owners of properties utilized in the reconstruction of the Agat-Umatac Highway. The private owners include the following: Louise G. Sanchez, Herbert R. Gofigan, Victoria G. Sanchez and Gregorio Q. Gofigan, Sylvia G. Quinata, and Vicente A. Quinata. The intent of the proposed legislation is to properly compensate the above stated private property owners after the original enactment of P.L. 21-130 to reconstruct the Agat-Umatac Highway over twenty-one years ago.

The exchange of the 21 lots of Block 5B, Tract 3241 for the properties owned by the above stated private owners will be conducted on a value for value basis. Due to the exchange being conducted on a value for value basis, there should be no increase or decrease to land inventory owned by the Government of Guam.

The proposed legislation stipulates that the government lands designated for exchange are based on recorded and registered maps with the Department of Land Management. However, there is no component of the proposed legislation that waives the fee to register the subject government properties after it is exchanged with the above stated private property owners. The fee to register a parcel of property amounts to \$25.00 per parcel of land and \$40.00 for the first issuance of Certificate of Title in a Land Registration Case. This amounts to approximately \$65.00 per parcel of land, which 21 lots are designated to be exchanged through this proposed legislation. Based on the above stated costs, the Bureau estimates that \$1,365 will be received by the Department of Land Management in the form of Land Registration and Filing fees.

If the proposed legislation is passed, the subject properties currently owned by the Government of Guam will be exchanged on value-for-value basis with the private property owners whose lands were used in the reconstruction of the Agat-Umatac Highway. There is a potential of revenues received by the Department of Land Management in the form of Land Registration and filing fees.



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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 24, 2014

Memorandum

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

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

Subject: **Waiver**

Hafa Adai!

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

WAIVER:

Bill No. 354-32(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'!

Senator
Thomas C. Ada
VICE CHAIRPERSON
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2014 JUN 24 AM 9:31

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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RAY TENORIO
LIEUTENANT GOVERNOR

JOHN AB PANGELINAN
ACTING DEPUTY DIRECTOR


JUN 23 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 Waiver on the following Bill No.: **354-32(COR)**.

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


JOSE S. CALVO
Acting Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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ACTING DIRECTOR

JOHN A.B. PANGELINAN
ACTING DEPUTY DIRECTOR

JUN 23 2014

The Bureau requests that Bill No. 354-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 354-32(COR) is an Act to authorize owners of private property to erect or have erected political signage, by adding a new Item (5) to Subsection (a), a new Item (3) to Subsection (b), and a new Item (3) to Subsection (c), each of §61541, Part 5, Article 5, Chapter 61, Title 21, Guam Code Annotated.

The intent of the proposed legislation is to ensure that owners of private property can exercise their right to free speech during the election season by erecting political signage on their properties. Regulations for the assembly of political signage on private properties are stipulated in the proposed legislation.

There is no current legislation that imposes a fine for political signage assembled on private property.

The intent of the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.


JOSE S. CALVO
Acting Director



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Senator
V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

June 17, 2014

VIA E-MAIL
joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 351-32 (LS) through 354-32(LS)

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.	Sponsors	Title
351-32 (LS)	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND § 1022 OF CHAPTER 10, ARTICLE 1 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM FLOWER.
352-32 (LS)	T.C. Ada	AN ACT TO ADD A NEW §3104 TO CHAPTER 3, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REINSTATEMENT OF CHIEF OF POLICE AND FIRE CHIEF TO PREVIOUS CLASSIFIED POSITION UPON EXPIRATION OF APPOINTMENT, AND TO ESTABLISH AN ALTERNATIVE COMPENSATION LEVEL FOR THE CHIEF POSITION.
353-32 (LS)	Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10, GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG REDUCTION IN GUAM FOR THE PROTECTION OF OUR ENVIRONMENT.
354-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO AUTHORIZE OWNERS OF PRIVATE PROPERTY TO ERECT OR HAVE ERECTED POLITICAL SIGNAGE, BY ADDING A NEW ITEM (5) TO SUBSECTION (a), A NEW ITEM (3) TO SUBSECTION (b), A NEW ITEM (3) TO SUBSECTION (c), EACH OF §61541, PART 5, ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED.



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Aline Yamashita
Member

June 17, 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 No. 354-32(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 354-32(LS)**.

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 GUÁHAN
2014 (SECOND) Regular Session

Bill No. 354-32 (LS)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO AUTHORIZE OWNERS OF PRIVATE PROPERTY TO ERECT OR HAVE ERECTED POLITICAL SIGNAGE, BY ADDING A NEW ITEM (5) TO SUBSECTION (a), A NEW ITEM (3) TO SUBSECTION (b), A NEW ITEM (3) TO SUBSECTION (c), EACH OF §61541, PART 5, ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED.


2014 JUN 16 AM 10:28

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guáhan*
3 finds that in March of this year, former Senator Robert Klitzkie wrote an
4 editorial in which he pointed out that under Part 5 of Article 5, Chapter 61,
5 Title 21, Guam Code Annotated, political signs that are posted on private
6 property are illegal.

7 *I Liheslaturan Guáhan* further finds that a gubernatorial candidate and
8 several senatorial candidates have signs posted on private property,
9 contrary to the provisions of this law. The Director of Public Works has
10 stated that he has no interest in enforcing the sign laws on private
11 property, referring to it as a free speech issue.

1 *I Liheslatura* finds that the people of Guam should not be made law-
2 breakers by posting political signage on their property.

3 It is therefore the intent of *I Liheslaturan Guåhan* to allow owners of
4 private property to erect or have erected political signage by adding a new
5 Item (5) to Subsection (a), a new Item (3) to Subsection (b), a new Item (3) to
6 Subsection (c), each of §61541, Part 5, Article 5, Chapter 61, Title 21, Guam
7 Code Annotated.

8 **Section 2. Political Signage in Residential and Agricultural Zones.**

9 A *new* Item (5) is hereby *added* to §61541(a) of Part 5, Article 5, Chapter 61,
10 Title 21, Guam Code Annotated, to read:

11 “(5) Political signs which advocate voting for or against
12 candidates, or other matters to be considered by the electorate,
13 provided that if such signs are posted on property adjacent to any
14 roadway, it shall be at least eight (8) feet from the paved portion of
15 the roadway and in such a manner that would not impede traffic or a
16 driver’s visibility.”

17 **Section 3. Political Signage in Commercial Zones.** A *new* Item (3) is
18 hereby *added* to §61541(b) of Part 5, Article 5, Chapter 61, Title 21, Guam
19 Code Annotated, to read:

20 “(3) Political signs which advocate voting for or against
21 candidates, or other matters to be considered by the electorate,
22 provided that if such signs are posted on property adjacent to any
23 roadway, it shall be at least eight (8) feet from the paved portion of

1 the roadway and in such a manner that would not impede traffic or a
2 driver's visibility."

3 **Section 4. Political Signage in Industrial Zones.** A *new* Item (3) is
4 hereby *added* to §61541(c) of Part 5, Article 5, Chapter 61, Title 21, Guam
5 Code Annotated, to read:

6 "(3) Political signs which advocate voting for or against
7 candidates, or other matters to be considered by the electorate,
8 provided that if such signs are posted on property adjacent to any
9 roadway, it shall be at least eight (8) feet from the paved portion of
10 the roadway and in such a manner that would not impede traffic or a
11 driver's visibility."

12