# *I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN*

## 2018 (SECOND) Regular Session

# LEGISLATIVE SESSION VOTING RECORD

| **Bill No. 357-34 (COR)** | **Speaker Antonio R. Unpingco Legislative Session Hall December 19, 2018** | | | | | |
|---|---|---|---|---|---|---|
| **NAME** | **Aye** | **Nay** | **Not Voting/ Abstained** | **Out During Roll Call** | **Absent** | **Excused** |
| Senator Thomas C. **ADA** | ✓ | | | | | |
| Senator FRANK B. **AGUON, JR.** | ✓ | | | | | |
| Senator William M. **CASTRO** | ✓ | | | | | |
| Senator James V. **ESPALDON** | ✓ | | | | | |
| Senator Fernando Barcinas **ESTEVES** | ✓ | | | | | |
| Senator Régine Biscoe **LEE** | ✓ | | | | | |
| Senator Tommy **MORRISON** | ✓ | | | | | |
| Senator Louise B. **MUÑA** | | | | | ✓ | ✓ |
| Senator Telena Cruz **NELSON** | ✓ | | | | | |
| Senator Dennis G. **RODRIGUEZ, Jr.** | ✓ | | | | | |
| Senator Joe S. **SAN AGUSTIN** | ✓ | | | | | |
| Senator Michael F.Q. **SAN NICOLAS** | ✓ | | | | | |
| Acting Speaker Therese M. **TERLAJE** | ✓ | | | | | |
| Senator Mary Camacho **TORRES** | | | ✓ | | | ✓ |
| **TOTAL:** | **12** | | **1** | | **1** | **2** |
| | **Aye** | **Nay** | **Not Voting/ Abstained** | **Out During Roll Call** | **Absent** | **Excused** |

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

*I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN*
**2018 (SECOND) Regular Session**

**Bill No. 357-34 (COR)**

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Introduced by: Thomas C. Ada

**AN ACT TO AUTHORIZE *I MAGA'LÅHEN GUÅHAN* TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF *AGAÑA HEIGHTS* (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF *AGAÑA HEIGHTS* (PRIVATELY-OWNED LAND) TO MITIGATE AN ENCROACHMENT BY THE *AGAÑA HEIGHTS* SPORTS AND RECREATIONAL FACILITY.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the *Agaña Heights* Sports and Recreational Facility has been encroaching on private property and has utilized a portion of privately-owned Lot 12-9REM-R4 in the municipality of *Agaña Heights* for the last thirty (30) years; and finds that the government of Guam encroachment consists of three hundred twenty-four (324) square meters into the private property.

*I Liheslaturan Guåhan* further finds that the landowner of Lot 12-9REM-R4, James H.P. Flores, has requested an area-for-area land exchange for contiguous government of Guam land, known as Lot 12-2 REM in the municipality of *Agaña Heights*, as a means of mitigation for the encroachment.

*I Liheslaturan Guåhan* further finds that there is suitable contiguous government of Guam land, known as Lot 12-2 REM in the municipality of *Agaña Heights*, that can accommodate an area-for-area land exchange of three hundred twenty-four (324) square meters.

*I Liheslaturan Guåhan* further finds that the Mayor of the municipality of *Agaña Heights* and the *Agaña Heights* Municipal Planning Council, through a resolution, support and approve the proposed land exchange.

**Section 2. Authorization to Exchange Land.** *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* hereby authorizes *I Maga'låhen Guåhan* to exchange three hundred twenty-four (324) square meters of Lot 12-2 REM in the municipality of *Agaña Heights* (government of Guam land) with three hundred twenty-four (324) square meters of Lot 12-9REM-R4 in the municipality of *Agaña Heights* (privately-owned land).

**Section 3. Surveying and Mapping.** The Office of the Mayor of the municipality of *Agaña Heights*, through the Department of Land Management, *shall* be responsible for the surveying and mapping for the land exchange.

**Section 4. Appraisals.** As the parcels are contiguous and this is an area-for-area land exchange, 2 GCA § 2107(b) and Section 6.04(c)(4) of the Standing Rules of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* relative to appraisals of land *shall not* apply to this Act.

**Section 5. No Alienation Clause.** This is a fee simple land exchange transaction and *shall not* be subject to any alienation clause, notwithstanding any other provision of law, rule or regulation.

**Section 6. Severability.** If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this Act that can be given effect without

the invalid provisions or applications, and to this end the provisions of this Act are severable.