

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|--------------------------------|--------------------------|--|--------------------|---------------|---|---|-----------------------------|--------------------------------------|
| 7-32 (COR), P.L. 32-013 | Judith T. Won Pat, Ed.D. | AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION. | 01/08/2013, 8:06am | 1/10/13 | Committee on Appropriations, Taxation, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land | 02/01/2013 , 9:00am | 2/15/13 4:10p.m. | Fiscal Note Requested 2/13/13 |
| | DATE PASSED | TITLE | TRANSMITTED | | DUE DATE | <small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small> | PUBLIC LAW NO. | NOTES |
| | 4/1/2013 | AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION | 4/2/13 | 12:10PM | 4/12/13 | 4/11/2013 | 32-013 | Passed as amended on the Floor. |



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member


Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

March 22, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio** 
Chairperson, Committee on Rules

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Bill Nos.: 7-32 (COR), 16-32 (COR), and 43-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

4/19/13 rec'd [Signature]

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932


EDDIE BAZA CALVO
GOVERNOR**JOHN A. RIOS**
DIRECTOR**RAY TENORIO**
LIEUTENANT GOVERNOR**MAR 15 2013**

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 16-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 07-32(COR), and 43-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR**JOHN A. RIOS**
DIRECTOR**RAY TENORIO**
LIEUTENANT GOVERNOR**MAR 13 2013**

The Bureau requests that Bill No. 07-32 be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s)

The Legislature's intent is to transfer jurisdiction of the Port Authority of Guam (PAG) over Lot 127 in the municipality of Piti to the jurisdiction of the Guam Ancestral Lands Commission (GALC). PAG's adoption of overall master plan did not include subject property and other contiguous properties after a quitclaim from the federal government. Passage of the Bill will leave GALC the chance to eventually take steps to return subject property to the original landowners as mandated.

The provisions of the Bill are administrative in nature and its passage would not have a financial impact on the Government of Guam.

Attached for your information is the memorandum from the Department of Land Management to the Office of the Governor dated January 29, 2013 which contains comments on the Bill.

A handwritten signature in black ink, appearing to read "John A. Rios".
JOHN A. RIOS

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

April 12, 2013

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

RE: Bill No. 7-32 (LS) – Public Law No. 32-013

Dear Madame Speaker:

Transmitted herewith is Bill No. 7-32 (LS), "AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION", which I signed into law on April 11, 2013, as Public Law 32-013.

Senseramente,



EDDIE BAZA CALVO

Attachment: Copy of Bill

0275

2013 APR 12 PM 4: 22

32-13-275
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 4/12/13
Time 4PM
Received by RT

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

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

This is to certify that **Bill No. 7-32 (COR)**, "AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION", was on the 1st day of April, 2013, duly and regularly passed.



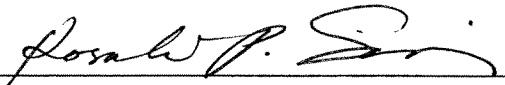
Judith T. Won Pat, Ed.D.
Speaker

Attested:



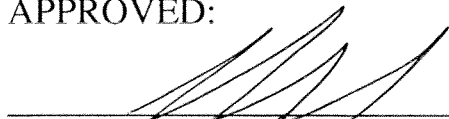
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 2 day of April,
2013, at 12:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: APR 1 1 2013

Public Law No. 32-013

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7-32 (COR)

As amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed. D.
Vicente (ben) C. Pangelinan
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
Chris M. Dueñas
M. T. Limtiaco
Brant T. McCreadie
Tommy Morrison
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
5 creating the Apra Harbor Reservation Boundary. Eventually, the United States
6 quitclaimed portions of the Apra Harbor Reservation to the government of Guam

1 in December 1984 containing certain parcels, with eventual transfer to the
2 Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for
3 development. In formal conferences and legislative session meetings between the
4 PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
5 management, and personnel that the PAG *does not* have any future plans for the
6 development or use of certain portions of the parcels under their jurisdiction.

7 Therefore, *I Liheslatura* intends to transfer such land parcels and
8 properties to the Guam Ancestral Lands Commission, so that the Guam
9 Ancestral Lands Commission *can and shall* proceed with the return of such land
10 parcels and properties to the original landowners or their estates, pursuant to the
11 Commission's enabling legislation and mandates.

12 **Section 2.** A new Subsection (i) is hereby *added* to §80105 of Chapter 80,
13 Title 21, Guam Code Annotated, to read as follows:

14 “(i) Portions of Parcel 1 South of Route 18 and contiguous to the
15 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
16 east, specifically original lot: No. 127 PI, originally owned by the Estate of
17 Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas
18 Rapolla, Joaquin S. San Nicolas, Juan S. San Nicolas, Maria S.-CI# 8383,
19 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
20 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
21 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
22 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
23 Lands Commission within thirty (30) days of the effective date of this Act.
24 The Guam Ancestral Lands Commission *shall* within one hundred eighty
25 (180) days dispose of the land parcel and lot transferred by this Act in a
26 manner consistent with and pursuant to its enabling legislation and its
27 mandates. All pre-condemnation roads, easements and bull cart trails *shall*

1 remain as easements for public access and utilities. The transferred property
2 *shall* be zoned “A” – Agricultural zone.”

3 **Section 3.** The Department of Land Management *shall* plot, plan, design,
4 and provide within sixty (60) days of enactment an aerial overlay map delineating
5 all roads, easements, bull-cart trails, and public access as to determine such access
6 or easements’ location in relation to the return subject lot so that no lot is
7 landlocked. The overlay *shall* show all original lot lines generally.

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

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

April 12, 2013

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

RE: Bill No. 7-32 (LS) – Public Law No. 32-013

Dear Madame Speaker:

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Senseramente,



EDDIE BAZA CALVO

Attachment: Copy of Bill

0275

2013 APR 12 PM 4: 22

32-13-275
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 4/12/13
Time 4PM
Received by RT

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session


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

This is to certify that **Bill No. 7-32 (COR)**, "AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION", was on the 1st day of April, 2013, duly and regularly passed.



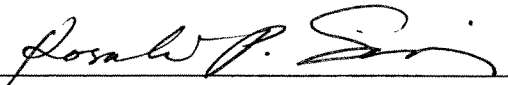
Judith T. Won Pat, Ed.D.
Speaker

Attested:



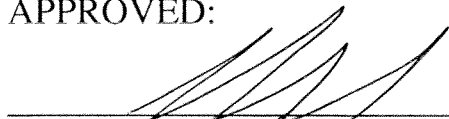
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 2 day of April,
2013, at 12:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: APR 11 2013

Public Law No. 32-013

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7-32 (COR)

As amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed. D.
Vicente (ben) C. Pangelinan
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
Chris M. Dueñas
M. T. Limtiaco
Brant T. McCreadie
Tommy Morrison
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.

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3 certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
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6 quitclaimed portions of the Apra Harbor Reservation to the government of Guam

1 in December 1984 containing certain parcels, with eventual transfer to the
2 Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for
3 development. In formal conferences and legislative session meetings between the
4 PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
5 management, and personnel that the PAG *does not* have any future plans for the
6 development or use of certain portions of the parcels under their jurisdiction.

7 Therefore, *I Liheslatura* intends to transfer such land parcels and
8 properties to the Guam Ancestral Lands Commission, so that the Guam
9 Ancestral Lands Commission *can and shall* proceed with the return of such land
10 parcels and properties to the original landowners or their estates, pursuant to the
11 Commission's enabling legislation and mandates.

12 **Section 2.** A new Subsection (i) is hereby *added* to §80105 of Chapter 80,
13 Title 21, Guam Code Annotated, to read as follows:

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15 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
16 east, specifically original lot: No. 127 PI, originally owned by the Estate of
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18 Rapolla, Joaquin S. San Nicolas, Juan S. San Nicolas, Maria S.-CI# 8383,
19 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
20 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
21 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
22 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
23 Lands Commission within thirty (30) days of the effective date of this Act.
24 The Guam Ancestral Lands Commission *shall* within one hundred eighty
25 (180) days dispose of the land parcel and lot transferred by this Act in a
26 manner consistent with and pursuant to its enabling legislation and its
27 mandates. All pre-condemnation roads, easements and bull cart trails *shall*

1 remain as easements for public access and utilities. The transferred property
2 *shall* be zoned “A” – Agricultural zone.”

3 **Section 3.** The Department of Land Management *shall* plot, plan, design,
4 and provide within sixty (60) days of enactment an aerial overlay map delineating
5 all roads, easements, bull-cart trails, and public access as to determine such access
6 or easements’ location in relation to the return subject lot so that no lot is
7 landlocked. The overlay *shall* show all original lot lines generally.

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



FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

April 1, 2013

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY *[Signature]*
TIME 12:10 DATE 4/2/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 1-32(LS), 4-32(LS), 5-32(LS), 6-32(LS), 7-32(COR), 23-32(COR), 29-32(COR), 31-32(COR), 32-32(COR), 41-32(LS), 43-32(COR), 44-32(COR), 46-32(LS) and 54-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 1, 2013.

Sincerely,

Tina Rose Muña Barnes
Senator and Legislative Secretary

Enclosures (14)

FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

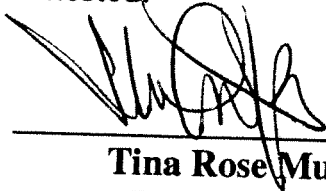
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

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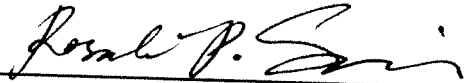
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2 day of April, 2013, at 12:10 o'clock P.M.



Rosali P. Serrin
Assistant Staff Officer
Maga'laha's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7-32 (COR)

As amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed. D.
Vicente (ben) C. Pangelinan
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
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Aline A. Yamashita, Ph.D.

**AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF
TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO
THE TRANSFER OF PROPERTY UNDER THE
JURISDICTION OF THE PORT AUTHORITY OF
GUAM TO THE JURISDICTION OF THE GUAM
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19 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
20 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
21 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
22 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
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6 or easements’ location in relation to the return subject lot so that no lot is
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8 **Section 4. Severability.** *If* any of the provisions of this Act or the
9 application thereof to any person or circumstance is held invalid, such invalidity
10 *shall* not affect any other provision or application of this Act which can be given
11 effect without the invalid provision or application, and to this end the provisions of
12 this Act are severable.

LEGISLATIVE SESSION ATTENDANCE

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

Bill No: 7-32 (COR)

Speaker Antonio R. Unipingco Legislative Session Hall

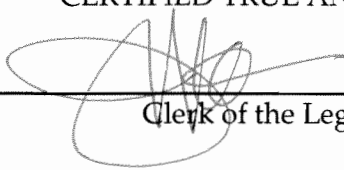
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| NAME | Yea | Nay | Not Voting/ Abstained | Out During Roll Call | Absent |
|--|-----|-----|--------------------------|-------------------------|--------|
| Senator Thomas "Tom" C. ADA | ✓ | | | | |
| Senator V. Anthony "Tony" ADA | ✓ | | | | |
| Senator Frank Blas AGUON Jr. | ✓ | | | | |
| Vice-Speaker Benjamin J.F. CRUZ | ✓ | | | | |
| Senator Christopher M. DUENAS | ✓ | | | | |
| Senator Michael LIMTIACO | ✓ | | | | |
| Senator Brant McCREADIE | ✓ | | | | |
| Senator Thomas "Tommy" MORRISON | ✓ | | | | |
| Senator Tina Rose MUÑA BARNES | ✓ | | | | |
| Senator Vicente (ben) Cabrera PANGELINAN | ✓ | | | | |
| Senator Rory J. RESPICIO | ✓ | | | | |
| Senator Dennis G. RODRIGUEZ, Jr. | ✓ | | | | |
| Senator Michael F. Q.SAN NICOLAS | ✓ | | | | |
| Speaker Judith T. WON PAT, Ed.D. | ✓ | | | | |
| Senator Aline A. YAMASHITA, Ph.D. | ✓ | | | | |

TOTAL

15

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

4/1/13



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 15 2013

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Unu Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2013 FEB 15 PM 4:10

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 7-32 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

- 3 TO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 7-32 (COR), As Introduced

Sponsored by Speaker Judith T. Won Pat, Ed.D.

**“An act to add a new §80105 (i) to
Chapter 80 of Title 21, Guam Code
Annotated, relative to the transfer of
property under the jurisdiction of the
Port Authority of Guam to the
jurisdiction of the Guam Ancestral Lands
Commission”**



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

FEB 15 2013
MEMORANDUM

To: All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (Ben) Cabrera Pangelinan
Chairman

Subject: Committee Report on Bill No. 7-32 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" sponsored by Speaker Judith T. Won Pat, Ed.D.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 7-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman


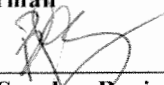
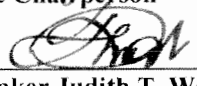
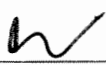
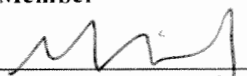
324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill 7-32 (COR): An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

| Committee Members | To Pass | Not To Pass | Report Out Only | Abstain | Inactive File |
|---|---------|-------------|-----------------|---------|---------------|
|  Senator Vicente (ben) Cabrera Pangelinan Chairman | ✓ | | | | |
|  Vice Speaker Benjamin J. F. Cruz Vice Chairperson | ✓ | | | | |
|  Speaker Judith T. Won Pat, Ed.D Member | ✓ | | | | |
| _____ Senator Tina Rose Muña-Barnes Member | | | | | |
|  Senator Dennis Rodriguez, Jr. Member | | | V2/5/14 | | |
|  Senator Michael San Nicolas Member | | | ✓ | | |
| _____ Senator Michael Limtiaco Member | | | | | |
| _____ Senator Tommy Morrison Member | | | | | |



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill 7-32 (COR), As Introduced: An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on January 25, 2013 (5-Day Notice), and again on January 30, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Vice Speaker BJ Cruz, Vice Chairman
Speaker Judith Won Pat, Member
Senator Dennis Rodriguez Jr., Member
Senator Mike San Nicolas, Member
Senator Tommy Morrison, Member
Senator Tom Ada
Senator Rory Respicio
Senator Tony Ada
Senator Chris Duenas
Senator Brant McCreadie
Senator Aline Yamashita

(b) Appearing before the Committee

Mr. Patrick S.N. Iriarte
Mr. Felix Pangelinan, Acting Deputy General Manager, Port
Authority Guam
Mr. Ricky Rapolla Borja
Mr. Al Ysrael, Former Senator, 12th Guam Legislature

(c) Written Testimonies Submitted

Mr. Felix Pangelinan, Acting Deputy General Manager, Port
Authority Guam
Mr. Monte Mafnas, Director, Department of Land Management

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan: The next item on the agenda is Bill No. 7-32 (COR), An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

The bill was introduced by Speaker Judith Won Pat. We have signed up to testify Mr. Patrick S.N. Iriarte and Mr. Felix Pangelinan from the Port Authority of Guam. Speaker Won Pat will present a synopsis of the bill.

(a) Bill Sponsor Summary

Speaker Judith Won Pat: Thank you Mr. Chairman. Last term, the 31st Guam Legislature, a bill was introduced to have certain properties return to the government that are part of the Guam Ancestral Lands Commission and in turn we try to return them to the families. There is one particular family in that series of names that came out that have been located. So we are doing this piece meal. If you recall, this bill is like the bill introduced last term.

At least in testimonies that were given last time, I want the committee report to reflect that the Port Authority did say that they do support it and have the properties returned to the original landowners. Thank you.

Chairman Vicente C. Pangelinan: Thank you very much Speaker Won Pat. We will go ahead and begin with Mr. Iriarte.

(b) Testimony

1. Mr. Partrick S.N. Iriarte

Mr. Patrick S.N. Iriarte: Thank you very much and manana si yu'os ma'ase' para hamyo todus. Si yu'os ma'ase' Speaker and Vice Speaker and the rest of Guam's finest here. I would like to elongate the support of every senator here to sign off on awarding this land and blessing what we didn't know we had when it was first introduced in 2009.

We found out last year and we just want to thank you from the bottom of our hearts. I am representing my mother's interest, Rosario Wusstig San Nicolas, on this bill. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much and Si yu'os ma'ase' Mr. Iriarte. Mr. Pangelinan?

2. Mr. Felix Pangelinan, Port Authority Guam

Mr. Felix Pangelinan: Good morning Mr. Chairman and Legislature.

[Reads testimony verbatim, see testimony on Mr. Felix Pangelinan]

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Mr. Pangelinan, thank you and si yu'os ma'ase' for your testimony. We also received written testimony from the Department of Land Management. For the record they are also in support of the bill.

We also have Mr. Ricky Rapolla and Mr. Raymond Rapolla Borja who signed up and are in support of Bill 7-32 (COR). Sir, please identify yourself for the record and also present your testimony.

3. Mr. Ricky Rapolla

Mr. Ricky Rapolla Borja: For the record my name is Ricky Rapolla Borja. I am here for the bill to give back the land to the landowners. I am representing my grandmother Carlina San Nicolas Rapolla. My mother passed away a long time ago. The family had a rice plantation and all of the sudden they were taken by the military. You know how when they really want support the military here without asking for any kind of compensation or what they just went away and the military just started building on it.

We never got an update on what's happening there. I Just heard that there will be land given back to the San Nicolas family. My brother and I wanted to come here and find out about the bill. I see there is only one issue here - the big man from the Port saying that they still want to make something out of it.

I am here to get back our ancestral land from the Guam Ancestral Land Commission. To put it all into perspective to give it back to the owners. I would like to thank everybody and especially Judi Won Pat for introducing this bill because I would have never known and I am pretty sure if the family had known or put out an announcement. That's all I have to say for now until the hearing. I just want to show that I'm for the bill. When I saw that he [referring to Mr. Iriarte] was the only one it gave me more courage to come up here and talk. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much. Senator Ysrael, please come and join the others.

4. Mr. Al Ysrael, Former Senator, 12th Guam Legislature

Mr. Al Ysrael: Thank you Mr. Chairman for the notice. I am here originally to testify for the GEDA bill but when I saw the 12 illustrious men and ladies in front of me as a captive audience I couldn't help resist making comments on the autonomous agency of the Port together with the many other autonomous agencies that the legislature has created in the past.

The autonomous agencies of Guam have become untouchable. They have become an empire and an entity on their own, responsible to no one, not even to the Legislature. How many times has the Legislature asked for documentation from the autonomous agencies? They are supposed to be semi-autonomous but they became autonomous agencies without any checks or balances.

In particular, returning this land back to the government of Guam where it naturally belongs is an excellent idea. In particular, the biggest violator is the Guam International Airport Authority. They have huge tracts of valuable land and they have become or are in the process of becoming the largest non-taxed paying landlords on the island. This is the stated goal of their Vice Chairman, Mr. Santos. He made it as a public statement last month. I thought I kept it but I couldn't find it in my records

But as an example the land under the control of this autonomous agencies do not pay gross receipts tax, do not pay income tax and do not pay real estate taxes. Therefore, they are in the position of offering land to private enterprises at the rate of, for example, four cents a square foot monthly rental. To add insult to injury this monthly rental is not paid until the 6th to the 15th year that rental payment is deferred. No one can control their actions.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Senator...

Mr. Al Ysrael: I know; going too far. Make this as comprehensive as possible. Include all the autonomous agencies in this comprehensive bill as a suggestion. Bring back the autonomous agencies under the control of the government of Guam.

Chairman Vicente C. Pangelinan: We have a bill to resolve some of those issues very soon.

Mr. Al Ysrael: Thank you. I couldn't resist the twelve captive audiences.

Chairman Vicente C. Pangelinan: I know. Thank you very much [former] Senator Ysrael. Si yu'os ma'ase.

Thank you very much, si yu'os ma'ase. Gentlemen thank you very much for your testimony. This concludes the testimony on Bill No. 7-32 (COR). There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 7-32 (COR) with the recommendation to report out only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7 -32 ()

Introduced by:

Judith T. Won Pat, Ed. D.

2013 JUN -8 AM 8:06
Oh

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
5 creating the Apra Harbor Reservation Boundary. Eventually, the United States
6 quitclaimed portions of the Apra Harbor Reservation to the Government of Guam
7 in December 1984 containing certain parcels, with eventual transfer to the
8 Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for
9 development. In formal conferences and legislative session meetings between the
10 PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
11 management, and personnel that the PAG *does not* have any future plans for the
12 development or use of certain portions of the parcels under their jurisdiction.

13 Therefore, *I Liheslatura* intends to transfer such land parcels and properties
14 to the Guam Ancestral Lands Commission, so that the Guam Ancestral Lands

1 Commission *can and shall* proceed with the return of such land parcels and
2 properties to the original landowners or their estates, pursuant to the Commission’s
3 enabling legislation and mandates.

4 **Section 2.** A new §80105(i) is hereby *added* to §80105 of Chapter 80,
5 Title 21, Guam Code Annotated, to read as follows:

6 “(i) Portions of Parcel 1 South of Route 18 and contiguous to the
7 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
8 east, specifically original lot: No. 127 PI, originally owned by the Estate of
9 Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas
10 Rapolla, Joaquin S. San Nicolas , Juan S. San Nicolas, Maria S.-CI# 8383,
11 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
12 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
13 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
14 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
15 Lands Commission within thirty (30) days of the effective date of this Act.
16 The Guam Ancestral Lands Commission *shall* within one hundred eighty
17 (180) days dispose of the land parcel and lot transferred by this Act in a
18 manner consistent with and pursuant to its enabling legislation and its
19 mandates. All pre-condemnation roads, easements and bull cart trails *shall*
20 remain as easements for public access and utilities. The transferred property
21 *shall* be zoned “A” – Agricultural zone.”

22 **Section 3.** The Department of Land Management *shall* plot, plan, design,
23 and provide within sixty (60) days of enactment an aerial overlay map delineating
24 all roads, easements, bull-cart trails, and public access as to determine such access
25 or easements’ location in relation to the return subject Lot so that *no* Lot is
26 landlocked. The overlay *shall* show all original Lot lines generally.

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



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

**Bill No. 7-32 (COR)
 SIGN UP SHEET**

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------------|------------------------------|----------|---------------------|---------|------|-------------------------------------|----|
| | | | | | | Yes | No |
| ↓ Patrick S.N. Iriarte | P.O. Box 11781 Yigo 96929 | 653-2341 | psnieiris@ymail.com | | ✓ | <input checked="" type="checkbox"/> | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

DLW

7
 Bill No. ~~10~~-32 (COR)
SIGN UP SHEET

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------------------|--|-----------------|-----------------------------|---------|------|---------|----------|
| | | | | | | Yes | No |
| <i>Riefe y Rapolla Borja</i> | <i>158 Sony Lane Hagatna</i> | <i>87-5088</i> | | | | | <i>↓</i> |
| <i>RAYMOND RAPOLLA BORJA</i> | <i>P.O. Box 218388 GME, GU 96921</i> | <i>734-0859</i> | <i>marray95@hotmail.com</i> | | | | <i>✓</i> |
| | | | | | | | |
| | | | | | | | |



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

7
 Bill No. ~~10~~-32 (COR)
SIGN UP SHEET

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------|----------------------------------|----------------------|--------------------------|---------|------|---------|----|
| | | | | | | Yes | No |
| Felix Pangelinan | 1026 Cabras Myra Pete Guam | 477-5931 Ext. 301 | fpangelinan@portguam.com | | ✓ | Yes | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

January 31, 2013

Senator Vicente (ben) C. Pangelinan
 32nd Guam Legislature
 Chairman, Committee on Appropriations,
 Taxation, Public Debt, Banking,
 Insurance, Retirement, and Land
 324 W. Soledad Ave., Suite 100
 Hagatna, GU 96932

DLV

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

Subject: Testimony on Bill Number 07-32

Website:
<http://dlm.guam.gov>

Bueñas Yan Hafa Adai: The Department has reviewed Bill Number 07-32 - **An Act to Add a New §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the Jurisdiction of the Port Authority of Guam (PAG) to the Jurisdiction of the Guam Ancestral Lands Commission.** The intent of this legislative proposal is to allow the transfer of previously *quitclaimed* portions of the Apra Harbor Reservation to the Guam Ancestral Land Commission¹. This Bill makes particular reference to Lot 127 in the municipality of Piti. **We fully support Bill 07-32** based on the following:

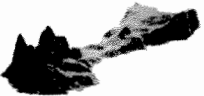
E-mail Address:
dlmdir@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

1. Lot 127 is one of various contiguous parcels that have since been returned under the auspice of the Guam Ancestral Lands Commission (GALC) for the purpose of returning such lands to original landowners and/or their heirs. Consistency exists with regards to encouraging eventual transfer of ownership of lands to owners whom in turn have waited over 60 years for the return of their lands.
2. The bill provides that PAG maintains no future plans for the development or use of this and other certain portions of parcels under their jurisdiction. Should they remain in PAG possession, there exists the notion such lands will remain idle and unused for decades to come. Therefore, in the spirit of encouraging *highest and best use*, it is only fit such lands be returned to original landowners to increase vulnerability to development opportunities

Facsimile:
 671-649-5383

¹ In December 1984 the United States of America quitclaimed portions of the Apra Harbor Reservation to the Government of Guam containing certain parcels. The transfer of these parcels was slated for development purposes in support of commercial port-related activities under the guise of the Port Authority of Guam, then the Commercial Port of Guam.




and allow such owners the opportunity to finally reap the full enjoyment of their property.

3. With regards to any jurisdictional interpretation under the original intent to transfer lands to the Government of Guam by quitclaim from the federal government², we believe any possible residual jurisdiction as potentially arguable under federal authority may be moot as of the adoption of PAG's overall master plan exclude this and other contiguous properties, leaving the opportunity to exercise the authority, intention, and mandates of the Guam Ancestral Lands Commission.

The Department of Land Management with the Guam Ancestral Lands Commission Board of Directors fully supports this Bill in transferring this property under the Port Authority Guam to GALC inventory.

We thank you for this opportunity to submit our written testimony. Should you have any further inquiry please feel free to contact our office.

Senseramente,



MONTE MAFNAS
Director

cc: Planning Division, DLM

mqa/mydoc/legBill/Comment on Leg Bill 07-32

² See Civil Action No. 5-49 as recorded under Document No. 000048.



PUBLIC HEARING TESTIMONY

Bill 7-32

February 1, 2013

For the record, my name is Felix Pangelinan and I am the Deputy General Manager of the Jose D. Leon Guerrero Commercial Port Authority of Guam.

On behalf of the Port and with the full support of the Board of Directors and the General Manager, I'm here today to provide oral testimony in "support" of Bill No. 7-32.

I would like to premise this testimony by noting that the Port will be also providing written testimony within the period comment following this hearing.

As the record will show, this legislation will be the 7th occurrence involving the transfer of lands under the jurisdiction of the Port to the Ancestral Lands Commission with cause to convey certain lands back to the heirs of the original land owners.

The plight of original land owners is long storied, well documented and admirable. Correspondingly, the efforts of the legislature aimed to right the wrong of the practice of land takings of past is also commendable. We all know that the political nature and sensitivity of this issue to the island's history is undeniable.

The Port acknowledges that the impacted land identified as Lot 127PI within Bill 7-32, as also the case with the six other lots conveyed back to the Ancestral Lands Commission in 2011, sat idle for nearly six decades. Every

Port master plan since 1981 did not identify the lands for any use specific to supporting Port operations.

While this may still be true today, we must further acknowledge that the physical and economic landscape and the current operational needs of the Port may soon no longer be the landscape for what the future may hold.

As you well know the Port in conjunction with the Department of Defense has broken ground on the first of several projects aimed to modernize the Public Cargo Terminal. This milestone is without precedent and is consistent with components identified within the current Port master plan. However, the approach to modernization is being scaled down such that progress towards construction is simply contingent on available funding. Notably, much of the funding slated towards modernizing the Public Cargo Terminal is from the Department of Defense.

The role properties play into the scheme of Port operations is obvious. It is the mechanism to provide revenues outside the scope of our primary function that is cargo operations.

At present, the non-operational revenue components of the Port account for 20 percent of Port revenues overall. It is substantial and critical to the daily function of the Port.

As a result of the well documented scale down in the Port modernization as compared to that as previously described in our approved master plan, and the corresponding ever changing fiscal climate considering the recent acquisition

of cranes, tractors and top lifters through various loans, the Port has set a course to revisit the master plan.

This master plan reset effort is further necessitated by the need to revisit our vision for the future. We do acknowledge that the effort will conceptually set the touchtone for future development, but with it will come the need to identify funding sources to support the major undertaking beyond the scope of what is currently available today as well as the extraordinary requirements, if any, that may be needed to financially support the reset program.

So as I sit before you today, I can say that the Port does not have a need for Lot 127PI and does support the return of the Lot to the Ancestral Lands Commission as called for in Bill No. 7-32.

However, as for the other lands that remain in the inventory of the Port, we can only speculate that we will know more as we progress further down the course of the master plan reset.

One thing remains constant, and that is the Port is the economic engine for our island and with this is to also know that our needs to support this critical role will be ever changing.

Thank you for the opportunity to present my testimony on behalf of the Port, and again as noted earlier, written testimony will be provided to the Committee within the period of comment following this hearing.

PORT AUTHORITY of GUAM





COMMITTEE ON RULES


I Mina'trentai Dos na Libeslaturan Guåhan • 32ND Guam Legislature
www.guamlegislature.com • 155 Hesler Place, Hagåtña, Guam 96910
www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

January 8, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill Nos. 7-32 & 8-32 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 7-32 & 8-32(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of

I Mina'Trentai Unu Na Liheslaturan Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | 120 DAY DEADLINE | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | STATUS |
|------------|--------------------------|--|--------------------|---------------|------------------|--|---------------------|-----------------------------|--------|
| 7-32 (COR) | Judith T. Won Pat, Ed.D. | AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION. | 01/08/2013, 8:06am | 1/8/13 | 1/17/2013 | Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land | | | |



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 25, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am**, on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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Bill No. 18-32 (COR): An Act to appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.

324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Memo to Senators
January 25, 2013
Page 2

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

Yanggen un nisisita espesiåt na setbision put fabot ågang i Ifisinin Senadot ben pangelinan gi 473-4236/7. Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message.....

Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 25, 2013 at 11:01 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Senator ben pangelinan <senbenp@guam.net>

INEKUNGOK PUPBLEKO**(PUBLIC HEARING)*****gi Betnes, gi diha 1 gi Fibreru, 2013)*****Friday, February 1, 2013*****Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan*****(Guam Legislature Public Hearing Room)*****alas nuebi gi eggan'an*****(9:00 AM)****TAREHA****(AGENDA)*****Priniponi Siha:*****(Bills)****Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority**

to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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Lisa Dames
Chief of Staff

Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Fri, Jan 25, 2013 at 10:56 AM

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

Priniponi Siha:

(Bills)

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 10:58 AM
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)***

alas nuebi gi eggan'an

(9:00 AM)

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Priniponi Siha:

(Bills)

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – SECOND NOTICE

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

Memo to Senators

January 30, 2013

Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:16 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

2 messages

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Wed, Jan 30, 2013 at 10:17 AM

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If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagátña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

 **Agenda Feb 1.pdf**
107K

Adam Bearce <adam@guamlegislature.org>
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Wed, Jan 30, 2013 at 10:19 AM

Hi. confirmed posted.

[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:23 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roxyforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatorvonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com>

Cc: Senator ben pangelinan <senbenp@guam.net>

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

Bill No. 8-32 (COR): An Act to appropriate to the Department of Education all additional revenue derived from the expiration of any part of the Bush Tax cuts.

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Bill No. 18-32 (COR): An Act to appropriate the sum of Three Hundred Ninety-Two Thousand One Hundred Sixty-Two Dollars and Seventeen Cents (\$392,162.17) from anticipated General Fund Revenues for Fiscal Year 2013 for the outstanding debt balance owed, including principal and interest, for the completion of the Guam Public Market Redevelopment Project, Phase II- Department of Commerce Project No. 320-5-1008-L-AGN, including Change Order No. 1 and Change Order No. 2.

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gi senbenp@guam.net. Este na nutisiu inapási nu i fendon gubetnamento.

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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WEDNESDAY, JANUARY 30, 2013 - MARIANAS VARIETY GUAM EDITION

WEDNESDAY, JANUARY 30, 2013



I Mina Treña Na Librelaturan Guahan THIRTY-FIRST GUAM LEGISLATURE

House of Representatives
Office of the Speaker
San Jose, Guam

REGULAR SESSION PUBLIC HEARINGS

of Session of the 1st of February, 2013
(Starting February 1, 2013)

Public Hearings Program of the Government of Guam
(Guam Legislature Public Hearing Term)

Two month program (1-30-2013)

DAILY CALENDAR

Proposed Bills
(2013)

HR No. 1-22 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-23 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-24 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-25 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-26 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-27 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

Resolutions and other bills are listed in the agenda for the public hearing program. The agenda for the public hearing program is available on the website of the Office of the Speaker of the House of Representatives.

If you have any questions regarding the public hearing program, please call the Office of the Speaker of the House of Representatives at (671) 833-3333. The agenda for the public hearing program is available on the website of the Office of the Speaker of the House of Representatives.



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013
(Friday, February 1, 2013)*

*Kuátton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)*

*alas nuebi gi eggan'an
(9:00 AM)*

**TAREHA
(AGENDA)**

**Priniponi Siha:
(Bills)**

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to Add a new §480105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Betnes, gi diha 1 gi Fibreru, 2013)
Friday, February 1, 2013**

**Kuátton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

**alas nuebi gi eggan'an
(9:00 AM)**

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(AGENDA)**

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(Bills)**

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net
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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

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Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com

UPDATED 2013.02.11

32GL Senators:

"Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Tina Rose Muna Barnes" <tinamunabarnes@gmail.com>, "Rory J. Respicio" <rorryforguam@gmail.com>"Thomas C. Ada" <tom@senatorada.org>, "Frank Blas Aguon, Jr." <aguon4guam@gmail.com>, "vicente 'ben' pangelinan" <senbenp@guam.net>,"Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Michael F. Q. San Nicolas" <responsibleguam@gmail.com>, "V. Anthony Ada" <tony@tonyada.com >, "Christopher M. Duenas" <duenasenator@gmail.com>, "Michael T. Limtiaco" <mike@mikelimtiaco.com>, "Brant McCreadie" <brantforguam@gmail.com>, "Thomas (Tommy) Morrison" <tommy@senatormorrison.com>, "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>,

32GL Senator Staff

therese@judiwonpat.com, frank@judiwonpat.com, rob@judiwonpat.com, jason@judiwonpat.com, wil@judiwonpat.com, steve@judiwonpat.com, faith@judiwonpat.com, senator@senatorbjcruz.com, carlos.pangelinan@senatorbjcruz.com, mike.lidia@senatorbjcruz.com, chris.carillo@senatorbjcruz.com, sgflores@tinamunabarnes.com, jblas@tinamunabarnes.com, jean@tinamunabarnes.com, Vparriola1@gmail.com, etajalle@guamlegislature.org, tjtaitano@cs.com, mlwheeler2000@yahoo.com, phillipsguam@gmail.com, avon.guam@gmail.com, jennifer.lj.dulla@gmail.com, marymaravilla19@gmail.com, chechsantos@gmail.com, committee@frankaguonjr.com, admin@frankaguonjr.com, cipo@guamlegislature.org, chris.budasi@guamlegislature.org, aokada@guamlegislature.org, smendiola@guamlegislature.org, avillaverde@guamlegislature.org, ahernandez@guamlegislature.org, sonedera-salas@guamlegislature.org, berthaduenas@gmail.com, emqcho@gmail.com, karenc@guamlegislature.org , senatorsannicolas@gmail.com, alerta.jermaine@gmail.com, louise@tonyada.com, pete@tonyada.com, ed@tonyada.com, val@tonyada.com, santos.duenas@gmail.com, mcarlson@guamlegislature.org, ang.duenas@gmail.com, angela.lgrios@gmail.com, mike@mikelimtiaco.com, conedera@mikelimtiaco.com, cos@senatormorrison.com, manuela@senatormorrison.com, ryanjames@senatormorrison.com, tanya4families@gmail.com, lou4families@gmail.com, evelyn4families@gmail.com, jcamacho@senatorada.org, cyrus@senatorada.org, nsantos@senatorada.org, Juliette@senatorada.org, office@senatorada.org, coy@senatorada.org, tom@senatorada.org , carlaborja.73@gmail.com, baza.matthew@gmail.com, senatordrodriguez@gmail.com, clifton@toduguam.com, cherbert.senatordrodriguez@gmail.com, rfteeahan@yahoo.com, amanda@toduguam.com, nicole@toduguam.com, joe@toduguam.com, jamesngon.senatordrodriguez@gmail.com, sitarose2@yahoo.com, meia@toduguam.com, menchu@toduguam.com



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
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Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 2013

VIA FACSIMILE

(671) 472-2825

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910


RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,


Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2013 FEB 14 AM 9:09 

Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 2-32 (LS) – A. A. Yamashita

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

Bill No. 5-32 (LS) – T.A. Morrison

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURISDICTION OF THE UMATAC MAYOR'S OFFICE.

Bill No. 6-32 (LS) – B.T. McCreddie, D.G. Rodriguez, Jr

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 8-32 (COR) – R.J. Respicio

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

Bill No. 9-32 (COR) – V.C. Pangelinan

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

Bill No. 10-32 (COR) – B.J.F. Cruz

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

Bill No. 11-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

Bill No. 12-32 (COR) - B.J.F. Cruz

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

Bill No. 13-32 (COR) - B.J.F. Cruz

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada

AN ACT TO ADD A NEW §(e) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM SHALL MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); TO ADD A NEW §(f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW CERTAIN SPECIALTY VEHICLES TO BE EXCLUDED FROM THE PROVISION OF THIS ACT.

Bill NO. 15-32 (COR) – T.R. Muna Barnes

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas

AN ACT TO REZONE LOT 2181-4NEW1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, BARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED "A" (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA FROM BORDERED BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240
NAME : GNF

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COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryfor Guam@gmail.com • tel: (671)-472-7679 • Fax: (671)-472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pal, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Jina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 2013

VIA FACSIMILE
(671) 472-2825

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 G.C.A §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

Si Yu'os ma'ase' for your attention to this matter.

Very Truly Yours,

Senator **Rory J. Respicio**
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

*Recvd by: Anahyn Estagnio
2/14/13
Confirmed via phone w/ Sec 9:03am 2/14/13*



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

FEB 15 2013

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'trentai Unu Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2013 FEB 15 PM 4:10

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 7-32 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" which was referred to by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

- 3 TO PASS
- _____ TO NOT PASS
- 2 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 7-32 (COR), As Introduced

Sponsored by Speaker Judith T. Won Pat, Ed.D.

**“An act to add a new §80105 (i) to
Chapter 80 of Title 21, Guam Code
Annotated, relative to the transfer of
property under the jurisdiction of the
Port Authority of Guam to the
jurisdiction of the Guam Ancestral Lands
Commission”**



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

FEB 15 2013
MEMORANDUM

To: All Members

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation and Land

From: Senator Vicente (Ben) Cabrera Pangelinan
Chairman

Subject: Committee Report on Bill No. 7-32 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 7-32 (COR), as introduced, "An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission" sponsored by Speaker Judith T. Won Pat, Ed.D.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 7-32 (COR), As Introduced
4. Public Hearing Sign-in Sheet
5. Copies of Written Testimonies
6. Copy of Fiscal Note
7. Copy of COR referral
8. Notices of Public Hearing
9. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'os Ma'åse',

Vicente (Ben) Cabrera Pangelinan
Chairman


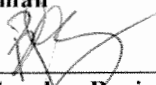
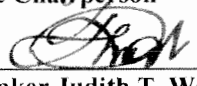
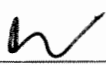
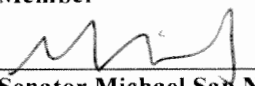
324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land

Bill 7-32 (COR): An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

| Committee Members | To Pass | Not To Pass | Report Out Only | Abstain | Inactive File |
|---|---------|-------------|-----------------|---------|---------------|
|  Senator Vicente (ben) Cabrera Pangelinan Chairman | ✓ | | | | |
|  Vice Speaker Benjamin J. F. Cruz Vice Chairperson | ✓ | | | | |
|  Speaker Judith T. Won Pat, Ed.D Member | ✓ | | | | |
| _____ Senator Tina Rose Muña-Barnes Member | | | | | |
|  Senator Dennis Rodriguez, Jr. Member | | | V2/5/14 | | |
|  Senator Michael San Nicolas Member | | | ✓ | | |
| _____ Senator Michael Limtiaco Member | | | | | |
| _____ Senator Tommy Morrison Member | | | | | |



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

Committee Report

Bill 7-32 (COR), As Introduced: An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

I. OVERVIEW

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on February 1, 2013 at 9:00am in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on January 25, 2013 (5-Day Notice), and again on January 30, 2013 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) C. Pangelinan, Chairman
Vice Speaker BJ Cruz, Vice Chairman
Speaker Judith Won Pat, Member
Senator Dennis Rodriguez Jr., Member
Senator Mike San Nicolas, Member
Senator Tommy Morrison, Member
Senator Tom Ada
Senator Rory Respicio
Senator Tony Ada
Senator Chris Duenas
Senator Brant McCreadie
Senator Aline Yamashita

(b) Appearing before the Committee

Mr. Patrick S.N. Iriarte
Mr. Felix Pangelinan, Acting Deputy General Manager, Port
Authority Guam
Mr. Ricky Rapolla Borja
Mr. Al Ysrael, Former Senator, 12th Guam Legislature

(c) Written Testimonies Submitted

Mr. Felix Pangelinan, Acting Deputy General Manager, Port
Authority Guam
Mr. Monte Mafnas, Director, Department of Land Management

II. COMMITTEE PROCEEDINGS

Chairman Pangelinan: The next item on the agenda is Bill No. 7-32 (COR), An act to add a new §80105 (i) to Chapter 80 of Title 21, Guam Code Annotated, relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

The bill was introduced by Speaker Judith Won Pat. We have signed up to testify Mr. Patrick S.N. Iriarte and Mr. Felix Pangelinan from the Port Authority of Guam. Speaker Won Pat will present a synopsis of the bill.

(a) Bill Sponsor Summary

Speaker Judith Won Pat: Thank you Mr. Chairman. Last term, the 31st Guam Legislature, a bill was introduced to have certain properties return to the government that are part of the Guam Ancestral Lands Commission and in turn we try to return them to the families. There is one particular family in that series of names that came out that have been located. So we are doing this piece meal. If you recall, this bill is like the bill introduced last term.

At least in testimonies that were given last time, I want the committee report to reflect that the Port Authority did say that they do support it and have the properties returned to the original landowners. Thank you.

Chairman Vicente C. Pangelinan: Thank you very much Speaker Won Pat. We will go ahead and begin with Mr. Iriarte.

(b) Testimony

1. Mr. Partrick S.N. Iriarte

Mr. Patrick S.N. Iriarte: Thank you very much and manana si yu'os ma'ase' para hamyo todus. Si yu'os ma'ase' Speaker and Vice Speaker and the rest of Guam's finest here. I would like to elongate the support of every senator here to sign off on awarding this land and blessing what we didn't know we had when it was first introduced in 2009.

We found out last year and we just want to thank you from the bottom of our hearts. I am representing my mother's interest, Rosario Wusstig San Nicolas, on this bill. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much and Si yu'os ma'ase' Mr. Iriarte. Mr. Pangelinan?

2. Mr. Felix Pangelinan, Port Authority Guam

Mr. Felix Pangelinan: Good morning Mr. Chairman and Legislature.

[Reads testimony verbatim, see testimony on Mr. Felix Pangelinan]

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Mr. Pangelinan, thank you and si yu'os ma'ase' for your testimony. We also received written testimony from the Department of Land Management. For the record they are also in support of the bill.

We also have Mr. Ricky Rapolla and Mr. Raymond Rapolla Borja who signed up and are in support of Bill 7-32 (COR). Sir, please identify yourself for the record and also present your testimony.

3. Mr. Ricky Rapolla

Mr. Ricky Rapolla Borja: For the record my name is Ricky Rapolla Borja. I am here for the bill to give back the land to the landowners. I am representing my grandmother Carlina San Nicolas Rapolla. My mother passed away a long time ago. The family had a rice plantation and all of the sudden they were taken by the military. You know how when they really want support the military here without asking for any kind of compensation or what they just went away and the military just started building on it.

We never got an update on what's happening there. I Just heard that there will be land given back to the San Nicolas family. My brother and I wanted to come here and find out about the bill. I see there is only one issue here - the big man from the Port saying that they still want to make something out of it.

I am here to get back our ancestral land from the Guam Ancestral Land Commission. To put it all into perspective to give it back to the owners. I would like to thank everybody and especially Judi Won Pat for introducing this bill because I would have never known and I am pretty sure if the family had known or put out an announcement. That's all I have to say for now until the hearing. I just want to show that I'm for the bill. When I saw that he [referring to Mr. Iriarte] was the only one it gave me more courage to come up here and talk. Thank you.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Thank you very much. Senator Ysrael, please come and join the others.

4. Mr. Al Ysrael, Former Senator, 12th Guam Legislature

Mr. Al Ysrael: Thank you Mr. Chairman for the notice. I am here originally to testify for the GEDA bill but when I saw the 12 illustrious men and ladies in front of me as a captive audience I couldn't help resist making comments on the autonomous agency of the Port together with the many other autonomous agencies that the legislature has created in the past.

The autonomous agencies of Guam have become untouchable. They have become an empire and an entity on their own, responsible to no one, not even to the Legislature. How many times has the Legislature asked for documentation from the autonomous agencies? They are supposed to be semi-autonomous but they became autonomous agencies without any checks or balances.

In particular, returning this land back to the government of Guam where it naturally belongs is an excellent idea. In particular, the biggest violator is the Guam International Airport Authority. They have huge tracts of valuable land and they have become or are in the process of becoming the largest non-taxed paying landlords on the island. This is the stated goal of their Vice Chairman, Mr. Santos. He made it as a public statement last month. I thought I kept it but I couldn't find it in my records

But as an example the land under the control of this autonomous agencies do not pay gross receipts tax, do not pay income tax and do not pay real estate taxes. Therefore, they are in the position of offering land to private enterprises at the rate of, for example, four cents a square foot monthly rental. To add insult to injury this monthly rental is not paid until the 6th to the 15th year that rental payment is deferred. No one can control their actions.

PANEL COMMENTS AND QUESTIONS

Chairman Vicente C. Pangelinan: Senator...

Mr. Al Ysrael: I know; going too far. Make this as comprehensive as possible. Include all the autonomous agencies in this comprehensive bill as a suggestion. Bring back the autonomous agencies under the control of the government of Guam.

Chairman Vicente C. Pangelinan: We have a bill to resolve some of those issues very soon.

Mr. Al Ysrael: Thank you. I couldn't resist the twelve captive audiences.

Chairman Vicente C. Pangelinan: I know. Thank you very much [former] Senator Ysrael. Si yu'os ma'ase.

Thank you very much, si yu'os ma'ase. Gentlemen thank you very much for your testimony. This concludes the testimony on Bill No. 7-32 (COR). There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at senbenp@guam.net or through our website at senbenp.com

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 7-32 (COR) with the recommendation to report out only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7 -32 ()

Introduced by:

Judith T. Won Pat, Ed. D.

2013 JUN -8 AM 8:06
Oh

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 certain ancestral lands in the municipalities of *Piti, Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
5 creating the Apra Harbor Reservation Boundary. Eventually, the United States
6 quitclaimed portions of the Apra Harbor Reservation to the Government of Guam
7 in December 1984 containing certain parcels, with eventual transfer to the
8 Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for
9 development. In formal conferences and legislative session meetings between the
10 PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
11 management, and personnel that the PAG *does not* have any future plans for the
12 development or use of certain portions of the parcels under their jurisdiction.

13 Therefore, *I Liheslatura* intends to transfer such land parcels and properties
14 to the Guam Ancestral Lands Commission, so that the Guam Ancestral Lands

1 Commission *can and shall* proceed with the return of such land parcels and
2 properties to the original landowners or their estates, pursuant to the Commission’s
3 enabling legislation and mandates.

4 **Section 2.** A new §80105(i) is hereby *added* to §80105 of Chapter 80,
5 Title 21, Guam Code Annotated, to read as follows:

6 “(i) Portions of Parcel 1 South of Route 18 and contiguous to the
7 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
8 east, specifically original lot: No. 127 PI, originally owned by the Estate of
9 Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas
10 Rapolla, Joaquin S. San Nicolas , Juan S. San Nicolas, Maria S.-CI# 8383,
11 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
12 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
13 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
14 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
15 Lands Commission within thirty (30) days of the effective date of this Act.
16 The Guam Ancestral Lands Commission *shall* within one hundred eighty
17 (180) days dispose of the land parcel and lot transferred by this Act in a
18 manner consistent with and pursuant to its enabling legislation and its
19 mandates. All pre-condemnation roads, easements and bull cart trails *shall*
20 remain as easements for public access and utilities. The transferred property
21 *shall* be zoned “A” – Agricultural zone.”

22 **Section 3.** The Department of Land Management *shall* plot, plan, design,
23 and provide within sixty (60) days of enactment an aerial overlay map delineating
24 all roads, easements, bull-cart trails, and public access as to determine such access
25 or easements’ location in relation to the return subject Lot so that *no* Lot is
26 landlocked. The overlay *shall* show all original Lot lines generally.

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



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

**Bill No. 7-32 (COR)
SIGN UP SHEET**

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------------|------------------------------|----------|---------------------|---------|------|-------------------------------------|--------------------------|
| | | | | | | Yes | No |
| ↓ Patrick S.N. Iriarte | P.O. Box 11781 Yigo 96929 | 653-2341 | psnieiris@ymail.com | | ✓ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |

324 W. Soledad Ave. Hagatna, Guam 96910
Ph. 473-4236 Fax. 473-4238
Email: senbenp@guam.net



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

DLW

7
 Bill No. ~~10~~-32 (COR)
 SIGN UP SHEET

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------------------|--|-----------------|-----------------------------|---------|------|---------|----------|
| | | | | | | Yes | No |
| <i>Riefe y Rapolla Borja</i> | <i>158 Sony Lane Hagatna</i> | <i>87-5088</i> | | | | | <i>↓</i> |
| <i>RAYMOND RAPOLLA BORJA</i> | <i>P.O. Box 218388 GME, GU 96921</i> | <i>734-0859</i> | <i>marray95@hotmail.com</i> | | | | <i>✓</i> |
| | | | | | | | |
| | | | | | | | |



Mina'trentai Dos na Liheslaturan Guahan
32nd GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

Friday, February 1, 2013

7
 Bill No. ~~10~~-32 (COR)
 SIGN UP SHEET

| NAME | ADDRESS | PHONE | EMAIL | WRITTEN | ORAL | SUPPORT | |
|------------------|----------------------------------|----------------------|--------------------------|---------|------|-------------------------------------|-----|
| | | | | | | Yes | No |
| Felix Pangelinan | 1026 Cabras Myra Pete Guam | 477-5931 Ext. 301 | fpangelinan@portguam.com | | ✓ | <input checked="" type="checkbox"/> | yes |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

January 31, 2013

Senator Vicente (ben) C. Pangelinan
 32nd Guam Legislature
 Chairman, Committee on Appropriations,
 Taxation, Public Debt, Banking,
 Insurance, Retirement, and Land
 324 W. Soledad Ave., Suite 100
 Hagatna, GU 96932

DLV

Mailing Address:
 P.O. Box 2950
 Hagatna, GU 96932

Subject: Testimony on Bill Number 07-32

Website:
<http://dlm.guam.gov>

Bueñas Yan Hafa Adai: The Department has reviewed Bill Number 07-32 - **An Act to Add a New §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the Jurisdiction of the Port Authority of Guam (PAG) to the Jurisdiction of the Guam Ancestral Lands Commission.** The intent of this legislative proposal is to allow the transfer of previously *quitclaimed* portions of the Apra Harbor Reservation to the Guam Ancestral Land Commission¹. This Bill makes particular reference to Lot 127 in the municipality of Piti. **We fully support Bill 07-32** based on the following:

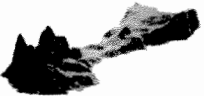
E-mail Address:
dlmdir@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

1. Lot 127 is one of various contiguous parcels that have since been returned under the auspice of the Guam Ancestral Lands Commission (GALC) for the purpose of returning such lands to original landowners and/or their heirs. Consistency exists with regards to encouraging eventual transfer of ownership of lands to owners whom in turn have waited over 60 years for the return of their lands.
2. The bill provides that PAG maintains no future plans for the development or use of this and other certain portions of parcels under their jurisdiction. Should they remain in PAG possession, there exists the notion such lands will remain idle and unused for decades to come. Therefore, in the spirit of encouraging *highest and best use*, it is only fit such lands be returned to original landowners to increase vulnerability to development opportunities

Facsimile:
 671-649-5383

¹ In December 1984 the United States of America quitclaimed portions of the Apra Harbor Reservation to the Government of Guam containing certain parcels. The transfer of these parcels was slated for development purposes in support of commercial port-related activities under the guise of the Port Authority of Guam, then the Commercial Port of Guam.




and allow such owners the opportunity to finally reap the full enjoyment of their property.

3. With regards to any jurisdictional interpretation under the original intent to transfer lands to the Government of Guam by quitclaim from the federal government², we believe any possible residual jurisdiction as potentially arguable under federal authority may be moot as of the adoption of PAG's overall master plan exclude this and other contiguous properties, leaving the opportunity to exercise the authority, intention, and mandates of the Guam Ancestral Lands Commission.

The Department of Land Management with the Guam Ancestral Lands Commission Board of Directors fully supports this Bill in transferring this property under the Port Authority Guam to GALC inventory.

We thank you for this opportunity to submit our written testimony. Should you have any further inquiry please feel free to contact our office.

Senseramente,



MONTE MAFNAS
Director

cc: Planning Division, DLM

mqa/mydoc/legBill/Comment on Leg Bill 07-32

² See Civil Action No. 5-49 as recorded under Document No. 000048.



PUBLIC HEARING TESTIMONY

Bill 7-32

February 1, 2013

For the record, my name is Felix Pangelinan and I am the Deputy General Manager of the Jose D. Leon Guerrero Commercial Port Authority of Guam.

On behalf of the Port and with the full support of the Board of Directors and the General Manager, I'm here today to provide oral testimony in "support" of Bill No. 7-32.

I would like to premise this testimony by noting that the Port will be also providing written testimony within the period comment following this hearing.

As the record will show, this legislation will be the 7th occurrence involving the transfer of lands under the jurisdiction of the Port to the Ancestral Lands Commission with cause to convey certain lands back to the heirs of the original land owners.

The plight of original land owners is long storied, well documented and admirable. Correspondingly, the efforts of the legislature aimed to right the wrong of the practice of land takings of past is also commendable. We all know that the political nature and sensitivity of this issue to the island's history is undeniable.

The Port acknowledges that the impacted land identified as Lot 127PI within Bill 7-32, as also the case with the six other lots conveyed back to the Ancestral Lands Commission in 2011, sat idle for nearly six decades. Every

Port master plan since 1981 did not identify the lands for any use specific to supporting Port operations.

While this may still be true today, we must further acknowledge that the physical and economic landscape and the current operational needs of the Port may soon no longer be the landscape for what the future may hold.

As you well know the Port in conjunction with the Department of Defense has broken ground on the first of several projects aimed to modernize the Public Cargo Terminal. This milestone is without precedent and is consistent with components identified within the current Port master plan. However, the approach to modernization is being scaled down such that progress towards construction is simply contingent on available funding. Notably, much of the funding slated towards modernizing the Public Cargo Terminal is from the Department of Defense.

The role properties play into the scheme of Port operations is obvious. It is the mechanism to provide revenues outside the scope of our primary function that is cargo operations.

At present, the non-operational revenue components of the Port account for 20 percent of Port revenues overall. It is substantial and critical to the daily function of the Port.

As a result of the well documented scale down in the Port modernization as compared to that as previously described in our approved master plan, and the corresponding ever changing fiscal climate considering the recent acquisition

of cranes, tractors and top lifters through various loans, the Port has set a course to revisit the master plan.

This master plan reset effort is further necessitated by the need to revisit our vision for the future. We do acknowledge that the effort will conceptually set the touchtone for future development, but with it will come the need to identify funding sources to support the major undertaking beyond the scope of what is currently available today as well as the extraordinary requirements, if any, that may be needed to financially support the reset program.

So as I sit before you today, I can say that the Port does not have a need for Lot 127PI and does support the return of the Lot to the Ancestral Lands Commission as called for in Bill No. 7-32.

However, as for the other lands that remain in the inventory of the Port, we can only speculate that we will know more as we progress further down the course of the master plan reset.

One thing remains constant, and that is the Port is the economic engine for our island and with this is to also know that our needs to support this critical role will be ever changing.

Thank you for the opportunity to present my testimony on behalf of the Port, and again as noted earlier, written testimony will be provided to the Committee within the period of comment following this hearing.

PORT AUTHORITY of GUAM





COMMITTEE ON RULES


I Mina'trentai Dos na Libeslaturan Guåhan • 32ND Guam Legislature
www.guamlegislature.com • 155 Hesler Place, Hagåtña, Guam 96910
www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

January 8, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill Nos. 7-32 & 8-32 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 7-32 & 8-32(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of

I Mina'Trentai Unu Na Liheslaturan Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | 120 DAY DEADLINE | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | STATUS |
|------------|--------------------------|--|--------------------|---------------|------------------|--|---------------------|-----------------------------|--------|
| 7-32 (COR) | Judith T. Won Pat, Ed.D. | AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION. | 01/08/2013, 8:06am | 1/8/13 | 1/17/2013 | Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land | | | |



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 25, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – FIRST NOTICE

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a public hearing beginning at **9:00am**, on **Friday, February 1, 2013** at the Guam Legislature's Public Hearing Room.

The following is the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

Bill No. 7-32 (COR): An Act to *Add* a new §80105(i) to Chapter 80 of Title 21, Guam Code Annotated, Relative to the transfer of property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

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324 West Soledad Avenue
Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net



I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

Memo to Senators
January 25, 2013
Page 2

Bill No. 19-32 (COR): An Act to Amend Chapter 7, Title 3, Guam Administrative Rules and Regulations, relative to capturing License Fees and Taxes from Gaming Operators.

Yanggen un nisisita espesiåt na setbision put fabot ågang i Ifisinin Senadot ben pangelinan gi 473-4236/7. Yanggen un nisisita espesiåt na setbision, put fabot ågang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hålom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hålom testigu-mu, chule' para i ifisinin-måmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapåsi nu i fendon gubetnamento.

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message.....

Lisa Dames <cipo@guamlegislature.org>

Fri, Jan 25, 2013 at 11:01 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatortonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Michael Limtiaco <mlimtiaco671@gmail.com>, Tommy Morrison <tommy@senatormorrison.com>
Cc: Senator ben pangelinan <senbenp@guam.net>

INEKUNGOK PUPBLEKO

(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan

(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

Priniponi Siha:

(Bills)

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Lisa Dames
Chief of Staff

Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Fri, Jan 25, 2013 at 10:56 AM

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

alas nuebi gi eggan'an
(9:00 AM)

TAREHA
(AGENDA)

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(Bills)

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org> Fri, Jan 25, 2013 at 10:58 AM
To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Betnes, gi diha 1 gi Fibreru, 2013)

Friday, February 1, 2013

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)***

alas nuebi gi eggan'an

(9:00 AM)

TAREHA

(AGENDA)

Priniponi Siha:

(Bills)

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE


Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

January 30, 2013

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan 

Re: Public Hearing – SECOND NOTICE

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The following is the agenda:

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

Memo to Senators

January 30, 2013

Page 2

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:16 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, bmkelman@guampdn.com, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com

Hafa Adai,

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

2 messages

Lisa Dames <cipo@guamlegislature.org>
To: phnotice@guamlegislature.org

Wed, Jan 30, 2013 at 10:17 AM

Hafa Adai,
The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will conduct a public hearing on Friday, February 1, 2013 beginning at 9:00am at the Guam Legislature Public Hearing Room. The following is on the agenda:

Bill No. 1-32 (LS): An Act Relative to Authorizing the Guam Economic Development Authority to Procure the Installation and Maintenance of Electronic Security Systems throughout Guam Public Schools also known as the Secure Our Schools Act of 2013, and for other purposes.

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Yanggen un nisisita espesiát na setbisio put fabot ágang i Ifisinin Senadot ben pangelinan gi 473-Yanggen un nisisita espesiát na setbision, put fabot ágang i Ifisinin Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guáhan gi www.guamlegislature.com Yanggen para un na'hálom testigu-mu, chule' para i ifisinin-mãmami gi 324 West Soledad Avenue gi iya Hagátña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapási nu i fendon gubetnamento.

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Lisa Dames
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

 **Agenda Feb 1.pdf**
107K

Adam Bearce <adam@guamlegislature.org>
To: Lisa Dames <cipo@guamlegislature.org>, Yong Pak <yong@guamlegislature.org>

Wed, Jan 30, 2013 at 10:19 AM

Hi. confirmed posted.

[Quoted text hidden]



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Wed, Jan 30, 2013 at 10:23 AM

To: Speaker Won Pat <speaker@judiwonpat.com>, Senator Tina Rose Muna Barnes <senator@tinamunabarnes.com>, BJ Cruz <senadotbjcruz@aol.com>, "Rory J. Respicio" <roxyforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, "Thomas C. Ada" <office@senatorada.org>, Aline Yamashita <aline4families@gmail.com>, V Anthony Ada <senatorvonyada@guamlegislature.org>, "Christopher M. Duenas" <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, Senator Michael San Nicolas <senatorsannicolas@gmail.com>, Senator Michael Limtiaco <mike@mikelimtiaco.com>, Tommy Morrison <tommy@senatormorrison.com>

Cc: Senator ben pangelinan <senbenp@guam.net>

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gi senbenp@guam.net. Este na nutisiu inapási nu i fendon gubetnamento.

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Lisa Dames
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(671) 473-4236
cipo@guamlegislature.org

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WEDNESDAY, JANUARY 30, 2013 - MARIANAS VARIETY GUAM EDITION

WEDNESDAY, JANUARY 30, 2013



I Mina Treña Na Librelaturan Guahan THIRTY-FIRST GUAM LEGISLATURE

House of Representatives
Office of the Speaker
San Jose, Guam

REGULAR SESSION PUBLIC HEARINGS

of Session of the 1st of February, 2013
(Starting February 1, 2013)

Public Hearings Program of the Government of Guam
(Guam Legislature Public Hearing Term)

Two month program (1-30-2013)

DAILY CALENDAR

Proposed Bills
(2013)

HR No. 1-22 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

HR No. 1-23 (2013) An Act to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, to amend the Education Law to amend the Department of Education to provide for the establishment of a Department of Education Security Council, and for other purposes.

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Resolutions and other bills are listed in the agenda for the public hearings. Resolutions are listed in the agenda for the public hearings. Resolutions are listed in the agenda for the public hearings. Resolutions are listed in the agenda for the public hearings. Resolutions are listed in the agenda for the public hearings.

If you have any questions or need more information, please contact the Office of the Speaker at (671) 833-3333. For more information, please visit the website at www.guam.gov.



I Mina'trentai Dos na Liheslaturan Guåhan
32nd GUAM LEGISLATURE
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

*gi Betnes, gi diha 1 gi Fibreru, 2013
(Friday, February 1, 2013)*

*Kuátton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)*

*alas nuebi gi eggan'an
(9:00 AM)*

**TAREHA
(AGENDA)**

**Priniponi Siha:
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32nd GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

**gi Betnes, gi diha 1 gi Fibreru, 2013)
Friday, February 1, 2013**

**Kuátton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)**

**alas nuebi gi eggan'an
(9:00 AM)**

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Suite 101, Hagåtña, GU 96910
Tel: (671) 473-4236 / 473-4237
Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com



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Fax: (671) 473-4238
E-mail: senbenp@guam.net
www.senbenp.com

UPDATED 2013.02.11

32GL Senators:

"Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Benjamin JF Cruz" <senator@senatorbjcruz.com>, "Tina Rose Muna Barnes" <tinamunabarnes@gmail.com>, "Rory J. Respicio" <rorryforguam@gmail.com>"Thomas C. Ada" <tom@senatorada.org>, "Frank Blas Aguon, Jr." <aguon4guam@gmail.com>, "vicente 'ben' pangelinan" <senbenp@guam.net>,"Dennis G. Rodriguez" <senatordrodriguez@gmail.com>, "Michael F. Q. San Nicolas" <responsibleguam@gmail.com>, "V. Anthony Ada" <tony@tonyada.com >, "Christopher M. Duenas" <duenasenator@gmail.com>, "Michael T. Limtiaco" <mike@mikelimtiaco.com>, "Brant McCreadie" <brantforguam@gmail.com>, "Thomas (Tommy) Morrison" <tommy@senatormorrison.com>, "Aline A. Yamashita, Ph.D" <aline4families@gmail.com>,

32GL Senator Staff

therese@judiwonpat.com, frank@judiwonpat.com, rob@judiwonpat.com, jason@judiwonpat.com, wil@judiwonpat.com, steve@judiwonpat.com, faith@judiwonpat.com, senator@senatorbjcruz.com, carlos.pangelinan@senatorbjcruz.com, mike.lidia@senatorbjcruz.com, chris.carillo@senatorbjcruz.com, sgflores@tinamunabarnes.com, jblas@tinamunabarnes.com, jean@tinamunabarnes.com, Vparriola1@gmail.com, etajalle@guamlegislature.org, tjtaitano@cs.com, mlwheeler2000@yahoo.com, phillipsguam@gmail.com, avon.guam@gmail.com, jennifer.lj.dulla@gmail.com, marymaravilla19@gmail.com, chechsantos@gmail.com, committee@frankaguonjr.com, admin@frankaguonjr.com, cipo@guamlegislature.org, chris.budasi@guamlegislature.org, aokada@guamlegislature.org, smendiola@guamlegislature.org, avillaverde@guamlegislature.org, ahernandez@guamlegislature.org, sonedera-salas@guamlegislature.org, berthaduenas@gmail.com, emqcho@gmail.com, karenc@guamlegislature.org , senatorsannicolas@gmail.com, alerta.jermaine@gmail.com, louise@tonyada.com, pete@tonyada.com, ed@tonyada.com, val@tonyada.com, santos.duenas@gmail.com, mcarlson@guamlegislature.org, ang.duenas@gmail.com, angela.lgrios@gmail.com, mike@mikelimtiaco.com, conedera@mikelimtiaco.com, cos@senatormorrison.com, manuela@senatormorrison.com, ryanjames@senatormorrison.com, tanya4families@gmail.com, lou4families@gmail.com, evelyn4families@gmail.com, jcamacho@senatorada.org, cyrus@senatorada.org, nsantos@senatorada.org, Juliette@senatorada.org, office@senatorada.org, coy@senatorada.org, tom@senatorada.org , carlaborja.73@gmail.com, baza.matthew@gmail.com, senatordrodriguez@gmail.com, clifton@toduguam.com, cherbert.senatordrodriguez@gmail.com, rfteeahan@yahoo.com, amanda@toduguam.com, nicole@toduguam.com, joe@toduguam.com, jamesngon.senatordrodriguez@gmail.com, sitarose2@yahoo.com, meia@toduguam.com, menchu@toduguam.com



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • 32ND Guam Legislature

www.guamlegislature.com • 155 Hesler Place, Hagåtña, Guam 96910

www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

January 8, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill Nos. 7-32 & 8-32 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 7-32 & 8-32(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!


(1) Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 7 -32 ()

Introduced by:

Judith T. Won Pat, Ed. D.

2013 JUN - 8 AM 8:06


AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslatura* finds that certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were condemned under Civil Action No. 5-49 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary. Eventually, the United States quitclaimed portions of the Apra Harbor Reservation to the Government of Guam in December 1984 containing certain parcels, with eventual transfer to the Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for development. In formal conferences and legislative session meetings between the PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board, management, and personnel that the PAG *does not* have any future plans for the development or use of certain portions of the parcels under their jurisdiction.

Therefore, *I Liheslatura* intends to transfer such land parcels and properties to the Guam Ancestral Lands Commission, so that the Guam Ancestral Lands

1 Commission *can and shall* proceed with the return of such land parcels and
2 properties to the original landowners or their estates, pursuant to the Commission’s
3 enabling legislation and mandates.

4 **Section 2.** A new §80105(i) is hereby *added* to §80105 of Chapter 80,
5 Title 21, Guam Code Annotated, to read as follows:

6 “(i) Portions of Parcel 1 South of Route 18 and contiguous to the
7 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
8 east, specifically original lot: No. 127 PI, originally owned by the Estate of
9 Maria Salas San Nicolas, Antonia Salas San Nicolas, Carlina San Nicolas
10 Rapolla, Joaquin S. San Nicolas , Juan S. San Nicolas, Maria S.-CI# 8383,
11 San Nicolas, Dolores Wusstig San Nicolas, Rosario San Nicolas Iriarte,
12 Consolacion S. San Nicolas, Ignacia San Nicolas Afleje, Dolores C. San
13 Nicolas, and Ana San Nicolas Sanford, in the municipality of *Piti*. The
14 property *shall* be transferred and *shall* be deeded to the Guam Ancestral
15 Lands Commission within thirty (30) days of the effective date of this Act.
16 The Guam Ancestral Lands Commission *shall* within one hundred eighty
17 (180) days dispose of the land parcel and lot transferred by this Act in a
18 manner consistent with and pursuant to its enabling legislation and its
19 mandates. All pre-condemnation roads, easements and bull cart trails *shall*
20 remain as easements for public access and utilities. The transferred property
21 *shall* be zoned “A” – Agricultural zone.”

22 **Section 3.** The Department of Land Management *shall* plot, plan, design,
23 and provide within sixty (60) days of enactment an aerial overlay map delineating
24 all roads, easements, bull-cart trails, and public access as to determine such access
25 or easements’ location in relation to the return subject Lot so that *no* Lot is
26 landlocked. The overlay *shall* show all original Lot lines generally.

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