



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina'Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

FEB 10 2015

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

Speaker
I Mina'Trentai Tres Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

2015 FEB 10 10 08 51

VIA: The Honorable Rory J. Respiro
Chairperson, Committee on Rules

Rory J. Respiro

RE: Committee Report on Bill No. 1-33 (LS) as amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 1-33 (LS), "An Act to Transfer Title of Lot No. 5397 Municipality of Mangilao, Guam to the University of Guam." As amended by the Author and the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

Committee votes are as follows:

- 5 TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse'!

Thomas C. Ada
Thomas C. Ada



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

COMMITTEE REPORT ON

Bill No. 1-33 (LS)

**“An Act to Transfer Title of Lot No.
5397 Municipality of Mangilao, Guam
to the University of Guam.”**

**As Amended by the Author and the
Committee on Transportation,
Infrastructure, Lands, Border
Protection, Veterans' Affairs and
Procurement.**



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guahan • 33rd Guam Legislature

February 9, 2015

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection,
Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada** 
Committee Chairperson

Subject: **Committee Report on Bill No. 1-33 (LS) As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 1-33 (LS), "An Act to Transfer Title of Lot No. 5397 Municipality of Mangilao, Guam to the University of Guam." As amended by the Author and the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 1-33 (LS), As Introduced,
- Copy of Bill No. 1-33 (LS), As Amended
- Public Hearing Sign-in Sheet
- Copy of written testimony
- Fiscal Note/Waiver
- COR Referral of Bill No. 1-33 (LS)
- Notices of Public Hearing
- Public Hearing Agenda

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



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Libeslaturan Guahan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 1-33 (LS), "An Act to Transfer Title of Lot No. 5397 Municipality of Mangilao, Guam to the University of Guam." As amended by the Author and the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR RORY J. RESPICIO Vice Chairperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VICE SPEAKER BENJAMIN J.F. CRUZ Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR FRANK B. AGUON, JR. Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR DENNIS RODRIQUEZ, JR. Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR NERISSA UNDERWOOD Member		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR FRANK BLAS, JR. Member		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR MARY TORRES Member		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill 1-33 (LS) was introduced on January 5, 2015 by Speaker Judith T. Won Pat and was subsequently referred on January 6, 2015 to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement (Committee). The Committee convened a public hearing on January 29, 2015 at 9:00 am in *I Liheslaturan Guahan* Public Hearing Room.

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on January 22, 2015 (5-Day Notice) and again on January 27, 2015 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada,	<i>Committee Chairperson</i>
Vice Speaker Benjamin J.F. Cruz	<i>Committee Member</i>
Sen. Frank Aguon Jr.	<i>Committee Member</i>
Sen. Dennis Rodriguez Jr.	<i>Committee Member</i>
Speaker Judith T. Won Pat	<i>Ex-Officio Committee Member</i>
Sen. Anthony Ada	

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada: Called the Hearing to order at 9:07am. Senator Tom Ada yields to Speaker Won Pat, author of bill 1-33(LS).

Speaker Won Pat: Explains bill 1-33(LS) that it transfers Title of Lot 5397 to the University of Guam, which would be an essential component for the university. Currently, the property is jointly controlled by the University of Guam, Department of Agriculture, and Department of Parks and Recreations. The transfer would allow the university to stay on track to increase revenue sources, foster sustainability, and build capacity. Speaker Won Pat indicates that the university will be the responsible owner of the property and any development of the land will compliment it with the intent of the conservation reserve. She acknowledges suggested recommendation for amendments on bill 1-33(LS) and informed the Chairman she would submit amendments to the Committee.

Chairman Ada: The committee will receive and incorporate the amendments on the bill. He now calls on the people who have signed up to testify to please approach the table.

Celestino F. Aguon, *Chief, Department of Agriculture Aquatic and Wild Life Resource*, (Oral and Written Testimony) The Department of Agriculture opposes bill 1-33(LS) as introduced. The main concern is that the property consists of a pristine forest, which the Department of Agriculture is mandated to manage on all conservation lands. Once the bill is passed the Dept. of Agriculture is concerned they may lose control of the conservation land because of the change in ownership. They would like to see the designation of property kept for conservation purposes.

Chris Felix, *Regent, University of Guam* (Oral Testimony) Is just here as a Regent for the University of Guam speaking in favor of Bill 1-33(LS). He believes there is no one better in protecting the property than the University of Guam.

Michael J. Borja, *Director of Department of Land Management* (Oral and Written Testimony) Explains there is a lot of detailed work that needs to happen in order to transfer property. Mr. Borja explains, that in order for the Title transfer to occur there has to be a concurrence with Department of Land Management, Department of Public Works and Department of Agriculture. A written letter of concurrence has been submitted to the Department of Land Management by the Department of Public Works agreeing to the transfer of Title. The Department of Agriculture will concur with the transfer of title as long as the provisions that were discussed earlier are honored in regards to the land remaining as conservation area. He explains that with all 3 concurrences in place, the Department of Land Management would have the ability to transfer the ownership of land to the University of Guam.

Dr. Robert A. Underwood, *President of University of Guam* (Oral and Written Testimony) Explains that he had met with the Department of Land Management, Department of Agriculture, and Department of Parks and Recs about 3 years ago. They reviewed the entire history of this issue and the original intent was to grant the land to the University of Guam, but with some understanding of pristine areas and conservations be put in place. He believes that if the legislature feels these caveats are needed in the bill, then certainly the University will wholeheartedly support it. Dr. Underwood does want to assure all parties that there is no intent of building a whole new school or campus of any sort that will destroy pristine forests. He believes they have the academic resources and appreciation for the environment, which would help in making the conservation area more useful and available for research to the public. So, the University of Guam does support the intent of bill 1-33(LS) and will do their part in making sure that other agencies concerns are dealt with in regards to conserving the pristine forest.

Chairman Ada: Opens the panel up for senators to speak.

Senator Aguon: Asks what would happen if the leadership 5-10yrs down the road changes and they want to disregard the pristine conservation area to maximize total usage of the property. Would it be appropriate to incorporate a more highlight of this property that is being utilized by U.O.G. with the conservation area being a major feature.

Dr. Underwood: Explains the intent of the bill is clear, but they still have to look at the specific language. The University had the opportunity to buy the whole property, but failed to do so at the time. So, now these areas have a lot of development with intrusions in them, which the University has to deal with. I certainly endorse any covenant, that if violated will reverse the transfer of land.

Senator Anthony Ada: Asks Celestino Aguon how much of this lot is considered pristine forest.

Celestino Aguon: Did not have the exact numbers of the pristine forest, but explained that the property is fairly defined around the marine lab area and further north its topography is much greener. His initial thought was they were removing pristine property and that was their main concern. They can partner with the University of Guam multiple ways to get this thing to the next level.

Senator Anthony Ada: Asks does the Department of Agriculture look at instead of transferring the whole lot of land to just cut out that pristine forest section and keep it within the Dept. of Agriculture.

Celestino Aguon: As far as ownership goes they are not in disagreement with the University. They are only concern with the pristine portion of land and are open to working with the University of Guam.

Senator Anthony Ada: ok he is glad to hear that.

Chairman Ada: Closes by thanking everyone.

Submitted Written Testimonies:

Raymond F. Blas, *Director of Parks and Recreation*
(Written Testimony)

Glenn Leon Guerrero, *Acting Director of Public Works*
(Written Testimony)

Mariquita F. Taitague, *Director of Department of Agriculture*
(Written Testimony)

III. FINDINGS AND RECOMMENDATIONS

The Committee recommends the bill be amended by inserting language which designates the property to be transferred remain as a conservation area. However, in the event that any development is needed, Legislative approval will be required. The Committee hereby reports out Bill I-33 (LS), as Amended by the Author and the Committee, with the recommendation to Do Pass.

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

Bill No. 1-33 (LS)

Introduced by:

Judith T. Won Pat, Ed.D. 

**AN ACT TO TRANSFER TITLE OF LOT NO. 5397
MUNICIPALITY OF BARRIGADA, GUAM TO THE
UNIVERSITY OF GUAM.**

2015 JUN -5 AM 10:06


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslatura* finds that Lot No.
3 5397, Municipality of Barrigada is registered in the name of the Government of Guam
4 as owner in fee simple, subject to a reversionary interest of the United States in the
5 event the lot is used for other than its intended purposes. Lot No. 5397 is commonly
6 known as the “Cliff Line Property”. Title in the name of the Government of Guam
7 was granted by the Superior Court of Guam on March 29, 1999, pursuant to a Petition
8 for Registration of Title to Land.

9 *I Liheslatura* notes that historically in January 1966 the Director of Land
10 Management of the Government of Guam filed and approved the establishment of
11 Conservation Areas. The administration of Lot No. 5397 is stated as follows: “This
12 area will be administered and controlled by the College of Guam in conjunction with
13 the Departments of Agriculture, Land Management and Public Works.” *I Liheslatura*
14 further finds that Public Law 22-18 designated Lot No. 5397 as Reserved Land to be
15 managed jointly by the University of Guam, the Department of Agriculture, the
16 Department of Park and Recreation for the Marine Lab Expansion, Conservation

1 Reserve and Prehistoric Site. Lot No. 5397 holds perhaps the best preserved tract of
2 limestone forest on Guam, resulting from the inaccessibility of the area due to the
3 difficult tower karst terrain that pervades it. Since January 1966 Lot No. 5397 has
4 been in the control of the University, where it has been a biological conservation site
5 for the purposes of advancing the conservation, protection and study of the natural soil
6 and water conditions and of all native plants, animal and water life. Further, Lot No.
7 5397 holds the University of Guam Marine Laboratory, Marine Laboratory Visitors
8 Housing Facility, and the Water and Environmental Research Institute (WERI). The
9 lot is used extensively by University classes for field trips and by University faculty in
10 the natural sciences for research. Future plans by the University include continued use
11 of the natural features of this lot in education and research, and accommodating
12 constructions of new facilities at the Marine Lab and WERI.

13 *I Liheslatura* finds that if title to Lot No. 5397 were transferred to the
14 University, the University would be free to proceed with specific projects and plans to
15 address these concerns. Inasmuch as the University has maintained administrative
16 control of Lot No. 5397 since January 1966, transfer of title of Lot No. 5397 to the
17 University would play a vital part in increasing the University's revenue sources,
18 fostering sustainability, and capacity building. It is for this particular reason that *I*
19 *Liheslatura* finds it is now appropriate and fiscally responsible that title of Lot No.
20 5397 be transferred to the University.

21 Therefore, it is the intent of *I Liheslatura* to transfer Lot No. 5397 exclusively
22 to the University of Guam for the purpose of continuing the University's mission of
23 Ina, Diskubre, Setbe and for purposes of increasing the University's revenue sources,
24 capacity building and sustainability, while preserving the original intent in
25 establishing the conservation area.

1 **Section 2. Transfer of Property.** Lot No. 5397, Municipality of Barrigada, is
2 hereby transferred to the University of Guam, pursuant to §60112, Chapter 60 of Title
3 21 Guam Code Annotated, for purposes of continuing the University’s mission of Ina,
4 Diskubre, Setbe. Any development on Lot No. 5397 shall be consistent with the
5 original intent of the Conservation Reserve, that of the advancement of the
6 conservation, and the protection and study of the natural soil and water conditions and
7 of all native plants, animal and water life.

8 **Section 3. Exemption.** § 2107 of Title 2 Guam Code Annotated and the
9 Standing Rules of *I MINA’ TRENTAI TRES NA LIHESLATURAN GUÁHAN* relative
10 to land appraisals of land bills shall not apply to this Act.

11 **Section 4. Issuance of Certificate of Title.** The Department of Land
12 Management shall issue a certificate of title for Lot No. 5397 in the name of the
13 University of Guam within thirty (30) days of this Act.



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

Bill No. 1-33(LS)

As Amended by the Author and
the Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement.

Introduced by:

Judith T. Won Pat, Ed.D.

**AN ACT TO TRANSFER TITLE OF LOT NO. 5397
MUNICIPALITY OF MANGILAO, GUAM TO THE
UNIVERSITY OF GUAM.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslatura* finds that Lot No.
3 5397, Municipality of Mangilao, Guam, containing an area of 6,096,159+/- square
4 feet, or 566,351+/- square meters, or 139.95+/- acres; as shown on Drawing No. 972,
5 L.M. No. 110 FY90, prepared by Ronald G. Perry, PLS No. 33, dated February 23,
6 1990, and recorded under Instrument No. 433246 as shown in Exhibit A and reference
7 Maps Exhibit B is registered in the name of the Government of Guam as owner in fee
8 simple, subject to a reversionary interest of the United States in the event the lot is
9 used for other than its intended purposes. Lot No. 5397 is commonly known as the
10 "Cliff Line Property". Title in the name of the Government of Guam was granted by
11 the Superior Court of Guam on March 29, 1999, pursuant to a Petition for Registration
12 of Title to Land.

13 *I Liheslatura* notes that historically in January 1966 the Director of Land
14 Management of the Government of Guam filed and approved the establishment of

1 Conservation Areas. The administration of Lot No. 5397 is stated as follows: “This
2 area will be administered and controlled by the College of Guam in conjunction with
3 the Departments of Agriculture, Land Management and Public Works.” *I Liheslatura*
4 further finds that Public Law 22-18 designated Lot No. 5397 as Reserved Land to be
5 managed jointly by the University of Guam, the Department of Agriculture, the
6 Department of Park and Recreation for the “Marine Lab Expansion, Conservation
7 Reserve and Prehistoric Site”. Lot No. 5397 holds perhaps the best preserved tract of
8 limestone forest on Guam, resulting from the inaccessibility of the area due to the
9 difficult tower karst terrain that pervades it. Since January 1966 Lot No. 5397 has
10 been in the control of the University, where it has been a biological conservation site
11 for the purposes of advancing the conservation, protection and study of the natural soil
12 and water conditions and of all native plants, animal and water life. Further, Lot No.
13 5397 holds the University of Guam Marine Laboratory, Marine Laboratory Visitors
14 Housing Facility, and the Water and Environmental Research Institute (WERI). The
15 lot is used extensively by University classes for field trips and by University faculty in
16 the natural sciences for research. Future plans by the University include continued use
17 of the natural features of this lot in education and research, and accommodating
18 constructions of new facilities at the Marine Lab and WERI.

19 *I Liheslatura* finds that if title to Lot No. 5397 were transferred to the
20 University, the University would be free to proceed with specific projects and plans to
21 address these concerns. Inasmuch as the University has maintained administrative
22 control of Lot No. 5397 since January 1966, transfer of title of Lot No. 5397 to the
23 University would play a vital part in increasing the University’s revenue sources,
24 fostering sustainability, and capacity building. It is for this particular reason that *I*
25 *Liheslatura* finds it is now appropriate and fiscally responsible that title of Lot No.
26 5397 be transferred to the University.

1 Therefore, it is the intent of *I Liheslatura* to transfer Lot No. 5397 exclusively
2 to the University of Guam for the purpose of continuing the University’s mission of
3 Ina, Diskubre, Setbe and for purposes of increasing the University’s revenue sources,
4 capacity building and sustainability, while preserving the original intent in
5 establishing the conservation area.

6 **Section 2. Transfer of Property.** Lot No. 5397, Municipality of Mangilao,
7 Guam containing an area of 6,096,159+/- square feet, or 566,351+/- square meters, or
8 139.95+/-acres as shown on Drawing No. 972, L.M. No. 110 FY90, prepared by
9 Ronald G. Perry, PLS No. 33, dated February 23, 1990, and recorded under
10 Instrument No. 433246 as shown in Exhibit A and reference Maps Exhibit B (Lot
11 5397), is hereby transferred to the University of Guam, pursuant to §60112, Chapter 60
12 of Title 21 Guam Code Annotated, for purposes of continuing the University’s
13 mission of Ina, Diskubre, Setbe.

14 **Section 3. Use of Property.** The use of Lot No. 5397 shall be consistent with
15 the original intent of the ‘expansion of the Marine Lab, [as a] Conservation Reserve
16 and Prehistoric Site” and for the specific use of the Water and Environmental
17 Research Institute (WERI) or succeeding organization, and as related to the
18 advancement of the conservation, and the protection and study of the natural soil and
19 water conditions and of all native plants, animal and water life. Any plans to construct
20 facilities for the expansion of the Marine Lab and WERI or change from the intended
21 use shall require the concurrence of *I Liheslaturan Guahan* by statute.

22 **Section 4. Zoning.** Lot 5397 shall be split-zoned and multi-use.

23 (1) The area of Lot 5397 that is east of Lot 5397-R/W (*otherwise known as the*
24 *road to the Marine Lab*) shall be a Conservation Reserve Zone and Use (for education
25 and research of the soil, water, plants, and animals of the Reserve). Top areas of cliffs
26 will absorb the zone and use of the next contiguous lot inland,

1 (2) the area of Lot 5397 that is west, north and south of Lot 5397-R/W shall be
2 a School/Public Facilities Zone and Use for the expansion of the Marine Lab and
3 WERI). Top areas of cliffs shall absorb the zone and use of the next contiguous lot
4 inland, and

5 (3) private lots west, north and south of Lot 5397-R/W will maintain their
6 existing zoning and use

7 **Section 5. Exemption.** § 2107 of Title 2 Guam Code Annotated and the
8 Standing Rules of *I Mina' Trentai Tres Na Liheslaturan Guåhan* relative to the
9 appraisals of land shall not apply to this Act.

10 **Section 6. Issuance of Certificate of Title.** The Department of Land
11 Management shall issue a certificate of title for Lot No. 5397_ in the name of the
12 University of Guam within sixty (60) days of enactment of this Act.

Legal and Technical Description
of Lot 5397, Barrigada

600683

Page 4

Corners six and nineteen are six-inch by six-inch concrete monuments found. Corner seven is a three-fourths inch iron pipe found with concrete collar. Corners thirteen, fourteen, fifteen, eighteen, twenty, twenty-three and twenty-eight are four-inch by four-inch concrete monuments found. Corner twenty-two is a rebar found with concrete collar. Corner twenty-seven is an old rebar corner found with plastic cap.

Lot 5397 is bounded on the northwest by Lot 5420-1-1 (Maruhan Corporation Guam, Document Number 404277), on the north by a fifty-foot right-of-way designated as Lot 5397 R/W (Document Number 310660), Lot 5420-2 (Priscilla T. Antonio, Document Number 404277), Lot 5420-3 (Angel B. Tenorio, Document Number 404277), Lot 5420-4 (Franklin J.K. Leong, Document Number 404277), Lot 5420-R4 (Olivia M.D. Cruz, Document Number 404277), again by Lot 5397 R/W, a fifty-foot right-of-way (Document Number 310660), Lot 5376-New-5-R1 (University of Guam, Government of Guam, Document Number 306662), Lot 5376-New-R5 (George Washington High School, Government of Guam, Document Number 305926), on the north by Lot 5376 New-2A (Government of Guam, Document Number 305143) and Lot 5419-R4 (unsurveyed Government of Guam land, Document Number 322313), on the northeast again by Lot 5419-R4 (unsurveyed Government of Guam land, Document Number 322313) and Lot 2517-R17 (Hanil Development Company, Limited, Document Number 424425), on the east and south by the Pacific Ocean, on the west by unsurveyed Government of Guam land.

PREPARED BY:

Janet Bourgeois
JANET BOURGEOIS, Surveyor

Date: *November 13, 1990*

EXHIBIT A

Legal and Technical Description
of Lot 5397, Barrigada

000633

Page 5

APPROVED BY:



NICENOR B. CARINO, Chief of Cadastre

Date:

7.8.70

CONCURRED BY:



F. L. G. CASTRO, Director of Land Management

Date:

9/10/70

EXHIBIT A

600583

LEGAL AND TECHNICAL DESCRIPTION
OF
LOT 5397
MUNICIPALITY OF BARRIGADA

All that tract or parcel of land designated as Lot 5397 situated in Land Square 18 Section 3 and Land Square 27 Section 2, municipality of Barrigada more particularly bounded and described as follows:

Beginning at a point marked "one" on plan being 1963 Guam Geodetic Triangulation Net Station "Iates" having 1963 plane rectangular coordinates of North 148,263.1530 feet and East 183,464.0340 feet; then,

Along the following twenty-eight (28) courses:

- (1) North $20^{\circ}27'52''$ East, 3,004.23 feet to corner two (2); then,
- (2) North $38^{\circ}14'44''$ East, 448.52 feet to corner three (3); then,
- (3) North $56^{\circ}39'17''$ East, 240.49 feet to corner four (4); then,
- (4) South $49^{\circ}58'32''$ East, 965.60 feet to corner five (5); then,
- (5) South $04^{\circ}40'11''$ East, 511.64 feet to corner six (6); then,
- (6) South $04^{\circ}40'11''$ East, 37.00 feet to corner seven (7); then,
- (7) South $39^{\circ}35'19''$ West, 1517.46 feet to corner eight (8); then,
- (8) South $14^{\circ}35'19''$ West, 1,106.42 feet to corner nine (9); then,
- (9) South $46^{\circ}17'47''$ West, 1,476.27 feet to corner ten (10); then,
- (10) South $70^{\circ}45'25''$ West, 591.95 feet to corner eleven (11); then,

EXHIBIT A

Legal and Technical Description
of Lot 5397, Barrigada

600883

Page 2

(11) North $77^{\circ}15'26''$ West, 2,155.18 feet to corner twelve (12); then,

(12) Due North, 263.68 feet to corner thirteen (13); then,

(13) North $85^{\circ}48'44''$ East, 196.65 feet to corner fourteen (14); then,

(14) South $24^{\circ}34'11''$ East, 20.00 feet to corner fifteen (15); then,

(15) South $19^{\circ}39'03''$ East, 49.65 feet to corner sixteen (16); then,

(16) North $70^{\circ}36'32''$ East, 73.77 feet to corner seventeen (17); then,

(17) Along a curve convex to the north having a central angle of $17^{\circ}13'31''$, a radius of 636.86 feet, an arc length of 191.47 feet, a chord distance of 190.77 feet and a chord bearing of North $79^{\circ}10'48''$ East to corner eighteen (18); then,

(18) North $87^{\circ}50'03''$ East, 286.02 feet to corner nineteen (19); then,

(19) South $02^{\circ}17'26''$ East, 199.89 feet to corner twenty (20); then,

(20) North $87^{\circ}43'55''$ East, 907.41 feet to corner twenty-one (21); then,

(21) North $02^{\circ}18'57''$ West, 218.77 feet to corner twenty-two (22); then,

(22) Along a curve convex to the southeast and having a central angle of $33^{\circ}24'34''$, a radius of 157.70 feet, an arc length of 91.96 feet, a chord distance of 90.66 feet and a chord bearing of North $42^{\circ}12'17''$ East to corner twenty-three (23); then,

EXHIBIT A

Legal and Technical Description
of Lot 5397, Barrigada

600683

Page 3

(23) North $25^{\circ}30'00''$ East, 138.48 feet to corner twenty-four (24); then,

(24) Along a curve convex to the east and having a central angle of $106^{\circ}06'09''$, a radius of 133.27 feet, an arc length of 246.79 feet, a chord distance of 213.01 feet and a chord bearing of North $27^{\circ}33'04''$ West to corner twenty-five (25); then,

(25) North $80^{\circ}36'09''$ West, 194.38 feet to corner twenty-six (26); then,

(26) Along a curve convex to the southwest and having a central angle of $23^{\circ}58'35''$, a radius of 98.17 feet, an arc length of 41.08 feet, a chord distance of 40.78 feet and a chord bearing of North $68^{\circ}36'51''$ West to corner twenty-seven (27); then,

(27) South $89^{\circ}10'25''$ East, 220.11 feet to corner twenty-eight (28); then,

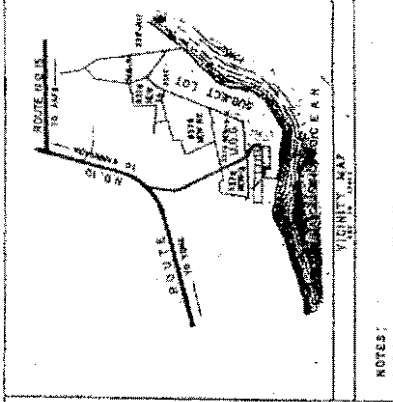
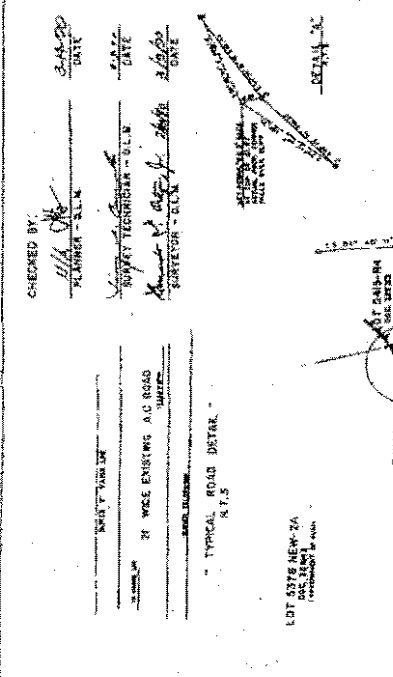
(28) North $85^{\circ}01'33''$ East, 982.52 feet to the point of beginning containing an area of Six Million Ninety-six Thousand, One Hundred Fifty-nine Square Feet more or less (6,096,159± S.F.) in addition to a planimetric area to the High Water Mark of Nine Hundred Forty-six Thousand, Four Hundred Fifty-six Square Feet more or less (946,456± S.F.) bringing the total area to Seven Million Forty-two Thousand, Six Hundred Fifteen Square Feet more or less (7,042,615± S.F.) as shown on Drawing Number I4-90T363 prepared by Registered Land Surveyor Number Thirty-three for the Department of Land Management and approved on March 14, 1990.

Corner one is 1963 Guam Geodetic Triangulation Net Station "Iates". Corners two, three, four, five, eight, nine, ten, eleven, twelve, sixteen, seventeen, twenty-one, twenty-four, twenty-five and twenty-six are rebars set with caps marked P.A.I.

EXHIBIT A

600683

NO.	SECTION	AREA	PERCENTAGE	REMARKS
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NOTES:

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND SURVEYING ACT, CHAPTER 17, SECTION 1701, AND THE RULES AND REGULATIONS THEREUNDER.
2. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
3. THE SURVEY WAS MADE ON THE 15th DAY OF APRIL, 1963.
4. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
5. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
6. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
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10. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.

REFERENCES:

1. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
2. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.
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10. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF TAPING.

CERTIFICATIONS:

I, PERCY ASSOCIATES, INC., being duly sworn, depose and say that the foregoing is a true and correct copy of the original survey as shown to me by the undersigned, and that I am a duly qualified and licensed land surveyor in the State of California.

PERCY ASSOCIATES, INC.
LAND SURVEYORS
1000 PAVILION DRIVE
SAN FRANCISCO, CALIF. 94111

DATE: 5-15-63

APPROVED AND FORWARDED (See 6154, Government Code of Calif.)
PERCY ASSOCIATES, INC.
LAND SURVEYORS
1000 PAVILION DRIVE
SAN FRANCISCO, CALIF. 94111

DATE: 5-15-63

LAND REGISTRATION SURVEY
OF BASIC LOT 537E
MUNICIPALITY OF BARRIGADA
L.S. 18 SEC. 3 - L.S. 27 SEC. 2

PERCY ASSOCIATES, INC.
LAND SURVEYORS
1000 PAVILION DRIVE
SAN FRANCISCO, CALIF. 94111

DATE: 5-15-63

APPROVED AND FORWARDED (See 6154, Government Code of Calif.)
PERCY ASSOCIATES, INC.
LAND SURVEYORS
1000 PAVILION DRIVE
SAN FRANCISCO, CALIF. 94111

DATE: 5-15-63

TERMINAL PLANNER

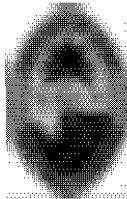
80 BY 90
PAGE 1 OF 1
972

CERTIFIED TRUE COPY

S. C. RODRIGUEZ 3/26/99

Acting Surveyor on Record

Exhibit B



DIPATTAMENTON MINANEHAN TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
 (Government of Guam)



EDDIE BAZA CALVO
 Governor

RAY TENORIO
 Lieutenant Governor

MICHAEL J.B. BORJA
 Director

DAVID V. CAMACHO
 Deputy Director

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

January 15, 2015

Senator Thomas C. Ada
 33rd Guam Legislature
 Chairman, Committee on Transportation,
 Infrastructure, Lands, Border Protection,
 Veteran's Affairs and Procurement
 173 Aspinall Ave, Ste 207
 Hagatna, Guam 96910

SUBJECT: Testimony on Bill No. 1-33 (LS)

Buenas Yan Hafa Adai! The department has reviewed Bill No. 1-33 - **An Act to Transfer Title of Lot No.5397 Municipality of Barrigada, Guam to the University of Guam.**

The Department of Land Management has the following comments regarding this bill.

1. Lot No. 5397 is located in the Municipality of Mangilao and the bill's title should be corrected.
2. Lot No. 5397, Mangilao, has gone through the Land Registration Title Act with a decree establishing title filed with our office as Instrument No. 600683 in favor of the Government of Guam.
3. Lot No. 5397 was established as a conservation area to be "administered and controlled by the College of Guam in conjunction with the Departments of Agriculture, Land Management and Public Works." This tract is free from any clouds unless the departments noted above object to the transfer in favor of the University of Guam.
4. In consideration of the Chamorro Land Trust Commission's defined course of action with reference to the transfer of properties, we request that the following reversionary clause be incorporated in its legislative presentation:

"Title and ownership of the transferred property remain with the University of Guam for a period of ten (10) years. In the event that the title and ownership for the property be conveyed or otherwise transferred to another entity, such title and ownership of the property shall revert to the Chamorro Land Trust Commission"

Department of Land Management supports the University of Guam with the realization efforts of their plans, goals, and objectives while focusing on the enhancements and

Street Address:

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

Mailing Address:

P.O. Box 2950
 Hagatna, GU 96932

Website:

<http://dim.guam.gov>

E-mail Address:

dimdir@land.guam.gov

Telephone:

671-649-LAND (5263)

Facsimile:

671-649-5383



protection of the natural resources, and does not object to the title transfer in favor of the University of Guam.

We wish to ascertain that the transfer of the official title and ownership is in accordance with the mandates defined in the 21 GCA Chapter 75. Further, this transfer shall contribute to the University's asset inventory and sustainability with no financial adverse impact to the Department of Land Management or the Chamorro Land Trust Commission.

We appreciate the opportunity extended to us to submit our testimony.

Senseramente,



MICHAEL J.B. BORJA



The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor



GLENN LEON GUERRERO
Director, Acting
JESSIE B. PALICAN
Deputy Director

January 27, 2015

Senator Thomas C. Ada
33rd Guam Legislature
Chairman, Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veteran's Affairs and Procurement
173 Aspinall Ave., Ste 207
Hagatna, Guam 96910

SUBJECT: Testimony on Bill No. 1-33 (LS)

Buenas Yan Hafa Adai! The department has reviewed Bill No. 1-33. **An Act to Transfer Title of Lot No. 5397, Municipality of Barrigada, Guam to the University of Guam.**

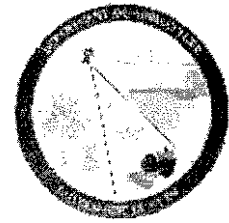
The Department of Public Works is in concurrence with the title transfer.



GLENN LEON GUERRERO
Acting



Department of Agriculture
Dipattamenton Agrikottura
 163 Dairy Road, Mangilao, Guam 96913



Edward J.B. Calvo
 Governor

Raymond S. Tenorio
 Lt. Governor

Director's Office	300-7964/65/66; Fax 734-6569
Agricultural Dev. Services	300-7972/73/67; Fax 734-6569
Animal Health	300-7965/66; Fax 734-6569
Aquatic & Wildlife Resources	735-3955/56; Fax 734-6570
Forestry & Soil Resources	300-7975/76; Fax 734-6569
Plant Nursery	300-7974; Fax 734-6569
Plant Inspection Facility	475-1426/27; Fax 477-9487

Mariquita F. Taitague
 Director

Matthew L.G. Sablan
 Deputy Director

January 23, 2015

Senator Thomas Ada, Chairman
 Committee on Transportation, Infrastructure, Lands,
 Border Protection, Veterans' Affairs and Procurement
 33rd Guam Legislature,
 155 Hesler Place,
 Hagåtña, Guam 96932

Re: Bill 1-33, An Act to transfer Title of Lot No. 5397 Municipality of Barrigada, Guam to the University of Guam

Hafa Adai! Honorable Senator and Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement:

The Department of Agriculture submits testimony not in favor of Bill 1-33, An Act to transfer Title of Lot No. 5397 Municipality of Barrigada, Guam, to the University of Guam. This lot has historically been under the University of Guam's administrative control. The department is not in favor of this transfer for the following reasons:

1. The area contains undisturbed limestone forest that is a rare and valuable habitat on Guam that is necessary for the survival of many of Guam's native species. The recent increase in development on Guam has diminished habitat necessary for the recovery of locally and federally listed endangered species;
2. Guam has made conservation commitments to the US Department of Interior in order to avoid Critical Habitat (CH) designation. The conservation of this land could provide the necessary support for Government of Guam to avoid the designation of CH and the associated land restrictions;
3. The Department of Agriculture's, Division of Aquatic and Wildlife Resources is in favor of preserving as much of Guam's native limestone forest habitats, it recommends placing the property under its control;



Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Department of Parks and Recreation

Government of Guam
490 Chalan Palasya
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6295/6270



Raymond F.Y. Blas
Director

January 27, 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
33rd Guam Legislature
155 Hesler St.
Hagatna, Guam 96910

Re: Bill No. 1-33

Hafa Adai! The Department of Parks and Recreation (DPR) has completed its review of the referenced Bill and is not in favor of the proposed legislation. The subject lot in question (Lot 5397) is directly adjacent to known significant archeological and historical resources. Therefore, the potential of similar resources occurring on the subject lot is highly probable and would require a full archeological survey.

Thank you for the opportunity to comment.

Regards,


RAYMOND F.Y. BLAS

CC: Governor's Legal Counsel
Governor's Special Assistant, Ext. Affairs



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN

OFFICE OF THE PRESIDENT

UOG Station, Mangilao, Guam 96923

Telephone: (671) 735-2990 • Fax: (671) 734-2296

January 27, 2015

The Honorable Judith T. Won Pat
33rd Guam Legislature
155 Hessler Place
Hagatna, Guam 96910

Re: Questions from Department of Agriculture reference Bill 1-33 (LS) Testimony on an Act to Transfer Title of Lot No. 5397 Municipality of Barrigada, Guam to the University of Guam

Dear Speaker Won Pat:

Buenas yan Hafa Adai. Thank you for forwarding the inquiry from the Department of Agriculture. Please find below our response to their questions.

1. What is the University's long term goal for the property once transferred?

Response: The University intends to maintain the intent of the law that identifies this land as Reserved Land for the purpose of Marine Lab expansion, Conservation Reserve, and Prehistoric Site. The University also intends to continue to keep appropriate government and environmental agencies informed of any actions that may change within Lot No. 5397. As the Marine Laboratory and Water Environmental Research Institute (WERI) mission grows, their area will also change and expand, accordingly, to include the faculty and research housing area located there. The area will also be used to further efforts to conserve, protect, and study native plants, animals, and marine life, as well as natural soil and water conditions. Trails that are currently used today by faculty and researchers may be better developed with additional native and endangered species plants strategically placed in a protected area for student learning and research. Some of these trails extend past George Washington High School (GWHS) up to the Guam Community College (GCC). GCC programs are also using parts of the area for research and education. The current University Vision 2025 Physical Master Plan continues to keep the area generally the same with only informal trails and guided tours to limit damage to key specimen flora and fauna. Area of potential renovations will be in the Marine Laboratory, WERI, and faculty research housing areas and along the boundaries existing with the main campus.

2. Would they safeguard existing possible habitat areas?

Response: Yes, within the extent of University responsibilities. The University does not intend to encroach into other government and environmental agency responsibilities, but will assist, as it has been, in the safeguarding of these types of

areas. Areas identified as habitat areas will possibly be marked better and documented for the purpose of research and education as funding permits. Where additional improvements or protection measures are considered, it will still be the intent of the University to continue coordination with appropriate government and environmental agencies for information and documentation. The University is already in dialog with the Northern Soil and Water Conservation District and GCC on how to coordinate research and education activities in the area. The Northern Soil and Water Conservation District has also expressed interest with UOG on planting the endangered *Serianthes nelsonii* to perpetuate the species as well as make it accessible for student and community awareness along with other native species.

3. Property highly erodible for development.

Response: The University understands the complex geology of the parcel and will conduct geological assessments of any areas that would be constructed upon prior to any development. The University will build in areas that are suitable based upon those assessments and implement best management practices to proven erosion mitigation techniques during and after any construction.

4. Would they safeguard indigenous trees and plant material?

Response: Yes, within the extent of University responsibilities. The University does not intend to encroach into other government and environmental agency responsibilities, but will assist, as it has been, in the safeguarding of these types of natural resources. Areas identified with indigenous trees and plant material will possibly be marked better and documented for the purpose of research and education as funding permits. Additionally, with the pending official establishment of the University Landscape Committee, part of their oversight can be to identify and strategically place additional indigenous and endangered trees and plants within the conservation area for research and education purposes. Included in the proposed committee is an ex-officio member appointed by the Guam Department of Agriculture Division of Forestry, Urban and Community Forestry Program Coordinator. This representative currently attends the ad hoc Landscape Committee meetings.

Be assured that the University of Guam will continue to be great stewards of Lot No. 5397 as it has been in the past even after Bill 1-33 is passed into law.

Please contact me at 735-2990 for further information and to answer any other questions or concerns.

Sincerely,



Robert A. Underwood, Ed.D.
President



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN

OFFICE OF THE PRESIDENT

UOG Station, Mangilao, Guam 96923

Telephone: (671) 735-2990 • Fax: (671) 734-2296

January 29, 2015

The Honorable Thomas C. Ada
Chairman
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans'
Affairs and Procurement
Suite 207 Ada Plaza Center
173 Aspinall Avenue
Hagatna, Guam 96910

Re: Bill 1-33 (LS) Testimony on an Act to Transfer Title of Lot No. 5397 Municipality
of Barrigada, Guam to the University of Guam

Dear Mr. Chair and Senators:

Buenas yan Hafa Adai. I am Robert Underwood, President of the University of Guam, and I am here today in support of Bill 1-33 (LS).

The University is grateful for the support of I Mina' Trentai Tres Na Liheslaturan Guåhan in holding the public hearing to consider Bill 1-33. We acknowledge the sponsorship of Speaker Judi Won Pat.

In February 2013 the University of Guam completed our Vision 2025 Physical Master Plan which was adopted by our Board of Regents. We have an aggressive five-year Capital Campaign plan to support it. We are in the process of finalizing our Good to Great initiative with programs that focus on our mission, our purpose and our dynamic role in the social, economic, cultural, and political development of our region. There are also several ongoing initiatives, to which I Mina' Trentai Dos Na Liheslaturan Guåhan has been a valuable contributor.

The transfer of Lot No. 5397 is an integral component of our overall strategic goals. This Bill allows the University to continue on its track to increase revenue sources, foster sustainability, and build capacity towards meeting our mission of Ina, Diskubre, Setbe as we implement our future plans.

The University will continue to be responsible stewards to ensure that any development on Lot No. 5397 will complement, and be consistent with, the original intent of the Conservation Reserve to advance conservation, study the natural soil and water conditions, and protect all native plants, animal, and water life. While the University remains responsible to properly coordinate with respective government and environmental agencies in the development of its 21st century campus, Bill 1-33 will

allow the University to serve as trustee for the Reserve and facilitate the implementation of related initiatives.

I Mina' Trentai Tres Na Liheslaturan Guâhan's continued support to the University in the form of this Bill is a great investment that will continue to reap dividends for individuals and our community as a whole. Your actions to approve Bill 1-33 speak to your commitment to education, our island, and our region's future.

Thank you for the opportunity to comment. Please contact me at 735-2990 for further information and to answer any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Underwood". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert A. Underwood, Ed.D.
President



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 1-33 (LS) – Judith T. Won Pat, Ed.D., “AN ACT TO TRANSFER TITLE OF LOT NO. 5397 MUNICIPALITY OF BARRIGADA, GUAM TO THE UNIVERSITY OF GUAM.”**– on January 8, 2015. COR hereby certifies that BBMR confirmed receipt of this request January 8, 2015 at 12:55 P.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 1-33 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson, Committee on Rules

February 13, 2015

Date



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryfonguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
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Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

PENDING
MINORITY MEMBER

PENDING
MINORITY MEMBER

January 8, 2015

VIA E-MAIL

anthony.blaz@bbmr.guam.gov

Anthony C. Blaz
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 1-33(LS) through 18-33(COR)

Hafa Adai Mr. Blaz:

Transmitted herewith is a listing of *I Mina'trentai Tres na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (3)

Cc: Clerk of the Legislature

Bill No.	Sponsor	Title
1-33 (LS)	Judith T. Won Pat, Ed.D.	AN ACT TO TRANSFER TITLE OF LOT NO. 5397 MUNICIPALITY OF BARRIGADA, GUAM TO THE UNIVERSITY OF GUAM.
2-33 (LS)	B. J.F. Cruz	AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 4, CHAPTER 8, OF THE GUAM CODE ANNOTATED TO CREATE A NEW "HYBRID" RETIREMENT SYSTEM WITH MANDATORY PARTICIPATION BY GOVERNMENT OF GUAM EMPLOYEES HIRED AFTER DECEMBER 31, 2015; WITH OPTIONAL PARTICIPATION FOR DEFINED CONTRIBUTION RETIREMENT SYSTEM PARTICIPANTS WHO ELECT TO TRANSFER TO THE NEW HYBRID PLAN IN ACCORDANCE WITH REGULATIONS TO BE PROMULGATED.
3-33 (LS)	Tommy Morrison R. J. Respicio Brant T. McCreadie	AN ACT TO AMEND § 5204(d) OF CHAPTER 5, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE PROCUREMENT OF SPORTS EQUIPMENT AND SUPPLIES FOR YOUTH AND COMMUNITY SPORTS PROGRAMS.
4-33 (LS)	Michael F.Q. San Nicolas	AN ACT TO RESTORE SALARIES FOR ELECTED OFFICIALS AND CABINET MEMBERS TO LEVELS ESTABLISHED PRIOR TO THE ENACTMENT OF PUBLIC LAW 32-208, TO PREVENT THE WAIVER OF THE PUBLIC HEARING REQUIREMENT FOR BILLS PROPOSING SALARY CHANGES FOR ELECTED OFFICIALS, AND TO REQUIRE THAT ANY CHANGE IN SALARY OF ELECTED OFFICIALS TAKE EFFECT AFTER A GENERAL ELECTION TO THE GUAM LEGISLATURE HAS INTERVENED, BY REPEALING PUBLIC LAW 32-208 AND ADDING NEW §§ 6215 AND 6215.1 BOTH TO ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED.
5-33 (LS)	Brant T. McCreadie	AN ACT TO CREATE A NEW ARTICLE 6 & 7 TO CHAPTER 90, AND TO AMEND §90.90 OF ARTICLE 4, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2015".
6-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO AMEND §58146.1 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED TO EXEMPT THE GUAM ECONOMIC DEVELOPMENT AUTHORITY FROM ARTICLE 3 OF CHAPTER 9, 5 GCA IN THE DEVELOPMENT OF PROPOSED INDUSTRY SPECIFIC POLICY, CRITERIA AND MEASURABLE GOALS RELATIVE TO THE QUALIFYING CERTIFICATE PROGRAM.
7-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.

8-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR DEVELOPMENT AND IMPLEMENTATION OF COMPARABLE RATE SCHEDULE R CHARGES FOR RESIDENTIAL MULTIFAMILY ACCOMMODATIONS BY THE GUAM POWER AUTHORITY, BY ADDING A NEW ITEM (1) TO §8104(D) OF CHAPTER 8, TITLE 12, GUAM CODE ANNOTATED, AND A NEW ITEM (1) TO §3111 OF ARTICLE 1, CHAPTER 3, TITLE 28, GUAM ADMINISTRATIVE RULES AND REGULATIONS.
9-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADOPT THE RULES AND REGULATIONS RELATIVE TO RESPONSIBLE ALCOHOL SERVER/SELLER TRAINING PROGRAMS, BY AMENDING CHAPTER 2 - ALCOHOLIC BEVERAGE CONTROL BOARD, OF TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS - BUSINESS REGULATIONS.
10-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO EXEMPT CERTAIN PUBLIC SECTOR ALLIED HEALTH PROFESSIONS FROM JURY DUTY, BY AMENDING § 22107 OF CHAPTER 22, TITLE 7, GUAM CODE ANNOTATED.
11-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR HEALTHCARE PROFESSIONAL PAY PLAN CATEGORY IN THE GOVERNMENT OF GUAM COMPETITIVE WAGE ACT OF 2014, AND REINSTATE THE PRIOR PAY PLAN RATE FOR THESE POSITIONS, AND MANDATE A REASSESSMENT OF HEALTHCARE PROFESSIONALS SALARY RANGES SO AS TO BE COMPETITIVE BASED UPON NATIONAL STANDARDS.
12-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADD A NEW ITEM (i) TO SUBSECTION (a) OF § 4301 OF ARTICLE 3, CHAPTER 4, 4 GCA, TO PROVIDE FOR THE ISSUANCE OF A SEPARATE REQUEST FOR PROPOSAL FOR THE SOLICITATION OF HEALTH INSURANCE OR PROVISION OF HEALTH CARE FOR FOSTER CHILDREN IN THE CARE OF THE GOVERNMENT ON TERMS COMPARABLE TO THE GOVERNMENT PLAN FOR ACTIVE AND RETIRED EMPLOYEES AND THEIR DEPENDENTS.
13-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADD A REPRESENTATIVE FROM THE GUAM MEMORIAL HOSPITAL AUTHORITY AND THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO THE GOVERNMENT OF GUAM GROUP HEALTH INSURANCE NEGOTIATING TEAM, TO DELETE THE REQUIREMENT FOR THE SOLICITATION OF AN EXCLUSIVE GROUP HEALTH INSURANCE CONTRACT AND REQUIRE ONLY THE SOLICITATION OF THREE (3) NON-EXCLUSIVE CONTRACTS FOR A CONTRACT TERM OF TWO (2) YEARS, BY AMENDING §4302 (c) AND §4302 (e) OF ARTICLE 3, CHAPTER 4, 4 GCA.
14-33 (COR)	T. R. Muña Barnes	AN ACT TO ADD A NEW § 80.39 TO ARTICLE 2, CHAPTER 80, TITLE 9 GUAM CODE ANNOTATED KNOWN AS THE JUSTICE SAFETY VALVE ACT OF 2013 RELATIVE TO EMPOWERING THE COURTS OF GUAM TO DEPART FROM APPLICABLE MANDATORY MINIMUM SENTENCES UNDER SPECIFIC CONDITIONS, AND FOR OTHER PURPOSES.

15-33 (COR)	T. R. Muña Barnes	AN ACT TO AMEND § 41006 OF ARTICLE 10, CHAPTER 4 OF TITLE 12 GUAM CODE ANNOTATED, AND TO REPEAL §§ 41004(a)(4) and (5) OF ARTICLE 10, CHAPTER 4 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ELIMINATING THE REQUIREMENT THAT THE CORPORATION APPROPRIATE A FIXED AMOUNT OF \$500,000.00 FROM ITS ANNUAL OPERATING REVENUE TO ENSURE A RESERVE BALANCE OF THE SAME AT THE BEGINNING OF EACH FISCAL YEAR, AND TO AMENDING THE TIMING RESPECTING THE ANNUAL AUDIT OF THE HOUSING TRUST FUND TO COINCIDE WITH THAT OF THE GUAM HOUSING CORPORATION'S ANNUAL AUDIT.
16-33 (COR)	T. R. Muña Barnes	AN ACT TO AMEND PUBLIC LAW 32-207 RELATIVE TO THE REPAYMENT OF FUNDS TO THE TOURIST ATTRACTION FUND.
17-33 (COR)	T. R. Muña Barnes	AN ACT TO AMEND §§18102, 18103, 18105, 18105.1, 18106, 18108, 18112, 18113, 18114, 18121, 18125, 18126, 18128.4, 18128.5, 18128.7, 18128.8, 18129, 18131, AND 18133 OF DIVISION 1 OF CHAPTER 18 OF TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO THE BARBERING AND COSMETOLOGY ACT OF 2010.
18-33 (COR)	V. Anthony Ada	AN ACT TO ADD A NEW CHAPTER 81 TO, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO THE DEPLOYMENT OF BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE ON PUBLIC RIGHTS OF WAY.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator

Rory J. Respicio

CHAIRPERSON

MAJORITY LEADER

January 6, 2015

Senator

Thomas C. Ada

VICE CHAIRPERSON

ASSISTANT MAJORITY LEADER

MEMORANDUM

To: Rennae Meno

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

Speaker

Judith T.P. Won Pat, Ed.D.

Member

From: Senator Rory J. Respicio

Chairperson, Committee on Rules

Vice-Speaker

Benjamin J.F. Cruz

Member

Subject: Referral of Bill No. 1-33(LS)

Legislative Secretary

Tina Rose Muna Barnes

Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 1-33(LS)**.

Senator

Dennis G. Rodriguez, Jr.

Member

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 Tres na Liheslaturan Guåhan*.

Senator

Frank Blas Aguon, Jr.

Member

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

Senator

Michael F.Q. San Nicolas

Member

Si Yu'os Ma'åse!

Senator

Nerissa Bretania Underwood

Member

Attachment

PENDING

MINORITY LEADER

PENDING

ASSISTANT MINORITY LEADER



Senator Tom Ada

Blaine Dydasco <bdydasco@senatorada.org>

1st Public Hearing Notice

11 messages

Blaine Dydasco <bdydasco@senatorada.org>

Tue, Jan 13, 2015 at 11:23 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, phmaterials@guamlegislature.org, annborja@guamwaterworks.org, beverlydavis@live.ca, ccastro@guamchamber.com.gu, chuck.ada@guamairport.net, claudia.aflague@gsa.guam.gov, clayton4gppc@hotmail.com, csr@guamcell.net, david.camacho@land.guam.gov, dfbrooks@guamopa.org, djtydingco@gta.net, dlmdir@land.guam.gov, doagridir@yahoo.com, don.quinata@epa.guam.gov, eleanorborja@dpw.guam.gov, Chris Felix <felix@guam.net>, gbotha@gpagwa.com, glenn.leonguerrero@dpw.guam.gov, heidi@guamwaterworks.org, horecky@ite.net, horeckylaw@teleguam.net, jbenavente@gpagwa.com, jeffcharjohnson@hotmail.com, jessie.palican@dpw.guam.gov, jngoza@ozemail.com.au, john.unpingco@gvao.guam.gov, johnfernandez@gdoe.net, jtduenas@hotmail.com, law@guamag.org, lmtoves@uguam.uog.edu, lpalomo@guampuc.com, lsablan@gpagwa.com, maria.duenas@epa.guam.gov, matt.sablan12@yahoo.com, mcamacho@gpagwa.com, mcogadmin@teleguam.net, michael.borja@land.guam.gov, michael.omallan@epa.guam.gov, peterroy@guamairport.net, pmbias@ite.net, racruz@gtf.com, raunderwood@uguam.uog, raymondfy.bias@dpr.guam.gov, rjdguzman@hotmail.com, robert.kono@gsa.guam.gov, rosieb@guamairport.net, rwiegand@gpagwa.com, serena.bonito@epa.guam.gov, squenga@gta.net, staylor@guamwaterworks.net, thomas@guamwaterworks.org, vincent.pereira@epa.guam.gov, yvette.cruz@epa.guam.gov, Conchita San Nicolas Taitano <conchita.taitano@epa.guam.gov>, David Leddy <dleddy@guamchamber.com.gu>, Eric Palacios <eric.palacios@epa.guam.gov>, Simon Sanchez <gdcmgr@ite.net>

Cc: Tom Ada <tom@senatorada.org>, Charlene Flores <flores@senatorada.org>, Cyrus Luhr <cyrus@senatorada.org>, Coy Torres <coy@senatorada.org>, Blaine Dydasco <bdydasco@senatorada.org>, Joseph Borja <jmbjobe@gmail.com>

January 13, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing: January 29, 2015 – 9:00am and 2:00pm**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border

Protection, Veterans' Affairs and Procurement will be conducting a public hearing on **Thursday, January 29, 2015 at 9:00am and 2:00pm**. This meeting will take place in the Public Hearing Room of *I Liheslaturan Guahan*. The agenda is as follows:

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9:00am

-

Bill 1-33(LS) J.T. Won Pat, Ed.D.

An act to transfer Title of Lot No. 5397 municipality of Barrigada, Guam to the University of Guam.

-

Bill 8-33(COR) D.G. Rodriguez, Jr.

An act to provide for development and implementation of Comparable Rate Schedule R Charges for residential multifamily accommodations by the Guam Power Authority, by adding a new Item (1) to §8104(D) of Chapter 8, Title 12, Guam Code Annotated, and a new Item (1) to §3111 of Article 1, Chapter 3, Title 28, Guam Administrative Rules and Regulations.

Bill 18-33 (COR) - V.A. Ada

An act to *add* a new chapter 81 to, title 21, Guam Code Annotated relative to the development of broadband and telecommunications infrastructure on public rights of way.

2:00pm

-

Bill 20-33 (COR)- T.C. Ada

An act to amend articles 9 and 12 of chapter 5, title 5 Guam code annotated relative to legal and contractual remedies in Guam procurement law.

Testimony on **Bill No. 1-33 (LS)**, **Bill No. 8-33 (COR)**, **Bill No. 18-33 (COR)** and **Bill No. 20-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, February 6, 2015 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

January 22, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson* 

Subject: **1st Notice of Public Hearing: January 29, 2015 – 9:00am and 2:00pm**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement will be conducting a public hearing on **Thursday, January 29, 2015 at 9:00am and 2:00pm**. This meeting will take place in the Public Hearing Room of *I Liheslaturan Guahan*. The agenda is as follows:

9:00am

Bill 1-33 (LS) J.T. Won Pat, Ed.D.

An act to transfer Title of Lot No. 5397 municipality of Barrigada, Guam to the University of Guam.

Bill 8-33 (COR) D.G. Rodriguez, Jr.

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44-2015
Senator Tom Ada

Blaine Dydasco <bdydasco@senatorada.org>

2nd Notice of Public Hearing: January 29, 2015 – 9:00 a.m. and 2:00 p.m.

1 message

Charlene Flores <flores@senatorada.org>

Tue, Jan 27, 2015 at 8:20 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, phmaterials@guamlegislature.org, Eric Palacios <eric.palacios@epa.guam.gov>, Conchita San Nicolas Taitano <conchita.taitano@epa.guam.gov>, vincent.pereira@epa.guam.gov, michael.omaian@epa.guam.gov, don.quinata@epa.guam.gov, william.austin@fe.navy.mil, jbenavente@gpagwa.com, mcamacho@gpagwa.com, gbotha@gpagwa.com, rwiegand@gpagwa.com, David Leddy <dleddy@guamchamber.com.gu>, ccastro@guamchamber.com.gu, rdelgado@guamchamber.com.gu, info@ghra.org, bill.ada@ipehq.com, catherine.leonguerrero@exxonmobil.com, ddean@sppcorp.com, jbrown@portguam.com, frpangelinan@portguam.com, thomas@guamwaterworks.org, annborja@guamwaterworks.org, staylor@guamwaterworks.net, heidi@guamwaterworks.org, joseph.verga@gmha.org, glenn.leonguerrero@dpw.guam.gov, eleanor.borja@dpw.guam.gov, jessie.palican@dpw.guam.gov, maria.flores@revtax.guam.gov, john.camacho@revtax.guam.gov, Simon Sanchez <gdcmgr@ite.net>, isablan@gpagwa.com, jtduenas@hotmail.com, jeffcharjohnson@hotmail.com, horecky@teleguam.net, horecky@ite.net, ndynvn@yahoo.com, Lou Palomo <lpalomo@guampuc.com>, Marie Villanueva <marie@guam-peals.org>, Tammy Bamba <tammy.bamba@grta.guam.gov>, rick.augustin@grta.guam.gov, Teresa Topasna <teresa.topasna@cltc.guam.gov>, Ronnie Santos <ronnie.santos@clb.guam.gov>, michael.borja@land.guam.gov, david.camacho@land.guam.gov, dlmdir@land.guam.gov, dfbrooks@guamopa.org, jngo@ozemail.com.au, raunderwood@uguaam.uog.edu, jpeterson@uguaam.uog.edu, lmtoves@uguaam.uog.edu, raymond.blas@dpr.guam.gov, pedro.leonguerrero@cqa.guam.gov, raffaele.sgambelluri@cqa.guam.gov, briana.roberto@cqa.guam.gov, benny.m.paulino@us.army.mil, johnny.lizama@ang.af.mil, john.unpingco@gvao.guam.gov, chuck.ada@guamairport.net, peterroy@guamairport.net, rosieb@guamairport.net, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>, csr@guamcell.net, clayton4gppc@hotmail.com, Chris Felix <felix@guam.net>, rjdguzman@hotmail.com, mail@cmiaw.us, claudia.acfalle@gsa.guam.gov, johnfernandez@gdoe.net, racruz@gtrf.com, djtydingco@gta.net

January 27, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing: January 29, 2015 – 9:00 a.m. and 2:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement will be conducting a public hearing on **Thursday, January 29, 2015 at 9:00 a.m. and 2:00 p.m.** This meeting will take place in the Public Hearing Room of *I Liheslaturan Guahan*. The agenda is as follows:

-
9:00 a.m.

-
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An act to transfer Title of Lot No. 5397 municipality of Barrigada, Guam to the University of Guam.

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2:00 p.m.

-
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An act to amend articles 9 and 12 of chapter 5, title 5 Guam code annotated relative to legal and contractual remedies in Guam procurement law.

Testimony on **Bill No. 1-33 (LS)**, **Bill No. 8-33 (COR)**, **Bill No. 18-33 (COR)** and **Bill No. 20-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, February 6, 2015 at 5:00 p.m.** Individuals requiring special accommodations,



Sen. Thomas Ada

Chairman


Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

January 27, 2015

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Listserv: phnotice@guamlegislature.org

Updated as of January 9, 2015

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Updated as of January 9, 2015

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

PUBLIC HEARING

Thursday, January 29, 2015

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

9:00am

Bill 1-33 (LS) - J.T. Won Pat, Ed.D.

An act to transfer Title of Lot No. 5397 municipality of Barrigada, Guam to the University of Guam.

Bill 8-33 (COR) - D.G. Rodriguez, Jr.

An act to provide for development and implementation of Comparable Rate Schedule R Charges for residential multifamily accommodations by the Guam Power Authority, by adding a new Item (1) to §8104(D) of Chapter 8, Title 12, Guam Code Annotated, and a new Item (1) to §3111 of Article 1, Chapter 3, Title 28, Guam Administrative Rules and Regulations.

Bill 18-33 (COR) - V.A. Ada

An act to *add* a new chapter 81 to, title 21, Guam Code Annotated relative to the development of broadband and telecommunications infrastructure on public rights of way.

2:00pm

Bill 20-33 (COR) - T.C. Ada

An act to amend articles 9 and 12 of chapter 5, title 5 Guam code annotated relative to legal and contractual remedies in Guam procurement law.

Testimony on **Bill No. 1-33 (LS)**, **Bill No. 8-33 (COR)**, **Bill No. 18-33 (COR)** and **Bill No. 20-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Friday, February 6, 2015 at 5:00 pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.