

**I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN**

**2018 (SECOND) Regular Session**

**LEGISLATIVE SESSION VOTING RECORD**

<b>Bill No. 370-34 (COR)</b> As amended on the Floor.		<b>Speaker Antonio R. Unpingco Legislative Session Hall</b> <b>December 19, 2018</b>				
<b>NAME</b>	<b>Aye</b>	<b>Nay</b>	<b>Not Voting/ Abstained</b>	<b>Out During Roll Call</b>	<b>Absent</b>	<b>Excused</b>
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	✓					

<b>TOTAL:</b>	<b>13</b>				<b>1</b>	<b>1</b>
	<b>Aye</b>	<b>Nay</b>	<b>Not Voting/ Abstained</b>	<b>Out During Roll Call</b>	<b>Absent</b>	<b>Excused</b>

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass

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

**Bill No. 370-34 (COR)**

As amended on the Floor.

\*

Introduced by:

Thomas C. Ada

**AN ACT TO AUTHORIZE A COMMERCIAL LEASE AGREEMENT BETWEEN THE MAYOR OF *PITI*, THE *PITI* MUNICIPAL PLANNING COUNCIL, AND THE GUAM TELEPHONE AUTHORITY FOR THE USE OF LOT 5NEW-R1, BLOCK 2, MUNICIPALITY OF *PITI*.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Mayor of *Piti*, the *Piti* Municipal Planning Council, and the Guam  
4 Telephone Authority (GTA) have been negotiating for a lease of Lot 5NEW-R1,  
5 Block 2 in the municipality of *Piti*; and, GTA is requesting for a fifty (50) year lease  
6 of the lot with the Mayor of *Piti* and the *Piti* Municipal Planning Council. Exhibit A  
7 is the recorded map of Lot 5NEW-R1 Block 2, municipality of *Piti*.

8           *I Liheslaturan Guåhan* further finds that Lot 5NEW-R1, Block 2,  
9 municipality of *Piti* is under the administrative jurisdiction of the Office of the  
10 Mayor of *Piti* pursuant to Document 573510 - Reallocation of Public Lands,  
11 recorded at the Department of Land Management on November 19, 1997.

12           *I Liheslaturan Guåhan* also finds that a previous attempt to provide funds for  
13 community use under the Fish Eye Marine Park lease has not accrued to the benefit  
14 of the community of *Piti*.

1 It is, therefore, the intent of *I Liheslaturan Guåhan* to authorize the Mayor of  
2 *Piti* to enter into a lease agreement with GTA.

3 **Section 2. Authorization to Lease.** Notwithstanding any other provision of  
4 law, *I Liheslaturan Guåhan* authorizes the Mayor of *Piti* to lease to the Guam  
5 Telephone Authority Lot 5NEW-R1, Block 2, municipality of *Piti*, described on  
6 Land Management Drawing No. 090FY99 and recorded under Document 596243,  
7 containing an area of two thousand one hundred eighty-two (2,182) ± square meters,  
8 for a period of twenty (20) years, with an option to renew for an additional twenty  
9 (20) years.

10 **Section 3. Rental Stipulations.** Notwithstanding any provision of the lease,  
11 the annual rent *shall* be determined by the highest of two (2) appraisals selected and  
12 paid for by the Guam Telephone Authority. The rent is to be paid annually in  
13 advance at the signing of the lease agreement and on subsequent anniversaries. The  
14 rent amount *shall* escalate eight percent (8%) every five (5) years based on the  
15 previous amount for the duration of the lease agreement.

16 **Section 4. Appraisals.** 2 GCA § 2107(b) relative to appraisals of land *shall*  
17 apply to this Act.

18 **Section 5. Proceeds of Lease.** Funds generated from this lease *shall* be  
19 deposited with the Office of the Mayor of *Piti* for the use of the community of *Piti*  
20 as determined by the Mayor of *Piti* and the *Piti* Municipal Planning Council.

21 **Section 6. Prohibited Use.** The property *shall not* be used so as to make the  
22 property unusable upon the expiration of the lease term. This *shall* include, but *not*  
23 be limited to, such uses as ponding basins.

24 **Section 7. New Assessment and Update of Real Property Tax Roll.** Upon  
25 approval of the lease agreement by the Office of the Attorney General of Guam and  
26 recordation of the lease agreement at the Department of Land Management, the Real  
27 Property Division of the Department of Revenue and Taxation *shall* conduct a

1 special valuation of Lot 5NEW-R1, Block 2, municipality of *Piti* and the new tax  
2 assessment becomes due and payable by the Guam Telephone Authority in the  
3 succeeding year. The Tax Roll *shall* be updated accordingly.

4 **Section 8. 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, such invalidity *shall*  
6 *not* affect other provisions or applications of this Act that can be given effect without  
7 the invalid provision or application, and to this end the provisions of this Act are  
8 severable.