

Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
OFISINAN I MAGA'LAH
AGANA, GUAM 96910 U.S.A

OFFICE OF THE SPEAKER

DATE: 3-23-94

TIME: 1:30 PM

RECD BY: ML

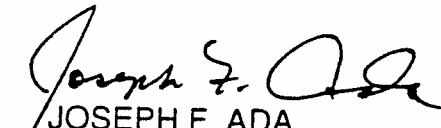
**REFER TO
LEGISLATIVE SECRETARY**

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 659, which has been designated as Public Law
No. 22-94.

Sincerely yours,


JOSEPH F. ADA
Governor
220587

Attachment

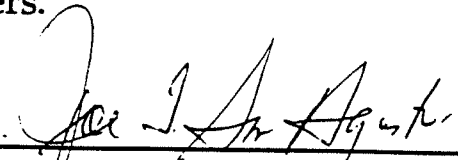


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

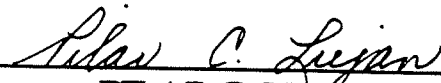
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 659 (LS), "AN ACT TO AUTHORIZE THE EXCHANGE OF GOVERNMENT LAND IN DEDEDO FOR LAND IN AGAÑA OWNED BY THE HEIRS OF RITA MARIANO BAMBA," returned to the Legislature without the approval of the Governor, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 14th day of March, 1994, agree to pass said bill notwithstanding the objection of the Governor by a vote of two-thirds or more of all the members thereof, to wit: by a vote of seventeen (17) members.



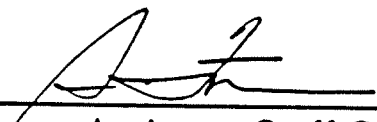
JOE T. SAN AGUSTIN
Speaker

Attested:



PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 21st day of March,
1994, at 10:59 o'clock A.M.



Assistant Staff Officer
Governor's Office

Public Law No. 22-94

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 659 (LS)
As substituted by the Committee on
Housing and Community Development

Introduced by:

C. T. C. Gutierrez
T. S. Nelson
E. D. Reyes
T. C. Ada
M. Z. Bordallo
H. D. Dierking
P. C. Lujan
V. C. Pangelinan
J. T. San Agustin
F. E. Santos
D. L. G. Shimizu
J. P. Aguon
E. P. Arriola
D. Parkinson
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AUTHORIZE THE EXCHANGE OF
GOVERNMENT LAND IN DEDEDO FOR LAND IN
AGAÑA OWNED BY THE HEIRS OF RITA MARIANO
BAMBA.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Authorization for land exchange.** The Governor is
3 authorized to exchange a portion of Lot No. 10120-R16, Dededo, containing
4 an aggregate area of 535 acres, owned by the government of Guam, for Lot

1 No. 421P, Agaña, containing an area of 384± square meters, bearing
2 Guaranteed Claim Number 229, Estate Number 3110, owned by the heirs of
3 the Estate of Rita Mariano Bamba under the Decree Settling the Final
4 Account of Administrator and Final Distribution in Probate Case No. 1116-78,
5 recorded at the Department of Land Management ("DLM") under Document
6 No. 384288. Such exchange shall be on a value-for-value basis, as
7 determined by appraisal, i.e., the size of the government parcel being
8 exchanged shall be determined by making it the size that is equivalent in value
9 to the Bamba property. When the exchange authorized by this section has
10 been completed, Lot No. 421P shall become part of the Chamorro Land Trust.

11 **Section 2. General terms and conditions of exchange.** The exchange of
12 government of Guam real property set out in this Act shall be subject to the
13 following terms and conditions:

14 (a) **Appraisals, survey, mapping and registration.** The said
15 heirs of Rita Mariano Bamba shall undertake at their expense the
16 appraisals, survey, mapping, and registration of the properties
17 involved in this exchange. The appraisal shall be conducted by two
18 (2) independent appraisers licensed to do business in Guam. The
19 average of the two (2) appraisals shall be utilized as the values for
20 the basis of the exchange which is to be based on fair market value.

21 (b) **No transfer for ten years.** Such heirs shall not transfer or
22 convey, in any manner or form, such land for a period of ten (10)
23 years except to other family members within the second degree of
24 consanguinity, the period to begin on the date the deed is delivered.

25 (c) **No prohibition against building.** Nothing contained in this
26 Act shall be construed to prevent or prohibit the parties receiving the
27 government land from improving such land or from building,

1 erecting or constructing structures thereon in accordance with the
2 building and zoning laws of Guam.

3 (d) **Monumenting survey.** In any survey required under the
4 provisions of this Act, the surveyor shall install permanent concrete
5 monuments at each point of the surveyed property.

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 3/14/94

VOTING SHEET (AS REVISED)

✓ Bill No. 659

Resolution No.

Question: Should B 659 be enacted into law, notwithstanding possible objection?

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George			✓	
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.		✓		
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.		✓		
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.		✓		
UNPINGCO, Antonio R.	✓			

TOTAL

17 3 1



Pl. 22-94

Recd by McLaughlin
3-7-94
5:35 pm

Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

RECEIVED

OFFICE OF THE SPEAKER
DATE: 3/8/94
TIME: 8:53am
RECD BY: [Signature]

March 7, 1994

RECEIVED TO
LEGISLATIVE COUNCIL

[Signature]

The Honorable Joe T. San Agustin
Speaker
Twenty Second Guam Legislature
Agana, Guam 96910

Dear Mr. Speaker:

Enclosed herewith is Substitute Bill No. 659 which I have vetoed in its entirety.

Very little public land remains available for land exchanges. In Public Law 22-18 the Legislature reserved only 70 acres of Lot No. 10120-R216 in Dededo for land exchanges. It is true that the lot contains approximately 535 acres but of that 60 acres was transferred to the Department of Public Works for a rock quarry, 20 acres was reserved for a cultural center and the remaining 385 acres was transferred to the Chamorro Land Trust.

The limited land that is available must be used for exchanges in which a public purpose is manifested. This is especially true in light of the enactment of Public Law 22-73 which grants land exchange as an option for claimants who prove that land was taken from them by the government without compensation.

Bill No. 659 authorizes the exchange of a small Agana lot presumably for a larger parcel in Dededo. However, there is no public purpose served by the exchange. The private property is not being used for a public purpose. The private property is not needed for a public use. In fact the bill does not contain any rationale supporting the exchange.

We have a duty to protect our limited public resources and this measure calls for the needless grant of such resources.

Cordially,

[Signature]
JOSEPH F. ADA,
Governor of Guam

22-572

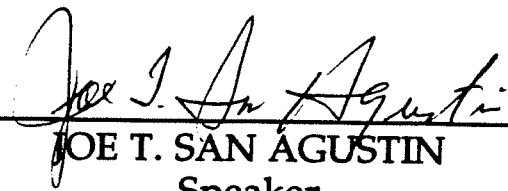


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 659 (LS), "AN ACT TO AUTHORIZE THE EXCHANGE OF GOVERNMENT LAND IN DEDEDO FOR LAND IN AGAÑA OWNED BY THE HEIRS OF RITA MARIANO BAMBA," was on the 18th day of February, 1994, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



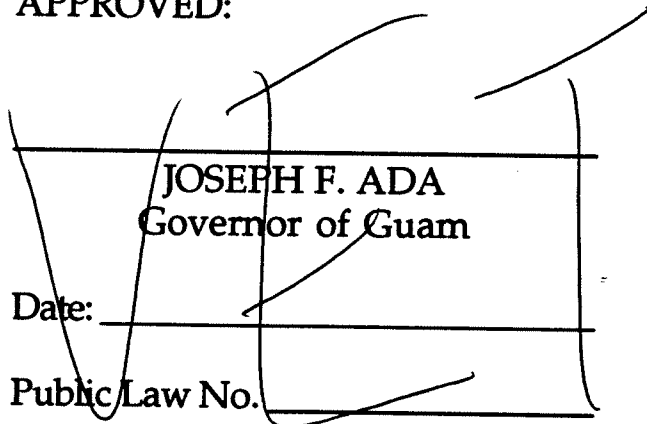
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 23rd day of February,
1994, at 3:58 o'clock P.M.



Assistant Staff Officer
Governor's Office

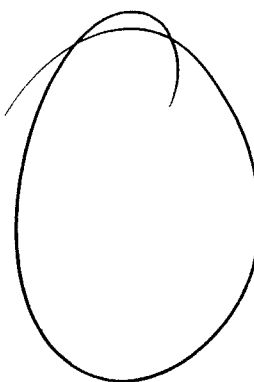
APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: _____

Public Law No. _____



TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 659 (LS)
As substituted by the Committee on
Housing and Community Development

Introduced by:

C. T. C. Gutierrez
T. S. Nelson
E. D. Reyes
T. C. Ada
M. Z. Bordallo
H. D. Dierking
P. C. Lujan
V. C. Pangelinan
J. T. San Agustin
F. E. Santos
D. L. G. Shimizu
J. P. Aguon
E. P. Arriola
D. Parkinson
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AUTHORIZE THE EXCHANGE OF
GOVERNMENT LAND IN DEDEDO FOR LAND IN
AGAÑA OWNED BY THE HEIRS OF RITA MARIANO
BAMBA.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Authorization for land exchange.** The Governor is
3 authorized to exchange a portion of Lot No. 10120-R16, Dededo, containing
4 an aggregate area of 535 acres, owned by the government of Guam, for Lot

1 No. 421P, Agaña, containing an area of 384± square meters, bearing
2 Guaranteed Claim Number 229, Estate Number 3110, owned by the heirs of
3 the Estate of Rita Mariano Bamba under the Decree Settling the Final
4 Account of Administrator and Final Distribution in Probate Case No. 1116-78,
5 recorded at the Department of Land Management ("DLM") under Document
6 No. 384288. Such exchange shall be on a value-for-value basis, as
7 determined by appraisal, i.e., the size of the government parcel being
8 exchanged shall be determined by making it the size that is equivalent in value
9 to the Bamba property. When the exchange authorized by this section has
10 been completed, Lot No. 421P shall become part of the Chamorro Land Trust.

11 **Section 2. General terms and conditions of exchange.** The exchange of
12 government of Guam real property set out in this Act shall be subject to the
13 following terms and conditions:

14 (a) **Appraisals, survey, mapping and registration.** The said
15 heirs of Rita Mariano Bamba shall undertake at their expense the
16 appraisals, survey, mapping, and registration of the properties
17 involved in this exchange. The appraisal shall be conducted by two
18 (2) independent appraisers licensed to do business in Guam. The
19 average of the two (2) appraisals shall be utilized as the values for
20 the basis of the exchange which is to be based on fair market value.

21 (b) **No transfer for ten years.** Such heirs shall not transfer or
22 convey, in any manner or form, such land for a period of ten (10)
23 years except to other family members within the second degree of
24 consanguinity, the period to begin on the date the deed is delivered.

25 (c) **No prohibition against building.** Nothing contained in this
26 Act shall be construed to prevent or prohibit the parties receiving the
27 government land from improving such land or from building,

1 erecting or constructing structures thereon in accordance with the
2 building and zoning laws of Guam.

3 (d) **Monumenting survey.** In any survey required under the
4 provisions of this Act, the surveyor shall install permanent concrete
5 monuments at each point of the surveyed property.

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 2/18/94

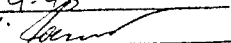
VOTING SHEET (AS REVISED)

Bill No. 659
 Resolution No. _____
 Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George			✓	
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL

20 0 1 _____

RECEIVED
OFFICE OF THE SPEAKER
DATE: 2/14/94
TIME: 4:45
RECD BY: 
228 Archbishop Flores St.
Agana, Guam 96910

Senator Edward D. Reyes

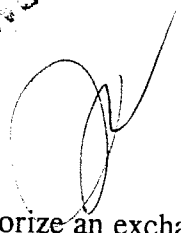
Chairman

**Committee on Housing and Community Development
Twenty-Second Guam Legislature**

Tel: (671) 472-3453 ~ 4
Fax: (671) 477-6338

February 14, 1994

SPEAKER JOE T. SAN AGUSTIN
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

RECEIVED
LEGISLATIVE SECRETARIAT


Dear Mr. Speaker:

Bill 659, as amended by this Committee, proposes to authorize an exchange of Lot 421P, Agana, owned by the heirs of Rita Mariano Bamba, for a portion of government-owned Lot 10120-R16, Dededo. In accordance with the provision of §2107 2 GCA, I have selected the firm Micronesia Appraisal Associates, Inc. and its appraisal of the Agana lot.

Original Bill 659 identified Lot 5401-1, Mangilao as the proposed government lot for exchange. However, during legislative deliberations last year on land reservation/Chamorro Land Trust available lands, seventy (70) acres of Lot 10120-R16, Dededo were set aside for land exchanges such as the one in Bill 659. The Bamba's had submitted appraisals for Lot 5401-1 around the time the Legislature was discussing Chamorro Land Trust available lands. Because amended Bill 659 identifies Lot 10120-R16, Dededo, and there is an appraisal of the same lot for a similar measure, Bill 462 (Dolores G. Mata, I have decided to select the firm, The Neat Appraisals, and its appraisal of the Dededo lot.

Thank you for your attention.

Sincerely yours,


EDWARD D. REYES

220530

NOV 03 '93

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 659 (LS)

Introduced by:


C. T. C. Gutierrez

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE A PORTION OF GOVERNMENT OF GUAM LOT NO. 5401-1, CONTAINING AN AREA OF 120,013± SQUARE METERS, MUNICIPALITY OF BARRIGADA, FOR LOT NO. 421P, CONTAINING AN AREA OF 384± SQUARE METERS, MUNICIPALITY OF AGANA, AND OWNED BY THE HEIRS OF RITA MARIANO BAMBA.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. **Authorization for land exchange.** Notwithstanding the
3 any provision of Chapter 75 of Title 21, Guam Code Annotated, (Chamorro
4 Land Trust Act) to the contrary, the Governor is authorized to exchange a
5 portion of Lot No. 5401-1, containing an area of 120,013± square meters,
6 Municipality of Barrigada, as shown on Dwg. No. C4-70T542, Sheet 1 of 1,
7 and owned by the government of Guam, for Lot No. 421P, containing an
8 area of 384± square meters, Guaranteed Claim Number 229, Estate
9 Number 3110, located in Municipality of Agana, and owned by the heirs
10 of the Estate of Rita Mariano Bamba under Decree Settling the Final
11 Account of Administragor and Final Distribution in Probate Case No. 1116-
12 78, signed January 23, 1987 and filed under DLM Document No. 384288, on
13 a value for value basis. When the exchange authorized by this section is
14 completed, Lot No. 421P described above shall be part of the Chamorro
15 Land Trust.
16