



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

24 MAR 2009

2009 MAR 24 PM 4:13

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagatna Guam 96910

36-09-0352
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 3/24/09
Time
Received by

Dear Speaker Won Pat:

Transmitted herewith Bill No. 35 (COR), AN ACT TO REPEAL AND RE-ENACT SECTION 4 OF PUBLIC LAW 26-100 RELATIVE TO THE COMPOSITION AND DUTIES OF THE TASKFORCE AND THE RETURN OF TIYAN PROPERTIES which was signed into law as Public Law No. 30-6.

Bill No. 35(COR) is a façade that is designed to fail and not address the issue. This measure requires a meeting within ten (10) days. At the meeting one (1) representative from each parcel of land controlled by the airport would need to be present. There are over four hundred (400) families that represent the original landowners. It is improbable if not impracticable to notify all these individuals of a meeting and to further ascertain who is the authorized representative for the parcels within the legislation's timeframe.

Assuming the taskforce is able to meet, the representative from each parcel of land controlled by the airport, has 30 days from enactment to identify themselves as the original owners of properties transferred to the A.B. Won Pat International Airport.

Even if the representatives for each parcel of land and their original landowners and all the land that could be transferred are identified, we are still left with the challenges of dividing and disbursing property in an equitable manner to original landowners. Due to the uniqueness of lands, it will be impossible to come up with a division of land that would satisfy the original landowners within the legislation's timeframe.

We must ensure that the goals of the laws are attainable and that the laws treat all people in similar situations equally.

Notwithstanding the impracticability of the measure, the agencies will try their best to comply with it.

*Sinseru yan Magâhet,*

A handwritten signature in black ink, appearing to read 'Camacho', with a long horizontal flourish extending to the right.

**FELIX P. CAMACHO**

*I Maga'låhen Guåhan*

Governor of Guam

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

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

This is to certify that Bill No. 35 (COR), "AN ACT TO REPEAL AND RE-ENACT SECTION 4 OF PUBLIC LAW 26-100, RELATIVE TO THE COMPOSITION AND DUTIES OF THE TASKFORCE AND THE RETURN OF TIYAN PROPERTIES," was on the 27<sup>th</sup> day of February, 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:

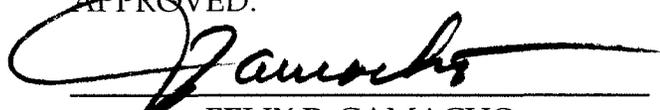
  
\_\_\_\_\_  
vicente c. pangelinan  
Acting Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 3 day of MAR, 2009, at  
4:04 o'clock 9.M.



A. RACHULAP  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

  
\_\_\_\_\_  
FELIX P. CAMACHO  
I Maga'lahaen Guåhan

Date: 13 MARCH 2009

Public Law No. 30-6

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 35 (COR)**

As amended on the Floor.

Introduced by:

v. c. pangelinan  
T. R. Muña Barnes  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
Adolpho B. Palacios, Sr.  
M. J. Rector  
R. J. Respicio  
Telo Taitague  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *REPEAL* AND *RE-ENACT* SECTION 4 OF  
PUBLIC LAW 26-100, RELATIVE TO THE COMPOSITION  
AND DUTIES OF THE TASKFORCE AND THE RETURN OF  
*TIYAN* PROPERTIES.**

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

2        **Section 1. Section 4 of Public Law 26-100 is hereby *repealed* and *re-enacted***  
3 **to read:**

4                **“Section 4. Task Force and Land Exchange.** A Taskforce is hereby  
5 established to include the Director of the Guam Ancestral Lands Commission  
6 (GALC), the Director of the Department of Land Management, *or* their  
7 respective successor agencies, and one (1) representative landowner/heir of

1 each parcel of land under the jurisdiction of the A. B. Won Pat International  
2 Airport Authority, Guam.

3 The Director of GALC *shall* call the first meeting of the Taskforce within  
4 ten (10) working days of the effective date of this Act. At the first meeting, the  
5 Taskforce *shall* elect a Chairperson. Within thirty (30) days after the effective  
6 date of this Act, the Taskforce *shall* identify the original owners of properties  
7 transferred to the A. B. Won Pat International Airport Authority, Guam, by the  
8 United States Government and *shall* identify property of the government of  
9 Guam to be transferred to these original landowners to compensate them on a  
10 value for value and/or size for size exchange for their property that is now  
11 owned by the A. B. Won Pat International Airport Authority, Guam. The  
12 proposed property to be exchanged *shall not* be owned by any autonomous  
13 agency of the government of Guam, including, *but not limited to*, the A. B. Won  
14 Pat International Airport Authority, Guam.

15 The Chairperson of the Taskforce *shall* submit a report identifying the  
16 proposed property of the government of Guam to be transferred to the original  
17 landowners to the Speaker of *I Liheslaturan Guåhan* and *I Maga'lahen Guåhan*  
18 within sixty (60) days upon enactment of this Act.

19 *I Maga'lahen Guåhan shall* submit proposed legislation within thirty  
20 (30) days upon receipt of the report to the Speaker of *I Liheslaturan Guåhan*  
21 that identifies proposed property as delineated in the report by the Taskforce.

22 The Speaker of *I Liheslaturan Guåhan shall* have sixty (60) days to  
23 immediately refer the proposed legislation to the appropriate legislative  
24 committee wherein it *shall* be introduced, a public hearing conducted to receive  
25 testimonies, followed by a committee report to be filed with the Clerk of *I*

1            *Liheslaturan Guåhan.* The bill *shall* be included in the next session agenda for  
2            disposition of *I Liheslaturan Guåhan.*”

3            **Section 2. Severability.** *If* any of the provisions of this Act or the application  
4            thereof to any person or circumstance is held invalid, such invalidity shall *not* affect  
5            any other provision or application of this Act which can be given effect without the  
6            invalid provision or application, and to this end the provisions of this Act are  
7            severable.

6

# I MINA' TRENTA NA LIHESLATURAN GUÁHAN

2009 (FIRST) Regular Session

Date: 2-27-09

## VOTING SHEET

Bill No. 35(COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew					✓
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL 14 \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_ 1

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



I Mina' Trenta Na Liheslaturan Guahan  
THIRTIETH GUAM LEGISLATURE

Senator Vicente "ben" c. pangelinan

Chair

Committee on Appropriations, Taxation, Banking Insurance,  
Retirement and Land

February 10, 2009

The Honorable Judith T. Won Pat, Ed.D  
Speaker  
Mina' Trenta Na Liheslaturan Guahan  
155 Hesler Place  
Hagatna, Guam 96910

2009 FEB 12 PM 12:59  
Etton

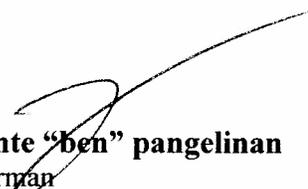
Hafa Adai, Madam Speaker,

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, to which Bill No. 35 (COR): "An Act to repeal and reenact Section 4 of Public Law 26-100 relative to the composition and duties of the task force and the return of Tiyan properties", was referred, wishes to report its findings and recommendations TO DO PASS.

The voting record is as follows:

TO PASS	<u>4</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT	<u>3</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention in this matter. *Si Yu'os Ma'ase!*

  
vicente "ben" pangelinan  
Chairman



**Mina' Trenta Na LiheslaturaGuahan**  
**THIRTIETH GUAM LEGISLATURE**

**senator vicente "ben" c. pangelinan**

**Chair**

**Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement and Land**

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February 10, 2009

Memorandum

To: Members, Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement and Land

From: Chairman, Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement and Land

Subject: Committee Report - Bill No. 35 (COR), An Act to repeal and reenact Section 4  
of Public Law 26-100 relative to the composition and duties of the task force and  
the return of Tiyan properties.

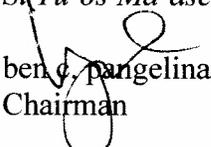
Transmitted herewith for your information and action is the report on Bill No. 35 (COR).  
This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 35 (COR)
4. Public Hearing Sign-In Sheet
5. Notice of Public Hearing
6. Copies of written testimonies

Please take the appropriate action on the attached voting sheet. Your attention and  
cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please  
do not hesitate to contact me.

*Si Yu'os Ma'ase.*

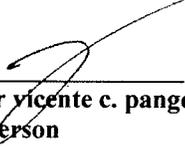
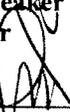
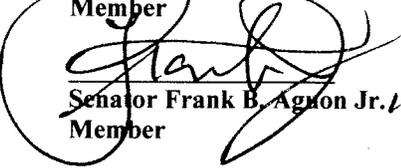
  
ben c. pangelinan  
Chairman

I MINA TRENTA NA LIHESLATURAN GUAHAN

Committee Voting Sheet

Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land

Bill No. 35(COR): " An Act to repeal and reenact Section 4 of Public Law 26-100 relative to the composition and duties of the task force and the return of Tiyan properties".

Committee Members	To Pass	Not to Pass	Report Out	Abstain	Inactive File
 Senator Vicente C. Pangelinan Chairperson	✓				
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	✓				
 Vice Speaker Benjamin J.F Cruz Member			✓		
 Senator Tina Rose Muna-Barnes Member	✓				
 Senator Frank B. Agnon Jr. 10 FEB 09 Member	✓				
Senator Judith P. Guthertz Member					
 Senator James V. Espaldon Member			✓		
Senator Telo T. Taitague Member					
 Senator Frank Blas, Jr. Member			✓		



**Mina' Trenta Na LiheslaturaGuahan**  
**THIRTIETH GUAM LEGISLATURE**

**senator vicente "ben" c. pangelinan**

**Chair**

**Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement and Land**

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**Committee Report**

**I. OVERVIEW**

A public hearing was held on February 5, 2009 at 9:00am at the Guam Legislature Public Hearing Room for Bill No. 35 (COR) AN ACT TO REPEAL AND RE-ENACT SECTION 4 OF PUBLIC LAW 26-100 RELATIVE TO THE COMPOSITION AND DUTIES OF THE TASKFORCE AND THE RETURN OF TIYAN PROPERTIES.

Details of the proceedings are as follows:

**Senators Present**

Senator vicente "ben" pangelinan, Chairman

Speaker Judith Won Pat, Vice-Chair

Senator Frank Aguon, Member

Senator Frank Blas, Jr., Member

Senator James Espaldon, Member

Sentaor Tom Ada

Senator Matt Rector

Senator Eddie Calvo

Senator Matt Rector

Chairman ben pangelinan called the public hearing to order on Bill No. 35 and stated that the main interest of the bill was that some properties along Tiyon were returned to the original landowners pursuant to P.L. 26-100 and the identification of the properties at Tiyon. There was a recognition that some properties were returned by the federal government through this process but were not returned to the original landowners because of the requirement for continued operations of the Airport and the development of the facility to meet the economic needs of the community. P.L. 26-100 allowed an identification of a task force to meet and make recommendations on how best to address those landowners whose property were not returned when they were originally returned from the federal government to the government of Guam.

Bill No. 35 aims to set new membership criteria to the task force, reconstitute it and put together some time lines for the reports to be filed. It will further require participation of government agencies associated with land and the uses of the land that have not been

returned. Recommendations will be submitted to the Governor and this Legislative body on what solutions will be implemented to resolve the matter to address those landowners whose land has not been returned by the government.

II. TESTIMONIES

III.

Mr. Benny Crawford opened the testimony in prayer.

Rita Cruz provided oral and written testimony on behalf of her son, Gregory T. Okada:

There were two letters submitted to the Guam Ancestral Lands Commission dated October 9 and 22<sup>nd</sup> from his grandfather, the late Jesus G. Cruz to be included as part of his testimony. The letters were requesting the status of his grandfather's land claim for properties: Lot 5212-1, 10,490 square meters, Lot 5212-2, 6,220 square meters, Lot 5213-1, 49,885 square meters, Lot 5213, 8165 square meters and Lot 2191. The letters were all unanswered and his grandfather has since passed away on April 1, 2005. It is disheartening that the Commission failed to notify his grandfather who informed the Commission that his life was cut short due to cancer with no response to his request as to the status of his land claim. He appreciates the efforts being made to address the issues for the remaining Tiyan lands that have yet to be returned to the original landowners. He is providing this short testimony through his mother, Rita who has power of authority to act on his behalf. His mother quitclaim her interest to him and other siblings, brother Ron Okada and sister Lynette Okada Muna for his grandfather's estate which includes land claims described earlier.

He thanked the Senators for the opportunity to voice their concerns for this overdue issue.

His mother Rita Cruz read one of her father's letters dated October 9, 2004 that was addressed to Mr. Benavente, the Director of the Ancestral Lands Commission. The subject was the Claim of Interest for Jesus Guerrero Cruz. The letter asked to follow up on the status of his land claim application filed June 14, 2002. The land consists of approximately a total of 74,760 square meters. The letter states that several landowners have received their land and still no response on the status of his application. He has heard from other landowners that said lot have been returned to government of Guam under the AB Won Pat International Airport Authority for the economic development and will not be returned as with other claimants. To be fair and non-discriminatory, the Guam Ancestral Lands Commission should treat all original landowners equally in the return of this land and/or the continued use of their land as deemed "needed" by the government. The family, to include his wife who is now deceased purchased said lot on August 2, 1939 as the only personal resource for the provision and livelihood for his 11 children. It was short lived because the federal government took the land back. He had no choice and was left with only half of the lot for them to survive. He was compensated \$71,210.75 in principal and interest in 1988. The amount did not and will not match the value of the land and security that could have been provided to all children.

In the letter he says that he is diagnosed with cancer and given six months to live. He was 92 years old. His two children have already passed away and he is still waiting for official notice. Attached to the letters are copies of his application. A total of 19,600 meters is still being held by the government and currently vacant. He requested a written response to his application. Rita showed a map of the area and pointed out that the property is along Route 16 – far from the airport, although the airport says they will use it.

David Munoz provided oral and written testimonies

His grandfathers – Vicente C. Munoz and Francisco C. Munoz – have claims for land in Tiyan, Lot No. 2091. A total of 105 square meters are located on the airport runway. He showed title of land document. He asked, “when will the day come when we will see absolute justice? When will the injustices be recognized? To some, it already has. Some many never come. The message from his grandparents was to fight for their land. The government cannot be trusted. Negotiations were done without input from landowners. NAS was shut down and given to the local government. For those that got their land, he reminded them not to forget those whose land has not been returned. We deserve closure to this issue. The properties are producing income while families are struggling and do not see any benefits. He feels betrayed and that the landowners are hostages in their own land. He pleads to the leaders to protect us in the name of justice.

Benny Crawford provided oral testimony

Mr. Crawford thanked Senator pangelinan for holding the hearing today and for his years of support working with the landowners. There are some original landowners who are not with us today and at this point he put his mother’s urn of her ashes on the table. This was to make a point to put a face for those that have long passed away. She passed away at age 82. He is the spokesperson for the Guam Landowners United. He understands that the Kometea has a plan but cannot understand why the airport does not have the power to give money to the landowners or land exchange. Some landowners would prefer money, some want their land. He thanked the Airport and has dealt with all the managers, present and past in addition to the Board of Directors. They worked together to do an amendment to land exchange. The property is worth a lot of money although the Airport cannot say just how much it is worth. They are looking at land exchange which is supported by the Airport, Governor and FAA. They also want the issue resolved.

There are some properties returned and classified as “Crown Lands”. It may not be the best piece of property and lacking infrastructure but the majority of landowners are willing to do land exchange. Benny Crawford and his brothers are heirs to 44 hectares of land on Airport property. The group (Guam Landowners United) agrees to settle size for size. It is the easiest and less complicated. Some want value for value. He would like to be part of the next task force to identify landowners, which the group already knows who they are. The new task force will come up with a methodology to allow the land exchange and submit a report to the Legislature. The previous report was clear; it was the recommendation in 2000 for the Airport to take their layout plan and shrink it down.

The reason was to allow landowners to get their land back that the Airport didn't need. For example: the housing area that was recently torn down. Mr. Crawford believes that the group has the ability to complete the report and compile information. They have learned from earlier mistakes what not to repeat; i.e. bond covenant to borrow money to build airport which tied up all the revenues and cannot use revenues to compensate landowners. His daughter is an attorney for land use in Portland and will come out to Guam for additional help.

Carlos Salas, Executive Manager of the AB Won Pat International Airport provided oral and written testimony.

Mr. Salas commended the Senators for proposing this legislation. For the record, the Airport has submitted written testimony and supports Bill No. 35. The current language in PL 26-100 is problematic for both landowners and the Airport in resolving land issues. The change in the proposed legislation would mean that property exchanged would not be owned by an autonomous agency of the government including but not limited to the Airport. This will help move forward. It is an aggressive schedule to complete the report. He asked to consider that upon passage of the legislation to compensate the landowners, the Department of Land Management should cancel any of the deeds that affect the Airport property at that point in time – can remove all the disputes that are currently on the table.

Senator pangelinan wanted to clarify with the Airport that the cancelled deeds Mr. Salas is referring to are claims of interest.

Mr. Salas said they are. Whenever claims are in conflict or in dispute as has been presented by the landowners, when legislation is passed to compensate the landowners those deeds are cancelled.

Senator pangelinan said that it should be included in the report. The Airport can assist in identifying where those claims are and how they affect the Airport. He recommended to the Airport to compile its list, send a researcher to the Dept of Land Management to compile a list of claims that have been filed and have a title to the Airport property and submit recommendations to the Task Force on how to handle that.

Senator Aguon

For clarification, Senator Aguon asked Mr. Salas if legislation is passed to compensate landowners, would it automatically cancel the deeds.

Mr. Salas responded and said that the Airport is working on that assumption but suggests that it be made clear in the language.

Senator Aguon agreed with recommendation of Chairman.

Vicente R. Garrido provided oral testimony

Mr. Garrido is in favor of the bill. In 1993, the PDN headlines read, “We got it” referring to NAS lands returned. Fifteen years later, people are still testifying to the Legislature to get their lands back and still fighting for the injustices of their land taken by the colonizers. The government should ensure that the original landowners or their heirs be treated and respected as humans and help them resolve their injustices of land taking. Justice is the only way through just compensation or land exchange. Recently, GIAA reported annual earnings by the millions of dollars. Yet nothing goes to the original landowners or their heirs whose property is being used for runways. The Airport is making money with planned increase in salaries for employees. Some landowners have died fighting for their injustices.

(spoke in Chamorro and translated into English)

I really believe that the land of the people that was taken from their hands should be given back. If not, then they should seek the rights and justice.

Free the land, Free the people.

Francis Munoz provided oral testimony

He is the son of Francisco C. Munoz and grandson of Vicente C. Munoz, original landowners of Tiyan property. His brother David has already testified earlier. He is here to give a short version of what their family has gone through the past years. He supports the bill. The island gives so much to the military and sacrificed so much land for the sake of national defense and what we call freedom. It is time we are asked for favorable consideration to bring closure and justice to the families of Tiyan. We all know what it's like to work in the fields; we are all one family. He has faith in the 30<sup>th</sup> Guam Legislature and will make history. They will find it in their hearts to bring closure. We are losing so many landowners. The members of the 30<sup>th</sup> Guam Legislature must find and give justice to the families. He asks to seek favorable consideration to bring justice and peace to the families.

Ron Laguana provided oral testimony

(spoke in Chamorro and translated into English)

Good morning God and Hafa Adai to all of you. I am Ronald Tenorio Laguana, son of the late Carlos Cruz Laguana and Ana Tenorio Laguana “Lebuchu”. I am here representing all the original owners and especially my uncles and aunts who have passed on. Thanks to the three who are seated behind me at this moment who are Lou Laguana Perez, Maria Laguana Borja and Gregorio Laguana. They are my uncle and aunts. From their grandfather, Jose P. Laguana, they are the land owners in Tiyan. Back then the lot was 7-1/2 hectares but I hear now it is only 6 hectares. Look at this.. it continues to decrease in size through word of mouth. I do not know how, but my dear sisters and brothers and parents, I am asking your support from your heart as we are the native Chamorro people to approve and pass this proposed legislation. In the past Legislatures, we are all here. It's always the same faces showing up here to fight for our rights. My

dear people, I don't want to say much since there are more to testify to express their feelings that have held back for the longest time. It really hurts that nothing has been done to fix this. All I hear from our parents is we need to straighten this property problem. My father passed away, my mother passed on, aunts, uncles and they never saw this problem settled. From this spirit I am asking all of you, the Chamorro spirit. We are the people of this land. Please stand for your people. We can already see that they are coming here.. all outsiders coming here in the upcoming years. I heard that they will help in the north but around here, they continue to do this to our locals. They never helped us. But can they give us locals back a little help since we helped during the war time. This is what I am asking you Senators. Please - even to those senators that are not here today - I ask of your help and look at us here today. Please have consideration and give a heart. This is what I ask of you as the Airport continues to grow and enlarge. Why? Are they bringing the largest plane here? We have sat in meetings and they continue to say they will help, but nothing has been done. Please Senators consider and push to pass this bill so we can come to an end. Let's end this problem.

Si Yu'os Ma'ase.

Matua – Danny Jackson

He asked that everyone stand to sing the Fanoge' Chamorro.

(spoke in Chamorro translated into English)

Thank you all. Senators Tenorio, Rector, Pangelinan, Aguon and Ada, I am Danny Jackson. Eighteen years ago, I was with the Chamorro Nation that protested in Tiyan so we can try to have Tiyan land returned to the original landowners. But since that time, up to today it has not been solved. I am listening to the saying, "value for value, and "size for size". It has been years since they condemned Tiyan and up to this day, no one has been compensated. I am for one. My parents, Antonio M. Jackson and Josefina Lujan Jackson of Dededo have both passed on. My father owned pieces of property in Tiyan. I have no idea how big. I heard from other people who say acres and acres. I don't really know what acres and hectares are but I now that hectares are larger than acres so hectares cost more. But in my own opinion, there are 15 of my siblings who are living and I should not be here as my other siblings are older. I noticed that I am the only one facing this problem. I will say I will not exchange land or go by the size of land. The first thing I will ask all of you here with power is that you don't ask the Federals for money so people can be paid. Before any decision is made, we should find out what the Federals want; exchange or sale or lease. I support neither. All I want is to find a way how the children of Antonio Jackson can be paid back for over 64 years of land condemnation. I am not educated and I will close here today to ask that my voice be heard in Washington DC. There is a new President and we will push and continue to request so we can weaken their hearts and have a strong mind so that we shall be reimbursed for land that was taken over 64 years ago. Please help us. Thank you.

Bobat Woldford

(spoke in Chamorro translated into English)

Good Morning Senators. My nephew is Ray Tenorio. Senator pangelinan is my cousin. Where are the rest of the Senators? Greetings everyone and Senators. All of you present here today favor this issue concerning the land at the Airport. Senator ben, Tenorio, Rector can understand Chamorro. I myself with German blood, I understand Chamorro. As voted into the Legislature, I ask that you give faith to the people and think about the people's land. Most of them have passed away. My mother has property there, but I told her I have no interest. My mother Concepcion Aquino Wolford and father Charles Wolford have passed away. The Senators can push for the people and give them their property. Money can change and disappear but land is strong. Please Senators, solve this issue. Our parents are gone, but there are people who are living and waiting today. I am old; older than the Talofofu bridge. Thank you all Senators and please help us with our native lands. May the Lord guide you all so we can solve this situation.

### Joe Ulloa Garrido

He supports the bill. He is heir to excess lands; lands that were taken in Tiyan. He represents family members.

In the history of land takings on Guam, there was created two "volcanoes" that started land issue: (1) Harmon cliff line and (2) Tiyan. It started the forum that allowed us to speak about properties today. The land was taken, land returned. One-third of Guam is in the hands of the military and federal government. Task Force members in the proposed bill shall be comprised of all representatives of landowners in Tiyan. This may not be workable because of the large number of families. We may want to reduce the number for it to be an effective taskforce. He does not speak on behalf of Tiyan landowners; only here today to provide ideas. He also feels that landowners who are government of Guam employees and involved in the Task Force should be allowed to attend meetings during working hours. Suggest insert language in the bill. Also, 30 days may not be a workable number of days to complete report. He suggests 90 days.

He does not support the language that "The proposed property to be exchanged shall not be owned by any autonomous agency of the government of Guam including but not limited to GIAA". The autonomous agencies are the most voracious eaters of land from other agencies. To be fair, any autonomous agency that requires property to expand their operations, should be conducted by law with land exchange. CLTC is losing properties to government agencies, i.e. schools to be built. CLTC may disappear. He is very concerned that CLTC and Ancestral Lands have become a basket full of lands that agencies can dip their hands into to get land. We need to be watchful. The land in this inventory is for original landowners. CLTC is land for Chamorros.

He feels we should be cautious of the work of the Task Force and supports submitting the report to the Speaker but not to the Governor. In particular the language, "identifies proposed property as delineated" in his interpretation, it means that once delineated by the Task Force, it cannot be changed. The two agencies (CLTC & Ancestral Lands) will have the prerogative to dispute list. He supports the public hearing. He questions what

the real definition of autonomous agency is. He does not support autonomous agencies getting land from CLTC or Ancestral Lands. There was once a Tiyan Trust and likes the basic idea. It should benefit original landowners. It is his understanding that there were a group of people that encouraged the repeal of the Tiyan Trust which was replaced in PL 26-100. The reason the Tiyan Trust is a good idea is that it makes money and can use the money to buy land on the island. It can create properties to give size for size or value for value. Tiyan is sacred land; forced labor to build runways. Japanese did not finish the job so the Americans took over to complete.

Senator pangelinan

He thanked Mr. Garrido for his testimony. He will do more research on the Tiyan Trust. The Trust was established so the income from the properties that was not from the Airport but that from other properties that was given to GEDCA for development. That money was going to fund the Trust and not from Airport revenues and what happened was that we already gave the properties back to the original landowners.

Christina Pablo provided oral testimony

She is Munoz now. She came here earlier with daughter because when she was a child, she was taken to public hearings. Her father was adamant about getting land back. She wanted her daughter to experience it and hopefully this will finally be the end. She does not see why it's not a priority. She had a chance to spend some time with Indians on their reservation. They stuck together. It has been so long for those who have supported this cause and hopefully, finally everyone will come to the understanding that these people deserve something - and her children, too. She remembers the Trust Fund report - nothing could be done because each department had an issue on whether it was worth it to give it back to the original landowners. There were environmental investigations and sound control reports. Her grandfather said that ethically when you take something from someone, you give it back. Everyone needs to be heard. They cannot give their land back because it is in the middle of the runway. She appreciates the bill being introduced. During the past 64 years, her Dad is dead, grandparents dead and next generation is coming. It is torture having to be heard over and over again. Hopefully her children won't have to come back in many years. When visiting Seattle to spend time with Indians, she saw a big sign that said "Respect the natives". It was wonderful to see that kind of respect.

Concepcion Duenas, also known as Connie, former Vice Mayor of Tamuning provided oral testimony

She supports the bill. She suggests doing more research on the Tiyan Trust. She grew up in the Tiyan area before the war and during the war. She lost her grandparents, fathers, sisters and brothers. Her mother (in law) is the only survivor; she is 98 years old. During the Japanese time, a Japanese person came to see them and was with a couple of Saipanese. They told her family that they had to leave their property in 24 hours. It was very hard on her father who was beaten to death in 1952. She hopes it will be the last

time to testify. The Japanese took it away and then the US took it over. The GIAA is making money and need to go back to the Tiyan Trust. She trusts Senators will do what they have to do to help the landowners. Give back what they deserve. We still have the Chamorro spirit.

Hilda Pellacani provided oral testimony

The Senators present today show that they will support the landowners. They are interested in helping. Let it be history to do something. She is landless and lives with her daughter because she has no land. But, they have land in Tiyan. Her father is Jesus Castro Mendiola and her other is Maria Indelacio Mendiola. Her grandparents have land - the Airport runway. She is mostly concerned with her parent's land. She is the youngest of six siblings; an older sister who is bed bound. Her older sister Lou witnessed the land taking. Lou was 11 years old – it was during the military rule. She has nothing against the military but in the 50's, the military ruled. A military/security personnel came to their home and asked to speak to her father. Her mother said that he does not speak English and told them they could use the land but the land was for her children. They told her they were taking the land and gave them \$1100. She says they are landless because they had no choice but to give up their land. She asked her sister, Lou to join her at the table. Tiyan was farmland and their livelihood. She hopes to put a closure; it's gone on too long. The spirits also want justice – we are speaking for them. They worked hard for us. She pleaded with the 30<sup>th</sup> Guam Legislature to put closure. She just wants their land back.

Ed Benavente, Executive Director for Ancestral Lands Commission provided oral testimony

Joey Leon Guerrero, land agent for Ancestral Lands Commission joined Mr. Benavente.

The Commission does not have a formal stance on the bill. He came here to listen to the original landowners and answer questions. Looking at the bill, the time lines need to be coordinated and feels it maybe another unfunded mandate. Two legislations were passed that dictate that he sit as Chair on two committees: (1) access to parcels of property that are coming back and (2) zoning. He opposed both because of lack of manpower. He asked to add human resources to assist him. He also said that that to have a report completed in 60 days will be totally impossible. There is currently a lot in the inventory. Joey is the only resource. He asked for help.

Senator pangelinan

He asked Mr. Benavente that as part of his testimony that he put together a plan on what he will need in terms of resources and recommend changes so it becomes realistic and that we can move forward. If legislation as written is deficient in some manner to allow him to accomplish the mandate, he should submit what those resources are that need to present to this body for discussion.

Senator Aguon

He understands there is a partnership and co-sharing (i.e. CLTC and Dept of Land Management). Will Mr. Benavente go to the front office to solicit support to reach time lines?

Mr. Benavente said the other departments have their own mandates and already short on manpower.

Senator Aguon said that landowners have been waiting for 64 years and does Mr. Benavente support them. Haven't they waited long enough?

Mr. Benavente said he also supports them and is also an heir.

Senator Aguon wants to make sure legislation is enacted to include resources needed for Ancestral Lands; still need cooperation with other agencies.

Senator Rector

There is a shortage of manpower and a misconception that the government of Guam is overstaffed and over paid. He asked Mr. Benavente whether the upcoming budget reflects more staffing to meet current mandate.

Mr. Benavente said that he didn't expect this bill, thereby requiring more manpower. The resources at the current level is manageable with help from mayors.

Senator Rector asked Mr. Benavente if he is doing the job the way it should be done.

Mr. Benavente says he thought so.

III. FINDINGS AND RECOMMENDATION

As there were no other testimonies, Chairman ben pangelinan closed the hearing. Therefore, the Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land recommends that Bill No. 35 be reported out with the recommendation TO DO PASS.

**MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session**

Bill No. 35 (COR)

Introduced by:

v.c. pangelinan

2009 JAN -6 PM 4: 23  
EDW

**AN ACT TO REPEAL AND RE-ENACT SECTION 4 OF  
PUBLIC LAW 26-100 RELATIVE TO THE  
COMPOSITON AND DUTIES OF THE TASKFORCE  
AND THE RETURN OF TIYAN PROPERTIES.**

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

1           **Section 1. Section 4 of Public Law 26-100 is hereby repealed and re-enacted**

2 **to read:**

3           “Section 4. Task Force and Land Exchange. A taskforce is hereby established to  
4 include the Director of the Guam Ancestral Lands Commission (“GALC”), the Director  
5 of the Department of Land Management or their respective successor agencies and one  
6 (1) representative landowner/heir of each parcel of land under the jurisdiction of Guam  
7 International Airport Authority.

8           The Director of GALC shall call the first meeting of the taskforce within ten (10)  
9 working days of the effective date of this Act. At the first meeting the taskforce shall  
10 elect a chairperson. Within thirty (30) days after the effective date of this Act, the  
11 taskforce shall identify the original owners of properties transferred to GIAA by the  
12 United States Government and shall identify property of the Government of Guam to be  
13 transferred to these original landowners to compensate them on a value for value and/or  
14 size for size exchange for their property that is now owned by GIAA. The proposed

1 property to be exchanged shall not be owned by any autonomous agency of the  
2 Government of Guam, including but not limited to GIAA.

3 The Chairperson of the taskforce shall submit a report that shall identify the  
4 proposed property of the Government of Guam to be transferred to the original  
5 landowners to the Speaker of *I Liheslaturan Guahan* and the Governor of Guam within  
6 sixty (60) days upon enactment of this Act.

7 The Governor of Guam shall submit proposed legislation within thirty (30) days  
8 upon receipt of the report to the Speaker of *I Liheslaturan Guahan* that identifies  
9 proposed property as delineated in the report by the taskforce.

10 The Speaker of *I Liheslaturan Guahan* shall have sixty (60) days to immediately  
11 refer the proposed legislation to the appropriate legislative committee wherein it shall be  
12 introduced, a public hearing conducted to receive testimonies followed by a committee  
13 report to be filed with the Clerk of *I Liheslaturan Guahan*. The bill shall be included in  
14 the next session agenda for disposition of *I Liheslaturan Guahan*.

15 **Section 2. Severability.** If any of the provisions of this Act or the application  
16 thereof to any person or circumstance is held invalid, such invalidity shall not affect any  
17 other provision or application of this Act which can be given effect without the invalid  
18 provision or application, and to this end the provisions of this Act are severable.



Mina' Trenta Na Liheslaturan Guahan  
**THIRTIETH GUAM LEGISLATURE**  
 Senator vicente "ben" c. pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND**  
**PUBLIC HEARING**  
 February 5, 2009  
 Bill No. 35

Sign In Sheet

Name	Address	Phone Number	Email	Written	Oral
David MURAZ	Barv.	682-5737 898-1884	ATOPAC08@guam.net	✓	
Benny Benjamins	P.O. Box 21195 GMA, G.	8288688			✓
RITA GIMZ		637-1177	1213064285591@gmail.com	✓	✓
CARLOS SAKS	ALINA EXEC MARY PO BOX 8770 TANDI GU	646-0300	Carloss@guamuniversity.edu	✓	✓
Ben FLET	THM.	646-1939			✓
Francis Myraez	B. H.	477-8593			✓



**Mina' Trenta Na Liheslaturan Guahan**  
**THIRTIETH GUAM LEGISLATURE**  
**Senator vicente "ben" c. pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND**  
**PUBLIC HEARING**  
**February 5, 2009**  
**Bill No. 35**

Sign In Sheet

Name	Address	Phone Number	Email	Written	Oral
Dany Lencor	614 Santa Rosa Dr	734 6411			
Randy Asunta	124 Lower E Sunset Blvd, Tigon	482-0458			
Rochella Perez	Mangilad	483-9834			
Matua Paget	Mangilad	637-5894			
Joseph Laguana	Mangilad	689-1809			

I support Bill #35



**Mina' Trenta Na Liheslaturan Guahan  
THIRTIETH GUAM LEGISLATURE  
Senator vicente "ben" c. pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND**

**PUBLIC HEARING**

February 5, 2009

Bill No. 35

**Sign In Sheet**

Name	Address	Phone Number	Email	Written	Oral
<i>Companion Suarez</i>					✓
<i>Hilda Palacani</i>					

324 W. Soledad Ave. Hagatna, Guam 96910

Ph. 473-4236 Fax. 473-4238

Email: [senbenp@guam.net](mailto:senbenp@guam.net)



**Mina' Trenta Na Liheslaturan Guahan**  
**THIRTIETH GUAM LEGISLATURE**  
**Senator vicente "ben" c. pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND**  
**PUBLIC HEARING**  
**February 5, 2009**  
**Bill No. 35**

**Sign In Sheet**

Name	Address	Phone Number	Email	Written	Oral
Christina Mauer-Pa	174 A Joseph Cruz Aspen Walk	472 8485	Tmauer@Pulco @pangelinan		✓



**A.B. WON PAT**  
INTERNATIONAL AIRPORT AUTHORITY, GUAM  
ATURIDAT PUETTON BATKON AIREN GUAHAN ENTEHASONAT

P.O. Box 8770  
Tamuning, GU 96931

Tel (671) 646-0300  
Fax (671) 646-8823

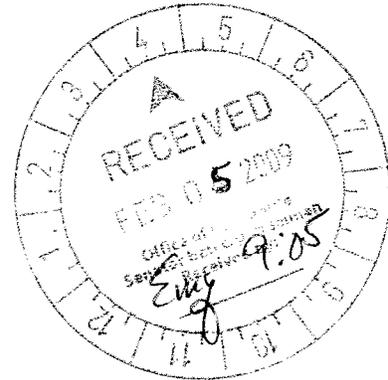
www.guamairport.com

B-35

February 5, 2009

**VIA HAND DELIVERY**

Senator Vicente "Ben" C. Pangelinan  
Chairman  
COMMITTEE ON APPROPRIATIONS, TAXATION,  
BANKING, INSURANCE, RETIREMENT  
AND LAND  
30th Guam Legislature  
324 West Soledad Avenue  
Hagåtña, Guam 96910



**Re: Legislative Testimony Regarding Bill No. 35**

Dear Senator Pangelinan:

The A.B. Won Pat International Airport Authority, Guam (the "Authority") supports Bill No. 35, an "Act to Repeal and Re-enact Section 4 of Public Law 26-100 Relative to the Composition and Duties of the Taskforce and the Return of Tiyan Properties," as the current version of Section 4 posed many challenges for the Authority. While the Authority supports the Legislature's overall goal of encouraging the return of lands previously held by the federal government to their original landowners, the Authority must also be mindful of its mission and the restrictions imposed upon it by federal law, its Bond covenants and the September 29, 2000 Quitclaim Deed with the United States. With this in mind, the Authority states its position with regard to Bill No. 35 and offers one recommendation as further discussed below.

First, the Authority commends *I Liheslaturan Guåhan* for proposing an amendment to Section 4 of Public Law 26-100. It has been the Authority's position since the passage of the original public law that compliance with Section 4 by the Authority would be extremely difficult to the extent that it required the Authority to pay any compensation or incur any costs relating to original landowners, or for the Authority to transfer any property under its jurisdiction to original landowners. The inclusion of the following language in the proposed Bill, "*The proposed property to be exchanged shall not be owned by an autonomous agency of the Government of Guam, including but not limited to GIAA,*" provides reassurance to the Authority that *I Liheslaturan Guåhan* understands the limitations placed upon Airport revenue and property by federal law, the Bond covenants and the September 29, 2000 Quitclaim Deed with the United States.

Senator Vicente "Ben" C. Pangelinan  
COMMITTEE ON APPROPRIATIONS, TAXATION,  
BANKING, INSURANCE, RETIREMENT  
AND LAND

February 5, 2009

Page 2

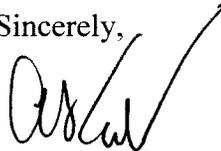
Second, the Authority recommends that Bill No. 35 contain a provision that upon compensation and/or transfer of Government of Guam land to original landowners, that the deeds received by original landowners from the Guam Ancestral Lands Commission ("GALC") be canceled. Requiring that the GALC deeds be canceled upon receipt of compensation by original landowners will prevent future disputes concerning ownership of Airport property. Therefore, the Authority requests that the following language be added to Bill No. 35 at Page 2, after line 14:

Upon passage of legislation to compensate original landowners, the Director of the Department of Land Management shall cancel any deeds issued by GALC to the original landowner affecting GIAA property.

In summary, the Authority supports Bill No. 35, with the suggested amendment.

Thank you for allowing me to contribute this written testimony on Bill No. 35.

Sincerely,



CARLOS H. SALAS

cc: Senator Tina Muna-Barnes  
Board of Directors,  
A.B. Won Pat International Airport  
Authority, Guam

B-35

February 5, 2009

To: Senator V. C. Pangelinan  
29<sup>th</sup> Guam Legislature

Re: Bill No. 35 An Act to repeal and Re-enact Section 4 of Public Law  
26-100 Relative to the composition and duties of the Taskforce  
and the Return of Tiyan properties.

I submit the attached letters, dated October 9 and October 22, 2004, from my grandfather, the late Jesus G. Cruz, as my testimony to Bill No. 35.

Please note that the letters were addressed to the Guam Ancestral Lands Commission requesting for the status of my grandfather's land claims for the following properties:

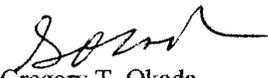
- 5212-1 10,490 square meters
- 5212-2 6,220 square meters
- 5213-1 49,885 square meters
- 5213-2 8,165 square meters
- Lot no. 2191

To my knowledge, these letters were un-answered and my grandfather has since passed on April 1, 2005. It is very disheartening, that the Commission failed to notify my grandfather who had informed the Commission that his life will be cut short due to bone cancer illness, of his request for status of his land claims.

I am, as well as all the heirs of my grandparents, appreciate the efforts being made to address the issues of the remaining Tiyan lands that have yet to be returned to the Original landowners. I humbly submit my short testimony through my mother, Rita B. Cruz, who maintain power-of attorney for me.

My mother quit claim to myself, my brother, Roland E. Okada and my sister, Lynette Okada Muna, her interest on my grandparent's estate which includes the said land claimed described above.

Thank you for this opportunity in allowing us to voice our concerns on this long overdue issue.

  
 Gregory T. Okada  
 By Rita B. Cruz, attorney-in-fact.  

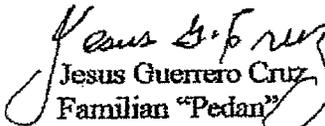

welfare and economic security, was short lived when the government took our land. Therefore, taking 74,760 sq. meters and leaving my family with only five then half (hectares) (acres) to survive on. I had no choice in the taking of my land and although I was compensated \$71,210.75 in principal and interest in 1988, that amount did not and will never match up to the value of the land and the security it could have provided my children.

Recently, I was diagnosed with bone cancer and was given six (6) months to one (1) year to live. I have been a farmer throughout my life bringing whatever income I had to provide for my family. I am now 92 years old, my wife passed away 5 years ago, two (2) of my children have also passed away. To date, I am still waiting for official notice on the status of my applications from your agency. I have enclosed copies of the applications for your reference.

I still want my remaining children to realize the dream I had intended for them when I purchased the land. With this in mind, there are 19,674 <sup>hectares</sup> ~~hectares~~ still being held by the government Not only is it adjacent to my existing property in which my children and I live on, it currently remains vacant and without government activity.

As your agency is the designee for Ancestral Land Claimants, I am confident that all applications filed are addressed equally, without prejudice and without discrimination. I now ask that you expedite the processing of my applications, as I fear I may not live to witness and acknowledge the return of my land. In addition, I am requesting that you provide in writing, the status and possible resolution to my applications.

Si Yu'us Maase,

  
Jesus Guerrero Cruz  
Familiarian "Pedan"

cc: Honorable Felix P. Camacho, Governor of Guam

RECEIPT ACKNOWLEDGED  
BY [Signature]  
(SIGNATURE)  
Joan Leon Guerrero  
(PRINT NAME)  
Guam Ancestral Lands Commission  
(CUSTOMER/DEPARTMENT)  
DATE 10/27/04 TIME 10:25 am  
"OPERATIONS"

RECEIPT ACKNOWLEDGED  
BY [Signature]  
(SIGNATURE)  
Ashley Nauta  
(PRINT NAME)  
COS GOVERNOR'S OFFICE  
(CUSTOMER/DEPARTMENT)  
DATE 10/27/04 TIME 10:45  
~~October 22, 2004~~  
"OPERATIONS"

Mr. Ed Benavente, Director  
Guam Ancestral Lands Commission  
P.O. Box 2950  
Hagatna, GU 96932

**SUBJECT: Claim of Interest for Jesus Guerrero Cruz  
Heir to the Estate of Joaquin L.G. Cruz  
Re: Instrument No. 663124 Lot No. 2191**

Dear Mr. Benavente:

This letter serves as my official request on the status of the Claim of Interest application filed on June 14, 2002 with the Guam Ancestral Lands Commission. The original landowner of the property described above is my father, Joaquin L.G. Cruz (deceased).

As stated in my previous letter dated October 9, 2004, several original landowners have received deeds to their property. To date, I have yet to receive any information from your office regarding Instrument No. 663124 Lot No. 2191. It is with this letter that I am officially requesting your office provide me in writing status of the above application to include possible resolutions in this matter.

If you have any questions, please contact my daughter, Teresita Cruz Quichocho at 686-8980 (cell) or 637-2549 (home) or my son, Francisco Blas Cruz at 633-2789 (home) or 687-2643 (cell). They will be able to relay the information to me and speak on my behalf.

Thank you for your attention to this request. I look forward to your immediate reply.

Sincerely,

[Signature]  
Jesus Guerrero Cruz  
Heir to the Estate of Joaquin L.G. Cruz

cc: Honorable Felix P. Camacho, Governor of Guam

Bill - 38

Good Morning (Senator)

On behalf of Vicenti C. Munoz and Francisco C. Munoz. (Tijan lot# 2091) We hold the title document to lot # 2091 of approx. 105,000 sq meters. Our land is located in the AIRPORT runway.

When will the day come when will able to see absolute justice, when will the day when the shackle of injustice be recognize. To some it already has. We are afraid the day will never come. My message is coming from my Grand Parents and Parents who once toil the land that was once theirs. There message is to tell us to fight for our land. The war astrocities and government neglect chocked us to death from our God given rights to our land. They knew if any resistance was made some kind consequence will occur. In our eyes the land takings was done in a fashion that was not to our benefit. It's getting to the point where government cannot be trusted. The trouble way back is government was negotiating without the land owners and took advantage of their inability to comprehend what's going on.

Naval Air Station (Tijan) was shut down and decommissioned and given to the local government. Those who got back their land, remember us that we fought together for it and to leave us behind is an injustice. It seems like a third land taken had took place again. We deserve some kind of closure to this issue. It's sad to see our lands be taken and left to be forgotten. I know that its producing income but I don't see any benefits for the original land owners.

As an indigenous here on this Island My siblings and their children are struggling to survive to whatever means it takes. In their hearts they feel betrayed and only to be made hostage in their own land. Please give us the justice we rightfully deserve. For those who sacrifice their lives for this Island we our humbly grateful and we will never forget you. Our family had fought and sacrificed for a Nation that is based on so call Justice. Please leaders of Guam, defend us and protect us in the name of justice.

. Please give us back a dignity that we deserve. I would like to thank our leaders for giving us the honor in addressing the cry and pain of being kicked out of your land. We just want to let you know that to some of us we are still here and alive. We are tired of being flushed down the toilet. It's been so long it's about time that we are being recognized. I wonder what is blinding us to see that there is a wrong and needs to be right. Please help us.

Thank You

Si Juas Ma a si.

David J. Munoz



Office of the People  
 Senator  
 ben pangelinan

## Notice of Public Hearing

Date: Thursday, February 5, 2009

Time: 9:00am

Place: Guam Legislature Public Hearing Room

### Agenda

#### DOA and Rev Tax

- Update on Income Tax Payments (current and prior years);
- Close-out financial/status report on the Economic Stimulus Package;
- Provision for Withholding Tax and Refund Set-aside

**Bill No. 35:** An Act to repeal and re-enact Section 4 of Public Law 26-10 relative to the composition and duties of the taskforce and return of Tiyan properties

**Bill No. 41:** An Act to amend Subsection (a) and to add Subsection (b) to P.L.O. 24-33 Section 2 and to amend Sections 77301, 77302, 77303, 77305, 77306, 77307 of 12 GCA Chapter 77 Article 3 relative to the construction of soccer facilities.

**Bill No. 42:** An act to amend Section 5 of P.L. 29-106; relative to the appropriation of Five Million Eight Hundred Thousand Dollars (\$5,800,000.00) to the GPSS for textbooks.

#### Confirmation Hearings for:

Edelfrida Artero Ada, Member, Guam Banking & Insurance Board  
 Danilo M. Rapadas, Member, Guam Banking & Insurance Board

For copies of the bills, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com)  
 If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 or email [senbenp@guam.net](mailto:senbenp@guam.net)

MAN 1-29-09



Senator vicente "ben" c. pangelinan  
 Office of the People

## Notice of Public Hearing

Date: Thursday, February 5, 2009

Time: 9:00am

Place: Guam Legislature Public Hearing Room

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PDM 1-29-09

**MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session**

Bill No. 35 (DR)

Introduced by:

v.c. pangelinan

2009 JAN - 6 PM 4: 23  
EDW

**AN ACT TO REPEAL AND RE-ENACT SECTION 4 OF  
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AND THE RETURN OF TIYAN PROPERTIES.**

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2 **to read:**

3           “Section 4. Task Force and Land Exchange. A taskforce is hereby established to  
4 include the Director of the Guam Ancestral Lands Commission (“GALC”), the Director  
5 of the Department of Land Management or their respective successor agencies and one  
6 (1) representative landowner/heir of each parcel of land under the jurisdiction of Guam  
7 International Airport Authority.

8           The Director of GALC shall call the first meeting of the taskforce within ten (10)  
9 working days of the effective date of this Act. At the first meeting the taskforce shall  
10 elect a chairperson. Within thirty (30) days after the effective date of this Act, the  
11 taskforce shall identify the original owners of properties transferred to GIAA by the  
12 United States Government and shall identify property of the Government of Guam to be  
13 transferred to these original landowners to compensate them on a value for value and/or  
14 size for size exchange for their property that is now owned by GIAA. The proposed

1 property to be exchanged shall not be owned by any autonomous agency of the  
2 Government of Guam, including but not limited to GIAA.

3 The Chairperson of the taskforce shall submit a report that shall identify the  
4 proposed property of the Government of Guam to be transferred to the original  
5 landowners to the Speaker of *I Liheslaturan Guahan* and the Governor of Guam within  
6 sixty (60) days upon enactment of this Act.

7 The Governor of Guam shall submit proposed legislation within thirty (30) days  
8 upon receipt of the report to the Speaker of *I Liheslaturan Guahan* that identifies  
9 proposed property as delineated in the report by the taskforce.

10 The Speaker of *I Liheslaturan Guahan* shall have sixty (60) days to immediately  
11 refer the proposed legislation to the appropriate legislative committee wherein it shall be  
12 introduced, a public hearing conducted to receive testimonies followed by a committee  
13 report to be filed with the Clerk of *I Liheslaturan Guahan*. The bill shall be included in  
14 the next session agenda for disposition of *I Liheslaturan Guahan*.

15 **Section 2. Severability.** If any of the provisions of this Act or the application  
16 thereof to any person or circumstance is held invalid, such invalidity shall not affect any  
17 other provision or application of this Act which can be given effect without the invalid  
18 provision or application, and to this end the provisions of this Act are severable.