



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

14 APR 2006

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 125(EC), "AN ACT AUTHORIZING I MAGA'LAHEN
GUAHAN TO EXCHANGE GOVERNMENT LAND LOCATED WITHIN TRACT 11405,
MUNICIPALITY OF DEDEDO, WITH LOT NUMBER 5400-R6, MUNICIPALITY OF
MANGILAO, ON A VALUE FOR VALUE BASIS TO ADDRESS THE PROTECTIVE
BUFFER ZONE REQUIREMENTS FOR THE DEPARTMENT OF CORRECTIONS
PURSUANT TO PUBLIC LAW 17-54," which I signed into law on April 14, 2006, as Public
Law 28-101.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

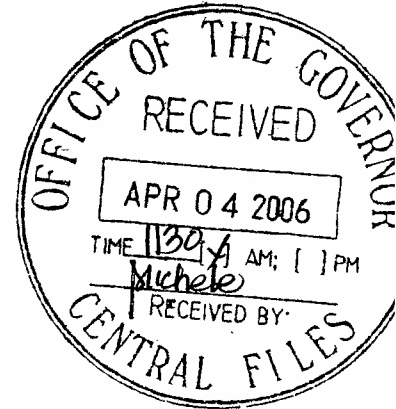
Office of the Speaker
MARK FORBES
Date: 4/17/06
Time: 11:05
Rec'd by: [Signature]
Print Name: EBB/
28-06-0775

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole
Print Name & Initial
Time: 10:00 Date: 4/21/06



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

March 31, 2006



The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 152(LS), 192(EC), 208(EC), 223(LS), 253(EC) & 255(LS); and Substitute Bill Nos. 234(LS) & 254(LS) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on March 22, 2006; Bill Nos. 219(EC), 245(EC) & 262(EC), and Substitute Bill Nos. 125(EC), 228(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on March 24, 2006; and Substitute Bill No. 243(LS) which was passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on March 30, 2006.

Sincerely,

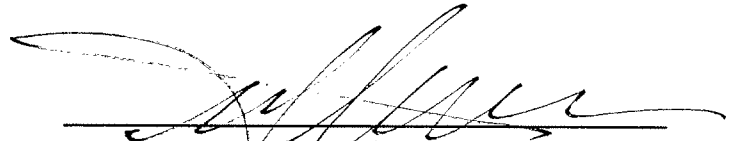
EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (14)


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

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


This is to certify that Substitute Bill No. 125 (EC), "AN ACT AUTHORIZING I MAGA'LAHEN GUAHAN TO EXCHANGE GOVERMENT LAND LOCATED WITHIN TRACT 11405, MUNICIPALITY OF DEDEDO, WITH LOT NUMBER 5400-R6, MUNICIPALITY OF MANGILAO, ON A VALUE FOR VALUE BASIS TO ADDRESS THE PROTECTIVE BUFFER ZONE REQUIREMENTS FOR THE DEPARTMENT OF CORRECTIONS PURSUANT TO PUBLIC LAW 17-54" was on the 24th day of March, 2006, duly and regularly passed.


Mark Forbes
Speaker

Attested:


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by I Maga'lahaen Guåhan this 04 day of April,
2006, at 1130 o'clock a.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 14 April 2006

Public Law No. 28-101

MINA' BENTE OCHO NA LIHESLATURAN GUÁHAN
2005 (FIRST) Regular Session

Bill No. 125 (EC)

As substituted and amended
on the Floor.

Introduced by:

Edward J.B. Calvo

Mark Forbes

A. R. Unpingco

F. B. Aguon, Jr.

J. M.S. Brown

B. J.F. Cruz

Mike Cruz

L. F. Kasperbauer

R. Klitzkie

L. A. Leon Guerrero

J. A. Lujan

A. B. Palacios

R. J. Respicio

Ray Tenorio

J. T. Won Pat

**AN ACT AUTHORIZING *I MAGA'LAHEN GUÁHAN*
TO EXCHANGE GOVERNMENT LAND LOCATED
WITHIN TRACT 11405, MUNICIPALITY OF
DEDEDO, WITH LOT NUMBER 5400-R6,
MUNICIPALITY OF *MANGILAO*, ON A VALUE FOR
VALUE BASIS TO ADDRESS THE PROTECTIVE
BUFFER ZONE REQUIREMENTS FOR THE
DEPARTMENT OF CORRECTIONS PURSUANT TO
PUBLIC LAW 17-54.**

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

2 **Section 1. Legislative Findings and Intent.** Public Law 17-54 created a
3 protective zone surrounding the perimeter of the Department of Corrections
4 (DOC) in *Mangilao* and further authorized *I Maga'lahen Guåhan* to conduct
5 land exchanges on an area for area basis with the affected land owners. This
6 zone affects properties contained within the five hundred foot (500') radius
7 surrounding the DOC including Lot Number 5400-R6 owned by Teodoro Q.
8 and Dolores C. Llanes.

9 The effort to implement and enforce a five hundred foot (500') radius
10 protective zone is mandated by local law to protect surrounding property
11 owners while enhancing security at DOC. The protective zone allows DOC to
12 use force in thwarting escapes which meets the requirements of the U.S.
13 Department of Justice.

14 Landowners whose properties have been adversely affected by the
15 protective zone, and who should have been granted an exchange with
16 government of Guam land, have been left in an uncertain situation for over
17 twenty (20) years. The landowners have been unable to improve their
18 properties or to build homes.

19 *I Liheslaturan Guåhan* finds that, through no fault of their own, these
20 property owners faced condemnation of their land by default. It is the intent of
21 *I Liheslaturan Guåhan* to come to fair and equitable resolution of this twenty
22 (20) year old continuing problem through a land exchange on a value for value
23 basis.

1 **Section 2. Authorization.** *I Maga'lahaen Guåhan* is authorized to
2 exchange on a value for value basis government owned land located within the
3 Subdivision of Tract 11405, Dededo, more particularly described as:

4 **Tract 11405**, Municipality of *Dededo*, containing a cumulative
5 area of +283,233 square meters, described within drawing
6 reference map number 301-FY99 and I4-99T652 recorded at
7 the Department of Land Management as Document Number
8 618339.

9 with privately owned property more particularly described as:

10 **LOT NUMBER 5400-R6**, *Lichan Sabana*, Municipality of
11 *Mangilao*, Estate No. 15101, Suburban, containing an area of
12 $\pm 10,185.76$ square meters, belonging to Teodoro Q. Llanes and
13 Dolores C. Llanes, with reference map filed at the Department
14 of Land Management as Document Number 90578.

15 **Section 3. Facilitation of Land Exchange.** (a) The Director of the
16 Department of Land Management shall facilitate for *I Maga'lahaen Guåhan* the
17 exchange of land provided for in Section 2 upon the completion of two (2)
18 appraisals on all lands concerned prepared by two (2) different licensed real
19 estate appraisers, one of whom shall be selected by the Department of Land
20 Management and the other by the private landowner. The average of the two
21 (2) appraisals shall be used as the value for the transfer. Appraisals shall
22 correspondingly be paid for by each property owner. The land exchange shall
23 be accomplished within one hundred eighty (180) days from the enactment
24 hereof.

1 (b) The Director of the Department of Land Management is hereby
2 authorized to expend up to Four Thousand Dollars (\$4,000) from the sums
3 appropriated in Item (8) of Section 6, Part II of Chapter V, Public Law 28-68,
4 “*General Appropriations Act of Fiscal Year 2006*” to pay for appraisals
5 conducted on government-owned property in accordance with Subsection (a).

6 **Section 4. No Prohibition Against Building.** Nothing contained in this
7 Act shall be construed to prevent or prohibit the party receiving exchange
8 government land from improving such land or from building, erecting or
9 constructing structures approved in accordance with the building and zoning
10 codes of Guam.

4 w/o congressman

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 3/24/06

VOTING SHEET

S Bill No. 125(EC)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.					✓
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6 3/24/06
w/o engraving
3rd HS
3/23/06

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) REGULAR SESSION**

Bill No. 125 (EC)

As Substituted on the Floor

Introduced by:

Edward J.B. Calvo

Mark Forbes

A.R. Unpingco

**AN ACT AUTHORIZING I MAGA'LAHEN
GUAHAN TO EXCHANGE A ~~PORTION OF~~
GOVERNMENT LAND LOCATED WITHIN
TRACT 11405 ~~LOT NUMBER 10120-R16,~~
MUNICIPALITY OF DEDEDO, WITH LOT
NUMBER 5400-R6, MUNICIPALITY OF
MANGILAO, ON A VALUE FOR VALUE BASIS TO
ADDRESS THE PROTECTIVE BUFFER ZONE
REQUIREMENTS FOR THE DEPARTMENT OF
CORRECTIONS PURSUANT TO PUBLIC LAW 17-
54.**

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

2 **Section 1. Legislative Findings and Intent.** Public Law 17-54
3 created a protective zone surrounding the perimeter of what is currently
4 the Department of Corrections (DOC) in *Mangilao* and further
5 authorized *I Maga'lahen Guåhan* to conduct land exchanges on an area
6 for area basis with the affected land owners. This zone affects
7 properties contained within the 500 foot radius surrounding the DOC

1 inclusive of Lot Number 5400-R6 owned by Teodoro Q. and Dolores C.
2 Llanes.

3 The effort to implement and enforce a five hundred foot (500')
4 radius protective zone is mandated by local law to protect surrounding
5 property owners while enhancing security at DOC. The protective
6 zone allows DOC to use force in thwarting escapes which meets the
7 requirements of the U.S. Department of Justice.

8 Landowners whose properties have been adversely affected by
9 the protective zone and which should have been exchanged with
10 government of Guam land, have been left in an uncertain situation for
11 over twenty (20) years. The landowners have been unable to improve
12 their properties or to build homes awaiting the final disposition of this
13 matter.

14 *I Liheslaturan Guåhan* finds that through no fault of their own, these
15 private property owners automatically faced condemnation of their land
16 by default. It is the intent of *I Liheslaturan Guåhan* to come to fair and
17 equitable resolution of this twenty (20) year continuing problem
18 through a land exchange on a value for value basis.

1 **Section 2. Authorization .** Notwithstanding any other law to
2 the contrary, *I Liheslaturan Guåhan* authorizes *I Maga'lahren Guåhan* to
3 exchange on a value for value basis, ~~a portion of the undivided interest~~
4 government owned land located within the Subdivision of Tract 11405,

5 Dededo, of government land more particularly described as:

6 ~~LOT NUMBER 10120-R20, Municipality of Dededo,~~
7 ~~belonging to the government of Guam, containing an area~~
8 ~~of +1,827,374 square meters, described within drawing~~
9 ~~reference number 301-FY99 and I-652 recorded at the~~
10 ~~Department of Land Management under Document~~
11 ~~Number 618339.~~

12
13 Tract 11405, Municipality of Dededo, containing a
14 cumulative area of +283,233 square meters, described
15 within drawing reference map number 301-FY99 and I4-
16 99T652 recorded at the Department of Land Management
17 as Document Number 618339.
18

19 with privately owned property more particularly described as:

20 **LOT NUMBER 5400-R6, Lichan Sabana,** Municipality of
21 *Mangilao*, Estate No. 15101, Suburban, containing an area
22 of +10,185.76 square meters, belonging to Teodoro Q.
23 Llanes and Dolores C. Llanes, with reference map filed at
24 the Department of Land Management as Document
25 Number 90578.

26
27 **Section 3. Facilitation of Land Exchange.** (a) The Director of the
28 Department of Land Management ~~and the Administrative Director of~~

1 ~~the Chamorro Land Trust Commission~~ shall cause for *I Maga'lahen*
2 *Guåhan* the exchange of land provided for in Section 2 upon the
3 completion of two (2) appraisals on all lands concerned prepared by
4 two (2) separate licensed real estate appraisers which one (1) of the
5 appraisers shall be selected by the Department of Land Management
6 and the other by the private landowner. The average of the two (2)
7 appraisals shall be used as the value for the transfer to occur.
8 Appraisals shall correspondingly be paid by each property owner. The
9 land exchange shall to be accomplished within one hundred eighty (180)
10 days from the enactment of this Act. (b) The Director of the
11 Department of Land Management is hereby authorized to expend up to
12 Four Thousand Dollars (\$4,000) from the sums appropriated in Item (8)
13 of Section 6, Part II of Chapter V, Public Law 28-68, "General
14 Appropriations Act of Fiscal Year 2006" to pay for appraisals conducted on
15 government owned property in accordance to Subsection (a).

16 **Section 4. No Prohibition Against Building.** Nothing contained

17 in this Act shall be construed to prevent or prohibit the party receiving
18 government land from improving such land or from building, erecting

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1 or constructing structures approved in accordance with the building
2 and zoning codes of Guam.

3 **Section 5. Severability.** If any provision of this Law or its
4 application to any person or circumstance is found to be invalid or contrary to
5 law, such invalidity shall *not* affect other provisions or applications of this
6 Law which can be given effect without the invalid provisions or application,
7 and to this end the provisions of this Law are severable.



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

November 7, 2005

Speaker Mark Forbes
I Mina' Bente Ocho Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

The Committee on General & Omnibus Matters to which Bill No. 125 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 125 (EC)**: "An Act Authorizing I Maga'lahaen Guahan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6, Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54".

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

<input checked="" type="checkbox"/>	TO PASS
<input type="checkbox"/>	NOT TO PASS
<input type="checkbox"/>	TO REPORT OUT ONLY
<input type="checkbox"/>	ABSTAIN
<input type="checkbox"/>	INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments

MEMORANDUM

TO: Committee Members

FROM: Chairman

SUBJECT: Committee Report- BILL No. 125 (EC): "An Act Authorizing I Maga'lahren Guâhan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6, Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54".

Transmitted herewith for your information and action is the report on BILL No. 125 (EC) from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 125 (EC)
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

MARK FORBES

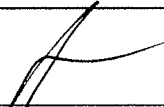
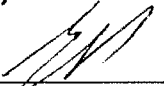

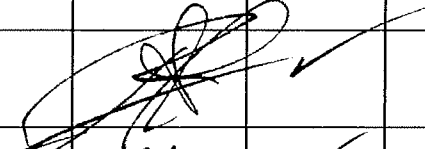
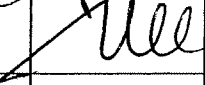


Attachments

COMMITTEE ON GENERAL AND OMNIBUS MATTERS

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
155 HESLER PLACE, HAGÅTNA, GUAM 96910

An Act Authorizing I Maga'lahren Guåhan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6, Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54.

VOTING SHEET

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Mark Forbes, Chairman		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Edward J.B. Calvo		<input checked="" type="checkbox"/>				
Lawrence F. Kasperbauer, Ph.D.		<input checked="" type="checkbox"/>				
Jesse A. Lujan						
Ray Tenorio		<input checked="" type="checkbox"/>				
Michael Cruz, M.D.		<input checked="" type="checkbox"/>				
Lou A. Leon Guerrero		<input checked="" type="checkbox"/>				
Judith T. Won Pat		<input checked="" type="checkbox"/>				
Benjamin J.F. Cruz						

275 APR 27 PM 3:00 27

MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) REGULAR SESSION

Bill No. 125 (EC)

Introduced by:

E.J.B. Calvo *EJC*
Mark Forbes *MF*
A.R. Unpingco *6*

AN ACT AUTHORIZING *I MAGA'LAHEN*
GUAHAN TO EXCHANGE A PORTION OF
GOVERNMENT LAND WITHIN LOT NUMBER
10120-R16, MUNICIPALITY OF *DEDEDO*, WITH
LOT NUMBER 5400-R6, MUNICIPALITY OF
MANGILAO, ON A VALUE FOR VALUE BASIS TO
ADDRESS THE PROTECTIVE BUFFER ZONE
REQUIREMENTS FOR THE DEPARTMENT OF
CORRECTIONS PURSUANT TO PUBLIC LAW 17-
54.

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

2 **Section 1. Legislative Findings and Intent.** Public Law 17-54
3 created a protective zone surrounding the perimeter of what is currently
4 the Department of Corrections (DOC) in Mangilao and further
5 authorized *I Maga'lahen Guåhan* to conduct land exchanges on an area
6 for area basis with the affected land owners. This zone affects
7 properties contained within the 500 foot radius surrounding the DOC

1 inclusive of Lot Number 5400-R6 owed by Teodoro Q. and Dolores C.
2 Llanes.

3 The effort to implement and enforce a five hundred foot (500')
4 radius protective zone is mandated by local law to protect surrounding
5 property owners while enhancing security at DOC. The protective
6 zone allows DOC to use force in thwarting escapes which meets the
7 requirements of the U.S. Department of Justice.

8 Landowners whose properties have been adversely affected by
9 the protective zone and which should have been exchanged with
10 government of Guam land, have been left in an uncertain situation for
11 over twenty (20) years. The landowners have been unable to improve
12 their properties or to build homes awaiting the final disposition of this
13 matter.

14 *I Liheslaturan Guåhan* finds that through no fault of their own, these
15 private property owners automatically faced condemnation of their land
16 by default. It is the intent of *Liheslaturan Guåhan* to come to fair and
17 equitable resolution of this twenty (20) year continuing problem
18 through a land exchange on a value for value basis.

1 **Section 2. Authorization .** Notwithstanding any other law to
2 the contrary, *I Liheslaturan Guåhan* authorizes *I Maga'lahren Guåhan* to
3 exchange on a value for value basis, a portion of the undivided interest
4 of government land more particularly described as:

5 **LOT NUMBER 10120-R20**, Municipality of *Dededo*,
6 belonging to the government of Guam, containing an area
7 of +1,827,374 square meters, described within drawing
8 reference number 301-FY99 and I-652 recorded at the
9 Department of Land Management under Document
10 Number 618339.

11
12 with privately owned property more particularly described as:

13 **LOT NUMBER 5400-R6**, *Lichan Sabana*, Municipality of
14 *Mangilao*, Estate No. 15101, Suburban, containing an area
15 of +10,185.76 square meters, belonging to Teodoro Q.
16 Llanes and Dolores C. Llanes, with reference map filed at
17 the Department of Land Management as Document
18 Number 90578.

19
20 **Section 3. Facilitation of Land Exchange.** The Director of the
21 Department of Land Management and the Administrative Director of
22 the Chamorro Land Trust Commission shall cause for *I Maga'lahren*
23 *Guåhan* the exchange of land provided for in Section 2 to be
24 accomplished within one hundred eighty (180) days from the enactment
25 of this Act.

1 **Section 4. No Prohibition Against Building.** Nothing contained
2 in this Act shall be construed to prevent or prohibit the party receiving
3 government land from improving such land or from building, erecting
4 or constructing structures approved in accordance with the building
5 and zoning codes of Guam.

6 **Section 5. Severability.** *If* any provision of this Law or its
7 application to any person or circumstance is found to be invalid or contrary to
8 law, such invalidity shall *not* affect other provisions or applications of this
9 Law which can be given effect without the invalid provisions or application,
10 and to this end the provisions of this Law are severable.

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
COMMITTEE ON GENERAL & OMNIBUS MATTERS
SPEAKER MARK FORBES, CHAIRMAN**

COMMITTEE REPORT

ON

BILL NO. 125 (EC)

An Act Authorizing I Maga'lahaen Guåhan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6, Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54.

I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 9:00 a.m. on September 01, 2005 in the Public Hearing Room, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on August 25 and August 29, 2005 and posted in the Government Meetings Section in the August 31, 2005 edition of the PDN.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman
Senator Lawrence F. Kasperbauer, Ph.D., Member
Senator Jesse A. Lujan, Member
Senator Ray Tenorio, Member
Senator Judith T. Won Pat, Member
Senator Benjamin J. F. Cruz, Member
Vice Speaker Joanne M.S. Brown
Senator Robert Klitzkie
Senator Adolpho B. Palacios, Sr.
Senator Rory J. Respicio

II. SUMMARY OF TESTIMONY

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

There are no oral and written testimonies on this bill.

Remarks:

Speaker Forbes said that the author of the bill, Senator Calvo, was not present to comment on the bill and that testimonies on the bill would be accepted thereafter.

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 125 would allow for a fair exchange of land affected by the requirements set by local law and by the US Department of Justice in enforcing the protective buffer zone surrounding Department of Corrections in Mangilao. The property owners have waited for over twenty years to see some settlement from the Government of Guam, unable to improve or build on the property. The committee further finds that this measure will provided an equitable resolution in the private owner's unforeseen condemnation of their properties by the government.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 125 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 125 (EC)**, "An Act Authorizing I Maga'lahaen Guåhan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6,

Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54.”



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 125 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 125.

MARK FORBES
Speaker and Chairman,
Committee on General and Omnibus Matters



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature


155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

August 25, 2005

MEMORANDUM

TO: All Media:
Pacific Daily News; 477-3079 KUAM; 637-9870
Marianas Variety; 648-2007 K-57/Power 98; 477-3982
K-Stereo; 477-6411 Hit Radio 100; 472-7663
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983
Harvest Family Radio 477-7136 KPRG 734-2958
KISH 477-6411 Rlene Live

FROM: Speaker 
Chairman, Committee on General & Omnibus Matters, and
Executive Committee

SUBJECT: Notice of Public Hearing- **Thursday, September 01, 2005**

Please be informed that I have scheduled a public hearing on Thursday, September 01, 2005, 9:00 a.m., at the Public Hearing Room, Temporary Legislative Building, on the following appointments and bills:

The following appointments and bills will be heard;

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by F. B. Aguon Jr.

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio

An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Bill No. 96 (EC) - by J. T. Won Pat

An Act To Repeal And Reenact Sections 15409, 15410 And 15411 Of Article 4, Chapter 15, Of Title 4, Guam Code Annotated, To Add New Sections 15412 And 15413 Of Article 4, Chapter 15 Of Title 4, Guam Code Annotated And To Repeal Sections 43116 And 43117 Of Article 1, Chapter 43, Division 4 Of Title 5,



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

August 29, 2005

MEMORANDUM

TO: All Media:
Pacific Daily News; 477-3079 KUAM; 637-9870
Marianas Variety; 648-2007 K-57/Power 98; 477-3982
K-Stereo; 477-6411 Hit Radio 100; 472-7663
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983
Harvest Family Radio 477-7136 KPRG 734-2958
KISH 477-6411 Rlene Live

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Chairman, Committee on General & Omnibus Matters, and
Executive Committee

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Transmission Report

Date/Time
Local ID
Local Name
Company Logo

8-25-05; 4:23PM
4723510
Guam Legislature

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Heeler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

FACSIMILE

Date: August 25, 2005 Time:
Fax No.: 477-3079 No. of Pages:

To: PDN Government Meetings

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- Thursday, September 01, 2005

Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Friday, August 26 and Saturday, August 27, 2005 to read:

"Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Thursday, September 01, 2005, 9:00 A.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam.

The following appointments and bills will be heard:

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by F. B. Agnon Jr.
An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio
An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	960	pdn	8-25-05; 4:21PM	1'45"	2/ 2	EC		CP 12.0

Notes :

EC: Error Correct
BC: Broadcast Send
CP: Completed
HS: Host Scan
HF: Host Fax

RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive

PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.

MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

Activity Report

Date/Time
Local ID
Local Name
Company Logo

8-29-05;10:14AM
4723510
Guam Legislature

* Calling **

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	14	clerks	8-26-05;10:38AM	1'11"	2/ 2	EC		CP 12.0
2	21	sen frank aguon	2:16PM	27"	-/ 4	BC	BC	0536
3	21	vice spkr brown	2:17PM	6'16"	4/ 4	EC	BC	CP 7200
4	21	sen calvo	2:23PM	1'43"	4/ 4	EC	BC	CP 21.6
5	21	sen bj cruz	2:26PM	2'12"	4/ 4	EC	BC	CP 24.0
6	21	sen m cruz	2:28PM	1'08"	1/ 4	EC	BC	0513 28.8
7	21	sen kasperbauer	2:30PM	2'17"	4/ 4	EC	BC	CP 14.4
8	21	sen leon guerrero	2:32PM	2'34"	4/ 4	EC	BC	CP 12.0
9	21	lujann	2:35PM	0"	-/ 4	BC	BC	056D
10	21	sen palacios	2:36PM	1'51"	4/ 4	EC	BC	CP 19.2
11	21	sen respeclo	2:38PM	3'00"	4/ 4	G3	BC	CP 12.0
12	21	sen tenorio	2:42PM	6'14"	4/ 4	G3	BC	0223 4800 2.4
13	21	sen unpingco	2:48PM	2'50"	4/ 4	EC	BC	CP 9600
14	21	sen won pat	2:51PM	0"	-/ 4	BC	BC	056D
15	21	sen frank aguon	2:53PM	1'42"	4/ 4	EC	RE	CP 28.8
16	21	sen m cruz	2:55PM	0"	1/ 4	RE	RE	056D
17	23	pdn.	2:57PM	2'47"	4/ 4	EC	BC	CP 9600
18	23	marianan variety	3:01PM	2'42"	4/ 4	EC	BO	CP 12.0
19	23	kuam	3:05PM	1'56"	4/ 4	EC	BC	CP 14.4
20	23	hit radio	3:08PM	1'40"	4/ 4	EC	BC	CP 28.8
21	21	klitzkie	3:10PM	0"	-/ 4	BC	BC	056A
22	23	guam business	3:12PM	0"	-/ 4	BC	BC	056D
23	23	power ninty eight	3:19PM	0"	-/ 4	BC	BC	056D
24	23	k stereo/kish	3:29PM	0"	-/ 4	BC	BC	056B
25	23	world radio	3:30PM	0"	-/ 4	BC	BC	056A
26	23	family radio	3:30PM	0"	-/ 4	BC	BC	056B
27	23	kprg	3:31PM	0"	-/ 4	BC	BC	056B
28	23	riene steffy	3:31PM	0"	-/ 4	BC	BC	056B
29	24	pdn	3:32PM	1'52"	3/ 3	EC		CP 14.4
30	28		3:34PM	36"	1/ 1	EC		CP 26.4
31	29	96479224	3:35PM	1'08"	1/ 1	EC		CP 14.4
32	30	94727951	3:36PM	1'06"	1/ 1	EC		CP 24.0
33	31	94774826	3:38PM	45"	1/ 1	EC		CP 16.8
34	32	96462335	3:39PM	29"	1/ 1	EC		CP 28.8
35	33	94779402	3:40PM	30"	1/ 1	EC		CP 26.4
36	34	94770883	3:41PM	29"	1/ 1	EC		CP 28.8
37	35	94737024	3:41PM	1'08"	1/ 1	G3		CP 9600
38	36	94772689	3:43PM	60"	1/ 1	EC		CP 12.0
39	37	94725003	3:44PM	25"	1/ 1	EC		CP 28.8
40	41	97344130	3:46PM	1'17"	1/ 1	EC		CP 9600
41	39	GUAM ATTY GEN'L	3:48PM	59"	1/ 1	EC		CP 9600
42	38	94778777	3:49PM	0"	-/ 1			056D
43	42	96469403	3:50PM	44"	1/ 1	EC		CP 24.0
44	43	96440010	3:52PM	35"	1/ 1	EC		CP 24.0
45	79		4:09PM	34"	1/ 1	EC		CP 28.8
46	81	94778777	4:13PM	1'18"	1/ 1	G3		0223 9600 1
47	85	94778777	4:20PM	1'57"	1/ 1	G3		0223 4800 1
48	92	klitzkie	8-29-05; 9:15AM	0"	-/ 1			056B

Total 79

** Called **

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	12	6716497766	8-26-05;10:01AM	1'14"	1	EC		CP 7200
2	17	4775984	10:51AM	60"	1	EC		CP 21.6
3	19	4775984	10:54AM	56"	1	EC		CP 21.6
4	77	671 4778082	3:55PM	4'11"	2	EC		CP 12.0
5	88	6714775637	8-28-05; 3:00PM	2'23"	1	G3		CP 4800
6	90	6716478860	11:23PM	3'20"	1	EC		CP 21.6

Total 7

Notes :

EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
HS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

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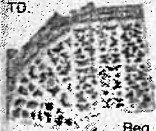
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ATIVE VASE DRY FOAM
DY TO USE FOR
& DRIED FLOWERS



LOCAL

LOCAL NEWS

Wildlife refuge closed on Labor Day

The Guam National Wildlife Refuge, Ritidian Unit, will be closed to the public on Monday in observance of the federal Labor Day holiday, a statement from the refuge said. The refuge will resume regular hours of operation of 8:30 a.m. to 4 p.m., seven days a week, on Tuesday, the statement added.

Pacific Collection closed on Fridays

The University of Guam's Richard F. Taitano Micronesian Area Research Center's Pacific Collection will be closed on Fridays, according to a UOG statement. Call 735-2150 for more information.

Pacific Daily News

GOVERNMENT MEETINGS

Aug. 31

Guam Housing Corp. board of directors' regular meeting: 3 p.m. Aug. 31, GHC conference room, Suite 535, ITC Building, Tamuning. For special accommodations, call 647-4143, ext. 140.

Guam Parole Board regular hearing: 8:30 a.m. Aug. 31, Parole Services Division, 404 East Sunset Blvd., Tiyan. Call 473-7001/7005.

Sept. 1

A.B. Won Pat Guam International Airport Authority board of directors regular meeting: 3 p.m. Sept. 1, terminal conference room 3, Tamuning. Agenda copies available during meeting; parking is available in the public parking lot. For special accommodations, call 646-0300.

Committee on General and Omnibus Matters public hearing: Public hearing 9 a.m. Sept. 1, Legislature's public hearing room, Hagåtña.

Appointments of Antonio M. Palomo and Rebecca Ann Duenas as members, Guam Historic Preservation Review Board; and Mark Zhao, member, Guam Real Estate Commission.

▲ Bill 66, requiring proper restoration of roadways and highways that are partially damaged due to construction work to their preconstruction condition by the contractor prior to the full disbursement of public construction funds for such projects, and empowering Guam's village mayors to certify completion and proper resurfacing of roadway/highway to its previous condition;

▲ Bill 75, relative to the term of office of the Public Auditor;

▲ Bill 96, relative to establishing an ethics in government program for elected officials and any person who is appointed as board or commission member, director, deputy director, or by whatever title denotes the head and first assistant of a government of Guam agency, department, public corporation, authority, or any other entity of the executive

ON THE NET

▲ For the complete, searchable database of upcoming government meetings, visit www.guampdn.com



branch;

▲ Bill 104, establishing strict accountability for adverse effects on personal health and environmental quality as a result of new landfill facility construction, operation, closing and monitoring;

▲ Bill 105, affirming public responsibility for real property valuation lost as a result of landfill construction and operation;

▲ Bill 125, authorizing the governor to exchange a portion of government land within Lot 10120-R16, Dededo, with Lot 5400-R6, Mangilao, on a value-for-value basis to address the protective buffer zone requirements for the Department of Corrections;

▲ Bill 132, relative to creating the Independent Counsel Act of 2005;

▲ Bill 139, to create a recycling enterprise zone at the Jose D. Leon Guerrero Commercial Port;

▲ Bill 152, to provide additional representation and support to residents of Yigo and Mangilao at the municipal level through the establishment of a vice mayor position for these villages;

▲ Bill 170, authorizing the lease for an education facility at Marbo base command B-4, and approve request for proposal and reservation of funds for same, requested by the governor. Call 472-3409.

Workers Compensation Commission, Department of Labor, meeting: 6:30 p.m. Sept. 1, third floor, GCIC Building, Hagåtña. Agenda copies available at commission's office. For special accommodations, call 475-7033.

Pacific Daily News, Wednesday, August 31, 2005 guampdn.com

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1-19-06

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1-19-06

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3-22-06

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3-23-06

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3/23/06

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) REGULAR SESSION**

Bill No. 125 (EC)
As Substituted on the Floor

Introduced by:

Edward J.B. Calvo
Mark Forbes
A.R. Unpingco

**AN ACT AUTHORIZING I MAGA'LAHEN
GUÅHAN TO EXCHANGE A PORTION OF
GOVERNMENT LAND LOCATED WITHIN
TRACT 11405 LOT NUMBER 10120-R16,
MUNICIPALITY OF DEDEDO, WITH LOT
NUMBER 5400-R6, MUNICIPALITY OF
MANGILAO, ON A VALUE FOR VALUE BASIS TO
ADDRESS THE PROTECTIVE BUFFER ZONE
REQUIREMENTS FOR THE DEPARTMENT OF
CORRECTIONS PURSUANT TO PUBLIC LAW 17-
54.**

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

2 **Section 1. Legislative Findings and Intent.** Public Law 17-54
3 created a protective zone surrounding the perimeter of what is currently
4 the Department of Corrections (DOC) in *Mangilao* and further
5 authorized *I Maga'lahen Guåhan* to conduct land exchanges on an area
6 for area basis with the affected land owners. This zone affects
7 properties contained within the 500 foot radius surrounding the DOC

1 inclusive of Lot Number 5400-R6 owned by Teodoro Q. and Dolores C.
2 Llanes.

3 The effort to implement and enforce a five hundred foot (500')
4 radius protective zone is mandated by local law to protect surrounding
5 property owners while enhancing security at DOC. The protective
6 zone allows DOC to use force in thwarting escapes which meets the
7 requirements of the U.S. Department of Justice.

8 Landowners whose properties have been adversely affected by
9 the protective zone and which should have been exchanged with
10 government of Guam land, have been left in an uncertain situation for
11 over twenty (20) years. The landowners have been unable to improve
12 their properties or to build homes awaiting the final disposition of this
13 matter.

14 *I Liheslaturan Guåhan* finds that through no fault of their own, these
15 private property owners automatically faced condemnation of their land
16 by default. It is the intent of *I Liheslaturan Guåhan* to come to fair and
17 equitable resolution of this twenty (20) year continuing problem
18 through a land exchange on a value for value basis.

1 **Section 2. Authorization .** Notwithstanding any other law to
2 the contrary, *I Liheslaturan Guåhan* authorizes *I Maga'lahaen Guåhan* to
3 exchange on a value for value basis, ~~a portion of the undivided interest~~
4 government owned land located within the Subdivision of Tract 11405,
5 Dededo, of government land more particularly described as:

6 ~~LOT NUMBER 10120-R20, Municipality of Dededo,~~
7 ~~belonging to the government of Guam, containing an area~~
8 ~~of +1,827,374 square meters, described within drawing~~
9 ~~reference number 301-FY99 and I-652 recorded at the~~
10 ~~Department of Land Management under Document~~
11 ~~Number 618339.~~

12
13 Tract 11405, Municipality of Dededo, containing a
14 cumulative area of +283,233 square meters, described
15 within drawing reference map number 301-FY99 and I4-
16 99T652 recorded at the Department of Land Management
17 as Document Number 618339.
18

19 with privately owned property more particularly described as:

20 **LOT NUMBER 5400-R6, Lichan Sabana,** Municipality of
21 *Mangilao*, Estate No. 15101, Suburban, containing an area
22 of +10,185.76 square meters, belonging to Teodoro Q.
23 Llanes and Dolores C. Llanes, with reference map filed at
24 the Department of Land Management as Document
25 Number 90578.

26
27 **Section 3. Facilitation of Land Exchange.** (a) The Director of the
28 Department of Land Management ~~and the Administrative Director of~~

1 the ~~Chamorro Land Trust Commission~~ shall cause for *I Maga'lahen*
2 *Guåhan* the exchange of land provided for in Section 2 upon the
3 completion of two (2) appraisals on all lands concerned prepared by
4 two (2) separate licensed real estate appraisers which one (1) of the
5 appraisers shall be selected by the Department of Land Management
6 and the other by the private landowner. The average of the two (2)
7 appraisals shall be used as the value for the transfer to occur.
8 Appraisals shall correspondingly be paid by each property owner. The
9 land exchange shall ~~to~~ be accomplished within one hundred eighty (180)
10 days from the enactment of this Act. (b) The Director of the
11 Department of Land Management is hereby authorized to expend up to
12 Four Thousand Dollars (\$4,000) from the sums appropriated in Item (8)
13 of Section 6, Part II of Chapter V, Public Law 28-68, "General
14 Appropriations Act of Fiscal Year 2006" to pay for appraisals conducted on
15 government-owned property in accordance to Subsection (a).

16 **Section 4. No Prohibition Against Building.** Nothing contained

17 in this Act shall be construed to prevent or prohibit the party receiving
18 *exchanged* government land from improving such land or from building, erecting

just FA 1
18

Passed FA No. 1

Date: 3/23 Time: _____

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

S. Bill No. 125

Jal
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 4 line 18 insert "exchanged" before "government"

(Below only for Clerk of Legislature's use and processing))

Date 3/23, 2006

Floor Amendment No. 1 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur *(initial)*

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

1 or constructing structures approved in accordance with the building
2 and zoning codes of Guam.

3 **Section 5. Severability.** *If* any provision of this Law or its
4 application to any person or circumstance is found to be invalid or contrary to
5 law, such invalidity shall *not* affect other provisions or applications of this
6 Law which can be given effect without the invalid provisions or application,
7 and to this end the provisions of this Law are severable.

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

S. Bill No. 125

RK
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 495 delete Section 5

(Below only for Clerk of Legislature's use and processing)

Date 3/23, 2006

Floor Amendment No. 2 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]

AUTHOR OF AMENDMENT

Concur *(initial)*

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk
Engrossment Staff

MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) REGULAR SESSION

Bill No. 125 (EC)

Introduced by:

E.J.B. Calvo *EBC*

Mark Forbes *MF*

A.R. Unpingco *6*

AN ACT AUTHORIZING *I MAGA'LAHEN*
GUAHAN TO EXCHANGE A PORTION OF
GOVERNMENT LAND WITHIN LOT NUMBER
10120-R16, MUNICIPALITY OF *DEDEDO*, WITH
LOT NUMBER 5400-R6, MUNICIPALITY OF
MANGILAO, ON A VALUE FOR VALUE BASIS TO
ADDRESS THE PROTECTIVE BUFFER ZONE
REQUIREMENTS FOR THE DEPARTMENT OF
CORRECTIONS PURSUANT TO PUBLIC LAW 17-
54.

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

2 **Section 1. Legislative Findings and Intent.** Public Law 17-54
3 created a protective zone surrounding the perimeter of what is currently
4 the Department of Corrections (DOC) in Mangilao and further
5 authorized *I Maga'lahen Guåhan* to conduct land exchanges on an area
6 for area basis with the affected land owners. This zone affects
7 properties contained within the 500 foot radius surrounding the DOC

1 inclusive of Lot Number 5400-R6 owed by Teodoro Q. and Dolores C.
2 Llanes.

3 The effort to implement and enforce a five hundred foot (500')
4 radius protective zone is mandated by local law to protect surrounding
5 property owners while enhancing security at DOC. The protective
6 zone allows DOC to use force in thwarting escapes which meets the
7 requirements of the U.S. Department of Justice.

8 Landowners whose properties have been adversely affected by
9 the protective zone and which should have been exchanged with
10 government of Guam land, have been left in an uncertain situation for
11 over twenty (20) years. The landowners have been unable to improve
12 their properties or to build homes awaiting the final disposition of this
13 matter.

14 *I Liheslaturan Guåhan* finds that through no fault of their own, these
15 private property owners automatically faced condemnation of their land
16 by default. It is the intent of *Liheslaturan Guåhan* to come to fair and
17 equitable resolution of this twenty (20) year continuing problem
18 through a land exchange on a value for value basis.

1 **Section 2. Authorization .** Notwithstanding any other law to
2 the contrary, *I Liheslaturan Guåhan* authorizes *I Maga'lahen Guåhan* to
3 exchange on a value for value basis, a portion of the undivided interest
4 of government land more particularly described as:

5 **LOT NUMBER 10120-R20**, Municipality of *Dededo*,
6 belonging to the government of Guam, containing an area
7 of +1,827,374 square meters, described within drawing
8 reference number 301-FY99 and I-652 recorded at the
9 Department of Land Management under Document
10 Number 618339.

11
12 with privately owned property more particularly described as:

13 **LOT NUMBER 5400-R6**, *Lichan Sabana*, Municipality of
14 *Mangilao*, Estate No. 15101, Suburban, containing an area
15 of +10,185.76 square meters, belonging to Teodoro Q.
16 Llanes and Dolores C. Llanes, with reference map filed at
17 the Department of Land Management as Document
18 Number 90578.

19
20 **Section 3. Facilitation of Land Exchange.** The Director of the
21 Department of Land Management and the Administrative Director of
22 the Chamorro Land Trust Commission shall cause for *I Maga'lahen*
23 *Guåhan* the exchange of land provided for in Section 2 to be
24 accomplished within one hundred eighty (180) days from the enactment
25 of this Act.

1 **Section 4. No Prohibition Against Building.** Nothing contained
2 in this Act shall be construed to prevent or prohibit the party receiving
3 government land from improving such land or from building, erecting
4 or constructing structures approved in accordance with the building
5 and zoning codes of Guam.

6 **Section 5. Severability.** *If* any provision of this Law or its
7 application to any person or circumstance is found to be invalid or contrary to
8 law, such invalidity shall *not* affect other provisions or applications of this
9 Law which can be given effect without the invalid provisions or application,
10 and to this end the provisions of this Law are severable.