



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

01 JUL 2005

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. 69 (EC), "AN ACT AUTHORIZING I MAGA'LAHEN GUAHAN TO EXCHANGE LOT NUMBERS 123-R1-1-1G AND 123-R1-1-2G, MUNICIPALITY OF UMATAC, WITH TRACT 3241-A, BLOCK 5A, LOT NUMBER 7, MUNICIPALITY OF UMATAC" which I signed into law on June 30, 2005, as **Public Law 28-55**.

Sinseru yan Magåhet,

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: 7/5/05
Time: 4:25 PM
Rec'd by: [Signature]
Print Name: ESP
28-05-0288

| | |
|-------------------------------------|----------------------|
| Senator Edward J.B. Calvo | |
| SECRETARY OF THE LEGISLATURE | |
| ACKNOWLEDGEMENT RECEIPT | |
| Rec'd by: <u>Nicole</u> | Print Name & Initial |
| Time: <u>3:00</u> | Date: <u>7-7-05</u> |

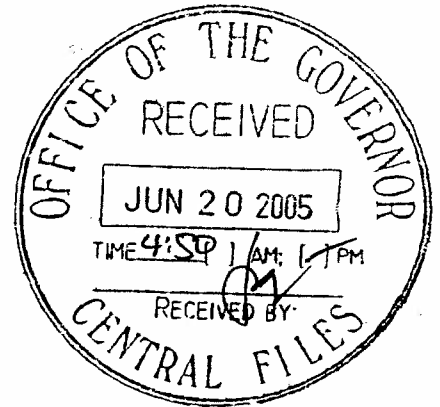
0288



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

June 20, 2005

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



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 97(EC) & 103(LS); and Substitute Bill Nos. 41(EC), 46(EC), 59(EC), 61(EC), 69(EC), 77(EC), 87(LS), 100(EC), 112(EC), 119(EC), 122(EC), 128(EC) and 137(EC) which were passed by *I Mina' Bente Ocho Na Liheslaturan Guåhan* on June 17, 2005.

Sincerely,

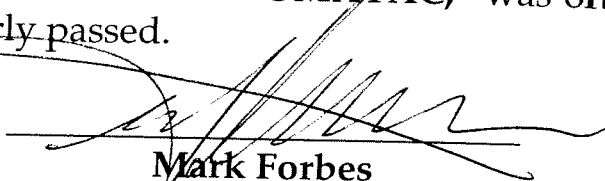
EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (15)


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

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


This is to certify that Substitute Bill No. 69 (EC), "AN ACT AUTHORIZING I MAGA'LAHEN GUAHAN TO EXCHANGE LOT NUMBERS 123-R1-1-1G AND 123-R1-1-2G, MUNICIPALITY OF UMATAC, WITH TRACT 3241-A, BLOCK 5A, LOT NUMBER 7, MUNICIPALITY OF UMATAC," was on the 17th day of June, 2005, duly and regularly passed.


Mark Forbes
Speaker

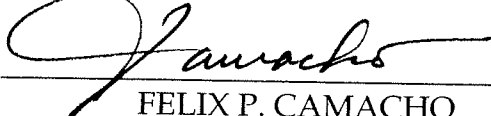
Attested:


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

This Act was received by I Maga'lahaen Guåhan this 20 day of June, 2005,
at 4:50 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 6/30/05

Public Law No. 28-55

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

Bill No. 69 (EC)

As substituted by the Committee on
General and Omnibus Matters and further
substituted on the Floor and amended.

Introduced by:

Edward J.B. Calvo
Mark Forbes
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
A. R. Unpingco
J. T. Won Pat

**AN ACT AUTHORIZING *I MAGA'LAHEN GUAHAN* TO
EXCHANGE LOT NUMBERS 123-R1-1-1G AND 123-R1-1-2G,
MUNICIPALITY OF UMATAC, WITH TRACT 3241-A,
BLOCK 5A, LOT NUMBER 7, MUNICIPALITY OF
UMATAC.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* is
3 aware of the government of Guam's actions in condemning private properties
4 along Route 2, Municipality of Umatac, contiguous to the Umatac Bridge, for
5 the purpose of reconstructing the bridge. The privately-owned parcels were

1 condemned on October 28, 1986. The properties are Lot Numbers 123-R1-1-
2 1G and 123-R1-1-2G, Municipality of Umatac, containing a cumulative area of
3 ± 128 square meters, belonging to Ana S. Quinata. Since the condemnation,
4 Ana S. Quinata has not withdrawn the estimated compensation for the
5 condemnation from the court and requests for an exchange to occur with
6 another parcel located in the same village. The government parcel identified
7 for exchange by the Department of Land Management (DLM) is Tract 3241-A,
8 Block 5A, Lot Number 7, Municipality of Umatac, containing an area of ± 976
9 square meters. A value to value exchange assessment was completed by the
10 DLM requiring Thirteen Thousand One Hundred Dollars (\$13,100.00) which
11 is the monetary value for an exchange to occur. However, no compensation
12 has been conveyed to the Quinata family for the quiet use and enjoyment of
13 the properties for the last nineteen (19) years. Therefore, it is the intent of *I*
14 *Liheslatura* to allow for the exchange of the properties compensating for the
15 quiet enjoyment and use without receiving compensation for the last nineteen
16 (19) years.

17 **Section 2. Exchange of Government Land Authorized.** Pursuant to
18 21 GCA §60112, *I Maga'lalen Guåhan* is authorized to exchange a government
19 parcel, more particularly described as Tract 3241-A, Block 5A, Lot Number 7,
20 Municipality of Umatac, containing an area of ± 976 square meters, with Lot
21 Numbers 123-R1-1-1G and 123-R1-1-2G, Municipality of Umatac, containing a
22 cumulative area of ± 128 square meters, belonging to Ana S. Quinata. Ana S.
23 Quinata shall receive no additional compensation to complete this land
24 exchange.

25 **Section 3. Transfer of Proceeds from Civil Case No. 1309-86 to the**

1 **Department of Land Management.** All moneys and interest thereon held by
2 the Superior Court pursuant to the Judgment in Civil Case No. 1309-86 shall
3 be released to the Department of Land Management's Land Survey Revolving
4 Fund upon *I Maga'lahaen Guahan* executing the transfer of land authorized in
5 Section 2 of this Act. Ana S. Quinata shall execute a release of all claims
6 arising from the condemnation and exchange and deliver said release to the
7 Director of the Department of Land Management for recordation as a
8 condition of the transfer.

9 **Section 4. Facilitation of Land Exchange.** The Director of the
10 Department of Land Management shall assist *I Maga'lahaen Guahan* to effect the
11 exchange of land provided for in Section 2 within one hundred eighty (180)
12 days from the enactment of this Act. In determination of the fair market value
13 of the properties, the funds released to the Department pursuant to Section 3,
14 supra, may be considered the fair market value of Lot Numbers 123-R1-1-1G
15 and 123-R1-1-2G, Umatac. The Department of Land Management may use
16 such funds as necessary in the execution of this Act.

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

6

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 6/17/05

VOTING SHEET

Bill No. 69(EC)

Resolution No. _____

Question: _____

| NAME | YEAS | NAYS | NOT VOTING/ ABSTAINED | OUT DURING ROLL CALL | ABSENT |
|---------------------------|------|------|--------------------------|-------------------------|--------|
| AGUON, Frank B., Jr. | 7 | | | | |
| BROWN, Joanne M.S. | 7 | | | | |
| CALVO, Edward J.B. | 7 | | | | |
| CRUZ, Benjamin J.F. | 7 | | | | |
| CRUZ, Michael (Dr.) | 7 | | | | |
| FORBES, Mark | 7 | | | | |
| KASPERBAUER, Lawrence F. | 7 | 1 | | | |
| KLITZKIE, Robert | | 7 | | | |
| LEON GUERRERO, Lourdes A. | | | | | 7 |
| LUJAN, Jesse A. | 7 | | | | |
| PALACIOS, Adolpho B. | 7 | | | | |
| RESPICIO, Rory J. | 7 | | | | |
| TENORIO, Ray | 7 | | | | |
| UNPINGCO, Antonio R. | 7 | | | | |
| WON PAT, Judith T. | 7 | | | | |

TOTAL

13 1 0 _____ 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

PL. 28-55



**UMATAC
MAYOR'S OFFICE**

P.O. BOX 786 HAGATNA, GUAM 96932
Telephone No.: (671) 828-8258/2940 Fax: (671) 828-2676

Daniel Q. Sanchez
Mayor

March 29, 2005

Honorable Speaker Mark Forbes
155 Hessler Place
Hagatna, Guam 96910

Hafa Adai Speaker Forbes,

As Mayor of the Village of Umatac, I wish to submit for the record this communication along with the Resolution issued by the Municipal Planning Council in support of Bill No. 69 which is an act to authorize the Land exchange for Jose T. (deceased) and Ana S. Quinata.

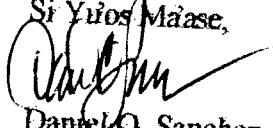
The land that was condemned for the reconstruction of the Umatac Bridge provided well for not only our community but to all that commute throughout our island. The parcel identified by Land Management is fair and would complete the obligation of the Government of Guam to the family.

To follow is a listing of the Planning Council Membership:

Francisco Q. Sanchez - Vice Chairman
Dina G. San Nicolas
Vera A. Topasna
Hector Medina
Esther G. Aguon
Jesse D. Quinata
Frances A. Quinata
Melanie S. Breton
Glenn J. Quinata
Jesse Goffigan

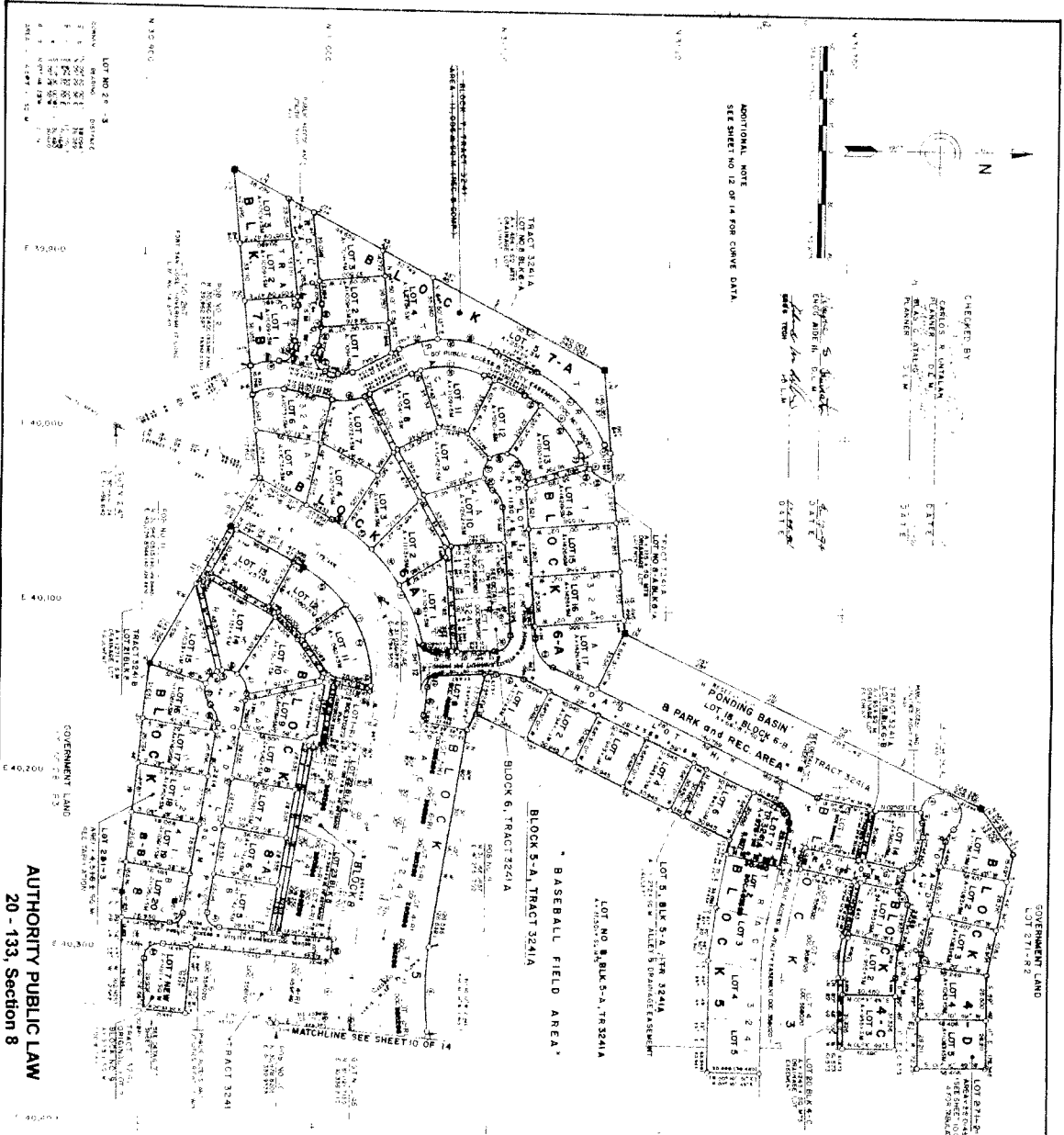
Your assistance and consideration is sincerely appreciated

Si Yüos Maase,



Daniel Q. Sanchez

Cc: Mrs. Ana S. Quinata



PROJECT
TRACT 3241

NOTES

1. THIS SURVEY WAS MADE TO SHOW THE LOCATION OF THE PROPOSED SUBDIVISION OF TRACT 3241, BLOCK 5-A, TRACT 3241, CITY OF MILWAUKEE, WISCONSIN.
2. THE SURVEY WAS MADE BY THE SURVEYOR, WALTER S. GADE, AND WAS FOUND TO BE CORRECT AND ACCURATE.
3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE WISCONSIN SUBDIVISION MAP ACT.
4. THE SURVEY WAS MADE ON THE 15th DAY OF NOVEMBER, 1954.
5. THE SURVEY WAS MADE AT THE OFFICE OF THE SURVEYOR, WALTER S. GADE, 1000 NORTH MILWAUKEE AVENUE, MILWAUKEE, WISCONSIN.
6. THE SURVEY WAS MADE IN THE PRESENCE OF THE NEIGHBORS AND THE RESULTS WERE FOUND TO BE SATISFACTORY.
7. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE WISCONSIN SUBDIVISION MAP ACT.
8. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE WISCONSIN SUBDIVISION MAP ACT.
9. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE WISCONSIN SUBDIVISION MAP ACT.
10. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE WISCONSIN SUBDIVISION MAP ACT.

WALTER S. GADE 3-10-54
SURVEYOR

SUBDIVISION SURVEY MAP
OF TRACT 3241 AND BLOCK 5-A
CITY OF MILWAUKEE, WISCONSIN
Municipality of Milwaukee

700 93
MILWAUKEE, WISCONSIN
14-951587



DIPATTAMENTON MANMANHANO TANO'
(Department of Land Management)
GOBIETNON GUAHAN
(Government of Guam)

FELIX P. CAMACHO
Governor of Guam

KALEO S. MOYLAN
Lieutenant Governor of Guam

JOSEPH M. BORJA
Acting Director

ANISIA B. TERLAJE
Deputy Director

Tuesday, May 10, 2005

TO: Speaker Mark Forbes
Chairman
Committee on General Matters

FR: Joseph M. Borja
Director
Department of Land Management

RE: Testimony on Bill 69

Street Address:
855 West Marine Drive,
Route 1 Anigua

Mailing Address:
P.O. Box 2950 Hagåtña,
Guam 96932

E-mail Address:
dlm@mail.gov.gu

Telephone
671-475-5263

Facsimile
671-477-0883

The Department of Land Management supports the intent of Bill 69 and has no objections. The Department has several suggestions as follows:

1. Correction: page 2, line 2 and line 14
The Block description should be "5A" not "5-1".
2. Suggestion: That the Quinatas accept the condemnation amount of \$2,048 (in court) and pay DLM-Land Survey Revolving Fund \$2,048 for Lot 7, Block 5A. Otherwise those condemnation proceeds remain in Unclaimed Funds at the court to the benefit of no one, DLM could use the funds.
3. Suggestion: That the proposed law name a living grantee in the land exchange and not an estate (probate).

Thank you for the opportunity to comment on the bill.

Joseph M. Borja
Joseph M. Borja
Director

Office of the Speaker
MARK FORBES

Date: 5/11/05

Time: 2:00 PM

Rec'd by: Amg

Print Name: H. P. [Signature]

Attn: Cynthia Jackson

Run Date : 4/25/05
Run Time : 10:55:11
User ID : FMD03
Account number : 12300216

SUPERIOR COURT OF GUAM
TRANSACTIONS LIST

Trans date . . . / /

| Account Number | Invoice No. | Vendor No | Code | Trans Date | IND | P/O No | Prior Ref | Trans Amt | Batch | EXP Amt | Add Usaid | Remarks | Enclumb Amt | Add Date | By | |
|----------------|-------------|----------------|------|------------|-----------|------------|-----------|-----------|-------|---------|-----------|------------------------|-------------|------------------|-----|----------|
| 12300216 | | 600 10/ 1/2004 | ? | 604 | 1/28/2005 | JV05000118 | | 0153.75 | | FMD03 | | DAILY ACTIVITY AMT | | 10/ 1/2004 | | |
| 12300216 | | | ? | 604 | 1/28/2005 | JV05000119 | | 5.46 | 01 | FMD03 | | INT EARN OCT 2004 | 1/28/2005 | TD04#2501-000633 | L/C | |
| 12300216 | | | ? | 604 | 1/28/2005 | JV05000120 | | 5.50 | 01 | FMD03 | | INT EARN NOV 2004 | 1/28/2005 | TD04#2501-000633 | L/C | |
| 12300216 | | | ? | 604 | 4/14/2005 | JV05000317 | | 5.50 | 01 | FMD03 | | INT EARN DEC 2004 | 1/28/2005 | TD04#2501-000633 | L/C | |
| 12300216 | | | ? | 604 | 4/14/2005 | JV05000318 | | 5.50 | 01 | FMD03 | | INT EARN JANUARY 2005 | 4/21/2005 | #2501-000633 | L/C | |
| 12300216 | | | ? | 604 | 4/14/2005 | JV05000319 | | 5.50 | 01 | FMD03 | | INT EARN FEBRUARY 2005 | 4/22/2005 | #2501-000633 | L/C | |
| 12300216 | | | ? | 604 | 4/14/2005 | JV05000319 | | 5.50 | 01 | FMD03 | | INT EARN MARCH 2005 | 4/22/2005 | #2501-000633 | L/C | |
| FINAL TOTALS | | | | | | | | | | | | | | Count: | 7 | 8,106.67 |

Pls. call me for questions re: acct.

TOD AMT : 8186.67 CU1309-86

Rita Guerrero
FMD/Superior Court

Page . . . 1
Program: PRTTRN

| | | | |
|-------------------|---------------|---------|--------------|
| Post-It® Fax Note | 7671 | Date | # of pages |
| To | VICTOR CANZ | From | C.Y. JACKSON |
| Co./Dept | SEN ED. CALVO | Co. | DPW/KOW |
| Phone # | 475-8801 | Phone # | 646-3140 |
| Fax # | 475-8805 | Fax # | 649-1867 |



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

April 6, 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. 69 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 69 (EC): "An Act Authorizing I Maga'láhen Guáhan To Exchange Lot Numbers 123-R1-1-1g And 123-R1-1-2g, Municipality Of Umatac, With Tract 3241-A, Block 5a, Lot Number 7, Municipality Of Umatac"**.

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

The voting record is as follows:

 4 TO PASS
 NOT TO PASS
 3 TO REPORT OUT ONLY
 ABSTAIN
 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. 69 (EC): "An Act Authorizing I Maga'lahren Guåhan To Exchange Lot Numbers 123-R1-1-1g And 123-R1-1-2g, Municipality Of Umatac, With Tract 3241-A, Block 5a, Lot Number 7, Municipality Of Umatac."

Transmitted herewith for your information and action is the report on Bill No. 69 (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. 69 (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

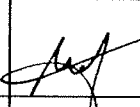


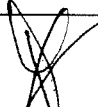



COMMITTEE ON GENERAL AND OMNIBUS MATTERS

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

155 HESLER PLACE, HAGÁTNA, GUAM 96910

An Act Authorizing I Maga'lahren Guåhan To Exchange Lot Numbers 123-R1-1-1g And 123-R1-1-2g, Municipality Of Umatac, With Tract 3241-A, Block 5a, Lot Number 7, Municipality Of Umatac.

VOTING SHEET

| | SIGNATURE | TO PASS | NOT TO PASS | TO REPORT OUT OF COMMITTEE | ABSTAIN | INACTIVE FILE |
|--------------------------------|---|---------|-------------|----------------------------|---------|---------------|
| Mark Forbes, Chairman |  | ✓ | | | | |
| Edward J.B. Calvo |  | ✓ | | | | |
| Lawrence F. Kasperbauer, Ph.D. |  9/14/05 | | | X | | |
| Jesse A. Lujan |  | 11/6/05 | | | | |
| Ray Tenorio |  | ✓ | | | | |
| Michael Cruz, M.D. | | | | | | |
| Lou A. Leon Guerrero | | | | | | |
| Judith T. Won Pat |  | | | X | | |
| Benjamin J.F. Cruz |  | | | ✓ | | |

Jrd/Edg
5/19/05

PIF-1
5/20/05

PIF-2
6/8/05
Bill No. 69 (EC)

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

Introduced by:

Edward J.B. Calvo
Mark Forbes
Frank B. Aguon, Jr.

AN ACT AUTHORIZING I MAGA'LAHEN GUAHAN TO EXCHANGE LOT NUMBERS 123-R1-1-1G AND 123-R1-1-2G, MUNICIPALITY OF UMATAC, WITH TRACT 3241-A, BLOCK 5A, LOT NUMBER 7, MUNICIPALITY OF UMATAC.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* is aware of the government of Guam's actions in condemning private properties along Route 2, Municipality of Umatac, contiguous to the Umatac Bridge, for the purpose of reconstructing the bridge. The privately owned parcels were condemned on October 28, 1986. The properties are Lot Numbers 123-R1-1-1G and 123-R1-1-2G, Municipality of Umatac, containing a cumulative area of ± 128 square meters, belonging to Jose T. (deceased) and Ana S. Quinata. Since the condemnation, the Quinata's have not been compensated and requests for an exchange to occur with a parcel located in the same village. The government parcel identified for exchange by the Department of Land Management (DLM) is Tract 3241-A, Block 5-1, Lot Number 7, Municipality of Umatac, containing an area of ± 929 square meters. A value to value exchange assessment was completed by the DLM requiring Thirteen Thousand One Hundred Dollars (\$13,100.00) which is the monetary value for an exchange to occur. However, no compensation has been conveyed to the Quinata family for the quiet use and enjoyment of the properties for the last nineteen years. Therefore it is the intent of the Legislature to allow for the exchange of the properties compensating for the quiet enjoyment and use without receiving compensation for the last nineteen (19) years.

Section 2. Exchange of Government Land Authorized.
Notwithstanding any other provisions of law, *I Maga'lahaen Guahan* is authorized

to exchange a government parcel, Tract 3241-A, Block 5-1, Lot Number 7, Municipality of Umatac, containing an area of ± 929 square meters with Lot Numbers 123-R1-1-1G and 123-R1-1-2G, located within Municipality of Umatac, containing a cumulative area of ± 128 square meters, belonging to the estate of Jose T. (deceased) and Ana S. Quinata. Owners of the private land do not desire any other additional compensation to complete this land exchange.

Section 3. Severability. If any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, 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. 69 (EC)**

**AN ACT AUTHORIZING I MAGA'LAHEN GUÅHAN TO
EXCHANGE LOT NUMBERS 123-R1-1-1G AND 123-R1-1-2G,
MUNICIPALITY OF UMATAC, WITH TRACT 3241-A, BLOCK 5A,
LOT NUMBER 7, MUNICIPALITY OF UMATAC.**

I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 9 a.m., Friday, March 18, 2005 in the Session Hall, I Liheslaturan Guåhan. Public notice was submitted to all media (see facsimile poll/activity report attachment) on Friday, March 11, 2005 and confirmed received. A print ad of the Public Notice was printed in the March 15, 2005, edition of the Pacific Daily News (PDN), posted in the Government Meetings Section in the March 17 edition of the PDN. A second submittal of public notice to all media was done on March 16, 2005 (see facsimile poll/activity report attachment).

Senator present at the public hearing was:

Speaker Mark Forbes, Chairman

II. SUMMARY OF TESTIMONY

There were no individuals who testified before the committee. There were no testimonies submitted.

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 69 will allow for the just compensation for private property taken away by the government of Guam to reconstruct the bridge located in Umatac. The committee finds the uneventful situation of unjust compensation of waiting for over nineteen years is unjustified and a personal and financial loss for the Quinata family, whom has waited patiently for action taken by the government to replace the loss of their property. The committee finds that this measure will allow for the replacement of their property loss and to provide land for the family's descendants by a land exchange identified in Bill No. 69.

Accordingly, the Committee on General and Omnibus Matters to which Bill No. 69 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL NO. 69 (EC)**, "An Act Authorizing I Maga'lahaen Guåhan To Exchange Lot Numbers 123-R1-1-1g And 123-R1-1-2g, Municipality Of Umatac, With Tract 3241-A, Block 5a, Lot Number 7, Municipality Of Umatac."

IV. PUBLIC HEARING AGENDA

AGENDA COMMITTEE ON GENERAL & OMNIBUS MATTERS, and EXECUTIVE COMMITTEE

Public Hearing
Session Hall, Temporary Legislative Building
Friday, March 18, 2005, 9:00 a.m.

Governor's Appointment of Mr. Oscar A. Calvo to serve as a member of the Chamorro Land Trust Commission.

Bill No. 44 (LS) - by *L. A. Leon Guerrero*

An Act To Amend Section 4109(A) Of Title 4, Guam Code Annotated, Relative To Annual Leave.

Bill No. 50 (EC) - by *B. J.F. Cruz*- **Postponed**

The Chamorro Land Ownership Act Of 2005; An Act To Authorize Chamorro Land Trust Commission Residential Lot Recipients To Own Residential Lots Pursuant To A Right Of First Refusal Program; To Allow Cottage Industry Activities On Residential Leases By Leaseholders; And To Remove The 21 Year Cap On Licenses For Churches, Hospitals, Public Schools, Private Schools, And Post Offices; By Amending Chapter 75 Of Division 2 Of Title 21 Of The Guam Code Annotated.

Bill No. 54 (EC) - by *J. A. Lujan*

An Act To Amend Subsection 40120(f)(3) Of Chapter 40 Of Title 10 Of The Guam Code Annotated; To Add §11106(d) And To Amend §11107 Of Chapter 11, Division 2 Of Title 8 Of The Guam Administrative Rules And Regulations Relative To Reducing The Price Of Eggs By Removing The Individual Egg Stamping Requirement Of Imported Eggs That Meet Local And United States Department Of Agriculture Inspection Requirements.

Bill No. 69 (EC) - by *Edward J.B. Calvo*

An Act Authorizing I Maga'lahren Guåhan To Exchange Lot Numbers 123-R1-1-1g And 123-R1-1-2g, Municipality Of Umatac, With Tract 3241-A, Block 5a, Lot Number 7, Municipality Of Umatac.

Bill No. 82 (EC) - by *B. J.F. Cruz*

An Act To Standardize The Electoral Process For The Office Of The Public Auditor And The Office Of The Attorney General And To Require Majority Votes Cast For Election For Such Offices.

IV. SIGN IN SHEET

There were no individuals present to testify at the public hearing of Bill No. 69.



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 69 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 69.

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

VI. PUBLIC HEARING NOTICES

Pacific Daily News; Pg. 42, Tuesday, March 15, 2005.

NOTICE OF PUBLIC HEARING

COMMISSION ON THE FUTURE OF THE STATE OF HAWAII
AND THE GOVERNMENT

The Commission on the Future of the State of Hawaii and the Government will hold a public hearing on the following agenda:

Topic: Education

Time: 7:00 AM - 12:00 PM

Location: Hawaii State Capitol, Room 1000, Honolulu, Hawaii

The Commission is seeking input from the public on the following issues:

- The role of the state in providing education for all children.
- The current state of public education in Hawaii.
- The challenges facing public education in Hawaii.
- The role of parents and the community in education.
- The role of the state in financing education.
- The role of the state in setting educational standards.
- The role of the state in ensuring equal access to education.
- The role of the state in ensuring the quality of education.

The public hearing will be held on **Thursday, March 17, 2005, at 7:00 AM** in Room 1000 of the Hawaii State Capitol. The hearing will be held in both English and Hawaiian. The hearing is open to the public and is free of charge. The hearing will be held in Room 1000 of the Hawaii State Capitol, 505 S. King Street, Honolulu, Hawaii. For more information, please contact the Commission at (808) 541-7000 or visit our website at www.futureofhawaii.org.

FOR ADA ASSISTANCE CONTACT MR. GENE SANTOS, OFFICE OF THE SPEAKER, PHONE: (808) 541-7007
FOR T-MAIL INQUIRIES: spk@hawaii.gov

Notice paid for in government funds.

▲ GUAM BOARD OF EXAMINERS FOR PHARMACY: 8 a.m. March 17. Health Professional Licensing Office, Suite 9, 651 Legacy Square Commercial Complex, Route 10, Mangilao. Agenda copies will be available. Call Jane Diego, 735-7406/11.

March 18
▲ COMMITTEE ON GENERAL AND OMNIBUS MATTERS: Public hearing 9 a.m. March 18, Legislature's session hall, Hagåtña. Governor's appointment of Oscar A. Calvo to serve as a member of the Chamorro Land Trust Commission; Bill 44, relative to annual leave; Bill 50, to authorize the Chamorro Land Trust Commission residential lot recipients to own residential lots pur-

suant to a right of first refusal program, to allow cottage industry activities on residential leases by leaseholders, and to remove the 21-year cap on licenses for churches, hospitals, public schools, private schools and Post Offices; Bill 54, relative to reducing the price of eggs by removing the individual egg stamping requirement of imported eggs that meet local and U.S. Department of Agriculture inspection requirements; Bill 69, to authorize the governor to exchange lots with a tract in Umatac; Bill 82, to standardize the electoral process for the Office of Public Auditor and Office of the Attorney General and to require majority votes cast for election for such offices. Call 472-3409, or visit www.guamlegislature.com.

Transmission Report

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Guam Legislature

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

955 Hecker Place
Hagatña, Guam 96910
Office (671) 473-3408 • Fax (671) 473-3510

Speaker Mark Forbes

FACSIMILE

Date: March 11, 2005 Time:
Fax No.: 477-3079 No. of Pages: 2
To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- March 18, 2005, 9:00 a.m.
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Monday, March 14; Tuesday, March 15; Thursday, March 17 and Friday, March 18 to read:

***Committee on General and Question Matters & Executive Committee: Public Hearing, Friday, March 18, 2005, 9:00 A.M., Public Hearing Room, Temporary Legislative Building, Hagatña, Guam. To be heard:**

Governor's Appointment of Mr. Oscar A. Calvo to serve as a member of the Chamorro Land Trust Commission.

Bill No. 44: An Act To Amend Section 4189(A) Of Title 4, Guam Code Annotated, Relative To Animal Laws.

Bill No. 50, The Chamorro Land Ownership Act Of 2005; An Act To Authorize Chamorro Land Trust Commission Reallocated Lot Subplots To Own Residential Lots Pursuant To A Right Of First Refusal Program To Allow Cottage Industry Activities On Residential Lots By Leasehold And To Remove The 21 Year Cap On Leases For Churches, Hospitals, Public Schools, Private Schools, And Post Offices By Amending Chapter 20 Of Division 2 Of Title 21 Of The Guam Code Annotated.

Total Pages Scanned : 2 Total Pages Confirmed : 2

| No. | Doc | Remote Station | Start Time | Duration | Pages | Mode | Comments | Results |
|-----|-----|----------------|-----------------|----------|-------|------|----------|---------|
| 1 | 534 | 94773079 | 3-11-05:12:34PM | 1'53" | 2/ 2 | EC | | CP 7200 |

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3-11-05;11:36AM
4723510
Guam Legislature

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I Misa' Bando Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

186 Hester Place
Hagana, Guam 96910
Office (671) 472-5400 • Fax (671) 472-3810

Speaker Mark Forbes

Facsimile

Date: March 11, 2005 Time:

To: ALL MEDIA:

| | | |
|-----------|--------------------------------|--------------------------------|
| Dist No.: | Pacific Daily News; 477-3079 | KUAM; 632-6670 |
| | Marlana's Variety; 646-2087 | E-575 Power 96; 477-5982 |
| | E-News; 477-6411 | SB Radio 105; 472-9003 |
| | Chaparral On Business 646-8882 | Adventist World Radio 362-2983 |
| | Harvest Family Radio 477-7136 | KPRD 794-2938 |
| | KDHI 477-6411 | |

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- March 18, 2005

Note: Attached is a public hearing notice for March 18, 2005 and for your journal.

Should there be a problem with the transmittal of this fax please contact our office at 472-3400.

Sender:

No. of Pages: 3

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| 1 | 516 | pdn | 3-11-05;11:29AM | 1'36" | 3/ 3 | EC | BC | CP 14.4 |
| 2 | 516 | marlana's variety | 11:31AM | 1'14" | 3/ 3 | EC | BC | CP 14.4 |
| 3 | 516 | hit radio | 11:33AM | 1'06" | 3/ 3 | EC | BC | CP 28.8 |
| 4 | 516 | kuam | 11:34AM | 1'38" | 3/ 3 | EC | BC | CP 14.4 |

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3-18-05;10:21AM
4723510
Guam Legislature

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I Mina' Banta Ocho Na Lihelaturan Guahan
The 28th Guam Legislature

188 Hester Plaza
Hagatña, Guam 96918
Office (671) 472-3408 • Fax (671) 472-3510

Speaker Mark Forbes

Facsimile

Date: March 16, 2005 Time:

To: ALL MEDIA:

Fax No.: Pacific Daily News; 477-3679 KHAM; 637-6670
 Marianas Variety; 646-3897 E-7FM Power 98; 477-3982
 K-Span; 477-6411 Hit Radio 100; 472-7889
 Chamorro On Business; 646-8983 Advertiser World Radio; 565-5888
 Elwood Family Radio; 477-7134 KFRD; 734-2578
 KMR; 477-6411

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- March 18, 2005

Notes: Attached is a public hearing notice for March 18, 2005 and for your journal.
 Should there be a problem with the transmittal of this fax please contact our office at 472-3408.

Sender:

No. of Pages: 3

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| 1 | 693 | marianes variety | 3-18-05;10:13AM | 1'37" | 3/ 3 | EC | BC | CP 14.4 |
| 2 | 693 | kuam | 10:18AM | 1'22" | 3/ 3 | EC | BC | CP 12.0 |
| 3 | 693 | hit radio | 10:20AM | 1'15" | 3/ 3 | EC | BC | CP 19.2 |

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Transmission Report

Date/Time: 3-16-05; 9:35AM
 Local ID: 4723510
 Local Name: Guam Legislature
 Company Logo:

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

Date: March 16, 2005
 Time: 9:35 AM
 File No.: 472-3510
 No. of Pages: 5
 Title: Speaker Mark Forbes
 The Office of Speaker Mark Forbes
 Public Hearing Notice - March 16, 2005, 9:30 a.m.
 Note: We would like to reserve space in the government meeting notice section of the Public Daily News for Thursday, March 17 and Friday, March 18 to host:
 Committee on General and Continuing Matters & Executive Committee on Public Hearing, Friday, March 18, 9:00 A.M., 10:00 A.M., 11:00 A.M., 12:00 P.M., 1:00 P.M., 2:00 P.M., 3:00 P.M., 4:00 P.M., 5:00 P.M., 6:00 P.M., 7:00 P.M., 8:00 P.M., 9:00 P.M., 10:00 P.M., 11:00 P.M., 12:00 A.M.
 Governor's Appointment of Mr. Omar A. Chao to serve as a member of the Governor's Land Trust Commission.
 MR No. 44: An Act To Amend Section 410(a) of Title 4, Guam Code Annotated, Relating To Asset Liens.
 MR No. 89: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 90: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 91: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 92: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 93: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 94: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 95: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 96: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 97: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 98: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 99: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.
 MR No. 100: The Governor's Land Commission Act of 2005, As Amended, Relating To Asset Liens.

FACSIMILE

Speaker Mark Forbes

95 Hower Plaza
 Hagatna, Guam 96910
 (671) 472-3400 • Fax (671) 472-3470



I Mhna' Bansa Ocho Na Liheslatura Guahan
 The 29th Guam Legislature

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| 1 | 060 | 47773079 | 3-16-05; 9:32AM | 3'25" | 5/ 5 | EC | | CP 12.0 |

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

Bill No. (EC)

Introduced by:

Edward J.B. Calvo *EJC*

Mark Forbes *MF*

Frank B. Aguon, Jr. *FBA*

AN ACT AUTHORIZING *I MAGA'LAHEN*
GUAHAN TO EXCHANGE LOT NUMBERS 123-
R1-1-1G AND 123-R1-1-2G, MUNICIPALITY OF
UMATAC, WITH TRACT 3241-A, BLOCK 5A,
LOT NUMBER 7, MUNICIPALITY OF UMATAC.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* is
3 aware of the government of Guam's actions in condemning private
4 properties along Route 2, Municipality of Umatac, contiguous to the
5 Umatac Bridge, for the purpose of reconstructing the bridge. The privately
6 owned parcels were condemned on October 28, 1986. The properties are
7 Lot Numbers 123-R1-1-1G and 123-R1-1-2G, Municipality of Umatac,
8 containing a cumulative area of ±128 square meters, belonging to Jose T.
9 (deceased) and Ana S. Quinata. Since the condemnation, the Quinata's
10 have not been compensated and requests for an exchange to occur with a
11 parcel located in the same village. The government parcel identified for

1 exchange by the Department of Land Management (DLM) is Tract 3241-A,
2 Block 5-1, Lot Number 7, Municipality of Umatac, containing an area of
3 ±929 square meters. A value to value exchange assessment was completed
4 by the DLM requiring Thirteen Thousand One Hundred Dollars
5 (\$13,100.00) which is the monetary value for an exchange to occur.
6 However, no compensation has been conveyed to the Quinata family for
7 the quiet use and enjoyment of the properties for the last nineteen years.
8 Therefore it is the intent of the Legislature to allow for the exchange of the
9 properties compensating for the quiet enjoyment and use without receiving
10 compensation for the last nineteen (19) years.

11 **Section 2. Exchange of Government Land Authorized.**

12 Notwithstanding any other provisions of law, *I Maga'lahaen Guahan* is
13 authorized to exchange a government parcel, Tract 3241-A, Block 5-1, Lot
14 Number 7, Municipality of Umatac, containing an area of ±929 square
15 meters with Lot Numbers 123-R1-1-1G and 123-R1-1-2G, located within
16 Municipality of Umatac, containing a cumulative area of ±128 square
17 meters, belonging to the estate of Jose T. (deceased) and Ana S. Quinata.
18 Owners of the private land do not desire any other additional
19 compensation to complete this land exchange.

20 **Section 3. Severability.** If any provision of this Law or its
21 application to any person or circumstance is found to be invalid or contrary

1 to law, such invalidity shall not affect other provisions or applications of
2 this Law which can be given effect without the invalid provisions or
3 application, and to this end the provisions of this Law are severable.