UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

35GL-19-1120
Speaker Tina Rose Muña Barnes

October 16, 2019

OCT 16 2019
Time 4:23 ( )AM (X)PM
Received By

HONORABLE TINA ROSE MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96932

Re: **Bill No. 76-35 (COR)** – ***An Act to Allow the Transfer of 1.5 Acres of Lot NO. 5412-R11 from the Chamorro Land Trust Commission to the University of Guam (UOG) to Correct the Property Boundary of UOG Lot No. 2517-17 to Ensure that All University-Owned Structures are Located Within the Boundaries of UOG***

Dear Madame Speaker:

I am excited to sign Bill 76-35, *An Act to Allow the Transfer of 1.5 Acres of Lot NO. 5412-R11 from the Chamorro Land Trust Commission (CLTC) to the University of Guam (UOG) to Correct the Property Boundary of UOG Lot No. 2517-17 to Ensure that All University-Owned Structures are Located Within the Boundaries of UOG.* The bill is now **Public Law 35-43**.

The Aquaculture industry is not new to Guam. For over three decades, UOG has been committed to expanding the social, environmental, and economic benefits of aquaculture to our island. Not only does this measure provide an avenue for the university to consolidate up to an additional 1.5 acres for aquaculture operations, it also encourages a partnership with the CLTC.

I strongly encourage the execution of a Memorandum of Agreement ("MOA") between UOG and CLTC for the purpose of training our community in all aspects of the aquaculture industry.

With the enactment of this measure, we have the potential to kickstart a new industry on Guam--creating jobs and expanding the types of goods we export to the world. This law now gives the University of Guam the ability to fully realize the potential of the Guam Aquaculture Development and Training Center.

2019 OCT 16 PM 4:43

1120

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96932
671.472.8931 • 671.472.8932/6

This facility achieved specific-pathogen-free status for shrimp presently grown on the site. As a Pacific Island on Asia's doorstep, we are poised to take advantage of our unique location--a location that will allow us to supply some of the largest seafood consumers in the world.

If we intend to create good paying jobs, inspire entrepreneurship, and keep the University of Guam on the cutting edge of pragmatic research--measures like this won't get the headlines but they will get the job done for Guam's people.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 76-35 *nka* Public Law 35-43

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

2019.6246
RCVD AT CENTRAL FILES
OCT 7'19 PM12:44
Tina Sanchez

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

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

This is to certify that **Bill No. 76-35 (COR), "AN ACT TO ALLOW THE TRANSFER OF 1.5 ACRES OF LOT NO. 5412-R11 FROM THE CHAMORRO LAND TRUST COMMISSION TO THE UNIVERSITY OF GUAM (UOG) TO CORRECT THE PROPERTY BOUNDARY OF UOG LOT NO. 2517-17 TO ENSURE THAT ALL UNIVERSITY-OWNED STRUCTURES ARE LOCATED WITHIN THE BOUNDARIES OF UOG,"** was on the 4th day of October 2019, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this Oct. day of 07, 2019, at 12:31 o'clock P.M.

Tina Sanchez

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/16/2019

Public Law No. 35-43

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 76-35 (COR)
As amended by the Committee on Health,
Tourism, Historic Preservation, Land and Justice;
and further amended on the Floor.

Introduced by: Joe S. San Agustin
Amanda L. Shelton
Tina Rose Muña Barnes
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO ALLOW THE TRANSFER OF 1.5 ACRES OF LOT NO. 5412-R11 FROM THE CHAMORRO LAND TRUST COMMISSION TO THE UNIVERSITY OF GUAM (UOG) TO CORRECT THE PROPERTY BOUNDARY OF UOG LOT NO. 2517-17 TO ENSURE THAT ALL UNIVERSITY-OWNED STRUCTURES ARE LOCATED WITHIN THE BOUNDARIES OF UOG.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that in 1985, Lot No. 2517-17 in the municipality of *Barrigada* was granted to the

government of Guam, and was subsequently used to create the Guam Aquaculture Development and Training Center (GADTC) for the purpose of developing an aquaculture industry on Guam.

I Liheslaturan Guåhan further finds that the GADTC built various structures on the government of Guam property, including a larvae room, a spawning Quonset hut, a fish tank, and a fresh water cistern—all of which are either fully or partially concrete structures.

In 2002, with the enactment of Public Law 26-35, Section 10(b)(2), *I Liheslaturan Guåhan* transferred this property and the administrative and operational control from the Guam Department of Commerce to the University of Guam (UOG). The effect of this transfer caused the boundary lines to indicate some of the structures as now located on Chamorro Land Trust Commission (CLTC) lands.

UOG has since been attempting to correct the jurisdictional land issue because the property boundary for UOG Lot No. 2517-17 does not include the structures critical to the operations of the UOG fish hatchery.

CLTC owns Lot No. 5412-R11 and it has agreed, pursuant to a CLTC Resolution, to transfer a portion of Lot No. 5412-R11 to UOG, subject to conditions.

Therefore, it is the intent of *I Liheslaturan Guåhan* to allow the transfer of a portion of Lot No. 5412-R11, where critical UOG fish hatchery structures stand, from CLTC to UOG. This will allow UOG to consolidate that 1.5 acre portion with UOG Lot No. 2517-17.

Section 2. Survey and Mapping. Notwithstanding any other provision of law, the Chamorro Land Trust Commission (CLTC) is authorized to transfer a portion of Lot No. 5412-R11, not to exceed 1.5 acres, to the University of Guam (UOG). CLTC may impose conditions on the transfer, including the execution of a Memorandum of Agreement (MOA) with UOG, and monetary or in-kind

compensation. UOG *shall* be responsible for the surveying and mapping, to include a consolidation survey of Lot No. 2517-17 and the portion of Lot No. 5412-R11, and a new map for the remainder of Lot No. 5412-R11. Both lots are located in the municipality of *Mangilao*. The Department of Land Management *shall* issue a certificate of title for the new consolidated Lot No. 2517-17 upon transfer from CLTC and approval of the consolidation survey.

Section 3. Exemption from Appraisals. Because the adjacent parcels are both government of Guam lots and this transaction involves a transfer of land in exchange for in-kind services between two (2) government of Guam entities, CLTC and UOG, 2 GCA § 2107(b) and Section 6.04(c)(4) of the Standing Rules of *I Mina'trentai Singko Na Liheslaturan Guåhan*, relative to land appraisals, *shall not* apply to this Act.