# *I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN*

## 2017 (FIRST) Regular Session

# LEGISLATIVE SESSION VOTING RECORD

**Bill No. 105-34 (COR)**
As amended by the Committee on Environment, Land, Agriculture, and Procurement Reform; and further amended on the Floor.

**Speaker Antonio R. Unpingco Legislative Session Hall**
**July 26, 2017**

| 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** | √ | | | | | |
| Speaker B. J.F. **CRUZ** | √ | | | | | |
| 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** | √ | | | | | |
| Vice Speaker Therese M. **TERLAJE** | | √ | | | | |
| Senator Mary Camacho **TORRES** | √ | | | | | |

| **TOTAL:** | 13 | 1 | | | 1 | 1 |
|---|---|---|---|---|---|---|
| | **Aye** | **Nay** | **Not Voting/ Abstained** | **Out During Roll Call** | **Absent** | **Excused** |

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

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Introduced by: Thomas C. Ada

**AN ACT TO RESCIND ADMINISTRATIVE JURISDICTION OF APPROXIMATELY 3.5 ACRES OF LOT NO. 7054-R5, MUNICIPALITY OF *YIGO*, AS SHOWN ON DLM MAP NO. 167FY93, GRANTED TO THE DEPARTMENT OF LAND MANAGEMENT, AND TO VEST THE OFFICE OF THE CHIEF OF POLICE, GUAM POLICE DEPARTMENT, WITH ADMINISTRATIVE JURISDICTION OF THE SAME.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that Lot No. 7054-R5 in the municipality of *Yigo* comprises 48,309 square meters (11.94 acres), as shown on DLM Map No. 167FY93. Lot No. 7054-R5 is owned by the government of Guam and is under the split administrative jurisdiction of the *Chamorro* Land Trust Commission (8.44 acres) and the Department of Land Management (3.5 acres) as undivided portions, pursuant to Document 508926 (also known as the *Public Land Inventory of Transferred Lands to the Chamorro Land Trust Commission*). Additionally, Public Law 22-18 does not reserve the Department of Land Management's undivided portion of 3.5 acres for any public purpose.

*I Liheslaturan Guåhan* intends to rescind administrative jurisdiction of that undivided 3.5-acre portion granted to the Department of Land Management and to vest said jurisdiction with the Office of the Chief of Police, Guam Police Department (GPD). Said 3.5-acre portion is deemed to be best suited for the construction of needed GPD police services facilities, to include a precinct headquarters, equipment and evidence storage facility, and related police facilities.

**Section 2. Rescindment of Administrative Jurisdiction of a 3.5-Acre Portion of Lot 7054-R5, Municipality of *Yigo*.**

(a) Notwithstanding Document 508926, *Public Land Inventory of Transferred Lands to the Chamorro Land Trust Commission*, administrative jurisdiction of a 3.5-acre portion of Lot 7054-R5 in the municipality of *Yigo* granted to the Department of Land Management is hereby rescinded and *shall* rest with the Office of the Chief of Police, Guam Police Department, for the purpose of developing that portion of Lot 7054-R5 for a police service facility(s), to include, but not be limited to, a precinct headquarters, equipment and evidence storage facility, and related police facilities.

(b) The remaining portion of Lot 7054-R5 in the municipality of *Yigo* consisting of 8.44 acres *shall* remain pursuant to Document 508926, *Public Land Inventory of Transferred Lands to the Chamorro Land Trust Commission*, under the administrative jurisdiction of the *Chamorro* Land Trust Commission (CLTC) and within the CLTC lands inventory.

(c) A map designating the two (2) portions of Lot 7054-R5 (the 8.44 acres under the *Chamorro* Land Trust Commission and the 3.5 acres under the Guam Police Department) *shall* be prepared, recorded, and provided by the Department of Land Management to the *Chamorro* Land Trust Commission and the Chief of Police. The location of the 3.5-acre portion *shall*

be at the discretion of the Chief of Police, with public rights of way reserved to the remaining property.

**Section 3. "Land Zoning Consideration Report" Required.** Pursuant to 2 GCA § 2110, a "Land Zoning Consideration Report" *shall* be included in the committee report of the legislative standing committee reporting the bill out of committee before being placed on a legislative session agenda.

**Section 4. Exemption from Appraisals.** 2 GCA § 2107(b) and Section 6.04(c)(1) of the 34th Guam Legislature Standing Rules, or any other provision of law, rule or regulation relative to land appraisals, *shall not* apply to this Act.

**Section 5. Rezoning from Agricultural Zone (A) to Light Industrial Zone (M1).** Notwithstanding 21 GCA § 61637 or any other provision of law or rule or regulation, that 3.5-acre portion of Lot No. 7054-R5 that is to be placed under the administrative jurisdiction of the Office of the Chief of Police, Guam Police Department, pursuant to this Act, is hereby rezoned from Agricultural Zone (A) to Light Industrial Zone (M1) for a Public Facility.

**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, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.