



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

November 21, 2016

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

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

Rory J. Respicio

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

RE: Committee Report on Bill No. 331-33 (COR) As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 331-33 (COR) as amended, "AN ACT TO TRANSFER PORTIONS OF LOT 5075-REM-A NEW-R1, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE."

Committee votes are as follows:

- 1 TO DO PASS
- 1 TO NOT PASS
- 4 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

2016 NOV 28 PM 12: 28

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 • 33rd Guam Legislature

COMMITTEE REPORT ON

**Bill No. 331-33 (COR)
As Amended**

**“AN ACT TO TRANSFER PORTIONS OF LOT
5075-REM-A NEW-R1, MUNICIPALITY OF
TAMUNING OWNED BY THE CHAMORRO
LAND TRUST COMMISSION TO DECHA
FARMS, INC. IN A LAND EXCHANGE.”**



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

November 21, 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. 331-33 (COR) as amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 331-33 (COR) as amended, **“AN ACT TO TRANSFER PORTIONS OF LOT 5075-REM-A NEW-R1, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE.”**

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 331-33 (COR), As Introduced
- Copy of Bill No. 331-33 (COR), As Amended
- Public Hearing Sign-in Sheet
- Written testimonies from: Michael J.B. Borja (*Director, Department of Land Management*), Eric Untalan, James L. Adkins (*Decha Farms, Inc.*), Ken Leon Guerrero (*Community Advocate*)
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 331-33 (LS)
- Notices of Public Hearing
- Public Hearing Agenda

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



Sen. Thomas Ada

Chairman

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

COMMITTEE VOTE SHEET

Bill No. 331-33 (COR), "AN ACT TO TRANSFER PORTIONS OF LOT 5075, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE." As Amended.

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			<i>[Handwritten mark]</i>			
SENATOR RORY J. RESPICIO Vice Chairperson	<i>[Signature]</i>			<i>Mr</i> 11-21-16		
VICE SPEAKER BENJAMIN J.F. CRUZ Member	<i>[Signature]</i>			<i>[Signature]</i> 11-21-16		
SENATOR FRANK B. AGUON, JR. Member	<i>[Signature]</i>					
SENATOR DENNIS RODRIGUEZ, JR. Member						
SENATOR NERISSA UNDERWOOD Member	<i>[Signature]</i>			11-21-16 <i>[Signature]</i>		
SENATOR FRANK BLAS, JR. Member						
SENATOR MARY TORRES Member	11/21/16 <i>[Signature]</i>			✓		
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. 331-33 (COR) was introduced on June 03, 2016 by Senator Tina Rose Muña Barnes, Vice-Speaker B.J.F. Cruz, Senator Frank B. Aguon Jr., Senator Frank F. Blas, Jr., Senator V. Anthony Ada, and Senator James Espaldon and was subsequently referred on June 03, 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 September 26, 2016 at 6:00 pm in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 331-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on September 19, 2016 (5-Day Notice) and again on September 22, 2016 (48-Hour Notice), fulfilling the 5-Day Notice and 48-Hour Notice of the Open Government Law requirement.

Senators Present

Senator Thomas C. Ada	<i>Committee Chairperson</i>
Vice-Speaker Benjamin J.F. Cruz	<i>Committee Member</i>
Senator Nerissa B. Underwood	<i>Committee Member</i>
Senator Tina Rose Muña Barnes	<i>Legislative Member</i>

The public hearing was Called-to-Order at 6:00pm.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada calls the Public Hearing to order and asked the sponsor of Bill No. 331-33 (COR) to give an introduction.

Senator Barnes: Stated Bill No. 331-33 (COR) is an act to transfer portions of Lot 5075, Municipality of *Tamuning*, owned by the CLTC to Decha Farms, Inc., in a land exchange. The owners of Lot No. 154-1 in *Yona* would like to exchange their property known as Decha Farms with a portion of Lot No. 5075 in *Tamuning* that is in the CLTC inventory, in a value for value land exchange. Lot No. 154-1 is located on fertile agricultural lands which can be used for agricultural purposes and development or for residential homes. She went on to say this lot better serves the current needs of the Chamorro people than Lot No. 5075 in *Tamuning*. The appraised value will be determined by the fair market valuations by appraisers that will be approved by the Director of the Department of Land Management if this bill is to see success. Decha Farms will pay for the services of the appraisers and this is simply authorizing the value for value land exchange.

She then noted that East West Rental is a company that has been in existence for almost four decades if not more. They have employed a lot of members in the local community and want to expand and grow with the East West Rental Company. The property will increase and be utilized to build more, build bigger and employ more local folks in the community. She asked her colleagues to give fair consideration. There were recent changes in land legislation. She then apologized and noted that it should have been included in her report.

Chairperson Ada calls upon those who have signed up to give testimony.

Michael J.B. Borja, *Director, Department of Land Management*: Director Borja reads his testimony. Summarily, Mr. M. Borja noted (see attached for full text):

1. On May 19, 2016 **CLTC disapproved the land transfer request** by DECHA Farms.
2. On June 16, 2016 CLTC declared the Tamuning Lot as designated for commercial use (with the objective of making the Lot a revenue generator for CLTC).
3. CLTC does not support Bill 331-33.

James Adkins, *Decha Farms, Inc.*: Mr. Adkins reads his testimony. (see attached). Summarily, his testimony is:

1. East-West Rental/DECHA Farms desires subject CLTC lot in Tamuning to enable the expansion of the East-West Rental Center.
2. On a value-for-value basis, Adkins proposes to exchange approximately 78,180sm of Yona property for 7,818sm of the Tamuning CLTC property.

Eric Untalan: Mr. Untalan reads his testimony. (see attached) Summarily, his testimony is:

1. Ideally, CLTC lands are to be used to help landless families as a means of establishing their homes and farms. The Tamuning property not suited for this purpose.
2. The Yona property would provide acreage more suitable for residential and farming activity.

Chairperson Ada: Asked Mr. Borja, what is the greater need for CLTC? Is it revenue to be able to go out there and survey the many acres of CLTC properties and put in infrastructure, or does it need more R-1 or A zoned acreage in its inventory?

Mr. Borja: Responded they have a lot of acreage in our inventory. The problem is that they can't really use very much of it or the people who have been assigned those leases have great difficulty in using the property because of lack of infrastructure and the inability to survey it. One of the fastest ways to distribute land is to get the surveying done for all the lands, but then what they have is just lands that are parceled out still without the infrastructure. He states this lot was one of three different lots that had been submitted to the Legislature in June to designate as commercial use. This is really the only one that has the highest use and benefit for commercial purpose. They know that it is not suitable for agricultural and residential and because P.L. 33-95 allowed them the opportunity to commercially lease certain properties, this was designated as one of them.

He stated if they follow certain provisions of the law, to lease out at 10% of the value of the property, to be making at least \$75,000 a year, in ten years, \$750,000, in twenty, \$1.5 million.

It's income that's not flowing in like this, but it's income that is sorely needed to have to increase revenue stream. So they can do infrastructure development for the many other parcels of property that are already set up for agricultural and residential. The reason they have to give out half acre lots is because of the inability to have any kind of suitable waste water infrastructure in those lands which is a large parcel of property. He went on to say if they were able to reduce that size down to 1000 square meters or quarter acres, they can get more people into the lands especially the wastewater infrastructure that would be necessary for reducing the size of the property.

Chairperson Ada: Asked if that is the underlying rationale as to why the CLTC, in an earlier meeting, disapproved this land exchange that was brought before it?

Mr. Borja: Responded yes, they did not want to remove land from the inventory, but instead to use the few parcels that can be commercially viable for that kind of purpose.

Mr. Adkins: Asked where the number come from, \$75,000 a year?

Mr. Borja: Responded that it is estimated it to be around \$700,000 to \$750,000 as the estimated value.

Mr. Adkins: Asked if they have any potential lessees for this property, especially with the topography it currently has. And if there were any prospects? Does the CLTC have property in the south that is like this piece of property that is close to utilities and is for the most part flat, in this size?

Mr. Borja: States the topography was not a problem for GWA because part of their land that they took also has part of that sunken section, but are basing the estimate value on a tax assessed value of the property, of the whole property being close to \$1million. The Public Law allowed them to submit commercial lands designation listing. The 60 days lapsed on August 23 and could not do anything until that 60-day period had lapsed and now that it has they haven't had the opportunity to sit down. They haven't had a meeting to sit down and discuss RFP issues on how to get this land to be leased out, but there are provisions that have to be followed in accordance with P.L. 33-95. The stipulation was that they had to wait 60 days after list is submitted to the Legislature before they could engage in any kind of discussions to do RFPs or anything like that. He went on to say he would not discount this piece of property. We're about to assume a whole bunch of land for the landless properties that have the infrastructure already in place that can be used as well.

Vice-Speaker Cruz: Asked if CLTC grants will be in the south soon because you can't keep doing it in the north?

Mr. Borja: Responded they are getting close to the end of the year when the timelines are all supposed to expire for to take back any of the land for the landless that had not been contractually consummated. Out of almost 400 defaulted accounts, almost 60 have come forward. So over 300 accounts where the lands are going to be confiscated back and most of these do come with the infrastructure, places like *Talofof*, *Umatac*.

Senator Underwood: Stated based on the testimony that was provided by Mr. Untalan, it seems that the [Yona] land being proposed here is ready for occupation for residential or farming. So if we have a list that is waiting, was this even considered by CLTC?

Mr. Borja: Responded yes and they had the full details. Mr. Adkins and his team did come before the Commission about the land exchange. The Commission voted not to approve this request and then passed a resolution expressing desires on how this land should be used. The need for the money is to help with the infrastructure. This [Yona] land is not ready for anything, there's no infrastructure. There might be existing infrastructure on the outskirts of it but the sewer line is not tap-able. He stated GWA is already oversubscribed and won't allow any other tapping into that line. So they can't really put any more sewer connections there unless until other things are built and there is development in Santa Rita, so a pipeline needs to be laid between Windward Hills and Santa Rita. But as stated earlier the infrastructure does not exist and it is very much raw land. It would be great for farming and they already have a couple of people who want to farm the whole place. And it has been used for farming over the years by a variety of people from the *Talofof* area.

Neri Blas, Resident of Talofof: He stated as a real estate agent he is familiar with both these lots based on your description. Stated if they were to build or cut into 56 half acre lots, they could serve 56 individuals. Because there is no water lens in the south, they can cut it into 113 half acre lots minus the roads and easements necessary. He went on to say that the *Tamuning* property can make money and provide money for infrastructure for other CLTC properties. This property, if not given to the Chamorro people for their use for farming or residential homes, can put up a solar farm and in light of the fact that we're trying to keep Guam green. CLTC can rent it out to a solar company, they can put up the farm, they can connect their lines towards the high tension wires coming out of the *Talofof* power substation. It will serve the government and provide money for CLTC, serve the people, provide clean power. That's what we're all about, to provide clean power.

He stated there is a movement against building in the south and although he is not for it, Guam moves with development. They can't fight the number of people objecting so that will keep Guam green if they use it for renewable energy rather than just for homes. He mentioned he is a former EPA employee and knows where the water lens are located. There is surface water, but that surface water is from Ugam which is very far from this property and is not affected at all. There are more pluses to making the exchange and take the pit behind Mr. Adkins' property and GWA will use the other portion for their use but the way it's designed right now is it's a deep pit so GWA is going to build an underground water tank so it serves their purpose. So somebody is going to take coral and dump it on to that site and put up a building. He went on to say they would have to grade the property, compact it, and meet all those requirements. He is a business man and if I'm going to rent that property from CLTC, he would factor in all the costs to build a structure that will be solid. He didn't see the logic especially if it can use it for other renewal energy sources and provide more for the Government of Guam and the People of Guam than just this little piece of land making 750 per month.

Chairperson Ada: Asked Mr. Borja, if the CLTC was going to go through or if it resolves that the property will remain in the CLTC inventory, the one behind East West Rental Center, what will be the next step of the CLTC to get commercial activity on there and hopefully try to get it generating funds and what kind of a time frame?

Mr. Borja: Responded a couple of things can be done. They can request information to get anyone who has any potential desire to use it so we can craft an RFP to be specific to certain kinds of requirements that might be good for whoever might want to but according to PL 33-95, we have to go through some kind of procurement process. If it's assigned to someone else by this legislative body, then that's the task that we go after and have to follow. In this case public law 33-95 spells out how they would approach this process and that is to do some kind of procurement to help find an investor or someone who wants to lease it. They still have a standing memorandum agreement with the Guam Economic Development Authority to help and assist in that respect.

Chairperson Ada: Asked if there was an interested party who would be interested in leasing out this piece or whatever is left over after GWA has taken what it needs, how long could that lease be for?

Mr. Borja: Responded the public law only allows anything for 25 years, so that is the extent of what can be done, unless there is again a provision that will allow for this specific lot for a greater period of time.

Chairperson Ada: Asked if the Legislature could approve a longer lease period?

Mr. Borja: Responded that the authorization from the Legislature would be for any kind of additional use for this property. They look at something like this and know that those periods of time laid out by the Public Law may not be the best time periods for some long term investors or users. So those things we will have to come out and say, 25 years may not be ample time. Everyone who has come with an interest have expressed something in the neighborhood of 50 years and that's when they will ask to have that opportunity to get the authorization through legislation.

Mr. Adkins: Stated he is interested in the fact that they plan on getting 10% of the property value per year in lease. East West Rental Center has talked to the CLTC, offered to pay cash if they wanted to sell it we would pay cash and give them whatever it happens to be, 800,000, 900,000 or 1million dollars, whatever the appraised amount it. That would give them lots of money and they could go out at this time and have all the survey they would need to do immediately rather than waiting ten years to get that amount of money coming in to go and do the survey and at this time we are prepared to do that. Stated they did offer to provide 50% in cash to buy the property and 50% in real estate exchange. That is all on the table if CLTC would be willing to do so and CLTC should be able to handle it especially since they need the cash to do so many things. This was a way to provide them with the cash.

Chairperson Ada: Asked Mr. Borja if the procurement law allows the CLTC, to sit down directly with Decha Farms to negotiate something that might be mutually acceptable or is that

something that has to put out what P.L. 33-95. Which requires you put out a determination of need to see who might be interested in that piece of property, put out an RFP and then basically go through that process as opposed to just simply saying or let's sit down and talk?

Mr. Borja: Responded that he wants to follow as much the intent of the law because he's already under other kinds of protests for previous RFPs as a result of P.L. 33-95 and I don't want to continue down that road. Stated he is guided by whatever the law gives him. He is unsure and is usually advised not to deviate outside the realms of the law for obvious reasons. If they did sit down and engage in negotiations and then suddenly an RFP is put out and they will get disqualified. He doesn't want to jeopardize his efforts as well. They've had these discussions for quite a long time already and know where he's coming from. The math was looked at, but in the end, even if it was a 10-year contract at 10% per year, the CLTC still owns the land after that period of time. From that they can still continue to see income following that period of time rather than just getting that income in one lump sum and don't see anything beyond that. He stated he could probably get a loan on a long terms lease, to be able to try and do some capital improvement projects rather than just to have a lump sum of money in the bank.

Chairperson Ada: Stated to Mr. Adkins, in reading the minutes from the May 19, 2016 CLTC meeting, it mentions that this was not the first time that he approached the CLTC for this property.

Mr. Adkins: Responded yes, all three options were put on the table and asked. One thing the CLTC has said is whatever they do doesn't mean anything because the Legislature has the power to do whatever they say and that's one thing Mr. Borja and others have said, that the Legislature is the one they should go to so it's is up to the Legislature to decide.

Chairperson Ada: Stated the Legislature, at least this Legislature has been very careful about not usurping the authority of the CLTC with respect to the CLTC lands. That is why the law that was passed authorizing them to lease out CLTC properties for commercial use did not say it had to come down here for approvals. Rather it stated to send it to the Legislature for information and if anybody was really disturbed about the selection, then at that time the issue can be raised, but the Legislature has been very careful about not usurping the authority of that particular board. To his understanding Mr. Borja is correct, short of having legislation that comes out and says, "CLTC step aside we want CLTC to sit down with Decha Farms to negotiate for a land exchange". Short of that happening, then CLTC is going to have to go through the procurement process to get an RFP going to be able to then sit down and actually discuss, because of the fact that there may be other interested parties in that property. Maybe you're the only one interested. Does anybody else have any other comments or questions?

Chairperson Ada adjourns the Public Hearing for Bill No. 331-33 (COR).

Written Testimony Received:

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

Eric Untalan

James L. Adkins, *Decha Farms, Inc.*

Ken Leon Guerrero, *Community Advocate*

III. Findings and Recommendation

The Committee finds that the Chamorro Land Trust Commission, through Resolution No. 2016-07, declared its position to **unanimously disapprove** the East West Rental Center offer to acquire the CLTC property.

The Committee further finds that the Chamorro Land Trust, through Resolution No. 2016-10, declared designation of said lot for Commercial Use, which is the property being requested by Decha Farms.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement, hereby reports out **Bill No. 331-33 (COR) as amended**, with the recommendation to report out only.

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

Bill No. 331-33 (COR)

Introduced By:

T.R. MUNA BARNES
B.J.F. CRUZ
F.B. AGUON JR.
F.F. BLAS, JR.
V.A. ADA
J. ESPALDON

AN ACT TO TRANSFER PORTIONS OF LOT 5075,
MUNICIPALITY OF TAMUNING OWNED BY THE
CHAMORRO LAND TRUST COMMISSION TO DECHA
FARMS, INC. IN A LAND EXCHANGE.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that Decha Farms, Inc. would like to acquire a portion of lot 5075, Tamuning,
4 owned by the Chamorro Land Trust Commission in a value-for-value exchange for
5 a portion of property on Lot 154-1, Yona owned by Decha Farms, Inc.

6 **Section 2. Transfer of Property.** An area approximately eight thousand
7 eight hundred eight ($\pm 8,808$) square meters of Lot Number 5075, Tamuning,
8 owned by Chamorro Land Trust Commission, shall be transferred to Decha Farms,
9 Inc. in a value-for-value land exchange for property owned by Decha Farms, Inc.
10 on Lot 154-1, Yona. The portion of Lot Number 5075 to be transferred shall come
11 from the southern portion of the lot as depicted in Exhibit A. The portion of Lot
12 Number 154-1 shall come from the northeast portion of the lot as depicted in
13 Exhibit B and shall be inclusive of the Guam Waterworks pump station facility.
14 The value of the properties shall be fair market value determined as the average of
15 two appraisals with appraisers approved by the Director of the Department of Land

2016 JUN 23 11:37

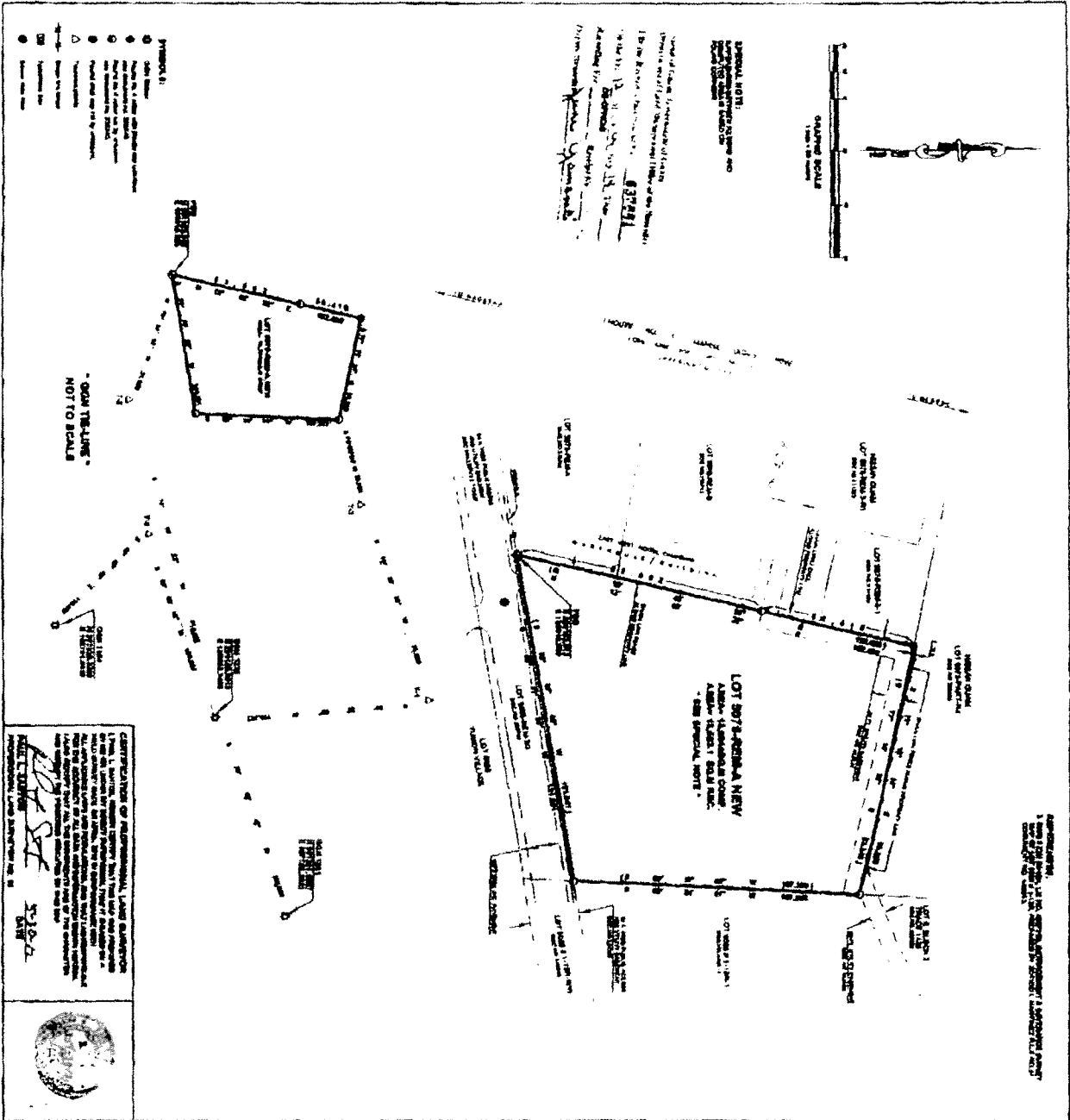


1 Management. The services of the appraisers shall be paid by Decha Farms, Inc.
2 Decha Farms, Inc. shall also have the properties surveyed at its expense and the
3 survey map shall be approved and recorded at the Department of Land
4 Management. The Guam Waterworks pump station facility area shall be included
5 in the CLTC portion to be transferred but shall be severed out from and made a
6 separate lot from the CLTC portion. Following the approval of the map and the
7 completion of the sale, the Department of Land Management shall provide a
8 certificate of title to the landowner within sixty (60) days of the sale.

9 **Section 3. Effective Date.** The provisions contained herein shall be
10 effective upon enactment of this Act.

11

EXHIBIT A



RETRACEMENT SURVEY MAP
OF
LOT 507A-AREA-A-NEW
SUBDIVISION OF TASHIRAS

COMPILED BY: [Signature]
DATE: [Date]

APPROVED BY: [Signature]
DATE: [Date]

RETRACEMENT SURVEY MAP
OF
LOT 507A-AREA-A-NEW
SUBDIVISION OF TASHIRAS

COMPILED BY: [Signature]
DATE: [Date]

APPROVED BY: [Signature]
DATE: [Date]

RETRACEMENT SURVEY MAP
OF
LOT 507A-AREA-A-NEW
SUBDIVISION OF TASHIRAS

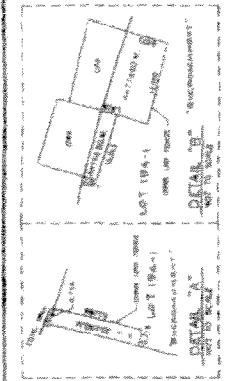
COMPILED BY: [Signature]
DATE: [Date]

APPROVED BY: [Signature]
DATE: [Date]

S 14053

EXHIBIT B

SPECIAL NOTE: THE SURVEY WAS MADE BY THE SURVEYOR AND HIS ASSISTANTS AND THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.



SUBJECT LOT

AREA

PERIMETER

CHORD

ANGLE

BEARING

DISTANCE

AREA

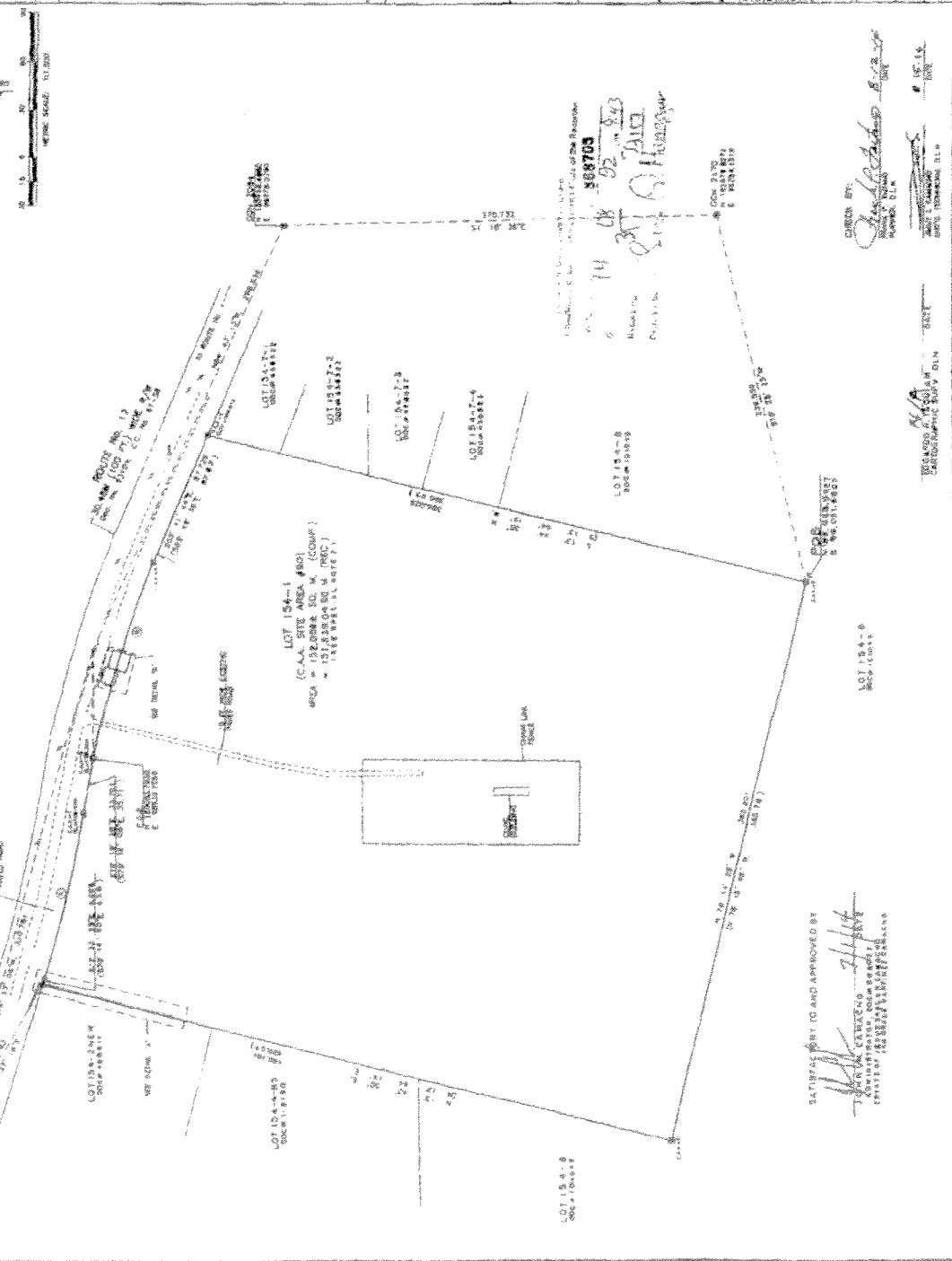
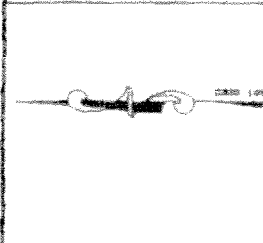
PERIMETER

CHORD

ANGLE

BEARING

DISTANCE



RETRACEMENT SURVEY MAP

FRANK L.G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 18
ISLAND OF GUAM

LOT 154-1
BEARING: 134° 15' 00" W
DISTANCE: 100.00 FT

FLGC

CERTIFICATION

NOT REQUIRED

DATE

DEP. APRIL 18, 2013

RETRACEMENT SURVEY MAP

LOT 154-1

BEARING: 134° 15' 00" W

DISTANCE: 100.00 FT

DATE: 11/14/12

BY: [Signature]

FOR: [Signature]

SCALE: 1" = 100'

11541-S

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

Bill No. 331-33 (COR)

As amended by the sponsor.

Introduced By:

T.R. Muña Barnes
B. J.F. Cruz
FRANK B. AGUON JR.
Frank F. Blas, Jr.
V. Anthony Ada
James V. Espaldon

**AN ACT TO TRANSFER PORTIONS OF LOT 5075-REM-A
NEW-R1, MUNICIPALITY OF TAMUNING OWNED BY THE
CHAMORRO LAND TRUST COMMISSION TO DECHA
FARMS, INC. IN A LAND EXCHANGE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Decha Farms, Inc. would like to acquire a portion of lot 5075-REM-A NEW-
4 R1, Municipality of Tamuning, owned by the Chamorro Land Trust Commission in
5 a value-for-value exchange for a portion of property on Lot 154-1, Yona owned by
6 Decha Farms, Inc.

7 **Section 2. Transfer of Property.** An area approximately ~~eight thousand~~
8 ~~eight hundred eight (±8,808)~~ seven thousand eight hundred and seven (7,807)
9 square meters of Lot Number 5075 REM-A NEW-R1, Municipality of *Tamuning*,
10 as shown on proposed Parceling Survey Map L.M. No. 057FY2016 (see Exhibit A)
11 owned by Chamorro Land Trust Commission, shall be transferred to Decha Farms,
12 Inc. in a value-for-value land exchange for property owned by Decha Farms, Inc.
13 on Lot 154-1, Yona. The portion of Lot Number 5075 REM-A NEW-R1 to be

1 transferred shall come from the southern portion of the lot as depicted in Exhibit A.
2 The portion of Lot Number 154-1 shall come from the northeast portion of the lot
3 as depicted in Exhibit B and shall be inclusive of the Guam Waterworks pump
4 station facility. The value of the properties shall be fair market value determined as
5 the average of two appraisals with appraisers approved by the Director of the
6 Department of Land Management. The services of the appraisers shall be paid by
7 Decha Farms, Inc. Decha Farms, Inc. shall also have the properties surveyed at its
8 expense and the survey map shall be approved and recorded at the Department of
9 Land Management. The Guam Waterworks pump station facility area shall be
10 included in the CLTC portion to be transferred but shall be severed out from and
11 made a separate lot from the CLTC portion. Following the approval of the map and
12 the completion of the sale, the Department of Land Management shall provide a
13 certificate of title to the landowner within sixty (60) days of the sale.

14 **Section 3. Effective Date.** The provisions contained herein shall be
15 effective upon enactment of this Act.

EXHIBIT A

EXHIBIT "A" FOR BILL 331-33 (COR)

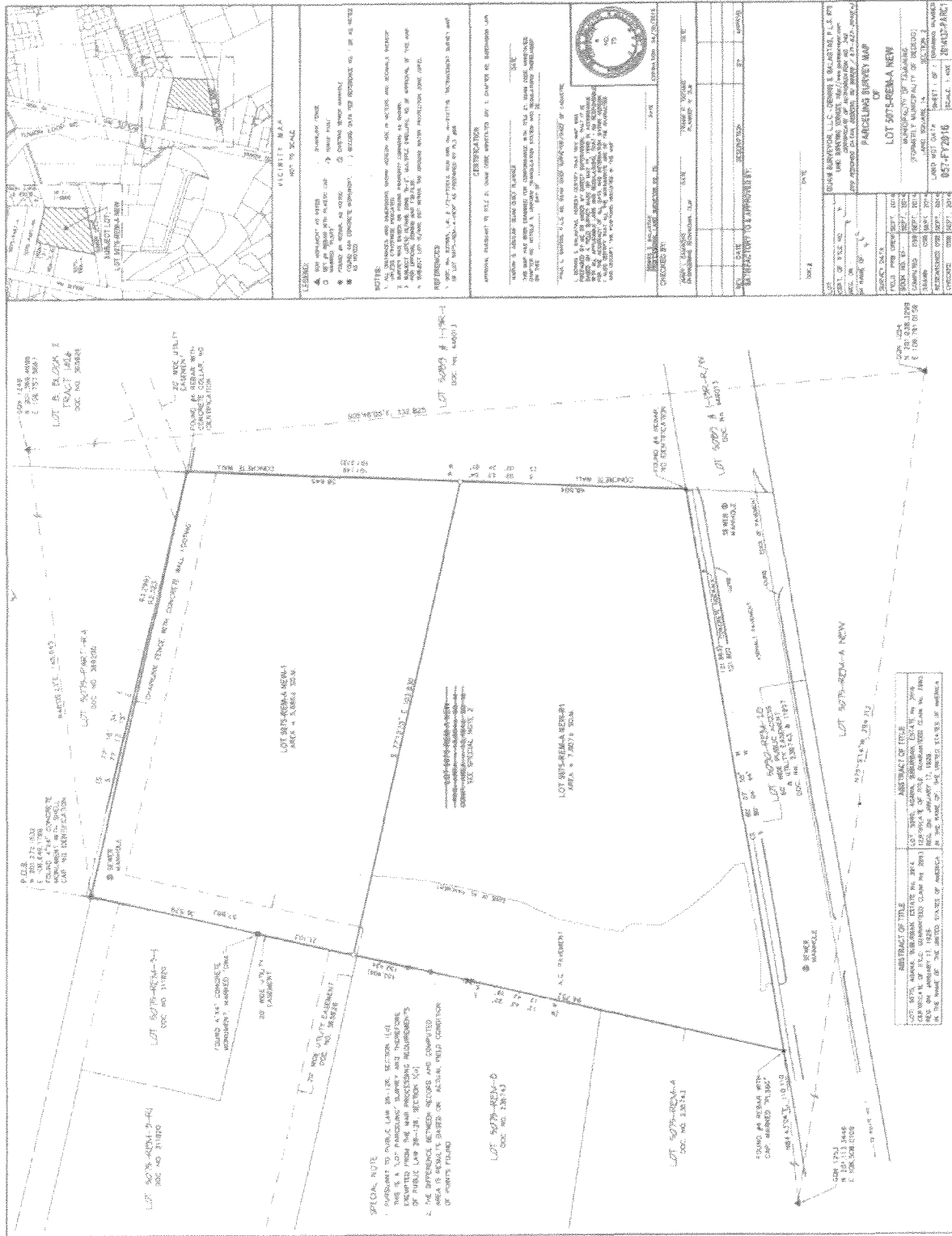
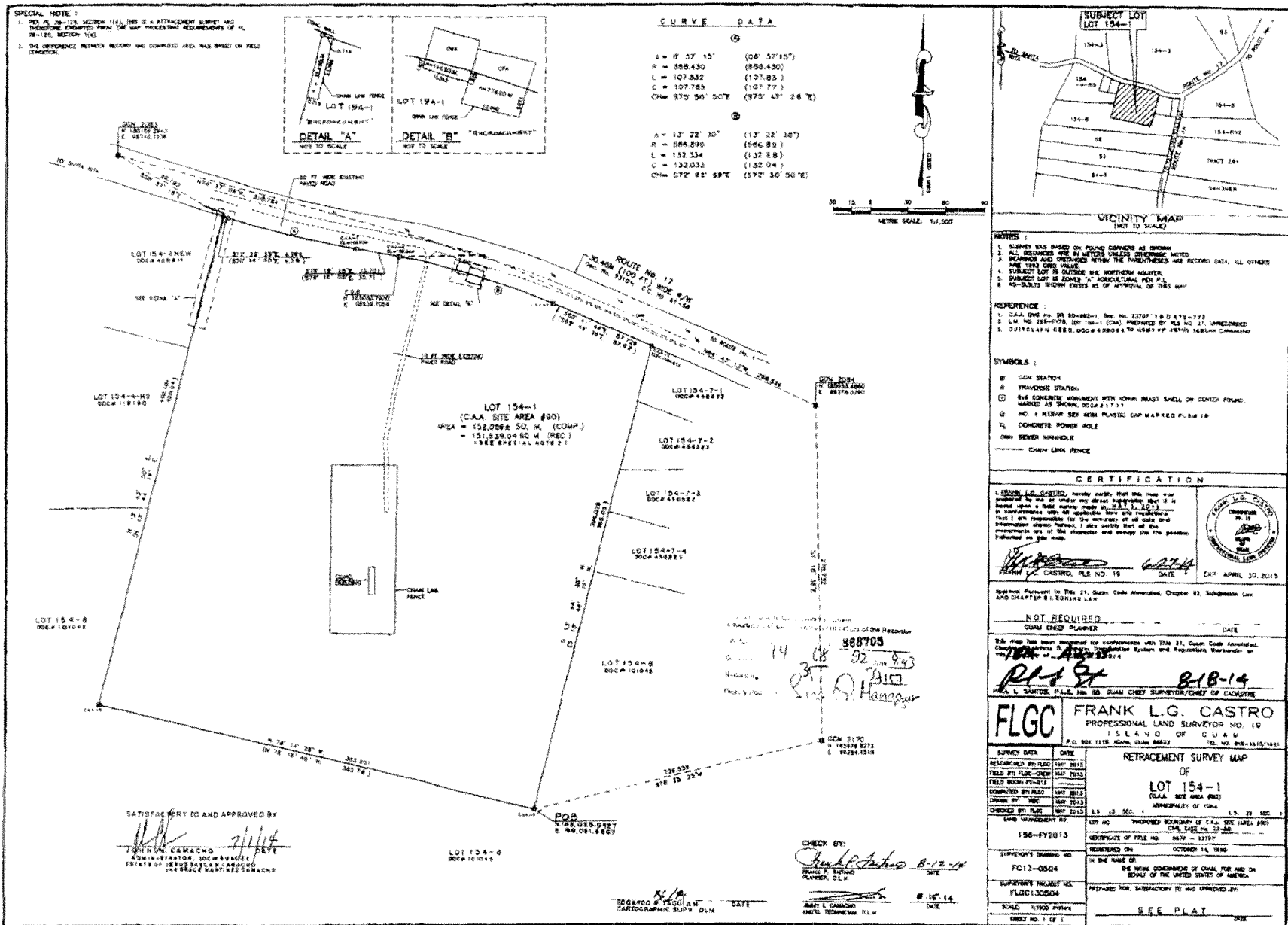


EXHIBIT B

EXHIBIT "B" FOR BILL 331-33 (COR)



S-14511

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
 Public Hearing
 September 26, 2016
 6:00pm
 I Liheslaturan Guåhan, Hagåtña

Bill No. 331-33 (COR) – T. R. Muña Barnes / B. J.F. Cruz / F.B. Aguon, Jr. / F.F. Blas, Jr. / V. A. Ada / J.V. Espaldon

An act to transfer portions of lot 5075, Municipality of Tamuning owned by the Chamorro Land Trust Commission to Decha Farms, Inc. in a land exchange.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
Patricia Sajo				✓		727-5890	sajo@guam.net
Jagg Joaquin Santos				✓		483-6867	JJ
James R. Adkins		✓	✓	✓		687-8200	JAMES4ADKINS@GMAIL.COM
ANNABELLE V. ATIENZA				✓		482-1434	annabelle.evrc@gmail.com
ERIC UNTALAN	ADMIN GROUP OF P200P ENTERES	✓	✓	✓		6897071	untalane.ewbc@gmail.com
JESSICA FUJIKAWA				✓			
NERI BLAS				✓		727-3325	nbmktg@ite.net
MICHAEL BORJA	DLM	✓	✓	✗			
Melvin Santos				✓		646 5666	tentaksupplyco@teleguam.net
Nicole Fujikawa				✓			

Decha Farms, Inc testimony, Bill No. 33/ – September 26, 2016

Good evening Chairman Ada and Senators.

My name is James L. Adkins or Jim Adkins. I am president of both Decha Farms and East-West Rental Center Inc. and I may speak for both companies.

East-West Rental Center was established in 1972 and provided rental equipments to the people of Guam. I believe almost all new homes and commercial business on the island has used some of our equipment to build and maintain. East-West Rental employs a workforce of approximately 40 persons.

In order to expand East-West Rental Center it is necessary to have a larger property. Therefore, East-West Rental Center will purchase the property from Decha Farms.

Decha Farms has proposed to exchange a “value for value” portion of Lot number 5075-REM-A-NEW containing 7,818 sq. meters located at the rear of East-West Rental between PIA Marine Apartment-Hotel for lot number 154-1 located in Yona. This lot in Yona contains 151,839 square meters which we will exchange “value for value” which will be approximately 78,180 square meters of the Yona Property. The property is level to sloping in the rear. Property is along Route 17 across from Windward Hills Golf course. There is power, water, and sewer in the area. Part of Guam Waterworks pumping station is encroaching on the property

In 1944 this property located behind East-West Rental Center was used as a coral pit to supply coral for Harmon Field taxiways and aircraft parking. Portions of this coral pit is 25 feet below grade level.

If this exchange is approved, East-West Rental will purchase the property from Decha Farms as explained earlier to expand its rental and sales business and will employ approximately 10 or more employees.

If approved, Chamorro Land Trust will have approximately 78,180 square meters property that can be used for farming, housing or other needs.

I believe this is a FAIR and BENEFICIAL exchange for both parties. I ask you to approve this land exchange.


James L. Adkins

Bill No. 331-33 (COR) – T. R. Muña Barnes / B. J.F. Cruz / F.B. Aguon, Jr. / F.F. Blas, Jr. / V. A. Ada / J.V. Espaldon

Written testimony submitted to The Honorable Thomas C. Ada, Chairman – Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs, and Procurement.

Submitted by Eric J. Untalan

Greetings Chairman Ada and Members of the Committee

My name is Eric Untalan and my testimony is submitted in support of Bill No. 331-33. This Bill addresses the exchange of a portion of Lot No. 5075-REM-A-NEW, Tamuning with a portion of Lot No. 154-1, Yona.

Lot No. 5075-REM-A-NEW is part of the Chamorro Land Trust Commission (CLTC) inventory of lands. Ideally, CLTC lands are to be used to help landless families as a means of establishing their homes and/or farms when prior, they had no opportunity to do so. Unfortunately, not all CLTC lands are suitable for this purpose. Lot 5075-REM-A-NEW is one such property that does not lend itself to this purpose. It is located in a highly commercialized portion of Tamuning (Upper Tumon), surrounded by commercial enterprises of all types. Families attempting to build homes or establish farms in this area would be greatly inconvenienced by the surrounding businesses and related traffic which would create a hectic atmosphere for homes on this lot. Furthermore, this lot is the site of a former quarry used by the military soon after WWII. As a result, there is a deep pit which takes up a large portion of the lot, further complicating its use for homes or farms. Lastly, is the size of the lot, this piece of land was recently divided into two smaller portions as a result of PL 33-174 which transferred five thousand six hundred eighty-six (5,686) square meters to GWA in order to construct a new water reservoir. The remaining approximately seventy-eight (7,800) hundred square meters would not allow enough room for a meaningful number of homes, or even a small neighborhood to be established.

The transfer detailed in Bill 331-33 will provide solutions to the problems cited above and a few others as well. First, because of the difference in value per SM between Lot 5075-REM-A-NEW and the per SM value of Lot 154-1 an opportunity is created to exchange tens of hundreds of square meters for tens of thousands of square meters. This puts the CLTC in the position of being able to award numerous house and farms lots to its clients. Second, the land in Yona is ideal for homes and farms. In the area surrounding Lot 154-1 there are many single family homes and a number of productive farms. Third, The Lot is located along Rt. 17 or Cross-Island Road, which makes it easily accessible to anyone wanting to put down roots there. Fourth, utilities are immediately available along Rt. 17 and Rt. 4A. Finally, this puts CLTC in a position where a simple land exchange will provide benefits and opportunities to its clients on a significant scale,

thus answering the long-standing need of many families, some of whom have been waiting many years for land to call their own.

I hope this testimony will help to move forward with the passage of this Bill into Law. Thank you for your time.



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 ext. 435 Fax: 649-5383

September 22, 2016

Eddie Baza Calvo
Governor of Guåhan

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

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

Pascual V.A. Sablan
Chairman

SUBJECT: Bill No. 331-33 – AN ACT TO TRANSFER PORTIONS OF LOT 5075, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE.

Joseph I. Cruz
Vice Chairman

Amanda L.G. Santos
Commissioner

Gyongyi "Pika" P. Fejeran
Commissioner

Buenas Yan Hafa Adai!

This bill proposes the transfer a portion of Lot 5075, Municipality of Tamuning, in a land exchange to a private corporation. Several recent actions regarding this property have occurred which directly affect the intent of this legislation.

(Vacant)
Commissioner

Michael J.B. Borja
Administrative Director

- a. Public Law 33-174, enacted on June 30, 2016, transfers a 5,606 square meter portion of this lot (Lot 5075-REM-A NEW-1) to the Guam Waterworks Authority for the construction of new water storage facilities.
- b. Chamorro Land Trust Commission Resolution No. 2016-07 memorialized a decision by the board of commissioners in their May 19, 2016, regularly scheduled meeting to disapprove East-West Rental Center, a sister company of Decha Farms, Inc., from engaging in a land transfer of a portion of Lot 5075 (Lot 5075-REM-A NEW-R1).
- c. Chamorro Land Trust Commission, in their June 16, 2016, regularly scheduled meeting, passed Resolution No. 2016-10 declaring Lot 5075-REM-A NEW-R1 as designated for commercial use, in accordance with the provisions established in Public Law 33-95. This resolution was transmitted to the 33rd Guam Legislature on June 24, 2016, and the land designation was deemed approved following the lapsing of sixty days, on August 23, 2016, and is available to lease for commercial use.

Due to the decisions approved by the Chamorro Land Trust Commission board of commissioners, the commission does not support Bill No. 331-33. Enclosed with this testimony are the CLTC resolutions.

Thank you very much for permitting me to provide this testimony.

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
Administrative Director

Enclosures

1. CLTC Resolution No. 2016-07
2. CLTC Resolution No. 2016-10



**CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2016-07**

***Declaration and Position on
Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning***

WHEREAS, the Chamorro Land Trust Commission (**hereafter CLTC**), controls and administers Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning and that this lot is partitioned from the original lot known as Lot No. 5075-REM-A-NEW, Municipality of Tamuning, and

WHEREAS, East-West Rental Center (**hereafter EWRC**), in a letter, dated April 27, 2016, requested the CLTC consider an acquisition of Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning in a value-for-value exchange with Lot No. 154-1, Municipality of Yona, assumed to be owned by EWRC, and

WHEREAS, at the CLTC regularly scheduled monthly meeting in May 19, 2016, EWRC verbally submitted their proposal for a value-for-value land exchange to acquire Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning, and

WHEREAS, the CLTC Board of Commissioners in their May 19, 2016 meeting moved in a unanimous decision to disapprove the EWRC offer to acquire CLTC property, and

WHEREAS, the Guam Legislature, in June 3, 2016, introduced Bill No. 331-33, an act to transfer portions of Lot 5075, Municipality of Tamuning owned by the CLTC to Decha Farms, Inc., a company with the same ownership as EWRC, in a land exchange, and

WHEREAS, at the CLTC regularly scheduled monthly meeting in June 16, 2016, the board of commissioners directed a resolution memorializing their May 19, 2016 decision regarding Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners rejected the direct request for Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning, to be transferred from the CLTC land inventory or to be sold.
2. The Chamorro Land Trust Commission Board of Commissioners, in their November 19, 2015 meeting approved Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning, to be made available as a property for commercial use in accordance with Public Law 33-95.
3. The Chamorro Land Trust Commission Board of Commissioners does not support Bill No. 331-33.

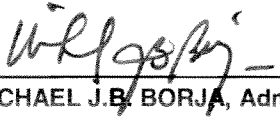
4. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to the Guam Legislature.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 16TH DAY OF JUNE 2016.



PASCUAL A. SABLAN, Chairman
Chamorro Land Trust Commission

Date: 6/21/16



MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Date: 6/20/16



**CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2016-10**

***Declaration and Designation of
Land for Commercial Use***

WHEREAS, the Chamorro Land Trust Commission (**hereafter CLTC**), pursuant to Public Law 33-95, may declare and designate certain lands for commercial leasing or licensing to the general public. CLTC shall conduct a public hearing for the proposed lands and the commissioners shall approve by resolution the proposed lands. The resolution shall then be forwarded to *I Liheslaturan Guahan* within thirty days for review; and

WHEREAS, the CLTC board of commissioners at their November 19, 2015, regularly scheduled meeting passed a motion for the CLTC Administrative Director conduct a public hearing of proposed lands; and

WHEREAS, on January 19, 2016, at 6:00PM, the CLTC conducted a public hearing for the proposed lands at the Dededo Senior Center, Dededo Guam; and

WHEREAS, on January 21, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the public hearing comments on the proposed lands for commercial use; and

WHEREAS, on June 16, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the following parcel:

Lot 5075-REM-A NEW-R1, Tamuning. Size: 1.9 acres. Zone: R2. Survey Map: 172FY2012 & 057FY2016 Sketch. Tax Assessed Value: ~\$471,583. Potential use for commercial activity conducive to its size and location.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the listed land and declares this land to be designated property for commercial use having been duly public heard in accordance with Public Law 33-95; and
2. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan* with its recommendation to approve the property identified in this Resolution.

**DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION
THIS 16TH DAY OF JUNE 2016.**

**PASCUAL V.A. SABLAN, Chairman
Chamorro Land Trust Commission**

Date: 6/21/16

**MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission**

Date: 6/20/16

Ken Leon-Guerrero Testimony AGAINST Bill 331-33

There are three reasons why as a public citizen I am against passage of this bill.

1. This bill purports to be an even value dollar for dollar land exchange, but there are not three independent appraisals attached to this bill offering evidence of value. I know from personal experience there is a HUGE difference in land values between Cross Island Road property and Upper Tumon Marine Corps Drive property.

At a minimum, there should have been economic impact statement attached to this legislation. It appears to me that the income potential to the CLTC from leasing this property will be much greater than the income from leasing agricultural lots in Yona. The lack of a financial impact analysis on this transaction borders on negligence, since land; once transferred, will be gone from public ownership forever.

Since a private party wants this exchange; I would have expected the private party to provide three appraisals at no cost to the government to back up their claim this is a fair offer for the public, because as a member of the public that owns the land; I have no guarantee other than the words on this bill this exchange is a good value for the public.

2. I do not see a report or endorsement for this transaction from Chamorro Land Trust. This is a huge red flag for me, because when I talked with Mike Borja, the General Manager at CLTC about this bill when I first learned of it, he expressed to me that it was CLTC's desire to lease the land. Then CLTC would be able to use the income to survey and install infrastructure on other CLTC properties, making more land available to qualified applicants for leases.

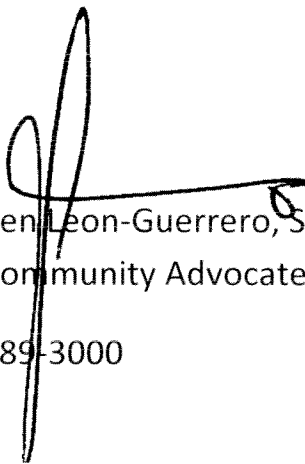
I do not see how this exchange accomplishes the goal to survey existing lots and install infrastructure for the benefit of existing and future lessees.

3. If it is the intention of the legislature to swap public owned land for privately owned land; there should have been a public notice in the media to allow other landowners to offer a property exchange, and allow the CLTC to select the bid package that offers the best value to CLTC and the public.

Without public notice requesting land exchange offers; this bill and land exchange appears to me to be a violation of Procurement Law. I have multiple tracts of agricultural land on Cross Island Road. I too, would be interested in exchanging a lot on Cross Island Road for a lot on Marine Corps Drive in Upper Tumon; as would many other land owners along Cross Island Road. But we were not given a chance to make an offer because of the manner in which this transaction is being executed, which appears to me to be catering to special interests due to the lack of an Request for Proposals.

If this bill passes, I see a potential legal problem; or the potential to make a legal problem as an agricultural lot land owner that was not given a fair chance to make an offer to trade for a more valuable piece of public owned property than the one I own on Cross Island Road.

I thank you for taking the time to review these comments, and I pray the members of the 33rd legislature take seriously their mandate to protect public interests when it comes to appropriate use of Public Assets.



Ken Leon-Guerrero, Santa Rita Resident, Landowner, &
Community Advocate

689-3000



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

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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

June 17, 2016

Memorandum

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

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

Subject: **Fiscal Notes**

Hafa Adai!

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

FISCAL NOTES:

Bill No. 30-33(COR)
Bill No. 331-33(COR)
Bill No. 141-33(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 17 10 56

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 331-33 (COR)**

AN ACT TO TRANSFER PORTIONS OF LOT 5075, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE.

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
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
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

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

Analyst: <u>Jason Baza</u> Jason Baza, BMA II	Date: <u>6/16/16</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	Date: <u>6-16-16</u>
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Notes:

The proposed legislation intends to transfer a portion (approximately 3,308± square meters) of Lot 5075, municipality of Tamuning, owned by the Chamorro Land Trust Commission (CLTC) to Decha Farms Incorporated in exchange for a portion of Lot 154-1, municipality of Yona, owned by Decha Farms Incorporated.

The properties will be exchanged on a value-for-value basis based on the fair market value determined by the average of two appraisals. Section 2 of the proposed legislation obligates Decha Farms Incorporated to cover the cost of the two appraisals.

Based on the terms of the bill, the fiscal impact, if any, would be nominal at most.



COMMITTEE ON RULES

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V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

June 7, 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. 330-33(COR) and 331-33(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>330-33 (COR)</p>	<p>FRANK B. AGUON, JR.</p>	<p>AN ACT TO AMEND §3207 OF CHAPTER 3, ARTICLE 2, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ALCOHOLIC BEVERAGE CONTROL LICENSES.</p>
<p>331-33 (COR)</p>	<p>T. R. Muña Barnes B. J.F. Cruz FRANK B. AGUON, JR. Frank F. Blas, Jr. V. Anthony Ada James V. Espaldon</p>	<p>AN ACT TO TRANSFER PORTIONS OF LOT 5075, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE.</p>



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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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill No. 331-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 331-33(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
331-33 (COR)	T. R. Muña Barnes B. J.F. Cruz FRANK B. AGUON, JR. Frank F. Blas, Jr. V. Anthony Ada James V. Espaldon	AN ACT TO TRANSFER PORTIONS OF LOT 5075, MUNICIPALITY OF TAMUNING OWNED BY THE CHAMORRO LAND TRUST COMMISSION TO DECHA FARMS, INC. IN A LAND EXCHANGE.	06/03/16 11:37 a.m.	06/03/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Senator Tom Ada

Charlene Flores : flores@senatorada.org

1st Notice of Public Hearing

Blaine Dydasco <bdydasco@senatorada.org>

Mon, Sep 19, 2016 at 9:57 AM

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September 19, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing: Monday, September 26, 2016 at 6:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Monday, September 26, 2016 at 6:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

6:00 PM

Bill No. 331-33 (COR) – T. R. Muña Barnes / B. J.F. Cruz / F.B. Aguon, Jr. / F.F. Blas, Jr. / V. A. Ada /

J.V. Espaldon

An act to transfer portions of lot 5075, Municipality of *Tamuning* owned by the Chamorro Land Trust Commission to *Decha Farms, Inc.* in a land exchange.


Bill No. 362-33 (COR) – T.C. Ada / J.T. Won Pat, Ed.D. / T.R. Muña Barnes / N.B. Underwood, Ph.D. / M.C. Torres / T.A. Morrison


An act to amend § 75121 to Chapter 75 of Title 21, Guam Code Annotated, relative to designating block 3 tract 1722, Municipality of *Mangilao* and Lot 354-4-R2, Municipality of *Inarajan*, as biodiversity conservation easements for the purpose of providing land for '*Hatdin Ámot Chamorro*'.

Testimony on **Bill No. 331-33 (COR)**, and **Bill No. 362-33 (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 **4:00pm, Monday, October 3, 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.

--
Blaine Dydasco
Policy Analyst
Office of Senator Tom C. Ada
I Mina' Trentai Tres Na Liheslaturan Guahan-33rd Legislature
Office (671) 473-3301

3 attachments

 **Bill No. B331-33 (COR).pdf**
262K

 **Bill No. 362-33 (COR).PDF**
296K

 **1st Notice pdf.pdf**
356K



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

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Office of
Senator Tom Ada

Website: www.senatorada.org

2nd Notice of Public Hearing

Blaine Dydasco <bdydasco@senatorada.org>

Thu, Sep 22, 2016 at 8:33 AM

To: phnotice@guamlegislature.org, phmaterials@guamlegislature.org, Media <media@senatorada.org>, Teresa Topasna <teresa.topasna@land.guam.gov>, Michael Borja <michael.borja@land.guam.gov>, DLMDIR <dlmdir@land.guam.gov>, david.camacho@land.guam.gov, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, Agat <agatmayorsoffice@hotmail.com>, ksusuico@yahoo.com, Asan Maina <hamiasanmaina@gmail.com>, Barrigada <bmomayor@gmail.com>, Barrigada <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, inarajan municipality <inarajanmayorsoffice@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorernestc@yahoo.com, mtmmayorsoffice1@yahoo.com, pitimayor@yahoo.com, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmao@gmail.com>, Mayor Rudy <yigomayorsoffice@gmail.com>, Anthony Sanchez <yigovoice@gmail.com>, kenjoead@yahoo.com, Zita Pangelinan <zpangelinan@gmail.com>, Committee members <committee@senatorada.org>, Speaker Won Pat <speaker@judiwonpat.com>, Tina Rose Muna Barnes <senator@tinamunabarnes.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, "V. Anthony Ada" <senatortonyada@guamlegislature.org>, Brant McCreadie <brantforguam@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Joseph Borja <jmbjobe@gmail.com>

September 22, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

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Subject: **2nd Notice of Public Hearing: Monday, September 26, 2016 at 6:00 p.m.**

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Policy Analyst
Office of Senator Tom C. Ada
I Mina' Trentai Tres Na Liheslaturan Guahan-33rd Legislature
Office (671) 473-3301

3 attachments

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262K
-  **Bill No. 362-33 (COR).PDF**
296K



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

September 22, 2016

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Public Hearing Notice Listserv
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Updated: June 30, 2016

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Updated: June 30, 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

Monday, September 26, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

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6:00pm

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**Sen. Thomas Ada
Committee on Lands
Public Hearing Notice**

Monday, September 26, 2016, 6PM
I Liheslaturan Guahan, Public Hearing Room

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

Paid for by funds of the Committee on Lands

www.senatorada.org

Guam Daily Post - 22 September 2016