



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

FEB 16 1998

Refer to  
Legislative Secretary

The Honorable Antonio R. Unpingco  
Speaker  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 211 (COR), "AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS MR. EDWARD T. RIOS AND MS. ELVINA REYES RIOS.", which I have signed into law today as **Public Law No. 24-128**.

The Rios', Mr. Edward Rios and his mother, Mrs. Elvina Reyes Rios, have continuously lived on this lot for 26 years. This is a small house lot. Although the Rios' applied to purchase this lot as far back as 1980, no action was taken.

Very truly yours,

  
Carl T. C. Gutierrez

Attachment 00648

cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By <u>Joni Amatao</u>
Time <u>4:16 p.m.</u>
Date <u>2-17-98</u>

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 2/17/98  
Time: 1:45 pm  
Rec'd by: JP  
Print Name: Janice Mela

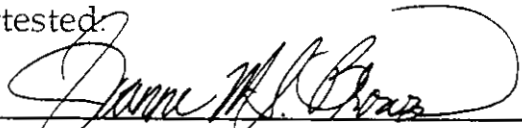
TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 211 (COR), "AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS MR. EDWARD T. RIOS AND MS. ELVINA REYES RIOS," was on the 4<sup>th</sup> day of February, 1998, duly and regularly passed.

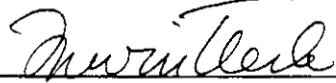
  
\_\_\_\_\_  
ANTONIO R. UNPINGCO  
Speaker

Attested:

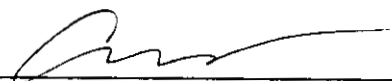
  
\_\_\_\_\_  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

.....

This Act was received by the Governor this 10<sup>th</sup> day of February, 1998, at  
3:21 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 2-16-98

Public Law No. 24-128

TWENTY-FOURTH GUAM LEGISLATURE  
1997 (FIRST) Regular Session

Bill No. 211 (COR)  
As amended on the Floor.

Introduced by:

J. C. Salas  
E. J. Cruz  
L. F. Kasperbauer  
T. C. Ada  
F. B. Aguon, Jr.  
E. Barrett-Anderson  
A. C. Blaz  
J. M.S. Brown  
Felix P. Camacho  
Francisco P. Camacho  
M. C. Charfauros  
W. B.S.M. Flores  
Mark Forbes  
A. C. Lamorena, V  
C. A. Leon Guerrero  
L. Leon Guerrero  
V. C. Pangelinan  
A. L.G. Santos  
F. E. Santos  
A. R. Unpingco  
J. Won Pat-Borja

AN ACT TO AUTHORIZE THE SALE OF  
GOVERNMENT OWNED LAND IN AGAT, TO  
OCCUPANTS MR. EDWARD T. RIOS AND MS.  
ELVINA REYES RIOS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings. Since 1970, Mr. Edward T. Rios  
3 has been occupying Lot Number 20, Block 27, Tract 120 in New Agat Village,

1 Guam, an area of approximately 880 ± square meters. Mr. Rios filed his  
2 application to purchase this property on January 28, 1980. The government  
3 failed to expedite this sale and Mr. Rios still does not have title to the land.  
4 On April 26, 1988, the acting Director of the Department of Land Management  
5 recommended that the selling price for Lot Number 20 be Two Thousand Five  
6 Hundred Dollars (\$2,500.00), the same as similar lots sold by the government  
7 in the more developed areas of Pagachao or Pigua. Since this lot has been  
8 continuously occupied by Mr. Rios and his mother, Elvina Reyes Rios, for the  
9 past twenty six (26) years or more, it is only appropriate that the government  
10 complete the sale of this land to those whom they promised so many years  
11 ago.

12 **Section 2. Authorization to Sell.** The Governor of Guam is  
13 authorized to sell government owned real property described as Lot Number  
14 20, Block 27, Tract 120, Municipality of Agat, Guam containing an area of 880  
15 ± square meters, as shown on Drawing Number C4-70T529, to Mr. Edward T.  
16 Rios and Ms. Elvina Reyes Rios for the sum of Two Thousand Five Hundred  
17 Dollars (\$2,500.00).

18 **Section 3. Terms and Conditions.** The government of Guam and  
19 the Rios family shall enter into a contractual agreement relative to the sale of  
20 Lot Number 20, Block 27, Tract 120, Agat, Guam, wherein applicable terms  
21 and conditions to govern the sale shall be formulated by the Director of the  
22 Department of Land Management. The buyers are prohibited from selling,  
23 transferring, reassigning or in any way relinquishing title to said property for  
24 a period of ten (10) years after the completion or full consummation of the  
25 land sale authorized herein. The Director of the Department of Land

1 Management shall ensure that all terms and conditions governing the sale are  
2 met by the buyers prior to transferring title to said property.

3 **Section 4. Sale Proceeds to Go to Chamorro Land Trust**  
4 **Commission.** Proceeds from the sale approved by this Act shall be  
5 transferred to the Chamorro Land Trust Commission to cover administrative  
6 and operational expenses.



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

ANTHONY C. BLAZ

January 22, 1998

LEGISLATIVE  
COMMITTEE  
MEMBERSHIP

Chairman  
Finance & Taxation

Vice-Chairman  
Rules,  
Government Reform  
& Federal Affairs

Education

Natural Resources

Health &  
Human Services

Tourism, Economic  
Development & Cultural  
Affairs

Judiciary,  
Public Safety &  
Consumer Protection

Transportation,  
Telecommunications, &  
Micronesia Affairs

MEMBERSHIP

Guam Finance  
Commission

Commission on Self  
Determination

The Honorable Speaker Antonio R. Unpingco  
24th Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

VIA: Committee on Rules

Dear Mr. Speaker:

The Committee on Finance and Taxation, to which was referred Bill No. 211, "AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS EDWARD T. RIOS AND ELVINA REYES RIOS," herein reports back with the recommendation TO DO PASS.

Votes of the committee members are as follows:

7 To Pass

\_\_\_\_\_ Not To Pass

\_\_\_\_\_ To Place in Inactive File

\_\_\_\_\_ Abstained

\_\_\_\_\_ Off-Island

\_\_\_\_\_ Not Available

Sincerely,



Anthony C. Blaz

Attachments

*Committee on Finance and Taxation*  
**Voting Sheet on Bill 211**

“AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS EDWARD T. RIOS AND ELVINA REYES RIOS.”


COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
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 Anthony C. Blaz, Chairperson


\_\_\_\_\_

  
 Mark Forbes, Vice Chairperson

\_\_\_\_\_

  
 Antonio R. Unpingco, Ex-Officio

\_\_\_\_\_

  
 Elizabeth Barrett-Anderson, Member

\_\_\_\_\_

Joanne M.S. Brown, Member


\_\_\_\_\_

  
 Edwardo J. Cruz, Member


\_\_\_\_\_

  
 Lawrence F. Kasperbauer, Member

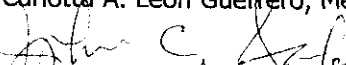
\_\_\_\_\_

  
 Alberto A.C. Lamorena, V, Member

\_\_\_\_\_

  
 Carlotta A. Leon Guerrero, Member

\_\_\_\_\_

  
 John C. Salas, Member

\_\_\_\_\_

Thomas C. Ada, Member

\_\_\_\_\_

Mark C. Charfauros, Member

\_\_\_\_\_

William B.S.M. Flores, Member

\_\_\_\_\_

Francis E. Santos, Member

\_\_\_\_\_

## **Committee on Finance and Taxation**

### **Report on Bill No. 211**

"AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS EDWARD T. RIOS AND ELVINA REYES RIOS."

#### **PUBLIC NOTICE:**

Pursuant to the requirements of the Standing Rules, notice of the Public Hearing on Bill No. 211 was published in the Pacific Daily News on June 12, 1997.

#### **PUBLIC HEARING:**

The Committee on Finance and Taxation conducted a public hearing on Thursday, June 12, 1997 to hear testimonies on Bill No. 211. The public hearing was held in the Legislative Public Hearing Room.

#### **MEMBERS PRESENT:**

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:

Senator Thomas Ada  
Senator Mark Charfauros  
Senator Alberto A.C. Lamorena V  
Senator Francis E. Santos

Other Senators present were:

Senator Frank B. Aguon, Jr.  
Senator Francisco P. Camacho  
Senator Lou Leon Guerrero  
Senator Vicente C. Pangelinan  
Senator Judith Won Pat-Borja



Providing Public Testimony on the Bill:

John Rios

Elvina Rios

Roland Teehan, Chamorro Land Trust

Carl Aguon, Director, Department of Land Management

## **BACKGROUND:**

**Vice Speaker Blaz** addressed all individuals interested in providing testimony on Bill 211.

**Elvina Rios testified in support of the bill.**

**James Diaz, Acting Administrative Director, Chamorro Land Trust Commission, testified in support of the bill. In his written testimony, he emphasized that Bill 211 is purely a housekeeping bill that will resolve an issue which should have been addressed sometime between 17 and 26 years ago.**

**Carl Aguon, Director Land Management submitted written testimony supporting the intent of the bill. However he questioned Section 4 of the bill stating that since DLM's resources will be used to formulate the terms and conditions of the sale, he suggested that it would be more appropriate that the proceeds should go to the Department of Land Management.**

## **FINDINGS:**

The Committee finds that:

- The Rios family has been occupying Lot No. 20, Block 27, Tract 120 in New Agat Village since 1970.
- The government failed to expedite sale of the land in since Mr. Rios filed his application on January 28, 1980.
- On April 26, 1988, the Department of Land Management recommended a selling price for Lot No. 20 be \$2,500.00 (same as similar lots sold by the government in the more developed areas of Pagachao or Pigua)

## **COMMITTEE RECOMMENDATION:**

The Committee, having reviewed the testimonies presented at the hearing, does hereby recommend to the Legislature the following:

To Do Pass Bill 211, "AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS EDWARD T. RIOS AND ELVINA REYES RIOS."



**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
*Senator Mark Forbes, Chairman*

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**APR 21 1997**

**MEMORANDUM**

**TO:** Chairman  
Committee on Finance and Taxation ✓

**FROM:** Chairman ✓  
Committee on Rules, Government Reform and Federal Affairs

**SUBJECT:** Referral- Bill No. 211

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

**MARK FORBES**

Attachment

# **Chamorro Land Trust Commission**

P.O. Box 2950 Agana, Guam 96910

Phone: 475-4251 Fax: 477-8082

Carol A. Ibanez, Chairperson  
Rita C. Okada, Commissioner  
John Q. Finona, Commissioner  
Joseph T. Gumataotao, Commissioner  
Tomas T. Aguon, Commissioner

Joseph M. Borja  
Administrative Director

Lydia T. Cruz  
Deputy Administrative Director

June 12, 1997

**Hon. Anthony C. Blaz**  
**Vice Speaker & Chairman**  
**Committee on Finance & Taxation**  
**24th Guam Legislature**  
155 Hesler Street  
Agana, Guam 96910

## **TESTIMONY**

on

**BILL NO. 211, an Act to authorize the sale of government owned land in Agat to occupants Edward T. Rios and Elvina Reyes Rios.**

Mr. Chairman, on behalf of the Chamorro Land Trust Commission I wish to thank you for this opportunity to testify **in favor of Bill No. 211.**

Mr. Chairman, as the Commission sees it, Bill No. 211 is purely a housekeeping bill resolving an issue which should have been addressed sometime between 17 to 26 years ago.

Please allow us to be clear on one point, however. If this were a situation whereby the landowner would not have otherwise been entitled to acquire the lot in question pursuant to a preexisting legal process, then, the Commission would be opposed to the sale of this lot. In such a situation, we would respectfully request that Legislature instead require the occupants to conform to the applicable rules and regulations of the Commission.

Thank you, Mr. Chairman.



James Diaz  
Administrative Director  
(Acting)



DEPARTMENT OF LAND MANAGEMENT  
(DIPATTAMENTON TANO')  
GOVERNMENT OF GUAM  
AGANA, GUAM 96911  
TEL: (671) 475-LAND - FAX: (671) 477-0883

CARL T. C. GUTIERREZ  
*Governor*

MADELEINE Z. BORDALLO  
*Lieutenant Governor*

CARL J. C. AGUON  
*Acting Director*

FRANCISCO P. SAN NICOLAS  
*Deputy Director*

June 10, 1997

Senator Anthony C. Blaz  
Chairman,  
Committee on Finance and Taxation  
Twenty-fourth Guam Legislature  
155 Hesler St.  
Agana, Guam 96910

Re: Request for Comments on Bill Nos. 211, 212, and 219

Hafa Adai Senadot Blaz:

Thank you for the opportunity to comment on proposed Bill Nos. 211, 212 and 219. Overall, the Department of Land Management has no objections to any of the bills referenced and is in full support of their passage. I would however like to bring one item to the attention of the Legislature pertaining to Section 4 of Bill No. 211.

This section states that the proceeds of the sale of Lot No. 20, Block 27, Tract 120 shall be transferred to the Chamorro Land Trust Commission to cover administrative and operational expenses. This same bill requires the Director of the Department of Land Management to formulate the terms and conditions that will govern the sale of this lot. It also stipulates that "The Director of the Department of Land Management shall ensure that all terms and conditions governing the sale are met by the buyer prior to transferring title to said property". During this time of budgetary constraints and cutbacks, I feel it would be more appropriate that the proceeds should go to DLM, as it is DLM's resources that will be used.

Si Yu'os Ma'ase'

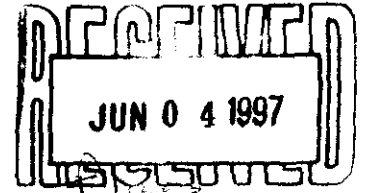
  
CARL J.C. AGUON  
Director,  
Department of Land Management

**FISCAL NOTE  
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill Number: 211(COR)  
Amendatory Bill: No

Date Received: 5/20/97  
Date Reviewed: 5/27/97



Department/Agency Affected: Land Management  
Department/Agency Head: Carl Aguon  
Total FY Appropriation to Date: \$3,694,501 (General Fund)

Bill Title (preamble): AN ACT TO AUTHORIZE THE SALE OF GOVERNMENT OWNED LAND IN AGAT, TO OCCUPANTS EDWARD TO. RIOS AND ELVINA REYES RIOS.

Change in Law: N/A

Bill's Impact on Present Program Funding:  
Increase \_\_\_\_\_ Decrease \_\_\_\_\_ Reallocation X No Change \_\_\_\_\_

Bill is for:  
Operations \_\_\_\_\_ Capital Improvement \_\_\_\_\_ Other X

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Natural Resources, Recreation & Arts			1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						1/

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? \_\_\_\_\_ -- IF NO, ADD'L AMOUNT REQUIRED \$ \_\_\_\_\_  
AGENCY/PERSON/DATE CONTACTED: \_\_\_\_\_

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST A. Flores DATE 5/27/97 DIRECTOR Joseph E. Rivera, Acting DATE JUN 04 1997

FOOTNOTES: 1/ Although an appropriation measure is not provided, enactment of Bill No. 211(COR) will impact on scarce government land resources.