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
345-32 (COR)	Vicente (ben) C. Pangelinan	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 CONSTUCTION OF THE AGAT – UMATAC HIGHWAY WITH GOVERNMENT LAND.	6/4/2014 3:20 p.m.	06/05/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	8/05/14 9 a.m.	9/25/14 11:04 a.m.	**Fiscal Note Requested 6/12/14**
	DATE PASSED	**TITLE**	**TRANSMITTED**		**DUE DATE**	**DATE SIGNED BY I MAGA'LAHEN GUAHAN**	**PUBLIC LAW NO.**	**NOTES**
	12/17/2014	AN ACT TO AMEND SECTION 3 AND SECTION 4, AND TO REPEAL SECTION 6, ALL OF PUBLIC LAW 21-130, RELATIVE TO AUTHORIZING THE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTUCTION OF THE AGAT–UMATAC HIGHWAY WITH GOVERNMENT LAND; AND TO ADD A NEW ITEM (2) TO SECTION 1(u) OF CHAPTER V OF PUBLIC LAW 32-181, RELATIVE TO ALLOCATING TWENTY THOUSAND DOLLARS ($20,000) TO THE DEPARTMENT OF LAND MANAGEMENT TO CONDUCT APPRAISALS OF GOVERNMENT OF GUAM PROPERTIES.	12/21/14	6:35 p.m.	01/01/15			**As amended by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.**

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 21, 2014

The Honorable Edward J.B. Calvo
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Cort 40, Jesse J
12/21/14
6:35 pm

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 224-32 (COR); 293-32 (COR); 306-32 (COR); 332-32 (LS); 344-32 (COR); 345-32 (COR); 376-32 (COR); 381-32 (COR); 391-32 (LS); 399-32 (COR); 400-32 (COR); 402-32 (COR); 405-32 (COR); 406-32 (COR); 412-32 (COR); 413-32 (LS); 416-32 (COR); 418-32 (COR); 419-32 (COR); 420-32 (COR); 421-32 (COR); 422-32 (COR); 423-32 (COR); 424-32 (LS); 425-32 (LS); 426-32 (COR); 427-32 (COR); 428-32 (COR); 429-32 (COR); 430-32 (COR); and 434-32 (COR), which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on December 17 and 19, 2014.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (31)

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 345-32 (COR), "AN ACT TO *AMEND* SECTION 3 AND SECTION 4, AND TO *REPEAL* SECTION 6, ALL OF PUBLIC LAW 21-130, RELATIVE TO AUTHORIZING THE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTUCTION OF THE *AGAT–UMATAC* HIGHWAY WITH GOVERNMENT LAND; AND TO *ADD* A NEW ITEM (2) TO SECTION 1(u) OF CHAPTER V OF PUBLIC LAW 32-181, RELATIVE TO ALLOCATING TWENTY THOUSAND DOLLARS ($20,000) TO THE DEPARTMENT OF LAND MANAGEMENT TO CONDUCT APPRAISALS OF GOVERNMENT OF GUAM PROPERTIES,"** was on the 17th day of December, 2014, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 21 day of Dec, 2014, at 6:35 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date:_____

Public Law No._____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 345-32 (COR)
As amended by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Introduced by: Vicente (ben) C. Pangelinan
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SECTION 3 AND SECTION 4, AND TO *REPEAL* SECTION 6, ALL OF PUBLIC LAW 21-130, RELATIVE TO AUTHORIZING THE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTUCTION OF THE *AGAT–UMATAC* HIGHWAY WITH GOVERNMENT LAND; AND TO *ADD* A NEW ITEM (2) TO SECTION 1(u) OF CHAPTER V OF PUBLIC LAW 32-181, RELATIVE TO ALLOCATING TWENTY THOUSAND DOLLARS ($20,000) TO THE DEPARTMENT OF LAND MANAGEMENT TO CONDUCT APPRAISALS OF GOVERNMENT OF GUAM PROPERTIES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 3 of Public Law 21-130 is hereby *amended* to read as follows:

"**Section 3. Legislative Findings and Intent.** *I Liheslaturan Guåhan* has been apprised by the Department of Land Management (DLM) and the Department of Public Works (DPW) that the continuation of the work on Route 2, the *Agat-Umatac* Highway, is totally dependent on the acquisition of certain parcels of private property. *I Liheslaturan Guåhan* finds that such widening and reconstruction of the *Agat-Umatac* Highway must continue, and thus it is clear those private properties which have *not* been condemned for such purposes must be utilized. With this in mind, it is the intent of *I Liheslaturan Guåhan* that the owners of such properties either be justly compensated or be afforded the opportunity to exchange the lands required for the reconstruction and widening with government properties on a value-for-value basis.

It has been over twenty-one (21) years since the enactment of this Act to exchange government parcels with private property in order for the DPW to complete the work to widen Route 2. Unfortunately, as of this date there are some private landowners who were never compensated or afforded the opportunity to exchange lands pursuant to law.

Over the years, the DPW has made a determination that the government land identified in this Act is unsuitable for development and therefore, the DLM has identified new parcels of government land for exchange.

I Liheslaturan Guåhan further finds that the DLM worked diligently with the private landowners and the Mayor of *Umatac*, to identify parcels of government land acceptable for the exchange.

Therefore, *I Liheslaturan Guåhan* intends to right the wrong that was done to these private landowners for over twenty-one (21) years and authorize the DLM to exchange government parcels with the private landowners."

Section 2. Section 4 of Public Law 21-130 is hereby *amended* to read as follows:

"**Section 4. Land Exchanges Authorized.** (a) Notwithstanding any other provision of law, *I Maga'lahen Guåhan* (the Governor of Guam) is authorized to exchange government property, on a value-for-value basis, with the following owners for their respective parcels situated along the proposed route for Route 2, the *Agat- Umatac* Highway:

Owners:	**Parcels:**	**Areas in square meters:**
Louise G. Sanchez, (dec.)	Tract 3331, Lot 2-2-3G-R/W	519,
Herbert R. Gofigan,	Tract 3331, Lot 2-2-lG-R/W	1370,
	Tract 3331, Lot 3-1G-R/W and	
	Tract 3331, Lot 4-lGR/W,	1256,
Victoria G. Sanchez and		
Gregorio Q. Gofigan (dec.),	Tract 3331, Lot 5-1G R/W and	
	Tract 3331, Lot 10,	7899,
Sylvia G. Quinata,	Tract 3331, Lot 9-1G R/W,	919,
Vicente A. Quinata (dec.),	Lot 40-1G R/W,	1164.

(b) The privately-owned parcels set out in Subsection (a) hereof *shall* be exchanged for the following government parcels, each containing an area of nine hundred forty (940) square meters, on a value-for-value basis.

The government lots to be exchanged are identified as Block 5B, Tract 3241, *Ulag*, municipality of *Umatac*, as shown in L.M. Checked No. 259FY2011, prepared by the Department of Land Management, and *shall* be based on the recorded and registered maps.

Government lots to be exchanged:

Block 5B, Tract 3241 Lot 1
Block 5B, Tract 3241 Lot 2
Block 5B, Tract 3241 Lot 3
Block 5B, Tract 3241 Lot 4
Block 5B, Tract 3241 Lot 5
Block 5B, Tract 3241 Lot 6
Block 5B, Tract 3241 Lot 8
Block 5B, Tract 3241 Lot 9
Block 5B, Tract 3241 Lot 11
Block 5B, Tract 3241 Lot 12
Block 5B, Tract 3241 Lot 13
Block 5B, Tract 3241 Lot 14
Block 5B, Tract 3241 Lot 15
Block 5B, Tract 3241 Lot 16
Block 5B, Tract 3241 Lot 17
Block 5B, Tract 3241 Lot 18
Block 5B, Tract 3241 Lot 19
Block 5B, Tract 3241 Lot 20
Block 5B, Tract 3241 Lot 21

(c) The distribution of the government parcels to be exchanged set out in Subsection (b) of this Section *shall* be distributed by lottery to the following families and/or their heirs:

Louise G. Sanchez (dec.),
Herbert G. Gofigan,
Victoria G. Sanchez (dec.),
Gregorio Q. Gofigan (dec.),
Sylvia G. Quinata (dec.), and
Vicente A. Quinata (dec.).

The lottery *shall* be administered jointly by the Department of Land Management and the Mayor of *Umatac*.

(d) The Director of the Department of Land Management *shall* have the properties to be exchanged under this Act appraised by two (2) independent appraisers licensed to do business on Guam. The two (2) appraisals *shall* be completed within one hundred eighty (180) days of the enactment of this Act. The averages of the two (2) appraisals *shall* be used as the values for the basis of such exchange. Three (3) lots from Block 5B, Track 3241 will be appraised with the average of the two (2) appraisals and *shall* be used to determine the price per square meter for the land exchange. The Department *shall* have such properties surveyed, mapped and registered."

Section 3. A new Item (2) is hereby *added* to Section 1(u) of Chapter V of Public Law 32-181 to read as follows:

"(2) The sum of Twenty Thousand Dollars ($20,000) *shall* be allocated to the Department of Land Management from the Land Survey Revolving Fund appropriation in Subsection (u)(1) to conduct appraisals for the following government lots to be exchanged for private properties in the municipality of *Agat*:

Block 5B, Tract 3241 Lot 1
Block 5B, Tract 3241 Lot 2

Block 5B, Tract 3241 Lot 3

Block 5B, Tract 3241 Lot 4

Block 5B, Tract 3241 Lot 5

Block 5B, Tract 3241 Lot 6

Block 5B, Tract 3241 Lot 8

Block 5B, Tract 3241 Lot 9

Block 5B, Tract 3241 Lot 11

Block 5B, Tract 3241 Lot 12

Block 5B, Tract 3241 Lot 13

Block 5B, Tract 3241 Lot 14

Block 5B, Tract 3241 Lot 15

Block 5B, Tract 3241 Lot 16

Block 5B, Tract 3241 Lot 17

Block 5B, Tract 3241 Lot 18

Block 5B, Tract 3241 Lot 19

Block 5B, Tract 3241 Lot 20

Block 5B, Tract 3241 Lot 21."

Section 4. Section 6 of Public Law 21-130 is hereby *repealed.*

Section 5. Effective Date. This Act *shall* become effective upon enactment.

Section 6. Severability. If any provision of this Law or its application to any person or circumstances is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application and to this end the provisions of this Act are severable.

LEGISLATIVE SESSION

I *MINA'TRENTAI DOS NA LIHESLATURAN*

2014 (SECOND) Regular Session

Voting Sheet

Bill No. 345-32 (COR)
As Amended by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

Speaker Antonio R. Unipingco Legislative Session Hall
December 17, 2014

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				
TOTAL	14				
	Yea	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass