

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>345-32 (COR)</b>	Vicente (ben) C. Pangelinan	AN ACT TO AMEND SECTION 3, SECTION 4, AND TO REPEAL SECTION 6 ALL OF PUBLIC LAW 21-130 TO AUTHORIZE DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE PRIVATE PROPERTY TAKEN FOR THE CONSTUCTION OF THE AGAT – UMATAC HIGHWAY WITH GOVERNMENT LAND.	6/4/2014 3:20 p.m.	06/05/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



## COMMITTEE ON RULES

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June 5, 2014

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 345-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 345-32(COR)**.

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 members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (Second) Regular Session**

Bill No. 345-32 (COR)

**Introduced by:**

**V.C. Pangelinan** 

**AN ACT TO AMEND SECTION 3, SECTION 4, AND TO REPEAL  
SECTION 6 ALL OF PUBLIC LAW 21-130 TO AUTHORIZE  
DEPARTMENT OF LAND MANAGEMENT TO EXCHANGE  
PRIVATE PROPERTY TAKEN FOR THE CONSTRUCTION OF  
THE AGAT – UMATAC HIGHWAY WITH GOVERNMENT  
LAND.**

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

**Section 1. Section 3 of Public Law 21-130 is hereby amended to read as follows:**

“Legislative findings and intent. The Legislature has been apprised by the Department of Land Management (DLM) and the Department of Public Works (DPW) that the continuation of the work on Route 2, the Agat-Umatrac Highway, is totally dependent on the acquisition of certain parcels of private property. The Legislature finds that such widening and reconstruction of the Agat-Umatrac Highway must continue, and thus it is clear those private properties which have not been condemned for such purposes must be utilized. With this in mind, it is the intent of the Legislature that the owners of such properties either be justly compensated or be afforded the opportunity to exchange the lands required for the reconstruction and widening with government properties on a value-for-value basis.

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1 It has been over twenty-one (21) years since the enactment of this Act to  
2 exchange government parcels with private property in order for the DPW to  
3 complete the work to widen Route 2. Unfortunately, as of this date there are some  
4 private landowners who were never compensated or afforded the opportunity to  
5 exchange lands pursuant to law.

6 Over the years, the DPW has made a determination that the government land  
7 identified in this Act is unsuitable for development and therefore the DLM has  
8 identified new parcels of government land for exchange.

9 *I Liheslatura Guåhan* further finds that the DLM worked diligently with the  
10 private landowners and the Mayor of Umatac, to identify parcels of government  
11 land acceptable for the exchange.

12 Therefore, *I Liheslatura Guåhan* intends to right the wrong that was done to  
13 these private landowners for over twenty-one (21) years and authorize the DLM to  
14 exchange government parcels with the private landowners.”

15 **Section 2. Section 4 in Public Law 21-130 is hereby amended to read as**  
16 **follows:**

17 “Section 4. Land exchanges authorized. (a) Notwithstanding any other  
18 provision of law, the Governor of Guam is authorized to exchange government  
19 property, on a value-for-value basis, with the following owners for their respective  
20 parcels situated along the proposed route for Route 2, the Agat- Umatac Highway:

21 ///

		Areas in
Owners:	Parcels:	square meters:
Louise G. Sanchez,	Tract 3331, Lot 2-2-3G-R/W	519,
Herbert R Gofigan,	Tract 3331, Lot 2-2-1G-R/W	1370,
	Tract 3331, Lot 3-1G-R/W and	

1		Tract 3331, Lot 4-1GR/W,	1256,
2	Victoria G. Sanchez and		
3	Gregorio Q. Gofigan (dec),	Tract 3331, Lot 5-1G R/W and	
4		Tract 3331, Lot 10,	7899
5	Sylvia G. Quinata,	Tract 3331, Lot 9-1G R/W,	919,
6	Vicente A. Quinata (dec),	Lot 40-1G R/W,	1164.

(b) The privately-owned parcels set out in subsection (a) hereof shall be exchanged for the following government parcels, each containing an area of 926 square meters, on a value-for-value basis. ~~Should the value of the government land exceed the value of the private land for which it is to be exchanged, the owner with whom the land exchange is to be made shall be required to pay the difference.~~

<b>Owners:</b>	<b><del>Government lots to be exchanged:</del></b>
<del>Louise G. Sanchez,</del>	<del>Tract 3241, Block 5, Lot 8, and</del>
	<del>Tract 3241, Block 5, Lot 9,</del>
<del>Herbert R. Gofigan,</del>	<del>Tract 3241, Block 3, Lot 19, and</del>
	<del>Tract 3241, Block 4, Lot 15,</del>
<del>Victoria G. Sanchez and</del>	
<del>Gregorio Q. Gofigan (dec),</del>	<del>Tract 3241, Block 6, Lot 4,</del>
	<del>Tract 3241, Block 7, Lot 1,</del>
	<del>Tract 3241, Block 7, Lot 2,</del>
	<del>Tract 3241, Block 7, Lot 5,</del>
	<del>Tract 3241, Block 9, Lot 8,</del>
	<del>Tract 3241, Block 9, Lot 9,</del>
	<del>Tract 3241, Block 9, Lot 10,</del>

~~Tract 3241, Block 9, Lot 11,  
Sylvia G. Quinata, Tract 3241, Block 2, Lot 20,  
Vicente A. Quinata (dec), Tract 3241, Block 5, Lot 12,  
Tract 3241, Block 5, Lot 13.~~

~~The government land to be exchanged consists of fifteen (15) lots totaling 13,935 square meters. The private land to be exchanged consists of 13,127 square meters. The Government lots to be exchanged are identified as Block 5B, Tract 3241, Ulag, Municipality of Umatac and shall be based on the recorded and registered maps.~~

**Government lots to be exchanged:**

Block 5B, Tract 3241 lot 1  
Block 5B, Tract 3241 Lot 2  
Block 5B, Tract 3241 Lot3  
Block 5B, Tract 3241 Lot 4  
Block 5B, Tract 3241 Lot 5  
Block 5B, Tract 3241 Lot 6  
Block 5B, Tract 3241 Lot 8  
Block 5B, Tract 3241 Lot 9  
Block 5B, Tract 3241 Lot 10  
Block 5B, Tract 3241 Lot 11  
Block 5B, Tract 3241 Lot 12  
Block 5B, Tract 3241 Lot 13  
Block 5B, Tract 3241 Lot 14  
Block 5B, Tract 3241 Lot 15  
Block 5B, Tract 3241 Lot 16  
Block 5B, Tract 3241 Lot 17

1       Block 5B, Tract 3241 Lot 18

2       Block 5B, Tract 3241 Lot 19

3       Block 5B, Tract 3241 Lot 20

4       Block 5B, Tract 3241 Lot 21

5       (c) The distribution of the government parcels to be exchanged set out in  
6       Subsection (b) of this Section shall be distributed by lottery to the following  
7       families and/or their heirs:

8           Louise G. Sanchez (dec),

9           Herbert G. Gofigan,

10          Victoria G. Sanchez (dec),

11          Gregorio Q. Gofigan (dec),

12          Sylvia G. Quinata (dec), and

13          Vicente A. Quinata (dec).

14       The lottery shall be administered jointly by the Department of Land  
15       Management and the Mayor of Umatac.

16       **Section 3. Section 6 of Public Law 21-130 is hereby repealed in its entirety.**

17       ~~“Section 6. No further legislation required. Aware of the importance of this~~  
18       ~~Act toward the most expeditious and economical completion of the Agat-Umatac~~  
19       ~~Highway, the passage of this Act and its enactment into law shall be deemed~~  
20       ~~approval by the Legislature of the exchanges and no further legislative action shall~~  
21       ~~be required.”~~

22       **Section 4. Effective Date.** This Act *shall* become effective upon enactment.

23       **Section 5. Severability.** If any provision of this Law or its application to any  
24       person or circumstances is found to be invalid or contrary to law, such invalidity  
25       *shall not* affect other provisions or applications of this Law which can be given  
26       effect without the invalid provisions or application and to this end the provisions of  
27       this Act are severable.