



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

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

Handwritten notes: 30-10-0218, MAR 12 2010, and a signature with date 3/16/10.

Dear Speaker Won Pat:

Hafa Adai! Transmitted herewith please find Bill 218-30,(LS) "AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (A) TO TITLE 21, GUAM CODE ANNOTATED" which was signed into law on March 12, 2010 as Public Law 30-96.

Though I wholeheartedly support the intent of this measure, I feel I must state for the record that this act is merely the first step in what must become a two-step process. As you know, the presence of the "reversionary clause" within the quitclaim deed attached to these properties, would allow the Secretary of the Navy to reassert ownership of these lands at his discretion and in spite of local law.

As was discussed in detail at the public hearing for this matter, and given the circumstances under which these lands were taken in the first place, the 30th Guam Legislature, and Guam's Delegate to Congress must take all necessary and proper steps to insure that this clause is either never executed or removed entirely by the US Congress. Once returned, these lands must remain within the control of their original landowners, and there should be no question as to their long-term ownership.

As was also noted in this matter's committee report, the parcels designated for return by this act may be "wetlands" or a part of an environmental reserve. Though either status may make the development of these lands extremely difficult, I agree that all original landowners have a lasting claim to properties which were taken by the military and returned in subsequent years.

It is my sincere hope that the return of these lands will provide some measure of closure to the effected families. And I thank the Legislature for their continuing work on this matter.

Sinseru yan Magåhet,

Handwritten signature of Michael W. Cruz

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

Attachment: copy of Bill

Handwritten number: 1688

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

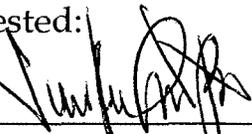
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 218-30 (LS), "AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW §80105 (b) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED," was on the 26th day of February, 2010, duly and regularly passed.



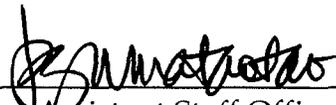
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 1 day of March, 2010, at
5:40 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 3-12-10

Public Law No. 30-96

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

Bill No. 218-30 (LS)

As amended by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement, and Land,
and further amended on the Floor.

Introduced by:

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

**AN ACT TO TRANSFER PROPERTIES UNDER THE
JURISDICTION OF THE PORT AUTHORITY OF
GUAM TO THE JURISDICTION OF THE GUAM
ANCESTRAL LANDS COMMISSION, BY *ADDING A
NEW §80105 (b) TO CHAPTER 80 OF TITLE 21, GUAM
CODE ANNOTATED.***

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 certain ancestral lands in the municipalities of *Piti, Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
5 creating the Apra Harbor Reservation Boundary. Eventually, the United States

1 Quitclaimed portions of the Apra Harbor Reservation to the Government of Guam
2 in December 1984 containing certain parcels, with eventual transfer to the
3 Commercial Port of Guam, and eventually to the Port Authority of Guam (PAG)
4 for development. In formal conferences and legislative session meetings between
5 the PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
6 management, and personnel that the PAG *does not* have any future plans for the
7 development or use of certain portions of the parcels under their jurisdiction.

8 Therefore, *I Liheslatura* intends to transfer such land parcels and properties
9 to the Guam Ancestral Lands Commission so that the Guam Ancestral Lands
10 Commission *shall* proceed with the return of such land parcels and properties to
11 the original landowners or their estates, pursuant to the Commission’s enabling
12 legislation and mandates.

13 **Section 2.** The existing §80105 is hereby renumbered to §80105(a) and a
14 new (b) is hereby *added* to §80105 of Chapter 80, Title 21, Guam Code Annotated,
15 to read as follows:

16 “(b) Portions of Parcel 1 South of Route 18 and contiguous to the
17 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
18 east, specifically original Lots 159 and 159-1, all in the municipality of *Piti*.
19 The property *shall* be transferred and *shall* be deeded to the Guam Ancestral
20 Lands Commission within thirty (30) days of the effective date of this Act.
21 The Guam Ancestral Lands Commission *shall* within one hundred eighty
22 (180) days dispose of the land parcels and lots transferred by this Act in a
23 manner consistent with and pursuant to its enabling legislation and its
24 mandates. All pre-condemnation roads, easements and bull cart trails *shall*
25 remain as easements for public access and utilities. The transferred property
26 *shall* be zoned “A” – Agricultural zone.”

1 **Section 3.** The Department of Land Management *shall* plot, plan, design,
2 and provide within sixty (60) days of enactment an aerial overlay map delineating
3 all road easements, bull-cart trails, and public access as to determine such access or
4 easements location in relation to the return subject lot that *no* lot is landlocked.
5 The overlay *shall* show all original lot lines generally.

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

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 2/26/10

VOTING SHEET

SBill No. 218-30(LS)

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	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



The People

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

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

January 15, 2010

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trenta na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No.218-30 (LS) As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No.218-30 (LS) As Amended, "An act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated" and which was referred to the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

4 TO PASS
 NOT TO PASS
1 TO REPORT OUT ONLY
 TO ABSTAIN
 TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,

ben c. pangelinan
Senator

Clerk of the Legislature

ACKNOWLEDGEMENT RECEIPT

Received by:

Time: 3:25 PM

Date: 1-20-10

COMMITTEE
REPORT
ON

BILL NO. 218-30 (LS), As Amended
“AN ACT TO TRANSFER PROPERTIES
UNDER THE JURISDICTION OF THE
PORT AUTHORITY OF GUAM TO THE
JURISDICTION OF THE GUAM
ANCESTRAL LANDS COMMISSION,
BY ADDING A NEW § 80105 (a) TO
TITLE 21, GUAM CODE ANNOTATED”



The People

Mina'Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

January 15, 2010

MEMORANDUM

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

From: **Senator vicente "ben" c. pangelinan**
Committee Chairperson

Subject: **Committee Report on Bill No.218-30 (LS), As Amended**

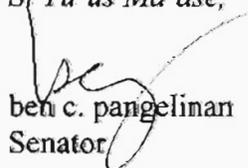
Transmitted herewith for your consideration is the Committee Report on Bill No.218-30 (LS) As Amended, "An act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated".

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Substitute Bill No.218-30 (LS)
- Copy of Bill No.218-30 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No.218-30 (LS)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'us Ma'ase,


ben c. pangelinan
Senator

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

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

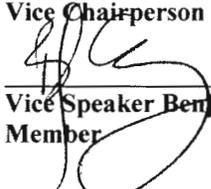
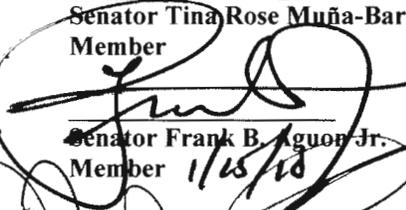
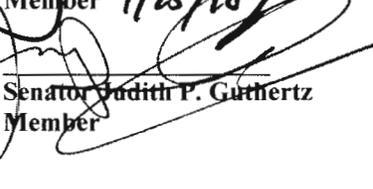
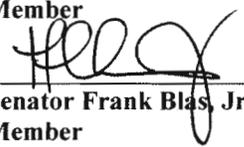
Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I MINA' TRENTA NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

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

Bill No.218-30 (LS) As Amended: "An act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated"

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
 Senator Vicente C. Pangelinan Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J.F. Cruz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank B. Aguon Jr. Member 1/15/10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator James V. Espaldon Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Telo T. Taitague Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank Blas, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



The People

Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

Committee Report

Bill No.218-30 (LS): "An act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated"

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

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on September 25, 2009 at 8:30am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on September 18 (5-Day Notice), and again on September 22 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator vicente "ben" pangelinan, Chairman
Senator Telo Taitague, member
Senator Tina Rose Muña-Barnes, member
Senator Ada
Senator Rory Respicio
Senator Jim Espaldon

(b) Appearing before the Committee

Michael Unsiog
David Leon Guerrero
Carlos Untalan
Joseph Guzman
Enrique Agustin

(c) Written Testimonies Submitted

Port Authority of Guam
Department of Land Management

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator ben pangelinan: We will now proceed with the last item on the agenda. That is Bill number 218-30 (LS) an act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated. And I would like to ask the author of the legislation Senator Tina Muña-Barnes to give us her overview of the bill and then we'll have the individuals that have signed up to testify. I'll call them up before we begin. Joseph Guzman, Enrique Agustin and the Unsiog family. And then I also have a David Leon Guerrero.

Carlos Untalan: This is Bill 218-30?

Senator ben pangelinan: Yes and of course Mr. Untalan. So, may I have the gentleman or whoever else wishes to testify. I have Joseph Guzman, Enrique Agustin and the Unsiog family if any of those and David Leon Guerrero. If you're going to present oral testimony please come forward and we'll begin. And we'll start Senator Tina Muña-Barnes

Senator Tina Muña-Barnes: Thank you Mr. Chair for giving me the opportunity to speak. I know its lunch time, past lunch time already and I'm just grateful that the panelist are patient to work with me on this. Just a brief history on the intent. Mr. Chair certain Ancestral Lands in the Municipalities of Piti, Sumay and Agat were condemned under the civil action of 5-49 by the Naval Government by doing that it created the Apra Harbor reservation boundary. Eventually the U.S., the Unites States could claim portions of the Apra Harbor reservation to the Government of Guam and that was done in December of 1984 and containing certain parcels with eventual transfer to now the Commercial Port of Guam and eventually to the Port Authority of Guam development in formal conferences and legislative session meetings between the Port Authority and this August body.

It had been stated by the Port Authority Board management and personnel of that Port Authority that they did not have future plans for the development of use of certain portions of the parcels in their jurisdiction and this intent was intended to transfer such land parcels and properties to the Guam Ancestral Lands Commission so that commission shall proceed with the return with land parcels, parcels and land to the original land owners pursuant to the commission enabling legislation mandates.

Mr. Chair if I may for the listening audience there has been a long history of that I know that families have come to this August body before us as far back as 2002. I would like to note for the record based on information that I just received this morning that I just had privy to read from the Port Authority that there was a public hearings for them. As recent as November 19 or as back as the last noting that I can remember November 19, 2008 to submit for the record a public

hearing that had Port Authority speaking when they were at, I'm not sure if that was on an oversight that both you and I were privy to that they did talk about some specific portion of these parcels and that they literally wanted to give it back.

So for the record just based on the testimony received and some concern thereof I just want to state for the record that there has been true notice of the intent to give back to the original land owners and I really want to thank you for your time in taking the opportunity to have this bill heard. I know that when this bill was introduced you weren't available but I do know that based on this with your knowledge of this intent and with the support of.

I know in the past Congresswoman Bordallo's office was also part of making sure that some of these with the intent that some of the families get back properties and also that I know that the Port Authority and Land Management did have the opportunity to speak to the Department of Land Management just recently it wasn't Mr. Untalan it was Mr. Joey and he can correct his name for the record.

But also that the only concern that they brought up in reference to that is there may have been a typographical error on this bill and instead of it being, after "159-1," it was noted 166 and based on that looking through history and the records reflected here its 156 and also Mr. Chair, if I may for the record I do have some history and there's really a lot of information here. I just like to submit it over to the committee for their purview and if there's anything else if we need to have a markup or what have you, then I would go ahead and submit myself to that.

Thank you again Mr. Chair for giving me the opportunity to give a briefing on this a bill much desired by a lot of the families out there. Thank you.

Senator ben pangelinan: Thank you very much Senator Muña-Barnes. We will now proceed to receive testimony on Bill 218-30. We'll start with Mr. Guzman and then Mr. Unsiog and then Mr. Agustin and then Mr. Untalan. Mr. Guzman?

(b) Testimony

1. Joseph Guzman

Joseph Guzman: Good morning Senators. There were a lot of Senators now there is less. Cause I'm a voter too. And I want this bill to be passed for the longest, not even born yet. When my uncle got taken away from the land that he built. I'm with the Unsiog because my middle name is Unsiog. So the next speaker will be the same as me. So I'll let him have all the credit.

Senator ben pangelinan: Ok, thank you very much. Please identify yourself.

Panel Comments and Questions

None

2. Michael Unsiog

Michael Unsiog: My name is Mike Unsiog and I'm with the Unsiog Family and like him he is my first cousin. I'd like to thank him for giving me the credit but I do believe that the credit is all due to you. Senator Barnes, Chairman Pangelinan and all you fine senators up there. I'd like to thank you for giving us the opportunity to speak with you today the original land owners. It's been a long battle for my father. My father passed away 2 years ago and I've been asked to come up here and speak from the heart and I always do. But I don't think that it's this heart that needs to be heard it's the heart that left already because he battled this thing for 5 years and my sister flew all the way from California too and she's here present and my brother got off work to be here to show truly that we are unified that we truly would like to see our property returned back to the family. As Senator Barnes mentioned earlier in her opening remarks she had mentioned that on November 19, 2008 there was a hearing and it was clearly defined in that hearing that the Port had no plans for this property.

They make reference to the fact that it maybe wet land and it may be costly. Well you know that if that is so the case and its costly then return it back to us and let us bear the cost. If this is my dad's property from his mom and he's been fighting it for so long and it frightens me that I maybe fighting this and I may be gone too may never see it happen and what do I do? Turn around and look at my kids and say: As what my dad said to me I want to say that to you. Please fight this and get the land back. So I look to all of you senators today and ask if you could please pass this bill. I understand that there is certain provision in this bill, exchange of land, should that occur. I don't think that should be a part of that. I think that should be returned. Give it to the Chamorro Ancestral Land Commission and then turn it over to the original land owners.

So I look to you, all you senators and I plead with all you senators. Through my heart and that of my family and of course the Guzman family that we kindly ask that you support this bill and return the land back to the original land owner. Thank you.

Senator ben pangelinan: Thank you very much Mr. Unsiog. Rick I am going to ask another member of the public to go first. Patrick?

Panel Comments and Questions

None

3. Patrick Leon Guerrero

Patrick Leon Guerrero: Thank you Senator. Good morning senators and committee members. I'm Patrick Leon Guerrero. My cousin David asked me to go ahead and make a brief report from the Leon Guerrero family. We're also in full support of this legislation to return the land back to the original land owners. We recently received an adjacent property back. Lot 165 and we are taking topography maps because we do want to develop the area into support of, port programs. It will benefit the community as well. There's several projects we want to do their if

we were to receive the additional portion of Lot 166 then that will help continue our development programs that we are looking at in the area. But the Leon Guerrero family wants you to know that we are in full support of this return land back to the original land owners. Thank you.

Senator ben pangelinan: Thank you very much Mr. Leon Guerrero. Mr. Agustin?

Panel Comments and Questions

None

4. Enrique Agustin

Enrique Agustin: I am here wearing two hats today and I would like to speak as an individual. First my family owns property in Sumay fortunately that's within the fence line. But I'm not here to speak about Sumay I'm here to speak about properties that belongs to the Unsiog family and the Guzman family. I've work with the Funto Tomas Unsiog long before I became an employee of the Government of Guam.

The last few words I had with Tommy were that "Rick, I've been waiting for this property for 60 years. And I just hate to pass on and nobody is to carry the banner that we would continue the fight to get our property back". And then I look at the people that have claims to Tiyan and the economic benefit from using those properties. And I truly believe that the owners of ancestral property that is given to the Port Authority by the Government of Guam who got it from the Secretary of the Navy and I think they should be given the opportunity to make economic use of the property, wetland or whatever. So as a private citizen I fully support this bill. Land on Guam is more near and dear to our heart and soul rather than to our pocket book. And I believe that the families that own properties down in that area should be given the opportunity to get it back and not wait another 60 years. Thank you.

Senator ben pangelinan: Thank you Rick. Did you want to present testimony officially then?

Enrique Agustin: My daughter says life is short so speak fast. Now I am going to put on my Port Authority badge. You have written testimony on behalf of the Port Authority. My General Manager is off island and the Chairman of the Board is not here. This letter is signed by me from the General Manager. So I am going to read excerpts from this letter.

"While the Port Authority of Guam supports the intent of this legislation, we do have some concerns that we feel need to be addressed before moving forward. Specifically, our concerns are with the reversionary clause in the Quitclaim Deed and also the need for a possible land exchange between the Port Authority of Guam and the Ancestral Lands Commission."

I would like to read the portion about the Quitclaim Deed. On the second page on the top paragraph.

"In the event of any breach of the terms and conditions set forth hereinabove, as determined by the Secretary, regardless of the cause of such breach, all right, title and interest in and to the lands hereby conveyed, in their then existing conditions, including all .. improvements thereon, shall be at the option of the Secretary revert to and become the property of the United States immediately upon demand made in writing by the Secretary."

My concern is that the Port Authority allows or the transfer of the property from the Port to Ancestral Lands Commission now becomes an issue with the Secretary of the Navy and they want to get it back right away. We want to make sure that we enable another legislation to be able to remove that clause so that when we finally give the property back to the Ancestral Lands Commission that there are no other hurdles for the families to receive those properties.

We believe that without this language being amended by Congress, this is on the second paragraph, the use of the property by the Ancestral Lands Commission or the original land owners could be in jeopardy.

Now this is the part where my friend here, my brother is against and with full understanding from my heart.

"Furthermore, due to our agency's aggressive efforts to modernize our facility to prepare for the growth of our community and our region and the need to expand our Port-related facilities, we respectfully request that the Legislature consider the possibility of exchanging property under the jurisdiction of the Guam Ancestral Lands Commission, preferably in the vicinity of Piti, to be used by the Port Authority of Guam for our Modernization Program."

The property that's in question, at least from the Unsiog family is just too far away from the approved Port Modernization Plan. I think that our request from the Port is that if there is any property closer to where the Master Plan is approved that we would be able to use those properties. But not where the Unsiog and Guzman's property are located.

Senator ben pangelinan: Thank you very much Mr. Agustin. Mr. Untalan

Panel Comments and Questions

None

5. Carlos Untalan – Chief Planner for the Department of Land Management

Carlos Untalan: Thank you Mr. Chairman. Our comments to Bill 218-30 are as follows:

From a planning perspective we have no objection to this bill since it is primarily an ownership and not a land issue. We applaud this body in currently establishing the zoning designation of "A" which is on zone right now. Agricultural for the returns of subject parcels. And I just want to

add that in relation to Mr. Mike Unsiog's reference that he's aware of a lapse and let me just read some excerpts that were given to me prior to the meeting. And it goes like this:

"However portions of Lots 132, 133 and 132 currently designated as partial wetlands was transferred Guam DOE for creation of a wetland under the U. S. Federal Wetland no net loss policy to construct the Guam Southern High and what I am trying to get at is if this was talking about a wetland issue then that's one of the things that I was going to bring up to original land owners was errors that they be aware that they will more than likely get that land back with encumbrances to just be aware of that. And of course wetland issue and any development would then be under the Land Use Commission should they want to develop it further.

In relation to the bill itself I had a chance to look at it and unfortunately some of the other key divisions are not here to make their comment. And so I am going to go ahead and make some comments to some languages in the bill in reference to line number 1 on page 3 where it reads "delineating all road easements, bull-cart trails, and public access as to insure" "I recommend the word insure be replaced with: "to determine such access or easements location in relation to the return subject lot."

And the reason why I said that is if we were going to do an overlay were not granting easements it could be that the fact remains that it could be land lock and basically if it's not Government lands then it's between private parties and that's the reason why I would recommend a change in language. The way it reads right now is that the Dept. of Land Management is to ensure no lot is land lock but that generally the nature of the game, the way it is right now. So we want to make sure that it is corrected. Also on line two, right after the word shall, the overlay shall, there is a missing word there, perhaps you should insert the word show, all original lot lines generally.

Senator ben pangelinan: Thank you very much Mr. Untalan. Senator Muña-Barnes Do you have any additional question?

Panel Comments and Questions

Senator Tina Muña-Barnes: I just want to thank the members for being here. And I know that it's been many years and that's why that I had to know for the record that this is been ongoing and there has been a lot of information that are not presented right now the first time that that was part of this bill and thus come this far in I think if not mistaken, two or three times over since Speaker Forbes and I have a lot of many colleagues that has some history to this so, I would like to ask the chair, Mr. Chair if could continue to work on this. And make the necessary amendments so that we can be forwarded and if we need to work closely also with the Congresswoman's office so we make sure that the, if the properties given back but it would be given back with paid-to-no-use for the families and that's not what I want and we want to make sure literally notarize cross RT's so that you guys, knowing that your father fought so hard for this and the families to bring back to the families that there could be some religious for it. Thank you Mr. Chair

Senator ben pangelinan: Thank you very much, senator.

Senator Telo Taitague: I, too, in support of the returning of the lands back. But if I could get a little bit of history on your case. You receive this property from the military, and one time has it been in the property of Government of Guam or was it military first? The military had this and then.

Enrique Agustin: I would like to call Vivian who has historical knowledge and corporate knowledge of the property that's in question.

Senator Telo Taitague: Ok it's real short. Just wanted to know how long the military had this in their hands before turning it over to the Port Authority.

Vivian Leon: My name is Vivian Leon. I'm the corporate services manager of the Port.

Senator Telo Taitague: Good to see you again.

Vivian Leon: I believe the deed that was transferred from the military to the Government of Guam was in 1984. I don't know. I don't have my records to when the military condemned the property and then transferred them over.

Senator Telo Taitague: The reason why I'm bringing this up is that a lot of these properties will be returned back to the original land owner that was occupied by the military in some form. My biggest concern is that when they return it back the original land owners they should return it back to its original condition. Meaning any ordinance, any contaminates, anything they had put on this property to hide dumping or anything like that they should go into cleaning the property up before returning it back. Or if the land owners want to take it now and put it in their possession but have a stipulation that the military will go in there and make sure that these properties are back to its original state from when they first received it. Thank you so much. Yes, Mr. Leon Guerrero?

Patrick Leon Guerrero: I think there is an opportunity for the original land owners to, on excavation or clearing of their property if they were to discover any formerly used equipment or facilities there that there's a avenue to go after, Department of Defense, formerly used defense site that would, they cannot circumvent that responsibility they'd have to come in and mitigate any contamination that maybe pre-existing. I also would like to ensure that the land exchange request by the Port Authority doesn't hold hostage to the return of the land to the original land owners. The Port Authority does have a venue or opportunity to just go direct to the Ancestral Lands to try and source any other opportunity they may pursue for lands not to hold this bill hostage. Thank you.

Senator Telo Taitague: Thank you for that. Thank you Mr. Chair.

Senator ben pangelinan: Thank you very much. Senator Ada?

Senator Ada: Mr. Agustin, first of all I got to say that I'm a little confused. First you started off supporting it. The wearing of the two hats was confusing. I ask please be careful with that.

In the Port testimony you indicate here emphasis made about the land exchange that the Port...it really didn't say in the testimony that the Port is saying "we don't need it, you can have it but we also want to kind of make up for the loss through some kind of land exchange". Let me point my question in that the Master Plan that's just been approved which takes you up to about the next phase to like 2030. Does any of that land have requirements for that modernization plan include the Unsiog properties?

Vivian Leon: In the Master Plan, Senator, it meets that area as open space. So it's just designated as open space.

Senator Ada: Ok so far as expansion of yard space capacity putting in and additional berth, none of that is.

Vivian Leon: No.

Senator Ada: So why would the Port be adamant about the exchange? Unless it wants to hold on to for the next phase of expansion in the year 2090.

Vivian Leon: In the Master Plan and during our conversation with U.S. Army Corps. of Engineers, they had pointed out there were certain areas within that lot that has, what Mr. Untalan has designated as wetland but the area that the property is located at is was designated as a environmental preserve area. The Port could have not used the area for development as an expansion. It was brought to our attention through another staff that the Ancestral Lands do have property across the Piti Power Plant and we were looking at areas to stage containers during a storm or be able to utilize the property to build an office or relocate our office somewhere away from the industrial area.

Senator Ada: But that was not reflected in the Master Plan at all.

Enrique Agustin: If I may clarify Senator, if you look across the power plant, if you're driving down from here to Agat and the power plant is to your right, on the immediate left, right on the transmission lines there are container there being used by commercial vendors. It's my understanding that those are ancestral lands. If we were to expand or have the need for an overflow of a container yard, for example that would be a target area that we would be looking at and not particularly the Unsiog and Guzman family and Leon Guerrero property.

Senator Ada: Just one other question I have. Maybe Mr. Chairman the concern I would have is if this bill gets past and the land gets returned to the Ancestral Lands Commission is there a provision that needs to be put in here to make sure that that action does not get trumped by that previous legislation, the Benny Crawford group who are asking to grab at any available ancestral lands as an offset for properties that were taken away in Tiyan.

Senator ben pangelinan: No it wouldn't because this would be property that would be eligible to the original land owners. The property that the Tiyan land owners are looking at is properties in the inventory of the Ancestral Lands that are not designated to be returned to the original land owners.

Senator Ada: Alright, thank you very much.

Senator ben pangelinan: Senator Respicio?

Senator Rory Respicio: Thank you very much Mr. Chairman. Mr. Chairman I am certainly in support of this legislation. I commend Senator Barnes for introducing this and encourage the Legislature and your committee and am very supportive of this. For those following the legislative process, when a bill is introduced I have the duty as Chairman of Rules to decide which is the appropriate committee to refer these bills to. If you look at this bill, because it talks about property in the jurisdiction of Port Authority we could have easily referred it to Senator Ada who has oversight of the Port so I had to explain to him and he agreed and concurred that when these lands were returned to the Government of Guam the ultimate goal of returning it to the original land owners through the Ancestral Lands Commission process we did not want to add insult to injury and then refer this bill to the committee of the Port Authority oversight when this land really belongs to Unsiog family the other families. We did this referral to Senator pangelinan's Chairman of the Ancestral Lands Commission to support that legislative policy when we look at these issues what we want at the end of the road. And at the end of this road we want these lands to be returned to the rightful owners.

I want to thank you Senator Ada for concurring and supporting this decision and Mr. Chairman, thank you very much for your leadership in this area thank you.

Senator ben pangelinan: Thank you very much Senator Respicio. Senator Espaldon?

Senator Espaldon: Thank you very much Mr. Chairman. Going back to the issue, I was looking through the bill about this whole exchange, the possible exchange. I don't see it anywhere in this bill. Is it in this bill?

Senator Espaldon: Ok so that's even a discussion that's outside of what we are talking about. So that's a whole different issue all together and has nothing to do with the request by the land owners and the intent of this legislation to return this land. Ok I just wanted to make that clear because there is no, because one of the land owners basically made the plea should not be contingent. And the return of this land should not be contingent. Since it's not included in this bill I don't see how it could be.

The other point I'd like to make towards the Port at this point in time knowing full well what your plans are the Master Plan and whatnot. And you just expressed you would like, when we start talking about that extra piece to be had by the Port from the ancestral lands, I guess comes to Mr. Leon Guerrero. And you spoke of the development of your own properties. Now you

heard the Port just say that they would like to have extra ancestral land properties to put container yard or whatnot. Do you and your plans foresee perhaps providing private properties to be able to accommodate such type of utilizations for the private sector?

Patrick Leon Guerrero: Actually that is part of our development plan to put a sizeable yard but because the construction cost or something we can afford is to just open a large holding area and just fence it in is one of our first stages and if we don't get any takers from like the Port or any other container shipping facilities then we'll go to the next level and start to put in warehousing stuff but because of the cost of putting a, level an area and fence it in is substantially cost efficient that's one of the first steps we plan to do.

Senator Espaldon: Ok and I had to ask the question as it goes down and take a look at perhaps the next step of addressing the concerns and the needs and wants of the Port that will play a role in the decision making process. Do we favor the Port, do we actually give out local people the opportunity to partake in this opportunity and I think I would like to see out local people partake in this opportunity as much as possible. So again I just wanted to get that out in front of you because you don't necessarily have to own it. In fact those containers don't even belong to the Port they belong to private companies and they are going to have to deal with the private land owners to see if they can utilize the land and I think that's where the local families get their benefit from this military buildup that's essential.

Rick I guess the only thing is, the biggest part, we've heard it before in other public hearings, there is no need for this land. And there is no anticipation of utilizing this land except for open space. Now the question comes, is the designation of property, which right now sits with the Port is open space an important ingredient in terms of the whole development of the Port or is it just open space because of there is no planned utilization for this property.

Enrique Agustin: It is designated as open space with no immediate plan but we can't tell what the future holds and that's why it remains as open space.

Senator Espaldon: Ok but there is no, but in the, 20 year master plan it has not been addressed as being functional in any sort of way through the Master Plan?

Enrique Agustin: No

Senator Espaldon: Ok so any future plan for the Port should it so need. I guess the answer is "there is no future need in this point in time." So I guess it would make sense to perhaps return it to the original land owners and if you should need it then you could deal with original land owners at that capacity. Right? Ok good enough and I just wanted to make sure on the clarification. Oh and by the way did you submit a copy of your testimony Rick?

Enrique Agustin: Yes.

Senator Espaldon: Ok so what it comes down to and really what you're saying, the only real problem in this is a legal issue that deals with how the deed incorporates some terms in

terms of reversion back to the Department of the Navy. So we would have to clarify that and get that corrected at the congressional level. And if we can do that then we're basically allowing an easier process to transfer this land and back to the original land owners. Correct?

Enrique Agustin: That is correct.

Senator Espaldon: Ok I appreciate that. Thank you. Thank you Mr. Chairman.

Senator ben pangelinan: Can you work out an agreement Rick? Give them the right to use the land as long as there and Unsiog?

Enrique Agustin: Senators I think so. On the lighter side I have been made referenced that I am Mr. San Agustin. I lost my sainthood a long time ago. It's just Agustin.

Senator ben pangelinan: You know Rick, I understand that the Ports desire to be cautious with the conveyance and so forth. There is two ways of approaching this.

Number one is getting the congressional act that conveyed the property to remove the reversionary clause on this lot or any other lot.

The second is as I noted in your sub testimony, it has to be consistent with the Port Master plan and as approved by the Secretary of the Navy. And so perhaps we could go on both tracks and seek our congressional delegate to assist us amend the deed of conveyance to remove the reversionary clause with those lots or reflect very clearly in the Port Master plan that you don't need this property.

There's a local policy of returning it to the land owners and get that Master Plan approved by the Secretary of the Navy which would approve the return of these lands to the Government of Guam even if just to the Government of Guam rather than to the Port Authority without the reversionary clause for these properties. If the Secretary of the Navy approves that then we can convey it to the Ancestral Lands and convey it to the Unsiog's.

Those are two avenues that I can see immediately in terms of removing the reversionary clause restriction on the property and that is my contribution to how we can tackle this problem in two different facets.

Vivian Leon: Senator just for your information in the Master Plan document it does have a section where our consultants did talk about this property and had recommended the board pass a resolution.

Senator ben pangelinan: Yes but you requested that the Legislature and the Congressional Delegate work on removing the clause. My thing is you go back and put that in say your plan has not reflected any use and then submit the plan to the Secretary of the Navy which says you don't want this property you don't need the property and the Secretary can approve the Master Plan, your working with them, your designating a strategic port, requires certain approvals by these

Federal Agencies so when that gets approved then that reversionary clause gets lifted by the virtue of that provision that says if the Master Plan gets approved by the Secretary of the Navy then make part of the Strategic Port designation. And then try to work it out. Thank you and Si Yu'us Ma'ase.

Senator Telo Taitague: But it can be with the situation that you mentioned earlier, just to get the path going, going half way putting into the Ancestral lands trust and then giving it to the original land owners. Can it still be that it be transferred with your process to the Ancestral Land Trust that way we are halfway there?

Senator ben pangelinan: Well the problem is that if it triggers the reversionary clause first then you may a problem. We can look at all those different manners and try to work it to the best we can. I think we are all in agreement that the Port doesn't see a need for this in today's expansion or 20 years and so forth and we may work with this and bring some resolution to this for the Unsiog families fight to return these properties. Senator Barnes?

Senator Tina Muña Barnes: I just want to thank you Mr. Chair for putting this on and to the families who continue to work with us on this effort. I am hoping for some kind of resolve that the families better use these properties as it was given by their elders/ancestors. Thank you.

Si Yu'us Ma'ase Mr. Chair.

Senator ben pangelinan: Thank you very much ladies and gentlemen, thank you very much to my colleagues for sticking with us this morning and this afternoon.

We have concluded and exhausted the items on the agenda and there being no further business for the committee. We will continue to have the record for receipt of testimony open until such time we finalize the committee report and put it before the bodies. Any individual or organization wishing to submit testimony on the bills that have been heard before this body and on the nominees for confirmation before this body also. Please submit your testimony either send it down to the legislature to our attention. Our office is located by Marine Drive. Our email address is senbenp@guam.net and we will gladly include those testimonies for the record.

So at 1:15 this afternoon this committee is adjourned. Si Yu'us Ma'ase.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 218-30 (LS), As Anended by the Committee, with the recommendation TO PASS.

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

Bill No. 218-30-(LS)

Introduced by:
As amended by the Committee

**T.R. MUÑA-BARNES
Edward J.B. Calvo
Judith T. Won Pat Ed.D.**

**AN ACT TO TRANSFER PROPERTIES UNDER THE
JURISDICTION OF THE PORT AUTHORITY OF GUAM TO
THE JURISDICTION OF THE GUAM ANCESTRAL LANDS
COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE
21, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** Certain ancestral lands in the
3 Municipalities of Piti, Sumay and Agat were condemned under Civil Action No. 5-49
4 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary.
5 Eventually the United States Quitclaimed portions of the Apra Harbor Reservation to
6 the Government of Guam in December 1984 containing certain Parcels, with eventual
7 transfer to the Commercial Port of Guam and eventually to the Port Authority of
8 Guam (PAG) for development. In formal conferences and legislative session meetings
9 between the PAG and the legislature it has been stated by the PAG board,
10 management, and personnel that the PAG does not have any future plans for the

1 development or use of certain portions of the parcels under their jurisdiction. This Act
2 is intended to transfer such land parcels and properties to the GALC so that the GALC
3 shall proceed with the return of such land parcels properties to the original landowners
4 or their estates pursuant to the Commission’s enabling legislation and mandates.

5 **Section 2.A new §80105 (a) is hereby *added* to Title 21, Guam Code**
6 **Annotated, to read as follows:** Portions of Parcel 1 ~~and 2 south~~ South of Route 18
7 and contiguous to the ~~south~~ North of Apra Harbor Parcel 6, also abutting Marine
8 Corps Drive on the east, specifically original Lots 159 and 159-1 ~~135-1, 136, 136 A,~~
9 ~~136 A-1, 136 A2, 137, 159, 159-1, 166 and portions of the following lots, 127, 128,~~
10 ~~129, 131, 132, 133,~~ all in the municipality of Piti. The property shall be
11 transferred and shall be deeded to the GALC within 30 days of the effective
12 date of this Act. The Guam Ancestral Lands Commission shall dispose of the
13 land parcels and lots transferred by this Act in a manner consistent with and
14 pursuant to its enabling legislation and its mandates. All pre-condemnation
15 roads, easements and bull cart trails shall remain as easements for public
16 access and utilities.”

17 **Section 3.** The above mentioned properties shall be zoned “A” – Agriculture.

1 **Section 4.** The Department of Land Management shall plot, plan,
2 design, and provide within 60 days of enactment an aerial overlay map
3 delineating all road easements, bull-cart trails, and public access as to ~~insure~~
4 determine such access or easements location in relation to the return subject
5 lot that no lot is landlocked. The overlay shall show all original lot lines
6 generally. This overlay shall be transmitted to the legislative oversight
7 committee of *I Mina'irenta Na Liheslaturan Guåhan* no later than 61 days after
8 the enactment of this law."

9 **Section 3. Severability.** If any of the provisions of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect any other provision or application of this Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are severable.

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

2009 AUG 18 AM 10:42
MWW

Bill No. 218-30 (LS)

Introduced by:

T.R. MUÑA-BARNES
Edward J.B. Calvo
Judith T. Won Pat Ed.D.

AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE 21, GUAM CODE ANNOTATED.

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3 Municipalities of Piti, Sumay and Agat were condemned under Civil Action No. 5-49
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5 Eventually the United States Quitclaimed portions of the Apra Harbor Reservation to
6 the Government of Guam in December 1984 containing certain Parcels, with eventual
7 transfer to the Commercial Port of Guam and eventually to the Port Authority of
8 Guam (PAG) for development. In formal conferences and legislative session meetings
9 between the PAG and the legislature it has been stated by the PAG board,
10 management, and personnel that the PAG does not have any future plans for the

1 development or use of certain portions of the parcels under their jurisdiction. This Act
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3 shall proceed with the return of such land parcels properties to the original landowners
4 or their estates pursuant to the Commission’s enabling legislation and mandates.

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6 **Annotated, to read as follows:** Portions of Parcel 1 and 2 south of Route 18 and
7 contiguous to the south of Apra Harbor Parcel 6, also abutting Marine Corps Drive on
8 the east, specifically original Lots 135-1, 136, 136 A, 136 A-1, 136 A2,137, 159, 159-
9 1, 166 and portions of the following lots, 127, 128, 129, 131, 132, 133, all in the
10 municipality of Piti. The property shall be transferred and shall be deeded to
11 the GALC within 30 days of the effective date of this Act. The Guam
12 Ancestral Lands Commission shall dispose of the land parcels and lots
13 transferred by this Act in a manner consistent with and pursuant to its
14 enabling legislation and its mandates. All pre-condemnation roads, easements
15 and bull cart trails shall remain as easements for public access and utilities.”

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1 delineating all road easements, bull-cart trails, and public access as to insure
2 that no lot is landlocked. The overlay shall ^{show} all original lot lines generally. This
3 overlay shall be transmitted to the legislative oversight committee of *I*
4 *Mina'irenta Na Liheslaturan Guåhan* no later than 61 days after the enactment of
5 this law."

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7 application thereof to any person or circumstance is held invalid, such
8 invalidity shall not affect any other provision or application of this Act which
9 can be given effect without the invalid provision or application, and to this
10 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
 September 25, 2009
BILL NO. 218-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
CHARLES R. UNTOLAN	DLM	649-5385 4311	CHARLES.UNTOLAN@ DUN.GUAM.GOV	✓	✓	✓
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ENRIQUE AGUSTIN	4417 322 CURE GUAM Agusti, Agusti	969-4522	ENRIQUE.AGUSTIN@ Yoko.com		✓	✓



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

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
 September 25, 2009
BILL NO. 218-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
She Unsiog Michael Family Unsiog	110 PALM DUENAS HAYGAS.E.	969-1139	mydemylet@ ydnos.com		✓	



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

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
 September 25, 2009
BILL NO. 218-30 (COR)
SIGN UP SHEET

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FELIX P. CAMACHO
Governor of Guam

MICHAEL W. CRUZ
Lieutenant Governor of Guam

PORT AUTHORITY OF GUAM
ATURIDAT I PUEYTON GUAHAN
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September 24, 2009

The Honorable Vicente C. Pangelinan
Chairman
Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land
Suite 101 Quan Building
324 W. Soledad Avenue
Hagåtña, Guam 96910

Re: Testimony on Bill No. 218-30 relative to transferring properties under the jurisdiction of the Port Authority of Guam to the Guam Ancestral Lands Commission

Hafa Adai Mr. Chairman and Members of the Committee:

I want to thank you for this opportunity to provide testimony on behalf of the Port Authority of Guam and the Board of Directors regarding Bill No. 218-30 AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE 21, GUAM CODE ANNOTATED. For the record, my name is Enrique J.S. Agustin, Acting General Manager of the Port Authority of Guam.

While the Port Authority of Guam supports the intent of this legislation, we do have some concerns that we feel need to be addressed before moving forward. Specifically, our concerns are with the reversionary clause in the Quitclaim Deed and also the need for a possible land exchange between the Port Authority of Guam and the Ancestral Lands Commission.

The properties contained in Bill No. 218-30 were conveyed to Government of Guam, Port Authority, on December 6, 1984. A section of the Quitclaim Deed stated, "*The lands hereby conveyed shall be used and developed by the Grantee only in accordance with that certain 'Commercial Port of Guam Master Plan, As Revised' dated February 1981 and prepared for the Port Authority of Guam by Maruyama and Associates, Ltd., Guam/Dravo Van Houten, Inc., New York, a copy of which is made part hereof by reference, or as said Master Plan may hereafter be amended with the approval of the Secretary of the Navy, or his designee (hereinafter referenced to as "Secretary").*" The Quitclaim Deed further states

that *"In the event of any breach of the terms and conditions set forth hereinabove, as determined by the Secretary, regardless of the cause of such breach, all right, title and interest in and to the lands hereby conveyed, in their then existing conditions, including all improvements thereon, shall be at the option of the Secretary revert to and become the property of the United States immediately upon demand made in writing by the Secretary."*

As a result of our concerns over this language and the pending transfer of the property back to the Ancestral Lands Commission, the Port Authority of Guam Board of Directors passed a resolution on August 27, 2009 requesting that the Governor and the Legislature solicit the assistance of Guam's Delegate to the United States Congress to introduce a bill to amend Section 818 of the U.S. Public Law 96-418, as amended, relative to removing the restrictive provisions on the use of said property and reversionary clause in said Quitclaim Deed. We believe that without this language being amended by Congress, the use of the property by the Ancestral Lands Commission or the original land owners could be in jeopardy.

Furthermore, due to our agency's aggressive efforts to modernize our facility to prepare for the growth of our community and our region and the need to expand our Port-related facilities, we respectfully request that the Legislature consider the possibility of exchanging property under the jurisdiction of the Guam Ancestral Lands Commission, preferably in the vicinity of Piti, to be used by the Port Authority of Guam for our Modernization Program.

Thank you and Si Yu'os Ma ase.


Enrique J.S. Agustin
Acting General Manager
Port Authority of Guam



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



FELIX P. CAMACHO
 Governor of Guam

CHRISTOPHER M. DUENAS
 Director

MICHAEL W. CRUZ, M.D.
 Lieutenant Governor of Guam

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 Tamuning, GU 96913

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 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

September 25, 2009

Honorable Vicente C. Pangelinan
 Chairman, Committee on Land
Mina' Trenta Na Leheslaturan Guáhan
 324 West Soledad Avenue, Suite 100
 Hagåtña, Guam 96910

Ref: DLM Comments on Bills: 30-187 (COR); 30-188 (COR); 201-30 (COR); 218-30 (LS)

Bueñas Yan Hafa Adai Honorable Senator "Ben" Pangelinan

We are in receipt of your Letter, dated September 21, 2009, Subject: Public Hearing Notice. Our comments to the specific Bills are as follows:

Bill 30-187 (COR) – AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NUMBER 2436-7 IN THE MUNICIPALITY OF MANGILAO TO HEAVY INDUSTRIAL (M-2) ZONE

CURRENT M-2 USE PER 21 GCA, CHAPTER 61, §61310.

Pursuant to the above reference, the M-2 Zone allows for permitted uses in the in Light Industrial (M-1) zones such as: Junk yards (with special provisions); and any other uses not specifically prohibited by law, including those which are or may be objectionable, obnoxious, or offensive by reason of odor, dust, smoke, noise, gas fumes, cinders, vibration, or water-carried waste. In this respect, "M-2" zones represent the highest land use intensity permitted in the allowable use hierarchy; so much so that *any* residential uses in the "M-2" zone require an approved Conditional Use Permit through the Guam Land Use Commission. Thus, designation of lots for "M-2" zoning has historically been desirable in areas isolated from other uses.

Continuation of Letter
RE: DLM Comments on Bills: 30-187 (COR); 30-188 (COR); 201-30 (COR);
218-30 (LS)
September 25, 2009
Page 2 of 5

Lot 2436-7 - Surrounding Zones and Uses:

To the east of Lot 2436-7 lays the former AMELCO Corporation compound, identified as basic Lot 5292. The expanse of Lot 5292 extends across Route 15 (southbound) and onto Lot 5293-3 (Parcels "A" & "B"), better known as the Hawaiian Rock Products quarrying and manufacturing facility. The current zoning of these parcels are M-2 pursuant to Zoning Map Amendment No. F3-67S50 with a heavy industrial use activities on site. To the north and west of the subject lot are Lots 2453 (former Radio Barrigada Boundary) and Lot 2436-6, respectively and are "un-zone. Surrounding land use beyond the existing M-2 zone properties and its activities, are sporadic residential, commercial uses and a recreational use, which is the Mangilao golf course facility, and agricultural-residential development to the north and interior of the Kenny's Café Road.

Assessment:

The immediate area is unique as it maintains one of the few heavy industrial zones on Guam. In this respect, the establishment of the M-2 zoning of Lot 2436-7 will be a contiguous extension of allowable uses within the designation and would have compatible uses as that found on lot 5292 (AMELCO) and the Hawaiian Rock Operations directly across Route 15. Furthermore, the property fronts a major arterial route (Route 15), which locates it away from any interior lots that would be more conducive for residential uses.

Given the location of Lot 2436-7 and the heavy industrial uses already in existence that is adjacent/or abuts the subject lot, we have no objection to the establishment of the zoning designation of "M-2."

**Bill 30-188 (COR) – AN ACT TO AMEND §61531 IF CHAPTER 61,
TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING
THE PROVISIONS OF THE AUTOMOBILE PARKING SPACE
PROVISION**

We have reviewed Bill 188-30 (COR), *"Act to Amend §61531 of Chapter 61, Title 21, Guam Code Annotated, relative to expanding the provisions of the Automobile Parking Space provision"* and supports the legislative intent to *"designate appropriate areas as parking strictly for operators of motorized two wheeled vehicles."*

Continuation of Letter

RE: DLM Comments on Bills: 30-187 (COR); 30-188 (COR); 201-30 (COR);
218-30 (LS)

September 25, 2009

Page 3 of 5

The Department, as the support staff for the Guam Land Use Commission, recognizes that parking regulation should be written to allow maximum creativity and flexibility of design and provide an opportunity for business owners / developer to accommodate the unique characteristics of individual properties.

Moreover, the Department lauds the intent of Bill 30-188 (COR) but also recognizes that the existing parking regulations also do not comprehensively look at bicycles or human powered machines. The Department recommends the following changes:

Amend Page 2, Line 16 to 18:

(k) To the extent practicable, each of the sub items (a) through (j) shall provide at least one (1) marked parking space for use by ~~bicycles, bicycles with motors,~~ bicycle equipped with a motor (ref Chapter 1, 16 GCA (Vehicles) and motorcycles.

Add a subsection to address bicycle:

(n) A minimum of one bicycle parking space shall be provided for each 20 off-street automobile parking spaces. At a minimum, all bicycle parking spaces shall be provided in the form of bicycle racks with locking capability. Bicycle parking facilities shall be designed and installed to include:

1. Spaces that are a minimum of 2 feet by 6 feet per bicycle
2. The minimum number possible of potential conflict points between bicycles and motor vehicles
3. Lighting
4. Provision for locking of bicycles to the rack or bicycle locker
5. Adequate spacing for access to the bicycle and locking device when the spaces are occupied.
6. Where possible, bicycle parking shall be located within view of building entrances /windows and/or security.

Continuation of Letter

RE: DLM Comments on Bills: 30-187 (COR); 30-188 (COR); 201-30 (COR);
218-30 (LS)

September 25, 2009

Page 4 of 5

**Bill 201-30 (COR) – AN ACT TO AMEND SUBITEM (h) OF TITLE 21, GUAM
CODE ANNOTATED CHAPTER 61 61503, RELATIVE TO EXCEPTIONS TO
YARD AND AREA REGULATIONS**

Bill 201-30, is “ An Act to Amend Sub item (h) of Title 21 Guam Code Annotated, Chapter 61, Section 61503, Relative to Exceptions to Yard and Area Regulations.” The intent of this Bill is to allow accessory buildings or structures to be located and maintained in any front, side or rear yard provided that such buildings or structures are to be used exclusively for purposes relative to connections to island electric power, to include standby generators and other alternative power connections for net metering purposes; to provide that such building or structures shall be located at or near the point that electric power is provided by the Guam Power Authority, and if located in a side or rear yard, the walls may be erected on the rear and/or side lot lines, and such buildings or structures shall not exceed one hundred fifty (150) square feet of floor space and the roofs thereof shall not project beyond the lot lines and shall be sloped in such a manner as to prevent rain runoff from flowing to adjacent property.

We provide our recommendations as follows:

Reference line 23, page 2, recommend the word **“FRONT”** be added
After the words “...**and if located in a**” and before the word **“side.”**

Reference line 1, page 3, recommend word **“FRONT”** be added
After the words **“...erected on the”** and before the word **“rear.”**

Reference line 2, page 3, where it states **“shall not exceed on hundred
Fifty (150) square feet...”** recommend it be changed to read **“...shall not
exceed three hundred twelve (312) square feet of floor space...”**

We inform this body that the predominant inquiry from the general public and our first hand experiences at DPW One-Stop Permit clearance as it concerns **“accessory type uses”** have been those of a residential related use such as the location of a detached “Carport/garage”, gazebos, swimming pools and its related accessories, power pedestals; and unmanned telecommunications relay stations that is either existing or proposed to be located on the front one-half portion of the lot.

Continuation of Letter

RE: DLM Comments on Bills: 30-187 (COR); 30-188 (COR); 201-30 (COR);
218-30 (LS)

September 25, 2009

Page 5 of 5

Accordingly, we recommend that vehicle shelters such as a detached carport/garage, be allowed in the front ½ of the lot provided that it is 15' feet from the front lot line and zero feet only one side only; we further recommend gazebos, swimming pools and its related accessory structures be allowed and can be located and maintained at minimum of 5' from the front lot line; and zero feet at the side or rear lot line and further provided that no roof overhang constructed shall extend over any lot line and that any water runoff shall be contain on the subject lot. we further recommend including power pedestals and unmanned telecommunications substations be located on the front, side or rear lot lines whereby connection to the public power system best serves the structure(s) or development on the property.

Lastly, since there are existing structures in each of these accessory types as mentioned above as well as those not mentioned but are considered as "accessory uses", we recommend that they be allowed to exist and be deemed as "grand fathered" for the purposes of compliance provided, at minimum that no roof overhang shall extend over lot lines; that water Runoff is contained within the subject lot and that the existing accessory use(s) shall not be expanded.

BILL 218-30 (ls) – AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY 21 GUAM CODE ANNOTATED

From a Planning perspective, we have no objection to this Bill, since it is Primarily an "Ownership and not a Land Use" issue. We applaud this Body in concurrently establishing the zoning designation of "A" Agricultural for the returned subject parcels.

Thank you for the opportunity to provide our comments.

Senseramente,


cm Christopher M. Duenas
Director, Department of Land Management



Mina' bente Ocho Na Liheslaturan Guåhan
Ufisinan I Mås Ge'hilo' Gi Liheslaturan Guåhan

Constituent Form

Last Name: Unsiog
First Name: Tomas & Regina
Mi:

Mailing Address:

Zip Code: **Village:** Piti

Home Address:

House No.

Street Name:

Contact: (H) 477-1729 or 565-3119 **(C)** **(P)**

Re: Lot 159 (Francisca Jesus Unsiog)
and 159-1 (Joaquin Jesus Unsiog) Parcel 5 Apra Harbor

April 5, 2005: Mr. Unsiog has sought our office for further assistance regarding his land that has been condemned by the Navy. I spoke to Joey Leon Guerrero at the Guam Ancestral Lands Commission. He informed me that Lot 159 and 159-1 has yet to be returned and that it's not in the GALC inventory.

Mr. Leon Guerrero mention that Kin Perez informed Mr. Unsiog that lot 159 and 159-1 has been returned. Mr. Unsiog has spent money by hiring an Attorney and a surveyor to assist him with his lot.

The GALC has been trying to meet with Congresswoman Bordallo's office but to no avail.

April 6, 2005: Spoke to Ed Benavente and informed him that Congresswoman Bordallo's office informed Mr. Unsiog that the lot has been returned. Mr. Benavente spoke to Mr. Kin

Perez that the lot 159 and 159- has yet to be returned and that it's not part of the inventory.

April 12, 2005



GUAM ANCESTRAL LANDS COMMISSION



Carl T.C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

Joseph M. Borja
Executive Director

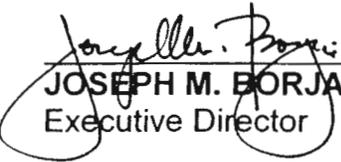
June 12, 2002

TO: Tomas Unsiog
FROM: Joseph M. Borja
Executive Director
SUBJECT: Lot 159, Piti & Lot 159-1, Piti

Please be advised that we have completed the research for the above-mentioned lot.

The Guam Ancestral Lands Commission has found that the above-mentioned lots have not been released back to the Government of Guam at this time.

It is with regret to inform you that we will not be able to issue an authorization to survey this property.


JOSEPH M. BORJA
Executive Director

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Commissioner



GUAM ANCESTRAL LANDS COMMISSION

Carl T.C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

Joseph M. Borja
Executive Director



October 7, 2002

TO: All Commissioners
All Staff Members

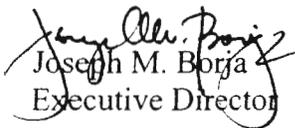
FR: Joseph M. Borja
Executive Director

RE: Note of Caution
Lot 159 Piti
Lot 159-1 Piti
Tomas Unsiog

I know several Commissioners and staff members have been approached by Mr. Tomas Unsiog for assistance and information regarding his family's ancestral lots (Lot 159 and Lot 159-1 Piti).

Please do not release any information as *it has not yet been absolutely determined* that Lot 159 and Lot 159-1 Piti are even on the return list.

Staff has not yet determined that **these** lots are in fact going to be returned. The area in which these lots are in have environmental and/or wildlife concerns.


Joseph M. Borja
Executive Director

cc: Vince Leon Guerrero
Office of Congressman Robert Underwood

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Jose U. Garrido
Commissioner

Vacant
Commissioner

BUREAU OF STATISTICS AND PLANS

(Bureau of Planning)

Government of Guam



Felix P. Camacho
Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

Tel: (671) 472-4201/3

Fax: (671) 477-1812

Manuel Q. Cruz
Director

Kaleo S. Moylan
Lieutenant Governor

FAX TRANSMISSION

Date: 8/21/03 Time: _____ Pages: 2
Including Cover Page

To: JOEY / Ancestral Lands Comm.

From: _____

Re: QUITCLAIM DEEDS - Apra Harbor Parcels -

Fax No.: 475-9165 Sender: gme 4 ea

MESSAGE: copy of cover letter



DEPARTMENT OF THE NAVY

COMMANDER U.S. NAVAL FORCES, MARIANAS

PSC 455, BOX 162

FPO AP 96540-1000

IN REPLY REFER TO:

11011

Ser N443/0305

21 Mar 03

Office of the Governor
Government of Guam
P. O. Box 2950
Hagatna, Guam 96950

Dear Sir or Madam:

SUBJECT: QUITCLAIM DEEDS FOR APRA HARBOR

We received the attached four Quitclaim Deeds to convey certain lands owned by the United States to the Government of Guam pursuant to Public Law 103-339. The parcels are identified in Apra Harbor Parcel Numbers 1, 6 and 9 and Agat Parcel No.3 (Apra Harbor Parcel No.3). The General Services Administration, Region 9 Office in San Francisco prepared the deeds.

If the deeds are acceptable, we request you sign the acceptance block of each copy of each deed. Thereafter, we request the deeds be recorded in the Department of Land Management and that we be provided a copy of each deed bearing the recording data.

For any questions, our point of contact is Mr. Frank R. Huelar at DSN 339-6695 or by e-mail at huelarf@guam.navy.mil.

Thank you for your assistance in this matter.

Sincerely,


G. D. LUDOVICI
By direction

- Enclosures:
1. Quitclaim Deed Apra Harbor Parcel Number 1, one original and three copies
 2. Quitclaim Deed Apra Harbor Parcel Number 6, one original and three copies
 3. Quitclaim Deed Apra Harbor Parcel Number 9, one original and three copies
 4. Quitclaim Deed Agat Parcel Number 3 (Apra Harbor Parcel Number 3), one original and three copies



DEPARTMENT OF THE NAVY

COMMANDER U.S. NAVAL FORCES, MARIANAS

PSC 455, BOX 162

FPO AF 98840-1000

IN REPLY REFER TO:

11011

Ser N443/0305

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Hagatna, Guam 96950

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J. D. LUDOVICI

By direction

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Confirmation Report - Memory Send

Page : 001
Date & Time: Oct-07-02 02:50pm
Line 1 : +671 475 9165
Machine ID : ANCESTRAL LANDS COMM

Job number : 310
Date : Oct-07 02:49pm
To : 894772587
Number of pages : 002
Start time : Oct-07 02:49pm
End time : Oct-07 02:50pm
Pages sent : 002
Status : OK

Job number : 310

*** SEND SUCCESSFUL ***



GUAM ANCESTRAL LANDS COMMISSION
109 "A" STREET TIYAN, GUAM 96913
P.O. BOX 2950 HAGATNA, GUAM 96932
TEL(671)475-5263 FAX(671)475-9165



FACSIMILE TRANSMITTAL SHEET

TO: VINCE LEON GUERRERO	FROM: JOSEPH M. BORJA
COMPANY: OFFICE OF CONGRESSMAN ROBERT UNDERWOOD	DATE: 10-07-02
FAX NUMBER: 477-2587	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE



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 P.O. BOX 2950 HAGATNA, GUAM 96932
 TEL (671) 473-5263 FAX (671) 475-9165



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TO: VINCE LEON GUERRERO FROM: JOSEPH M. BORJA

COMPANY: OFFICE OF CONGRESSMAN ROBERT UNDERWOOD DATE: 10-07-02

FAX NUMBER: 477-2987 TOTAL NO. OF PAGES INCLUDING COVER: 2

PHONE NUMBER: SENDER'S REFERENCE NUMBER:

RE: YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

MADELEINE Z. BORDALLO
GUAM

427 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-5301
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FAX: (202) 226-0341

DISTRICT OFFICE
120 FATHER DUENAS AVENUE
SUITE 107
HAGATNA, GUAM 96910
TEL: (671) 477-4272
FAX: (671) 477-2587

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Congress of the United States
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Washington, DC 20515

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SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION, AND PUBLIC LANDS

SMALL BUSINESS COMMITTEE
SUBCOMMITTEE ON WORKFORCE,
EMPLOYMENT, AND GOVERNMENT PROGRAMS

August 21, 2003

Mr. Ed Benavente
Administrator, Chamorro Ancestral Lands Commission
Corn Building
Hagatna, Guam

Dear Mr. Benavente,

This office has been requested by Mr. and Mrs. Thomas Unsiog for assistance in securing a permit/authorization for the use of their ancestral land parcel, Lot 159, Piti, which, according to the ComNavMar Legal Office has been released to the Government of Guam under the Guam Land Use Plan 94 transfer. Mr. and Mrs. Unsiog do not immediately seek title to the property, but as they are aware that other families have been permitted to use their ancestral lands which have been similarly released, they simply seek similar treatment and benefit.

In this vein, I am requesting that the Ancestral Lands Commission afford Mr. and Mrs. Unsiog the use of their family parcel which has been denied them for over 50 years. In fairness to these two individuals, we must all exert our efforts to make the promise of the Guam Land Return Act a reality as soon as possible. If there is anything this office can do to be of assistance in this matter, please do not hesitate to call Mr. Joaquin P. Perez, District Director at 477-4272.

Sincerely yours,

Madeline Z. Bordallo
Madeline Z. Bordallo
Member of Congress

Lot 159-1



GUAM ANCESTRAL LANDS COMMISSION



Felix P. Camacho
Governor

Kaleo S. Moylan
Lieutenant Governor

Eddie L.G. Benavente
Executive Director

588 West Marine Drive, Suite 101 - Anigua / P.O. Box 2950, Hagåtña, Guam 96932 / Tel: (671) 473-5263 / Fax: (671) 475-9165

October 20, 2003

MEMORANDUM

TO: Mr. Unsiog

FROM: Eddie L.G. Benavente
Executive Director

Hafa Adai yan Ha'änen Minagof!

In response to your inquiry as to whether lot numbers 159 & 159-1 are in the Guam Ancestral Lands Commission Inventory. At this time the lots stated above are not in our inventory. We however are still awaiting some parcels of properties to be transferred to GALC. Please rest assured that you would be informed immediately as soon as we receive the remaining deeds. Thank you for your concern.

Un Dangkolo Na Si Yu'os Ma'åse'

Eddie L.G. Benavente
Executive Director

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SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION, AND PUBLIC LANDS

SMALL BUSINESS COMMITTEE
SUBCOMMITTEE ON WORKFORCE,
EMPOWERMENT, AND GOVERNMENT PROGRAMS

September 7, 2004

Admiral Arthur Johnson
Commander, U.S. Naval Forces Marianas
Naval Station, Guam
APO-FPO
San Francisco

Dear Admiral Johnson,

I am forwarding this letter to you on behalf of Mr. Tomas Unsiog, a constituent who has requested assistance from my office on a matter of great importance to him and his family.

Prior to World War II, Mr. Unsiog's parents, specifically, his mother, were the owners of parcels of land designated and recorded as Lot No. 159-1 and 159-2, which are situated on the Apra Harbor reservation. After the Liberation of Guam from Japanese Forces, Mrs. Unsiog's property was condemned and taken by the Naval Government of Guam as part of the efforts to build Apra Harbor and the Sumay district into what we know today as Naval Station or Big Navy. Prior to the war, the Unsiogs used the property for subsistence farming and access to the rich fishing grounds of Apra Harbor.

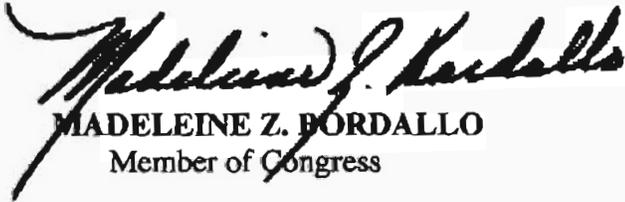
The Unsiogs' understood and, continue to understand, the needs which required the condemnation and taking of their parent's property. However, recently, they have noted that the Navy has returned large parcels of land along the Apra Harbor reservation coastline, specifically, Parcel 6 which is contiguous to the parcel in which Lot Nos. 159-1 and 159-2 are situated. Mr. Unsiog notes that the descendents of the original owners of those parcels are already utilizing the property for farming purposes. Likewise, Mr. Unsiog notes that the Navy is leasing a portion of the Apra Harbor shoreline to the Marianas Yacht Club for use as a recreational facility and boat mooring facility.

In this regard, Mr. Unsiog has asked this office to inquire and obtain information as to whether the Navy has any intention of releasing Parcel 5, or any portion thereof, in particular, the parcels previously designated as Lot Nos 159-1 and 159-2. If Navy has plans for the parcels, Mr. Unsiog understands. However, Mr. Unsiog is also inquiring as to the possibility that, while Navy is not using the parcels, could the Navy issue revocable land use permits, as they did in the case of the Marianas Yacht Club. Essentially, Mr. Unsiog is requesting the same and equal

treatment as that being given to the Marianas Yacht Club. Mr. Unsiog's sole purpose in seeking this information is to ascertain whether there is any possibility that his parent's property will ever return and/or whether he could be granted the opportunity to utilize the property, for the same purposes as it was used prior to condemnation and taking by the Navy, while it is not being utilized for Navy's operational needs.

Should there be any questions in this regard, please do not hesitate to contact Mr. Joaquin Perez, my District Director, at (671) 477-4272/73 or through his email at Joaquin.Perez@mail.house.gov. For your assistance and consideration in this regard on behalf of Mr. Unsiog, I extend my gratitude and appreciation.

Sincerely yours,



MADELEINE Z. BORDALLO
Member of Congress

MADELEINE Z. BORDALLO
GUAM

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Congress of the United States House of Representatives

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SUBCOMMITTEE ON NATIONAL PARKS

SMALL BUSINESS COMMITTEE
SUBCOMMITTEE ON REGULATORY
REFORM AND OVERSIGHT
BANKING MEMBER

March 30, 2005

The Honorable Felix P. Camacho
Governor of Guam
RJ Bordallo Governor's Complex
Adelup, Guam

Dear Governor Camacho,

Mr. Thomas Unsiog, a citizen of Guam and the son of the original owner of Lot No. 159 Piti, requested the assistance of my office in his efforts to secure the use of his families property which was condemned shortly after World War II by the federal government. My office has since been informed by officials of the Commander, Naval Forces Marianas, a former Director of the Government of Guam's Ancestral Lands Commission and a former Director of the Bureau of Planning who was involved with the release of federal excess lands under the 1995 Base Realignment and Closure Commission (GLUP 94) that Lot No. 159 Piti was indeed released by the federal government to the Government of Guam.

The Ancestral Lands Commission, over the last few years, has not addressed the release of Lot No. 159 Piti to its original landowners, despite the fact that other properties and parcels in the area have been released to their original landowners and, in fact, are now being utilized by the families of the original owners. Mr. Unsiog has been, over the last few years, seeking similar treatment and the benefit of utilizing his parents original property as a small agricultural plot.

In this vein, I am requesting your assistance with Mr. Unsiog's efforts to:

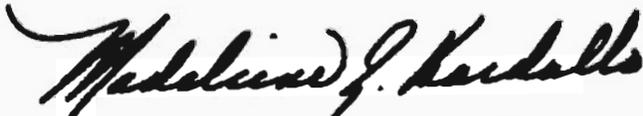
1. secure the conveyance of the property back to the original landowners; or
2. if the property is to be utilized by the government of Guam, secure an exchange of land, on an area for area basis, for Lot No. 159 Piti so that Mr. Unsiog's family can benefit, in the same way as other families have benefited from the release of their condemned properties.

The families of original landowners whose properties were condemned after World War II, and subsequently released by the Ancestral Lands Commission, have all

benefited by your efforts to quickly and efficiently ensure the return of these properties to those from whom they were taken. Mr. Unsiog is simply requesting that his family be afforded the same consideration and effort.

If there are any questions on this matter, please do not hesitate to contact Mr. Joaquin Perez, my District Director, at (671) 477-4272 or through his email at Joaquin.Perez@mail.house.gov. Thank you for whatever assistance you may afford Mr. Unsiog and his family.

Sincerely yours,



MADELEINE Z. BORDALLO
Member of Congress

Cc: The Honorable JoAnn S. Brown
Chairperson, Committee on Natural Resources, Utilities
and Micronesian Affairs

MARCELEINE Z. BORDALLO
GUAM

427 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-5301
(202) 225-1188
FAX: (202) 226-0341

DISTRICT OFFICE:
120 FATHER DUENAS AVENUE
SUITE 107
HAGATNA, GUAM 96910
(671) 477-4272
FAX: (671) 477-2587

<http://www.house.gov/bordallo>



Congress of the United States House of Representatives

ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON PROJECTION FORCES

RESOURCES COMMITTEE
SUBCOMMITTEE ON FISHERIES AND OCEANS
SUBCOMMITTEE ON NATIONAL PARKS

SMALL BUSINESS COMMITTEE
SUBCOMMITTEE ON REGULATORY
REFORM AND OVERSIGHT
BANKING MEMBER

October 27, 2005

Rear Admiral Charles J. Leidig, USN
Commander, U.S. Naval Forces Marianas
PSC 455 152
FPO, APO 96540

Dear Admiral Leidig,

Mr. Tomas Unsiog, a U.S. citizen, lifelong resident of Guam, and the heir of the original landowners of Lots No. 159 and 159-1, in Piti, has approached this office with a request for assistance to determine whether the two lots originally owned by his mother were released to the Government of Guam under the Guam Land Use Plan – 94 as authorized by Public Law 103-339. To date, no agency or official of the Government of Guam has been able to provide Mr. Unsiog with any information as to the disposition of the two pieces of property, despite what appears to be an indication that the parcels were, in deed, declared excess by the federal government in a letter from COMNAVMAR, dated 21 March 2003, and numbered 11011 Ser N443/0305, and attached hereto for your information. Because Government of Guam agencies have not been able to establish or determine whether the parcels were indeed transferred to the Government of Guam, Mr. Unsiog's inquiries have been to no avail.

On 7 September 2004, at the request of Mr. Unsiog, my office transmitted a letter to your predecessor seeking the same information that is now being sought. Unfortunately, neither my office nor Mr. Unsiog has received a response to that query. I should note that Mr. Unsiog and his family have repeatedly stated that they have never, and still do not, harbor any ill feelings towards the federal government for the condemnation of the property. As patriotic Americans, after the experience of World War II, they understood and accepted the need for military preparedness in order to defend Guam and prevent any future enemy occupation. However, as so many other parcels of property contiguous to Lot Nos. 159 and

159-1 have been released to the Government of Guam and subsequently to the original landowners, Mr. Unsiog would like to know if the same intent applies to the property condemned and taken from his mother. Likewise, because the Navy is now leasing substantial property to the Marianas Yacht Club, Mr. Unsiog would like to know if it would be feasible for him to utilize his mother's property for subsistence farming – the same purpose for which the property was used prior to World War II.

Should there be any questions in this regard, please do not hesitate to contact Mr. Joaquin Perez, my District Director, at (671) 477-4272 or through his email at Joaquin.Perez@mail.house.gov , or in writing to my District Office address. For your assistance and consideration in this regard, on behalf of Mr. Unsiog, I extend my gratitude and appreciation

Sincerely yours,



MADELEINE Z. BORDALLO
Member of Congress

Attachments

cc: The Honorable Mark Forbes
Speaker, 28th Guam Legislature

The Honorable Joann S. Brown
Vice Speaker, 28th Guam Legislature

Mr. Tomas Unsiog

Guam, U.S.A.)
) ss.
City of Hagåtña)

ON THIS 17TH day of NOVEMBER, 2003

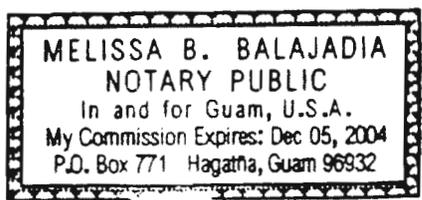
before me, a Notary Public in and for GUAM U.S.A., personally appeared
TOMAS U. UNSIOG, heir of the

Estate of FRANCISCA JESUS UNSIOG, and

he/she acknowledges to me that he/she executed the foregoing instrument on behalf of
said estate, for himself/herself and his/her heir(s), as his/her voluntary act and deed for
the purpose therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year first above written.

M B Balajadia
NOTARY PUBLIC



684154

To: Department of Land Management
Government of Guam

PROPERTY CLAIM OF INTEREST.

This is to certify that we, the undersigned, official heirs of FRANCESCA JESUS UNSIOG, on this 10th day of February, 1997, hereby submit this Property Claim Of Interest on Basic Lot No. 159, an area of 18,126 sqm in the municipality of Piti (Sasa'), described in Certificate of Title No. 914-13359 and recorded on March 27, 1935.

Filed on this date: 2/14/97

/s/ Maria Unsiog Guzman
MARIA UNSIOG GUZMAN
Legal Heir

/s/ Tomas Unsiog Unsiog
TOMAS UNSIOG UNSIOG
Legal Heir

/s/ Norbert Perez
NORBERT PEREZ
Maga'sana Mataknga
Gobetnamenton Taotao Tano'
Witness

559302
14
9:13 AM
FEB 97
and duly
Notary Public

NOTARY PUBLIC...

SUBSCRIBED AND SWORN TO BEFORE ME A NOTARY PUBLIC IN AND FOR THE TERRITORY OF GUAM THIS 14th DAY OF FEBRUARY, 1997.

Marina M. Vergara

MARINA M. VERGARA
NOTARY PUBLIC
In and for the Territory of Guam, U.S.A.
My Commission Expires: Jan. 04, 1998
P. O. Box 12234, Tamuning, Guam 96931

RECORDATION)
DEPARTMENT)
OF)
LAND)
MANAGEMENT)

Department of Land Management Office of the Recorder
Instrument No. 684154
the year 20 03 Month Nov Day 17 Time 12:27
Recording Fee 10- Receipt No. 1289744
Deputy Recorder ATKampfer

CLAIM OF INTEREST

THIS INSTRUMENT is made on this 17TH day of NOVEMBER, 2003
by Tomas U. Unsiog, heir to the
Estate of Francisco Jesus Unsiog
whose mailing address is P.O. Box 9725 - Santa Rita, Guam
96915

RECITALS

WHEREAS, the above referenced individual(s) are either original landowners or heir(s) of the original landowners of that area of real property officially designated as:

Lot 159-Piti

WHEREAS, the above referenced original landowners or heir(s) of the original landowner desire to give public notice of meritorious legal claim and title of said Lot 159-Piti.

NOW, THEREFORE, including the recital stated above, the above referenced original landowner and heir(s) state and declare the following:

1. That the above referenced original landowner and heir(s) of the original landowner maintain a meritorious legal claim and title to Lot 159-Piti, as described.
2. That the above referenced original landowner and heir(s) of the original landowner hereby give public notice of their meritorious legal claim and title to said Lot 159-Piti and that said Lot 159-Piti be returned to the Estate of Francisca Jesus Unsiog by way of said heir(s).

Signature: Tomas U. Unsiog
Print or Type Name: Tomas U. Unsiog
For the Estate of FRANCISCA JESUS UNSIOG

FIRM/BRANCH: INDIVIDUAL
ATTN: TOMAS U. UNSIOG
REQ. #63088

TITLE GUARANTY OF GUAM, INC.
HERNAN CORTEZ AVENUE
TITLE GUARANTY BLDG., SUITE 320 HAGATNA, GUAM 96932
P.O. BOX 771 HAGATNA, GUAM 96932
Telephone: (671) 477-7147, 477-8618, 477-2330 and 472-5016/7
Fax: (671) 477-1071
Email: tgtitle@netpci.com

AMENDED
ABSTRACT OF TITLE

LOT NUMBER 159-1, MUNICIPALITY OF PITI, TERRITORY OF GUAM,
ESTATE NUMBER 169, SUBURBAN

PITI VOLUME 1, PAGE 370, ESTATE NUMBER 37,

1. SUBURBAN- A Tract or Parcel of Land lying and being situated in the place of Sasa, Municipal District of Piti, Guam, designated by the official Government, Survey as Lot 159 containing an area of 1 Hectare, 81 Ares and 26 Centares.

Made by: HONORABLE VICENTE P. CAMACHO, Senior Island Judge, Island Court, Guam

In Favor of: JOAQUIN JESUS UNSIOG and FRANCISCA JESUS UNSIOG, owners. They acquired this Estate from their Father CLEMENTE UNSIOG about 15 years ago

Note: Part of this Estate designated as Lot 159-1 was transferred to JOAQUIN JESUS UNSIOG. 1st record appearing on Page 158, Volume 3, Piti
The remaining part of this Estate designated as Lot 159 was transferred to FRANCISCA JESUS UNSIOG. 1st record appearing on Page 156, Volume 3, Piti

Dated: JULY 18, 1921

Recorded: AUGUST 22, 1921

CONTINUED ON NEXT PAGE ✓

ORIGINAL

(Continuation)

Guaranteed Claim: 1883
Owner: JOAQUIN JESUS UNSIOG and FRANCISCA JESUS UNSIOG,
10/11/21, Lot 159 – is subdivided into Lot 159-1 and 159
Premises: Lot 159, Sasa, Piti, Estate 37

DEED OF PARTITION

Made by: FRANCISCA JESUS UNSIOG
Between: JOAQUIN JESUS UNSIOG
Owners in Common of Lot 159, Sasa, Piti
In favor of: FRANCISCA JESUS UNSIOG
Premises: Lot 159, Sasa, Piti
Area: 6627 +/- Square Meters
In favor of: JOAQUIN JESUS UNSIOG
Premises: Lot 159-1, Sasa, Piti
Area: 11,499 +/- Square Meters
Dated: JULY 20, 1934
Recorded: FEBRUARY 27, 1935
Document Number: **13359**

Certificate of Title: 1883
Owner: JOAQUIN JESUS UNSIOG
Premises: Lot 159-1, Sasa, Piti
Area: N/A

PITI VOLUME 3, PAGE 158, ESTATE NUMBER 169

1. SUBURBAN- A Tract or Parcel of land lying and being situated on the place called Sasa, Municipal District of Piti, Guam designated by the official survey of Lot 159-1, containing as Area of 11,499 +/- Square Meters FRANCISCA JESUS UNSIOG and JOAQUIN JESUS UNSIOG are the owners in common of the whole Estate of which this Estate is the remaining part according to the 1st record of Estate 37 appearing on Page 370, Volume 1 of Piti
In favor of: JOAQUIN JESUS UNSIOG owner of this Estate by virtue of Deed of partition. The other Estate referred to in the Deed of partition is recorded on Page 156 of this Volume, Deed o partition executed on 07/20/1934, under presentation #13359
Dated: FEBRUARY 27, 1935
Recorded: MARCH 27, 1935

CONTINUED ON NEXT PAGE

ORIGINAL

1941 TAX ROLL

Owner: JOAQUIN JESUS UNSIOG, H.O.
Premises: Lot 159-1, Sasa, Piti-Suburban
Area: 1 Hectare
14 Ares
99 Centares

**JUDGMENT FILED AT THE DISTRICT COURT OF GUAM
CIVIL CASE #5-49**

Petitioner: UNITED STATES OF AMERICA
Defendant: 2471 Acres or 10,000,000 +/- Square Meters of Land, more or less,
located in the Municipalities of Piti, Sumay and Agat, Territory of
Guam, Marianas Islands, and BORDALLO BROTHERS, INC, ETAL
Amount: \$185.00
Premises: Lot 159-1, Sub, Piti
Attached: ORDER and JUDGMENT ON STIPULATION
CIVIL CASE 5-49
Amount of Compensation: \$185.00
Awarded To: MARIA UNSIOG GUZMAN, Administratrix of the
ESTATE OF JOAQUIN JESUS UNSIOG, Deceased
Premises: Lot 159-1, Suburban, Estate #169, Piti
Recorded: JULY 2, 1951

PROPERTY CLAIM OF INTEREST

Made by: MARIA UNSIOG GUZMAN and TOMAS UNSIOG UNSIOG, Official
Heirs of JOAQUIN JESUS UNSIOG
Witness: NORBERT PEREZ
Premises: Lot 159-1, Piti (Sasa)
Area: 11.499 +/- Square Meters
Certificate of Title: 915
Dated: FEBRUARY 14, 1997
Recorded: FEBRUARY 14, 1997
Document Number: **559301**

CONTINUED ON NEXT PAGE ✓

ORIGINAL

CLAIM OF INTEREST

Made by: TOMAS U. UNSIOG, Heir to the ESTATE OF JOAQUIN JESUS
UNSIOG

Premises: Lot 159-1, Piti (Sumay)

Dated: JUNE 25, 2001

Recorded: JUNE 25, 2001

Document Number: **639387**

Subject to such matter that modern survey may reveal.

This abstract of title is to the hour of **8:00 a.m.** on **JANUARY 6, 2004.**

TITLE GUARANTY OF GUAM, INC.

By: 
BERTHA C. EVANGELISTA
Authorized Signatory

ORIGINAL

TERRITORY OF GUAM

639387

RECORDATION)

) Island of Guam, Government of Guam
) Department of Land Management, Office of The Recorder

DEPARTMENT)

) File for record is Instrument No. 639387

OF)

) on the year 20 01, Month June, Day 25, Time 11:07

LAND)

) Recording Fee 10 Receipt No. 1242658

MANAGEMENT)

) Deputy Recorder [Signature]

CLAIM OF INTEREST

THIS INSTRUMENT is made on this 25 day of June 2001,

by Tomas U. UNSIOG heir to the Estate of Joaquin Jesus UNSIOG whose mailing address is PO Box 9125, St. Rita, 96915

RECITALS

WHEREAS, the above referenced individual(s) are either original landowners or heir(s) of the original landowners of that area of real property officially designated as:

LOT 159-1, Municipality of Piti (SUMAY)

WHEREAS, the above referenced original landowners or heir(s) of the original landowner desire to give public notice of meritorious legal claim and title of said LOT 159-1, Municipality of Piti (SUMAY)

NOW, THEREFORE, including the recital stated above, the above referenced original landowner and heir(s) state and declares the following:

1. That the above referenced original landowner and heir(s) of the original landowner maintain a meritorious legal claim and title to LOT 159-1, Municipality of Piti (SUMAY) described.
2. That the above referenced original landowner and heir(s) of the original landowner hereby give public notice of their meritorious legal claim and title to said LOT 159-1, Municipality of Piti (SUMAY) and that said LOT 159-1, Municipality of Piti (SUMAY) be returned to the Estate of Joaquin J. UNSIOG by way of said heir(s).

Tomas U. UNSIOG Tomas U. UNSIOG
NAME
For the Estate of Joaquin Jesus UNSIOG

TERRITORY OF GUAM

ON THIS 25 day of June 2001, before me, a Notary Public
in and for the ~~TERRITORY OF GUAM~~ ^{U.S.A.}, personally appeared TOMAS U. UNSIOG, heir of
the Estate of JOAQUIN JESUS UNSIOG, and he/she acknowledges to me that he/she
executed the foregoing instrument on behalf of said estate, for himself/herself and his/her heir(s),
as his/her voluntary act and deed for the purpose therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year first above written.

Cecilia S. Borja
NOTARY PUBLIC My Commission expires: 7-16-02

CECILIA S. BORJA
NOTARY PUBLIC
In and for Guam U.S.A.
My Commission Expires: July 16, 2002
P. O. Box 10529 Sinajana, Guam 96916

To: Department of Land Management
Government of Guam

PROPERTY CLAIM OF INTEREST.

This is to certify that we, the undersigned, official heirs of JOAQUIN JESUS UNSIOG, on this 10th day of February, 1997, hereby submit this Property Claim Of Interest on Basic Lot No. 159-1, an area of 11,499 sqm in the municipality of Piti (Sasa'), described in Certificate of Title No. 915-13359 and recorded on March 27, 1935.

Filed on this date: 2/14/97

/s/ Maria UnsioG Guzman
MARIA UNSIOG GUZMAN
Legal Heir

/s/ Tomas UnsioG
TOMAS UNSIOG UNSIOG
Legal Heir

/s/ J Perez
NORBERT PEREZ
Maga'saina Mataknga
Gobetnamenton Taotao Tano'
Witness

TERRITORY OF GUAM DEPARTMENT OF LAND MANAGEMENT
INSTRUMENT NO. 559301
This instrument was recorded on Feb 14, 1997 and duly recorded on Book 10 Page 10
Recording Fee 10
M. Vergara
Deputy Recorder

NOTARY PUBLIC...

SUBSCRIBED AND SWORN TO BEFORE ME A NOTARY PUBLIC IN AND FOR THE TERRITORY OF GUAM THIS 14th DAY OF FEBRUARY, 1997.

Marina M. Vergara
MARINA M. VERGARA
NOTARY PUBLIC
In and for the Territory of Guam, U.S.A.
My Commission Expires: Jan. 04, 1998
P. O. Box 12234, Tamuning, Guam 96931

A4 913766 **GOVERNMENT OF GUAM**
DEPARTMENT OF ADMINISTRATION

DATE 2/14 1997

NO. _____

OFFICIAL RECEIPT

559201	claim	10	—
302	"	10	—
PAID			
PLEASE PAY TO TREASURER OF GUAM		20	—

PAYER Umsioq
ADDRESS _____
TREASURER OF GUAM
CASHIER
#10

FEB 14 1997

NOT VALID
UNLESS
OVERPRINTED
BY OUR
REGISTER

RECORDATION)
) the for record is Instrument No. _____
 DEPARTMENT)
) the year 20 03 Month Nov
)
 OF)
) Recording Fee 10 - Receipt
)
 LAND)
) Description Ateneo
)
 MANAGEMENT)

CLAIM OF INTEREST

THIS INSTRUMENT is made on this 17TH day of NOVEMBER
 by Tomas U. Unsiog, he
 Estate of Francisco Jesus Unsiog
 whose mailing address is P.O. Box 9725 - Santa Rita,
96915

RECITALS

WHEREAS, the above referenced individual(s) are either original landowner or heir(s) of the original landowners of that area of real property officially designated as

Lot 159-Piti

WHEREAS, the above referenced original landowner or heir(s) of the original landowner desire to give public notice of meritorious legal claim and title of

Lot 159-Piti

NOW, THEREFORE, including the recital stated above, the above original landowner and heir(s) state and declare the following:

1. That the above referenced original landowner and heir(s) the original landowner maintain a meritorious legal claim and title to Lot 159-Piti, as described.
2. That the above referenced original landowner and heir(s) the original landowner hereby give public notice of their meritorious legal claim and title to said Lot 159-Piti and that said Lot 159-Piti be returned to the Estate of Francisco Jesus Unsiog by way of said heir(s).

Signature: Tomas U. Unsiog
 Print or Type Name: Tomas U. Unsiog
 For the Estate of FRANCISCA JESUS UNSIOG

District Court of Guam
Issued Awards Report

Lot	Payee	Dist. #	Amount	Issued	Paid?
1301AG	UNPINGCO-JOSE AGUON-ESTATE OF	1	\$46.99	Y	Y
1301AG	UNPINGCO-JOSE AGUON-ESTATE OF	2	\$11.82	Y	Y
1280-1AG	UNPINGCO-JOSE AGUON-ESTATE	1	\$2741.64	Y	Y
1280-1AG	UNPINGCO-JOSE AGUON-ESTATE	2	\$851.86	Y	Y
EST-471DE	UNPINGCO-JUAN	1	\$83626.41	Y	Y
EST-471DE	UNPINGCO-JUAN	2	\$24884.33	Y	Y
17-1DE	UNPINGCO-MARIA RIVERA-ESTATE	1	\$44446.88	Y	Y
17-1DE	UNPINGCO-MARIA RIVERA-ESTATE	2	\$12713.33	Y	Y
5057DE	UNPINGCO-PEDRO SANTOS-ESTATE	1	\$13329.72	Y	Y
5057DE	UNPINGCO-PEDRO SANTOS-ESTATE	2	\$3812.74	Y	Y
669AG	UNPINGCO-PEDRO SANTOS-ESTATE	1	\$12590.33	Y	Y
5067DE	UNPINGCO-PEDRO SANTOS-ESTATE	1	\$21361.20	Y	Y
5110-ADE	UNPINGCO-PEDRO SANTOS-ESTATE	1	\$1803.25	Y	Y
669AG	UNPINGCO-PEDRO SANTOS-ESTATE	2	\$3601.26	Y	Y
5067DE	UNPINGCO-PEDRO SANTOS-ESTATE	2	\$6110.02	Y	Y
5110-ADE	UNPINGCO-PEDRO SANTOS-ESTATE	2	\$515.79	Y	Y
5067DE	UNPINGCO-RITA M-ESTATE OF	1	\$2030.83	Y	Y
5110-ADE	UNPINGCO-RITA M-ESTATE OF	1	\$1544.22	Y	Y
1073BA	UNPINGCO-RITA M-ESTATE OF	1	\$26.49	Y	Y
2158BA	UNPINGCO-RITA M-ESTATE OF	2	\$333.90	Y	Y
2166BA	UNPINGCO-RITA M-ESTATE OF	2	\$253.89	Y	Y
1073BA	UNPINGCO-RITA M-ESTATE OF	2	\$4.35	Y	Y
2158BA	UNPINGCO-RITA M-ESTATE OF-PR#	1	\$178.33	Y	Y
2166BA	UNPINGCO-RITA M-ESTATE OF-PR#	2	\$53.89	Y	Y
63BA	UNPINGCO-ROSA MAFNAS-ESTATE	1	\$11998.17	Y	Y
5116DE	UNPINGCO-ROSA MAFNAS-ESTATE	2	\$2703.46	Y	Y
5116DE	UNPINGCO-ROSA MAFNAS-ESTATE	1	\$1627.95	Y	Y
3-REMAT	UNSIOG-BONIFACIO JESUS-ESTATE	1	\$16642.15	Y	Y
16SU	UNSIOG-BONIFACIO JESUS-ESTATE	2	\$295.72	Y	Y
3-REMAT	UNSIOG-BONIFACIO JESUS-ESTATE	2	\$2943.71	Y	Y
16SU	UNSIOG-FRANCISCA JESUS-ESTATE	1	\$6584.88	Y	Y
159PI	UNSIOG-FRANCISCA JESUS-ESTATE	2	\$1327.89	Y	Y
159PI	UNSIOG-FRANCISCA JESUS-ESTATE	1	\$11425.97	Y	Y
159-1PI	UNSIOG-JOAOQUIN JESUS-ESTATE	1	\$2108.23	Y	Y
37SU	UNSIOG-MARIA NEDEDOG-ESTATE	2	\$2230.92	Y	Y
61SU	UNSIOG-MARIA NEDEDOG-ESTATE	1	\$2185.06	Y	Y
37SU	UNSIOG-MARIA NEDEDOG-ESTATE	1	\$630.10	Y	Y
61SU	UNSIOG-MARIA NEDEDOG-ESTATE	2	\$617.14	Y	Y
822AG	UNTAIAN-ALFJO J	1	\$1302.00	Y	Y

(11)

PITI - SUBURBAN

RECORDED OWNER.	Lot No.	Area	Appraised Value
		Hect. Are. Cent.	Land Bldg. Other
TERLAJE, Dolores Atileje	84	-- --	-- 15. --
" Manuel Chargualaf - H.O.	84	1 95 01	49. 35. 30.
" Manuel Cruz	207	-- --	-- 75. --
" Pedro Flores, et al	83 As Pallas	24 -- --	24. -- 45.
" Rosa Quichocho	84	-- --	-- 20. --
TYDINGCO, Carlos Masnag - H. O.	206 Pallas	3 14 80	38. -- 300.
" " " " "	232 Atantano	1 87 12	41. -- 14.
UNDERWOOD, Ana Martinez	138 Sinegsong	9 92 97	169. -- 180.
UNDERWOOD, Francisco Jesus	139 Sinegsong	-- 66 27	16. -- 4.
" Josepita Jesus - H. O.	169-1 Sinegsong	1 14 99	25. -- --

MADELEINE Z. BORDALLO
GUAM

427 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-5301
(202) 225-1188
FAX: (202) 226-0341.

DISTRICT OFFICE
120 FATHER DUENAS AVENUE
SUITE 107
HAGATNA, GUAM 96910
(671) 477-4272
FAX: (671) 477-2587

<http://www.house.gov/bordallo>



Congress of the United States
House of Representatives
Washington, DC 20515

ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON READINESS
SUBCOMMITTEE ON TOTAL FORCE

RESOURCES COMMITTEE
SUBCOMMITTEE ON FISHERIES CONSERVATION,
WILDLIFE, AND OCEANS
SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION, AND PUBLIC LANDS

SMALL BUSINESS COMMITTEE
SUBCOMMITTEE ON WORKFORCE,
EMPOWERMENT, AND GOVERNMENT PROGRAMS

March 30, 2005

The Honorable Felix P. Camacho
Governor of Guam
RJ Bordallo Governor's Complex
Adelup, Guam

Dear Governor Camacho,

Mr. Thomas Unsiog, a citizen of Guam and the son of the original owner of Lot No. 159 Piti, requested the assistance of my office in his efforts to secure the use of his families property which was condemned shortly after World War II by the federal government. My office has since been informed by officials of the Commander, Naval Forces Marianas, a former Director of the Government of Guam's Ancestral Lands Commission and a former Director of the Bureau of Planning who was involved with the release of federal excess lands under the 1995 Base Realignment and Closure Commission (GLUP 94) that Lot No. 159 Piti was indeed released by the federal government to the Government of Guam.

The Ancestral Lands Commission, over the last few years, has not addressed the release of Lot No. 159 Piti to its original landowners, despite the fact that other properties and parcels in the area have been released to their original landowners and, in fact, are now being utilized by the families of the original owners. Mr. Unsiog has been, over the last few years, seeking similar treatment and the benefit of utilizing his parents original property as a small agricultural plot.

In this vein, I am requesting your assistance with Mr. Unsiog's efforts to:

1. secure the conveyance of the property back to the original landowners; or
2. if the property is to be utilized by the government of Guam, secure an exchange of land, on an area for area basis, for Lot No. 159 Piti so that Mr. Unsiog's family can benefit, in the same way as other families have benefited from the release of their condemned properties.

The families of original landowners whose properties were condemned after World War II, and subsequently released by the Ancestral Lands Commission, have all

benefited by your efforts to quickly and efficiently ensure the return of these properties to those from whom they were taken. Mr. Unsiog is simply requesting that his family be afforded the same consideration and effort.

If there are any questions on this matter, please do not hesitate to contact Mr. Joaquin Perez, my District Director, at (671) 477-4272 or through his email at Joaquin.Perez@mail.house.gov. Thank you for whatever assistance you may afford Mr. Unsiog and his family.

Sincerely yours,


MADELEINE Z. BORDALLO
Member of Congress

cc: The Honorable JoAnn S. Brown
Chairperson, Committee on Natural Resources, Utilities
And Micronesian Affairs

FIRM/BRANCH: INDIVIDUAL
ATTN: TOMAS U. UNSIOG
REQ. #63087

TITLE GUARANTY OF GUAM, INC.
HERNAN CORTEZ AVENUE
TITLE GUARANTY BLDG., SUITE 320 HAGATNA, GUAM 96932
P.O. BOX 771 HAGATNA, GUAM 96932
Telephone: (671) 477-7147, 477-8618, 477-2330 and 472-5016/7
Fax: (671) 477-1071
Email: tgtitle@netpci.com

AMENDED
ABSTRACT OF TITLE

LOT NUMBER 159, MUNICIPALITY OF PITI, TERRITORY OF GUAM, ESTATE NUMBER 168, SUBURBAN

PITI VOLUME 1, PAGE 370, ESTATE NUMBER 37

1. SUBURBAN- A Tract or Parcel of land lying and being situated in the place of Sasa, Municipal District of Piti, Guam, designated by the official Government Survey as Lot 159 containing an area of 1 Hectare, 81 Ares and 26 Centares

Made by: HONORABLE VICENTE P. CAMACHO, Senior Island Judge, Island Court, Guam

In favor of: JOAQUIN JESUS UNSIOG and FRANCISCA JESUS UNSIOG, owners. They acquired this Estate from their father CLEMENTE UNSIOG about 15 years ago

Note: Part of this Estate designated as Lot 159-1 was transferred to JOAQUIN JESUS UNSIOG. 1st record appearing on Page 158, Volume 3, Piti
The remaining part of this Estate designated as Lot 159 was transferred to FRANCISCA JESUS UNSIOG. 1st record appearing on Page 156, Volume 3, Piti

Dated: JULY 18, 1921

Recorded: AUGUST 22, 1921

CONTINUED ON NEXT PAGE

(Continuation)

Guaranteed Claim: 1883

Owner: JOAQUIN JESUS UNSIOG and FRANCISCA JESUS UNSIOG,
10/11/21, Note Lot 159 is subdivided into Lot 159-1 and 159

Premises: Lot 159, Sasa, Piti, Estate 37

DEED OF PARTITION

Made by: FRANCISCA JESUS UNSIOG

Between: JOAQUIN JESUS UNSIOG

Owners in common of Lot 159, Sasa, Piti

In favor of: FRANCISCA JESUS UNSIOG

Premises: Lot 159, Sasa, Piti

Area: 6627 +/- Square Meters

In favor of: JOAQUIN JESUS UNSIOG

Premises: Lot 159-1, Sasa, Piti

Area: 11,499 +/- Square Meters

Dated: JULY 20, 1934

Recorded: FEBRUARY 27, 1935

Document Number: **13359**

Certificate of Title: 914

Owner: FRANCISCA JESUS UNSIOG

Premises: Lot 159, Sasa, Piti

Area: N/A

PITI VOLUME 3, PAGE 156, ESTATE 168

1. SUBURBAN- A Tract or Parcel of land lying and being situated in the place called Sasa, Municipal District of Piti, Guam. Designated by the official survey as Lot 159 containing an area of 6627 +/- Square Meters FRANCISCA JESUS UNSIOG, and JOAQUIN JESUS UNSIOG are the owners in common of the whole Estate of which this Estate is an integral part according to the first record of Estate 37 appearing on Page 370, Volume 1 of Piti

In favor of: FRANCISCA JESUS UNSIOG, owner of this Estate by virtue of Deed of partition executed in Agana on 07/20/1934, presentation #13359

Dated: FEBRUARY 27, 1935

Recorded: MARCH 27, 1935

CONTINUED ON NEXT PAGE

**ORDER and JUDGMENT ON STIPULATION
(Lot 159, SUBURBAN, Estate #168, Piti)**

CIVIL #5-49 (Formerly in the Island Court of Guam, M.I)

Petitioner: NAVAL GOVERNMENT OF GUAM

Defendant: 2471 Acres of land, more or less, situate in the Island of Guam,
Marianas Island, and BORDALLO BROTHERS, INC., ETAL

Owner: FRANCISCA JESUS UNSIOG

How Condemned: All

Amount of Compensation: \$125.00

Awarded to: FRANCISCA JESUS UNSIOG

Premises: Lot 159, Piti, Estate #168

Filed at Superior Court of Guam on JULY 13, 1950

Dated: JULY 13, 1950

**ORDER GRANTING MOTION FOR PAYMENT OF SETTLEMENT SHARES
No. C-81-0112 RFP**

No. 77-00072 MF

Plaintiff: JOSE HERRERO TORRES, on behalf of himself and all others
similarly situated

Defendant: UNITED STATES OF AMERICA

Made by: In the matter of Guam land claims cases filed under the provisions
of the omnibus Territories Act of 1977

Owner: Estate of UNSIOG-FRANCISCA JESUS and LAW OFFICE OF JOHN
A. BOHN

Amount: \$6,868.89

Premises: Lot 159, Piti

Filed at the District Court of Guam on MAY 25, 1989

TAX ROLL 1941

Owner: FRANCISCA JESUS UNSIOG

Premises: Lot 159, Sasa, Piti-Suburban

Area: 66 Ares
27 Centare

CONTINUED ON NEXT PAGE

PROPERTY CLAIM OF INTEREST

Made by: MARIA UNSIOG GUZMAN and TOMAS UNSIOG UNSIOG, official
Heirs of FRANCESCA JESUS UNSIOG
Witness: NORBERT PEREZ
Premises: Lot 159, Piti (Sasa)
Area: 18,126 +/- Square Meters
Certificate of Title: 914
Dated: FEBRUARY 14, 1997
Recorded: FEBRUARY 14, 1997
Document Number: **559302**

CLAIM OF INTEREST

Made by: TOMAS U. UNSIOG, Heir to the ESTATE OF FRANCISCA JESUS
UNSIOG
Premises: Lot 159, Piti
Dated: NOVEMBER 17, 2003
Recorded: NOVEMBER 17, 2003
Document Number: **684154**

Subject to such matter that modern survey may reveal.

This abstract of title is to the hour of **8:00 a.m.** on **JANUARY 6, 2004.**

TITLE GUARANTY OF GUAM, INC.

By: 181
BERTHA C. EVANGELISTA
Authorized Signatory

JB

11-29-04



GUAM ANCESTRAL LANDS COMMISSION



Felix P. Camacho
Governor

Kaleo S. Moylan
Lieutenant Governor

Eddie L.G. Benavente
Executive Director

588 West Marine Drive, Suite 101 - Anigua / P.O. Box 2950, Hagåtña, Guam 96932 / Tel: (671) 473-5263 / Fax: (671) 475-9165

June 2, 2004

William L. Gavras
Gorman & Gavras
A Professional Corporation
2nd Floor, J & R Building
208 Route 4
Hagåtña, Guam 96910

Dear Atty. Gavras:

In response to your Freedom of Information Act Request dated May 17, 2004, requesting for any information or documents pertaining to the transfer of Lot 159-1 Piti, and Lot 159 to the Guam Ancestral Lands Commission. Your requested was received via fax on May 24, 2004.

Both Lot 159-1 Piti and Lot 159 Piti have yet to be transferred to the Guam Ancestral Lands Commission. As such, the Guam Ancestral Lands Commission has no documentation concerning the transfer of the mentioned lots to the Guam Ancestral Lands Commission. Lot 159 Piti and Lot 159-1 are still under the jurisdiction of the United States Federal Government.

Attached however, are available documents concerning Lot 159 and Lot 159-1 on record with the Guam Ancestral Lands Commission.

Si Yu'os Ma'åse',

EDDIE L.G. BENAVENTE
Executive Director

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Mark C. Charfauros
Commissioner

Attachments

- (2) GALC letters dated June 12, 2002 & October 20, 2003
- (1) Congresswoman Bordallo letter dated August 21, 2003



DEPARTMENT OF THE NAVY

COMMANDER, U.S. NAVAL FORCES MARIANAS

PSC 455, BOX 152

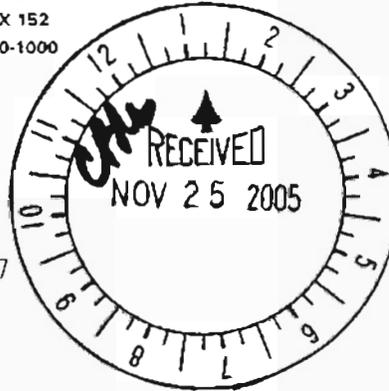
FPO AP 96540-1000

IN REPLY REFER TO:

5730

Ser N01/1141

10 Nov 05



The Honorable Madeleine Bordallo
Capitol Plaza
120 Father Duenas Avenue, Suite 107
Hagatna, Guam 96910

Dear Congresswoman Bordallo,

Thank you for your letter of October 27th, 2005, regarding
lots 159 and 159-1 in Piti.

I am reviewing the concerns you raised in your letter.
I will provide you a final response or another interim reply no
later than November 28th, 2005.

Sincerely,


K. W. FREEMAN
Captain, U.S. Navy
Acting



DEPARTMENT OF THE NAVY
COMMANDER, U.S. NAVAL FORCES MARIANAS
PSC 155 BOX 152
FPO AP 96540-1000

5080
Ser N00/255
21 Nov 05

The Honorable Madeleine Bordallo
Capitol Plaza
120 Father Duenas Avenue, Suite 107
Hagatña, Guam 96910



Dear Congresswoman Bordallo,

Thank you for your letter of October 27, 2005, concerning lot numbers 159 and 159-1 in Piti. I also want to thank you for bringing your September 7, 2004, letter to my attention. I regret no response was sent earlier, however, I can find no record of having received that letter.

You specifically asked whether the lots identified were transferred to the Government of Guam, as previously indicated in COMNAVMARIANAS letter 11011 Ser N443/0305 of March 21, 2003. The land identified as belonging to Mr. Unsiog's family was not a part of the land transfer described in the March 2003 letter, however the lots you describe (159 and 159-1) were in fact transferred by the Navy to the Government of Guam.

A review of Navy real estate records establish the fact that lots 159 and 159-1 are located within the boundaries of two parcels conveyed in fee to Government of Guam on December 6, 1984, consistent with the requirements found in the Apra Harbor Special Legislation (Section 818 United States Public Law 96-418). The property transfer was completed by Quitclaim Deed, dated December 6, 1984, and duly recorded with the Guam Department of Land Management (Instrument Number 353601). Lot 159 is located entirely within the boundary of Parcel 1. Virtually all of lot 159-1, which is adjacent to lot 159, is located within Parcel 1, except for a small portion extending into Parcel 2. I have attached a copy of the Quitclaim Deed for your use and have also attached a satellite photo with boundary overlays identifying the location of lots 159 and 159-1.

You also make reference to a lease between the Navy and the Marianas Yacht Club. Navy records do not reflect any lease with the Marianas Yacht Club. The land occupied by the yacht club was also transferred to the Port Authority as a part of Parcel 1, in the same Quitclaim Deed which transferred Lots 159 and

5080
Ser N00/255
21 Nov 05

159-1. Since the Navy no longer owns the property, it has no legal right to lease the property.

This information should help you and Mr. Unsiog in resolving the ownership question with the Government of Guam. If I may be of further assistance, please let me know.

Sincerely,



C. J. LEIDI
Rear Admiral, U.S. Navy

Enclosures



DEPARTMENT OF THE NAVY
 COMMANDER, U.S. NAVAL FORCES MARIANAS
 PSC 455, BOX 152
 FPO AP 96540-1000

IN REPLY REFER TO:
 5730
 Ser N01/1141
 10 Nov 05



The Honorable Madeleine Bordallo
 Capitol Plaza
 120 Father Duenas Avenue, Suite 107
 Hagatna, Guam 96910

Dear Congresswoman Bordallo,

Thank you for your letter of October 27th, 2005, regarding lots 159 and 159-1 in Piti.

I am reviewing the concerns you raised in your letter. I will provide you a final response or another interim reply no later than November 28th, 2005.

Sincerely,


 K. W. FREEMAN
 Captain, U.S. Navy
 Acting

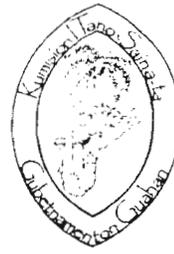
Office of the Speaker

MARK FORBES

Date: 12/1/05
 Time: 1:15 pm
 Rec'd by: [Signature]
 Print Name: [Signature]



GUAM ANCESTRAL LANDS COMMISSION



Felix P. Camacho
Governor

Kaleo S. Moylan
Lieutenant Governor

Eddie L.G. Benavente
Executive Director

588 West Marine Drive, Suite 101 - Anigua . P.O. Box 2950, Hagåtña, Guam 96932 / Tel: (671) 473-5263 or 7 / Fax: (671) 475-9165
E-Mail address: ancestrallandsguam@yahoo.com

OCTOBER 17, 2006
10:00AM
GALC CONFERENCE ROOM

DEED SIGNING CEREMONY
AGENDA

- I. CALL TO ORDER**
- II. QUORUM COUNT**
- III. FANOHGGE CHAMORRO / INIFRESI**

LOT NUMBER	MUNICIPALITY	GRANTEE(S)
AL-002, AL-002-1, AL-002-2 (FORMERLY KNOWN AS LOT 5012, 5037, AND 5039 FORMERLY KNOWN AS THE UNSURVEYED REMAINDER OF ESTATE 2531 FORMERLY KNOWN AS ESTATE 1540	DEDEDO	EST. OF JOSE M. TORRES

PUBLIC MEETING
AGENDA

- IV. OLD BUSINESS**
 - PRELIMINARY MAP FROM TOMMY TANAKA FOR APPROVAL FROM COMMISSION
- V. NEW BUSINESS**
 - FOR YOUR INFO - PL 28-133 RELATIVE TO DEVELOPING A COMPREHENSIVE ZONING PLAN FOR ANCESTRAL LANDS
 - LETTER OF INTEREST FROM SAINT PAUL SCHOOL

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- LETTER FROM BARBARA GUMATAOTAO, FELIX DUNGCA AND WILLIE FLORES REQUESTING COMMISSION'S SUPPORT ON THE PASSING OF BILL NO. 329LS
- PETITION TO RECONSIDER AND REHEAR DECISION - LOT 2466 BARRIGADA
- RESOLUTION IN SUPPORT OF THE RETURN OF APRA HARBOR PARCEL 1 FROM PORT AUTHORITY TO GALC

VI. OTHER

VII. ADJOURNMENT / RECESS



**GUAM ANCESTRAL LANDS COMMISSION
I Kumision I Tano' Saina-ta
Government of Guam
Gubetnamenton Guahan**

AREKLAMENTO (RESOLUTION) NO. 2006-01

**RELATIVE TO REQUESTING GUAM'S DELEGATE TO
THE CONGRESS TO INTRODUCE A BILL TO AMEND
SECTION 818 OF U.S. PUBLIC LAW 96-418 AS AMENDED,
1980 RELATIVE TO LIFTING A CERTAIN CONDITION
WITHIN THE PROVISIONS OF SAID QUITCLAIM DEED.**

**WHEREAS, the Guam Ancestral Lands Commission (GALC) was created by
Public Law 25-45; and**

**WHEREAS, in the past 4 years the GALC has returned more than half of the
properties within its inventory back to their Original Landowners and/or their Heirs;
and**

**WHEREAS, the second mission of the GALC is to continue to advocate the
return of more federal lands back to the Government of Guam and subsequently to the
Guam Ancestral Lands Commission; and**

**WHEREAS, in 1980 the U.S. deeded Parcel 1 within Piti to the Government of
Guam and subsequent to the Port Authority of Guam; and**

**WHEREAS, the Port Authority of Guam may excess the unused portion of
Parcel 1; and**

**WHEREAS, the GALC would like to have a certain portion of Parcel 1
properties conveyed to GALC'S inventory; and**

**WHEREAS, certain restrictive conditions specifically subsection (a) prohibits
certain usage and disposal of property; and**

**WHEREAS, the removal of deed restrictions would help GALC tremendously in
that property conveyed to GALC is free from encumbrances for return to its Original
Landowners and/or their Heirs.**

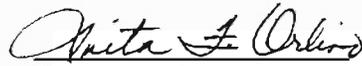
**NOW, THEREFORE, BE IT RESOLVED, that *I Kumision* at its Public Meeting
on October 17, 2006 passed this Resolution to affirm this request; and**

**BE IT FURTHER RESOLVED, that a copy of this Resolution be provided to the
Speaker of the Guam Legislature and Guam's Delegate to the Congress; and**

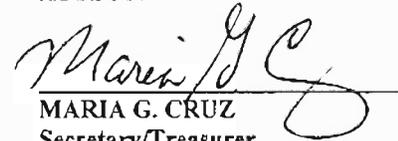
BE IT FURTHER RESOLVED, that *J Kumision* authorizes the Chairwoman to execute this Resolution and the Secretary/Treasurer to attest to its adoption.

DULY AND REGULARLY ADOPTED THIS 17th DAY OF OCTOBER 2006.

APPROVED:


ANITA F. ORLINO
Chairwoman

ATTEST:


MARIA G. CRUZ
Secretary/Treasurer



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From: "Perez, Joaquin" <Joaquin.Perez@mail.house.gov> [Add to Address Book](#)

To: "'edward pocaigue'" <edpocaigue@yahoo.com>

Subject: RE: Unsiog, Thomas

Date: Sun, 18 Sep 2005 21:08:35 -0400

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The document that Mr. Unsiog has is from the Bureau of Planning. It describes parcels in Apra Harbor which were ready for release in March 2003. I told Mr. Unsiog that the question he has to ask from the Government of Guam, i.e., in this case, either land management of ancestral lands, is whether the lots that his mother owned are in one of those four parcels which were ready for release and did GovGuam secure the deeds for those parcels.

I told Mr. Unsiog that if GovGuam did sign those releases, then the properties are with GovGuam and it will be up to GovGuam to determine the disposition. According to Joe Borja, in earlier discussions, whether Mr. Unsiog's lots are contained in any of the releasable parcels, has to be determined and then EPA and Planning have to determine whether those parcels are subject to any EPA considerations.

From: edward pocaigue [mailto:edpocaigue@yahoo.com]
Sent: Saturday, September 17, 2005 6:32 PM
To: Perez, Joaquin
Subject: Unsiog, Thomas

September 17, 2005

Hafa adai Mr. Perez: Mr. Thomas Unsiog, has sought my assistance in regards to Lot 159 and 159-1, in the letters from your office it states the his lots have been released, but according to the Guam Ancestral Lands Commission, it has yet to be released.

Please provide me, the information that the lot has been released.

Your response to this matter is greatly appreciated.

Put Respetu'

Ed Pocaigue
Community Service Worker
Office of the Speaker

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MADELEINE Z. BORDALLO
GUAM

427 CANNON HOUSE Office Building
Washington, DC 20515-4301
(202) 225-1184
Fax: (202) 226-0541

(787) 486-
120 F. VICTOR DUEÑES AVENUE
Suite 107
HAGATNA, GUAM 96910
(671) 477-4222
Fax: (671) 477-2537

<http://www.house.gov/bordallo>



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House of Representatives

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Vice Chairman: BOB LAFONT (R-PA)

November 27, 2006

Mr. Monte Mesa
Chairman, Board of Directors
Port Authority of Guam
1 Cabras Island Highway
Piti, Guam 96915

Re: Lots Nos 159-1 & 159-2 Piti
Mr. Tomas Unsiog

Dear Mr. Chairman,

Mr. Tomas Unsiog, a resident of Guam and my constituent, has requested my assistance in his efforts to secure the return of the ancestral lands, designated as Lots No. 159 and 159-1, situated in the Municipality of Piti, which belonged to his mother, Francisca Jesus Unsiog. The properties were condemned by the U.S. Navy in March 1950 and eventually returned to the Government of Guam in December 1984, with eventual transfer to the Port Authority of Guam for development in accordance with a Master Plan prepared by Maruyama & Associates and Dravo Van Houten, Inc. The transfer of the property to the Port Authority was conditioned on the approval by the Secretary of the Navy, in writing, of any plans for the development of the property in accordance with that master plan.

In meetings with Port Authority planning personnel and Speaker Mark Forbes, of the 28th Guam Legislature, it was stated by the PAG personnel that the Port Authority does not have future plans for the development or use of the identified lots. Likewise, the Port Authority has authorized the long term lease of adjacent property now being used as the Marianas Yacht Club, a use which was not approved by the Secretary of the Navy in accordance

with the deed of conveyance. This lease further indicates that there are no plans for the development of the property for marine freight cargo terminal functions. It is noted that the cited master plans did not specify any development for the areas in which Lots No. 159 and 159-1 and the area of the Marianas Yacht Club.

In light of this, and in light of the release of similar parcels in the immediate proximity of Lots No. 159 and 159-1, Mr. Unsiog has pursued the return of the parcels which belonged to his mother to the Ancestral Lands Commission for eventual return to the heirs of the original land owners. Mr. Unsiog seeks the return of these parcels to him, and his family, in the same manner and to the same degree as the other adjacent parcels, returned by the federal government (U.S. Navy) under the Guam Land Use Plan of 1994 and the BRAC 95 process.

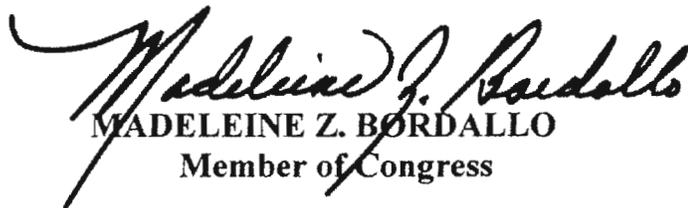
The return of these ancestral lands is fully supported by the Guam Ancestral Lands Commission which unanimously adopted Resolution No. 2006-01, at its meeting of October 17, 2006. Resolution No. 2006-01 calls for the return of certain portions of Parcel 1, Piti, which parcel encompasses Lots No. 159-1 and 159-2. The Guam Ancestral Lands Commission, in the same resolution, also adopted the removal of restrictions contained on the reversionary clause, it being the position of the GALC that as those reversionary clauses are not attached to the return of the GLUP 94 or BRAC 95 parcels, they should not be applicable to the return to the GALC of any other parcels returned by the U.S. Government to the Government of Guam, whether prior to or after the return of the GLUP 94 and BRAC 95 parcels.

In light of this, Mr. Unsiog has requested my assistance in informing the PAG of the assistance that is necessary from the Port in order to proceed should plans necessitate federal action. As noted earlier, personnel from the Port Authority have indicated that the Port does not have any future development plans that will encompass the area where Lots No. 159-1 and 159-2 are situated and, thus, does not have reservations relative to the transfer of said property to the Guam Ancestral Lands Commission for eventual transfer to the original landowners. However, the Guam Ancestral Lands Commission, as is the Port, is concerned that the reversionary clauses contained in the Quitclaim Deed from Navy to the Port Authority, may prohibit such transfer. In this vein, the GALC has adopted GALC Resolution No. 2006-01 seeking the removal of the deed restrictions and the attendant reversionary clause prior to the conveyance of the parcels by the

PAG to the GALC in order to avoid any potential problems with the eventual transfer to the original landowners. To proceed, as the parcels belong to the Port Authority, a similar resolution from the Port Authority's Board of Directors would be necessary.

In support of Mr. Unsiog's effort to resolve his efforts relative to his mother's property, I am forwarding this transmittal as a request for your assistance, in accordance with all applicable statutes, rules and regulations, to determine what actions the Port Authority is going to pursue in this matter. . If there are any questions relative to this correspondence, please do not hesitate to contact Mr. James G. Sablan, my District Director, at (671) 477-4272/73 or thru his email at James.Sablan@mail.house.gov. For any assistance you may afford Mr. Sablan, I expend my gratitude and appreciation.

Sincerely yours,


MADELEINE Z. BORDALLO
Member of Congress

cc: Guam Ancestral Lands Commission
P.O. Box 2950, Hagatna, Guam 96932

The Honorable Felix P. Camacho
Governor of Guam

The Honorable Mark Forbes
Speaker, 28th Guam Legislature



GUAM

FELIX P. CAMACHO
Governor of Guam

MICHAEL W. CRUZ
Lieutenant Governor of Guam

PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
GOVERNMENT OF GUAM
1026 Cabras Highway, Suite 201
Piti, Guam 96915



Telephone: (671) 477-5931/35
(671) 477-2683/85
Facsimile: (671) 477-2689/444!
Webpage: www.portofguam.com

February 8, 2007

VIA FAX TO 202 226-0341

The Honorable Madeline Z. Bordallo, M.C.
The United States House of Representatives
427 Cannon House Office Building
Washington D.C. 20515-5301

RE: Lots 159 & 159-1; Unsiog Family Property

Dear Congresswoman Bordallo,

Thank you for your letter of November 27, 2006, regarding the referenced lots.

Like you, the Port Authority of Guam, consistent with the policies of the Camacho-Cruz Administration, is desirous of seeing surplus federal lands returned to the extent possible to original land owners. In every instance, however, it may not be possible to convey to private owners land that the federal government has quitclaimed or otherwise conveyed to the Government of Guam.

PAG personnel have engaged Tomas Unsiog, who is one of the heirs to the properties owned by the Estate of Francisca Jesus Unsiog and the Estate of Joaquin Jesus Unsiog, in discussions in efforts to (a) identify the particular property in question about which he and his family are concerned and (b) determine methods by which it might be possible for the family to regain title to some or all of the property that they formerly owned. The most recent meeting that PAG staff had with Mr. Unsiog took place January 11, 2007.

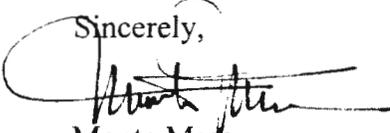
A complicating factor is the need for PAG to think long range. That is to say, while PAG might not be ready to make immediate use of the land in question, it is incumbent on PAG to update its Master Plan to determine if some or all of the property might be needed for expansion of PAG's facilities.

Efforts are now being made to identify the actual location of the property that the Unsiogs once owned, even going so far as to visit the area with Mr. Unsiog. Clearly portions of the two lots are within PAG's inventory, but it is possible that part of Lot 159-1 may be within Apra Harbor Parcel 6, which is not in the PAG inventory.

PAG sincerely appreciates the efforts that you and Speaker Mark Forbes, who has facilitated PAG's contacts with the Unsiog family, are making to help get surplus federal

property back into the hands of the Government of Guam and, to the extent possible, ultimately returned to original private owners. We also respect the resolve that Mr. Unsiog has demonstrated in his efforts to help his family. Our organization is committed to continuing to work to achieve a fair and equitable solution to the problem that you have brought to our attention. Should issues regarding this matter arise that we feel might benefit from your participation and assistance, we will communicate with you and James Sablan, your District Director in Guam.

With best wishes to you and congratulations upon your appointment as Chair of the Subcommittee on Fisheries, Wildlife and Oceans.

Sincerely,

Monte Mesa
Chairman, Board of Directors

Cc: James G. Sablan, District Director, **VIA FAX TO 477-2587**
Commercial
Legal
Mr. Tomas Unsiog



I MINA'BF 'TE NUEBI NA LIHESLATUP 'N GUÅHAN

I Ufisinan Etmås Ge'helo' Gi Liheslaturan Guåhan

Mark Forbes

Ge'helo' Gi Kumiten Idukasion yan I Minanehan Hiniråt
Ge'helo' Gi Kumiten Ekseketibu

February 27, 2007

2/27/07 x 040-755

Siñot Monte Mesa
Chairman, Board of Directors
Port Authority of Guam
1 Cabras Island Highway
Piti, Guam 96915

Håfa adai Siñot Mesa:

As you are aware Mr. Tomas Unsiog has sought the assistance of my office for the return of his ancestral lands, designated as Lots No. 159 and 159-1 Piti.

On October 17, 2006 the Guam Ancestral Lands Commission (GALC) unanimously passed resolution No. 2006-01 "Relative to requesting Guam's Delegate to the Congress to introduce a bill to amend section 818 of U.S. Public Law 96-418 as amended, 1980 relative to lifting a certain condition within the provisions of said quitclaim deed".

In working with the Port Authority of Guam (PAG) on Lots No 159 and 159-1 on this matter there were no future plans for the PAG, with that we were hoping that PAG will do the same as the GALC and please note that the Marianas Yacht Club has a lease with the PAG and which is not in accordance with the federal government's quitclaim to the Government of Guam and the Master Plan and also they are much closer to PAG than the Unsiogs.

It is my understanding, and as you stated in your letter that the Camacho-Cruz Administration is in full support that lands released by the federal government to the Government of Guam be returned to its original land owners and their heirs, in light of that I hope you would reconsider assisting us with Mr. Unsiog's plight. Our Delegate to Congress, Madaline Z. Bordallo's fully supports Mr. Unsiog's efforts to regain his family land.

Si Yu'os ma'åse for your cooperation on this matter. A response to this matter is greatly appreciated.

Put Respeta,

Mark Forbes
Speaker

Cc: Mr. Tom Unsiog

Tilifon: 671-472-3407/8/9

Faks: 671-472-3510 Imel: speakerforbes@yahoo.com

155 Hesler Street Hagåtña, Guam 96910

From: "Glenn Nelson" <gbnelson@portofguam.com> [View Contact Details](#) [Add Mobile Alert](#)
To: "ed pocaigne" <edpocaigne@yahoo.com>
Subject: RE: Unsiog, Tom
Date: Mon, 3 Dec 2007 16:38:10 +1000

Simple exchange of info. See the attached.

glenn

-----Original Message-----

From: ed pocaigne [mailto:edpocaigne@yahoo.com]
Sent: Monday, December 03, 2007 10:55 AM
To: gbnelson@portofguam.com; jpcruz@portofguam.com; dlmdir@mail.gov.gu;
speakerforbes@yahoo.com; edpocaigne@yahoo.com; guamancestrallands@yahoo.com
Subject: Fwd: Unsiog, Tom

Dec 03, 2007

Hafa adai All: This is just a follow-up.
ed

Note: forwarded message attached.

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endure suffering or humiliation. We must step forward
and take sides. We must assist immediately.

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From: "Glenn Nelson" <gbnelson@portofguam.com>  View Contact Details  Add Mobile Alert
To: "ed pocaigue" <edpocaigue@yahoo.com>
Subject: RE: lots 159 and 159-1
Date: Tue, 4 Dec 2007 11:10:28 +1000

Ed,

Thanks for the note. Ask them to locate the primary points not every single point. We can simply work with four points or even the only the two points parallel Rt. 1. Need to determine whether or not portions of the lots and/or lot are outside port inventory and in GovGuam side.

I recall walking the site several times with Mr. Unsiog but we always found ourselves within Parcel 5 still under Navy control. You are in position to effect timely response to week notice.

-----Original Message-----

From: ed pocaigue [mailto:edpocaigue@yahoo.com]

Sent: Tuesday, December 04, 2007 10:49 AM

To: gbnelson@portofguam.com; jpcruz@portofguam.com; guamancestrallands@yahoo.com; speakerforbes@yahoo.com

Subject: Fwd: lots 159 and 159-1

From: "Paul Santos" <plsantos@mail.gov.gu>  Add to Address Book  Add Mobile Alert
To: edpocaigue@yahoo.com
Subject: lots 159 and 159-1
Date: Tue, 4 Dec 2007 10:59:51 +1000

Hello Ed,

My director asked me to respond to your inquiry regarding subject surveys. We have not been able to complete the survey as we have an AG's request to comply with a court settlement relative to government lots in Janum, Yigo, and we have also been quite busy responding to numerous requests by the village mayors and DPW in regards to right-of-way issues. The weather, also, has not been in our favor. Lots 159 and 159-1 are located in a low lying swampy area subject to water inundation; the rain we have been getting lately makes our work difficult if not impossible within the area. We anticipate another week of fieldwork to complete the survey. Once the area dries up we will continue the survey.

Paul L. Santos, PLS
Chief of Cadastre
Department of Land Management

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Date: Sun, 6 Jan 2008 20:45:48 -0800 (PST)

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Subject: Re: lots 159 and 159-1

To: plsantos@mail.gov.gu

CC: dlmdir@mail.gov.gu, "Joaquin Perez" <joaquin.perez@mail.house.gov>, edpocaigue@yahoo.com, gbnelson@portofguam.com

Jan 7, 2008

Hafa adai: Hope all is well; Just wanted to follow up on this matter.

Paul Santos <plsantos@mail.gov.gu> wrote:

Hello Ed,

My director asked me to respond to your inquiry regarding subject surveys.

We have not been able to complete the survey as we have an AG's request to

comply with a court settlement relative to government lots in Janum, Yigo,

and we have also been quite busy responding to numerous requests by the

village mayors and DPW in regards to right-of-way issues. The weather, also,

has not been in our favor. Lots 159 and 159-1 are located in a low lying

swampy area subject to water inundation; the rain we have been getting

lately makes our work difficult if not impossible within the area. We anticipate another week of fieldwork to complete the survey. Once the

area

dries up we will continue the survey.

Paul L. Santos, PLS
Chief of Cadastre
Department of Land Management

|

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 TURIDAT I PUEYTON GUAHAN
 Jose D. Leon Guerrero Commercial Port
 GOVERNMENT OF GUAM
 1026 Cabras Highway, Suite 201
 Piti, Guam 96915



Telephone: (671) 477-5931/35
 (671) 477-2683/85
 Facsimile: (671) 477-2689/4445
 Webpage: www.portofguam.com

FELIX P. CAMACHO
 Governor of Guam

MICHAEL W. CRUZ
 Lieutenant Governor of Guam

January 26, 2007

COPY

MEMORANDUM

TO: Director, Department of Land Management
 FROM: General Manager
 Subject: Request for Surveyor Services; Lot 159 & 159-1

Pls. Acknowledge

Attached is DLM Request Form for subject matter. As you know, efforts continue to address the matter of the Unsiog Family claim to portions of what is now property under Port inventory. In connection to this, clarification is now sought as to the exact location of the lots. This being said to due to conflicting source documents that situate the lots in varying locations.

Your expeditious response to this request would be greatly appreciated. If you have any questions or may require further information, please this office at 477-5931 ext. 302 ~ 303. Thank you.

Sincerely,

 JOSEPH W. DUENAS
 General Manager

Attachment (2)

CC: Commercial

*Muelcamp DLM
 2:35 PM 1/29/07
 Rende*



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Jose D. Leon Guerrero Commercial Port
GOVERNMENT OF GUAM

1026 Cabras Highway, Suite 201
Piti, Guam 96925



Telephone: (671) 477-5931/35

(671) 477-6683/85

Facsimile: (671) 477-2689/4145

Webpage: www.portofguam.com

FELIX P. CAMACHO
Governor of Guam

MICHAEL W. CRUZ
Lieutenant Governor

April 17, 2007

MEMORANDUM

TO: Director, Department of Land Management
FROM: General Manager
Subject: Request for Surveyor Services; Lot 159 & 159-1

Courtesy request for status of the Port Authority of Guam ("Port") request of January 26, 2007, respecting subject matter.

If you have any questions or may require more information to expedite this request, you need only contact this office at 477-5931 ext. 302 ~ 303. Thank you.

Sincerely,


JOAQUIN P. CRUZ

CC: Corporate Services Manager
Commercial

COPY

From: "Paul L Santos" <plsantos@mail.gov.gu>  Add to Address Book  Add Mobile Alert

To: "ed pocaigue" <edpocaigue@yahoo.com>

Subject: RE: lots 159 and 159-1

Date: Fri, 11 Jan 2008 10:03:03 +1000

Handwritten notes:
 - [unclear]
 - [unclear]
 - [unclear]
 - [unclear]
 - [unclear]

Hello Ed,

The project is status quo---we have not been able to continue it for the reasons stated in previous email.

Paul L. Santos

From: ed pocaigue [mailto:edpocaigue@yahoo.com]
Sent: Monday, January 07, 2008 2:46 PM
To: Paul L. Santos , dlm
Cc: department of land management director , dlm; Joaquin Perez; edpocaigue@yahoo.com; gbnelson@portofguam.com
Subject: Re: lots 159 and 159-1

Jan 7. 2008

Hafa adai: Hope all is well; Just wanted to follow up on this matter.

Paul Santos <plsantos@mail.gov.gu> wrote:

Hello Ed,

My director asked me to respond to your inquiry regarding subject surveys. We have not been able to complete the survey as we have an AG's request to comply with a court settlement relative to government lots in Janum, Yigo, and we have also been quite busy responding to numerous requests by the village mayors and DPW in regards to right-of-way issues. The weather, also, has not been in our favor. Lots 159 and 159-1 are located in a low lying swampy area subject to water inundation; the rain we have been getting lately makes our work difficult if not impossible within the area. We anticipate another week of fieldwork to complete the survey. Once the area dries up we will continue the survey.

Paul L. Santos,PLS
 Chief of Cadastre
 Department of Land Management

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Date: Sun, 20 Apr 2008 18:43:21 -0700 (PDT)

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Subject: Fwd: Re: lots 159 and 159-1

To: plsantos@mail.gov.gu

CC: dlmdir@mail.gov.gu, "Joaquin Perez" <joaquin.perez@mail.house.gov>, edpocaigue@yahoo.com, gbnelson@portofguam.com, ancestrallandsguam@yahoo.com

April 21, 2008

Hafa adai Mr. Santos: What is the status on this matter.
Ed Pocaigue

Note: forwarded message attached.

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Date: Sun, 6 Jan 2008 20:45:48 -0800 (PST)

From: "ed pocaigue" <edpocaigue@yahoo.com>

Subject: Re: lots 159 and 159-1

To: plsantos@mail.gov.gu

CC: dlmdir@mail.gov.gu, "Joaquin Perez" <joaquin.perez@mail.house.gov>, edpocaigue@yahoo.com, gbnelson@portofguam.com

HTML Attachment [Scan and Save to Computer]

Jan 7, 2008

Hafa adai: Hope all is well; Just wanted to follow up on this matter.
Paul Santos <plsantos@mail.gov.gu> wrote:

Hello Ed,

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Paul L. Santos,PLS
Chief of Cadastre
Department of Land Management

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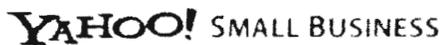
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From: "ed.pocaique" <edpocaique@judiwonpat.com>

To: tinamunabarnes@gmail.com
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Senator for your review

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Unsiog

Thursday, August 13, 2009 4:01 PM

From: "ed.pocague" <edpocague@judwonpat.com>
To: tnamunabames@gmail.com
PAG - UNSIOG - AUGUST 13 2009.doc (32KB)

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Re: Fwd: Unsiog

Sunday, August 16, 2009 5:04 PM

From: "Dennis G.Rodriguez Jr." <dgrjr@densonguam.com>

To: "TR MB" <tinamunabarnes@gmail.com>, "Ron Ez2plez" <ez2plez57@yahoo.com>

I did a cursory review of the Bill and it seems ok to introduce.

I spoke to Monte Mesa over the weekend and the Port Board would like to do a presentation of the master plan to the senator this week. It could take 30 -40 minutes as per Monte. Please advise when we could schedule an appointment, they will come in to the office.

On Mon 17/08/09 7:57 AM , TR MB <tinamunabarnes@gmail.com> wrote:

> Please prepare for my approval this is for Tom Unsiog family and
> others as committed in a previous port public hearing; port will
> support this measure. saina maase, si senadora tina

> ----- Forwarded message -----

> From: ED POCAIGUE

> Date: Thu, Aug 13, 2009 at 4:01 PM

> Subject: Unsiog

> To:

> Senator for your review

> ed

> * Ed Pocaigue*

> Legislative Assistant

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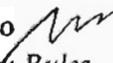
**James V. Espaldon
SENATOR**

August 20, 2009

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson, Committee on Rules

Subject: Referral of Bill No. 218-30(LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 218-30(LS).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 AUG 24 AM 9:21 AM

I Mina' Trenta Na Liheslaturan Guåhan
Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Intro	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B218-30 (LS)	T. R. Muna Barnes, E. J. B. Calvo, Judith T. Won Pat, Ed.D.	An act to add a new chapter 72 to 9GCA relative to bias-motivated crimes.	8/18/09 10:42 a.m.	8/20/09	Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land			



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

September 18, 2009

Memorandum

To: All Senators

From: Senator ben pangelinan

Re: Public Hearing Notice

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

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on **Friday, September 25, 2009** at the Guam Legislature's Public Hearing Room. The following confirmations and bills are on the agenda:

Confirmation for the following:

Mr. Roland S. Certeza, Member, Guam Land Use Commission
Mr. Andrew Chung Park, Member, Guam Land Use Commission
Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board
Ms. Antonita S. Camacho, Member Guam Banking & Insurance Board

Bills:

Bill No. 163 (COR): AN ACT TO ADD A NEW ARTICLE 14 TO CHAPTER 5 OF 5GCA RELATIVE TO CREATING AN ON-LINE BIDDING OPTION FOR GOVERNMENT PROCUREMENT.

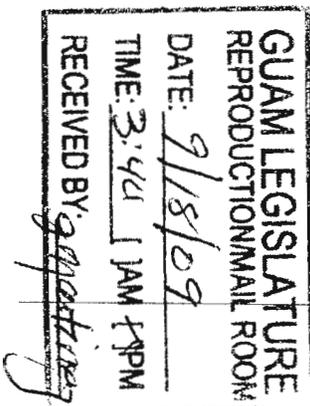
Bill No. 165 (LS): AN ACT TO AMEND 5 1512.1(i) OF ARTICLE 5, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED; RELATIVE TO PRIOR YEAR INDIVIDUAL AND CORPORATE TAX REFUNDS INCLUDING INTEREST PAID THROUGH BOND PROCEEDS AUTHORIZED UNDER PUBLIC LAW 30-7.

Bill No. 30-173 (COR): AN ACT TO ADD A NEW ARTI CLE' 6 TO CHAPTER 6 4 GCA RELATIVE TO THE PERSONNEL EMPLOYED FOR THE PURPOSE OF ENFORCI NG THE *GUAM TERRITORIAL INCOME TAX LAW*.

Bill No. 30-174 (COR): AN ACT TO *AMEND* §26203(k)(9), (28), (29), (30), (31) AND (32), OF CHAPTER 26, TI TLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE EXEMPTIONS AMOUNT FROM FORTY THOUSAND(\$40,000) TO FIFTY THOUSAND (\$50,000) DOLLARS AND THE LIMITATIONS ON GROSS INCOME FROM FIFTY THOUSAND DOLLARS (\$50,000) TO TWO HUNDRED THOUSAND (\$200,000) DOLLARS.

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Memo to All Senators
September 25, 2009
Page 2

Bill No. 30-187 (COR): AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NUMBER 2436-7 IN THE MUNICIPALITY OF MANGILAO TO HEAVY INDUSTRIAL (M-2) ZONE.

Bill No. 30-188 (COR): ACT TO AMEND §61531 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE PROVISIONS OF THE AUTOMOBILE PARKING SPACE PROVISION.

Bill No. 201-30 (COR): AN ACT TO AMEND SUBITEM (h) OF TITLE 21 GUAM CODE ANNOTATED CHAPTER 61 61503, RELATIVE TO EXCEPTIONS TO YARD AND AREA REGULATIONS.

Bill No. 218-30 (LS): AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE 21, GUAM CODE ANNOTATED.

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Office of the People

Senator

Ben Panggelinan

Notice of Public Hearing

Date: Friday, September 25, 2009

Time: 8:30am

Place: Guam Legislature Public Hearing Room

Agenda

Confirmation for the following:
Mr. Roland S. Certeza, Member, Guam Land Use Commission,
Mr. Andrew Chung Park, Member, Guam Land Use Commission,
Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board,
Ms. Antonita S. Carnacho, Member, Guam Banking & Insurance Board

Bills:
Bill No. 163 (COR): AN ACT TO ADD A NEW ARTICLE 14 TO CHAPTER 5 OF 5GCA RELATIVE TO CREATING AN ON-LINE BIDDING OPTION FOR GOVERNMENT PROCUREMENT.

Bill No. 165(LS): AN ACT TO AMEND 5 1512.1(f) OF ARTICLE 5, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PRIOR YEAR INDIVIDUAL AND CORPORATE TAX REFUNDS INCLUDING INTEREST PAID THROUGH BOND PROCEEDS AUTHORIZED UNDER PUBLIC LAW 30-7.

Bill No. 30-173 (COR): AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 64 GCA RELATIVE TO THE PERSONNEL EMPLOYED FOR THE PURPOSE OF ENFORCING THE GUAM TERRITORIAL INCOME TAX LAW.

Bill No. 30-174(COR): AN ACT TO AMEND 526203(k)(9), (28), (29), (30), (31) AND (32), OF CHAPTER 26, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE EXEMPTIONS AMOUNT FROM FORTY THOUSAND (\$40,000) TO FIFTY THOUSAND (\$50,000) DOLLARS AND THE LIMITATIONS ON GROSS INCOME FROM FIFTY THOUSAND DOLLARS (\$50,000) TO TWO HUNDRED THOUSAND (\$200,000) DOLLARS.

Bill No. 30-187 (COR): AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NUMBER 2436-7 IN THE MUNICIPALITY OF MANGILAO TO HEAVY INDUSTRIAL (M-2) ZONE.

Bill No. 30-188 (COR): ACT TO AMEND 561531 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE PROVISIONS OF THE AUTOMOBILE PARKING SPACE PROVISION.

Bill No. 201-30 (COR): AN ACT TO AMEND SUBITEM (h) OF TITLE 21 GUAM CODE ANNOTATED CHAPTER 61 61503, RELATIVE TO EXCEPTIONS TO YARD AND AREA REGULATIONS.

Bill No. 218-30 (LS): AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW 580105 (a) TO TITLE 21, GUAM CODE ANNOTATED.



Hina Tereia Ma Ibesastaran Guahan
THIRTIETH GUAM LEGISLATURE
Senator Vicente "Ben" G. Panggelinan

PUBLIC HEARING NOTICE
FRIDAY, SEPTEMBER 25, 2009, 8:30AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

Agenda

Confirmation for the following:
Mr. Roland S. Certeza, Member, Guam Land Use Commission,
Mr. Andrew Chung Park, Member, Guam Land Use Commission,
Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board,
Ms. Antonita S. Carnacho, Member, Guam Banking & Insurance Board

Bill No. 163 (COR): An Act to add a new article 14 to chapter 5 of 5GCA relative to creating an on-line bidding option for government procurement.

Bill No. 165 (LS): An Act to amend 5 1512.1(f) of article 5, chapter 1, title 5, Guam code annotated, relative to prior year individual and corporate tax refunds including interest paid through bond proceeds authorized under public law 30-7.

Bill No. 30-173 (COR): An Act to add a new article 6 to chapter 64 GCA relative to the personnel employed for the purpose of enforcing the Guam Territorial Income Tax Law.

Bill No. 30-174 (COR): An Act to amend 526203(k)(9), (28), (29), (30), (31) and (32), of chapter 26, title 11 Guam code annotated relative to increasing the exemptions amount from forty thousand (\$40,000) to fifty thousand (\$50,000) dollars and the limitations on gross income from fifty thousand dollars (\$50,000) to two hundred thousand (\$200,000) dollars.

Bill No. 30-187 (COR): An Act to zone the previously unzoned lot number 2436-7 in the municipality of Mangilao to heavy industrial (M-2) zone.

Bill No. 30-188 (COR): Act to amend 561531 of chapter 61, title 21, Guam code annotated, relative to expanding the provisions of the automobile parking space provision.

Bill No. 201-30 (COR): An Act to amend subitem (h) of title 21 Guam code annotated chapter 61 61503, relative to exceptions to yard and area regulations

Bill No. 218-30 (LS): An Act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission by adding a new 580105 (a) to the title 21, Guam code annotated.

For copies of bills, you can log onto <http://guamlegislature.com>. If you require any special accommodations, please contact the Office of Senator Ben Panggelinan at 473-4236 or email at senben@guam.net



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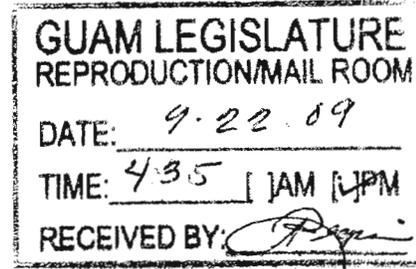
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September 22, 2009

SECOND NOTICE

Memorandum

To: All Senators
From: Senator ben pangelinan
Re: Public Hearing Notice



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

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on **Friday, September 25, 2009** at the Guam Legislature's Public Hearing Room. The following confirmations and bills are on the agenda:

Confirmation for the following:

Mr. Roland S. Certeza, Member, Guam Land Use Commission
Mr. Andrew Chung Park, Member, Guam Land Use Commission
Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board
Ms. Antonita S. Camacho, Member Guam Banking & Insurance Board

Bills:

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 Subject: SECOND NOTICE - Public Hearing
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Lisa Cipollone

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Office of the People's Senator
Ben Panggelinan

Notice of Public Hearing
Date: Friday, September 25, 2009

Time: 8:30am
Place: Guam Legislature Public Hearing Room

Agenda

Confirmation for the following:

- Mr. Roland S. Cerezo, Member, Guam Land Use Commission,
- Mr. Andrew Chung Park, Member, Guam Land Use Commission,
- Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board,
- Ms. Antonika S. Camacho, Member Guam Banking & Insurance Board

Bills:

Bill No. 163 (COR): AN ACT TO ADD A NEW ARTICLE 14 TO CHAPTER 5 OF 5GCA RELATIVE TO CREATING AN ON-LINE BIDDING OPTION FOR GOVERNMENT PROCUREMENT.

Bill No. 165(LS): AN ACT TO AMEND 5 1512.1(i) OF ARTICLE 5, CHAPTER 1, TITLE 5, GUAM CODE ANNOTATED; RELATIVE TO PRIOR YEAR INDIVIDUAL AND CORPORATE TAX REFUNDS INCLUDING INTEREST PAID THROUGH BOND PROCEEDS AUTHORIZED UNDER PUBLIC LAW 30-7.

Bill No. 30-173 (COR): AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 64 GCA RELATIVE TO THE PERSONNEL EMPLOYED FOR THE PURPOSE OF ENFORCING THE GUAM TERRITORIAL INCOME TAX LAW.

Bill No. 30-174(COR): AN ACT TO AMEND §26203(k)(9), (28), (29), (30), (31) AND (32), OF CHAPTER 26, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE EXEMPTIONS AMOUNT FROM FORTY THOUSAND (\$40,000) TO FIFTY THOUSAND (\$50,000) DOLLARS AND THE LIMITATIONS ON GROSS INCOME FROM FIFTY THOUSAND DOLLARS (\$50,000) TO TWO HUNDRED THOUSAND (\$200,000) DOLLARS.

Bill No. 30-187 (COR): AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NUMBER 2437-7 IN THE MUNICIPALITY OF MANGILAO TO HEAVY INDUSTRIAL (M-2) ZONE.

Bill No. 30-188 (COR): ACT TO AMEND §61531 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE PROVISIONS OF THE AUTOMOBILE PARKING SPACE PROVISION.

Bill No. 201-30 (COR): AN ACT TO AMEND SUBITEM (h) OF TITLE 21 GUAM CODE ANNOTATED CHAPTER 61 61503, RELATIVE TO EXCEPTIONS TO YARD AND AREA REGULATIONS.

Bill No. 218-30 (LS): AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW §80105 (a) TO TITLE 21, GUAM CODE ANNOTATED.

For copies of bills, you can log onto <http://guamlegislature.com> if you require any special accommodations, please contact the Office of



Office of the People's Senator
Ben Panggelinan
PUBLIC HEARING NOTICE
FRIDAY, SEPTEMBER 25, 2009, 8:30AM
GUAM LEGISLATURE PUBLIC HEARING ROOM

Agenda

Confirmation for the following:

- Mr. Roland S. Cerezo, Member, Guam Land Use Commission
- Mr. Andrew Chung Park, Member, Guam Land Use Commission
- Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board
- Ms. Antonika S. Camacho, Member Guam Banking & Insurance Board

Bill No. 163 (COR):

An Act to add a new article 14 to chapter 5 of 5GCA relative to creating an on-line bidding option for individual and corporate tax refunds including interest paid through bond proceeds authorized under public law 30-7.

Bill No. 165 (LS):

An Act to amend 5 1512.1(i) of article 5 to chapter 1, title 5, Guam code annotated; relative to prior year enforcing the Guam territorial income tax law.

Bill No. 30-173 (COR):

An Act to amend §26203(k)(9), (28), (29), (30), (31) and (32), of chapter 26, title 11 Guam code annotated relative to increasing the exemptions amount from forty thousand (\$40,000) to fifty thousand (\$50,000) dollars and the limitations on gross income from fifty thousand dollars (\$50,000) to two hundred thousand (\$200,000) dollars.

Bill No. 30-174 (COR):

An Act to zone the previously unzoned lot number 2437-7 in the municipality of Mangilao to heavy industrial (M-2) zone.

Bill No. 30-188 (COR):

An Act to amend §61531 of chapter 61, title 21, Guam code annotated; relative to expanding the provisions of the automobile parking space provision.

Bill No. 201-30 (COR):

An Act to amend subitem (h) of title 21 Guam code annotated chapter 61 61503, relative to exceptions to yard and area regulations.

Bill No. 218-30 (LS):

An Act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new §80105 (a) to the title 21, Guam code annotated.

For copies of bills, you can log onto <http://guamlegislature.com>. If you require any special accommodations, please contact the Office of Senator Ben Panggelinan at 473-4236 or email at senbenp@guam.net



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan

PUBLIC HEARING NOTICE

Friday, September 25, 2009

8:30am

Guam Legislature Public Hearing Room

Agenda

Confirmation for the following:

Mr. Roland S. Certeza, Member, Guam Land Use Commission

Mr. Andrew Chung Park, Member, Guam Land Use Commission

Ms. Belinda Cruz Mejia, Member, Alcohol Beverage Control Board

Ms. Antonita S. Camacho, Member, Guam Banking & Insurance Board

Bills:

Bill No. 163 (COR): An act to add a new Article 14 to Chapter 5 of 5GCA relative to creating an On-Line Bidding Option for government procurement.

Bill No. 165 (LS): An act to amend § 1512.1(i) of Article 5, Chapter 1, Title 5, Guam Code Annotated; relative to prior year individual and corporate tax refunds including interest paid through bond proceeds authorized under Public Law 30-7.

Bill No. 30-173 (COR): An act to add a new Article 6 to Chapter 6 4GCA relative to the personnel employed for the purpose of enforcing the Guam Territorial Income Tax Law.

Bill No. 30-174 (COR): An act to amend §26203(k)(9), (28), (29), (30), (31) and (32), of Chapter 26, Title 11 Guam Code Annotated relative to increasing the exemptions amount from Forty Thousand (\$40,000) to Fifty Fhousand (\$50,000) Dollars and the limitations on gross income from Fifty Thousand Dollars (\$50,000) to Two Hundred Thousand (\$200,000) Dollars.

Bill No. 30-187 (COR): An act to zone the previously unzoned lot number 2436-7 in the Municipality of Mangilao to Heavy Industrial (M-2) zone.

Bill No.30-188 (COR): An act to amend §61531 of Chapter 61, Title 21, Guam Code Annotated, relative to expanding the provisions of the automobile parking space provision.

324 W. Soledad Ave. Hagatna, Guam 96910

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Bill No. 201-30 (COR): An act to amend subitem (h) of Title 21 Guam Code Annotated Chapter 61 § 61503, relative to exceptions to yard and area regulations.

Bill No. 218-30 (LS): An act to transfer properties under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission, by adding a new § 80105 (a) to Title 21, Guam Code Annotated.

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

2009 AUG 18 AM 10:42

MWA

Bill No. 218-30 (LS)

Introduced by:

T.R. MUÑA-BARNES
Edward J.B. Calvo
Judith T. Won Pat Ed.D.

AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE 21, GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. Certain ancestral lands in the
3 Municipalities of Piti, Sumay and Agat were condemned under Civil Action No. 5-49
4 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary.
5 Eventually the United States Quitclaimed portions of the Apra Harbor Reservation to
6 the Government of Guam in December 1984 containing certain Parcels, with eventual
7 transfer to the Commercial Port of Guam and eventually to the Port Authority of
8 Guam (PAG) for development. In formal conferences and legislative session meetings
9 between the PAG and the legislature it has been stated by the PAG board,
10 management, and personnel that the PAG does not have any future plans for the

1 development or use of certain portions of the parcels under their jurisdiction. This Act
 2 is intended to transfer such land parcels and properties to the GALC so that the GALC
 3 shall proceed with the return of such land parcels properties to the original landowners
 4 or their estates pursuant to the Commission's enabling legislation and mandates.

5 **Section 2. A new §80105 (a) is hereby added to Title 21, Guam Code**

6 **Annotated, to read as follows:** Portions of Parcel 1 and 2 south of Route 18 and

7 contiguous to the south of Apra Harbor Parcel 6, also abutting Marine Corps Drive on

8 the east, specifically original Lots 135-1, 136, 136 A, 136 A-1, 136 A2, 137, 159, 159-

9 1, 166 and portions of the following lots, 127, 128, 129, 131, 132, 133, all in the

10 municipality of Piti. The property shall be transferred and shall be deeded to

11 the GALC within 30 days of the effective date of this Act. The Guam

12 Ancestral Lands Commission shall dispose of the land parcels and lots

13 transferred by this Act in a manner consistent with and pursuant to its

14 enabling legislation and its mandates. All pre-condemnation roads, easements

15 and bull cart trails shall remain as easements for public access and utilities.”

16 **Section 3.** The above mentioned properties shall be zoned “A” – Agriculture.

17 **Section 4.** The Department of Land Management shall plot, plan,

18 design, and provide within 60 days of enactment an aerial overlay map

1 delineating all road easements, bull-cart trails, and public access as to insure
2 that no lot is landlocked. The overlay shall all original lot lines generally. This
3 overlay shall be transmitted to the legislative oversight committee of *I*
4 *Mina'irenta Na Liheslaturan Guåhan* no later than 61 days after the enactment of
5 this law."

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