EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

33-15-0872

Office of the Speaker
Judith T. Won Pat, Ed.D
Date: 09/18/2015
Time: 2:43pm
Received By: CBR

September 16, 2015

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

2015 SEP 16 PM 3:23

Dear Madame Speaker:

Transmitted herewith is Bill No. 112-33 (COR), **"AN ACT TO *AMEND* SECTION 3(b) AND SECTION 9(a) OF PUBLIC LAW 21-14, RELATIVE TO *AUTHORIZING I MAGA'LAHEN GUAHAN* TO SELL LOT NO. B, TRACT 111, LOCATED IN THE MUNICIPALITY OF *TAMUNING*,"** which was signed into law on SEPTEMBER 15, 2015 as **Public Law 33-70.**

RAY TENORIO
I Maga'låhen Guåhan Para Pågo

0872

Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910
Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov
Eddie Baza Calvo @eddiebazacalvo @governorcalvo governorofguam

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

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

This is to certify that **Bill No. 112-33 (COR), "AN ACT TO *AMEND* SECTION 3(b) AND SECTION 9(a) OF PUBLIC LAW 21-14, RELATIVE TO AUTHORIZING *I MAGA'LÅHEN GUÅHAN* TO SELL LOT NO. B, TRACT 111, LOCATED IN THE MUNICIPALITY OF *TAMUNING*,"** was on the 3rd day of September 2015, 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'låhen Guåhan* this 3rd day of Sept, 2015, at 4:45 o'clock P.M.

Elizabeth A. Mafnas
Assistant Staff Officer
Maga'lahi's Office

APPROVED:

RAYMOND S. TENORIO
Acting Governor of Guam

Date: SEP 15 2015

Public Law No. 33-70

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 112-33 (COR)

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SECTION 3(b) AND SECTION 9(a) OF PUBLIC LAW 21-14, RELATIVE TO AUTHORIZING *I MAGA'LÅHEN GUÅHAN* TO SELL LOT NO. B, TRACT 111, LOCATED IN THE MUNICIPALITY OF *TAMUNING*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that twenty-three (23) years ago, Public Law 21-14 was enacted that provided for numerous land transactions, including the sale of Lot No. B, Tract 111 in the municipality of *Tamuning* to owners of the property adjacent to Lot No. B, Tract 111, David D. and Dolores R. Tuncap.

I Liheslaturan Guåhan further finds that when Public Law 21-14 was passed into law, the Tuncap family began the proceedings for the conveyance and purchase of Lot No. B, Tract 111, which included the requirement pursuant to Public Law 21-14 to acquire two (2) appraisals. The Tuncap family acquired two (2) appraisals in 1993. As of this date, the Tuncap family has finally paid in full the purchase price of Lot No. B, Tract 111 based on the appraisals that were done in 1993, and has requested the Department of Land Management to file a quitclaim deed to finalize the purchase of Lot No. B, Tract 111.

Section 9 of Public Law 21-14 delineates the provisions in which an appraisal must be completed as "no earlier than six (6) months prior to the date of conveyance or exchange of the parcels." This would deem the two (2) appraisals done in 1993 stale.

I Liheslaturan Guåhan believes that the Tuncap family acquired the two (2) required appraisals in good faith, and therefore, *I Liheslaturan Guåhan* intends to amend Section 3(b) and Section 9(a) of Public Law 21-14 to allow the two (2) appraisals that were completed in 1993 to be used as the sale price determination so they can finally purchase and request approval for a quitclaim deed for Lot No. B, Tract 111.

Section 2. Section 3(b) of Public Law 21-14 is hereby *amended* to read as follows:

> "(b) In addition, the Governor shall sell Lot No. B, Tract 111, to the landowners whose lands abut such Lot No. B on the northern, ocean side of Lot No. B, such sale to be a series of sales to each such owner whose land so abuts Lot No. B on its northern side, of that portion of Lot No. B immediately adjacent to such owner's property, utilizing the two (2) appraisals conducted in 1993 for the fair market value of the property."

1 **Section 3.** Section 9(a) of Public Law 21-14 is hereby *amended* to read as
2 follows:
3 "(a) The land sales and exchanges described in Sections 2, 3, 4, 5, 6,
4 7, and 8 of this Act shall all be subject to the following provisions to
5 determine the current fair market value of a parcel, with the exception of
6 Section 3(b) of this Act:"
7 **Section 4. Effective Date.** This Act *shall* take effect upon its enactment.
8 **Section 5. Severability.** If any provision of this Act or its application to
9 any person or circumstance is held invalid, the invalidity *shall not* affect other
10 provisions or applications of this Act which can be given effect without the invalid
11 provision or application and to this end the provisions of this Act are severable.