

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

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Bill No. 403-30(COR)

Introduced by:

Judith T. Won Pat, Ed. D.
T. R. Muña Barnes



AN ACT TO *ADD* A NEW §80105 (g) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY 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.

13 Therefore, *I Liheslatura* intends to transfer such land parcels and properties
14 to the Guam Ancestral Lands Commission, so that the Guam Ancestral Lands
15 Commission *can and shall* proceed with the return of such land parcels and

1 properties to the original landowners or their estates, pursuant to the Commission’s
2 enabling legislation and mandates.

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

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

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

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