



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JAN 03 2001

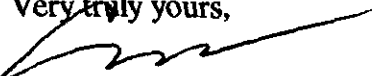
The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina'Bente Singko na Liheslaturan Guåhan  
Twenty-Fifth Guam Legislature  
Suite 200  
130 Aspinal Street  
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 496 (COR), "AN ACT TO *AMEND* §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS," which I have signed into law as **Public Law No. 25-180**.

This legislation reduces the number of members of the Ancestral Lands Commission necessary for a quorum. This legislation came about due to the request of the Commission members, who found it difficult to get a quorum of 6 members to be present for all of the business of the Commission. This legislation reduces the number needed for a quorum to 4 members for administrative business and 5 members for determining a land claim.

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

cc: The Honorable Antonio R. Unpingco  
Speaker

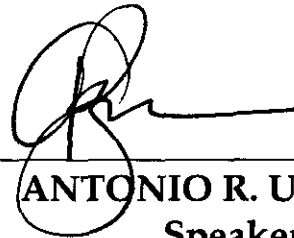
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OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Carl</u>
Time	<u>2:10 pm</u>
Date	<u>1/5/01</u>

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

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

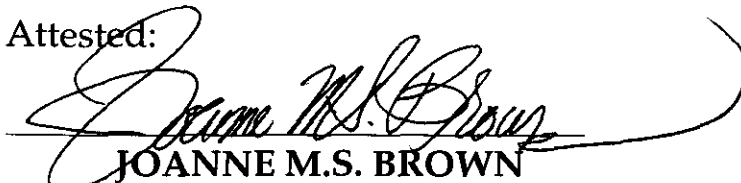
This is to certify that Bill No. 496 (COR) AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS," was on the 20<sup>th</sup> day of December 2000, duly and regularly passed.



---

ANTONIO R. UNPINGCO  
Speaker

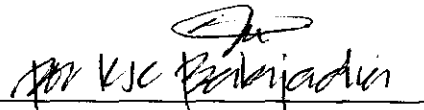
Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by I Maga'lahaen Guahan this 20 day of December, 2000,  
at 5:34 o'clock P.M.



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Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:



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CARL T. C. GUTIERREZ  
I Maga'lahaen Guahan

Date: 1-3-01

Public Law No. 25-180

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

**Bill No. 496 (COR)**

As amended by the Author.

Introduced by:

M. G. Camacho  
F. B. Aguon, Jr.  
E. C. Bermudes  
A. C. Blaz  
J. M.S. Brown  
E. B. Calvo  
Mark Forbes  
L. F. Kasperbauer  
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 AMEND §80103 OF TITLE 21 OF THE  
GUAM CODE ANNOTATED, RELATIVE TO  
REDUCING THE QUORUM OF THE ANCESTRAL  
LANDS COMMISSION FROM SIX (6) MEMBERS  
TO FOUR (4) MEMBERS.**

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

2           **Section 1. Legislative Findings.** When the Committee on Land,  
3 Agriculture, Military Affairs and the Arts conducted a public hearing for the  
4 confirmation of Mr. Jose U. Garrido as a board member of the Ancestral Lands  
5 Commission, it was brought to the Committee's attention that they were

9

# I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

2000 (SECOND) Regular Session

Date: 12/22/00

## VOTING SHEET

SBill No. 496 (COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BERMUDES, Eulogio C.	✓				
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.					✓
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	1	✓			
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

13    1    0    0    1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



The Office of

**Senator Marcel G. Camacho**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

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

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

December 11, 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. 496(COR), *as amended by the Author* with the recommendation **TO DO PASS**.

**Committee Voting Record:**

To do Pass:	<u>5</u>
To not Pass:	<u>    </u>
Abstain:	<u>1</u>

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**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

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

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

December 5, 2000

**MEMORANDUM**

**TO: Members,  
Committee on Land, Agriculture, Military Affairs & the  
Arts**

**FR: Chairman**

**RE: Bill No. 496 (COR) As amended by the author**

Transmitted herewith for your consideration is the Committee on Land, Agriculture, Military Affairs, and the Arts' Report of **Bill No.496 (COR), as amended by the author.** (See attached for details).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Marcel G. Camacho".

**MARCEL G. CAMACHO**  
**Chairman**

**Attachments**

**COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS  
and the ARTS**

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

**VOTING SHEET**

December 5, 2000



**RE: Bill No. 496 (COR): AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS, as amended by the author.**

COMMITTEE MEMBERS:	SIGNATURE	TO DO PASS	TO NOT PASS	ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Marcel G. Camacho Chairman		✓			
Senator Lawrence F. Kasperbauer, Vice-Chairman		✓			
Senator Joanne M.S. Brown					
Senator Eduardo B. Calvo		✓			
Senator Kaleo S. Moylan		✓			
Senator Simon A. Sanchez, II		✓			
Senator Frank B. Aguon, Jr.					
Speaker Antonio "Tony" R. Unpingco, Ex Officio				✓	

## Committee on Land, Agriculture, Military Affairs & the Arts

### Committee Report November 3, 2000

The Committee on Land, Agriculture, Military Affairs & the Arts held a public hearing on November 3, 2000 at the Public Hearing Room in the Legislative Building. The hearing was called to order at 9:27 a.m. by the Chairman, Senator Marcel G. Camacho.

Present for the hearing were Senator Frank Aguon, Senator Tony Lamorena and Senator Larry Kasperbauer.

**Bill No. 496 (COR):** AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS.

#### Testimony Submitted by:

Antonio Sablan, Acting Chairman, ALC	Oral
Joseph M. Borja, Director, ALC	Oral
Joseph Garrido, Member, ALC	Oral

#### Summary of Testimonies:

**Antonio Sablan:** Acting Chairman, Ancestral Lands Commission. In favor of bill because it is difficult to obtain quorum with the current requirement of seven (7) members due to vacancies, medical problems, vacations etc. Requested that the number of members needed to carry out the duties be reduced from 6 to 4; with 4 needed to conduct business and 5 needed to convey title to a claimant .

**Joseph Garrido:** Member, Ancestral Lands Commission. Believes that the request is not to reduce the maximum number of 7 members, but that the number of members needed for a quorum to make a legal decision be reduced to 5.

**Joseph Borja:** Director, Ancestral Lands Commission. Stated that the original membership of the commission was 12 including some senators. A public hearing was held and the legislature agreed to remove the senators and membership within the commission, but did not lower the quorum count. Due to lack of quorum there has been no decisions made by the commission to date.



**Senator Larry Kasperbauer:** The Senator stated that vacancies make it difficult for boards/commissions to take action on issues. He questioned the procedure for filling vacancies. He suggested that if the chief executive appoints the members and a vacancy occurs, perhaps the commission members can assist in recommending names for appointment to the commission. He also noted that quorums have been reduced before because of problems getting members to attend meetings, but this doesn't get to the root of the problem. If it's that important of a body and a quorum cannot be reached in order to conduct business or take any action, then there's a problem. However, to simply reduce the numbers may be giving more power to fewer people.

Chairman: The chairman requested that Joe Borja facilitate the polling of each of the commission members to obtain their position on what the total membership should be. The position statements can be used as testimony and then a decision can be made on the floor on what direction to take. He then noted that he will be working with Senator Kasperbauer to insure that this legislation incorporates some of his ideas.

There being no other testimony, the bill is publicly heard.

**Committee Recommendations:** The committee finds that it is difficult for the Ancestral Lands Commission to conduct regular meetings based on the current quorum requirements. During the public hearing it was suggested that the proposed quorum requirement be the same as those proposed in the Rules and Regulations (Bill No. 503) submitted by the commission for legislative approval. The Rules and Regulations requires the attendance of four (4) members present shall constitute a quorum to transact administrative business and no less than five (5) members present to determine a land claim. The committee wishes to report out Bill No. 496 as amended by the author with the **recommendation to do pass.**

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

**Bill No. 496 (COR)**

As amended by the Author.

Introduced by:

M. G. Camacho

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

Mark Forbes

L. F. Kasperbauer

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 AMEND §80103 OF TITLE 21 OF THE  
GUAM CODE ANNOTATED, RELATIVE TO  
REDUCING THE QUORUM OF THE ANCESTRAL  
LANDS COMMISSION FROM SIX (6) MEMBERS  
TO FOUR (4) MEMBERS.**

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

2           **Section 1. Legislative Findings.** When the Committee on Land,  
3 Agriculture, Military Affairs and the Arts conducted a public hearing for the  
4 confirmation of Mr. Jose U. Garrido as a board member of the Ancestral Lands  
5 Commission, it was brought to the Committee's attention that they were

1 having problems with the quorum requirements for meetings. During further  
2 discussions it was agreed that reducing it from six (6) members to four (4)  
3 members was more workable.

4 **Section 2.** Section 80103 of Title 21 of the Guam Code Annotated is  
5 hereby *amended* to read as follows:

6 **"Section 80103. Guam Ancestral Lands Commission.** There is  
7 within the government of Guam the 'Guam Ancestral Lands  
8 Commission' to carry out the purposes of this Chapter. The  
9 Commission shall be composed of seven (7) members, with seven (7)  
10 people appointed by *I Maga'lahaen Guåhan*, who shall be residents of  
11 Guam and descendants or heirs of ancestral land owners or claimants,  
12 and they shall serve terms of four (4) years from the date of their  
13 appointment.

14 Four (4) Commissioners present shall constitute a quorum of the  
15 Commission for the conduct of administrative business. Five (5)  
16 Commissioners present shall constitute a quorum of the Commission to  
17 determine a land claim. A vote of a majority of the members of the  
18 Commission shall be required for any action of the Commission. The  
19 Commission shall adopt rules and regulations governing the conduct of  
20 its affairs. It shall elect a Chairman and Vice-Chairman from among the  
21 Commissioners, and may employ an executive director and such staff as  
22 is necessary to carry out the duties set forth in this Chapter, pending the  
23 submission and approval of a budget by *I Liheslaturan Guåhan*. Each  
24 Commissioner shall receive the sum of Fifty Dollars (\$50.00) for  
25 attendance of each meeting of the Commission; provided, that such



**FILE**

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**TWENTY-FIFTH GUAM LEGISLATURE**  
155 Hesler Street, Hagåtña, Guam 96910

December 13, 2000

( DATE )

Memorandum

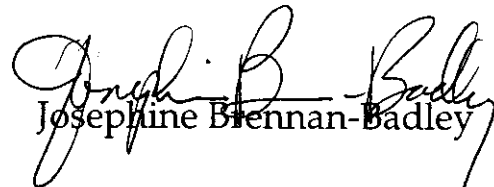
To: Senator Marcel G. Camacho

From: Clerk of the Legislature

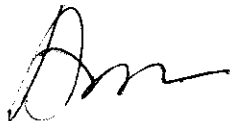
Subject: Report on Bill No. 496(COR)

Pursuant to §7.04 of Rule VII of the 25<sup>th</sup> Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 496(COR) for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

  
Josephine Brennan-Badley

Attachment



12/13/00

10:55 AM



The Office of

**Senator Marcel G. Camacho**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

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

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

December 11, 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. 496(COR), *as amended by the Author with the recommendation TO DO PASS.*

**Committee Voting Record:**

To do Pass:	<u>5</u>
To not Pass:	<u>    </u>
Abstain:	<u>1</u>

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**

**MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
Twenty-Fifth Guam Legislature**

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

173 Aspinall Avenue, Hagåtña, Guam 96910  
Suite 108A • Ado Plaza Center  
Phones (671) **479 8261 / 62 / 63 / 64**  
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December 5, 2000

**MEMORANDUM**

**TO: Members,  
Committee on Land, Agriculture, Military Affairs & the  
Arts**

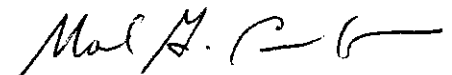
**FR: Chairman**

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

Sincerely,

  
**MARCEL G. CAMACHO**  
**Chairman**

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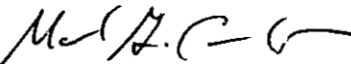

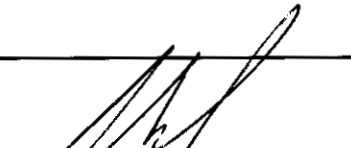

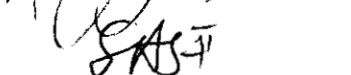

**COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS  
and the ARTS**

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

**VOTING SHEET**

December 5, 2000

**RE: Bill No. 496 (COR): AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS, as amended by the author.**

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Senator Lawrence F. Kasperbauer, Vice-Chairman		✓			
Senator Joanne M.S. Brown					
Senator Eduardo B. Calvo		✓			
Senator Kaleo S. Moylan		✓			
Senator Simon A. Sanchez, II		✓			
Senator Frank B. Aguon, Jr.					
Speaker Antonio "Tony" R. Unpingco, Ex Officio				✓	

## Committee on Land, Agriculture, Military Affairs & the Arts

### Committee Report November 3, 2000

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**Bill No. 496 (COR):** AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS.

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**Committee Recommendations:** The committee finds that it is difficult for the Ancestral Lands Commission to conduct regular meetings based on the current quorum requirements. During the public hearing it was suggested that the proposed quorum requirement be the same as those proposed in the Rules and Regulations (Bill No. 503) submitted by the commission for legislative approval. The Rules and Regulations requires the attendance of four (4) members present shall constitute a quorum to transact administrative business and no less than five (5) members present to determine a land claim. The committee wishes to report out Bill No. 496 as amended by the author with the **recommendation to do pass.**

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

**Bill No. 496 (COR)**  
As amended by the Author  
Introduced by:

M.G. Camacho

---

**AN ACT AMEND §80103 OF TITLE 21 OF THE GUAM  
CODE ANNOTATED, RELATIVE TO REDUCING  
THE QUORUM OF THE ANCESTRAL LANDS  
COMMISSION FROM SIX (6) MEMBERS TO FOUR (4)  
MEMBERS.**

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

**Section 1. Legislative Findings.** When the Committee on Land, Agriculture, Military Affairs and the Arts conducted a Public Hearing for the confirmation of Mr. Jose U. Garrido as board member of the Ancestral Lands Commission, it was brought to the Committee's attention that they were having problems with the quorum requirements for meetings. During further discussions it was agreed that reducing it from six (6) members to four (4) members was more workable.

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**2000 (SCEOND) Regular Session**

**Bill No. 499 (COR)**  
As amended by the Author

Introduced by:

M.G. Camacho

---

**AN ACT TO REPEAL SUBSECTION (C) OF SECTION**  
**4 OF PUBLIC LAW 22-79.**

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

2           **Section 1. Legislative Findings.** I Mina' Bente Singko Na Liheslaturan  
3 Guåhan finds that modern technology now exist that will make the need for  
4 permanent concrete monuments at each survey point obsolete. With the use  
5 of Global Positioning Station, and available hand-held computer technology,  
6 anyone could locate the survey points within a high degree of accuracy. The  
7 requirement to have permanent concrete monuments at each point of the  
8 survey also makes the cost of the project prohibitive. Mr. Roy P. Duenas had  
9 a land exchange approved by the Twenty-second Guam Legislature. Public  
10 Law 22-~~97~~79:4:( c) required such permanent concrete monuments at each  
11 survey point. This is an unusual survey mandate.

12           **Section 2. Repeal.** Subsection (c ) of Section 4 of Public Law 22-79 is  
13 repealed.

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

Bill No. 494 (COR)

Introduced by:

M.G. Camacho 

---

... of the Legislature  
KNOWLEDGEMENT RECEIVED  
Received by: Cingel  
8/15/00  
10/19/00

**AN ACT AMEND §80103 OF TITLE 21 OF THE GUAM  
CODE ANNOTATED, RELATIVE TO REDUCING  
THE QUORUM OF THE ANCESTRAL LANDS  
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**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings.** When the Committee on Land, Agriculture, Military Affairs and the Arts conducted a Public Hearing for the confirmation of Mr. Jose U. Garrido as board member of the Ancestral Lands Commission, it was brought to the Committee's attention that they were having problems with the quorum requirements for meetings. During further discussions it was agreed that reducing it from six (6) members to four (4) members was more workable.

1           **Section 2. Quorum Requirement.** §80103 of Title 21 of the Guam Code  
2 Annotated is amended to read:

3           “Section 80103. **Guam Ancestral Lands Commission.** There is within  
4 the government of Guam the “*Guam Ancestral Lands Commission*” to carry out  
5 the purposes of this Chapter. The Commission shall be composed of seven (7)  
6 members with seven (7) people appointed by *I Maga’lahen Guahan* and shall be  
7 residents of Guam and descendants or heirs of ancestral land owners or  
8 claimants, and they shall serve terms of four (4) years from the date of their  
9 appointment.

10           ~~[Six (6)]~~ Four (4) Commissioners shall constitute a quorum of the  
11 Commission for the conduct of all business. A vote of a majority of the  
12 members of the Commission shall be required for any action of the  
13 Commission. The Commission shall adopt rules and regulations governing  
14 the conduct of its affairs. It shall elect a Chairman and Vice-Chairman from  
15 among the Commissioners and may employ an executive director and such  
16 staff as is necessary to carry out the duties set forth in this Chapter, pending  
17 the submission and approval of a budget by *I Liheslaturan Guahan*. Each  
18 Commissioner shall receive the sum of Fifty Dollars (\$50) for attendance of  
19 each meeting of the Commission, providing that such compensation shall not  
20 exceed One Hundred Dollars (\$100) per month, and providing that they are  
21 not members of *I Liheslaturan Guahan*.”



The Office of

**Senator Marcel G. Camacho**

**MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
Twenty-Fifth Guam Legislature**

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

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

**Friday, November 3, 2000  
9:00 am  
Legislature's Public Hearing Room**

## AGENDA

- I. Opening Remarks**
- II. Bill No. 253 (COR): AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT.**
- III. Bill No. 491 (COR): AN ACT TO AUTHORIZE *IMAGA'LAHEN GUAHAN* TO EXCHANGE A PORTION OF GOVERNMENT OF GUAM PROPERTY DESIGNATED AS LOT NO. 10120-R16, DEDEDO ON A VALUE FOR VALUE BASIS WITH LOT NO. 147, BLOCK 20, AGANA.**
- IV. Bill No. 496 (COR): AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX(6) MEMBERS TO FOUR(4) MEMBERS.**
- V. Bill No. 499 (COR): AN ACT TO REPEAL SUBSECTION (C) OF SECTION 4 OF PUBLIC LAW 22-79.**
- VI. Adjournment**



TESTIMONY SHEET  
COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS and the ARTS

TESTIMONY RELATIVE TO THE PUBLIC HEARING:

Friday, November 3, 2000  
Public Hearing Room, Legislature Building

Bill No. 496

ANTONIO

	NAME	AGENCY / BUSINESS / SELF / ORGANIZATION	TOPIC	WRITTEN TESTIMONY	ORAL TESTIMONY	REMARKS
1	Jorge Luis Ponce	ALL Mic elos			X	favor
2	A. SABLAN	Ancestral Land Comm.			X	
3	ANTONIO					
4	JOE GARRIDO	Member, Ancestral Lands Comm			X	
5						
6						
7						
8						
9						
10						



Senator

**Marcel G. Camacho**

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



155 Hesler St. Hagåtña, GU 96910-Phone: 479-8261-4-Fax: 472-8223

**PUBLIC HEARING**

Friday, November 3, 200, 9:00 AM

Legislative Public Hearing Room

**AGENDA**

**Bill No. 253 (COR):** AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION, OR ITS DESIGNATE REPRESENTATIVE, TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT.

**Bill No. 491 (COR):** AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE A PORTION OF GOVERNMENT OF GUAM PROPERTY DESIGNATED AS LOT NO. 10120-R16, DEDEDO ON A VALUE FOR VALUE BASIS WITH LOT NO. 147, BLOCK 20, AGANA.

**Bill No. 496 (COR):** AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS.

**Bill No. 499 (COR):** AN ACT TO REPEAL SUBSECTION (c) OF SECTION 4 OF PUBLIC LAW 22-79.

THE PUBLIC IS ENCOURAGED TO ATTEND

FSV 10/27



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 499 (COR)**

**Bill Title (Preamble):**

An Act to Repeal Subsection (C) of Section 4 of Public Law 22-79.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Land Management	Dept./Agency Head: Carl Aguon
General Fund appropriation(s) to date:	\$2,604,064
Other Fund (specify): Land Survey Revolving Fund	Appropriation(s) to date: \$ 470,965
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,075,029</b>

Fund Source Information of Proposed Appropriation			
	General Fund	Special Funds	Total
FY Adopted Revenues	439,457,838		439,457,838
Less FY Appro. To P.L. 25-164	441,409,975		441,409,975
Sub-total	(1,952,137)		(1,952,137)
Less appropriation in Bill	0		0
<b>Total</b>	<b>(1,952,137)</b>		<b>(1,952,137)</b>

Estimated Fiscal Impact of Bill						
	One full FY	For remainder of current FY (if appli.)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Other Fund:	N/A	N/A	N/A	N/A	N/A	N/A
<b>Total</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
If yes, see attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / / Yes /X/ No  
If no, what is the additional amount required? \$ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? / / Yes /X/ No  
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No

// Requested agency comments not rec'd by due date /X/ Other: Inadequate time provided for response

Analyst: <u>Joe Cortez</u>	Date: <u>11/14/2000</u>	Director: <u>Joseph E. Rivera, Acting</u>	Date: <u>11/29/00</u>
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Footnotes: See Attachment

Bureau of Budget and Management Research  
Fiscal Note Comments to Bill 499 (COR)  
November 14, 2000

The intent of Bill 499 is to repeal an unusual survey mandate requiring permanent concrete monuments at each point of surveyed properties that is not conducive to modern technology where Global Positioning Stations and hand-held computers are currently being used to locate survey points within a high degree of accuracy. This bill action will relieve the mandated monumenting survey requirement for Mr. Roy P. Duenas in a land exchange agreement with Government of Guam pursuant to P.L. 22-79.

It should be noted that on Line 10 of this Bill should read Law 22-79:4:(c).

The fiscal impact of this Bill to Land Management is nominal in terms of the surveying, administrative and other related costs. With modern technology in place, permanent concrete monuments may not only be cost-effective but will become obsolete eventually. Based on the limited information provided, funding requirements are undetermined at this time.

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 496 (COR)**

**Bill Title (Preamble):**

An Act to Amend Section 80103 of Title 21 of the Guam Code Annotated, Relative to Reducing the Quorum of the Ancestral Lands Commission from Six (6) members to Four (4) Members.

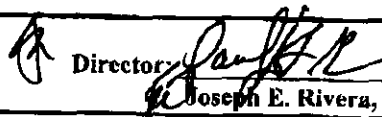
Department/Agency Appropriation Information	
Dept./Agency Affected: Ancestral Lands Commission	Dept./Agency Head: Joe Borja
General Fund appropriation(s) to date:	\$332,188
Other Fund (specify):	Appropriation(s) to date: \$0
Total Department/Agency Appropriation(s) to date:	\$332,188

Fund Source Information of Proposed Appropriation			
	General Fund	Special Funds	Total
FY Adopted Revenues	439,457,838		439,457,838
Less FY Appr. To P.L. 25-164	441,409,975		441,409,975
Sub-total	(1,952,137)		(1,952,137)
Less appropriation in Bill	0		0
Total	(1,952,137)		(1,952,137)

Estimated Fiscal Impact of Bill						
	One full FY	For remainder of current FY (if appl.)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Other Fund:	N/A	N/A	N/A	N/A	N/A	N/A
Total	N/A	N/A	N/A	N/A	N/A	N/A

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
If yes, see attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / / Yes /X/ No  
If no, what is the additional amount required? \$ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? / / Yes /X/ No  
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No

/ / Requested agency comments not rec'd by due date /X/ Other: Inadequate time provided for response

Analyst: <u>Joe Certeza</u>	Date: <u>11/14/2000</u>	 Director: <u>Joseph E. Rivera, Acting</u>	Date: <u>11/17/00</u>
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Footnotes: Sec Attachment

Bureau of Budget and Management Research  
Fiscal Note Comments to Bill 496 (COR)  
November 14, 2000

The intent of Bill 496 is to make discussions during Commission meetings more workable among members by reducing quorum requirements from six (6) down to four (4) members. This admendment action is necessary not only to avoid a near perfect attendance every Commission meeting (quorum requirement of six (6) out of the seven (7) member Commission) but to ensure a simple majority membership of at least four (4) members to conduct future meetings of the Commission.

The fiscal impact of this Bill to the Commission is nominal in terms of the administrative costs. Based on the limited information provided, funding requirements are undetermined at this time.



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

sk DIM: FR - 0  
Bill # 493 (2000)  
(2000)

MAY 22 2000

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

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>9:44am</u>
Date	<u>May 22, 2000</u>

RE: DRAFT LEGISLATION TO REDUCE QUORUM OF ANCESTRAL LANDS COMMISSION

Dear Legislative Secretary Brown:

Enclosed please find a draft bill entitled: "AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS."

The Ancestral Lands Commission is a new entity that needs to perform considerable start-up work, such as prepare and promulgate rules and regulations. The total membership of this Commission is Seven (7) members; however, the quorum to conduct business is Six (6) members. This is quite difficult to achieve on a regular basis, if for no other reason than possible illnesses or other reasons for one or two members to be absent from a particular meeting.

In order to move the work of this Commission along more quickly to return lands to original landowners, the Commission suggests that the quorum be reduced from Six (6) members to Four (4) members.

Please introduce the attached draft legislation into the legislative process to assist in this effort.

Very truly yours,

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

Attachment 00935

cc: The Honorable Antonio R. Unpingco  
Speaker

I MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN  
TWENTY-FIFTH GUAM LEGISLATURE  
2000 (SECOND) Regular Session

Bill No. \_\_\_\_\_

Introduced by:

\_\_\_\_\_ by request of I Maga'Lahen Guåhan,  
the Governor, in accordance with  
the Organic Act of Guam.

AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE  
ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO  
FOUR (4) MEMBERS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative intent.** During the original legislative deliberations in the  
3 creation of the Guam Ancestral Lands Commission, the Legislature instituted a quorum count of  
4 the Board of Commissioners to ensure an intense involvement of the members of the  
5 Commission in the Commission's work, particularly due to the sensitive and critical issue of the  
6 return of ancestral lands to original landowners.

7 The Board of Commissioners of the Guam Ancestral Lands Commission is comprised of  
8 Seven (7) members, with the current mandate of Six (6) members present to constitute a  
9 quorum for the Commission to conduct its business.

10 The Guam Ancestral Lands Commission is a new government entity, just beginning to  
11 establish its offices and yet to complete promulgating its rules and regulations to administer the  
12 Commission's functions. The current quorum mandate of Six (6) Commissioners is found to be  
13 prohibitive to the conduct of the Commission's business and the legislature did not intend to  
14 place any obstacles to further restrict the return of ancestral lands to original landowners.


15 It is the intent of the Legislature to acknowledge and affirm the work of the Guam  
16 Ancestral Lands Commission in their honorable endeavors to restore the rights of the original

OCT 19 2000

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 8:50  
2000 (SECOND) Regular Session 10/19/00

Bill No. 496 (COR)

Introduced by:

M.G. Camacho 

AN ACT AMEND §80103 OF TITLE 21 OF THE GUAM  
CODE ANNOTATED, RELATIVE TO REDUCING  
THE QUORUM OF THE ANCESTRAL LANDS  
COMMISSION FROM SIX (6) MEMBERS TO FOUR (4)  
MEMBERS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings. When the Committee on Land,  
3 Agriculture, Military Affairs and the Arts conducted a Public Hearing for the  
4 confirmation of Mr. Jose U. Garrido as board member of the Ancestral Lands  
5 Commission, it was brought to the Committee's attention that they were  
6 having problems with the quorum requirements for meetings. During further  
7 discussions it was agreed that reducing it from six (6) members to four (4)  
8 members was more workable.

1           **Section 2. Quorum Requirement.** §80103 of Title 21 of the Guam Code  
2 Annotated is amended to read:

3           “Section 80103. **Guam Ancestral Lands Commission.** There is within  
4 the government of Guam the “*Guam Ancestral Lands Commission*” to carry out  
5 the purposes of this Chapter. The Commission shall be composed of seven (7)  
6 members with seven (7) people appointed by *I Maga’lahen Guahan* and shall be  
7 residents of Guam and descendants or heirs of ancestral land owners or  
8 claimants, and they shall serve terms of four (4) years from the date of their  
9 appointment.

10           ~~[Six (6)]~~ Four (4) Commissioners shall constitute a quorum of the  
11 Commission for the conduct of all business. A vote of a majority of the  
12 members of the Commission shall be required for any action of the  
13 Commission. The Commission shall adopt rules and regulations governing  
14 the conduct of its affairs. It shall elect a Chairman and Vice-Chairman from  
15 among the Commissioners and may employ an executive director and such  
16 staff as is necessary to carry out the duties set forth in this Chapter, pending  
17 the submission and approval of a budget by *I Liheslaturan Guahan*. Each  
18 Commissioner shall receive the sum of Fifty Dollars (\$50) for attendance of  
19 each meeting of the Commission, providing that such compensation shall not  
20 exceed One Hundred Dollars (\$100) per month, and providing that they are  
21 not members of *I Liheslaturan Guahan*.”