



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

08 FEB 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. 206(EC), "AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE A PORTION OF A PREWAR BULL CART TRAIL, TALOFOFO, GUAM FOR A PORTION OF LOT NUMBER 26-2R2, TALOFOFO, GUAM," which I signed into law on February 7, 2006, as **Public Law 28-96**.

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

Senator Edward J.B. Calvo	
SECRETARY OF THE LEGISLATURE	
ACKNOWLEDGEMENT RECEIPT	
Rec'd by: <u>Nikole</u>	Print Name & Initial
Time: <u>4:22</u>	Date: <u>2-15-06</u>

Office of the Speaker

MARK FORBES

Date: 02/09/06

Time: 5:30

Rec'd by: [Signature]

Print Name: Rose Baza

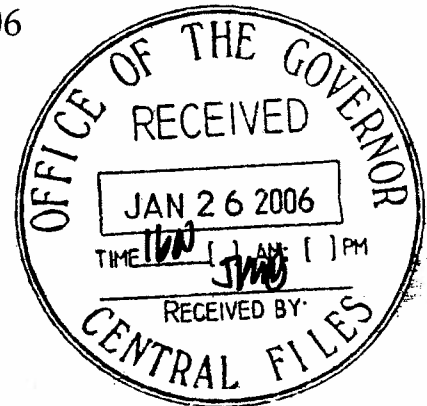
28-06-0696



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

January 25, 2006

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. 90(EC), 147(LS), 160(EC), 206(EC) & 246(EC), and Substitute Bill Nos. 135(EC) & 233(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on January 25, 2006.

Sincerely,

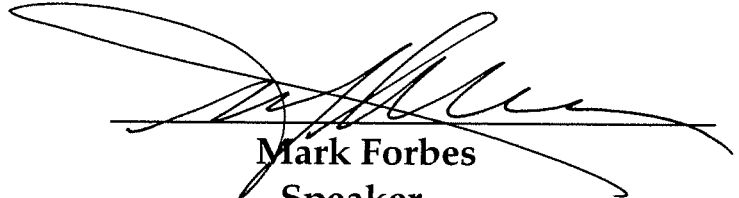

EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (7)

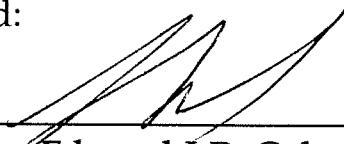
I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

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

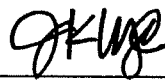
This is to certify that Bill No. 206 (EC), "AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO EXCHANGE A PORTION OF A PREWAR BULL CART TRAIL, TALOFOFO, GUAM FOR A PORTION OF LOT NUMBER 26-2R2, TALOFOFO, GUAM" was on the 25th day of January, 2006, duly and regularly passed.


Mark Forbes
Speaker


Attested:


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

This Act was received by I Maga'lahaen Guåhan this 26th day of January,
2006, at 4:10 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 7 Feb 2006

Public Law No. 28-96

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

Bill No. 206 (EC)

As amended.

Introduced by:

L. A. Leon Guerrero
F. B. Aguon, Jr.
J. M.S. Brown
Edward J.B. Calvo
B. J.F. Cruz
Mike Cruz
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
A. B. Palacios
R. J. Respicio
Ray Tenorio
A. R. Unpingco
J. T. Won Pat

**AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO
EXCHANGE A PORTION OF A PREWAR BULL CART
TRAIL, TALOFOFO, GUAM FOR A PORTION OF LOT
NUMBER 26-2R2, TALOFOFO, GUAM.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that a prewar bull cart trail in the municipality of Talofofu has posed
4 setbacks for Robert and Carol Darlow. The bull cart trail is situated between
5 two (2) parcels of land in which the Darlows own. *I Liheslatura* further finds
6 that the bull cart trail has been deemed unusable by the government of Guam.

1 Accordingly, the Darlows request to exchange land in their holding for the
2 prewar bull cart trail. Likewise, the government of Guam never acquired the
3 land in which the Darlows seek to exchange for purposes of easement. The
4 land currently in the Darlows' holding contains a combined area of 2,344
5 square feet, whereas the prewar bull cart trail owned by the government of
6 Guam has an area of 2,304 square feet. Therefore, this would be a reasonable
7 land exchange and the government of Guam does not fail to benefit from this
8 transaction.

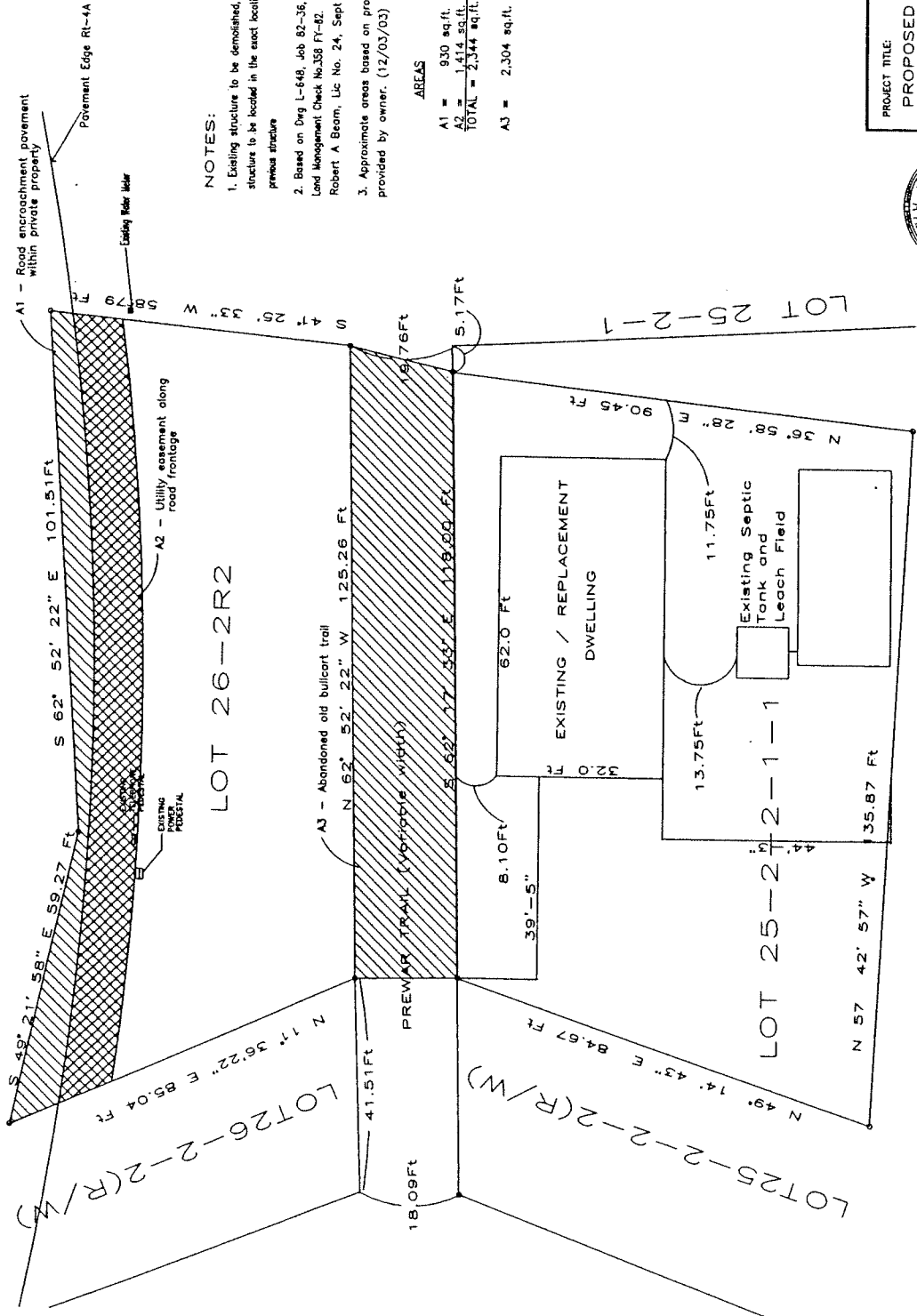
9 It is the intent of *I Liheslaturan Guåhan* to authorize *I Maga'lahren*
10 *Guåhan* to exchange a portion of a prewar bull cart trail located in Talofoyo,
11 Guam for a portion of Lot Number 26-2R2, Talofoyo, Guam.

12 **Section 2. Land Exchange.** *I Maga'lahi* shall exchange a portion of the
13 prewar bull cart trail, Talofoyo, Guam (identified as A3 in the attached sketch)
14 containing an area of 2,304 square feet for a portion of Lot No. 26-2R2,
15 Talofoyo, Guam (identified as A1 and A2) owned by Robert and Carol Darlow
16 containing a combined area of 2,344 square feet. In exchange for a portion of
17 Lot No. 26-2R2, Talofoyo, Guam (identified as A1 and A2), a portion of the
18 prewar bull cart trail (A3) Talofoyo, Guam, shall be conveyed by the
19 government of Guam to Robert and Carol Darlow. A1 represents Route 4A
20 encroachment onto private property. A2 represents private property within the
21 Route 4A alignment that will be acquired by GovGuam for future widening. In
22 exchange for a portion of the prewar bull cart trail (identified as A3 in attached
23 sketch), Talofoyo, Guam, a portion of Lot No. 26-2R2 Talofoyo, Guam
24 (identified as A1 and A2 on the attached sketch) and within Route 4A shall be
25 conveyed by Robert and Carol Darlow to the government of Guam.

26 **Section 3. No Prohibition Against Building.** Nothing contained in this
27 Act shall be construed to prevent or prohibit the party receiving government

1 land from improving such land or from building, erecting or constructing
2 structures approved in accordance with the building and zoning codes of Guam.

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



LOT 26-2R2

- NOTES:
- Existing structure to be demolished, and new structure to be located in the exact location as the previous structure
 - Based on Plat L-648, Job 82-36, Sept 1982 Land Management Check No.358 F7-82. Surveyed by Robert A Beam, Lic No. 24, Sept 30 1982.
 - Approximate areas based on property map provided by owner. (12/03/03)

AREAS

A1 =	930 sq.ft.
A2 =	1,414 sq.ft.
TOTAL =	2,344 sq.ft.
A3 =	2,304 sq.ft.

PROJECT TITLE:	PROPOSED 3-BEDROOM HOUSE
OWNER:	ROBERT & CAROL DARLOW
LOCATION:	TALOFOFO, LOTS 25-2-2-1-1 & 62-2-2-R2
SHEET 1 OF 1	DATE 05 MAY 2004



1 SITE PLAN
SCALE 1"=40'-0"

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 1/25/06

VOTING SHEET

Bill No. 206(EL)

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

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

PL 28-96



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

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3407 • Fax (671) 472-3510

Speaker Mark Forbes

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. 206 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 206 (EC): "An Act To Authorize I Maga'lahren Guahan To Exchange Portion Of A Prewar Bull Cart Trail, Talofoyo, Guam For Portions Of Lot Number 26-2r2, Talofoyo, Guam"**.

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

The voting record is as follows:

 7 TO PASS
 0 NOT TO PASS
 0 TO REPORT OUT ONLY
 0 ABSTAIN
 0 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. 206 (EC): "An Act To Authorize I
Maga'láhen Guáhan To Exchange Portion Of A Prewar Bull Cart Trail, Talofofó, Guam
For Portions Of Lot Number 26-2r2, Talofofó, Guam".

Transmitted herewith for your information and action is the report on Bill No. 206 (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. 206 (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

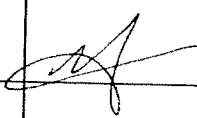
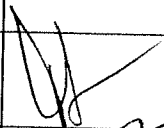


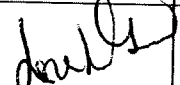


Attachments

COMMITTEE ON GENERAL AND OMNIBUS MATTERS

I MINA'BENTE OCHO NA LIHESLATURAN GUÁHAN
155 HESLER PLACE, HAGÁTNA, GUAM 96910

An Act To Authorize I Maga'lahan Guáhan To Exchange Portion Of A Prewar Bull Cart
Trail, Talofoyo, Guam For Portions Of Lot Number 26-2r2, Talofoyo, Guam.

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.						
Jesse A. Lujan						
Ray Tenorio		✓				
Michael Cruz, M.D.		✓				
Lou A. Leon Guerrero		✓				
Judith T. Won Pat		✓				
Benjamin J.F. Cruz		✓				

Zuf
1-20-06

Ed
1-20-06

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

2005 FEB 1 11 34 AM
DIT

Bill No. 206 (EC)

Introduced by:

L.A. Leon Guerrero *L.A. Leon Guerrero*

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUAHAN* TO EXCHANGE PORTION OF A PREWAR BULL CART TRAIL, TALOFOFO, GUAM FOR PORTIONS OF LOT NUMBER 26-2R2, TALOFOFO, GUAM

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*

finds that a prewar bull cart trail in the municipality of Talofoyo has posed setbacks for Robert and Carol Darlow. The bull cart trail is situated between two parcels of land in which the Darlows own. *I Liheslatura* further finds that the bull cart trail has been deemed unusable by the government of Guam. Accordingly, the Darlows request to exchange land in their holding for the prewar bull cart trail. Likewise, the government of Guam never acquired the land in which the Darlows seek to exchange for purposes of easement. The land currently in the Darlows' holding contains a combined area of 2,344 square feet, whereas the prewar bull cart trail owned by the government of Guam has an area of 2,304 square feet. Therefore, this would be a reasonable land exchange and the government of Guam does not fail to benefit from this transaction.

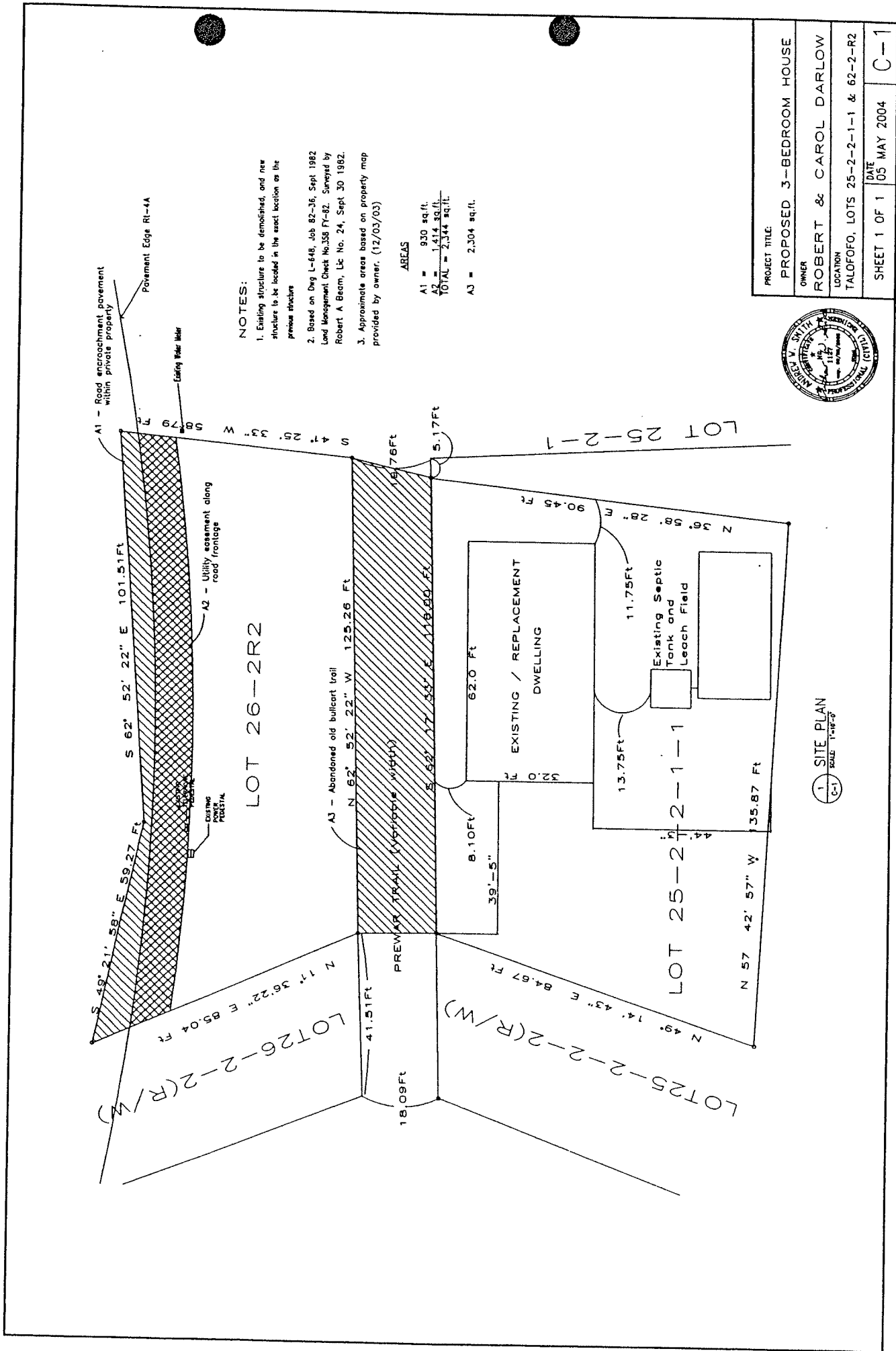
It is the intent of *I Liheslaturan Guahan* to authorize *I Maga Lahen Guahan* to exchange a portion of a prewar bull cart trail located in Talofoyo, Guam for portions of Lot Number 26-2R2, Talofoyo, Guam.

Section 2. Land Exchange. *I Maga'lahi* shall exchange portion of prewar bull cart trail, Talofoyo, Guam (identified as A3 in the attached sketch) containing an area of 2,304 square feet for portions of Lot No. 26-2R2, Talofoyo, Guam (identified as A1 and A2) owned by Robert and Carol Darlow

1 containing a combined area of 2,344 square feet. In exchange for portions of
2 Lot No. 26-2R2, Talofofo, Guam (identified as A1 and A2), a portion of the
3 prewar bull cart trail (A3) Talofofo, Guam, shall be conveyed by the
4 government of Guam to Robert and Carol Darlow. A1 represents route 4A
5 encroachment onto private property. A2 represents private property within the
6 route 4A alignment that will be acquired by GovGuam for future widening. In
7 exchange for a portion of the prewar bull cart trail (identified as A3 in attached
8 sketch), Talofofo, Guam, portions of Lot No. 26-2R2 Talofofo, Guam
9 (identified as A1 and A2 on the attached sketch) and within route 4A shall be
10 conveyed by Robert and Carol Darlow to the government of Guam.

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

15 **Section 4. Severability.** If any of the provisions of this Act or the
16 application thereof to any person or circumstance is held invalid, such invalidity
17 shall not affect any other provision or application of this Act which can be
18 given effect without the invalid provision or application, and to this end the
19 provisions of this Act are severable.



NOTES:

- Existing structure to be demolished, and new structure to be located in the exact location as the previous structure
- Based on Dwg L-648, Job 82-36, Sept 1982 Low Management Check No.358 FY-82. Surveyed by Robert A Baum, Lic No. 24, Sept 30 1982.
- Approximate areas based on property map provided by owner. (12/03/03)

AREAS

A1 = 930 sq.ft.
 A2 = 1,414 sq.ft.
TOTAL = 2,344 sq.ft.

AJ = 2,304 sq.ft.

PROJECT TITLE: **PROPOSED 3-BEDROOM HOUSE**

OWNER: **ROBERT & CAROL DARLOW**

LOCATION: **TALOFOFO, LOTS 25-2-2-1-1 & 62-2-R2**

SHEET 1 OF 1

DATE: **05 MAY 2004**

C-1



1 SITE PLAN
 SCALE 1"=10'-0"

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

**COMMITTEE REPORT
ON
BILL NO. 206 (EC)**

An Act To Authorize I Maga'láhen Guåhan To Exchange Portion Of A
Prewar Bull Cart Trail, Talofoyo, Guam For Portions Of Lot Number 26-2r2,
Talofoyo, Guam.

I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 2:00 p.m. on January 17, 2006 in the Public Hearing Room, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on January 10 and January 16, 2006. Notice was placed in the PDN on January 13, 16 and 17, 2006.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman
Senator Robert Klitzkie
Senator Adolpho B. Palacios, Sr.
Senator Larry Kasperbauer
Senator Lou Leon Guerrero
Senator Judy Won Pat

II. SUMMARY OF TESTIMONY

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

Robert Darlow, Private Land Owner, oral and written testimony in support of Bill No. 206. Mr. Darlow read his written testimony. Please see attachment.

Cynthia Jackson, Supervisor, Rights of Way, Department of Public Works, oral and written testimony in support of Bill No. 206. Ms. Jackson read her written testimony. Please see attachment.

Discussion:

Speaker Forbes inquired about the encroachment issue regarding Lot 26-2R2, Tolofofo, Guam, private property owned by Mr. Robert Darlow. He asked Ms. Jackson, DPW, of the time the encroachment by the government of Guam was done? Ms. Jackson said she is unaware of the date it occurred and said upon her inspection of the property, she became knowledgeable of the encroachment.

Ms. Jackson further said that Mr. Darlow's request is reasonable and referred to the exchange as a win-win deal for both the private land owner and the government of Guam. Speaker Forbes interjected Ms. Jackson's comments and said the encroachment should have never have happened and it was unfortunate that Mr. Darlow had to wait twenty years after purchasing this piece of property to finally see some resolution to his land issues. Speaker Forbes said that his committee will continue to hold roundtables, and will invite DPW to attend, to address the many private land issues that are in dispute with the government of Guam and would require some form of compensation or exchange.

Senator Lou Leon Guerrero, Author of Bill No. 206, commended Ms. Jackson for her diligent work to help resolve Mr. Darlow's land problems. She further added that with Ms. Jackson's expeditious work, she hopes that Bill No. 206 will get passed by the legislature before the end of session this January.

bought the land. Mr. Darlow said he bought the land twenty two years ago and that he was aware of both the government's encroachment onto the private property and of the bull cart trail that separated the two properties prior to purchasing the two land lots. He said he didn't realize the setbacks it posed on development of the property until after Typhoon Pongsonga. He wanted to rebuild his home but the bull cart trail made it difficult for him to have full beneficial use of the properties. He said he is willing to exchange the northern portion of his property, the frontage of Route 4A and the location of the government encroachment for the bull cart trail.

Senator Kliztkie asked Ms. Jackson, what was DPW's justification for the utility easement on the property being questioned? He also asked if DPW had properly acquired the utility easement. Ms. Jackson responded that she is unaware if the property was properly acquired for the utility easement. Mr. Darlow interjected the comments of Ms. Jackson and described an incident involving a dispute between his neighbors and the government of Guam when the government was constructing waterlines and placing power poles onto private property adjacent to his lot. He said that although he did not stop the government's construction of the waterlines and utility power poles on his property, his neighbor was able to get the government to divert the waterlines and power poles across the street. Speaker Forbes stated that he will work with the legislature in addressing this Bill in this upcoming January Session.

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 206. will remedy a land issue that has gone unresolved for the last twenty two years. The encroachment of the government of Guam into the private property owned by Mr. Darlow has not been compensated and the committee finds that Mr. Darlow's request to exchange this piece of property for the bull cart trail that separates the two lots is deemed reasonable. Currently there is no beneficial use of the bull cart trail by the government of Guam and thereby adding a complex dilemma for the private land owner, Mr. Darlow, who owns the properties separated by the bull cart trail to have full utilization of the properties. The committee further finds that the land exchange will allow the private land owner to fully utilize the combined lots with the exchange of the encroached portion of his lot, fronting Route 4A.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 206 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 206 (EC)**, "An Act To Authorize I Maga'lahren Guåhan To Exchange Portion Of A Prewar Bull Cart Trail, Talofoyo, Guam For Portions Of Lot Number 26-2r2, Talofoyo, Guam."



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 206 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 206.

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

Transmission Report

Date/Time
Local ID
Local Name
Company Logo

1-10-06; 3:44PM
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 Healer Place
Hagatna, Guam 96910
Office (871) 472-3409 • Fax (871) 472-3510

Speaker Mark Forbes

Facsimile

Date: January 10, 2006 **Time:**
Fax No.: 477-3079 **No. of Pages:**
To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- Tuesday, January 17, 2006
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Wednesday, January 11, Thursday, January 12, Friday, January 13, Monday, January 16 and Tuesday, January 17, 2006 to read:

*Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Tuesday, January 17, 2006, 2:00 P.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. To be heard;

The following Bills will be heard by the Committee on General & Omnibus Matter & the Executive Committee:

BILL No. 192 (EC) - by J. M.S. Brown
An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Sum Appropriated To Liheslaturan For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

BILL No. 206 (EC) - By L. A. Leon Guerrero
An Act To Authorize I Mags'lahan (Lathan) To Exchange Portion Of A Private Pull Cart Trail, Talofofo, Guam For Portion Of Lot Number 26-2r2, Talofofo, Guam.

BILL No. 207 (EC) - By R. J. Respicio
Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 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	564	pdn	1-10-06; 3:43PM	58"	2 / 2	EC		CP 14.4

Notes :

>: Error Correct
>: Broadcast Send
>: Completed
>: Host Scan
>: 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

Transmission Report

Date/Time
Local ID
Local Name
Company Logo

1-13-06;11:22AM
671 4723524
CLERKS
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 Healer Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

Facsimile

Date: January 10, 2006 **Time:**

To: ALL MEDIA:

Fax No.:

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
Glimpse;	649-8883	Advertis World Radio	565-2983
Harvest Family Radio	477-7136	KPRG	734-2938
KISH	477-6411	Rene Live	477-7845

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- Tuesday, January 17, 2006

Note: Attached is a public hearing notice for January 17, 2006 at 2:00 p.m. in the Public Hearing Room and for your perusal.

Should there be a problem with the transmittal of this fax please contact our office at 472-3409.

Sender:

No. of Pages:

Total Pages Scanned : 3 Total Pages Confirmed : 3

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	7	94773982	1-13-06;11:21AM	1'09"	3/ 3	EC		CP 14.4

otes :

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

Broadcast Report

Date/Time
Local ID
Local Name
Company Logo

1-10-06; 3:23PM
4723510
Guam Legislature

Document Size Letter-S



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

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

Speaker Mark Forbes

Facsimile

Date: January 10, 2006 **Time:**

To: ALL MEDIA:

Fax No.:

Pacific Daily News;	477-3079	KUAM;	637-9870
Marianas Variety;	648-2007	K-57/Power 98;	477-3982
K-Stereo;	477-6411	Hk Radio 100;	472-7663
Glimpses;	649-8883	Adventist World Radio	565-2983
Harvest Family Radio	477-7136	KPRG	734-2938
KISH	477-6411	Elene Live	477-7845

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- Tuesday, January 17, 2006

Note: Attached is a public hearing notice for January 17, 2006 at 2:00 p.m. in the Public Hearing Room and for your perusal.

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Sender:

No. of Pages:

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	561	pdn	1-10-06; 3:00PM	1'11"	3/ 3	EC	BC	CP 14.4
2	561	marianan variety	3:02PM	1'12"	3/ 3	EC	BC	CP 14.4
3	561	kuam	3:04PM	1'10"	3/ 3	EC	BC	CP 14.4
4	561	hit radio	3:05PM	1'55"	1/ 3	EC	BC	0536 28.8
5	561	kprg	3:09PM	0"	-/ 3		BC	056D
6	561	hit radio	3:11PM	1'02"	1/ 3	EC	RE	0536 28.8
7	561	hit radio	3:14PM	0"	1/ 3		RE	056D

Broadcast Report

Date/Time
 Local ID
 Local Name
 Company Logo

1-10-06; 3:23PM
 4723510
 Guam Legislature

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
8	561	power ninety eight	3:21PM	0"	- / 3		BC	056B
9	561	guam business	3:22PM	0"	- / 3		BC	056B
10	561	k stereo/kish	3:22PM	0"	- / 3		BC	056B
11	561	world radio	3:22PM	0"	- / 3		BC	056B
12	561	family radio	3:23PM	0"	- / 3		BC	056B
13	561	rlene steffy	3:23PM	0"	- / 3		BC	056B

Notes :

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

RE: Resend
 MP: Multi-Poll
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Transmission Report

Date/Time
Local ID
Local Name
Company Logo

1-16-06; 3:48PM
671 4723459
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 Hesler Place
Hagatna, Guam 96910
Office (871) 472-3409 • Fax (871) 472-3510

Speaker Mark Forbes

Facsimile

Date: January 16, 2006 **Time:**
Fax No.: 477-3079 **No. of Pages:**
To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- Tuesday, January 17, 2006
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, January 17, 2006 to read:

*Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Tuesday, January 17, 2006, 2:00 P.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. To be heard;

The following Bills will be heard by the Committee on General & Omnibus Matter & the Executive Committee:

Bill No. 192 (EC) - by J. M.S. Brown
An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Funds Appropriated To The Legislature For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

Bill No. 206 (EC) - By L. A. Leon Guerrero
An Act To Authorize I Mags'ibhan Guahan To Exchange Portion Of A Prewar Bull Cart Trail, Talofofo, Guam For Portions Of Lot Number 26-2r2, Talofofo, Guam.

Bill No. 207 (EC) - By R. J. Respicio
Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 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	914	94773079	1-16-06; 3:47PM	1'07"	2 / 2	EC		CP 14.4

otes :

C: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
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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

January 16, 2006

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- **January 17, 2006**

Please be informed that I have scheduled a public hearing on Tuesday, January 17, 2006, 2:00 p.m. at the Public Hearing Room, Temporary Legislative Building, on the following bills:

The following bills will be heard:

Bill No. 192(EC) – by J. M.S. Brown

An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Sums Appropriated To I Liheslatura For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

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Activity Report

Date/Time
Local ID
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1-16-06; 3:49PM
671 4723459
GUAM LEGISLATURE

* Calling **

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	843	94723844	1-16-06; 8:18AM	27"	1/ 1	EC		CP 28.8
2	850	96475377	9:20AM	54"	1/ 1	EC		CP 9600
3	853	98282429	10:25AM	2' 15"	2/ 2	G3		CP 9600
4	855	AGRICULTURE/DOS	10:28AM	32"	2/ 2	EC		CP 28.8
5	856	96496178	10:28AM	33"	2/ 2	EC		CP 28.8
6	857	94757549	10:35AM	0"	-/ 2			056B
7	858	94757549	10:42AM	0"	-/ 4			056B
8	870	94759329	10:44AM	51"	4/ 4	EC		CP 31.2
9	867	94757549	10:49AM	0"	-/ 4			056B
10	874	94770997	11:00AM	2' 00"	5/ 5	EC		CP 14.4
11	877	94770883	11:11AM	32"	2/ 2	EC		CP 28.8
12	880	96496178	11:25AM	20"	1/ 1	EC		CP 28.8
13	883	94794827	11:33AM	22"	1/ 1	EC	BC	CP 31.2
14	883	94724090	11:34AM	57"	1/ 1	EC	BC	CP 9600
15	883	94758805	11:35AM	27"	1/ 1	EC	BC	CP 28.8
16	883	94772522	11:36AM	20"	1/ 1	EC	BC	CP 31.2
17	883	94775984	11:36AM	20"	1/ 1	EC	BC	CP 28.8
18	883	94752000	11:37AM	36"	1/ 1	EC	BC	CP 14.4
19	883	94723591	11:38AM	43"	1/ 1	EC	BC	CP 14.4
20	883	96475377	11:39AM	57"	1/ 1	EC	BC	CP 9600
21	883	94725022	11:41AM	23"	1/ 1	EC	BC	CP 28.8
22	883	94723547	11:42AM	51"	1/ 1	G3	BC	CP 14.4
23	883	94791329	11:43AM	1' 13"	1/ 1	G3	BC	CP 9600
24	883	94723400	11:44AM	36"	1/ 1	EC	BC	CP 14.4
25	883	94723589	11:45AM	36"	1/ 1	EC	BC	CP 14.4
26	883	94723403	11:46AM	42"	1/ 1	EC	BC	CP 9600
27	883	94773079	11:47AM	37"	1/ 1	EC	BC	CP 14.4
28	883	94776411	11:48AM	22"	1/ 1	EC	BC	CP 26.4
29	883	GLIMPSES OF GUAM INC	11:49AM	26"	1/ 1	EC	BC	CP 28.8
30	883	KUAM NEWS	11:50AM	22"	1/ 1	EC	BC	CP 26.4
31	883	94727663	11:51AM	21"	1/ 1	EC	BC	CP 28.8
32	883	95652983	11:52AM	1' 09"	1/ 1	EC	BC	CP 14.4
33	883	97342958	11:53AM	1' 04"	1/ 1	G3	BC	CP 9600
34	883	96482007	11:55AM	37"	1/ 1	EC	BC	CP 14.4
35	883	94777136	11:56AM	21"	1/ 1	EC	BC	CP 28.8
36	883	94723982	12:01PM	0"	-/ 1		BC	056B
37	885	97340317	12:11PM	1' 04"	1/ 1	EC		CP 9600
38	892	96494265	2:32PM	2' 34"	6/ 6	EC		CP 14.4
39	899	96440103	2:50PM	37"	2/ 2	EC		CP 28.8
40	902	96495615	3:07PM	35"	1/ 1	EC		CP 14.4
41	909	96440103	3:43PM	31"	1/ 1	EC		CP 28.8
42	912	94773079	3:45PM	1' 08"	3/ 3	EC		CP 14.4
43	914	94773079	3:47PM	1' 07"	2/ 2	EC		CP 14.4
44	918	KUAM NEWS	3:49PM	44"	3/ 3	EC	BC	CP 28.8

Total 62

* Called **

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	888	6716497766	1-16-06; 12:19PM	1' 34"	3	EC		CP 9600
2	890	7340317	2:11PM	56"	1	EC		CP 9600
3	895	671 649 0698	2:38PM	1' 41"	5	EC		CP 28.8
4	897	6469710	2:40PM	58"	1	G3		CP 9600
5	905	671 649 0698	3:12PM	32"	1	EC		CP 28.8
6	907	16714725022	3:35PM	25"	1	EC		CP 28.8

Total 12

Notes :

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

GOVERNMENT MEETINGS

Editor's note: Government meetings submissions will be tightly edited. Meetings will run on a space-available basis. Deadline is noon Friday for publication Saturday, Sunday and Monday, and noon Monday through Thursday for next day publication. In the event of a local holiday, deadline will be noon the previous weekday.

Jan. 13
Committee on Education and Community Development public

hearing: 10 a.m. Jan. 13, Legislature's public hearing room, Hagåtña, Bill 245, to extend provisions of the merit award program; Bill 246, to allow students possessing a bachelor's degree in a subject other than nursing to qualify for the Nursing Training Scholarship; substantial Bill 234, concerning mandatory fines on owners of impounded dogs and to establish a stray dog revolving fund.

GovGuam Retirement Fund Board of Trustees regular meeting: Noon Jan. 13, Retirement Fund conference room, Route 8, Maite, 475-8900/1.

Guam Board of Allied Health Examiners rescheduled regular meeting: Noon Jan. 13, FHP Home Health Care conference room, Suite 102, E.T. Calvo Memorial Parkway, Tamuning. Agency copies available.

Jan. 17

Committee on General and Omnibus Matters and Executive Committee public hearing: 2 p.m. Jan. 17, Legislature's public hearing room, Bill 192, to reappropriate \$25,000 from sums appropriated to the legislature for fiscal 2005 to Department of Agriculture to purchase uniforms, supplies and law enforcement equipment for its law enforcement division; Bill 206, authorizing the governor to exchange a portion of a prewar bull cart trail in Taborco; Bill 207, appointment of and removal of officers and employees within the governor's office; lieutenant



ON THE NET

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

Governor of Guam, Glenn Stange Clearing House and other offices that may be established and placed under the review or direction of the lieutenant governor; Guam Bill 208, to appropriate \$16,000 from funds of the office of Vice Speaker Jerome Brown and to authorize the University of Guam to appropriate unexpended funds from Section 2 of PL 28-17 to UOG's Mangyan Agricultural Experiment Station to purchase a total carbon/diogen analyzer and related supplies; also appropriate \$25,000 from funds of the office of Vice Speaker Jerome Brown to the Department of Parks and Recreation for installation and repair of entry gates to public parks around the island; Bill 222, relative to discharging special benefits provided by airlines to government officials; Bill 239, placing the Martin G. Cook School under the administrative jurisdiction of the Manobo mayor's office. Call 475-3409.

Hagåtña, Restoration and Redevelopment Authority and Redevelopment Authority board of commissioners regular meeting: 3 p.m. Jan. 17, HRAA office, Building 106, Chamorro Village, Hagåtña. Public is invited. For special accommodations, call 472-8446.

Jan. 18

Guam Board of Examiners for Deciplinary regular meeting: 3 p.m. Jan. 18, Health Professional Licensing office, Suite 9 651 Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7406/7408.

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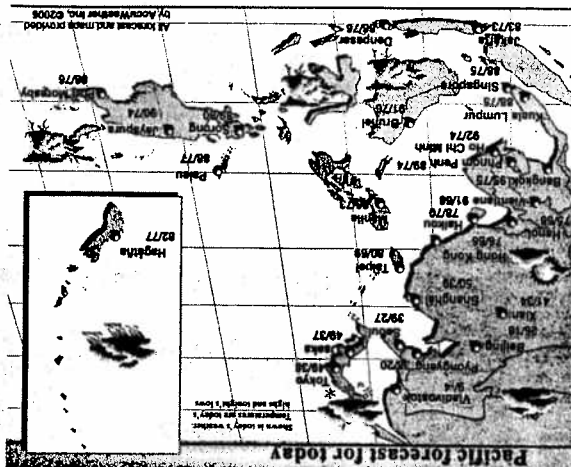
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5-Day forecast for Guam

Day	Forecast	High/Low	Wind
Today	Mostly cloudy and windy. Moderate to rough seas. Windy. A few showers.	High 82	Winds NE 15-35
Tonight	Partly cloudy and windy. Moderate to rough seas.	Low 77	Winds NE 15-30
Tuesday	Partly sunny and cloudy. Moderate to rough seas.	High 84, Low 75	Winds NE 15-35
Wednesday	Windy with sun and some clouds. Moderate to rough seas.	High 86, Low 75	Winds NE 15-35
Thursday	Periods of clouds and sun. Moderate to rough seas.	High 88, Low 75	Winds NE 12-25
Friday	Times of sun and clouds. Moderate to rough seas.	High 88, Low 75	Winds E 12-25

UV Index today
 1-3 Low
 4-6 Moderate
 7-10 High
 11-12 Very High
 13-14 Extreme
 15-17 Very Extreme
 18-20 Extreme
 21-23 Very Extreme
 24-25 Extreme
 26-30 Very Extreme

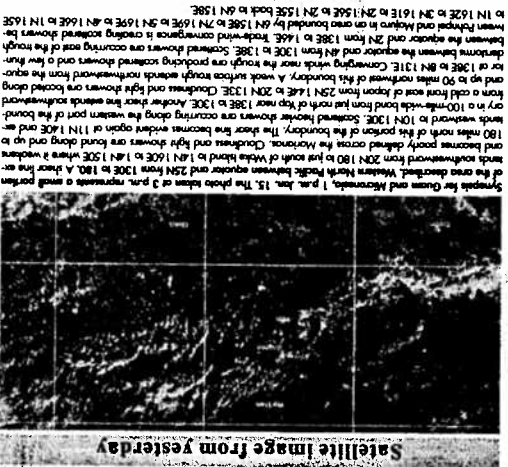
Comfort Index™
 0-30 Comfortable
 31-40 Slightly uncomfortable
 41-50 Uncomfortable
 51-60 Very uncomfortable
 61-70 Extremely uncomfortable
 71-80 Very hot
 81-90 Hot
 91-100 Very hot
 101-110 Extremely hot
 111-120 Very hot
 121-130 Hot
 131-140 Very hot
 141-150 Extremely hot



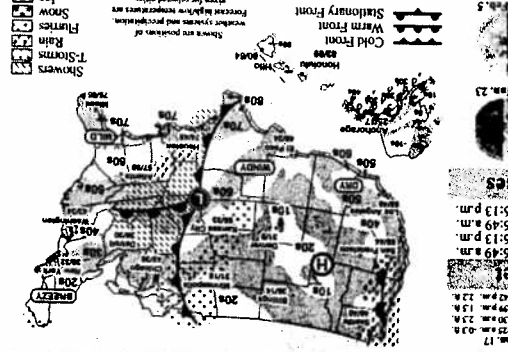
World cities

City	Today	High/Low	City	Today	High/Low
Manila	Cloudy	84-75	London	Cloudy	51-42
Delhi	Partly cloudy	81-68	Paris	Partly cloudy	51-42
Beijing	Partly cloudy	81-68	Rome	Partly cloudy	51-42
Tokyo	Partly cloudy	81-68	Berlin	Partly cloudy	51-42
Sydney	Partly cloudy	81-68	Moscow	Partly cloudy	51-42
Perth	Partly cloudy	81-68	Madrid	Partly cloudy	51-42
Auckland	Partly cloudy	81-68	Stockholm	Partly cloudy	51-42
Wellington	Partly cloudy	81-68	Helsinki	Partly cloudy	51-42
Christchurch	Partly cloudy	81-68	Tampere	Partly cloudy	51-42
Wellington	Partly cloudy	81-68	Oulu	Partly cloudy	51-42
Wellington	Partly cloudy	81-68	Lulea	Partly cloudy	51-42
Wellington	Partly cloudy	81-68	Umea	Partly cloudy	51-42
Wellington	Partly cloudy	81-68	Umea	Partly cloudy	51-42

Tides



U.S. forecast for today



GOVERNMENT MEETINGS

Jan 17
 Committee on General and Administrative Services and Executive Office Staffs may be established and organized to discuss and report on the results of public hearings on the proposed new government of Guam. The committee will be chaired by the Governor and will include representatives from the Legislature, the Judiciary, the Executive Branch, and the Public Accounts Commission. The committee will report to the Legislature by January 20, 2006.

Hagåtña Restoration and Development Authority Board Meeting
 The board meeting will be held on January 17, 2006, at 10:00 a.m. in the boardroom of the Hagåtña Restoration and Development Authority. The agenda includes the review of the progress report for the restoration of the Hagåtña area and the approval of the budget for the next fiscal year.

READER INFORMATION

The Pacific Daily News is a member of the Guaman group of newspapers, published daily at 244 Adukkupap T.L. Flores St., Hagåtña, Territory of Guam, USA. P.O. Box DNI-Hagåtña, Guam 96932. Entered as Periodicals Postage Paid at the U.S. Post Office, Hagåtña, Guam, under Act of Congress of March 3, 1979. POSTMASTER: Send address changes to: The Pacific Daily News, P.O. Box DNI-Hagåtña, Guam 96932. USPS 230-980.
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Hearing on Cook School transfer today

By Steve Limtaco
Pacific Daily News
slimtaco@guampdn.com

A historic former school building in the heart of Merizo, once used as a village youth center, has been boarded up for years and has become a target for vandals.

Officials are working on a grant from the Guam Preservation Trust, which spent \$300,000 to repair the building in 1997, to repair the Merlyn G. Cook School, and lawmakers today will hear public testimony on a bill that would transfer the school from the Department of Parks and Recreation to the village mayor's office.

The basketball court next to the Cook School is popular with village youth, said 30-year-old Merizo resident Jessica Santiago. There aren't many other recreational facilities, she said, and it would be a good idea to have pool tables or other facilities at the Cook School. Santiago said many of the older residents in the village have a connection to the building because they went to school there, and using the facility regularly would help keep it maintained.

Former Mayor Ignacio "Buck" Cruz, who was a student at the Cook School, said typhoon damage to the building several years ago, then rock-throwing youths broke more windows and damaged it further.

Most of the windows in the

▲ See School, Page 8

IF YOU GO

The public hearing body at 2 p.m. in the legislative public hearing room covers the following bills:

▲ Bill No. 192: Appropriates \$25,000 in savings from Vice Speaker Joanne Brown's office budget to the Department of Agriculture to buy uniforms and equipment for law enforcement division.

▲ Bill No. 205: Allows the governor to exchange a portion of a budget trail in Talofofo for part of a residential lot in the village.

▲ Bill No. 207: Gives the lieutenant governor exclusive authority to hire and fire people working for his office or for offices under his purview, such as the Guam State Clearing House.

▲ Bill No. 208: Appropriates \$15,000 in savings from Vice Speaker Joanne Brown's office to the University of Guam's Inveran Agricultural experiment station to buy a total carbon/nitrogen analyzer and related supplies.

▲ Bill No. 209: Appropriates \$25,000 in savings from Vice Speaker Joanne Brown's office to the Department of Parks and Recreation to install and repair entry gates at public parks around the island.

▲ Bill No. 222: Requires airlines and selected government officials or their employees to report seat upgrades, first tickets, discount fares, hotel rooms or other special considerations.

▲ Bill No. 236: Places the Marilyn G. Cook School under the administration of the Merizo mayor's office.

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1) Early Bird - \$200.00
2) Package Games ALL!! - \$1,000.00 Each
3) Million Star (48 nos.) - \$1,100.00
4) Lrg Picture Frame (32 nos.) - \$2,500.00
5) Junior Jackpot - \$1,000.00
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To: The Legislators of the Territory of Guam

17 Jan 2006

Honorable Senators;

I, Mr. Robert L. Darlow Jr., residing at 575 San Miguel St., Talofofo, would like to testify in favor of Bill 206.

There is a portion of a "Prewar Trail" or "Bull Cart Path" separating Lot 26-2R2 and Lot 25-2-2-1-1. As the owner of both of these lots, I would like to trade the northern portion of Lot 26-2R2 in return for title to that portion of the bull cart path.

Route 4A currently uses the northern portion of Lot 26-2R2, and limits the lot's use, sandwiched between the bull cart path and Route 4A. The parcels of land for the proposed trade are approximately the same size and the trade would give the Government of Guam title to all of that section of pavement and shoulder and remove the encroachment.

The trade would be possible for that portion of the bull cart path to be consolidated with Lot 26-2R2 and Lot 25-2-2-1-1 to increase the potential for improvements the property.

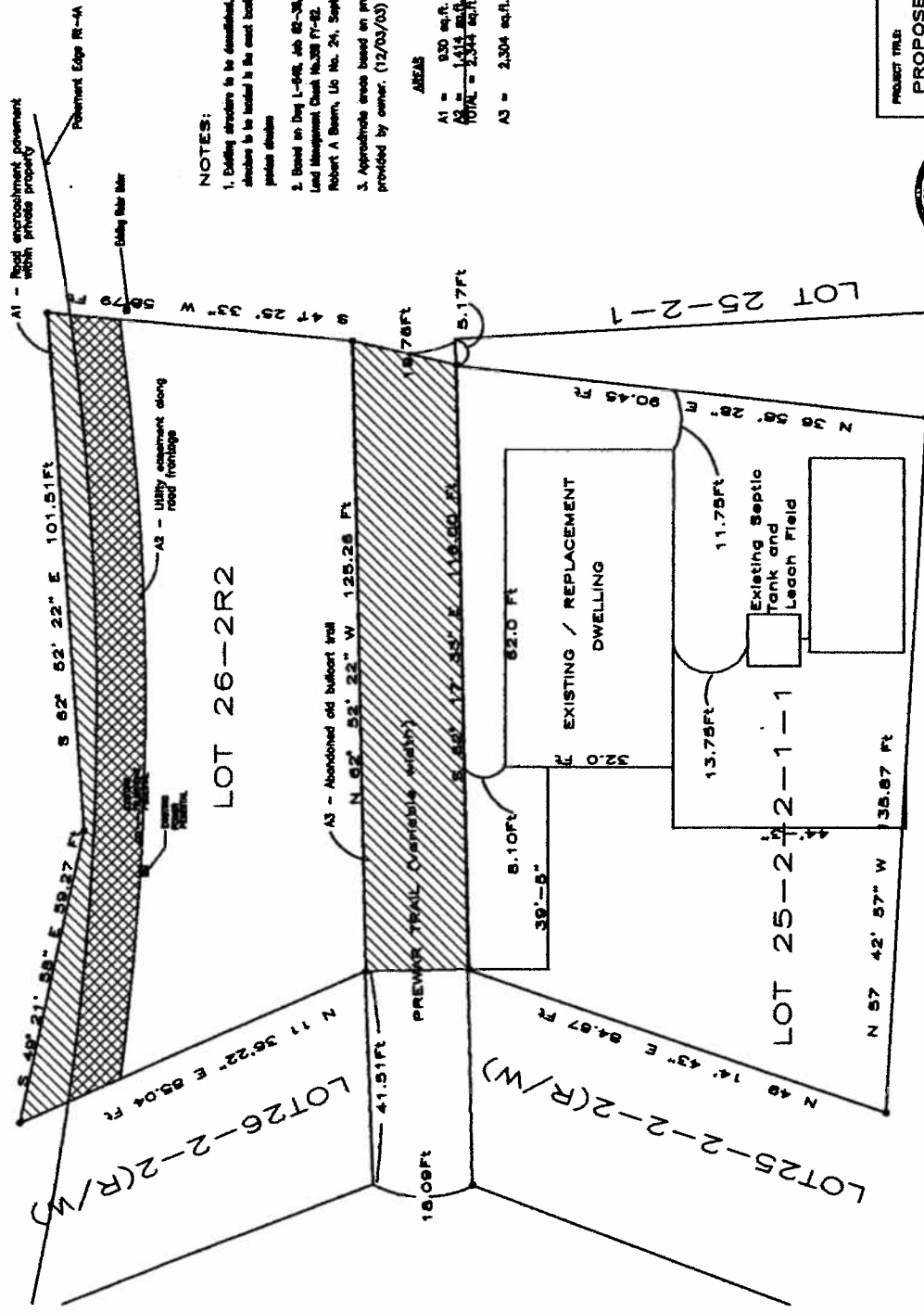
To the West, several portions of this path have already been converted to private ownership, and to the East the path encounters several shear drops. The removal of this portion of the bull cart path will not block access to any other piece of property nor be detrimental to any existing or proposed use of this section of the path.

The trade will benefit equally the Government of Guam and the property owner. I respectfully request that the legislature favorably consider passage of Bill 206, which will allow this trade to occur.

Si Yu'us Ma'ase



Robert L. Darlow Jr.



NOTES:

1. Building structure is to be demolished, and new structure is to be located in the exact location as the previous structure.
2. Based on Day 1-046, Job 82-36, Sept 1982 Land Management Chart No. 209 P1-82, Surveyed by Robert A. Baum, L.S. No. 24, Sept 30 1982.
3. Approximate areas based on property map provided by owner. (12/03/03)

AREAS

A1 = 830 sq.ft.
 A2 = 1,415 sq.ft.
 TOTAL = 2,245 sq.ft.

A3 = 2,304 sq.ft.

PROJECT TITLE:	PROPOSED PROPERTY TRADE
OWNER:	ROBERT & CAROL DARLOW
LOCATION:	TALOFORD, LOTS 25-2-2-1-1 & 62-2-R2
SHEET 1 OF 1	DATE 05 MAY 2004 C-1



1 SITE PLAN
 12/15/03

**TESTIMONY OF CYNTHIA U. JACKSON
RIGHTS-OF-WAY SUPERVISOR
DIVISION OF HIGHWAYS, DEPARTMENT OF PUBLIC WORKS**

Good Afternoon Speaker Forbes, Senator Lou and Senators of the 28th Guam Legislature. My name is Cynthia U. Jackson, the Rights-of-Way Supervisor from the Department of Public Works. Thank you for the opportunity to present my testimony, on behalf of the Department of Public Works in favor of Bill 206.

The Darlow's request for Land Exchange presents a win-win situation for the Government of Guam. As the Agency is responsible for land acquisition for future road widening, this landowner's request for contiguous use of his property is reasonable and provides for public benefit.

I have inspected the property and the future use of the trail seems highly unlikely as portions of this trail have been disposed of and the portion of the remaining trail drops down 20-foot steep descent.

The highest and best use of both properties to be exchange is for the same purpose, a public easement. I am of the opinion that an appraisal of both portions would yield similar appraised values, with no damages or benefits.

The Department of Public Works welcomes win-win requests such as Mr. Robert and Carol Darlow's and strives to obtain the same resolution with every land exchange issue.

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

Bill No. 206 (EC)

Introduced by:

L.A. Leon Guerrero *LLG*

**AN ACT TO AUTHORIZE *I MAGA'LAHEN GUAHAN* TO
EXCHANGE PORTION OF A PREWAR BULL CART
TRAIL, TALOFOFO, GUAM FOR PORTIONS OF LOT
NUMBER 26-2R2, TALOFOFO, GUAM**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*

finds that a prewar bull cart trail in the municipality of Talofoyo has posed setbacks for Robert and Carol Darlow. The bull cart trail is situated between two parcels of land in which the Darlows own. *I Liheslatura* further finds that the bull cart trail has been deemed unusable by the government of Guam. Accordingly, the Darlows request to exchange land in their holding for the prewar bull cart trail. Likewise, the government of Guam never acquired the land in which the Darlows seek to exchange for purposes of easement. The land currently in the Darlows' holding contains a combined area of 2,344 square feet, whereas the prewar bull cart trail owned by the government of Guam has an area of 2,304 square feet. Therefore, this would be a reasonable land exchange and the government of Guam does not fail to benefit from this transaction.

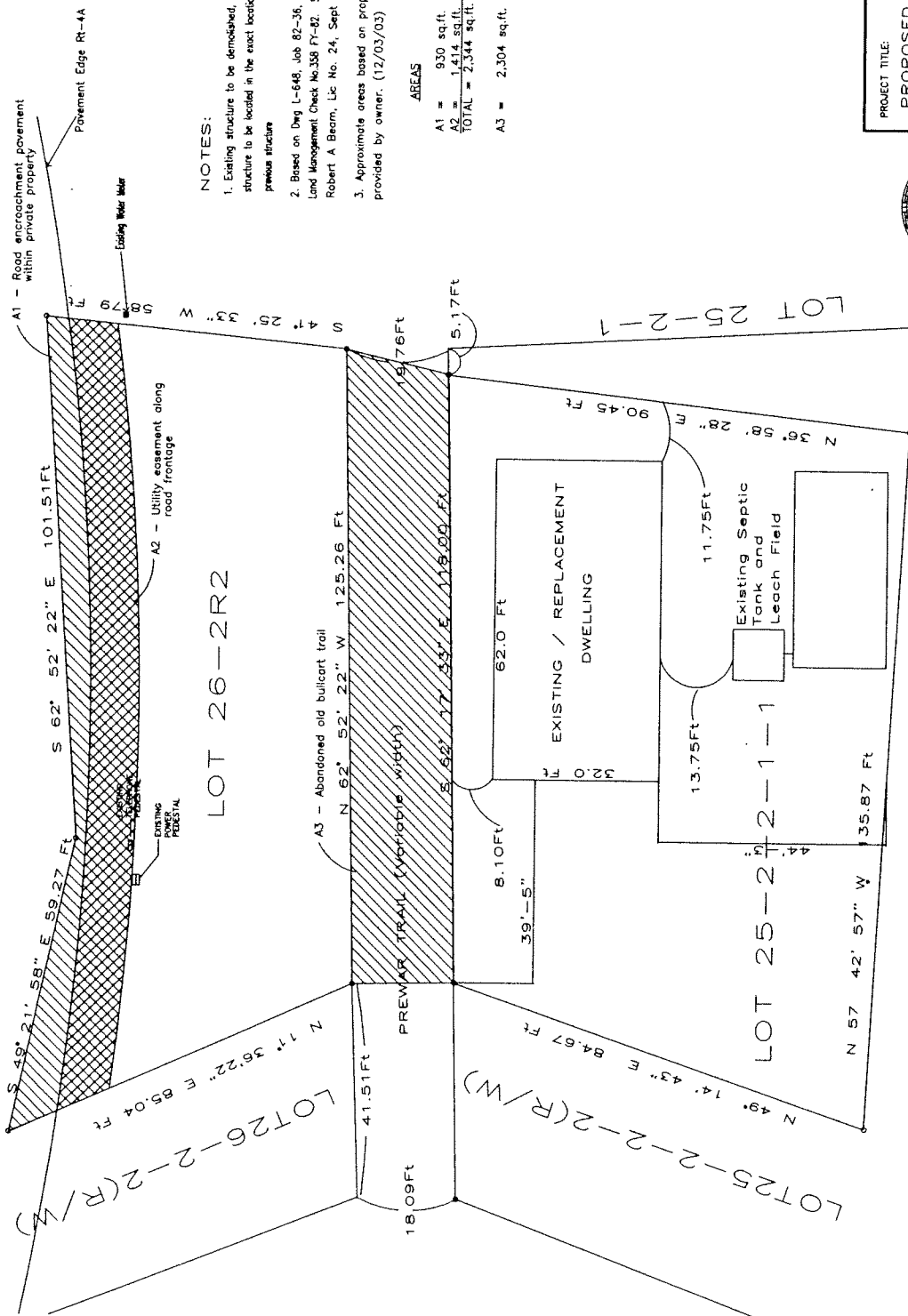
It is the intent of *I Liheslaturan Guahan* to authorize *I Maga Lahen Guahan* to exchange a portion of a prewar bull cart trail located in Talofoyo, Guam for portions of Lot Number 26-2R2, Talofoyo, Guam.

Section 2. Land Exchange. *I Maga'lahi* shall exchange portion of prewar bull cart trail, Talofoyo, Guam (identified as A3 in the attached sketch) containing an area of 2,304 square feet for portions of Lot No. 26-2R2, Talofoyo, Guam (identified as A1 and A2) owned by Robert and Carol Darlow

1 containing a combined area of 2,344 square feet. In exchange for portions of
2 Lot No. 26-2R2, Talofofo, Guam (identified as A1 and A2), a portion of the
3 prewar bull cart trail (A3) Talofofo, Guam, shall be conveyed by the
4 government of Guam to Robert and Carol Darlow. A1 represents route 4A
5 encroachment onto private property. A2 represents private property within the
6 route 4A alignment that will be acquired by GovGuam for future widening. In
7 exchange for a portion of the prewar bull cart trail (identified as A3 in attached
8 sketch), Talofofo, Guam, portions of Lot No. 26-2R2 Talofofo, Guam
9 (identified as A1 and A2 on the attached sketch) and within route 4A shall be
10 conveyed by Robert and Carol Darlow to the government of Guam.

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

15 **Section 4. Severability.** If any of the provisions of this Act or the
16 application thereof to any person or circumstance is held invalid, such invalidity
17 shall not affect any other provision or application of this Act which can be
18 given effect without the invalid provision or application, and to this end the
19 provisions of this Act are severable.



NOTES:

- Existing structure to be demolished, and new structure to be located in the exact location as the previous structure
- Based on Dwg L-648, Job 82-36, Sept 1982 Land Management Check No.358 P-82. Surveyed by Robert A. Beorn, Lic. No. 24, Sept 30 1982.
- Approximate areas based on property map provided by owner. (12/03/03)

AREAS

A1 = 930 sq.ft.
 A2 = 1,414 sq.ft.
TOTAL = 2,344 sq.ft.
 A3 = 2,304 sq.ft.

PROJECT TITLE:	PROPOSED 3-BEDROOM HOUSE
OWNER:	ROBERT & CAROL DARLOW
LOCATION:	TALOFOFO, LOTS 25-2-2-1-1 & 62-2-R2
SHEET 1 OF 1	DATE 05 MAY 2004



1 SITE PLAN
 C-1 SCALE 1"=40'-0"