



**Sen. Thomas Ada**  
Chairman

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

June 15, 2016

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

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

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

**RE: Committee Report on Bill No. 321-33 (COR) As Amended**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 321-33 (COR) As Amended, **“AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE TEN YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.”**

Committee votes are as follows:

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

2016 JUN 15 PM 1:55

*Si Yu'os ma'åse',*

Thomas C. Ada



**Sen. Thomas Ada**

**Chairman**

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

*I Mina Trentai Tres Na Libeslaturan Guåhan* • 33<sup>rd</sup> Guam Legislature

## **COMMITTEE REPORT ON**

**Bill No. 321-33 (COR)  
As Amended**

**AN ACT TO *AMEND* SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE TEN YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.**



## Sen. Thomas Ada

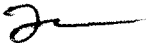
Chairman

Committee on Transportation, Infrastructure, Lands,  
Border Protection, Veterans' Affairs and Procurement  
*I Mina Trentai Tres Na Libeslaturan Guåhan • 33<sup>rd</sup> Guam Legislature*

June 15, 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. 321-33 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 321-33 (COR) As Amended, **“AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE TEN YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.”**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 321-33 (COR), As Introduced
- Copy of Bill No. 321-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimonies from: Michael J.B. Borja (*Department of Land Management*)
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 321-33 (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* • 33<sup>rd</sup> Guam Legislature

**COMMITTEE VOTE SHEET**

**Bill No. 321-33 (COR) As Amended, "AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE TEN YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS."**

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>SENATOR THOMAS C. ADA</b> Chairperson		✓				
<b>SENATOR RORY J. RESPICIO</b> Vice Chairperson	 6-15-14					
<b>VICE SPEAKER BENJAMIN J.F. CRUZ</b> Member				✓		
<b>SENATOR FRANK B. AGUON, JR.</b> Member						
<b>SENATOR DENNIS RODRIGUEZ, JR.</b> Member		✓ 6/15				
<b>SENATOR NERISSA UNDERWOOD</b> Member				✓		
<b>SENATOR FRANK BLAS, JR.</b> Member						
<b>SENATOR MARY TORRES</b> Member						
<b>SENATOR JAMES V. ESPALDON</b> Member				✓		



## Sen. Thomas Ada

Chairman

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

*I Mina Trentai Tres Na Liheslaturan Guåhan* • 33<sup>rd</sup> Guam Legislature

### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

Bill No. 321-33 (COR) was introduced on May 18, 2016 by Senator Thomas C. Ada and was subsequently referred on May 18, 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 June 8, 2016 at 9:00 am in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 321-33 (COR).

#### Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on May 31, 2016 (5-Day Notice) and again on June 6, 2016 (48-Hour Notice). Publication was conducted in the May 31, 2016 issue and June 6, 2016 issue of the **Guam Daily Post**, a newspaper of general circulation, fulfilling the 5-Day Notice and 48-Hour Notice of the Open Government Law requirement.

#### Senators Present

Senator Thomas C. Ada  
Senator V. Anthony Ada

*Committee Chairperson*  
*Legislative Member*

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

#### II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada calls the Public Hearing to order and as sponsor, introduces Bill No. 321-33. He then calls those who have signed up to provide testimony.

**Juan Finona** (oral testimony): Good morning Senators, I am a voting resident of Merizo. In 1992, they held a lottery with veterans' preference for the Pigua subdivision Land for the Landless. I was awarded a property 30 feet below the level of the road. That's the start of my property and ending at 70 feet deep. I requested to be relocated to where I can build something and it took until 2012 to transfer me. For the bill, I believe I paid for that property and I don't have to wait 10 years. It's wrong because I am a resident of Guam, disabled, and a senior citizen. They told me that I need a building permit to get water, but I want it for my plants. So I have to haul water from Nimitz Hill to Merizo. Then they told me I have to get a licensed contractor to put in 30 feet of line and charging me \$2,500. Mr. Senator, I used to lay water lines for GWA customers without cost to the government or the contractor that I worked for. I did 4,000 2-inch water lines with me and my family to service 10 families in

Yigo without a penny out of their pockets and now they're going to charge me \$2,500 for 30 feet 2-inch water line and I have to get a contractor to do that. I'm a disabled veteran and a past engineer so why can't I do my own water line. In turn, I have to pay \$500 for the water meter so give me the parts and I can do it myself; why do I have to pay that much?

I'm in favor of this bill and it's about time someone stepped up and waived that 10-year because I believe I paid for that property. I'm going to be paying the tax for that land so I should be the one to say when and how I'm going to do my property. I asked Director Borja to stay and hear my testimony because I think it's wrong for me to wait another 10 years because I've waited 20 years already to get transferred to a suitable place. Also, people are using the property to go back into their property so I found the easement to where the right of way is at and I opened it myself without charging the people. I've never had people pay anything that I provide to their property; I took it from the contractor's interest to share the cost. I feel that I deserve more than what they're telling me from the government.

**Chairperson Ada:** My staff will be calling you to follow-up on this matter of requiring you to use a certified plumber to have to lay that line on your private property. We'll get that resolved, but the bill would address the issue that you're talking about and Director Borja can add to the discussion.

**Michael Borja, Director, Department of Land Management (written testimony):** I believe that if you've already paid your Land for the Landless, your ten years began after your final payment. If it's beyond ten years, then the land is fully yours for however you want it now; you can sell it if you want now.

**Mr. Finona:** Because of the transfer to a suitable property happened in 2012 and I paid in installments until 2014; they told me, until 2014 to 2024, is when I can call it mine.

**Director Borja:** I gave you my business card and you're more than welcome to give me a call. We can work on the details of this issue.

**Chairperson Ada:** In the bill, it identified three categories of Land for the Landless applicants and I think we've have covered all of them. If your situation creates a fourth category, then we'll also look at that before we report the bill out.

**Director Borja:** He reads his testimony in verbatim (see attached testimony). He supports Bill 321-33 because it provides additional payment time for those Land for the Landless who responded to the notices and reimburses the Department for the administration of Public Law 33-104. The Department also made correction to the dollar amount reimbursement of postage and publication expenses for the administration of Public Law 33-104.

**Ted Nelson:** He speaks in Chamorro throughout his testimony. It was a miracle with the help of my colleagues and three Governors to establish the Land for the Landless program and all those subdivisions. The Umatac subdivision, Mr. Chairman, we identify the owners and the lot numbers through legislation so none of those people can be eliminated. There will never be a Land for the Landless again for \$2,500. Mr. Chairman, have Director Borja work with

the mayors and locate all these 41 owners. I went to Chamorro Land Trust Commission and complained that nobody should be denied.

**Director Borja:** Mr. Chairman, since Public Law 33-104 was enacted, we made notification to all 391 default accounts, we provided the publication notice to all the mayors and the municipalities and now we're in the process of visiting each and every site to determine whether or not anybody is residing on the land and to date, we've found none. But the bill does provide adequate language to engage with them in a different basis so we can work with them as well if we do find people that are authorized to be on the land but they have not paid for their account. So we're looking at every one of these before we make the transfer over to the Chamorro Land Trust Commission.

**Chairperson Ada:** Thank you and I appreciate the due diligence that you're providing.

Chairperson Ada adjourns the Public Hearing for Bill No. 321-33 (COR).

### **Written Testimony Received:**

1. Michael J.B. Borja, *Director*, Department of Land Management

### **III. Findings and Recommendation**

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement recommends that Committee staff work with the Guam Waterworks Authority in regards to Mr. Juan Finona's situation and will follow-up with him to see if there is any resolution to his issue.

The Committee finds that since the enactment of Public Law 33-104, the Department of Land Management has sent notices to all three hundred and ninety-one (391) default accounts and is now in the process of visiting every Land for the Landless site and determining if there are people residing on the properties but have not paid their accounts in full. As of May 9, 2016, thirty-nine (39) Land for the Landless accounts have been paid in full while forty-one (41) people responded to the notices requesting for additional time to pay their accounts.

The Committee made changes to the bill to reflect the dollar amount corrected by the Department of Land Management testimony in regards to postage and publication expenses for the administration of Public Law 33-104.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement, hereby reports out **Bill 321-33 (COR) as amended**, with the recommendation to report out.

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

**Bill No.** 321-33 (cor)

Introduced by:

T.C. Ada



2016 JUN 15 11:08:22  
JULIA

**AN ACT TO AMEND SECTION 2 OF PUBLIC LAW  
33-104, RELATIVE TO EXTENDING THE PAYMENT  
PERIOD FOR THE EXPIRED LAND FOR THE  
LANDLESS CONTRACTS; TO WAIVE THE 10 YEAR  
WAIT PERIOD PRIOR TO THE TRANSFER OF  
PROPERTY FOR EXCEPTIONAL CASES; TO  
PROVIDE A WAIVER FOR EXISTING RESIDENTS  
OF AFFECTED LOTS; AND TO PROVIDE FOR A  
JOURNAL VOUCHER TRANSFER OF FUNDS.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that

Public Law 33-104 extended the time period to cure and remedy defaulted 10-year contracts in the various Land for the Landless Programs and also authorized the transfer of unpaid *Land for the Landless* subdivisions into the Chamorro Land Trust Commission land inventory. According to data provided by the Department of Land Management (DLM), out of the three hundred ninety-one (391) defaulted accounts in the Land for the Landless Program, thirty-nine (39) accounts were paid in full while forty-one (41) respondents requested for an appeal to the default notice letters.

*I Liheslaturan Guåhan* further finds that many of the respondents appealed to the default notice letters due to personal hardship, medical situations and in some cases the original applicant-assignee of the subject lot of the defaulted contract currently resides on the affected property.



1 It is the intent of *I Liheslaturan Guåhan* to extend the payment period of those  
2 who have responded to the notices and allow them sufficient time to pay their balance  
3 on the *Land for the Landless* default account.  
4

5 **Section 2.** Section 2 of P.L. 33-104 is hereby amended to read as follows:

6 **“Notification of Purchasers Under the Land for the Landless Who**  
7 **Had Defaulted and Remedy.**

8 (a) The Director of the Department of Land Management  
9 (Department) *shall* exercise his best efforts to notify purchasers who  
10 had defaulted on contracts under the *Land for the Landless* program to  
11 submit, at the purchaser’s option, an appeal to rescind the default. The  
12 appeal must provide justification on why the default should be  
13 rescinded. Said notifications from the Department of Land  
14 Management *shall* be sent via certified mail, and accomplished within  
15 forty-five (45) days of enactment of this Act.

16 (b) Purchasers, or their legal beneficiaries, *shall* be given  
17 thirty (30) days from the date of receipt of the notice to submit their  
18 appeal and justification to the Department. The Department *shall* have  
19 forty-five (45) days to review the appeals and to make a  
20 determination. Appeals that *do not* receive a determination within the  
21 forty-five (45) days *shall* be deemed approved.

22 (c) If the Department finds the justification to be reasonable  
23 or pursuant to (b) above, and Purchaser, or his/her legal beneficiaries,  
24 is still eligible under the program’s guidelines, the Department shall  
25 give Purchaser the opportunity to rectify the default within ~~sixty (60)~~  
26 three hundred sixty-five (365) days from the date of ~~notice that the~~  
27 ~~default has been rescinded~~ the enactment of this Act. However the

1 Purchaser, or his/her legal beneficiaries shall be required to place a  
2 minimum deposit of 10% of the balance due.

3 (d) The remedy available to the purchaser, or his/her legal  
4 beneficiary, shall be to pay the full amount of the balance due on the  
5 initial Two Thousand Five Hundred Dollars (\$2,500) purchase price.

6 (e) An interest penalty shall be assessed on the unpaid  
7 balance at an annual percentage rate (APR) of four and one half  
8 percent (4.5%) from the date that last payment was made or should  
9 have been made.

10 (f) Funds received shall be deposited into the *Chamorro*  
11 *Land Trust Survey and Infrastructure Fund*.

12 (g) Re-entry. Every deed of conveyance of a lot under this  
13 Act shall contain a right of re-entry by the government if the grantee  
14 sells or leases any of the conveyed property within ten (10) years after  
15 the date of execution of the deed by *I Maga 'lāhi* (the Governor).

16 (h) Limitations in Deed. Each deed conveying a lot pursuant  
17 to this Act shall contain a right of reverter to the government if the  
18 grantee sells or leases any of the conveyed property within ten (10)  
19 years after the date of execution of the deed, or if the grantee inherits  
20 or otherwise acquires other land in Guam, in addition to the conveyed  
21 lot, and at the time of such subsequent acquisition of land the grantee  
22 has not constructed any structure on the conveyed lot.

23 (i) If complete payment of the account was made 10 years or  
24 more ago but through some administrative error or some other reason  
25 a deed of conveyance failed to be signed; the 10-year waiting period  
26 before any subsequent transfer can be made is hereby waived and the

1 deed of conveyance shall be issued immediately without any reference  
2 to the waiting period.

3 (j) If upon a field inspection of the subject lot of the expired  
4 contract the Department finds that the original assignee-applicant for  
5 that lot is found to be currently residing on the lot then the payment  
6 extension period is Three Hundred and Sixty Five (365) days. Interest  
7 shall continue to accrue in the payment extension period and the  
8 Provisions in Section 2c of Public Law 33-104 shall apply.

9 (k) Notwithstanding any law, provision, rule, or regulation, the  
10 Department of Land Management is hereby authorized to transfer, by  
11 journal voucher, *Two Thousand Dollars (\$2,000.00)* to reimburse the  
12 Department for postal and publication expenses related to the  
13 administration of Public Law 33-104. The transfer shall come from the  
14 *Chamorro Land Trust Survey and Infrastructure Fund* identified as  
15 Department of Administration Revenue Account Number 3669-57001,  
16 CLT-Sale of Government Land.”

17 **Section 6. Severability.** If any provision of this law or its application to any  
18 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
19 *not* affect other provisions or applications of this law that can be given effect without  
20 the invalid provisions or applications and to this end the provisions of this Act are  
21 severable.

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

**Bill No. 321-33 (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* SECTION 2 OF PUBLIC LAW  
33-104, RELATIVE TO EXTENDING THE PAYMENT  
PERIOD FOR THE EXPIRED LAND FOR THE  
LANDLESS CONTRACTS; TO WAIVE THE TEN  
YEAR WAIT PERIOD PRIOR TO THE TRANSFER  
OF PROPERTY FOR EXCEPTIONAL CASES; TO  
PROVIDE A WAIVER FOR EXISTING RESIDENTS  
OF AFFECTED LOTS; AND TO PROVIDE FOR A  
JOURNAL VOUCHER TRANSFER OF FUNDS.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that

Public Law 33-104 extended the time period to cure and remedy defaulted ten (10) year contracts in the various Land for the Landless Programs and also authorized the transfer of unpaid Land for the Landless subdivisions into the Chamorro Land Trust Commission inventory. According to data provided by the Department of Land Management (DLM), out of the three hundred ninety-one (391) defaulted accounts in the Land for the Landless Program, thirty-nine (39) accounts were paid in full while forty-one (41) respondents requested for an appeal to the default notice letters.

*I Liheslaturan Guåhan* further finds that many of the respondents appealed to the default notice letters due to personal hardship and medical situations, and in some cases, the original applicant-assignee of the subject lot of the defaulted contract

1 currently resides on the affected property.

2 It is the intent of *I Liheslaturan Guåhan* to extend the payment period for those  
3 who have responded to the notices and allow them sufficient time to pay their balance  
4 on the Land for the Landless default account.

5 **Section 2.** Section 2 of P.L. 33-104 is hereby *amended* to read as follows:

6 **“Notification of Purchasers Under the Land for the Landless Who**  
7 **Had Defaulted and Remedy.**

8 (a) The Director of the Department of Land Management  
9 (Department) *shall* exercise his best efforts to notify purchasers who  
10 had defaulted on contracts under the *Land for the Landless* program to  
11 submit, at the purchaser’s option, an appeal to rescind the default. The  
12 appeal must provide justification on why the default should be  
13 rescinded. Said notifications from the Department of Land  
14 Management *shall* be sent via certified mail, and accomplished within  
15 forty-five (45) days of enactment of this Act.

16 (b) Purchasers, or their legal beneficiaries, *shall* be given  
17 thirty (30) days from the date of receipt of the notice to submit their  
18 appeal and justification to the Department. The Department *shall* have  
19 forty-five (45) days to review the appeals and to make a  
20 determination. Appeals that *do not* receive a determination within the  
21 forty-five (45) days *shall* be deemed approved.

22 (c) If the Department finds the justification to be reasonable  
23 or pursuant to Subsection (b) above, and the purchaser, or his/her  
24 legal beneficiary, is still eligible under the program’s guidelines, the  
25 Department *shall* give Purchaser the opportunity to rectify the default  
26 within ~~sixty (60)~~ one hundred and eighty (180) days from the date of  
27 notice that the default has been rescinded. However, the purchaser, or

1 his/her legal beneficiary shall be required to place, within 30 days of  
2 receipt of notice that the default has been rescinded, a minimum  
3 deposit of 10% of the balance due.

4 (d) The remedy available to the purchaser, or his/her legal  
5 beneficiary, shall be to pay the full amount of the balance due on the  
6 initial Two Thousand Five Hundred Dollars (\$2,500) purchase price  
7 and any interest penalty, as described in (e) below.

8 (e) An interest penalty shall be assessed on the unpaid  
9 balance at an annual percentage rate (APR) of four and one half  
10 percent (4.5%) from the date that last payment was made or should  
11 have been made.

12 (f) Funds received shall be deposited into the *Chamorro*  
13 *Land Trust Survey and Infrastructure Fund.*

14 (g) Re-entry. Every deed of conveyance of a lot under this  
15 Act shall contain a right of re-entry by the government if the grantee  
16 sells or leases any of the conveyed property within ten (10) years after  
17 the date of execution of the deed by *I Maga'låhi* (the Governor).

18 (h) Limitations in Deed. Each deed conveying a lot pursuant  
19 to this Act shall contain a ~~right of reverter~~ reversionary clause to the  
20 government if the grantee sells or leases any of the conveyed property  
21 within ten (10) years after the date of execution of the deed, or if the  
22 grantee inherits or otherwise acquires other land in Guam, in addition  
23 to the conveyed lot, and at the time of such subsequent acquisition of  
24 land the grantee has not constructed any structure on the conveyed lot.

25 (i) If complete payment of the account was made ten (10)  
26 years or more ago but through some administrative error or some  
27 other reason a deed of conveyance failed to be signed, the ten (10)

1 year waiting period before any subsequent transfer can be made is  
2 hereby waived and the deed of conveyance shall be issued  
3 immediately without any reference to the waiting period. The  
4 furnishing of proof, which may include canceled checks, receipts, or  
5 account ledger, shall be the responsibility of the applicant.

6 (j) If upon a field inspection of the subject lot of the expired  
7 contract the Department finds that the original assignee-applicant for  
8 that lot is found to be currently residing on the lot then the  
9 Department shall give purchaser the opportunity to rectify the default  
10 by December 31, 2016. Interest shall continue to accrue in the  
11 payment extension period and the provisions in Section 2(c) of this  
12 Act shall apply.

13 (k) Notwithstanding Section 5 of Public Law 33-95, the  
14 Department of Land Management is hereby authorized to transfer, by  
15 journal voucher, Five Thousand Dollars (\$5,000.00) to reimburse the  
16 Department for postal and publication expenses related to the  
17 administration of Public Law 33-104. The transfer shall come from the  
18 Chamorro Land Trust Survey and Infrastructure Fund identified as  
19 Department of Administration Revenue Account Number 3669-57001,  
20 CLT-Sale of Government Land.”

21 **Section 6. Severability.** If any provision of this law or its application to any  
22 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
23 not affect other provisions or applications of this law that can be given effect without  
24 the invalid provisions or applications and to this end the provisions of this Act are  
25 severable.

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement  
 Public Hearing  
 June 08, 2016  
 9:00am

I Liheslaturan Guåhan, Hagåtña

**Bill No. 321-33 (COR) – T.C. Ada**

An act to amend Section 2 of Public Law 33-104, relative to extending the payment period for the expired Land for the Landless contracts; to waive the 10 year wait period prior to the transfer of property for exceptional cases; to provide a waiver for existing residents of affected lots; and to provide for a journal voucher transfer of funds.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
Juan S. Fuana	SELF	✓		✓		838-8272	juan-finora@guahon.com
Yed Mch	SELF	✓		✓			
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  
 Hagåtña, GU 96932

Website:  
<http://land.guam.gov>

E-mail Address:  
[dmdir@land.guam.gov](mailto:dmdir@land.guam.gov)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

June 6, 2016

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

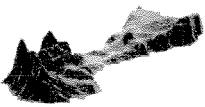
**SUBJECT: Bill No. 321-33 – AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE 10 YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.**

***Buenas Yan Hafa Adai!***

The Department of Land Management, in its execution of Public Law 33-104, found forty-one Land for the Landless clients responding to our default notification with an appeal request for additional time to pay their account. Because the public law provided no discretionary authority to the director of the Department of Land Management, a waiver on the time period for payment could not be offered.

Bill No. 321-33 provides the ability to extend the time period to those Land for the Landless clients who responded to the letters sent to them or the publication notice and sought an appeal and for more time to pay their accounts in full.

Additionally, this bill also permits the transfer of funds to offset the unbudgeted costs the Department of Land Management incurred in the notification of Land for the Landless default accounts. The true amount of the expense is \$4,944.00 (postage: \$2,359.00; publication notice: \$2,585) and we request the bill be modified to authorize this amount.



Because Bill No. 321-33 provides additional payment time for those Land for the Landless clients who responded to our notices and requested additional time to pay their account and because it the bill provides for the department's incurred costs to be recovered, the Department of Land Management supports Bill No. 321-33.

*Senseramente,*

A handwritten signature in black ink, appearing to read "Michael J.B. Borja", with a horizontal line extending to the right from the end of the signature.

**MICHAEL J.B. BORJA**  
Director



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guahan* • The 33rd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

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CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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Frank Blas Aguon, Jr.  
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Senator  
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Member

Senator  
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Member


V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

June 3, 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. 320-33(COR)  
Bill No. 321-33(COR)

### FISCAL NOTE WAIVER:

Bill No. 328-33(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 JUN -3 PM 11:51 AD

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 321-33 (COR)**

**AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE 10 YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.**

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 Operating Fund	1,424,311
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$1,424,311</b>

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
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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 Survey and Infrastructure Fund	\$2,000	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$2,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- |   |           |                               |                                |
|---|-----------|-------------------------------|--------------------------------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   |           | / / Yes                       | / X / No                       |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | / X / N/A | / / Yes                       | / / No                         |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | / X / N/A | / / Yes<br>/ / Yes<br>/ / Yes | / X / No<br>/ / No<br>/ X / No |
| 4. Will the enactment of this Bill require new physical facilities?   |           | / / Yes                       | / X / No                       |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/ X / Requested agency comments not received by due date                                 |           | / X / Yes                     | / / No                         |

Analyst: <u>Jason Baza</u> Jason Baza, BMA II	Date: <u>5/27/16</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	Date: <u>JUN 01 2016</u>
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Notes:  
See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 321-33 (COR)

The proposed legislation intends to extend the payment period established in P.L. 33-104 for purchasers of the *Land for the Landless* program's contracts wishing to rectify their default payments. Also stipulated in the proposed legislation is the authorization to transfer by journal voucher in the amount of two thousand dollars (\$2,000) from the Chamorro Land Trust Survey and Infrastructure Fund (CLTSIF) to reimburse the Department of Land Management (DLM) for postal and publication expenses related to the administration of Public Law 33-104.

P.L. 33-104 enabled purchasers who had defaulted on their contracts under the *Land for the Landless* program to file an appeal to rescind the default. If the appeal was approved, the purchaser had sixty (60) days from the notice that the default was rescinded to pay the full amount of the balance due on the initial two thousand five hundred dollar (\$2,500) purchase price. The proposed legislation will extend the payment period to three hundred sixty-five (365) days from enactment of the legislation. However, the purchaser will now be required to place a minimum deposit of 10% of the balance due on the initial \$2,500 purchase price. The Bureau is unable to determine the approximate dollar value of implementing the 10% minimum deposit due to lack of information from DLM pertaining to the balance on each of the forty-one (41) appealed default notice letters.

Payments received from the administration of P.L. 33-104 are deposited into the CLTSIF. Per the Department of Land Management (DLM) revenue report as of April 2016, the CLTSIF has an aggregate balance of \$117,059.51. Per the AS400 financial system, the CLTSIF has an aggregate balance of \$137,627.40 as of May 25, 2016.

Based on the foregoing, funding is available to authorize the \$2,000 transfer by journal voucher to reimburse the DLM's administration of P.L. 33-104.



## COMMITTEE ON RULES

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Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

May 18, 2016

VIA E-MAIL

[joey.calvo@bbmr.guam.gov](mailto: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. 319-33(COR) through 321-33(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
<b>319-33 (COR)</b>	Tommy Morrison	AN ACT TO AMEND SECTION 2(e)(11) OF CHAPTER V, PUBLIC LAW 30-196, RELATIVE TO REQUIRING PAYMENT OPTIONS WHICH PROMOTE TAXPAYER CONVENIENCE AND EFFICIENT CASH MANAGEMENT WITHIN THE GOVERNMENT OF GUAM.
<b>320-33 (COR)</b>	T. C. Ada	AN ACT TO AUTHORIZE THE EXPENDITURE OF UP TO THIRTY THOUSAND DOLLARS (\$30,000) FROM THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND FOR THE DESIGN AND INSTALLATION OF POWER INFRASTRUCTURE IN BASIC LOT 480, SANTA ANA, MUNICIPALITY OF AGAT.
<b>321-33 (COR)</b>	T. C. Ada	AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE 10 YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.



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MINORITY LEADER


Mary C. Torres  
MINORITY MEMBER

May 18, 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. 321-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 321-33(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
321-33 (COR)	T. C. Ada	AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 33-104, RELATIVE TO EXTENDING THE PAYMENT PERIOD FOR THE EXPIRED LAND FOR THE LANDLESS CONTRACTS; TO WAIVE THE 10 YEAR WAIT PERIOD PRIOR TO THE TRANSFER OF PROPERTY FOR EXCEPTIONAL CASES; TO PROVIDE A WAIVER FOR EXISTING RESIDENTS OF AFFECTED LOTS; AND TO PROVIDE FOR A JOURNAL VOUCHER TRANSFER OF FUNDS.	05/18/16 8:32 a.m.	05/18/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Peter Tran &lt;peter@senatorada.org&gt;

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**1st Notice of Confirmation / Public Hearing: Wednesday, June 08, 2016 at 9:00 a.m.**

1 message

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**Charlene Flores** <flores@senatorada.org>

Tue, May 31, 2016 at 8:19 AM

To: Media <media@senatorada.org>, Melanie Mendiola <melmendiola@gmail.com>, Hardy Tan Vy <hardytan@gmail.com>, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, teresa.topasna@land.guam.gov, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, jbrown@portguam.com, mduenas@portguam.com, franksantos1914@hotmail.com, jarroyo@tggguam.net, angelatenorio.indalecio@outlook.com, jbenavente@gpagwa.com, agumataotao@gpagwa.com, Marilyn Manibusan <info.gacsbot@gmail.com>, legalcounsel.gacsbot@gmail.com, wbsmflor@wbflores.com, phnotice@guamlegislature.org

May 31, 2016

**MEMORANDUM**

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*Subject: **1<sup>st</sup> Notice of Confirmation / Public Hearing: Wednesday, June 08, 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 a confirmation/public hearing on **Wednesday, June 08, 2016 at 9:00 a.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

**9:00 AM**

Executive Appointment of **Ms. Melanie R. Mendiola** to serve as a **member** of the **Guam Port Authority Board of Directors**.

Executive Appointment of **Mr. Hardy Tan I. Vy** to serve as a **member** of the **Guam Land Use Commission**.

Executive Appointment of **Mr. Pascual V.A. Sablan** to serve as a **member** of the **Chamorro Land Trust Commission**.

**Bill No. 320-33 (COR) – T.C. Ada**

An act to authorize the expenditure of up to thirty thousand dollars (\$30,000) from the *Chamorro Land Trust Survey and Infrastructure Fund* for the installation of power infrastructure in basic Lot 480, *Santa Ana*, Municipality of *Agat*.

**Bill No. 321-33(COR) –T.C. Ada**

An act to amend Section 2 of Public Law 33-104, relative to extending the payment period for the expired Land for the Landless contracts; to waive the 10 year wait period prior to the transfer of property for exceptional cases; to provide a waiver for existing residents of affected lots; and to provide for a journal voucher transfer of funds.

**Bill No. 322-33 (COR) – T.C. Ada**

An act to rezone Lots 2260 and 2261, Municipality of *Barrigada* from Agricultural “A” Zone to School “S-1” Zone, for *Guahan Academy Charter School*.

Testimony on the **Executive Appointment of Ms. Melaine Mendiola, Executive Appointment of Mr. Hardy Tan Vy, Executive Appointment of Mr. Pascual Sablan, Bill No. 320-33 (COR), Bill No. 321-33 (COR), and Bill No. 322-33 (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](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until **4:00pm Wednesday, June 08, 2016**. In compliance with the Americans with Disabilities

Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--

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**

531K



Senator Tom Ada

Peter Tran &lt;peter@senatorada.org&gt;

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## 2nd Notice of Confirmation / Public Hearing: Wednesday, June 08, 2016 at 9:00 a.m.

1 message

---

**Charlene Flores** <flores@senatorada.org>

Mon, Jun 6, 2016 at 8:22 AM

To: Media <media@senatorada.org>, Melanie Mendiola <melmendiola@gmail.com>, Hardy Tan Vy <hardytan@gmail.com>, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, teresa.topasna@land.guam.gov, Cristina Gutierrez <Cristina.Gutierrez@land.guam.gov>, jbrown@portguam.com, mduenas@portguam.com, franksantos1914@hotmail.com, John Arroyo <jarroyo@tgguaam.net>, angelatenorio.indalecio@outlook.com, jbenavente@gpagwa.com, agumataotao@gpagwa.com, sblas@gpagwa.com, mcamacho@gpagwa.com, Marilyn Manibusan <info.gacsbot@gmail.com>, legalcounsel.gacsbot@gmail.com, wbsmflor@wbflores.com, bmomayor@gmail.com, Jessie Bautista <jessie.bautista007@gmail.com>, agatmayorsoffice@hotmail.com, ksusuico@yahoo.com

June 6, 2016

### **MEMORANDUM**

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Confirmation / Public Hearing: Wednesday, June 08, 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 a confirmation/public hearing on **Wednesday, June 08, 2016 at 9:00 a.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

**9:00 AM**

Executive Appointment of **Ms. Melanie R. Mendiola** to serve as a **member** of the **Guam Port Authority Board of Directors**.

Executive Appointment of **Mr. Hardy Tan I. Vy** to serve as a **member** of the **Guam Land Use Commission**.

Executive Appointment of **Mr. Pascual V.A. Sablan** to serve as a **member** of the **Chamorro Land Trust Commission**.

**Bill No. 320-33 (COR) – T.C. Ada**

An act to authorize the expenditure of up to thirty thousand dollars (\$30,000) from the *Chamorro Land Trust Survey and Infrastructure Fund* for the installation of power infrastructure in basic Lot 480, *Santa Ana*, Municipality of *Agat*.

**Bill No. 321-33(COR) –T.C. Ada**

An act to amend Section 2 of Public Law 33-104, relative to extending the payment period for the expired Land for the Landless contracts; to waive the 10 year wait period prior to the transfer of property for exceptional cases; to provide a waiver for existing residents of affected lots; and to provide for a journal voucher transfer of funds.

**Bill No. 322-33 (COR) – T.C. Ada**

An act to rezone Lots 2260 and 2261, Municipality of *Barrigada* from Agricultural "A" Zone to School "S-1" Zone, for Guahan Academy Charter School.

Testimony on the **Executive Appointment of Ms. Melaine Mendiola**, **Executive Appointment of Mr. Hardy Tan Vy**, **Executive Appointment of Mr. Pascual Sablan**, **Bill No. 320-33 (COR)**, **Bill No. 321-33 (COR)**, and **Bill No. 322-33 (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](mailto:office@senatorada.org), or via facsimile to (671) 473-3303 until **4:00pm Wednesday, June 08, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--

Charlene Flores


Policy Analyst

Office of Senator Thomas C. Ada

*I Mina'trentai Tres na Liheslaturan Guåhan* - 33rd Guam Legislature

671-473-3301

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 **2nd Notice.pdf**  
524K

30thguamyouthcongress@gmail.com	committee@frankaguonjr.com	jean@tinamunabarnes.com
action@weareguahan.com	communications@frankaguonjr.com	jenataisague@guamlegislature.org
admin2@guamrealtors.com	communications@guam.gov	jennifer.lj.dulla@gmail.com
admin@frankaguonjr.com	cor@guamlegislature.org	joan@kuam.com
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ahernandez@guamlegislature.org	debbieretuyan@judiwonpat.com	johnluces@toduguan.com
alan@tinamunabarnes.com	delisleduenas@judiwonpat.com	johntaoconnor@gmail.com
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av@guamlegislature.org	edpocaigne@judiwonpat.com	kcn.kelly@gmail.com
avillaverde@guamlegislature.org	elena.garcia@senatorbjcruz.com	keepinginformed.671@gmail.com
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baza.matthew@gmail.com	eo@guamrealtors.com	kennylg@guamlegislature.org
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bernice@tinamunabarnes.com	ewinstoni@yahoo.com	khmg@hbcguam.net
berthaduenas@guamlegislature.org	fborres@judiwonpat.com	koreannews@guam.net
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bruce.lloyd.media@gmail.com	frank.blasjr@gmail.com	kstonews@ite.net
bshringi@moylans.net	frank@judiwonpat.com	kurtzman.guamlegis@gmail.com
caquino@tinamunabarnes.com	gerry@postguam.com	law@guamag.org
carlaborja.73@yahoo.com	gerrypartido@gmail.com	legislativecounsel@guamlegislature.org
carlo.branch@gmail.com	gktv23@hotmail.com	leling@judiwonpat.com
carlo.branch@senatorbjcruz.com	guadalupeignacio@gmail.com	life@guampdn.com
carlsanchez@judiwonpat.com	guam.avon@gmail.com	ljalcairo@gmail.com
carlsonc@pstripes.osd.mil	guam@pstripes.osd.mil	llmatthews@guampdn.com
ccastro@guamchamber.com.gu	guamnativesun@yahoo.com	louise@tonyada.com
ccharfauros@guamag.org	hana@guam-shinbun.com	m.salaila@yahoo.com
cgogue@guampdsc.net	hermina.certeza@senatorbjcruz.com	managingeditor@glimpsesofiguam.com
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christine.quinata@takecareasia.com	hottips@kuam.com	mahoquinene@guam.net
chucktanner@toduguan.com	ihernandez@guamlegislature.org	malainse@gmail.com
cipo@guamlegislature.org	info@chinesetimesguam.com	maria.pangelinan@gec.guam.gov
clerks@guamlegislature.org	james.servino@guamlegislature.org	marilyntablante@gmail.com
clynt@spbgum.com	jason@kuam.com	martavictoriapalmtree@gmail.com
cmduenas@guamlegislature.org	jason@senatormorrison.com	marycamachotorres@gmail.com



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

Updated: May 23, 2016

maryfejeran@gmail.com	sarah.elmore@senatorbjcruz.com
marym@guamlegislature.org	senator@senatorbjcruz.com
matthew.santos@senatorbjcruz.com	senator@tinamunabarnes.com
mcarlson@guamlegislature.org	senatorbrantmccreadie@gmail.com
mcperson.kathryn@abc.net.au	senatordrodriguez@gmail.com
mcruz@hitradiol00.com	senatorsannicolas@gmail.com
media@frankaguonjr.com	senatortonyada@guamlegislature.org
menchu@toduguan.com	senatorunderwood@guamlegislature.org
millie@tinamunabarnes.com	senjvespaldon@gmail.com
mindy@kuam.com	sgtarms@guamlegislature.org
mis@guamlegislature.org	sitarose2@yahoo.com
mlwheeler2000@yahoo.com	sixquintanilla@gmail.com
monty.mcdowell@amiguam.com	slimtiaco@guampdn.com
mspeps4873@gmail.com	smendiola@guamlegislature.org
mwatanabe@guampdn.com	sonedera-salas@guamlegislature.org
natasha@toduguan.com	speaker@judiwonpat.com
nb.underwood@yahoo.com	staff@frankaguonjr.com
news@guampdn.com	stephaniemendiola@gmail.com
news@spbgum.com	tasigirl@gmail.com
nick@kuam.com	tcastro@guam.net
norman.aguilar@guamcc.edu	tcruznelson@gmail.com
office@senatorada.org	team5andahalfstar@gmail.com
officeassistant@frankaguonjr.com	telo.taitague@visitguam.org
oliviampalacios@gmail.com	thebigshow@k57.com
onlyonguam@acubedink.com	tina.alicto@yahoo.com
orleen@senatorbjcruz.com	tina@tinamunabarnes.com
orsini.rikki@gmail.com	tjtaitano@cs.com
oyaol.ngirairikl@gmail.com	tom@senatorada.org
pacificjournalist@gmail.com	tommy@senatormorrison.com
parroyo@k57.com	tony@senatorada.org
pdkprg@gmail.com	tony@tonyada.com
pete@tonyada.com	tritten@pstripes.osd.mil
phill@spbgum.com	tterlaje@guam.net
procurement@guamlegislature.org	vparriola1@gmail.com
policy@frankaguonjr.com	vpaulino@guamlegislature.org
publisher@glimpsesofofguam.com	xiosormd@gmail.com
rennae@guamlegislature.org	xiosormd@yahoo.com
responsibleguam@gmail.com	ylee2@guam.gannett.com
rfttehan@yahoo.com	
ricknauta@hitradiol00.com	
rlimtiaco@guampdn.com	
robert@postguam.com	
rolly@ktkb.com	
roryforguam@gmail.com	
rowena@senatormorrison.com	
sabrina@kuam.com	



## **Sen. Thomas Ada**

**Chairman**

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

### **AGENDA**

#### **CONFIRMATION / PUBLIC HEARING**

**Wednesday, June 08, 2016**

**Public Hearing Room, *I Liheslaturan Guahan***

The agenda is as follows:

#### **9:00am**

Executive Appointment of **Ms. Melanie R. Mendiola** to serve as a **member** of the **Guam Port Authority Board of Directors**.

Executive Appointment of **Mr. Hardy Tan I. Vy** to serve as a **member** of the **Guam Land Use Commission**.

Executive Appointment of **Mr. Pascual V.A. Sablan** to serve as a **member** of the **Chamorro Land Trust Commission**.

#### **Bill No. 320-33 (COR) – T.C. Ada**

An act to authorize the expenditure of up to thirty thousand dollars (\$30,000) from the *Chamorro Land Trust Survey and Infrastructure Fund* for the installation of power infrastructure in basic Lot 480, *Santa Ana*, Municipality of *Agat*.

#### **Bill No. 321-33(COR) –T.C. Ada**

An act to amend Section 2 of Public Law 33-104, relative to extending the payment period for the expired Land for the Landless contracts; to waive the 10 year wait period prior to the transfer of property for exceptional cases; to provide a waiver for existing residents of affected lots; and to provide for a journal voucher transfer of funds.

#### **Bill No. 322-33 (COR) – T.C. Ada**

An act to rezone Lots 2260 and 2261, Municipality of *Barrigada* from Agricultural “A” Zone to School “S-1” Zone, for *Guahan Academy Charter School*.



**Sen. Thomas Ada**  
**Committee on Lands and Transportation**  
**Confirmation / Public Hearing Notice**

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*I Liheslaturan Guahan*, Public Hearing Room

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**Guam Daily Post - 06 June 2016**

[http://www.postguam.com/news/local/amnesty-proposed-for-land-for-landless-holders/article\\_13bbf56a-2708-11e6-b6aa-fb5e0cc969b3.html](http://www.postguam.com/news/local/amnesty-proposed-for-land-for-landless-holders/article_13bbf56a-2708-11e6-b6aa-fb5e0cc969b3.html)

## Amnesty proposed for Land for Landless holders

Robert Q. Tupaz | Post News Staff 7 hrs ago



Sen. Tom Ada says Public Law 33-104, enacted in December 2015, addressed some 443 Land for the Landless accounts that remain unpaid from an original inventory of 1,650 available lots in the program. Post file photo

A law enacted late last year extended the time and provided notice to participants in default on payments in the Land for the Landless program previously to come clean and clear their debt or lose their land.

According to Sen. Tom Ada, Public Law 33-104 enacted in December 2015 addressed some 443 Land for the Landless accounts that remain unpaid from an original inventory of 1,650 available lots in the program. The residential lots were sold for \$2,500 to 1,036 families beginning in 1978. The

notes were based on a 10-year term.

Upon enactment of P.L. 33-104, introduced as Bill 196-33 by Ada, 39 persons cleared their balance from a final list of 391 lots. And 41 respondents requested an appeal of the default.

“The law provided them a notice and a window, 45 days, to let (the Department of) Land Management know that they wanted to keep their land. Then, the process would be reopened if they had a valid reason and still wanted the property. They could then satisfy their debt,” Ada said.

“Basically, they had a second bite at the apple, of course with interest.”

Ada said that an additional bill, which he introduced as Bill 321-33 was necessitated because at least 41 respondents needed more time to clear their outstanding balance.

In addition, there were a few instances where the recipient had receipts but for one reason or another, the Department of Land Management lacked records.

### **Extend**

“As a result of Bill 196, Land Management came back and said the people needed just a little bit more time to get the money together to close the transaction,” Ada said. “At the request of Land Management, we basically want to extend the time for at least the 41 families, up to one year from enactment to satisfy their obligation. A second group that could benefit would be families who have built on the properties, but for whatever reason did not get the notices, or meet their obligation, who knows.”

He added, “And finally, with the 10-year rule, we had some people that said they paid their due, they have their receipt and should be free and clear because 'I paid this thing over 10-years ago.'”

Ada said the bill provides that after one year, Land Management will foreclose on all properties not cleared through the law, and that all properties will be conveyed to the Chamorro Land Trust Commission inventory for lease to qualified applicants. “It’s a neat deal because these properties already have the infrastructure laid out,” Ada said.

The Land for the Landless program was enacted in 1978 with subsequent laws providing 1,650 residential lots islandwide in various places including As-Tumbo, Dededo; Agafa Gumas, Yigo; As-Lucas, Talofofo; Machanag/As-Pailo, Umatac; Ija Subdivision in Inarajan; Malojloj, Inarajan; Umang, Agat; Pagachao, Agat; Kaiser, Piti; and Pigua, Merizo.

Ada is the chairman of the legislative committee with oversight of public lands. A public hearing on

Bill 321-33 is scheduled for June 9.

**Robert Tupaz**

Working for you!