

I MINA'TRENTA NA LIHESLATURAN GUAHAN
2009 (FIRST) Regular Session

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MWA

Bill No. 218-30 (LS)

Introduced by:

T.R. MUÑA-BARNES
Edward J.B. Calvo
Judith T. Won Pat Ed.D.

AN ACT TO TRANSFER PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION, BY ADDING A NEW § 80105 (a) TO TITLE 21, GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. Certain ancestral lands in the
3 Municipalities of Piti, Sumay and Agat were condemned under Civil Action No. 5-49
4 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary.
5 Eventually the United States Quitclaimed portions of the Apra Harbor Reservation to
6 the Government of Guam in December 1984 containing certain Parcels, with eventual
7 transfer to the Commercial Port of Guam and eventually to the Port Authority of
8 Guam (PAG) for development. In formal conferences and legislative session meetings
9 between the PAG and the legislature it has been stated by the PAG board,
10 management, and personnel that the PAG does not have any future plans for the

1 development or use of certain portions of the parcels under their jurisdiction. This Act
2 is intended to transfer such land parcels and properties to the GALC so that the GALC
3 shall proceed with the return of such land parcels properties to the original landowners
4 or their estates pursuant to the Commission’s enabling legislation and mandates.

5 **Section 2.A new §80105 (a) is hereby *added* to Title 21, Guam Code**
6 **Annotated, to read as follows:** Portions of Parcel 1 and 2 south of Route 18 and
7 contiguous to the south of Apra Harbor Parcel 6, also abutting Marine Corps Drive on
8 the east, specifically original Lots 135-1, 136, 136 A, 136 A-1, 136 A2,137, 159, 159-
9 1, 166 and portions of the following lots, 127, 128, 129, 131, 132, 133, all in the
10 municipality of Piti. The property shall be transferred and shall be deeded to
11 the GALC within 30 days of the effective date of this Act. The Guam
12 Ancestral Lands Commission shall dispose of the land parcels and lots
13 transferred by this Act in a manner consistent with and pursuant to its
14 enabling legislation and its mandates. All pre-condemnation roads, easements
15 and bull cart trails shall remain as easements for public access and utilities.”

16 **Section 3.** The above mentioned properties shall be zoned “A” – Agriculture.

17 **Section 4.** The Department of Land Management shall plot, plan,
18 design, and provide within 60 days of enactment an aerial overlay map

1 delineating all road easements, bull-cart trails, and public access as to insure
2 that no lot is landlocked. The overlay shall all original lot lines generally. This
3 overlay shall be transmitted to the legislative oversight committee of *I*
4 *Mina'irenta Na Liheslaturan Guåhan* no later than 61 days after the enactment of
5 this law."

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