I Mina'Trentai Dos Na Liheslaturan Guahan Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
7-32 (COR)	Ed.D.	AN ACT TO <i>ADD</i> A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.	01/08/2013, 8:06am	1/10/13	Committee on Appropriations, Taxation, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land	02/01/2013, 9:00am	12/15/13 4:10p.m.	Fiscal Note Requested 2/13/13



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FFB 1 5 2013 The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Unu 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. 7-32 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

	TO PASS
en considera de altra estador en actual en estador en	TO NOT PASS
2	TO REPORT OUT ONLY

TO ABSTAIN

TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan

Chairman

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324 West Soledad Avenue Suite 101, Hagåtña, GU 96910 Tel: (671) 473-4236 / 473-4237 Fax: (671) 473-4238 E-mail: senbenp@guam.net

COMMITTEE REPORT ON

Bill No. 7-32 (COR), As Introduced Sponsored by Speaker Judith T. Won Pat, Ed.D.

"An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission"



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 1 5 2013 MEMORANDOM

To:

All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (Ben) Cabrera Pangelinan

Chairman

Subject: Committee Report on Bill No. 7-32 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" sponsored by Speaker Judith T. Won Pat, Ed.D.

This report includes the following:

- 1. Committee Voting Sheet
- 2. Committee Report Narrative
- 3. Copy of Bill No. 7-32 (COR), As Introduced
- 4. Public Hearing Sign-in Sheet
- 5. Copies of Written Testimonies
- 6. Copy of Fiscal Note
- 7. Copy of COR referral
- 8. Notices of Public Hearing
- 9. 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'os Ma'åse'.

Vicente (Ben) Cabrera Pangelinan

Chairman

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill 7-32 (COR): An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
Senator Vicente (ben) Cabrera P	angelinan	A STATE OF THE STA			***************************************
Chairman					
Vice Speaker Benjamin J. F. Cru Vice Chairperson	Z	y and the second			Management and the second second
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Speaker Judith T. Won Pat, Ed.I Member)	Academic Control of the Control of t	de la constante de la constant		
Senator Tina Rose Muña-Barnes Member		MANAGERIA MEMBERSHIPPED DOLOUE	Allegation to a construction de la final d	SAME AND	Additional description of the state of the s
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Senator Tommy Morrison	INCOME DE LA COMPANSION	and the second control of the second control		wheels are the second s	American consistent of the American Conference of the Conference o



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill 7-32 (COR), As Introduced: An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am 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 <u>January 25, 2013 (5-Day Notice)</u>, and again on January 30, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman

Vice Speaker BJ Cruz, Vice Chairman

Speaker Judith Won Pat, Member

Senator Dennis Rodriguez Jr., Member

Senator Mike San Nicolas, Member

Senator Tommy Morrison, Member

Senator Tom Ada

Senator Rory Respicio

Senator Tony Ada

Senator Chris Duenas

Senator Brant McCreadie

Senator Aline Yamashita

(b) Appearing before the Committee

Mr. Patrick S.N. Iriarte

Mr. Felix Pangelinan, Acting Deputy General Manager, Port Authority Guam

Mr. Ricky Rapolla Borja

Mr. Al Ysrael, Former Senator, 12th Guam Legislature

(c) Written Testimonies Submitted

Mr. Felix Pangelinan, Acting Deputy General Manager, Port
Authority Guam
Mr. Monte Mafnas, Director, Department of Land Management

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan: The next item on the agenda is Bill No. 7-32 (COR), An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

The bill was introduced by Speaker Judith Won Pat. We have signed up to testify Mr. Patrick S.N. Iriarte and Mr. Felix Pangelinan from the Port Authority of Guam. Speaker Won Pat will present a synopsis of the bill.

(a) Bill Sponsor Summary

Speaker Judith Won Pat: Thank you Mr. Chairman. Last term, the 31st Guam Legislature, a bill was introduced to have certain properties return to the government that are part of the Guam Ancestral Lands Commission and in turn we try to return them to the families. There is one particular family in that series of names that came out that have been located. So we are doing this piece meal. If you recall, this bill is like the bill introduced last term.

At least in testimonies that were given last time, I want the committee report to reflect that the Port Authority did say that they do support it and have the properties returned to the original landowners. Thank you.

Chairman Vicente C. Pangelinan: Thank you very much Speaker Won Pat. We will go ahead and begin with Mr. Iriarte.

(b) Testimony

1. Mr. Partrick S.N. Iriarte

Mr. Patrick S.N. Iriarte: Thank you very much and manana si yu'os ma'ase' para hamyo todus. Si yu'os ma'ase' Speaker and Vice Speaker and the rest of Guam's finest here. I would like to elongate the support of every senator here to sign off on awarding this land and blessing what we didn't know we had when it was first introduced in 2009.

We found out last year and we just want to thank you from the bottom of our hearts. I am representing my mother's interest, Rosario Wusstig San Nicolas, on this bill. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much and Si yu'os ma'ase' Mr. Iriarte. Mr. Pangelinan?

2. Mr. Felix Pangelinan, Port Authority Guam

Mr. Felix Pangelinan: Good morning Mr. Chairman and Legislature.

[Reads testimony verbatim, see testimony on Mr. Felix Pangelinan]

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Mr. Pangelinan, thank you and si yu'os ma'ase' for yourtestimony. We also received written testimony from the Department of Land Management. For the record they are also in support of the bill.

We also have Mr. Ricky Rapolla and Mr. Raymond Rapolla Borja who signed up and are in support of Bill 7-32 (COR). Sir, please identify yourself for the record and also present your testimony.

3. Mr. Ricky Rapolla

Mr. Ricky Rapolla Borja: For the record my name is Ricky Rapolla Borja. I am here for the bill to give back the land to the landowners. I am representing my grandmother Carlina San Nicolas Rapolla. My mother passed away a long time ago. The family had a rice plantation and all of the sudden they were taken by the military. You know how when they really want support the military here without asking for any kind of compensation or what they just went away and the military just started building on it.

We never got an update on what's happening there. I Just heard that there will be land given back to the San Nicolas family. My brother and I wanted to come here and find out about the bill. I see there is only one issue here - the big man from the Port saying that they still want to make something out of it.

I am here to get back our ancestral land from the Guam Ancestral Land Commission. To put it all into perspective to give it back to the owners. I would like to thank everybody and especially Judi Won Pat for introducing this bill because I would have never known and I am pretty sure if the family had known or put out an announcement. That's all I have to say for now until the hearing. I just want to show that I'm for the bill. When I saw that he [referring to Mr. Iriarte] was the only one it gave me more courage to come up here and talk. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much. Senator Ysrael, please come and join the others.

4. Mr. Al Ysrael, Former Senator, 12th Guam Legislature

Mr. Al Ysrael: Thank you Mr. Chairman for the notice. I am here originally to testify for the GEDA bill but when I saw the 12 illustrious men and ladies in front of me as a captive audience I couldn't help resist making comments on the autonomous agency of the Port together with the many other autonomous agencies that the legislature has created in the past.

The autonomous agencies of Guam have become untouchable. They have become an empire and an entity on their own, responsible to no one, not even to the Legislature. How many times has the Legislature asked for documentation from the autonomous agencies? They are supposed to be semi-autonomous but they became autonomous agencies without any checks or balances.

In particular, returning this land back to the government of Guam where it naturally belongs is an excellent idea. In particular, the biggest violator is the Guam International Airport Authority. They have huge tracts of valuable land and they have become or are in the process of becoming the largest non-taxed paying landlords on the island. This is the stated goal of their Vice Chairman, Mr. Santos. He made it as a public statement last month. I thought I kept it but I couldn't find it in my records

But as an example the land under the control of this autonomous agencies do not pay gross receipts tax, do not pay income tax and do not pay real estate taxes. Therefore, they are in the position of offering land to private enterprises at the rate of, for example, four cents a square foot monthly rental. To add insult to injury this monthly rental is not paid until the 6th to the 15th year that rental payment is deferred. No one can control their actions.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Senator....

Mr. Al Ysrael: I know; going too far. Make this as comprehensive as possible. Include all the autonomous agencies in this comprehensive bill as a suggestion. Bring back the autonomous agencies under the control of the government of Guam.

Chairman Vicente C. Pangelinan: We have a bill to resolve some of those issues very soon.

Mr. Al Ysrael: Thank you. I couldn't resist the twelve captive audiences.

Chairman Vicente C. Pangelinan: I know. Thank you very much [former] Senator Ysrael. Si yu'os ma'ase.

Thank you very much, si yu'os ma'ase. Gentlemen thank you very much for your testimony. This concludes the testimony on Bill No. 7-32 (COR). There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 7-32 (COR) with the recommendation to report out only.

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

Bill No. 7 -32 ()

Introduced by:

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Judith T. Won Pat, Ed. D.

`-® № 8: 86 W

AN ACT TO ADD A NEW \$80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslatura finds that certain ancestral lands in the municipalities of Piti, Sumay and Agat were condemned under Civil Action No. 5-49 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary. Eventually, the United States quitclaimed portions of the Apra Harbor Reservation to the Government of Guam in December 1984 containing certain parcels, with eventual transfer to the Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for development. In formal conferences and legislative session meetings between the PAG and I Liheslatura (the Legislature), it has been stated by the PAG board, management, and personnel that the PAG does not have any future plans for the development or use of certain portions of the parcels under their jurisdiction.

Therefore, *I Liheslatura* intends to transfer such land parcels and properties to the Guam Ancestral Lands Commission, so that the Guam Ancestral Lands

1 Commission can and shall proceed with the return of such land parcels and

properties to the original landowners or their estates, pursuant to the Commission's

3 enabling legislation and mandates.

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Section 2. A new §80105(i) is hereby *added* to §80105 of Chapter 80, Title 21, Guam Code Annotated, to read as follows:

Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 127 PI, originally owned by the Estate of Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas Rapolla, Joaquin S. San Nicolas, Juan S. San Nicolas, Maria S.-CI# 8383, San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte, Consolacion S. San Nicolas, Ignacia San Nicolas Aflleje, Dolores C. San Nicolas, and Ana San Nicolas Sanford, in the municipality of Piti. The property shall be transferred and shall be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission shall within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails shall remain as easements for public access and utilities. The transferred property shall be zoned "A" - Agricultural zone."

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

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



Mina'trentai Dos na Liheslaturan Guahan 32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

Bill No. 7-32 (COR) SIGN UP SHEET

	NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
	Patrick S.N. Iriarte	100 Box 11781	653-2341	psnielvis agmail			
-		10129					

324 W. Soledad Ave. Hagatna, Guam 96910 Ph. 473-4236 Fax. 473-4238 Email: senbenp@guam.net



Mina'trentai Dos na Liheslaturan Guahan 32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

2 rm

Bill No. 19-32 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes N	1
Ricky Rapolla	158 Sony Con Hagtatus	Le87-50	188			1	
RAYMOND RAPOLLA BONJA	P.O. BOX 218389 GMF, GW 96921	7 3 4-0859	marray95@hotmil.co	M		V	

324 W. Soledad Ave. Hagatna, Guam 96910 Ph. 473-4236 Fax. 473-4238 Email: senbenp@guam.net



Mina'trentai Dos na Liheslaturan Guahan 32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT, PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, February 1, 2013

Bill No. 19-32 (COR) SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Felix Pangelinan	1026 Cabras Hyw Petr Gwern	477-5931 EXT. 301	fragelinan@portquan.		/	y es
J						

324 W. Soledad Ave. Hagatna, Guam 96910 Ph. 473-4236 Fax. 473-4238 Email: senbenp@guam.net



DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management) GUBETNAMENTON GUÅHAN (Government of Guam)



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

RAY TENORIO Lieutenant Governor MONTE MAFNAS Director

DAVID V. CAMACHO Deputy Director

January 31, 2013

Senator Vicente (ben) C. Pangelinan 32nd Guam Legislature
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and Land
324 W. Soledad Ave., Suite 100
Hagatna, GU 96932



Website: http://dim.guam.gov

Mailing Address: P.O. Box 2950

Hagatña, GU 96932

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

Telephone: 671-649-LAND (5263)

Facsimile: 671-649-5383



Subject: Testimony on Bill Number 07-32

Bueñas Yan Hafa Adai: The Department has reviewed Bill Number 07-32 - An Act to Add a New §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the Jurisdiction of the Port Authority of Guam (PAG) to the Jurisdiction of the Guam Ancestral Lands Commission. The intent of this legislative proposal is to allow the transfer of previously quitclaimed portions of the Apra Harbor Reservation to the Guam Ancestral Land Commission¹. This Bill makes particular reference to Lot 127 in the municipality of Piti. We fully support Bill 07-32 based on the following:

- Lot 127 is one of various contiguous parcels that have since been returned under the auspice of the Guam Ancestral Lands Commission (GALC) for the purpose of returning such lands to original landowners and/or their heirs. Consistency exists with regards to encouraging eventual transfer of ownership of lands to owners whom in turn have waited over 60 years for the return of their lands.
- 2. The bill provides that PAG maintains no future plans for the development or use of this and other certain portions of parcels under their jurisdiction. Should they remain in PAG possession, there exists the notion such lands will remain idle and unused for decades to come. Therefore, in the spirit of encouraging highest and best use, it is only fit such lands be returned to original landowners to increase vulnerability to development opportunities

¹ In December 1984 the United States of America quitclaimed portions of the Apra Harbor Reservation to the Government of Guam containing certain parcels. The transfer of these parcels was slated for development purposes in support of commercial port-related activities under the guise of the Port Authority of Guam, then the Commercial Port of Guam.

Testimony on Bill 7-32 January 31, 2013 Page 2 of 2

and allow such owners the opportunity to finally reap the full enjoyment of their property.

3. With regards to any jurisdictional interpretation under the original intent to transfer lands to the Government of Guam by quitclaim from the federal government², we believe any possible residual jurisdiction as potentially arguable under federal authority may be moot as of the adoption of PAG's overall master plan exclude this and other contiguous properties, leaving the opportunity to exercise the authority, intention, and mandates of the Guam Ancestral Lands Commission.

The Department of Land Management with the Guam Ancestral Lands Commission Board of Directors fully supports this Bill in transferring this property under the Port Authority Guam to GALC inventory.

We thank you for this opportunity to submit our written testimony. Should you have any further inquiry please feel free to contact our office.

Senseramente

MONTE MAFNAS

Director

cc: Planning Division, DLM

mqa/mydoc/legBill/Comment on Leg Bill 07-32

² See Civil Action No. 5-49 as recorded under Document No. 000048.



PUBLIC HEARING TESTIMONY Bill 7-32 February 1, 2013

For the record, my name is Felix Pangelinan and I am the Deputy General Manager of the Jose D. Leon Guerrero Commercial Port Authority of Guam.

On behalf of the Port and with the full support of the Board of Directors and the General Manager, I'm here today to provide oral testimony in "support" of Bill No. 7-32.

I would like to premise this testimony by noting that the Port will be also providing written testimony within the period comment following this hearing.

As the record will show, this legislation will be the 7th occurrence involving the transfer of lands under the jurisdiction of the Port to the Ancestral Lands Commission with cause to convey certain lands back to the heirs of the original land owners.

The plight of original land owners is long storied, well documented and admirable. Correspondingly, the efforts of the legislature aimed to right the wrong of the practice of land takings of past is also commendable. We all know that the political nature and sensitivity of this issue to the island's history is undeniable.

The Port acknowledges that the impacted land identified as Lot 127PI within Bill 7-32, as also the case with the six other lots conveyed back to the Ancestral Lands Commission in 2011, sat idle for nearly six decades. Every

Port master plan since 1981 did not identify the lands for any use specific to supporting Port operations.

While this may still be true today, we must further acknowledge that the physical and economic landscape and the current operational needs of the Port may soon no longer be the landscape for what the future may hold.

As you well know the Port in conjunction with the Department of Defense has broken ground on the first of several projects aimed to modernize the Public Cargo Terminal. This milestone is without precedent and is consistent with components identified within the current Port master plan. However, the approach to modernization is being scaled down such that progress towards construction is simply contingent on available funding. Notably, much of the funding slated towards modernizing the Public Cargo Terminal is from the Department of Defense.

The role properties play into the scheme of Port operations is obvious. It is the mechanism to provide revenues outside the scope of our primary function that is cargo operations.

At present, the non-operational revenue components of the Port account for 20 percent of Port revenues overall. It is substantial and critical to the daily function of the Port.

As a result of the well documented scale down in the Port modernization as compared to that as previously described in our approved master plan, and the corresponding ever changing fiscal climate considering the recent acquisition of cranes, tractors and top lifters through various loans, the Port has set a course to revisit the master plan.

This master plan reset effort is further necessitated by the need to revisit our vision for the future. We do acknowledge that the effort will conceptually set the touchtone for future development, but with it will come the need to identify funding sources to support the major undertaking beyond the scope of what is currently available today as well as the extraordinary requirements, if any, that may be needed to financially support the reset program.

So as I sit before you today, I can say that the Port does not have a need for Lot 127PI and does support the return of the Lot to the Ancestral Lands Commission as called for in Bill No. 7-32.

However, as for the other lands that remain in the inventory of the Port, we can only speculate that we will know more as we progress further down the course of the master plan reset.

One thing remains constant, and that is the Port is the economic engine for our island and with this is to also know that our needs to support this critical role will be ever changing.

Thank you for the opportunity to present my testimony on behalf of the Port, and again as noted earlier, written testimony will be provided to the Committee within the period of comment following this hearing.

PORT AUTHORITY of GUAM





January 8, 2013

MEMORANDUM

To:

Rennae Meno

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

From:

Senator Rory J. Respicio

Majority Leader & Rules Chair

Subject:

Referral of Bill Nos. 7-32 & 8-32 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 7-32 & 8-32(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 Unu Na Liheslaturan Guahan Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
1 , ,	Ed.D.	AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.	01/08/2013, 8:06am	1/8/13		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land			



I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 25, 2013

Memorandum

To:

All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at 9:00am, on Friday, February 1, 2013 at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Memo to Senators January 25, 2013 Page 2

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 11:01 AM To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie
brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com> Cc: Senator ben pangelinan <senbenp@guam.net>

(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013) Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an
(9:00 AM)

TAREHA (AGENDA)

Priniponi Siha:

(Bills)

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority

to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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Lisa Dames Chief of Staff

Office of Senator benic, pangelinan (671) 473-4236 cipc@guamlegislature.org



PHNotice 020113.pdf 111K



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Fri, Jan 25, 2013 at 10:56 AM

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013) Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an (9:00 AM)

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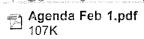
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Lisa Dames Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236 cipo@guamlegislature.org





Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 25, 2013 at 10:58 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystat Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown

detsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez cyperezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, life@guampdn.com

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013) Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an
(9:00 AM)

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing – SECOND NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at 9:00am, on Friday, February 1, 2013 at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Memo to Senators January 30, 2013 Page 2

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Lisa Dames <cipo@quamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:16 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamiegislature.org>

Public Hearing - SECOND NOTICE

2 messages

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Wed, Jan 30, 2013 at 10:17 AM

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Lisa Dames Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236 cipo@guamlegislature.org



Agenda Feb 1.pdf 107K

Adam Bearce <adam@guamlegislature.org>

Wed, Jan 30, 2013 at 10:19 AM

To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Hi. confirmed posted.

[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:23 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie
brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com> Cc: Senator ben pangelinan <senbenp@guam.net>

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The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

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Bill No. 7-32 (COR): An Act to Add a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

Bill No. 9-32 (COR): An Act to add new §§58148, 58148.1, 58148.2, 58148.3, and 58149 to Chapter 58 of Title 12, Guam Code Annotated, and amend sections of Chapter 58 of Title 12 Guam Code Annotated, Relative to establishing the Qualifying Certificate Review Board, the Qualifying Certificate Accountability and Transparency Website, and for other purposes.

Bill No. 18-32 (COR): An Act to Appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.

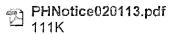
Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

Yanggen un nisisita espesiåt na setbisio put fabot ågang i Ifisinan Senadot ben pangelinan gi 473-Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinan-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel

gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org



WEDNESDAY JANUARY 30 2013 MARIANAS VARIETY GUAM EDITION ...

WEDNESDAY, JANUARY 30, 2013



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I Mina'trentai Dos na Liheslaturan Guåchan 32nd GUAM LEGISLATURE

Senator Vicente (hen) Cabrera Pangelinan Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013 (Friday, February 1, 2013)

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an (9:00 AM) TAREHA (AGENDA)

Priniponi Siha: (Bills)

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Senator Vicente (ben) Cabrera Pangelinan Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013) Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an (9:00 AM)

> TAREHA (AGENDA)

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I Mina'trentai Dos na Liheslaturan Guåhan 32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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UPDATED 2013.02.11

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