JAN 0 8 2001

The Honorable Joanne M. S. Brown Legislative Secretary I Mina'Bente Sais na Liheslaturan Guåhan Twenty-Sixth Guam Legislature Suite 200 130 Aspinal Street Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 351 (COR), "AN ACT TO EXCHANGE LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" WITH OTHER LOTS IN MERIZO AND MALOJLOJ," "which I have **signed** into law as **Public Law No. 25-181.**

This legislation allows the exchange of lots within the Pigua Subdivision which are unable to be developed due to topography problems with other lots where housing can be constructed.

While the introductory paragraph of this legislation describes 32 lots, Section 2 of the legislation describes 27 lots while enumerating 31 lots, and Section 3 enumerates 4 more for a total of 35. Section 4 also describes 27 lots.

The land exchanges will be done on the basis of the enumerated lots (lots specified by lot number).

Very truly yours,

Carl T. C. Gutierrez I Maga'Lahen Guåhan Governor of Guam

Attachment: copy attached for signed bill or overridden bill

original attached for vetoed bill

ce: The Honorable Antonio R. Unpingco

Speaker

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 351 (COR) AN ACT TO EXCHANGE LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" WITH OTHER LOTS IN MERIZO AND MALOJLOJ," was on the 20th day of December 2000, duly and regularly passed.

ANTONIO R. UNPINGCO Speaker Attested: JOANNE M.S. BROWN Senator and Legislative Secretary This Act was received by I Maga'lahen Guahan this 33 day of Vecen 2000, at 5.95 o'clock J. M. pro kir selajadin Maga'lahi's Office APPROVED: CARL T. C. GUTIERREZ I Maga'lahen Guahan Date: 1-08-01 Public Law No. <u>25-181</u>

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 1999 (FIRST) Regular Session

Bill No. 351 (COR)

As substituted by the Committee on land, Agriculture, Military Affairs and the Arts and amended.

Introduced by:

1

E. B. Calvo

M. G. Camacho

L. F. Kasperbauer

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

Mark Forbes

A. C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

AN ACT TO EXCHANGE LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" WITH OTHER LOTS IN MERIZO AND MALOJLOJ.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Legislative Findings and Intent. 1 Liheslaturan Guåhan
- 3 finds that certain lots already awarded to thirty-two (32) families in the Pigua
- 4 Subdivision, known as the "Land for the Landless Project" in the municipality of
- 5 Merizo are undevelopable. It is the intent of I Liheslaturan Guåhan that

1 suitable land be exchanged for the thirty-two (32) undevelopable lots so that

1

- 2 the awardees of the thirty-two (32) lots can proceed in building much needed
- 3 homes for their families.
- 4 Section 2. The Chamorro Land Trust Commission and I Maga'lahen
- 5 Guåhan are hereby authorized to exchange a portion of Lot Number 505-R11,
- 6 Lot Number 440-R1 and Lot Number 1, Block 10 in the municipality of
- 7 Merizo, Guam with twenty-seven (27) lots within the Pigua Subdivision
- 8 "Land for the Landless Project" in Merizo, Guam identified as follows: Block
- 9 6 Lot Number 2; Block 6 Lot Number 3; Block 6 Lot Number 4; Block 6 Lot
- Number 7; Block 6 Lot Number 8; Block 6 Lot Number 9; Block 6 Lot Number
- 11 10; Block 6 Lot Number 12; Block 6 Lot Number 13; Block 6 Lot Number 14;
- 12 Block 6 Lot Number 15; Block 6 Lot Number 17; Block 6 Lot Number 19; Block
- 6 Lot Number 20; Block 7 Lot Number 1; Block 7 Lot Number 2; Block 7 Lot
- Number 3; Block 7 Lot Number 4; Block 7 Lot Number 6; Block 7 Lot Number
- 15 7; Block 7 Lot Number 8; Block 7 Lot Number 10; Block 7 Lot Number 11;
- 16 Block 7 Lot Number 12; Block 7 Lot Number 13; Block 7 Lot Number 15; Block
- 7 Lot Number 16; Block 7 Lot Number 17; Block 7 Lot Number 20; Block 7 Lot
- 18 Number 21; and Block 7 Lot Number 22.
- 19 Section 3. Block 10 Lot Number 7; Block 10 Lot Number 8; Block 10 Lot
- 20 Number 9; and Block 10 Lot Number 10 within the Pigua Subdivision "Land
- 21 for the Landless Project" shall also be distributed along with the twenty-seven
- 22 (27) new lots to be created by the exchange in §2 of this Act.
- Section 4. The distribution of the twenty-seven (27) new lots to be
- 24 created by this Act and the four (4) lots listed in §3 of this Act shall be by

1 lottery. The lottery shall be administered jointly by the Department of Land

- 2 Management and the Malesso Mayor. The participants in the lottery shall
- 3 only be the awardees of the thirty-two (32) lots listed in §2 of this Act.
- 4 Section 5. Notwithstanding any other provision of law, all
- 5 requirements of Article 5 of Chapter 62 of Title 21 of the Guam Code
- 6 Annotated (Subdivision Law) are hereby waived and are declared not
- 7 applicable to the twenty-seven (27) "Land for the Landless" lots to be created
- 8 by the land exchange and Lots 7, 8, 9 and 10 all in Block 10. This project is
- 9 exempted from review and consideration by the Territorial Planning Council
- and the Territorial Land Use Commission. Subdivision maps for this project
- shall only require the approval of the Department of Land Management. The
- 12 Director of Land Management, upon completion of the subdivision of the
- 13 twenty-seven (27) lots created by this Act, shall submit to I Liheslaturan
- 14 Guåhan the total cost required to develop the infrastructure thereof for
- 15 appropriation by I Liheslaturan Guåhan.
- 16 Section 6. Notwithstanding any other provision of law, the twenty-
- seven (27) lots created by this Act are zoned Single Family Residential, R-1.
- 18 Section 7. Notwithstanding any provision of law, the Chamorro Land
- 19 Trust Commission and I Maga'lahen Guahan are authorized to exchange Lot
- 20 Number 8, Block 2A, Tract 3821, Merizo, Guam, owned by Ms. Sheila Hale,
- 21 with Lot Number 11, Block 1, Tract 261, Merizo, Guam, owned by the
- 22 government of Guam.
- 23 Section 8. Notwithstanding any provision of law, the Chamorro Land
- 24 Trust Commission and I Maga'lahen Guahan are authorized to exchange Lot

- 1 Number 5, Block 7, Tract 3821, Merizo, Guam, owned by Mr. John Cruz, Jr.
- 2 and Norma Cruz, with government of Guam land Lot Number 17A, Block 13
- 3 Extension, Tract 212, Malojloj.



2000 (SECOND) Regular Session

Date: 12/20/00

VOTING SHEET

5 Bill No. 35/(COR)					
Resolution No					
Question:					
NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	i i				
BERMUDES, Eulogio C.	L				
BLAZ, Anthony C.	L				
BROWN , Joanne M.S.	V				
CALVO, Eduardo B.	V				
CAMACHO, Marcel G.	L.				
FORBES, Mark	V				
KASPERBAUER, Lawrence F.	2				<u>.</u>
LAMORENA, Alberto C., V					
LEON GUERRERO, Carlotta A.					
MOYLAN, Kaleo Scott	V				~
PANGELINAN, Vicente C.	L				
SALAS, John C.	L				
SANCHEZ, Simon A., II	L				
UNPINGCO, Antonio R.	L				
TOTAL	14	0		0	_/_
CERTIFIED TRUE AND CORRECT:			,	•	
Clerk of the Legislature				3 Passes = No A = Excused A	

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MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 2000 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 351 (COR) AN ACT TO EXCHANGE LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" WITH OTHER LOTS IN MERIZO AND MALOJLOJ," was on the 20th day of December 2000, duly and regularly passed.

Attested:	ANTONIO R. UNPINGCO Speaker	
JOANNE M.S. BROWN Senator and Legislative Secretary		
This Act was received by I Maga'lahen Guahan this _ ato'clockM.	day of	, 20 00,
APPROVED:	Assistant Staff Officer Maga'lahi's Office	-
CARL T. C. GUTIERREZ I Maga'lahen Guahan		
Date:		
Public Law No		

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 1999 (FIRST) Regular Session

Bill No. 351 (COR)

As substituted by the Committee on land, Agriculture, Military Affairs and the Arts and amended.

Introduced by:

E. B. Calvo

-

M. G. Camacho

L. F. Kasperbauer

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

Mark Forbes

A. C. Lamorena, V

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

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- 2 the awardees of the thirty-two (32) lots can proceed in building much needed
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- 5 Guåhan are hereby authorized to exchange a portion of Lot Number 505-R11,
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- 7 Merizo, Guam with twenty-seven (27) lots within the Pigua Subdivision
- 8 "Land for the Landless Project" in Merizo, Guam identified as follows: Block
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- 2 Management and the Malesso Mayor. The participants in the lottery shall
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- 8 by the land exchange and Lots 7, 8, 9 and 10 all in Block 10. This project is
- 9 exempted from review and consideration by the Territorial Planning Council
- 10 and the Territorial Land Use Commission. Subdivision maps for this project
- shall only require the approval of the Department of Land Management. The
- 12 Director of Land Management, upon completion of the subdivision of the
- 13 twenty-seven (27) lots created by this Act, shall submit to I Liheslaturan
- 14 Guåhan the total cost required to develop the infrastructure thereof for
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- 21 with Lot Number 11, Block 1, Tract 261, Merizo, Guam, owned by the
- 22 government of Guam.

- 23 Section 8. Notwithstanding any provision of law, the Chamorro Land
- 24 Trust Commission and I Maga'lahen Guahan are authorized to exchange Lot

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- 2 and Norma Cruz, with government of Guam land Lot Number 17A, Block 13
- 3 Extension, Tract 212, Malojloj.



The Office of Senator Marcel G. Camacho

MINAT BENTE SINGKO NA LIHESLATURAN GUÁHAN Twenty-Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Asoniaii Avenue, Hagăña, Guier 96910 Suite 108A • Add Plaza Center Phones (6711**479 8261 / 62 /63 / 64** Facsimie (6711**472 8223**

October 3, 2000

The Honorable Antonio Unpingco, Speaker I Mina'Bente Singko na Liheslaturan Guahan 155 Hesler St. Hagåtña, Guam 96910

Via: Committee on Rules

Dear Mr. Speaker:

The Committee on Land, Agriculture, Military Affairs and the Arts, wishes to report out its committee report on Bill No. 351, as substituted by the Committee, with the recommendation **TO DO PASS**.

Committee Voting Record:

To do Pass: 6

To not Pass: _____

Abstain:

A copy of the Committee Report is attached for your consideration.

Sincerely yours,

MARCEL G. CAMACHO

Chairman

Attachments



The Office of Senator Marcel G. Camacho

MINAT BENTE SINGEO NA LIHESTATURAN GUAHAN Twenty-Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Asµinai Averue, Hagátira, C + 26910 Sura 108A • Ada Paza Carrei Phones (K.71) **479 8261 / 62 /63 / 64** foosimie (K.71, **472 8223**

September 29, 2000

MEMORANDUM

TO: Members,

Committee on Land, Agriculture, Military Affairs and the

Arts

FR: Chairman

RE: Bill No. 351

Transmitted herewith for your consideration is the Committee on Land, Agriculture, Military Affairs, and the Arts' Report of Bill No.351, as substituted by the Committee. (See attached for details).

Should you have any questions please contact me or my Chief-of-Staff, Alfred Duenas.

Sincerely,

MARCEL G. CAMACHO

Mal S. C.

Chairman

Attachments

COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS and the ARTS

I Mina'Bente Singko Na Liheslaturan Guåhan Twenty-Fifth Guam Legislature

VOTING SHEET

September 29, 2000

RE: Bill No. 351(COR): AN ACT TO EXCHANGE TWENTY EIGHT (28) LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" IN THE MUNICIPALITY OF MERIZO WITH AN EQUAL AREA OF CHAMORRO LAND TRUST PROPERTY WITHIN LOT 505-R11, LOT 440-R1 AND LOT 1 BLOCK 10 IN THE MUNICIPALITY OF MERIZO AND TO DISTRIBUTE THE EXISTING LOTS 7, 8, 9 AND 10 WITH THE EXISTING LAND FOR THE LANDLESS PROJECT AND TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE LAND SURVEY REVOLVING FUND ADMINISTERED BY THE DEPARTMENT OF LAND MANAGEMENT TO SURVEY, MAP, ENGINEER AND DESIGN THE LOTS TO BE SUBDIVIDED IN LOT 505-R11, LOT 440-R1 AND BLOCK 10 LOT 1., as substituted by the Committee..

COMMITTEE MEMBERS:	SIGNATURE	TO DO PASS	TO NOT PASS	ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Marcel G. Camacho Chairman	'd J. Q.	<i>L</i>			
Senator Lawrence F. Kasperbauer, Vice-Chairman	Lan Kangle	Κ.			
Senator Joanne M.S. Brown	Allin)	2			
Senator Eduardo B. Calvo		 			
Senator Kaleo S. Moylan	A. A.	<u>\</u>			:
Senator Simon A. Sanchez, II	SAIT				
Senator Frank B. Aguon, Jr.					
Speaker Antonio "Tony" R. Unpingco, Ex Officio					

Committee on Land, Agriculture, Military Affairs & the Arts

1

Committee Report March 30, 2000

The Committee on Land, Agriculture, Military Affairs, & the Arts held a public hearing on March 30, 2000 at the Public Hearing Room at the Legislative Building. The hearing was called to order at 9:10 a.m. by the Chairman, Senator Marcel G. Camacho.

Bill No. 351(COR): AN ACT TO EXCHANGE TWENTY EIGHT (28) LOTS WITHIN THE PIGUA SUBDIVISION "LAND FOR THE LANDLESS PROJECT" IN THE MUNICIPALITY OF MERIZO WITH AN EQUAL AREA OF CHAMORRO LAND TRUST PROPERTY WITHIN LOT 505-R11, LOT 440-R1 AND LOT 1 BLOCK 10 IN THE MUNICIPALITY OF MERIZO AND TO DISTRIBUTE THE EXISTING LOTS 7,8,9 AND 10 WITH THE EXISTING LAND FOR THE LANDLESS PROJECT AND TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE LAND SURVEY REVOLVING FUND ADMINISTERED BY THE DEPARTMENT OF LAND MANAGEMENT TO SURVEY, MAP, ENGINEER AND DESIGN THE LOTS TO BE SUBDIVIDED IN LOT 505-R11, LOT 440-R1 AND BLOCK 10 LOT 1.

Present for the hearing were Senators Frank Aguon Jr., Eduardo B. Calvo, Lawrence F. Kasperbauer, John C. Salas, Alberto Lamorena V.

Testimony Submitted by:

Buck Cruz, Mayor of Merizo	(Written)
Sheila K. Hale	(Oral)
Norma Cruz	(Oral)
Julia Quenga Renio	(Oral)
Ken Rinio	(Oral)
Mike Flaherty	(Oral)

Summary of Testimonies:

Senator Marcel Camacho: Bill No. 351 is a result of numerous public hearing held down in Merizo, hearings that were started by Senator John Salas back in the 24th Legislature. I picked up the land committee and continued the efforts to insure the infrastructure is put in place so that the people who received lots can move forward with their development. The second part of it is to resolve some problems that existed after the lots were distributed. We found that some of the lots were in wetland areas and people could not develop the property because of all the obstacles in developing in such an area. We found that some of the lots were in steeply sloped areas and it will be very costly to develop on a slope. I know the Department of Land Management was working towards trying to resolve these types of situations, but we found out that after considering all the lots that were left over in the subdivision, there just wasn't enough to satisfy everybody.

So what Sen. Calvo had proposed at the last public hearing at Pigua, was to take some of the Chamorro Land Trust Commission property in the same area and exchange it with the wetland, and the steeply sloped areas so that we can get the people that were promised a developable lot, on the land and put the land to good use and start building their homes or preparing their farming areas as quickly as possible. I want to commend Senator Calvo for introducing the bill and allowing me to co-sponsor it.

Senator Eduardo Calvo: We had the opportunity to sit down with Mr. Joe Borja and we both felt that the Chamorro Land Trust Commission was meant for the people of Guam and that these properties are to be used to benefit the people of Guam. We had a whole group of people that applied for a program and when their lot was cast it was for a piece of property that could not be utilized for construction of a home. Seeing there was a problem, we had to figure out a way to solve it and Joe agreed with us. I see Mayor Buck Cruz is for the bill, but he has a problem because there are four lots and the Mayor's office would like to see it used for further expansion. There is a problem because there are limitations in the properties that are available down south. If we were not to incorporate those lots it will be displacing some of the people that do need these lots in other areas of the island of Guam.

Senator Marcel Camacho: I tend to agree with the Mayor on this issue from a planning perspective. All these new residences are going to be coming in and I think the community center is going to need to be expanded at some point in the future and we need to think long term and plan for that. If we are going to find 28 additional lots on land trust property to exchange, 4 lots is not going to make that much of a difference and we can increase it to 32 if we need to. We will take the Mayor's testimony into consideration and discuss it with the other committee members in hope that we can accommodate this also.

Sheila Hale: This is in regards to a piece of property that was given to me back in 1992. In the first lottery I was given block 5 lot 1, but then it was decided that it was wetlands. So they had another lottery in 1998 and gave me another piece of property. I started cleaning the property and was told the original property was my lot, it was redesigned. Come to find out that the wetland is right at the edge of my property. There is a river, and every time it rains it erodes the property. So I am here to ask for a land exchange.

Senator Marcel Camacho: Let us look into it further, so that we can answer your questions? So, you are not interested in remaining as part of the new Pigua subdivision, but you would like to get a specific lot within the old land for the landless program?

Sheila Hale: Yes. If it's available. If it's not I guess I would get a different lot through the lottery. I signed the conveyance deed.

Senator Marcel Camacho: Have you paid any fees?

Sheila Hale: I refuse to pay the full amount but I've paid close to the full amount and I have been paying taxes on the lot since the beginning. I've even gone to the Guam Environmental Protection Agency to see what I can do to raise my property up to the roadside. I'm going to spend almost a thousand dollars to backfill. It is about 30 ft deep.

Senator Marcel Camacho: Thank you for your testimony.

Julia Renio: We would like to be put on the list for the new lottery, for the new land, because our land that was given to us was a slope.

Senator Marcel Camacho: Have you looked at the bill? Is your lot included in the bill?

Julia Renio: Yes. Block 7 lot 15.

Senator Marcel Camacho: So this lot has been identified as not developable?

Ken Renio: Yes, because it's on a hill and it will cost the government a lot of money to backfill. There are about 17 families that are involved.

Senator Marcel Camacho: Actually, I think it has increased to 28.

Ken Renio: When you survey these lands for the replacement of the lots that are not developable, whether it is wetland or on a slope, could they check to make sure that these properties are developable, because I would hate to wait another twelve years.

Julia Renio: We have been waiting for twelve years. Uncle Buck could wait for his community center. There are other government properties where he can build it. Why doesn't he think about his people and the children that are growing up. We've waited this long, how much longer are we going to wait? Outsiders and other people are building houses. We have been renting for the past ten years because we have been waiting to build on this land and they keep telling us to wait. How much longer are we going to wait?

Senator Eduardo Calvo: Ken & Julia just to let you know that there is an appropriation measure placed into the bill so that the proper surveying can be done.

Julia Renio: How much longer is that going to take?

Senator Eduardo Calvo: Once the bill is enacted into law, it has to go through the administration, we can pass a law and appropriate the money and then from there it is up to the administration.

Senator Marcel Camacho: I understand your frustration and I think Senator Calvo and I have come into this and we've found that there are problems that continue to exist and we're proposing a solution.

Ken Renio: From the original 101 lots, families have been waiting for the past twelve years. Some of these families have already bought other properties, so that disqualifies them from being on the list for the land for the landless. You can't own any land in order to get on the land for the landless list. So the lots that were issued to them originally from land for the landless would be open for reissue. Could anyone look into this to see that double property is not being owned from this original list?

Senator Marcel Camacho: I think it's difficult to penalize someone who's waited twelve years, by taking the land away.

Ken Renio: Within the twelve years the original rules & regulations under Land for the Landless is that you cannot own property anywhere. Within the ten years some of the people bought property and a house. That will automatically disqualify them and reopen that property for reissue.

Senator Marcel Camacho: Let's look into that question a little more.

Julia Renio: There are other lots around the area that are still available. Can it be possible that people that know the lot number and the area number be given preference or do we have to sit back and wait?

Senator Marcel Camacho: That is something that we have to look into. I think that if the lands are available to be distributed, yes. There are situations where people were given a piece of property but they haven't had the finances to proceed with the development. They can't come up with a down payment or they can't get a loan and they're waiting. For us to go and take those properties away from them will not be fair.

Julia Renio: No, they're sitting there, I know that for a fact because my mom has a house up there from the first people that owned properties.

Senator Marcel Camacho: Give us a specific lot and let us do some investigation and we can determine whether it is available.

Julia Renio: Can it be possible that all the people on the list be given property first before Mayor Buck Cruz gets his community center? There are other lands down in the village where he can build his community center.

Senator Marcel Camacho: I tend to disagree with you on that particular point. I know that you are frustrated with waiting. It's more cost effective to expand the existing community center than to create satellite community centers all over.

Senator Eduardo Calvo: I want to push this bill through and if there are any other ways that we can amend this bill that would benefit the whole community.

Julia Renio: How long do we have to wait to hear from you?

Senator Eduardo Calvo: Our next session is in April and there will be a report made after the hearing.

Senator John Salas: When I started tackling this Pigua subdivision problem, there were 101 lots owners that had drawn the lottery. The problem for 8 years was there were no utilities, no forward motion because there was no money. That was when the wetlands were discovered and the solutions were to look at trades with other lands. But the problem that came up with the Chamorro Land Trust Commission was, what happens if you get the land and trade? Does it carry the restrictions of the Chamorro Land Trust Commission property, that it fulfills the eligibility requirements, that you can't sell it? In looking at the bill that Senators Calvo, Camacho, & Kasperbauer put together, it answers the question, that you can now legally get that trade. I know that out of the 101 lots people have defaulted, maybe they changed their mind and maybe there are these extra lots. I think with this passage here, within the next session I'm sure Senators Calvo & Camacho are going to be able to come up with the support of the majority and maybe we can get this through. I think the bill addresses the major problems, but as most bills it may also produce some other problems.

Senator Marcel Camacho: I can assure you that those of us who continue to find solutions to this issue are still committed.

Julia Renio: On the Land for the Landless, I believe that it was said that the infrastructure is done.

Senator Marcel Camacho: It's not done. I know that the booster pump and some of the water lines still haven't been installed, but I know that the parts have been ordered. Additionally, they are asking for those that have received lots to actually fill out an application for telephone and power services. If they do that, then the utility agency can better judge how much business they are going to have and can start planning for the installation and move forward. Your point is well taken. I think that we selected the proposed lot for exchange based on the fact that it's flat and more developable and we want to make sure that Department of Public Works and the Department of Land Management don't do a table top subdivision survey. That was the problem, they didn't go out in the field to look at the land. They just said the boundaries are established on this map and lets cut it up into equal size lots. That's what presented the problem because when they went out in the field, they found the wetlands and the slopes. You can't develop a subdivision that way, you have to get out there in the field.

Ken Renio: I would also like to request to look at the original qualifications on this Land for the Landless. It might disqualify some people, within this time frame, that have already bought other properties. It could open up lots for these other 32 families who are still waiting for this property. It would be great and will save the government time and effort in issuing these properties if they're open and save the general fund from spending anymore money on survey's or other needs in developing these properties.

Norma Cruz: My husband is from Merizo and we have a land there, but it is on the cliff. The lot number is lot 5 block 7 track 3821. I have research in a subdivision in Malojloj. There is an empty lot next to my sister's house and if it's going to take long in Merizo for the lottery, is it possible for that land to be exchanged?

Senator Marcel Camacho: If you could give the information on what lot you would like and we'll look into it.

Norma Cruz: I gave a file to Senator Salas and he stated in his letter that P.L. 16-97, said that the following guidance for the sale of Malojloj lot, the first preference to landless residence of track 212 in lnarajan and the second preference in landless residence in Talafofo and Merizo. He said you would need an authorization to violate the establish of selection process. I have the map. Actually it's my first cousin that owned it but he turned it in because he didn't want the land. I talked to Ron Techan about the land and he said that the land trust took it, but I don't think so.

Mike Flaherty: My purpose here is to caution the Legislature in passing any type of Land for the Landless bill without making arrangements for the proper funding of what is going to be done.

Senator Marcel Camacho: You know that we are dealing with a situation that started over twelve years ago and we're not giving up in trying to find solutions. I haven't seen new legislation in trying to develop new government subdivisions to sell the lots at the same rate that they were back then. Your caution is well taken. I think what he is trying to say is that the government has made promises that they haven't been able to fulfill for twelve years. The chairman then thanked everyone for their testimony and announced that the Bill was publicly heard.

Committee findings and recommendations: The Committee held oversight hearings in the village of Merizo on May 4, 1999 and June 22, 1999 to address ongoing concerns of the Pigua Subdivision. During the May 4, 1999 meeting, the matter of un-developable lots was brought to the Committee's attention. The lots were given this designation because they were either steeped terrain or located near wetlands.

During the June 22, 1999 hearing, the issue of selling or exchanging Chamorro Land Trust property with Pigua Subdivision landowners was discussed. The participants agreed that legislation be introduced to allow the land exchange to occur. Committee member, Scnator Eduardo B. Calvo volunteered to introduce legislation to address the concern.

Ms. Sheila Hale, owner of Lot 8, Block 2A, Tract 3821, Merizo has requested that she be authorized to exchange her lot with Government owned Lot 11, Block 1, Tract 261, Merizo. Her existing lot is at the top of the hill and is where the runoff, which feeds into the wetland area, begins its downward flow. An inspection made after the recent heavy rain proved her suspicion that erosion into her property will eventually cause her property to slide into the wetland area. Tract 261 was subdivided into forty-five (45) lots with forty-two (42) lots being sold to individuals. The remaining three (3) lots were reserved for future government use. These reservations were not renewed under Public Law 22-18.

Mr. and Mrs. John Cruz. Jr. owners of Lot 5, Block 7, Tract 3821 listed on this bill as undevelopable and part of the lots to be exchanged has requested that they be authorized to exchange their lot with Lot 17A, Block 13 Extension, Tract 212 Malojloj.

Currently, there are three houses being constructed in Tract 3821 Pigua Subdivision. Building permits for two other houses have been granted. The booster pump, which will provide water to the subdivision, will be completed shortly.

As of July 19, 2000 the Department of Land Management has deposited \$194,584.63 into the Land Survey Revolving Fund. Due to the current problems with the Department of Administration's Financial reporting system, the Committee is not able to verify the current balance of the fund. The Department of Land Management may be able to complete the survey in-house and therefore not requiring an appropriation.

The Committee recommends that Bill 351 as Amended by the Author be passed by *I Mina'Bente Singko Na Lehislaturan Guahan*.

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 1999 (FIRST) Regular Session

Bill No. 351 (COR)

As Substituted by the Committee On land, Agriculture, Military Affairs and the Arts

Introduced by:

E.B. Calvo Marcel G. Camacho L. F. Kasperbauer

1

AN ACT TO EXCHANGE TWENTY EIGHT (28) LOTS WITHIN THE PIGUA SUBDIVISION "LAND INTHE LANDLESS PROJECT" FOR MUNICIPALITY OF MERIZO WITH AN EQUAL AREA OF CHAMORRO LAND TRUST PROPERTY WITHIN LOT 505-R11, LOT 440-R1 AND LOT 1 BLOCK 10 IN THE MUNICIPALITY OF MERIZO AND TO DISTRIBUTE THE EXISTING LOTS 7, 8, 9 AND 10 WITHIN THE EXISTING "LAND FOR THE LANDLESS PROJECT" AND TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS **FROM** (\$150,000) THE LAND **SURVEY** REVOLVING FUND ADMINISTERED BY THE DEPARTMENT OF LAND MANAGEMENT TO SURVEY, MAP, ENGINEER AND DESIGN THE LOTS TO BE SUBDIVIDED IN LOT 505-R11, LOT 440-R1 AND BLOCK 10 LOT 1. TO EXCHANGE LOTS IN THE PIGUA SUBDIVISION WITH OTHER LOTS IN MERIZO AND MALOJLOJ.

- 1 BE IT ENACTED BY THE PEOPLE OF GUAM:
- 2 Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan

1 Finds that certain lots already awarded to thirty-two (32) families in the Pigua

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- 2 Subdivision, known as the "Land for the Landless Project" in the municipality
- 3 of Merizo are undevelopable. It is the intent of the I Liheslaturan Guahan that
- 4 suitable land be exchanged for the thirty-two (32) undevelopable lots so that
- 5 the awardees of the thirty-two (32) lots can proceed in building much needed
- 6 homes for their families.

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- 7 Section 2. The Chamorro Land Trust Commission and I Maga'lahen
- 8 Gualian are hereby authorized to exchange a portion of Lot 505-R11, Lot 440-
- 9 R1 and Lot 1 Block 10 in the municipality of Merizo with twenty seven (27)
- 10 lots within the Pigua Subdivision "Land for the Landless Project" in Merizo
- identified as follows: Block 6 lot 2, Block 6 Lot 3, Block 6 Lot 4, Block 6 Lot 7,
- 12 Block 6 Lot 8, Block 6 Lot 9, Block 6 Lot 10, Block 6 Lot 12, Block 6 Lot 13,
- 13 Block 6 Lot 14, Block 6 Lot 15, Block 6 Lot 17, Block 6 Lot 19, Block 6 Lot 20,
- 14 Block 7 Lot 1, Block 7 Lot 2, Block 7 Lot 3, Block 7 Lot 4, Block 7 Lot 6, Block 7
- Lot 7 Block 7 Lot 8, Block 7 Lot 10, Block 7 Lot 11, Block 7 Lot 12, Block 7 Lot
- 16 13, Block 7 Lot 15, Block 7 Lot 16, Block 7 Lot 17, Block 7 Lot 20, Block 7 Lot
- 17 21, and Block 7 Lot 22.
- Section 3. Block 10 Lot 7, Block 10 Lot 8, Block 10 Lot 9 and Block 10
- 19 Lot 10 within the Pigua Subdivision "Land for the Landless Project" shall also
- 20 be distributed along with the twenty-seven (27) new lots to be created by the
- 21 exchange in Section 2 of this Act
- Section 4. The distribution of the twenty-seven (27) new lots to be
- 23 created by this Act and the 4 lots listed in Section 3 of this Act shall be by
- 24 lottery. The lottery shall be administered jointly by the Department of Land

1 Management and the Malesso Mayor. The participants in the lottery shall

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- 2 only be the awardees of the thirty-two (32) lots listed in Section 2 of this Act.
- 3 Section 5. Notwithstanding any other provision of law, all
- 4 requirements of Article 5 of Chapter 62, Title 21, Guam Code Annotated (the
- 5 Subdivision Law), are hereby waived and are declared not applicable to the
- 6 twenty-seven (27) "Land for the Landless" lots to be created by the land
- 7 exchange and Lots 7, 8, 9, and 10 all in Block 10. This project is exempted
- 8 from review and consideration by the Territorial Planning Council and the
- 9 Territorial Land Use Commission. Subdivision maps for this project shall
- 10 only require the approval of the Department of Land Management. The
- 11 Director of Land Management, upon completion of the subdivision of the
- 12 twenty-seven (27) lots created by this Act shall submit to the Legislature the
- 13 total cost required to develop the infrastructure thereof for appropriation by
- 14 the Legislature.

I i

- 15 **Section 6**. Notwithstanding any other provision of law, the twenty-seven (27)
- lots created by this Act are zoned Single Family Residential, R-1.
- 17 Section 7. Notwithstanding any provision of law, the Chamorro Land Trust
- 18 Commission and I Maga'lahen Guahan are authorized to exchange Lot 8, Block 2A
- 19 Tract 3821, Merizo owned by Sheila Hale, with Lot 11, Block 1 Tract 261, Merizo
- 20 owned by the Government of Guam.
- 21 Section 8. Notwithstanding any provision of law, the Chamorro Land Trust
- 22 Commission and I Maga'lahen Guahan are authorized to exchange Lot 5, Block 7
- 23 Tract 3821, Merizo owned by John Cruz, Jr. and Norma Cruz, with Government of
- 24 Guam land located Lot 17A. Block 13 Extension, Tract 212, Malojloj.



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

Kumitean Areklamento, Refotman Gubetnamento Siha. Inetnon di Nuebu, yan Asunton Fidirat

Senator Mark Forbes, Chairman Kabisiyon Mayuråt

DEC 0 6 1999 **MEMORANDUM**

TO:

Committee on Land, Agriculture, Military Affairs and Arts

FROM:

Committee on Rules, Government Reform, Reorganization

and Federal Affairs

SUBJECT:

Principal Referral – Bill No. 351

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

OFFICE OF Marcel G. Can

Received By

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 1999 (FIRST) Regular Session

1

Bill No. 351 (CVR)

Introduced by:

1

E.B. Calvo

Marcel G. Camacho

L. F. Kasperbauer

AN ACT TO EXCHANGE TWENTY EIGHT (28) LOTS WITHIN THE PIGUA SUBDIVISION "LAND THE LANDLESS PROJECT" MUNICIPALITY OF MERIZO WITH AN EQUAL AREA OF CHAMORRO LAND TRUST PROPERTY WITHIN LOT 505-R11, LOT 440-R1 AND LOT 1 BLOCK 10 IN THE MUNICIPALITY OF MERIZO AND TO DISTRIBUTE THE EXISTING LOTS 7, 8, 9 AND 10 WITHIN THE EXISTING "LAND FOR THE LANDLESS PROJECT" AND TO APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE LAND SURVEY REVOLVING FUND ADMINISTERED BY THE DEPARTMENT OF MANAGEMENT LAND TO SURVEY, ENGINEER AND DESIGN THE LOTS TO BE SUBDIVIDED IN LOT 505-R11, LOT 440-R1 AND BLOCK 10 LOT 1.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan
- 3 Finds that certain lots already awarded to 32 families in the Pigua Subdivision,
- 4 known as the "Land for the Landless Project" in the municipality of Merizo are
- 5 undevelopable. It is the intent of the I Liheslaturan Guahan that suitable land be

exchanged for the 32 undevelopable lots so that the awardees of the 32 lots can proceed in building much needed homes for their families.

- 3 Section 2. The Chamorro Land Trust Commission and the Governor are
- 4 hereby authorized to exchange a portion of Lot 505-R11, Lot 440-R1 and Lot 1 Block
- 5 10 in the municipality of Merizo with twenty eight (28) lots within the Pigua
- 6 Subdivision "Land for the Landless Project" in Merizo identified as follows: Block 6
- 7 lot 2, Block 6 Lot 3, Block 6 Lot 4, Block 6 Lot 7, Block 6 Lot 8, Block 6 Lot 9,
- 8 Block 6 Lot 10, Block 6 Lot 12, Block 6 Lot 13, Block 6 Lot 14, Block 6 Lot 15,
- 9 Block 6 Lot 17, Block 6 Lot 19, Block 6 Lot 20, Block 7 Lot 1, Block 7 Lot 2, Block
- 7 Lot 3, Block 7 Lot 4, Block 7 Lot 5, Block 7 Lot 6, Block 7 Lot 7 Block 7 Lot 8,
- Block 7 Lot 10, Block 7 Lot 11, Block 7 Lot 12, Block 7 Lot 13, Block 7 Lot 15,
- Block 7 Lot 16, Block 7 Lot 17, Block 7 Lot 20, Block 7 Lot 21, and Block 7 Lot 22.
- Section 3. Block 10 Lot 7, Block 10 Lot 8, Block 10 Lot 9 and Block 10 Lot
- 14 10 within the Pigua Subdivision "Land for the Landless Project" shall also be
- distributed along with the 28 new lots to be created by the exchange in Section 2 of
- 16 this Act
- 17 Section 4. The distribution of the 28 new lots to be created by this Act and
- 18 the 4 lots listed in Section 3 of this Act shall be by lottery. The lottery shall be
- 19 administered jointly by the Department of Land Management and the Malesso
- 20 Mayor. The participants in the lottery shall only be the awardees of the 32 lots listed
- 21 in Section 2 of this Act.
- Section 5. Notwithstanding any other provision of law, all requirements of
- 23 Article 5 of Chapter 62, Title 21, Guam Code Annotated (the Subdivision Law), are
- 24 hereby waived and are declared not applicable to the twenty eight (28) "Land for the
- 25 Landless" lots to be created by the land exchange and Lots 7, 8, 9, and 10 all in

1 Block 10. This project is exempted from review and consideration by the Territorial

4

- 2 Planning Council and the Territorial Land Use Commission. Subdivision maps for
- 3 this project shall only require the approval of the Department of Land Management.
- 4 The Director of Land Management, upon completion of the subdivision of the twenty
- 5 eight (28) lots created by this Act shall submit to the Legislature the total cost
- 6 required to develop the infrastructure thereof for appropriation by the Legislature.
- Section 6. Notwithstanding any other provision of law, the 28 lots created by
- 8 this Act are zoned Single Family Residential, R-1.

li

Mayor Buck Cruz Mayor of Merizo P.O.Box 8078 Merizo, Guam 96916

March 30, 2000

To:

Senator M.G. Camacho

From:

Mayor Buck Cruz

Subject:

Written Testimony on Bill 351

I support the Bill as written except the proposed distribution of lots 7,8,9 and 10, Block 10. These lots are reserved for the expansion of the Malesso Community Center and the mayor and the members of the Merizo Municipal Planning Council Maintain that these lots should remain reserved.

Respectfully,

Mayor Buck Cruz

1988 Hyster E50XI -27 5500lbs cap Elec 36 volts 2 stge \$8K Batt Chor sld sep \$1K 479-5973



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DEPARTMENT OF THE TREASURY

HIS CUSTOMS SERVICE HONOLULU, HAWAII

NOTICE OF SEIZURE AND INTENTION TO FORFEIT SELL AND/OR DESTROY

In accordance with the provisions of Section 607 of the Tariff Act of 1930 as amended (19 USC 1607). notice is hereby given of the seizure and intention to forfeit, sell and/or destroy the same:

1999-3201 000177 01. 06-26-99. \$10.100.00 U.S.Dollars., 31 USC 5317.

The above-described property was seized at the Port of Honofulu, Hawaii for violation of various provisions as noted. Any person involved in the violations desiring to claim any of the property must appear at the Office of the Forth relector of Customs, 1001 Bisnoe Street, Pauli Cores, 25th Floor, Honotulu, Hawaii and file with their Port Director within twenty (20) days from the date of first publications of this notice, a claim to such property and a bond in the sum of \$6 colors 10% of the value of the claimed properly whichever is lower, but not less than \$250, in detail? of which the property will be disposed of in an omance with

> /s/ Nat H. Aycox Port Director



GUAM TELEPHONE AUTHORITY ATURIDAT TILIFON GUÅHAN

Post Office Box 9008 • Tomuning, Guam 96931 TEL: (671) 646-7070 FAX: (671) 649-2458 or 649-3044

CARL LC GUITIERREZ Covernor of Guarn

MADELESSE 2, BORDACTO: In Governor of ComePEDRO R MARTINEZ Chairman of the Board

VINCENTI: ARRIOTA Comeral Manager

"Request For Proposal" GTA-P4-00

Guam Telephone Authority announces that competitive scaled Proposal is being solicited for:

GTA-P4-99: Re-Proposal for "GTA's Financial Advisor".

The sage of cations together with all necessary forms and other documents are set forth in Request for Proposal No. GTA-P4-00. copies non-be obtained at GTA's Parchasing Section, 2nd Floor 642 North Marine Draw, Upper Tumon, Guam 96931

A Proproposal Conference is scheduled for Moreli 31, 2000. 10:00am, at the GTA Purchasing Conference Room, 2nd Floor. Attendance is reconsisted but not mandatory, as information discussed could be significant.

All Proposals will be received at GTA Purchasing's Office, at 2:00 pm, April 17, 2000.

> A/ VINCENT P. ARRIOLA General Manager



Senator Marcel G. Camacho

Chariman, Committee on Land, Agriculture, Military Affairs and the Arts

155 Hesler St. · Hagatña, GU 96910 · Phone: 479-8261-4 · Pax: 472-8223

PUBLIC HEARING

Thursday, March 30, 2000 - 9:00 a.m. Legislative Public Hearing Room

AGENDA

CONFIRMATION: Ms. Maria Antenor Cruz, Member, Guarn Land Use, Com-

CONFIRMATION: Mrs. Josefina I McDonald Member Guarn Land Use. Com-

CONFIRMATION: Ms. Bernadine G. Respicio, Member, Guarn Council on the

CONFIRMATION: Ms. Ceclia C. A. Perez, Member, Guarri Council on the Arts

CONFIRMATION: Mr. Jose U. Garrido, Member, Governor's Ancestral Lands

Bill No. 259(COR): AN ACT AUTHORIZING THE TRANSFER OF LGT NO. 10053 REM PORTION-4, LOCATED IN THE MUNICIPALITY OF DEDEDO, CON-TAINING AN AREA OF 1.358+ SQUARE METERS. TO THE DECIEDO MUNICIPAL PLANNING COUNCIL

BILL NO. 261(COR): - AN ACT TO ESTABLISH AN DRIGANIC FARMING PROGRAM AT THE DEPARTMENT OF AGRICUL FURE AND ADD A NEW \$52101.1 AND \$52103.1 TO CHAPTER 52, DIVISION 2, TITLE 12 (GCA), AND ADD A NEW \$5008.A (GCA) TO CHAPTER 5, ARTICLE 1, TITLE 5 (GCA) RELATIVE TO ENHAN-CING ORGANIC FARMING ON GUAM.

BILL NO. 282(COR): AN ACT TO AUTHORIZE THE GOVERNOR TO SELE LOTING 5-1 BLOCK 9, TALOFOFO, TO MANUFLIM MERFALEN AND TORNIE AD C MEREALEN

BILL NO. 351(COR): AN ACT TO EXCHANGE TWENTY EIGHT (28Y OTS WITHIN THE PIGUA SUBDIVISION ILAND FOR THE LANDLESS PROJECT IN THE MUNICIPALITY OF MERIZO WITH AN EQUAL AREA OF CHAMBING CHAMB TRUST PROPERTY WITHIN LCT 5/5 Rts 103 440 Rt Affactor THE MUNICIPALITY OF MERIZO AND TO DISTRIBUTE THE EXISTING CD 15 / 5 / AND 16 WITHIN THE EXISTING I LANGINGS THE LANDLEDGATE GOLD I AND APPROPRIATE ONE HUMORED FIFTY FIVOUSAND DOLLARS (\$15.00 c) (40.00 THE LAND SURVEY REVOLVING FUND ACMINISTERED 9: THE DEFAIL META OF AND MANAGEMENT TO SUBVEY MAR ENCINED HAMD OF GRAND HERE TO BE SURDIVIDED IN LOT 565-PH. LOT 449-PHANG BLOCK HERE IV.

BILL NO. 367(COR): AN ACT (DAOS A JEW SENSON CO. C.) OF THE GUAM CODE ANNOTAGED A 15 OF TO SESSIVEY. F. SITUATIONS

BILL NO. 380(COR), ANALOSEE OF THE WASHINGE A EXCHANGE A PUBLISH OF LOT SEVERALE IN TARGET OF LOCAL TO THE DEDEDO WITH LOT NUMBER 1992 NEW ANDOLGARD A TELEVISION N

BILL NO. 405(COR): AN ACT TO AGENCIANT WARRANT IN A LOT AND TO CONVEY GOVERNMENT OWNED REAL FRUIT OF THE LIFE

BILL NO. 406(COR): AN ACT TO AUTHORIZE (MAJ MITHER TO A TO A TO EXCHANGE A PORTION OF AN ARANDONE & PRE-WARE SECTION 1000. IN THE MUNICIPALITY OF TALOFOEC

The public is encouraged to attend.



The Office of Senator Marcel G. Camacho

MINA' BENTE SINGKO NA LIHESLATURAN GUÄHAN Twenty•Fifth Guam Legislature

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

COPY

173 Aspinall Avenue, Hagôrña, Guam 96910 Suite 108A • Ada Plaza Center Phones (671) **479 8261 / 62 /63 / 64** Facsimile (671) **472 8223**

March 22, 2000

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Mr. Joseph E. Rivera Acting Director Bureau of Budget & Management Research P.O. Box 2950 Hagåtña, Guam 96932

Dear Mr. Rivera:

I am requesting Fiscal Notes or Waiver of Fiscal Notes pursuant to 2GCA §9101 on Bill No. 253, Bill No. 259, Bill No. 261, Bill No. 282, Bill No. 351, Bill No. 367, Bill No. 380, Bill No. 405, and Bill No. 406.

We have scheduled a public hearing on the above bills on Thursday, March 30, 2000 at 9:00 am at the Legislature's Public Hearing room.

Should you require any additional information, please contact my Chief of Staff, Mr. Alfred F. Duenas, at 479-8261.

Sincerely,

Marcel G. Camacho

Senator

/lbd

Attachments