

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>TITLE</b>	<b>DATE INTRODUCED</b>	<b>DATE REFERRED</b>	<b>CMTE REFERRED</b>	<b>PUBLIC HEARING DATE</b>	<b>DATE COMMITTEE REPORT FILED</b>	<b>FISCAL NOTES</b>
<b>92-32 (COR)</b>	Michael T. Limtiaco, T.R. Muña Barnes	AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.	4/16/2013 3:47pm	4/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Park, Recreation, Historic Preservation, and Land			<b>Fiscal Notes Requested 4/22/13</b> <b>Fiscal Notes Received 5/6/13</b>



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

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

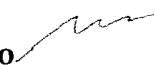
Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

May 6, 2013

## 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, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

Bill Nos.: 86-32(COR), 88-32(COR), 92-32(COR)

### WAIVERS:

Bill No. 82-32(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'!*

2013 MAY - 6 PM 4:00

**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

MAY 06 2013

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

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 86-32(COR), 88-32(COR), 92-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 82-32(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. 92-32 (COR)**

**AN ACT TO ADD A NEW SUB-ITEM (I) TO 21 GCA §61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA §61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation	Dept./Agency Head: John Camacho, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund	2,077,271
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>511,341,451</b>

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works	Dept./Agency Head: Carl V. Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,206
Department's Other Fund (Specify) appropriation(s) to date: Building and Design Fund	9,160,203
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>518,934,409</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$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
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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
(Tourist Attraction Fund)	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- 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:

Analyst: <u>Jason Baza</u> Jason W. Baza, BMA I	Date: <u>5/1/13</u>	Director: <u>[Signature]</u> John A. Rios, Director	Date: <u>5/2/13</u>
1/ See attached comments.			

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 92-32 (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
<b>Total</b>	1/	\$0	\$0	\$0	\$0

**Comments:**

1/ The proposed legislation establishes: (a) the definition of a Bed-And-Breakfast and (b) the conditional uses of a Bed-And-Breakfast in a One-Family Dwelling Zone (R1), Multiple Dwelling Zone (R2), and Commercial Zone (C). There is a potential for revenue through several factors: (a) Gross Receipt Taxes from the income generated through a Bed-And-Breakfast establishment; (b) Income Taxes from the payment of employees working in a Bed-and-Breakfast establishment; (c) Cost of building permits, if construction of a Bed-And Breakfast facility is required; (d) Utilities costs for power and water; (e) Cost of Health Inspection; and (f) Cost of a Business License. Exact revenues cannot be calculated at this time due to lack of sufficient data regarding specific Bed-And-Breakfast establishments. Assuming that four (4) B&Bs become operational through this proposed legislation, containing an estimated five rooms and three employees per establishment, the Bureau estimates that \$1,000,000 (\$250,000 each FY per establishment) of revenues will be generated by the B&Bs collectively. Of that \$1,000,000, the Bureau estimates that \$40,000 for GRT (4% revenues gained by B&Bs collectively); \$13,977.60 (7% of employee wages; \$1,164.80 per employee) for income taxes; and \$400 in the form of a business licenses (\$100 per B&B) will be received by the Department of Revenue and Taxation. Assuming that the four B&Bs need to be built, the Bureau estimates that \$2,720 (\$680 per an estimated 1000 sq. ft. establishment) will be received by the Department of Public Works in the form of building permits. The cost for power and water would be dependent on usage of each B&B establishment, which payments will be received by Guam Power Authority and Guam Waterworks Authority respectively. The Bureau estimates that \$290 will be received by the Department of Public Health and Social Services in the form of a sanitation permit.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

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  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 16, 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. 92-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re referral of Bill No. **92-32(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

2013 APR 16 PM 3:47

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2013 (FIRST) Regular Session

Bill No. 92-32(2012)

Introduced by:

Michael T. Limtiaco  
T.R. Muña Barnes

AN ACT TO ADD A NEW SUB-ITEM (1) TO 21 GCA § 61103(q), RELATIVE TO DEFINING A BED AND BREAKFAST; TO AMEND 21 GCA § 61305, 21 GCA § 61306, AND 21 GCA § 61307, RELATIVE TO ADDING A BED AND BREAKFAST TO THE LIST OF USES PERMITTED AND CONDITIONAL USES ALLOWED IN AN R1, R2 AND COMMERCIAL ZONE.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Adds a new sub-item (1) to 21 GCA § 61103(q) to read:**

3 *"(1) Bed and breakfast. A building containing five (5) or fewer rooms*  
4 *intended or designed to be used, or which are used, rented, or hired out to be occupied, or*  
5 *which are occupied for sleeping purposes."*

6 **Section 2. Amends 21 GCA § 61305 to read:**

7 **"§ 61305. R1 One-Family Dwelling Zone.**

8 (a) Use Permitted.

9 (1) One-family dwellings.

10 (2) Gardening and the keeping of pets for noncommercial  
11 purposes.

12 (3) Bed and breakfast.

13 (4) Use customarily accessory to any of the above uses including  
14 home occupations and private parking areas with accessory buildings  
15 and structures.

16 (b) Conditional Use.

17 (1) Duplexes.

- 1 (2) Schools and churches.
- 2 (3) Parks, playgrounds and community centers.
- 3 (4) Health service office, outpatient with laboratory.
- 4 (5) Utilities and public facilities"

5 **Section 3. Amends 21 GCA § 61306 to read:**

6 **"§ 61306. R2 Multiple Dwelling Zone.**

7 (a) Use Permitted.

- 8 (1) One-family dwellings.
- 9 (2) Duplexes.
- 10 (3) Multi-family dwellings.
- 11 (4) Hotels, private groups, and institutions.
- 12 (5) Bed and breakfast.
- 13 (6) Accessory uses and structures for the above.

14 (b) Conditional Uses.

- 15 (1) Any conditional uses permitted in the R1 zone.
- 16 (2) Health Clinics.
- 17 (3) Utilities and public facilities.
- 18 (4) Air, bus, taxi, auto, rental terminals.
- 19 (5) Accessory uses and structures for the above."

20 **Section 4. Amends 21 GCA § 61307 to read:**

21 **"§ 61307. C Commercial Zone.**

22 (a) Use Permitted.

- 23 (1) One-family dwellings.
- 24 (2) Duplexes.
- 25 (3) Wholesale and retail stores, shops and businesses.
- 26 (4) Amusement enterprises.
- 27 (5) Automobile service station, including minor repairs.
- 28 (6) Bakeries.
- 29 (7) Mortuaries.
- 30 (8) Offices, business or professional, inclusive of professional



1 healing arts offices and clinics, and banks.

2 (9) Personal service shops, including barber shops, beauty parlors,  
3 laundromats, and the like.

4 (10) Repair shops and service shops, including shoe repairs,  
5 plumbing, dressmaking, and the like, but not including automobile  
6 repair shops for major work.

7 (11) Restaurants and cafes.

8 (12) Studios.

9 (13) Other uses which in the judgment of the Commission, as  
10 evidenced by resolution in writing, are similar to those listed herein.

11 (14) Uses customarily accessory to any of the above listed uses,  
12 including only those accessory to manufacturing, storage, compounding  
13 or processing activities which are necessary for the ordinary conduct of  
14 said listed uses and which are an integral part thereof.

15 (15) Accessory structures for the above.

16 (b) Conditional Use.

17 (1) Hospital and clinics.

18 (2) Public utility and other public buildings.

19 (3) Shopping centers.

20 (4) Recreation, including cockpits, marinas, amusement centers  
21 and drive-in theaters.

22 (5) Multi-family.

23 (6) Hotels, motels, bed and breakfast, and tourist accommodations.

24 (7) Air, bus, taxi and auto rental terminals.

25 (8) Auto sales and car wash.

26 (9) Parking garages and lots.

27 (10) Service vehicle storage.

28 (11) Mini-storage or mini-warehouse.

29 (12) Laundries and cleaning and dyeing establishments.

30 (13) Schools and churches.

- 1 (14) Parks, playgrounds and community centers.
- 2 (15) Utilities and public facilities.
- 3 (16) Accessory uses and structures for the above."