

Territory of Guam Teritorien Guam

OFFICE OF THE GOVERNOR UFISINAN I MAGA'LAHI AGANA, GUAM %910 U.S.A.

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JAN 1 8 1994

LEGISLATIVE SECRETARY

The Honorable Joe T. San Agustin Speaker, Twenty-Second Guam Legislature 155 Hesler Street Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 181 which I have signed into law this date as Public Law 22-66.

Sincerely yours,

JOSÉPH F. ADA Governor of Guam

220489

Attachment



TWENTY-SECOND GUAM LEGISLATURE 1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 181 (LS), "AN ACT TO IDENTIFY THE SITE FOR A PUBLIC LIBRARY IN INARAJAN," was on the 5th day of January, 1994, duly and regularly passed.

Speaker Attested: Senator and Acting Legislative Secretary This Act was received by the Governor-this 11th _day of <u>January</u> 1994, at <u>4:34</u> o'clock <u>p</u>.M. Oherese J. Duenas Assistant Staff Officer Governor's Office APPROVED: Governor of Guam JAN 1 8 1994 Date:

Public Law No. 22-66

TWENTY-SECOND GUAM LEGISLATURE 1993 (FIRST) Regular Session

Bill No. 181 (LS)
As substituted by the Committee on
Housing and Community Development

Introduced by:

P. C. Lujan T. S. Nelson E. P. Arriola E. D. Reyes T. C. Ada M. Z. Bordallo H. D. Dierking C. T. C. Gutierrez V. C. Pangelinan J. T. San Agustin F. E. Santos D. L. G. Shimizu J. P. Aguon D. Parkinson J. G. Bamba A. C. Blaz D. F. Brooks F. P. Camacho M. D. A. Manibusan T. V. C. Tanaka

A. R. Unpingco

AN ACT TO IDENTIFY THE SITE FOR A PUBLIC LIBRARY IN INARAJAN.

- BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
- 2 Section 1. Legislative statement. The Legislature has determined that
- 3 a public library, which is badly needed in the southern villages, should be

1 constructed in Inarajan. Public Law No. 22-18 set aside a small portion of Lot

2 No. 380 for such purpose, but did not identify such portion.

Section 2. Authorization to identify the portion and to re-evaluate its adequacy as to size. The Mayor of Inarajan (the "Mayor"), the Department of Land Management ("DLM"), and the Guam Public Library Board (the "Board") shall work together to identify which portion of government-owned Lot No. 380 within the Municipality of Inarajan would be the best site for the public library, and to determine whether the size of the portion to be identified is adequate for such library.

Section 3. Report to the Legislature. When the Mayor, DLM and the Board have identified the site upon which to build the public library and reviewed its size, they shall report their findings and recommendations to the Legislature within ninety (90) days thereafter, which report may include an appropriation request.

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date:	1-3-	9	4

VOTING SHEET

Bill No/8/	(AS REVISED)
Resolution No.	
Question:	

		-,,		
<u>NAME</u>	AYE	NO	NOT VOTING/ AB\$TAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	/			
AGUON, John P.	/			,
ARRIOLA, Elizabeth P.				
BAMBA, J. George	/			
BLAZ, Anthony C.	/			
BORDALLO, Madeleine Z.				
BROOKS, Doris F.	-	3		
CAMACHO, Felix P.				
DIERKING, Herminia D.				
GUTIERREZ, Carl T. C.				
LUJAN, Pilar C.				
MANIBUSAN, Marilyn D. A.	/			
NELSON, Ted S.				
PANGELINAN, Vicente C.				
PARKINSON, Don	~			
REYES, Edward D.				
SAN AGUSTIN, Joe T.	استسما			
SANTOS, Francis E.				
SHIMIZU, David L. G.	-			
TANAKA, Thomas V. C.	1			
UNPINGCO, Antonio R.	Lorente			

TOTAL

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development Twenty-Second Guam Legislature

228 Archbishop Flores St. Agana, Guam 96910

Tel: (671) 472-3453 ~ 4 Fax: (671) 477-6338

July 26, 1993

SPEAKER JOE T. SAN AGUSTIN Twenty-Second Guam Legislature 155 Hesler St. Agana, Guam 96910

Dear Mr. Speaker:

TO DACC

The Committee on Housing and Community Development, to which, was referred BILL NO. 181 - "An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to Build a Public Library.", wishes to report back to the Legislature with its recommendation to pass Bill No. 181. The voting record is as follows:

10 PASS	<u>6</u>
NOT TO PASS	<u>o</u>
ABSTAIN	<u>o</u>
TO PLACE IN INACTIVE FILE	0

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

EDWARD D. REYES

Attachments

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT 22nd Guam Legislature VOTING RECORD

BILL NO. 181 - "An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to Build a Public Library."

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE <u>FILE</u>
EDWARD D/REXES, Chairman				
TED S. NELSON, Vice-Chairman	<u></u>			
THOMAS C. ADA, Member			·	
ELIZABETH P. ARRIOLA, Member		-		
ANTHONY C. BLAZ, Member				
FELIX P. CAMACHO, Member	\checkmark			
MARILYN D.A. MANIBUSAN, Mem	lber			
VICENTE C. PANGELINAN, Membe	er	-	-	
JOE T. SAN AGUSTIN, Ex-Officio M	ember			
FRANCISCO R SANTOS Member			***************************************	and the state of t

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development Twenty-Second Guam Legislature

228 Archbishop Flores St. Agana, Guam 96910

Tel: (671) 472-3453 ~ 4

Fax: (671) 477-6338

July 7, 1993

MEMORANDUM

TO:

Members

FROM:

Chairman

SUBJECT:

Committee Report - Bill No. 181 - "An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan

upon which to Build a Public Library."

Transmitted herewith for your information and action is the Committee on Housing and Community Development's Report on the subject Bill.

The narrative report is accompanied by the following:

- 1. Bill No. 181
- 2. Committee Voting Sheet;
- 3. Testimony and Sign-in Sheet
- 4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.

EDWARD D. REYES

Attachments.

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT Twenty-Second Guam Legislature

COMMITTEE REPORT ON BILL NO. 181

"AN ACT TO AUTHORIZE THE MAYOR OF INARAJAN TO WORK WITH THE DEPARTMENT OF LAND MANAGEMENT TO IDENTIFY A PARCEL OF GOVERNMENT OF GUAM LAND IN THE MUNICIPALITY OF INARAJAN UPON WHICH TO BUILD A PUBLIC LIBRARY."

MAY 24, 1993

I. OVERVIEW

Bill No. 181 was referred on January 19, 1993 to the Committee on Housing and Community Development by the Committee on Rules. The Chairman scheduled a public hearing on the Bill. Public notice was printed in the Pacific Daily News on May 21, 1993. The hearing was conducted on Monday, May 24, 1993, 9:00 a.m. in the Legislative Public Hearing Room, Agana. Chairman Edward D. Reyes presided and members present are as follows:

Senator Ted Nelson, Vice-Chairman Senator Tony Blaz Senator Felix Camacho Senator Vicente Pangelinan. Senator Elizabeth Arriola Senator Tom Ada

Although not a member of the committee Senator Doris Brooks was also present

Appearing before the Committee to testify on Bill 181 were:

Mr. Frank R. San Agustin, Territorial Librarian. Mike Weakly, Resident of Inarajan.

II. SUMMARY OF TESTIMONY

Mr. Frank R. San Agustin, Territorial Librarian

In a previous testimony on the Proposed Land Reserve List from the Library they had identified Inarajan as one of the areas that they are proposing to place a Public Library. Although, the Bill does not include the input of the Territorial Librarian he would like to state for the record that he has always been cooperative with the other Departments. He is willing to work with the Mayor of Inarajan and the Director of Land Management, in terms of serving the community.

Mr. Michael Weakly, Resident of Inarajan

He is a resident of Inarajan and a graduate of Inarajan High School in 1987, as a senior then in High School he had to deal with many term papers which required numerious research. He experienced hard times trying to get to and from Agana after school with both parents working full-time. Unfortunately, he did not have the access to a Library in that municipality. The closest Library to Inarajan is in the municipality of Merizo, but at that time is was catered mainly for the elementary level. He ask the members of the Committee to vote in favor of this bill.

III. FINDING AND RECOMMENDATION

The Committee finds and recommends that there is sufficent acreage within Lot No. 380 which Department of Education is proposing to build Inarajan Elementary School and which Guam Memorial Hospital is proposing to build a long term care facility. Being that DOE is proposing to build a School the committee highly recomends that the library be placed within the same location.

The Committee on Housing and Community Development to which was referred Bill No. 181 "AN ACT TO AUTHORIZE THE MAYOR OF INARAJAN TO WORK WITH THE DEPARTMENT OF LAND MANAGEMENT TO IDENTIFY A PARCEL OF GOVERNMENT OF GUAM LAND IN THE MUNICIPALITY OF INARAJAN UPON WHICH TO BUILD A PUBLIC LIBRARY." - does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature "TO DO PASS" Bill No. 181.

TWENTY-SECOND GUAM LEGISLATURE 1993 (FIRST) Regular Session

Bill	No.	181

Introduced by:





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AN ACT TO AUTHORIZE THE MAJOR OF INARAJAN TO WORK WITH THE DEPARTMENT OF LAND MANAGEMENT TO IDENTIFY A PARCEL OF GOVERNMENT OF GUAM LAND IN THE MUNICIPALITY OF INARAJAN UPON WHICH TO BUILD A PUBLIC LIBRARY.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

- Section 1. Legislative Findings. The Legislature recognizes that a good education, which is the foundation of a successful future, requires access to a good library. The Legislature therefore finds that to assists the students of the southern villages a public library should be constructed there.
- Section 2. Authorization to identify government land. The Mayor of Inarajan and the Department of Land Management (the "Department"), working together are hereby authorized and directed to identify a parcel of government of Guam land within the municipality of Inarajan for construction of a public library.
- Section 3. Report to the Legislature. When the Mayor and the Department have identified such parcel, they shall report their findings and recommendations to the Legislature within ninety (90) days thereafter. Such report may include an appropriation request.

TWENTY-SECOND GUAM LEGISLATURE 155 Hesler Street Agana, Guam 96910

Senator Edward D. Reyes Chairman

Tel: (671) 472 3453-4 Fax: (671) 477-6338

Public Hearing

TIME:

9:00 A.M.

PLACE:

PUBLIC HEARING ROOM

Guam Legislature, Agana

DATE:

May 24, 1993

AGENDA

Bill No. 434 - An Act to Rezone Lot No. 7030 NEW-2 in the Municipality of Yigo from Single-Family Dwelling (R-1) to Multi-Family Dwelling (R-2). By E.D. Reyes

Bili No. 181 - An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to build a Public Library. By: P.C. Lujan

Bill No. 217 - An Act to Establish Regional Public Composting Facilities throughout the Island by Amending Section 51102 and adding Section 51103.1 to Title 10 of the Guam Code Annotated, Requiring the Department of Land Mangement to Identify sites for such Regional Composting Facilities and Authorizing \$500,000 to be appropriated from the General Fund to the Department of Public Works for the establishing and Equipping of such Facilities. By: D.F. Brooks

Bill No. 274 - An Act to Authorize the Governor of Guam into conveying all Title, Rights and Interest upon portion of Lot No. 5173-1-R2-NEW-R2, Dededo, to the Department of Mental Health and Substance Abuse; By: A.C. Blaz

Bill No. 284 - An Act to Request that Department of Land Management Identify Government Land in the village of Talofofo to be designated as a Southern Football Field and for other Recreational Purposes; By T.S. Nelson

Bill No. 419 - An Act to Rezone Lot 9, Block 3, Village of Piti, Guam, Estate No. 6394, Urban, and Lot No. 126-1-1, Mapas, Mongmong, Estate 15175, Suburban, From "R-1 One Family Dwelling" to "R2 Multiple Dwelling"; Rezone Lot No. 266-R1, Municipality of Merizo, from "R1 One Family Dwelling" to "C Commercial"; Rezone Lot No. 5243-3, Municipality of Dededo, From "A Agricultural" to "R2 Multiple Dwelling"; and to Amend Section 2 of Public Law 21-80; By E.D. Reves

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Honorable Edward R. Reyes Senator Chairman, Committee on Housing and Community Development Twenty-Second Guam. Legislature 228 Archbishop Flores Street Agana, Guam 96910

Hafa Adai Senator Reyes:

I appreciate the opportunity to present these testimonies on Bill Nos. 434, 419, 217, 454, 274, 181, and 284.

- Bill 434 An Act to Rezone Lot No. 7030 NEW-2 in the Municipality of Yigo from Single-Family Dwelling (R-1) to Multi-Family Dwelling (R-2).
- Bill 419 An Act to Rezone Lot 9, Block 3, Village of Piti, Guam, Estate No. 6394, Urban, and Lot No. 126-1-1, Mapas, Mongmong, Estate 15175, Suburban, from "R1 One Family Dwelling" to "R2 Multiple Dwelling"; Rezone Lot No. 266-R1, Municipality of Merizo, from "R1 One Family Dwelling" to "C" Commercial; Rezone Lot No. 5243-3, Municipality of Dededo, from "A" Agricultural to "R2 Multiple Dwelling" and to amend Section 2 of Public Law 21-80.

The Bureau maintains its position, as stated in past testimonies involving proposed rezoning of lands, and remains strongly opposed to the passage of these bills for the following reasons.

Without the necessary information required for proper and full review by the agencies, it becomes impossible to evaluate the impacts the proposed zone changes will have on surrounding land owners. A determination as to whether the proposed uses will be compatible with existing land uses cannot be ascertained. Although the Legislature has the authority to rezone, we still feel that all request for zoning should be reviewed by the appropriate Government of Guam agencies as mandated by law.

Because zone changes are not merely paper actions, but result in very real impacts on whole communities, the potential impacts on the island's infrastructure need to be evaluated. Through the agency review process, conscientious, intelligent planning can occur which results in the development of effective infrastructure



Honorable Edward D. Reyes Page 2

plans to address future needs. It is vital that everyone is made to conform to these plans, otherwise projects that are considered in the planning process are negatively affected by those that are not considered, resulting in substantial and unnecessary costs to taxpayers.

Surrounding land owners within a 500' radius are not provided personal notice of proposed zone changes as is not only proper, but required by law.

During village meetings of the Territorial Planning Council, citizens have expressed serious concerns over the effects of such rezonings to the process of developing Guam's land use plan.

Since the passage of P.L. 21-82, the property owners with two acres or less referred to in Bill No. 419, have an alternative to the TLUC zone change process and should be made aware of this; property owners with two acres or less wishing to rezone from "A" to "R -1" or "R-2" or "R-1" to "R-2" should apply to the Department of Land Management.

Bill 217 An Act to establish Regional Public Composting Facilities throughout the Island by Amending Section 51102 and adding Section 51103.1 to Title 10 of the Guam Code Annotated, Requiring the Department of Land Management to identify sites for such Regional Composting Facilities and Authorizing \$500,000 to be appropriated from the General Fund to the Department of Public Works for the establishing and equipping of such facilities.

We support the intent of bill 217, as we are acutely aware of the need to reduce the demands placed upon the Ordot landfill. However, as the ability of the Department of Land Management to designate public lands is legally uncertain at present -- due to the Chamorro Land Trust Act -- we recommend that consideration of this bill be held in abeyance until the resolution of these matters.

Bill 217 needs to address more of the complexities of community composting, such as nonpoint source pollution. We would be very pleased to comment upon these matters in greater detail for a comprehensive solid waste management program, or for this bill, should this bill move forward.

Honorable Edward D. Reyes Page 3

Bill 454 An Act to Require Statutory Establishment of a Wildlife Refuge, Agricultural Preserve or Conservation Reserve.

The Bureau of Planning concur with the intent of Bill 454. The Bureau however, recommends that *Critical Habitat* be included in the statutory requirement. The designation of Conservation Reserve should be changed to read *Conservation Preserve*. Both Critical Habitat and Conservation Preserve dictates more restricted use of land or submerged land than a Refuge or Reserve would.

- Bill 274 An Act to authorize the Governor of Guam into conveying all Title, Rights and Interest upon portion of Lot No. 5173-1-R2-NEW-R2, Dededo, to the Department of Mental Health and Substance Abuse.
- Bill 181 An Act to authorize the Mayor of Inarajan to work with the Department of Land Management to identify a parcel of Government of Guam land in the Municipality of Inarajan upon which to build a Public Library.
- Bill 284 An Act to Request that Department of Land Management identify Government land in the village of Talofofo to be designated as a Southern Football Field and for other Recreational Purposes.

In light of the confusion over the authority of government agencies to designate or identify land for purposes not directed by the Chamorro Land Trust Commission itself, the Bureau recommends that the attached bills requiring the identification, designation, disposition, etc. of public lands be held in abeyance until such time as the confusion receives legal clarification. Additionally, the purposes for which the two bills are purported to be concerned with are redundancies as, the agencies' concerned have already had the opportunity to request reservation of properties for these purposes.

Thank you for the opportunity to comment.

Si Yu'os Ma'ase',

CARMELITA C. BLAS Acting Director

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT VENTY-SECOND GUAM LEGISLAURE

155 Hesler Street Agana, Guam 96910

Senator Edward D. Reyes Chairman

Tel: (671) 472-3453-4 Fax: (671) 477-6338

WITNESS SIGN-IN SHEET

May 24, 1993 9:00 A.M. PUBLIC HEARING ROOM Guam Legislature, Agana

Bill No. 181 - An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to build a Public Library. By: P.C. Lujan.

NAME (please print) Serve R Son Agus TIN	ORGANIZATION Gram Public Chipa	ORAL/WRITTEN	FOR/AGAINST
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COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT WENTY-SECOND GUAM LEGISL. URE

155 Hesler Street Agana, Guam 96910

Senator Edward D. Reyes Chairman

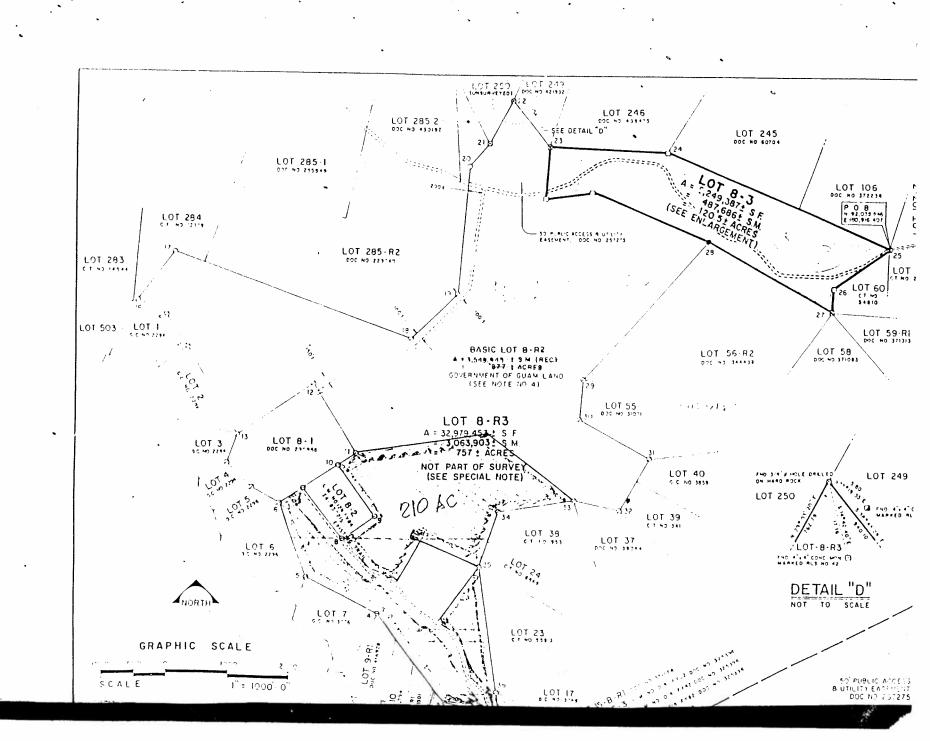
Tel: (671) 472-3453-4 Fax: (671) 477-6338

WITNESS SIGN-IN SHEET

May 24, 1993 9:00 A.M. PUBLIC HEARING ROOM Guam Legislature, Agana

Bill No. 181 - An Act to Authorize the Mayor of Inarajan to work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to build a Public Library. By: P.C. Lujan.

NAME (please print)	ORGANIZATION	ORAL/WRITTEN	FOR/AGAINST
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NOTICE OF PUBLIC HEARING Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Bill No. 181 - "An Act to Authorize the Mayor of Inarajan to Work with the Department of Land Management to Identify a Parcel of Government of Guam Land in the Municipality of Inarajan upon which to Build a Public Library." by P.C. Lujan;

Bill No. 217 - "An act to Establish Regional Public Composting Facilities throughout the Island." by D.F. Brooks;

Bill No. 274 - "An Act to Authorize the Governor of Guam into conveying all Title, Rights and Interests upon portion of Lot No. 5173-1-R2-NEW-R2, Dededo, to the Department of Mental Health and Substance Abuse." by A.C. Blaz;

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Bill No. 419 - "An Act to Rezone Lot 9, Block 3 Village of Piti, Estate No. 6394, Urban, and Lot No. 126-1-1, Mapas, Mongmong, Estate No. 15175, Suburban, from "(R-1) Single Family Dwelling To (R-2) Mulitple Dwelling", Rezone Lot No. 266-R1, Municipality of Merizo, from "(R-1) One-Family Dwelling to (C) Commercial", Rezone Lot No. 5243-3, Municipality of Dededo, from "A Agricultural to R-2 Mulitple-Dwelling", and to Amend Section 2 of Public Law 21-81. " by E.D. Reyes;

Bill No. 434 - "An Act to Rezone Lot No. 7030 NEW-2 in Municipality of Yigo from Single-Family Dwelling (R-1) to Multi-Family Dwelling (R-2." by E.D. Reyes;

Bill No. 454 - "An Act to Require Statutory Establishment of a Wildlife Refuge, Agriculture Preserve, or Conservation Reserve." by E.D. Reyes;

Remedios C. Natividad, Lot no. 3357-1NEW, Municipality of Sinajana, from "R1" to "R2" to construct a 6 unit apartment building;

The Appointment of Mr. Alfred S. Rios to serve as Member of the Board - Guam Housing Corporation;

The Appointment of Mr. Jose M. Guzman to serve as Member of the Board - Guam Housing Corporation.

Date:

Monday, May 24, 1993

Time:

9:00 AM

Place:

Public Hearing Room
Guam Legislature Building
155 Hesler St., Agana

The Public is Invited to Attend and Participate

TWENTY-SECOND GUAM LEGISLATURE 1993 (FIRST) Regular Session

Bill No. <u>/81</u>(LS)

Introduced by:

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P. C. Lujan ADL

AN ACT TO AUTHORIZE THE MAJOR OF INARAJAN TO WORK WITH THE DEPARTMENT OF LAND MANAGEMENT TO IDENTIFY A PARCEL OF GOVERNMENT OF GUAM LAND IN THE MUNICIPALITY OF INARAJAN UPON WHICH TO BUILD A PUBLIC LIBRARY.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Legislative Findings. The Legislature recognizes that a good education, which is the foundation of a successful future, requires access to a good library. The Legislature therefore finds that to assists the students of the southern villages a public library should be constructed there.

Section 2. Authorization to identify government land. The Mayor of Inarajan and the Department of Land Management (the "Department"), working together are hereby authorized and directed to identify a parcel of government of Guam land within the municipality of Inarajan for construction of a public library.

Section 3. Report to the Legislature. When the Mayor and the Department have identified such parcel, they shall report their findings and recommendations to the Legislature within ninety (90) days thereafter. Such report may include an appropriation request.