
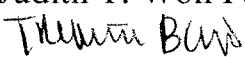


I MINA'TRENTA NA LIHESLATURAN GUAHAN
2010 (SECOND) Regular Session

2010 APR 28 PM 2:52 EDM

Bill No. 382-30 (LS)

Introduced by:

Judith T. Won Pat, Ed. D. 


AN ACT TO ADD A NEW §80105 (d) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were
4 condemned under Civil Action No. 5-49 by the Naval Government of Guam
5 creating the Apra Harbor Reservation Boundary. Eventually, the United States
6 quitclaimed portions of the Apra Harbor Reservation to the Government of Guam
7 in December 1984 containing certain parcels, with eventual transfer to the
8 Commercial Port of Guam now known as the Port Authority of Guam (PAG) for
9 development. In formal conferences and legislative session meetings between the
10 PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board,
11 management, and personnel that the PAG *does not* have any future plans for the
12 development or use of certain portions of the parcels under their jurisdiction.

1 Therefore, *I Liheslatura* intends to transfer such land parcels and properties
2 to the Guam Ancestral Lands Commission so that the Guam Ancestral Lands
3 Commission *can and shall* proceed with the return of such land parcels and
4 properties to the original landowners or their estates, pursuant to the Commission’s
5 enabling legislation and mandates.

6 **Section 2.** A new §80105(d) is hereby *added* to §80105 of Chapter 80,
7 Title 21, Guam Code Annotated, to read as follows:

8 “(c) Portions of Parcel 1 South of Route 18 and contiguous to the
9 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
10 east, specifically original lots: No. 135-1 originally owned by the Estate of
11 Caridad Quitugua Hart and No. 128 originally owned by the Estate of
12 Tiburcio Ada Santos, No. in the Municipality of Piti. The properties *shall* be
13 transferred and *shall* be deeded to the Guam Ancestral Lands Commission
14 within thirty (30) days of the effective date of this Act. The Guam Ancestral
15 Lands Commission *shall* within one hundred eighty (180) days dispose of
16 the land parcels and lots transferred by this Act in a manner consistent with
17 and pursuant to its enabling legislation and its mandates. All pre-
18 condemnation roads, easements and bull cart trails *shall* remain as easements
19 for public access and utilities. The transferred properties *shall* be zoned “A”
20 – Agricultural zone.”

21 **Section 3.** The Department of Land Management *shall* plot, plan, design,
22 and provide within sixty (60) days of enactment an aerial overlay map
23 delineating all roads, easements, bull-cart trails, and public access as to
24 determine such access or easements’ location in relation to the return subject
25 lot so that *no* lot is landlocked. The overlay *shall* show all original lot lines
26 generally.

1 **Section 4. Severability.** *If* any of the provisions of this Act or the
2 application thereof to any person or circumstance is held invalid, such
3 invalidity *shall* not affect any other provision or application of this Act
4 which can be given effect without the invalid provision or application, and to
5 this end the provisions of this Act are severable.