

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 25, 2011

31-11-560

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Umu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

5/26/11
11:25 AM
8

Dear Madame Speaker:

Transmitted herewith is Bill No. 17-31 (COR) "AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO SELL THE SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO THE ADJACENT PRIVATE LANDOWNER", which I signed into law on May 24, 2011 as **Public Law 31-53**.

Senseramente,



EDDIE BAZA CALVO

Attachment: copy of Bill

2011 MAY 27 AM 9:54

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Bill No. 17-31 (COR)**, "AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO SELL THE SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO THE ADJACENT PRIVATE LANDOWNER", was on the 10th day of May, 2011, duly and regularly passed.



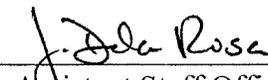
Judith T. Won Pat, Ed.D.
Speaker

Attested:



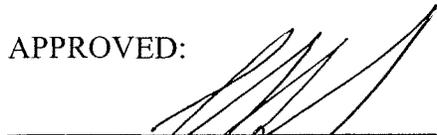
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 12th day of May, 2011, at
10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: **MAY 24 2011**

Public Law No. 31-53

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 17-31 (COR)

Introduced by:

v. c. pangelinan
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO
SELL THE SEVERED GOVERNMENT OF GUAM LOT
2417-3 TO THE ADJACENT PRIVATE LANDOWNER.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Lot 2417-3, located in the municipality of *Mangilao* and consisting of 261.22
4 square meters, is the remnant of the Department of Public Health and Social Ser-
5 vices Basic Lot 2417 that was severed for the Route 10 Rights of Way expansion
6 in that village back in 1952. Currently, the lot is *not* being utilized or maintained

1 by any government agency, and it has accumulated trash and miscellaneous debris
2 that fronts Lot 5378-1EAST-R5, which is the property of private landowner, Mr.
3 Edwin Kippenhan.

4 *I Liheslaturan Guåhan* further finds that the size of the lot is substandard
5 and cannot be developed by the government, and that the property abuts a single
6 private lot owner, Mr. Kippenhan.

7 It is the intent of *I Liheslaturan Guåhan* to authorize and make available for
8 purchase, Lot 2417-3, to the abutting landowner Mr. Edwin Kippenhan. The Guam
9 Power Authority has no objections to this purchase, but requests that standard
10 easement procedures be followed. The Guam Waterworks Authority similarly has
11 no objections to the purchase of the aforementioned lot, but any existing GWA
12 lines that are needed to be relocated *shall* be at the expense of the landowner as per
13 GWA Rules and Regulations, Section 2105, paragraph (6) and (I).

14 **Section 2. Authorization to Sell.** *I Maga'lahaen Guåhan* is authorized to
15 sell Lot 2417-3 to Mr. Edwin Kippenhan for the average fair market value as de-
16 termined by two (2) independent licensed real estate appraisers at the expense of
17 the purchaser.

18 **Section 3. Proceeds of Sale.** The proceeds of the sale *shall* be deposited
19 into the account of the *Chamorro* Land Trust Commission.

20 **Section 4. Severability.** *If* any of the provisions of this Act or the applica-
21 tion thereof to any person or circumstance is held invalid, such invalidity shall *not*
22 affect any other provision or application of this Act which can be given effect
23 without the invalid provision or application, and to this end the provisions of this
24 Act are severable.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

VOTING SHEET

Bill No. 17-31(COR)

Resolution No. _____

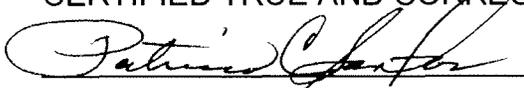
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 _____ _____ _____

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

APR 29 2011

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

Speaker

I Mina'trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

APR 29 2 19 PM 12:19
CPR

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 17-31 (COR), As Introduced

Vice Chairman
Committee on Education

Dear Speaker Won Pat:

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Transmitted herewith is the Committee Report on Bill No. 17-31 (COR), As Introduced: "AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO ADJACENT PRIVATE LAND OWNER" sponsored by Senator Vicente (ben) Cabrera Pangelinan which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

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

Committee votes are as follows:

4

TO DO PASS

0

TO NOT PASS

1

TO REPORT OUT ONLY

0

TO ABSTAIN

0

TO PLACE IN INACTIVE FILE

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 17-31 (COR), As Introduced:

Sponsored by Vicente (ben) Cabrera Pangelinan

**“AN ACT TO AUTHORIZE *I
MAGA’LAHEN GUÅHAN* TO SELL
SEVERED GOVERNMENT OF GUAM
LOT 2417-3 TO ADJACENT PRIVATE
LAND OWNER”**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

APR 29 2011

MEMORANDUM

To: All Members

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

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 17-31 (COR), As Introduced

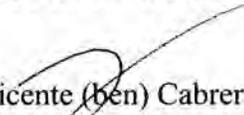
Transmitted herewith for your consideration is the Committee Report on Bill No. 17-31 (COR), As Introduced: "AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO ADJACENT PRIVATE LAND OWNER" sponsored by Senator Vicente (ben) Cabrera Pangelinan.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 17-31 (COR)
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Copy of COR Referral of Bill No.17-31 (COR)
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Fiscal Notes

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'os Ma'åse',


Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

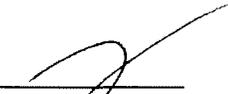
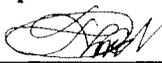
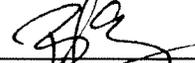
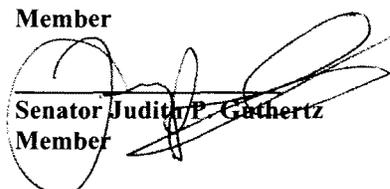
Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
Committee Voting Sheet
**Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
 Retirement, and Land**

Bill No. 17-31 (COR), As Introduced: "AN ACT TO AUTHORIZE *I MAGA' LAHEN*
GUÅHAN TO SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO
 ADJACENT PRIVATE LAND OWNER"

Committee Members	To Pass	To Not 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 checked="" 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 Judith P. Gathertz Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator V. Anthony Ada Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Senator Christopher M. Dueñas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Mana Silva Taijeron Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Office of

the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 17-31 (COR), As Introduced: "AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO ADJACENT PRIVATE LAND OWNER"

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on April 14, 2011 at 1:00 pm 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 April 7, 2011 (5-Day Notice), and again on April 12, 2011 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Frank Blas, Jr.

(b) Appearing before the Committee

Mr. Edwin Kippenhan

(c) Written Testimonies Submitted

Margarita Borja, DLM
Joaquin C. Flores, GPA
Leonard J. Olive, GWA

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Chairman Pangelinan: Bill 17 is a bill that would allow the government of Guam to sell a severed remnant portion of the Route 10 project that remained after the property was divided and easements taken for the Route 10 construction. There is a small portion of the basic lot, across Public Health, that became a fractional lot after the reconstruction of Route 10. This property is abutting private property in that village. It is a substandard lot and is remains part of the rights of way inventory of the government of Guam. The bill will allow the adjacent private land owner to purchase the remnant lot.

We have signed up with us, Mr. Edwin Kippenhan, please come forward and state your name and present your testimony to the committee.

On all of these bills, I want to state for the record, the committee sent letters to all of the affected agencies of the bill. A letter was sent to Department of Public Works, the Governors office, the Attorney Generals office, and Land Management soliciting their input and we will continue to receive input as they continue to come in. If there is no body from those agencies here this afternoon it is not because we did not inform them, in addition to the publication of the agenda of general circulation, the committee also sent letters personally and directly to each of these agencies. I just want to state that for the record.

I would like to thank Senator Frank Blas for joining us this afternoon.

(b) Testimony

1. Mr. Edwin Kippenhan

Thank you senator and ladies and gentlemen attending the hearing.

This fractional piece of lot is 216 square meters and it is triangular in shape, so it is very hard to do something with it. This lot also makes the front set back of my house non-compliant and non-conforming because it is less than eight (8) feet from the boundary line of this fractional lot. That is one of the things I would like to get corrected if I could purchase this lot. The other thing is, it's a mess. I believe ever since Typhoon Omar, I purchased my house in 2004 but I've been around this island for about thirty (30) years so I've been familiar from driving by the lot for so long. After Typhoon Omar there was coconut trees that were down, roofing tin, and whatever else got in the way was pushed to the side and left there. Let the grass grow and a few trees and so forth and hide it from view. Hopefully we can get that cleaned up. There are also a few rats and snakes and so forth that like to hang around there.

I did research as to what this land is and how it got to be the way it is and I found out, what the Senator said, was a fractional lot that was the result of the taking for the easement of Route 10.

Unless someone has questions for me that is all I can really say.

Panel Comments and Questions

Chairman Pangelinan: Thank you very much Mr. Kippenhan, the committee accepts your testimony and we will continue to receive testimony from the agencies and they will be incorporated in the committee report so the other Senators will be aware of the issue and the matter. We will take it under advisement. Thank you and Si yu'os ma'ase.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land hereby reports out Bill No. 17-31 (COR), As Introduced, with the recommendation TO REPORT OUT ONLY.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION

2011 JAN -4 PM 3:45
[Handwritten signature]

Bill No. 17-31 (COV)

Introduced by:

v.c. pangelinan
[Handwritten signature]

**AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO
SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO
ADJACENT PRIVATE LAND OWNER.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds that Lot 2417-
2 3 located in the Municipality of Mangilao, consisting of 261.22 square meters, is the remnants of
3 Department of Public Health and Social Services basic lot 2417 that was severed for the Route 10
4 Rights of Way expansion in that village back in 1952. Currently, the lot is not being utilized or
5 maintained by any Government agency and has accumulated trash and miscellaneous debris that
6 fronts Lot 5378-1EAST-R5; the property of private land owner Mr. Edwin Kippenhan.

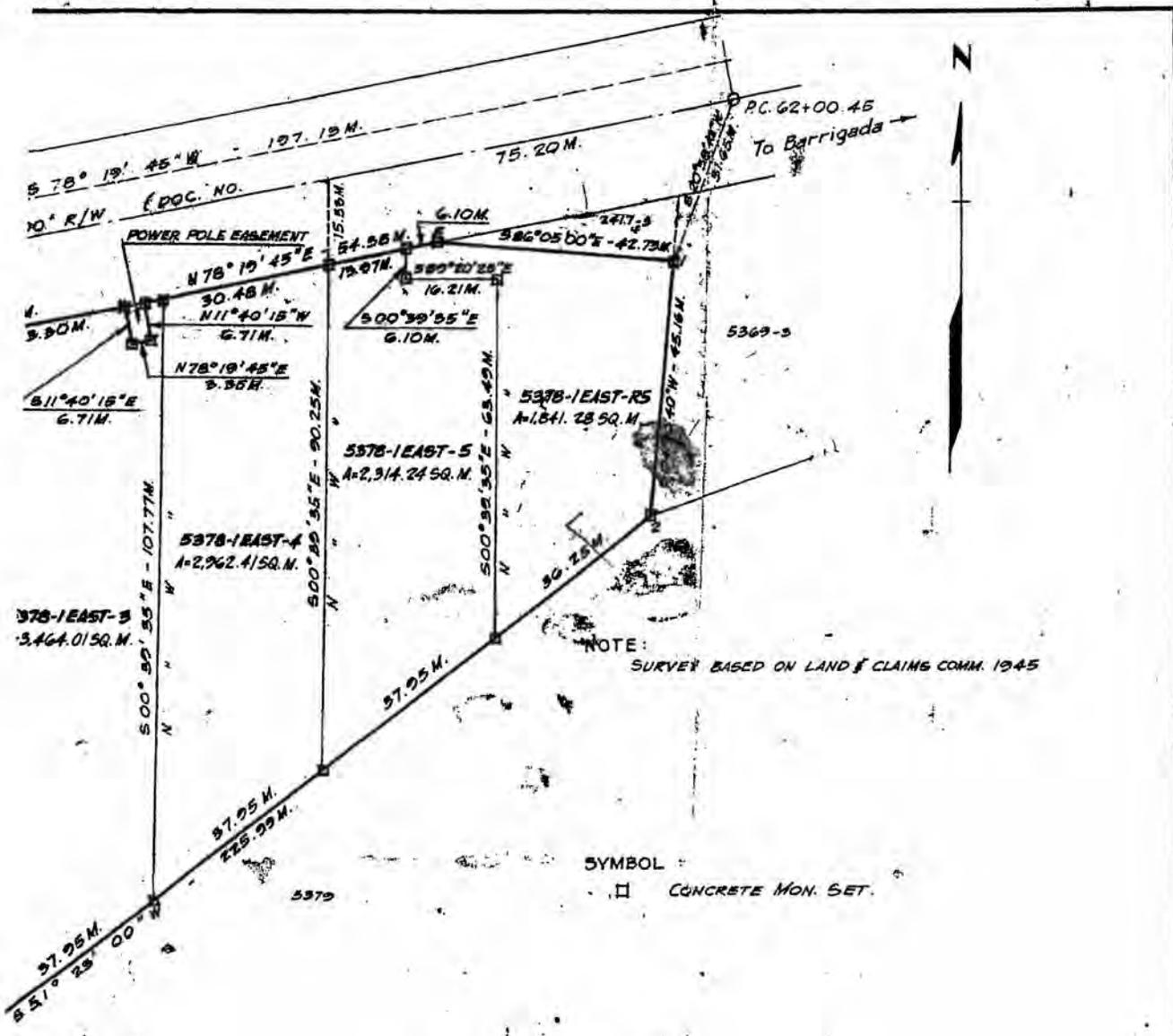
7 *I Liheslaturan Guåhan* further finds that the size of the lot is substandard and cannot be
8 developed by the government and that the property abuts a single private lot owner, Mr. Kippenhan.

9 It is the intent of *I Liheslaturan Guåhan* to authorize and make available for purchase, Lot
10 2417-3, to the abutting land owner Mr. Edwin Kippenhan. Guam Power Authority has no objections
11 to this purchase but requests that standard easement procedures be followed. Guam Waterworks
12 Authority similarly has no objections to the purchase of aforementioned lot but any existing GWA
13 lines that are needed to be relocated shall be at the expense of the land owner as per GWA Rules and
14 Regulations section 2105 paragraph (6) and (I).

1 **SECTION 2. Authorization to sell.** *I Maga'lahaen Guåhan* is authorized to sell Lot 2417-3
2 to Mr. Edwin Kippenhan for the average fair market value as determined by two (2) independent
3 Licensed Real Estate Appraisers at the expense of the purchaser.

4 **SECTION 3. Proceeds of Sale.** The proceeds of the sale shall be deposited into the account
5 of the Chamorro Land Trust Commission.

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



REVISION	DATE	DESCRIPTION	BY	APPROVED
DESIGN:		GOVERNMENT OF GUAM, M. I. DEPARTMENT OF LAND MANAGEMENT LAND SURVEY DIVISION		
FIELD:		PROPERTY MAP DIVISION OF LOT 5378-EAST MUN. OF BARRIGADA LAND SQ. 18, SECTION 3		
COMPUTED: A.T. DIAZ				
DRAWN: A.T. DIAZ				
TRACED: J.M. FLORES				
CHECKED:				
SUPERVISOR:				
FIELD SUPV.:				
DATE:	1962	APPROVED	 DIRECTOR OF LAND MANAGEMENT	
SCALE: As Indicated				
SUBMITTED	1962	SHEET NO.	L. M. DRAWING NO.	
		1 OF 1	B4-62T270	
TERRITORIAL SURVEYOR				



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

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

Thursday, April 14, 2011

Bill No. 17-31 (COR)

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Edwin E Kipp	Po Box 12982 Temelino Guam	7771924	ed@kipp.com		X	X	



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



EDDIE J.B. CALVO
 Governor

ANISIA B. TERLAJE
 Director

RAY TENORIO
 Lieutenant Governor

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

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

E-mail Address:
[dmlDir@dml.guam.gov](mailto:dlmDir@dml.guam.gov)

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

April 8, 2011

Senator Vicente (ben) C. Pangelinan
 Thirty-First Guam Legislature
 524 W. Soledad Ave., Suite 100
 Hagatna, GU 96932

Subject: Bill No. 17-31 (COR), Bill No. 115-31 (COR) and Bill No. 116-31 (COR)

Buenas yan Hafa Adai! Our department has reviewed the bills as presented, and wishes to report its findings and recommendations.

BILL NO. 17-31 (COR)

A review of the bill indicates that Lot 2417-3, is deemed available land of which immediately assumes the status of Chamorro homelands and shall be under the control of the Chamorro Land Trust Commission to be used and disposed of in accordance with the provisions of Chapter 75.

It is also recommended that the legislature take necessary measures to ensure that their intent is consistent with any future plans DPW may have for a transit station or bus shelter to service its riders in the surrounding areas or for any public improvements the government may deem appropriate for this site.

BILL NO. 115-31 (COR)

It is in the best interest of the Government of Guam, that the intent of Bill No. 115-31 (COR) be approved to better effectuate the purposes of the Chamorro Land Trust Commission.

BILL NO. 116-31 (COR)

The department recommends the following changes be made to Section 2 of the Bill:

"I Maga'lahren Guahan is authorized to lease a portion, no less than 20,235± square meters of land area, of a portion of Lot No. 10142 NEW-R4, Municipality of Dededo, consisting of 54,396± square meters to the Guam National Tennis Federation".



Ltr to Senator Vicente (ben) C. Pangelinan
Subject: Bill Nos. 17-31 (COR), 115-31 (COR) and 116-31 (COR)
April 8, 2011
Page 2

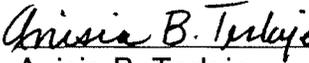
Land Management supports the implementation of programs that benefit Guam's youth and general population and hereby approves the approval of the bill with the recommended changes as mentioned above.

In view of the above, we have no objection to the approval of Bill Nos. 17-31 (COR), 115-31 (COR) and 116-31 (COR).

Senseramente,


Margarita V. Borja
Land Management Administrator

Concurred and Approved By:

 4/11/11
Anisia B. Terlaje Date
Director, Land Management



GUAM WATERWORKS AUTHORITY

578 North Marine Corp Drive
Tamuning, Guam 96913
Tel.: 647-2603 Fax.: 646-2335

February 4, 2010

Honorable Vicente C. Pangelinan
Senator, 30th Guam Legislature
Committee on Appropriations, Taxation, Banking,
Insurance, Retirement and Land
324 W. Soledad Ave. Suite 100
Hagatna, Guam 96910

Hafa Adai Senator Pangelinan,

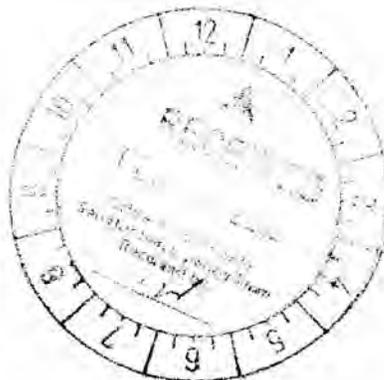
This is in response to your letter dated January 26, 2010, regarding a request from Mr. Edwin Kippenhan expressing an interest of a Government owned Lot No. 2417-3 in the municipality of Mangilao.

The Guam Waterworks Authority has completed its field inspection and research for the above mentioned lot and found no visible signs of any facilities or has any interest in the property. Please note that should you find any existing GWA lines on said property, Mr. Kippenhan would have to relocate them at his own expense as per our Rules and Regulations in section 2105 paragraph (6) and (I).

Should you need any additional information, please feel free to contact our Rights-of-Way Supervisor Mr. Joe Punzalan at 647-0492.

Sincerely,

Leonard J. Olive, ScD
General Manager



LJO/jap



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

August 16, 2010

Senator Vicente C. Pangelinan
324 W. Soledad Ave.
Suite 100, Hagatna, Guam 96910

**Subject: Request for GPA Review of Lot 2417-3 for Mr. Edwin Kippenhan
purchase of government land**

Dear Senator:

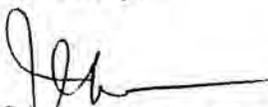
Guam Power Authority (GPA) is in receipt of your letter dated July 27, 2010 relative to the above-referenced matter.

GPA places no objection to Mr. Edwin Kippenhan's desire to obtain government of Guam owned property identified as Lot 2417-3.

While there are no existing electrical facilities on the subject property, GPA requests that the standard reservation of easement language in favor of the Government of Guam be included in the Conveyance Deed.

Thank you for allowing GPA the opportunity to review this matter. Should you have any questions, please contact Antonio R. Palomo, Real Estate Section, at 648-3020.

Sincerely,


LPC
JOAQUIN C. FLORES, P.E.
General Manager



jk

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 17-31 (COR)**

AN ACT TO AUTHORIZE IMAGA'LAHEN GUAHAN TO SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO ADJACENT PRIVATE LAND OWNER.

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission	Dept./Agency Head: Mr. Monte Mafnas, Acting Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Chamorro Land Trust Operations Fund) appropriation(s) to date:	714,094
Total Department/Agency Appropriation(s) to date:	\$714,094

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /X/ Yes // No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? // Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A // Yes // No
Is there a federal mandate to establish the program/agency? // Yes /X/ No
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /X/ No
// Requested agency comments not received by due date /X/ Other: Due to time constraints coordination was not possible.

Analyst: <u>Ben Manglona</u> Ben Manglona, Analyst	Date: <u>1/25/2011</u>	Director: <u>Benita A. Manglona</u> Benita A. Manglona, Acting Director	Date: <u>1/31/11</u>
---	------------------------	--	----------------------

Footnotes:
See attachment to Fiscal Note.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 17-31 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Chamorro Land Trust Operations Fund	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/

Comments:

1/ There is a potential for additional revenue to the CLTC as passage of the Bill 17-31(COR) will authorize *I Maga'lahen Guâhan* to sell Lot 2417-3 in the municipality of Mangilao which was severed for the Route 10 Rights of Way expansion to Mr. Edwin Kippenhan. The fiscal impact of the Bill is undertermined at this time as it is dependent on fair market value to be determined by two (2) independent Licensed Real Estate appraisers at the expense of the purchaser.



COMMITTEE ON RULES

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ASST. MINORITY LEADER

Senator
Christopher M. Duenas

January 5, 2011

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 Nos. 16-31 (COR) and 17-31 (COR)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 16-31 (COR) and 17-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, 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 feel free to contact me at 472-7679.

Si Yu'os Ma'åse'!

Attachment

I Mina'trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
B17-31 (COR)	v. c. pangelinan	An act to authorize <i>I Maga'lahen Guåhan</i> to sell severed government of Guam Lot 2417-3 to adjacent private land owner.	1/04/11 3:45 p.m.	1/05/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			



Office of

the People

I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 7, 2011

Memorandum

To: All Senators
From: Senator Vicente (ben) Cabrera Pangelinan
Re: Public Hearing Notice – FIRST NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

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

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

Bill No. 17-31- (COR): An act to authorize *I Maga'lahaen Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

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Bill No. 26-31 (COR): An Act to Rezone a certain parcel in the Municipality of Tamuning from Multi-Family (R2) to Commercial (C).

Bill 39-31 (COR): An Act Relative to Rezoing Lot No. 10117-R6, Located in the Municipality of Dededo, from Commercial ("C") to Light Industrial (M1) for purposes of establishing businesses related to construction and warehouse activities; while ensuring Safety and Environmental concerns of adjacent residents and businesses are properly addressed.

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

Memo to Senators
April 7, 2011
Page 2

Bill 96-31 (COR): An Act to zone the previously unzoned Lot No. 2181-4NEW-R1NEW, Lot No. 5200-3, and Lot No. 5199-1 in the Municipality of Barrigada to Light Industrial (M-1) Zone.

Bill No. 108-31 (COR): An Act to Rezone Lot No. 20, Block 9, Dededo Village Extension, in the Municipality of Dededo, from Multiple-Family Dwelling (R-2) to Commercial (C) zone.

Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

cc: Tom Unsiong, Sergeant-at-Arms
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Hafa Adai,

Please see attached memo from Senator Vicente Pangelinan regarding public hearing notice for Bills 131-31 at 9:00am and 17-31, 20-31, 26-31, 39-31, 96-31, 108-31 and 109-31 at 1:00pm to be heard on April 14, 2011.

Should you have any questions please don't hesitate to call our office at 473-4236

...
Lisa Cipollone
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Office of Senator ben c. pangelinan
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Hafa Adai,
Senator Pangelinan will hold a public hearing at 9:00am and 1:00pm on Thursday, April 14, 2011 at the Guam Legislature Public Hearing Room. Please see agenda for details

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Huebes, gi diha 14 gi Abril, 2011
(Thursday, April 14, 2011)*

*Kuáttion Inekungok Pupbleko gi I Liheslaturan Guáhan
(Guam Legislature Public Hearing Room)*

*Alas 9 gi ega'an
(9:00 AM)*

**TAREHA
(AGENDA)**

**Priniponi Siha
(Bills)**

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and

Equipment Projects.

Ala una gi despues di talo'ani
(1:00pm)

Bill No. 17-31- (COR): An act to authorize I Moga'laken Guahan to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

Bill No. 20-31 (COR): An act relative to zoning the property, consisting of two Lots, Lot #2176-1-4 and Lot #2176-1-R5, located in the Municipality of Barrigada, to light industrial (M-1) to allow for commercialized use of the property.

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Bill No. 109-31 (COR): An Act to Rezone Lot No. 13, Tract 209 in the Municipality of Dededo from Single-Family Dwelling (R-1) to Commercial (C) zone.

Yanggen un nisisita espesiât na setbisio put fabot âgang i ffinisan Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net , patsino hâlom gi i uepsait gi www.senbenp.com. Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at senbenp@guam.net or log onto www.senbenp.com

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Lisa Cipollone
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I Mina Trentai Uno Na Lihelaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)
gi Huebes, gi diha 14 gi Abril, 2011 (Thursday, April 14, 2011)
Kuáttion Inekungok Pubbleko gi I Lihelaturan Guahan
(Guam Legislature Public Hearing Room)
Alas 9 gi ega'an (9:00 AM)
TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

Ala una gi despues di talo'ani (1:00 PM)

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Yanggon un nisisita espesit na sebisio put labot agang i Ifsinan Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net, patsino halom gi i uopsail gi www.senbenp.com. Este na nutisio inapasi nu i fendon gubethamanta.

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I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

April 12, 2011

Memorandum

To: All Senators
From: Senator Vicente (ben) Cabrera Pangelinan
Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
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Municipal Affairs,
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Military Buildup and
Homeland Security

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The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am and 1:00pm on Thursday, April 14, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

9:00 am

Bill No. 131-31 (LS): An Act to reprogram \$60,088,935 in General Fund appropriations from Object Class 111 and 113 from the Guam Department of Education FY 2011 Budget for Capital Improvement Projects (CIPS), Technology Upgrades and Science, Technology, Engineering & Math (STEM) CIPS and Equipment Projects.

1:00pm

Bill No. 17-31- (COR): An act to authorize *I Maga'lahaen Guahan* to sell severed government of Guam Lot 2417-3 to adjacent private and land owner.

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Bill No. 26-31 (COR): An Act to Rezone a certain parcel in the Municipality of Tamuning from Multi-Family (R2) to Commercial (C).

Bill 39-31 (COR): An Act Relative to Rezoing Lot No. 10117-R6, Located in the Municipality of Dededo, from Commercial ("C") to Light Industrial (M1) for purposes of establishing businesses related to construction and warehouse activities; while ensuring Safety and Environmental concerns of adjacent residents and businesses are properly addressed.

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Memo to Senators
April 12, 2011
Page 2

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Hafa A dai,
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--
Lisa Cipollone
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INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Huebes, gi diha 14 gi Abril, 2011
(Thursday, April 14, 2011)

Kuàtton Inekungok Pupbleko gi l Liheslaturan Guàhan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
(9:00 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

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THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Huebes, gi diha 14 gi Abril, 2011
(Thursday, April 14, 2011)

Kuáttion Inekungok Pupbleko gi I Lihelaturan Guáhan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
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I Mina'Trentai Unu Na Liheslaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

**Senator Vicente "ben" Cabrera Pangelinan
Office of the People**

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(PUBLIC HEARING)***

***gi Huebes, gi diha 14 gi Abrit, 2011
(Thursday, April 14, 2011)***

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guáhan
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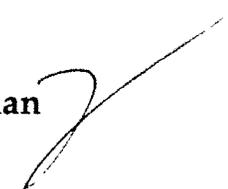
I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) REGULAR SESSION

2011 JAN -11 PM 3:45
WMA

Bill No. 17-31(corr)

Introduced by:

v.c. pangelinan



AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO
SELL SEVERED GOVERNMENT OF GUAM LOT 2417-3 TO
ADJACENT PRIVATE LAND OWNER.

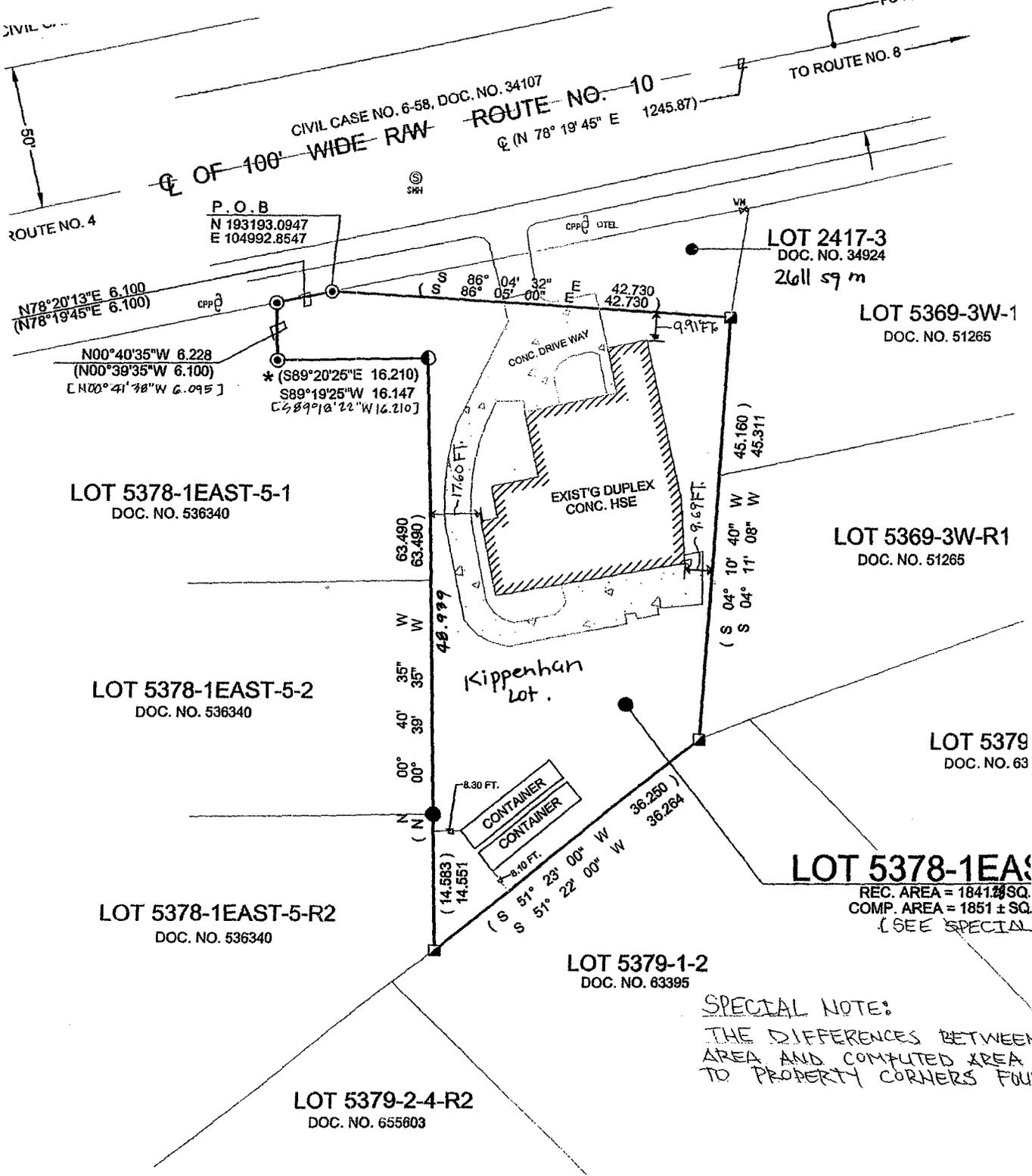
BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds that Lot 2417-
2 3 located in the Municipality of Mangilao, consisting of 261.22 square meters, is the remnants of
3 Department of Public Health and Social Services basic lot 2417 that was severed for the Route 10
4 Rights of Way expansion in that village back in 1952. Currently, the lot is not being utilized or
5 maintained by any Government agency and has accumulated trash and miscellaneous debris that
6 fronts Lot 5378-1EAST-R5; the property of private land owner Mr. Edwin Kippenhan.
7 *I Liheslaturan Guåhan* further finds that the size of the lot is substandard and cannot be
8 developed by the government and that the property abuts a single private lot owner, Mr. Kippenhan.
9 It is the intent of *I Liheslaturan Guåhan* to authorize and make available for purchase, Lot
10 2417-3, to the abutting land owner Mr. Edwin Kippenhan. Guam Power Authority has no objections
11 to this purchase but requests that standard easement procedures be followed. Guam Waterworks
12 Authority similarly has no objections to the purchase of aforementioned lot but any existing GWA
13 lines that are needed to be relocated shall be at the expense of the land owner as per GWA Rules and
14 Regulations section 2105 paragraph (6) and (I).

1 **SECTION 2. Authorization to sell.** *I Maga'lahaen Guåhan* is authorized to sell Lot 2417-3
2 to Mr. Edwin Kippenhan for the average fair market value as determined by two (2) independent
3 Licensed Real Estate Appraisers at the expense of the purchaser.

4 **SECTION 3. Proceeds of Sale.** The proceeds of the sale shall be deposited into the account
5 of the Chamorro Land Trust Commission.

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



TO ROUTE NO. 8

CIVIL CASE NO. 6-58, DOC. NO. 34107

ROUTE NO. 10

☐ OF 100' WIDE RAW

ROUTE NO. 4

P.O.B
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E 104992.8547

LOT 2417-3
DOC. NO. 34924
2611 sq m

LOT 5369-3W-1
DOC. NO. 51265

LOT 5378-1EAST-5-1
DOC. NO. 536340

LOT 5369-3W-R1
DOC. NO. 51265

LOT 5378-1EAST-5-2
DOC. NO. 536340

LOT 5379
DOC. NO. 63

LOT 5378-1EAST-5-R2
DOC. NO. 536340

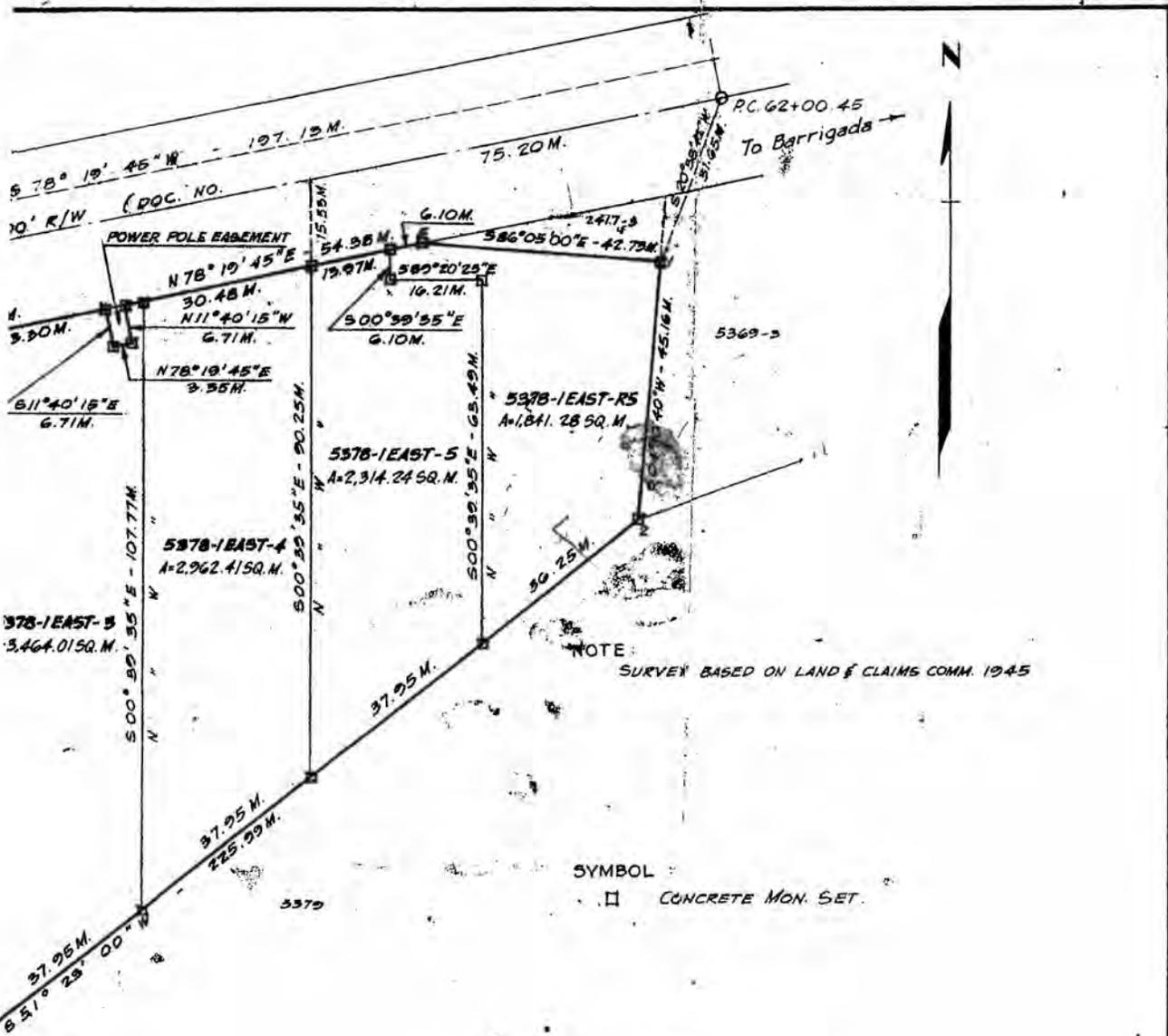
LOT 5378-1EAS
REC. AREA = 1841.79 SQ.
COMP. AREA = 1851 ± SQ.
(SEE SPECIAL

LOT 5379-1-2
DOC. NO. 63395

LOT 5379-2-4-R2
DOC. NO. 655603

SPECIAL NOTE:
THE DIFFERENCES BETWEEN
AREA AND COMPUTED AREA
TO PROPERTY CORNERS FOUR

LOT 5378-1EAST-R5
NOV. 1994



REVISION	DATE	DESCRIPTION	BY	APPROVED
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FIELD:		PROPERTY MAP DIVISION OF LOT 5378-1-EAST MUN. OF BARRIGADA LAND SQ. 18, SECTION 3		
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DRAWN:	A. T. DIAZ			
TRACED:	J. M. FLORES			
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FIELD SUPV.:				
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SCALE:	As Indicated			
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