

I Mina Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
357-34 (COR)	Thomas C. Ada	AN ACT TO AUTHORIZE <i>I MAGA'LÁHEN GUÁHAN</i> TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF <i>AGANA HEIGHTS</i> (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF <i>AGANA HEIGHTS</i> (PRIVATE LAND) TO CORRECT AN ENCROACHMENT BY THE <i>AGANA HEIGHTS SPORTS AND RECREATIONAL FACILITY</i> .	10/10/18 1:16 p.m.	10/17/18	Committee on Environment, Land, Agriculture, and Procurement Reform	12/11/18 5:30 p.m.	12/17/18 3:59 p.m.	Fiscal Note Request 10/18/18 Fiscal Note 10/29/18	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	12/10/18	AN ACT TO AUTHORIZE <i>I MAGA'LÁHEN GUÁHAN</i> TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF <i>AGAÑA HEIGHTS</i> (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF <i>AGAÑA HEIGHTS</i> (PRIVATELY-OWNED LAND) TO MITIGATE AN ENCROACHMENT BY THE <i>AGAÑA HEIGHTS SPORTS AND RECREATIONAL FACILITY</i> .	12/19/18	12/19/18 6:57 p.m.	12/31/18	34-160	12/28/18	Received: 12/31/18 Mess and Comm. Doc. No. 34GL-18-2724	



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

DEC 31 2018

Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Ku'attro Na Liheslaturan Gudhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Vice Speaker Therese M. Terlaje
3401-18-2724
DEC 31 2018
Time: 10:25
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 357-34 (COR), "AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF AGAÑA HEIGHTS (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF AGAÑA HEIGHTS (PRIVATELY-OWNED LAND) TO MITIGATE AN ENCROACHMENT BY THE AGAÑA HEIGHTS SPORTS AND RECREATIONAL FACILITY," which was signed on December 28, 2018, as Public Law 34-160.

Senseramente,

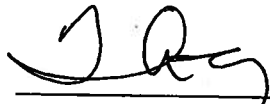
[Signature]
EDDIE BAZA CALVO

2018 JAN -2 AM 9:20 PM

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

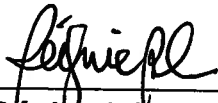
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÁHEN GUÁHAN

This is to certify that Bill No. 357-34 (COR), "AN ACT TO AUTHORIZE I MAGA'LÁHEN GUÁHAN TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF AGAÑA HEIGHTS (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF AGAÑA HEIGHTS (PRIVATELY-OWNED LAND) TO MITIGATE AN ENCROACHMENT BY THE AGAÑA HEIGHTS SPORTS AND RECREATIONAL FACILITY," was on the 19th day of December 2018, duly and regularly passed.



Therese M. Terlaje
Acting Speaker

Attested:




Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'láhen Guáhan* this 19th day of DEC,
2018, at 6:57 o'clock P.M.



Shawn J. Merm
Assistant Staff Officer
Maga'láhi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'láhen Guáhan

Date: DEC 28 2018

Public Law No. 34-160

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

Bill No. 357-34 (COR)

Introduced by:

Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF *AGAÑA HEIGHTS* (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF *AGAÑA HEIGHTS* (PRIVATELY-OWNED LAND) TO MITIGATE AN ENCROACHMENT BY THE *AGAÑA HEIGHTS* SPORTS AND RECREATIONAL FACILITY.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that the *Agaña Heights* Sports and Recreational Facility has been encroaching on
4 private property and has utilized a portion of privately-owned Lot 12-9REM-R4 in

1 the municipality of *Agaña Heights* for the last thirty (30) years; and finds that the
2 government of Guam encroachment consists of three hundred twenty-four (324)
3 square meters into the private property.

4 *I Liheslaturan Guåhan* further finds that the landowner of Lot 12-9REM-R4,
5 James H.P. Flores, has requested an area-for-area land exchange for contiguous
6 government of Guam land, known as Lot 12-2 REM in the municipality of *Agaña*
7 *Heights*, as a means of mitigation for the encroachment.

8 *I Liheslaturan Guåhan* further finds that there is suitable contiguous
9 government of Guam land, known as Lot 12-2 REM in the municipality of *Agaña*
10 *Heights*, that can accommodate an area-for-area land exchange of three hundred
11 twenty-four (324) square meters.

12 *I Liheslaturan Guåhan* further finds that the Mayor of the municipality of
13 *Agaña Heights* and the *Agaña Heights* Municipal Planning Council, through a
14 resolution, support and approve the proposed land exchange.

15 **Section 2. Authorization to Exchange Land.** *I Mina'Trentai Kuåttro Na*
16 *Liheslaturan Guåhan* hereby authorizes *I Maga'låhen Guåhan* to exchange three
17 hundred twenty-four (324) square meters of Lot 12-2 REM in the municipality of
18 *Agaña Heights* (government of Guam land) with three hundred twenty-four (324)
19 square meters of Lot 12-9REM-R4 in the municipality of *Agaña Heights* (privately-
20 owned land).

21 **Section 3. Surveying and Mapping.** The Office of the Mayor of the
22 municipality of *Agaña Heights*, through the Department of Land Management, *shall*
23 be responsible for the surveying and mapping for the land exchange.

24 **Section 4. Appraisals.** As the parcels are contiguous and this is an area-for-
25 area land exchange, 2 GCA § 2107(b) and Section 6.04(c)(4) of the Standing Rules
26 of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* relative to appraisals of land
27 *shall not* apply to this Act.

1 **Section 5. No Alienation Clause.** This is a fee simple land exchange
2 transaction and *shall not* be subject to any alienation clause, notwithstanding any
3 other provision of law, rule or regulation.

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