




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
341-34 (COR)	Thomas C. Ada Jimmy V. Espaldon Tommy Morrison	AN ACT TO AUTHORIZE THE DEPARTMENT OF LAND MANAGEMENT TO LAND EXCHANGE, AS REFERENCED IN PL 17-49, PL 17-81 AND PL 22-18, LOTS IN THE IJA AREA, MUNICIPALITY OF INALAHAN FOR LOTS IN THE "GEF PAGO AREA".	8/31/18 10:14 a.m.						

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

Bill No. 341-34 (COR)

Introduced by:

Thomas C. Ada 
Jimmy V. Espaldon 
Tommy Morrison 

**AN ACT TO AUTHORIZE THE DEPARTMENT OF
LAND MANAGEMENT TO LAND EXCHANGE, AS
REFERENCED IN PL 17-49, PL 17-81 AND PL 22-18,
LOTS IN THE IJA AREA, MUNICIPALITY OF
INALAHAN FOR LOTS IN THE “GEF PAGO AREA”.**

2018 AUG 31 AM 10:14 

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that the “*Gef Pago*” site in the village of *Inalahan*
4 has been the showcase for Chamorro culture for decades. However, the organization
5 which seeks to make *Gef Pago* a showcase for Chamorro culture is unable to apply
6 for public grants that would support the development of the site because the site is
7 an area comprised of approximately twenty-eight (28) privately owned substandard
8 lots (hereinafter referred to as the “*Gef Pago* lots”).

9 *I Liheslaturan Guåhan* further finds that the Government of Guam has
10 endeavored to accomplish land exchanges through several public laws, namely P.L.
11 17-49, P.L. 17-81 and P.L. 22-18.

12 *I Liheslatura* intends to exchange the “*Gef Pago* lots” pursuant to P.L. 17-49,
13 P.L. 17-81 and P.L. 22-18 with lots in the *Ija* Area in the Municipality of *Inalahan*.

1 **Section 2. Applicability.** The Department of Land Management shall vet
2 the lots, the original landowners and/or the heirs of the privately owned lots listed
3 on the Department of Land Management Drawing Number 098-FY85 also known
4 as I4-84T242 as the lots eligible for the proposed land exchanges. Lots and owners
5 who have previously been granted land exchanges for their *Gef Pago* lots shall not
6 be eligible for any further land exchanges. The Department of Land Management
7 shall use the map referenced as Drawing Number 098-FY85 also known as I4-
8 84T242 as a basis for this vetting process and any other sources and resources they
9 might have.

10 **Section 3. Notification to Landowners.** Within thirty (30) working days from
11 the enactment of this Act, the Director of the Department of Land Management *shall*
12 send notices, by certified mail and publication in a newspaper of general circulation, to
13 the last known registered owners or ostensible owners or legal representatives or heirs
14 of the estates of the lots listed in Drawing Number 098-FY85 also known as I4-84T242
15 informing them of this Act. A copy of this Act *shall* be attached to the notice and
16 publication.

17 **Section 4. Affirmation of Land Exchange.** Within one-hundred and eighty
18 (180) working days from the enactment of this Act (“the concurrence period”), registered
19 owners of the lots or ostensible owners or legal representatives or heirs of the estates
20 listed in Drawing Number 098-FY85 also known as I4-84T242, must provide written
21 affirmation to the Director of the Department of Land Management of their intent to
22 concur with a land exchange.

23 **Section 5. Failure to Affirm or Non-Concurrence.** In the event the registered
24 owner of the lot or ostensible owners or legal representatives or heirs of the estates or an
25 authorized representative, of the lots listed in listed in Drawing Number 098-FY85 also
26 known as I4-84T242 does not submit a written affirmation per Section 4 or does not
27 concur with a land exchange, their lot shall remain a privately owned fractional lot and

1 will be relocated to the eastern boundary of the *Gef Pago* site together with other lots
2 that will not be exchanged.

3 **Section 6. Creation of New Lots in the *Ija* Area, Municipality of**
4 ***Inalahan*.** Should there not be enough pre-surveyed lots in the *Ija* area, the
5 Department of Land Management shall create an adequate number of quarter-acre
6 (1/4) developable lots in the *Ija* Area notwithstanding the *Chamorro Land Trust Act*.

7 **Section 7. Distribution of Lots.** Lots shall be distributed through a lottery
8 system to be developed and conducted by the Department of Land Management.
9 Notwithstanding any provisions of law, the recipients of the exchanged lots shall
10 have fee simple title to the new lots and shall not be subject to any alienation clause.

11 **Section 8. Grant of Administrative Jurisdiction.** The *Gef Pago* lot shall
12 be placed under the administrative jurisdiction of the *Mayor of Inalahan and the*
13 *Inalahan Municipal Planning Council* who shall optimize the use of the lot for
14 activities which promote and showcases the *Chamorro* culture. Failure to use the
15 *Gef Pago Lot* for this intended purpose shall be cause for rescission of the grant of
16 administrative jurisdiction, by statute, and the *Gef Pago Lot* shall be transferred into
17 the *Chamorro Land Trust Lands Inventory*.

18 **Section 9. Exchange of Lots.**

19 (a) The Department of Land Management shall utilize any quarter-
20 acre (1/4) government lot available within the Municipality of *Inalahan*,
21 notwithstanding the *Chamorro Land Trust Act*.

22 (b) The Department of Land Management shall publicize, in a
23 newspaper of general circulation, the proposed land exchanges within sixty
24 (60) days after “the concurrence period”.

25 (c) The exchange of the privately owned *Gef Pago* lots shall be on a
26 voluntary basis.

1 (d) Lot owners, or their estate, shall have 360 working days from the
2 date of the lottery in Section 7 of this Act to legally opt in for the proposed
3 land exchange. Opt-in of a particular lot must be unanimous; if one owner of
4 a multi-owner lot refuses because the Lot is his erensia from his *ma'nai'nas*,
5 the lot in question shall be relocated pursuant to Section 5 of this Act.

6 **Section 10. Severability.** If any provisions of this Act or its application to
7 any person or circumstance is found to be invalid or contrary to law, that invalidity
8 shall not affect other provisions or applications of this Act that can be given effect
9 without the invalid provisions or applications, and to this end the provisions of this
10 Act are severable.

11 **Section 11. Effective Date.** This Act *shall* become effective upon its
12 enactment.