I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (SECOND) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 343-34 (COR)	**Speaker Antonio R. Unpingco Legislative Session Hall December 17, 2018**					
NAME	**Aye**	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**
Senator Thomas C. **ADA**	✓					
Senator FRANK B. **AGUON, JR.**	✓					
Senator William M. **CASTRO**	✓					
Senator James V. **ESPALDON**	✓					
Senator Fernando Barcinas **ESTEVES**		✓				
Senator Régine Biscoe **LEE**	✓					
Senator Tommy **MORRISON**	✓					
Senator Louise B. **MUÑA**					✓	✓
Senator Telena Cruz **NELSON**	✓					
Senator Dennis G. **RODRIGUEZ, Jr.**	✓					
Senator Joe S. San **AGUSTIN**	✓					
Senator Michael F.Q. **SAN NICOLAS**	✓					
Acting Speaker Therese M. **TERLAJE**	✓					
Senator Mary Camacho **TORRES**	✓					

TOTAL:	**12**	**1**			**1**	**1**
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 343-34 (COR)

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Introduced by: Thomas C. Ada

AN ACT TO EXEMPT LOT B-1, TRACT 111, *TUMON*, MUNICIPALITY OF *TAMUNING*, FROM THE ALIENATION AND REVERTER CLAUSE AS STIPULATED IN SECTION 9(d) OF PUBLIC LAW 21-14.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Public Law 21-14, which was enacted into law on April 20, 1991, authorized certain land sales and exchanges. The land sales involved substandard remnant pieces created when *Ipao* Road was realigned. These remnant pieces are valuable and usable only to the contiguous landowners. When purchased by the private contiguous landowner, the substandard remnant piece would then be consolidated into a larger lot. The sales proceeds and real estate tax revenues generated by the taxation of the larger consolidated lot provides revenue for public services.

I Liheslatura finds that on May 17, 2012, the owner of the lot contiguous to Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning* paid to the government the fair market value for the purchase of Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, with the expectation that the government will execute the Quitclaim Deed in a timely manner; however, said Quitclaim Deed was not executed until February 17, 2016. The optimal utilization of Lot B-1, Tract 111, *Tumon*, municipality of

Tamuning, cannot be immediatley realized unless the alienation and reverter clause restriction in Section 9(d) of Public Law 21-14 is removed.

I Liheslatura finds that the execution of the Quitclaim Deed for Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, was not accomplished by the government of Guam until February 17, 2016; however, the provisions of Section 9(d) of Public Law 21-14 stipulate that the restrictions imposed by the alienation and revertion clause will not be lifted until ten (10) years from the date of execution of the Quitclaim Deed.

Since this is a fee simple transaction and no other qualified purchaser is identified in Public Law 21-14 for this parcel, *I Liheslatura* therefore intends to exempt Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, from the ten (10) year alienation and reversion clause stipulated in Section 9(d) of Public Law 21-14.

Section 2. Exemption from Alienation and Reverter Clause.

Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, *shall* be exempt from the alienation and reverter clause as stipulated in Section 9(d) of Public Law 21-14.

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

Section 4. Effective Date. This Act *shall* become effective upon its enactment.