



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

March 23, 2016

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

Speaker

I Mina Trentai Tres Na Liheslaturan Guahan

155 Hesler Place

Hagåtña, Guam 96910

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

Rory J. Respicio

2016 JUN 23 PM 3:22

RE: Committee Report on Bill No. 273-33 (COR), as Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 273-33 (COR), as Amended, **“AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.”**

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'äse',

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 Libeslaturan Guåban • 33rd Guam Legislature

COMMITTEE REPORT

ON

Bill No. 273-33 (COR)

As Amended

**“AN ACT TO AMEND PUBLIC LAW 28-101
RELATIVE TO THE DEPARTMENT OF
CORRECTIONS PROTECTIVE ZONE AND
THE OWNER OF LOT 5400-R6,
MUNICIPALITY OF MANGILAO.”**



Sen. Thomas Ada


Chairman

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

March 23, 2016

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. 273-33 (COR), as Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 273-33 (COR), as amended, **“AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.”**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 273-33 (COR), As Introduced
- Copy of Bill No. 273-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimony from: Michael Borja (Department of Land Management)
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 273-33 (COR)
- 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 Guåhan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

**Bill No. 273-33 (COR) As Amended, "AN ACT TO AMEND PUBLIC LAW 28-101
 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND
 THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO."**

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson	3/22/16 	✓				
SENATOR RORY J. RESPICIO Vice Chairperson	 3-23-16					
VICE SPEAKER BENJAMIN J.F. CRUZ Member		✓				
SENATOR FRANK B. AGUON, JR. Member	3/23/16 	✓				
SENATOR DENNIS RODRIGUEZ, JR. Member						
SENATOR NERISSA UNDERWOOD Member		✓				
SENATOR FRANK BLAS, JR. Member						
SENATOR MARY TORRES Member						
SENATOR JAMES V. ESPALDON Member						



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 REPORT DIGEST

I. OVERVIEW

Bill No. 273-33 (COR) was introduced on March 01, 2016 by Senator Thomas C. Ada and was subsequently referred on March 02, 2016 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on March 11, 2015 at 1:30 pm in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 273-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on March 03, 2016 (5-Day Notice) and again on March 08, 2016 (48-Hour Notice). Notice was also posted on the Legislature television channel.

Senators Present

Senator Thomas C. Ada

Committee Chairperson

The public hearing was Called-to-Order at 9:00am.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada reads the title of Bill No. 273-33 and called those who have signed up to give testimony.

Michael J.B. Borja, *Director, Department of Land Management*: Mr. Borja reads his testimony, which gives suggestions to amendments.

Chairperson Ada ends the public hearing for Bill No. 273-33 (COR).

III. Findings and Recommendations

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement finds that instead of having the Department of Land Management and the private landowner expend for an appraisal, the determination of fair market value will come from the current Department of Revenue and Taxation, Real Property Tax Assessment.

After considering the findings and testimonies given at the public hearing, the Committee hereby reports out **Bill No. 273-33 (COR) as Amended**, with the recommendation

TO DO PASS

I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
2016 (SECOND) Regular Session

Bill No. 273-33 (CO2)

T.C. Ada

**AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE
TO THE DEPARTMENT OF CORRECTIONS
PROTECTIVE ZONE AND THE OWNER OF LOT 5400-
R6, MUNICIPALITY OF MANGILAO.**

2016 FEB 1 PM 4:51
Jim Ortiz

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 17-54 created a protective zone surrounding the perimeter of the
4 Department of Corrections (DOC) in *Mangilao* and further authorized *I*
5 *Maga'låhen Guåhan* to conduct land exchanges on an area for area basis with the
6 affected landowners. This zone affects properties contained within a five hundred
7 foot (500') radius of the perimeter surrounding the DOC. This zone includes Lot
8 Number 5400-R6 owned by Teodoro Q. and Dolores C. Llanes, among other lots
9 owned by other landowners.

10 *I Liheslaturan Guåhan* also finds that Public Law 28-101 further authorized
11 *I Maga'låhen Guåhan* to conduct the land exchanges on a value for value basis;
12 with government owned land located in *Dededo* and the privately owned land in
13 *Mangilao*.

14 *I Liheslaturan Guåhan* further finds that the land exchange process has taken
15 so long to close that some of the original landowners have passed away but prior to
16 their death transferred their interest to their children.

1 It is the intent of *I Liheslaturan Guåhan* to amend Public Law 28-101 to
2 place the names of the children in place of the original landowners.

3 **Section 2.** Section 2 of Public Law 28-101, is hereby amended to read as
4 follows:

5 **Section 2. Authorization.** *I Maga'låhen Guåhan* is authorized to
6 exchange on a value for value basis government owned lots located within
7 the Subdivision of Tract 11405, *Dededo*, more particularly described as:

8 "Tract 11405, Municipality of *Dededo*, containing a cumulative area
9 of 283,233 square meters, described within map drawing reference number
10 301-FY99 and 14-99T652 recorded at the Department of Land Management
11 as Document Number 618339."

12 with privately owned property more particularly described as:

13 Lot Number 5400-R6, Lichan Sabana, Municipality of *Mangilao*,
14 Estate No. 15101, Suburban, containing an area of ±10,185.76 square
15 meters, belonging to Teodoro Q. Llanes and Dolores C. Llanes or their
16 surviving heir May C. Llanes or in anywise appertaining unto said surviving
17 heir, her heirs and assigns (Exhibit A – Deed of Gift Document No.
18 700564), with reference map filed at the Department of Land Management
19 as Document Number 90578.

20 **Section 3.** Section 3 of Public Law 28-101, is hereby amended to read as
21 follows:

22 **Section 3. Facilitation of Land Exchange, Fair Market Value**
23 **and Appraisals.**

24 ~~(a) The Director of the Department of Land Management shall~~
25 ~~facilitate for *I Maga'låhen Guåhan* the exchange of land provided for in~~
26 ~~Section 2 upon the completion of two (2) appraisals on all lands concerned~~
27 ~~prepared by two (2) different licensed real estate appraisers, one of whom~~

1 shall be selected by the Department of Land Management and the other by
2 the private landowner. The average of the two (2) appraisals shall be used as
3 the value for the transfer. Appraisals shall correspondingly be paid for by
4 each property owner. The land exchange shall be accomplished within one
5 hundred eighty (180) days from the enactment hereof.

6 (b) The Director of the Department of Land Management is hereby
7 authorized to expend up to Four Thousand Dollars (\$4,000) from the sums
8 appropriated in Item (8) of Section 6, Part II of Chapter V, Public Law 28-
9 68, "*General Appropriations Act of Fiscal Year 2006*" to pay for appraisals
10 conducted on government-owned property in accordance with Subsection
11 (a).

12 (a) In determining the fair market value of the properties, § 2107 of
13 Chapter 2, Title 2, Guam Code Annotated and Section 6.04(c)(1) of the
14 Standing Rules of *I Mina' Trentai Tres Na Liheslaturan Guåhan* relative to
15 the appraisals of land shall apply to this Act.

16 (b) The Director of the Department of Land Management shall
17 facilitate for *I Maga 'låhen Guåhan* the exchange of land provided for in
18 Section 2. This law shall remain in effect until the land exchange has been
19 completed.

20 **Section 4. Severability.** If any provision of this law or its application to
21 any person or circumstance is found to be invalid or contrary to law, such
22 invalidity *shall not* affect other provisions or applications of this law that can be
23 given effect without the invalid provisions or applications and to this end the
24 provisions of this Act are severable.

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Teodoro Q. Llanes and Dolores C. Llanes, husband and wife of Dededo, Guam, for and in consideration of the love and affection which I have and bear unto May C. Llanes, single, United States citizen and resident of Dededo, Guam, do by these presents hereby give, grant, alien, and confirm unto the said May C. Llanes the described real property:

Lot Number 5400-R6, Lichan Sabana, Mangilao, Sinajana, Guam, Estate No. 15101, Suburban, containing an area of 10,185.76 square meters, reference to map filed under Document No. 90578.

Together with all and singular the tenents, hereditments and appurtenances thereunto belonging, or in anywise appertaining unto said Donee, her heirs and assigns, forever.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November, 2004.

[Handwritten Signature]
TEODORO Q. LLANES

[Handwritten Signature]
DOLORES C. LLANES

May C. Llanes
P.O. Box 2239
Mogana, Guam 96932

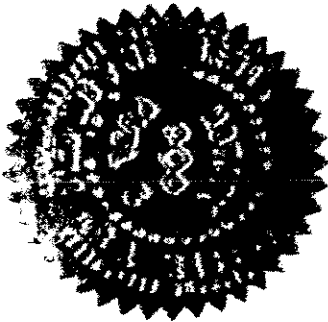
Island of Guam, Government of Guam
Department of Land Management Office of The Recorder

File for record is Instrument No. 700564
on the year 2004 Month 11 Day 18 Year 1037
Recording Fee 10 Receipt No. 10061

[Handwritten Signature]

GUAM, U. S. A.)
) S. S.
CITY OF HAGATNA)

On this 6th day of November, 2004, before me, the undersigned notary,
personally appeared: TEODORO Q. LLANES, DOLORES C. LLANES and MAY C.
LLANES, the persons whose names are signed on the preceding or attached
document, and acknowledged to me that they signed it voluntarily for its
stated purpose.



Benjamin G. Galarpe
BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires August 9, 2006
P. O. Box 921, Hagatna, Guam 96902

I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
2016 (SECOND) Regular Session

Bill No. 273-33 (COR)

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

Introduced by:

T.C. Ada

**AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE
TO THE DEPARTMENT OF CORRECTIONS
PROTECTIVE ZONE AND THE OWNER OF LOT 5400-
R6, MUNICIPALITY OF MANGILAO.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that Public Law 17-54 created a protective zone surrounding the perimeter of the
3 Department of Corrections (DOC) in *Mangilao* and further authorized *I*
4 *Maga'låhen Guåhan* to conduct land exchanges on an area for area basis with the
5 affected landowners. This zone affects properties contained within a five hundred
6 foot (500') radius of the perimeter surrounding the DOC. This zone includes Lot
7 Number 5400-R6 owned by Teodoro Q. and Dolores C. Llanes, among other lots
8 owned by other landowners.

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10 *I Maga'låhen Guåhan* to conduct the land exchanges on a value for value basis;
11 with government owned land located in *Dededo* and the privately owned land in
12 *Mangilao*.

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14 so long to close that some of the original landowners have passed away but prior to

1 their death transferred their interest to their children.

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3 place the names of the children in place of the original landowners.

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8 the Subdivision of Tract 11405, *Dededo*, more particularly described as:

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10 of 283,233 square meters, described within map drawing reference number
11 301-FY99 and 14-99T652 recorded at the Department of Land Management
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15 Estate No. 15101, Suburban, containing an area of ±10,185.76 square
16 meters, belonging to Teodoro Q. Llanes and Dolores C. Llanes or their
17 surviving heir May C. Llanes or in anywise appertaining unto said surviving
18 heir, her heirs and assigns (Exhibit A – Deed of Gift Document No.
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24 **and Appraisals.**

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27 ~~Section 2 upon the completion of two (2) appraisals on all lands concerned~~

1 prepared by two (2) different licensed real estate appraisers, one of whom
2 shall be selected by the Department of Land Management and the other by
3 the private landowner. The average of the two (2) appraisals shall be used as
4 the value for the transfer. Appraisals shall correspondingly be paid for by
5 each property owner. The land exchange shall be accomplished within one
6 hundred eighty (180) days from the enactment hereof.

7 (b) ~~The Director of the Department of Land Management is hereby~~
8 ~~authorized to expend up to Four Thousand Dollars (\$4,000) from the sums~~
9 ~~appropriated in Item (8) of Section 6, Part II of Chapter V, Public Law 28-~~
10 ~~68, "General Appropriations Act of Fiscal Year 2006" to pay for appraisals~~
11 ~~conducted on government owned property in accordance with Subsection~~
12 ~~(a).~~

13 (a) In determining the fair market value of the properties, § 2107 of
14 Chapter 2, Title 2, Guam Code Annotated and Section 6.04(c)(1) of the
15 Standing Rules of I Mina' Trentai Tres Na Liheslaturan Guåhan relative to
16 the appraisals of land shall not apply to this Act. The determination of the
17 fair market value shall come from the current Department of Revenue and
18 Taxation, Real Property Tax Assessment.

19 (b) The Director of the Department of Land Management shall
20 facilitate for I Maga'låhen Guåhan the exchange of land provided for in
21 Section 2. The land exchange shall be accomplished within one hundred
22 eighty (180) days from the enactment hereof.

23 **Section 4. Severability.** If any provision of this law or its application to
24 any person or circumstance is found to be invalid or contrary to law, such
25 invalidity shall not affect other provisions or applications of this law that can be
26 given effect without the invalid provisions or applications and to this end the
27 provisions of this Act are severable.

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Teodoro Q. Llanes and Dolores C. Llanes, husband and wife of Dededo, Guam, for and in consideration of the love and affection which I have and bear unto May C. Llanes, single, United States citizen and resident of Dededo, Guam, do by these presents hereby give, grant, alien, and confirm unto the said May C. Llanes the described real property:

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Together with all and singular the tenents, hereditments and appurtenances thereunto belonging, or in anywise appertaining unto said Donee, her heirs and assigns, forever.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November, 2004.

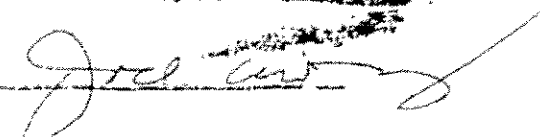

TEODORO Q. LLANES


DOLORES C. LLANES

May C. Llanes
P.O. Box 2239
Hagåtña, Guam 96932

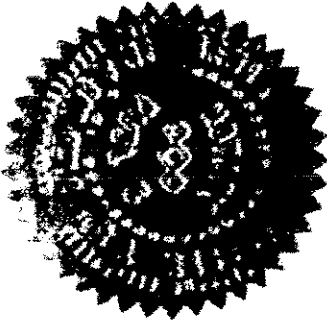
Island of Guam, Government of Guam
Department of Land Management Office of The Recorder

File for record is Instrument No. 700564
on the year 2004 Month 11 Day 18 Year 2004
Recording Fee 10 Receipt No. 10061



GUAM, U. S. A.)
) S. S.
CITY OF HAGATNA)

On this 6th day of November, 2004, before me, the undersigned notary,
personally appeared: TEODORO Q. LLANES, DOLORES C. LLANES and MAY C.
LLANES, the persons whose names are signed on the preceding or attached
document, and acknowledged to me that they signed it voluntarily for its
stated purpose.



Benjamin G. Galarpe
BENJAMIN G. GALARPE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires August 9, 2006
P. O. Box 921, Hagatna, Guam 96932

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
 Public Hearing
 March 11, 2016
 9:00am
I Liheslaturan Guåhan, Hagåtña

Bill No. 273-33 (LS) – T.C. Ada

An act to amend public law 28-101 relative to the Department of Corrections protective zone and the owner of Lot 5400-R6, Municipality of *Mangilao*.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
May C. Llaues				✓			maylllaues01@gmail.com
MICHAEL BORTA	DLM						



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



EDDIE BAZA CALVO
 Governor of Guahan

MICHAEL JB BORJA
 Director

RAY TENORIO
 Lieutenant Governor of Guahan

DAVID V. CAMACHO
 Deputy Director

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://land.guam.gov>

E-mail Address:
dirmdir@land.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

March 9, 2016

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: Bill No. 273-33 - AN ACT TO AMEND PUBLIC LAW 28-101
 RELATIVE TO THE DEPARTMENT OF CORRECTIONS
 PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6,
 MUNICIPALITY OF MANGILAO**

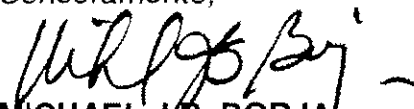
Buenas Yan Hafa Adai!

The proposed amendment to Section 3 of Public Law 28-101 deletes who is responsible to conduct appraisals then adds that Director of the Department of Land Management shall facilitate the land exchange. This section needs to clarify who is responsible for conducting and paying for the appraisals of the private and government lands to be exchanged.

Furthermore, if the Department of Land Management is responsible for paying any part of the appraisals, the bill should also include a source of funding to pay the government's share of the appraisals. We estimate that the cost of the appraisals would be approximately four thousand dollars (\$4,000) and it should be appropriated to the Chamorro Land Trust Commission for this specific purpose.

Thank you for the opportunity to comment on this bill.

Senseramente,


MICHAEL JB. BORJA

Director



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

March 17, 2016

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

Subject: Fiscal Notes and Fiscal Note Waiver

Hafa Adai!

Attached please find the fiscal notes and fiscal note waiver for the bill numbers listed below. Please note that the fiscal notes and fiscal note waiver are issued on the bills as introduced.

FISCAL NOTES:

Bill No. 272-33(COR)
Bill No. 273-33(COR)

FISCAL NOTE WAIVER:

Bill No. 274-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2016 17 17 PM 16:20
Rory Respicio

Bureau of Budget & Management Research
Fiscal Note of Bill Nos. 273-33 (COR)

AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.

Department/Agency Appropriation Information

Dept./Agency Affected: Chamorro Land Trust Commission	Dept./Agency Head: Michael J. B. Borja, Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date: Chamorro Land Trust Operations Fund	1,424,311
Total Department/Agency Appropriation(s) to date:	\$1,424,311

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2015 Unreserved Fund Balance		\$0	\$0
FY 2016 Adopted Revenues	\$0	\$0	\$0
FY 2016 Appro. (P.L. 33-66 thru _____)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2016 (if applicable)	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Chamorro Land Trust Operations Fund	\$4,000	\$0	\$0	\$0	\$0	\$0
Total	\$4,000	\$0	\$0	\$0	\$0	\$0

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

Analyst: Jason Baza Date: 3/15/16 Director: Jose S. Calvo Date: MAR 17 2016
 Jason Baza, BMA II JK Jose S. Calvo, Director

Notes:
 See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 273-33 (COR)

The proposed legislation intends to amend P.L. 28-101 relative to the Department of Corrections (DOC) protective zone and the owner of Lot 5400-R6 in the municipality of Mangilao. P.L. 17-54 created a protective zone surrounding the perimeter of the DOC facility that authorized the Governor of Guam to exchange property on an area-to-area basis for homes that are too close to the DOC facility, in which the subject property was included. P.L. 28-101 specifically authorized the transfer of the subject property on a value-for-value basis with government owned property in the municipality of Dededo, specifically Tract 11405.

The land exchange process has taken a lengthy time to complete, in which the original landowners of Lot 5400-R6 have since passed away. Prior to their passing, the original landowners transferred their asset to their children. The proposed legislation intends to amend P.L. 28-101 to include the surviving heirs of Lot 5400-R6.

In addition, the proposed legislation seeks to amend Section 3 of P.L. 28-101 relative to the facilitation of the land exchange. The amendment cites that the regulations of the land exchange shall adhere to §2107, Chapter 2, Title 2, Guam Code Annotated. §2107(b) states that “no such bill authorizing the transfer of land or leasing of land may be considered by the Legislature on third reading unless accompanied by two (2) appraisals on all land concerned, appraised for highest and best use regardless of zoning, from two separate licensed real estate appraisers, one (1) of which appraisals is not more than twelve (12) months old, and which appraisals are paid for by the transferee”.

The subject properties proposed for exchange are based on a value-for-value basis. This means that both the Government of Guam and the heirs of Lot 5400-R6 are required to cover the cost of the two appraisals for the subject properties. Initially, P.L. 28-101 placed a spending authorization for the Department of Land Management (DLM) to expend up to four thousand dollars (\$4,000) to pay for appraisals conducted on the government-owned properties. Per the DLM Director, the estimated cost to conduct the appraisal for the government-owned property is still approximately \$4,000.

There are no anticipated revenues to be received with the subject legislation. However, there is still the obligation to cover the cost of the appraisals on the government-owned property in the amount of \$4,000. Per the DLM Director, funding should be appropriated to the Chamorro Land Trust Commission to cover the cost of the appraisals.



COMMITTEE ON RULES

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

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

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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

March 2, 2016

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bill Nos. 271-33(COR) through 274-33(COR)

Hafa Adai Mr. Calvo:

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 (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
<p>271-33 (COR)</p>	<p>Dennis G. Rodriguez, Jr.</p>	<p>AN ACT TO MANDATE AND PROVIDE FOR THE PAYMENT OF PROMISED COMPENSATION AND OVERTIME EARNED AND ACCRUED BY DPW EMPLOYEES, TO AUTHORIZE THE SUM OF SIX HUNDRED SIXTY-SEVEN THOUSAND FOUR HUNDRED TEN DOLLARS AND FIFTY TWO CENTS (\$667,410.52) FOR PAYMENTS OWING, AND TO ESTABLISH PUBLIC POLICY ON PROMISED COMPENSATION.</p>
<p>272-33 (COR)</p>	<p>T. C. Ada</p>	<p>AN ACT TO AUTHORIZE I MAGA'LÁHEN GUAHAN TO SELL THOSE PORTIONS OF LOT NO. 554-1 AND LOT NO. 553-1 CONTAINED WITHIN LOT NO. 25, BLOCK NO. 23 IN NEW AGANA, GUAM; AND TO DEPOSIT THE PROCEEDS OF THE SALE IN THE CHAMORRO LAND TRUST INFRASTRUCTURE AND SURVEY FUND.</p>
<p>273-33 (COR)</p>	<p>T. C. Ada</p>	<p>AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.</p>
<p>274-33 (COR)</p>	<p>T. C. Ada</p>	<p>AN ACT TO ADD A NEW SUBSECTION (kk) TO § 61103, NEW SUBSECTION (b)(12) TO § 61304, NEW SUBSECTIONS (b)(6) TO §§ 61305 AND 61306, NEW SUBSECTION (b)(17) TO § 61307, NEW SUBSECTION (a)(7) TO § 61308, NEW SUBSECTION (a)(13) TO § 61309, NEW SUBSECTION (b)(3) TO § 61311, NEW SUBSECTION (b)(1) TO §§ 61312 AND 61313, ALL OF TITLE 21, CHAPTER 61 OF THE GUAM CODE ANNOTATED, TO PLACE VARIANCE APPLICATIONS FOR WIRELESS TELECOMMUNICATION STRUCTURES UNDER THE PURVIEW OF THE GUAM LAND USE COMMISSION REGULAR REVIEW PROCESS.</p>



COMMITTEE ON RULES

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Senator

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Michael F.Q. San Nicolas
Member

Senator

Nerissa Bretania Underwood
Member

V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

March 2, 2016

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 273-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 273-33(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 Tres Na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
273-33 (COR)	T. C. Ada	AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.	3/1/2016 4:51 p.m.	03/02/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



the Office of
Senator Tom Ada

Charlene Flores <fflores@senatorada.org>

1st Notice of Public Hearing: Friday, March 11, 2016 at 9:00 a.m.

Charlene Flores <fflores@senatorada.org>

Thu, Mar 3, 2016 at 11:57 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, mcogadmin@teleguam.net, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayllanes01@gmail.com, joseph.santos@hrra.guam.gov, jose.sanagustin@doc.guam.gov, carleen.borja@doc.guam.gov, darryl@guamtech.com, djtydingco@gta.net, jkriegel@docomopacific.com, jlai@docomopacific.com, Richard Yu <richard.yu@choicephonellc.com>, Rene Lao <rene.lao@choicephonellc.com>, john.compton@itehq.net

March 03, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing: Friday, March 11, 2016 at 9:00 a.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting an information briefing and public hearing on **Friday, March 11, 2016 at 9:00 a.m.** This meeting will take place in the public hearing room of *Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.

Bill No. 274-33(COR) – T.C. Ada

An act to *add* a new subsection (kk) to § 61103, new subsection (b)(12) to § 61304, new subsections (b)(6) to §§ 61305 and 61306, new subsection (b)(17) to § 61307, new subsection (a)(7) to § 61308, new subsection (a)(13) to § 61309, new subsection (b)(3) to § 61311, new subsection (b)(1) to §§ 61312 and 61313, all of Title 21, Chapter 61 of the Guam Code Annotated, to place variance applications for wireless telecommunication structures under the purview of the Guam Land Use Commission regular review process.

Bill No. 273-33(LS) – T.C. Ada

An act to amend public law 28-101 relative to the Department of Corrections protective zone and the owner of Lot 5400-R6, Municipality of *Mangilao*.

Bill No. 272-33(COR) – T.C. Ada

An act to authorize *I Maga'lâhen Guahan* to sell those portions of lot no. 554-1 and lot no. 553-1 contained within Lot No. 25, Block No. 23 in New *Agana*, Guam; and to deposit the proceeds of the sale in the Chamorro Land Trust Infrastructure and Survey Fund.

Bill No. 268-33 (LS) – V.A. Ada

An act to authorize a commercial lease between the Department of Land Management and the *Dededo* Payless Supermarket for use of a portion of the *Dededo* buffer strip, as specified in Title 21, Guam Code Annotated, Section 68901.

Testimony on **Bill No. 274-33 (COR)**, **Bill No. 273-33 (LS)**, **Bill No. 272-33 (COR)**, and **Bill No. 268-33 (LS)** 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, March 18, 2016 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.

—
Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

 **1st Notice.pdf**
431K




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

March 03, 2016

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To: All Senators, Media, and Stakeholders
Fr: Senator Thomas C. Ada, Chairperson 
Subject: **1st Notice of Public Hearing: Friday, March 11, 2016 at 9:00 a.m.**

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9:00 a.m.

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Bill No. 273-33 (LS) – T.C. Ada

An act to amend public law 28-101 relative to the Department of Corrections protective zone and the owner of Lot 5400-R6, Municipality of *Mangilao*.

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An act to authorize *I Maga'lahen Guahan* to sell those portions of lot no. 554-1 and lot no. 553-1 contained within Lot No. 25, Block No. 23 in New *Agana*, Guam; and to deposit the proceeds of the sale in the Chamorro Land Trust Infrastructure and Survey Fund.

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An act to authorize a commercial lease between the department of land management and the *Dededo* Payless Supermarket for use of a portion of the *Dededo* buffer strip, as specified in Title 21, Guam Code Annotated, Section 68901.

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the office of
Senator Tom Ada

Charlene Flores <cflores@senatorada.org>

2nd Notice of Public Hearing: Friday, March 11, 2016 at 9:00 a.m.

Charlene Flores <cflores@senatorada.org>

Tue, Mar 8, 2016 at 8:08 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, mcogadmin@teleguam.net, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, May Llanes <mayllanes01@gmail.com>, joseph.santos@hrra.guam.gov, jose.sanagustin@doc.guam.gov, carleen.borja@doc.guam.gov, Darryl Taggerty <darryl@guamtech.com>, djtydingco@gta.net, jkriegel@docomopacific.com, jlai@docomopacific.com, Richard Yu <richard.yu@choicephonellc.com>, Rene Lao <rene.lao@choicephonellc.com>, john.compton@itehq.net

March 08, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing: Friday, March 11, 2016 at 9:00 a.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting an information briefing and public hearing on **Friday, March 11, 2016 at 9:00 a.m.** This meeting will take place in the public hearing room of *Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.

Bill No. 274-33(COR) – T.C. Ada

An act to *add* a new subsection (kk) to § 61103, new subsection (b)(12) to § 61304, new subsections (b)(6) to §§ 61305 and 61306, new subsection (b)(17) to § 61307, new subsection (a)(7) to § 61308, new subsection (a)(13) to § 61309, new subsection (b)(3) to § 61311, new subsection (b)(1) to §§ 61312 and 61313, all of Title 21, Chapter 61 of the Guam Code Annotated, to place variance applications for wireless telecommunication structures under the purview of the Guam Land Use Commission regular review process.

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An act to amend Public Law 28-101 relative to the Department of Corrections protective zone and the owner of Lot 5400-R6, Municipality of *Mangilao*.

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An act to authorize *I Maga'låhen Guahan* to sell those portions of Lot No. 554-1 and Lot No. 553-1 contained within Lot No. 25, Block No. 23 in *New Agana*, Guam; and to deposit the proceeds of the sale in the Chamorro Land Trust Infrastructure and Survey Fund.

Bill No. 268-33 (LS) – V.A. Ada

An act to authorize a commercial lease between the Department of Land Management and the *Dededo* Payless Supermarket for use of a portion of the *Dededo* buffer strip, as specified in Title 21, Guam Code Annotated, Section 68901.

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--
Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

 **2nd Notice.pdf**
444K




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

March 08, 2016

MEMORANDUM

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Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: February 15, 2016

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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

Friday, March 11, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

The agenda is as follows:

9:00am

Bill No. 268-33 (LS) – V.A. Ada

An act to authorize a commercial lease between the Department of Land Management and the *Dededo* Payless Supermarket for use of a portion of the *Dededo* buffer strip, as specified in Title 21, Guam Code Annotated, Section 68901.

Bill No. 272-33 (COR) – T.C. Ada

An act to authorize *I Maga 'lâhen Guahan* to sell those portions of Lot No. 554-1 and Lot No. 553-1 contained within Lot No. 25, Block No. 23 in *New Agana*, Guam; and to deposit the proceeds of the sale in the Chamorro Land Trust Infrastructure and Survey Fund.

Bill No. 273-33 (COR) – T.C. Ada

An act to amend Public Law 28-101 relative to the Department of Corrections protective zone and the owner of Lot 5400-R6, Municipality of *Mangilao*.

Bill No. 274-33 (COR) – T.C. Ada

An act to *add* a new subsection (kk) to § 61103, new subsection (b)(12) to § 61304, new subsections (b)(6) to §§ 61305 and 61306, new subsection (b)(17) to § 61307, new subsection (a)(7) to § 61308, new subsection (a)(13) to § 61309, new subsection (b)(3) to § 61311, new subsection (b)(1) to §§ 61312 and 61313, all of Title 21, Chapter 61 of the Guam Code Annotated, to place variance applications for wireless telecommunication structures under the purview of the Guam Land Use Commission regular review process.

Testimony on **Bill No. 268-33 (LS)**, **Bill No. 272-33 (COR)**, **Bill No. 273-33 (COR)**, and **Bill No. 274-33 (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, March 11, 2016 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
Committee on Lands
Public Hearing Notice

Friday, March 11, 2016, 9am
I Liheslaturan Guahan, Public Hearing Room

AGENDA

At 9:00 AM:

Bill No. 274-33 (COR) – T.C. Ada

AN ACT TO ADD A NEW SUBSECTION (kk) TO § 61103, NEW SUBSECTION (b)(12) TO § 61304, NEW SUBSECTIONS (b)(6) TO §§ 61305 AND 61306, NEW SUBSECTION (b)(17) TO § 61307, NEW SUBSECTION (a)(7) TO § 61308, NEW SUBSECTION (a)(13) TO § 61309, NEW SUBSECTION (b)(3) TO § 61311, NEW SUBSECTION (b)(1) TO §§ 61312 AND 61313, ALL OF TITLE 21, CHAPTER 61 OF THE GUAM CODE ANNOTATED, TO PLACE VARIANCE APPLICATIONS FOR WIRELESS TELECOMMUNICATION STRUCTURES UNDER THE PURVIEW OF THE GUAM LAND USE COMMISSION REGULAR REVIEW PROCESS.

Bill No. 273-33 (COR) – T.C. Ada

AN ACT TO AMEND PUBLIC LAW 28-101 RELATIVE TO THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE AND THE OWNER OF LOT 5400-R6, MUNICIPALITY OF MANGILAO.

Bill No. 272-33 (COR) – T.C. Ada

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUAHAN* TO SELL THOSE PORTIONS OF LOT NO. 554-1 AND LOT NO. 553-1 CONTAINED WITHIN LOT NO. 25, BLOCK NO. 23 IN NEW AGANA, GUAM; AND TO DEPOSIT THE PROCEEDS OF THE SALE IN THE CHAMORRO LAND TRUST INFRASTRUCTURE AND SURVEY FUND.

Bill No. 268-33 (LS) – V.A. Ada

AN ACT TO AUTHORIZE A COMMERCIAL LEASE BETWEEN THE DEPARTMENT OF LAND MANAGEMENT AND THE *DEDEDO* PAYLESS SUPERMARKET FOR USE OF A PORTION OF THE *DEDEDO* BUFFER STRIP, AS SPECIFIED IN TITLE 21, GUAM CODE ANNOTATED, SECTION 68901.

Individuals requiring special accommodations should submit request to Blaine Dydasco at 473-3301.

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Sen. Thomas Ada
Committee on Lands
Public Hearing Notice

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I Liheslaturan Guahan, Public Hearing Room

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