I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2017 (FIRST) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 115-34 (COR)
As amended by the Committee on Environment, Land, Agriculture, and Procurement Reform; and further amended on the Floor.

Speaker Antonio R. Unpingco Legislative Session Hall
July 26, 2017

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Thomas C. **ADA**	√					
Senator FRANK B. **AGUON, JR.**	√					
Senator William M. **CASTRO**	√					
Speaker B. J.F. **CRUZ**	√					
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**	√					
Vice Speaker Therese M. **TERLAJE**	√	I				
Senator Mary Camacho **TORRES**	√					

TOTAL:	14				1	1
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

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Bill No. 115-34 (COR)
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Introduced by: Thomas C. Ada
Tommy Morrison

AN ACT TO RESCIND ADMINISTRATIVE JURISDICTION OF LOT R23, BLOCK 5B, TRACT 3241, MUNICIPALITY OF *UMATAC*, GRANTED TO THE DEPARTMENT OF LAND MANAGEMENT, AND TO VEST THE OFFICE OF THE MAYOR OF *UMATAC* AND THE *UMATAC* MUNICIPAL PLANNING COUNCIL WITH ADMINISTRATIVE JURISDICTION OF THE SAME.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Lot R23, Block 5B, Tract 3241, municipality of *Umatac*, is a community assigned lot consisting of 34,779 square meters (8.5 acres) as shown on DLM Map 259FY2011. The lot was originally in the master plan of the *Umatac Land for the Landless Subdivision* to be used for a baseball field but has not been developed as such for decades. Lot R23, Block 5B, Tract 3241 remains under the jurisdiction of the Guam Department of Land Management (DLM).

I Liheslaturan Guåhan further finds that although the lot was reserved for a municipal recreational facility, the municipality of *Umatac* may have other community land needs other than a baseball field, such as a mayoral and community

center, or a basketball gym, and that the *Umatac* community should formally determine and prioritize its land needs in the form of a land use plan for the lot.

I Liheslaturan Guåhan further finds that Lot R23, Block 5B, Tract 3241 in the municipality of *Umatac* has off-site utility infrastructure and an asphalt paved road connecting the lot to Route 2; and further, that it could be subdivided into sixteen (16) residential lots and leased as *Chamorro* Homelands by the *Chamorro* Land Trust Commission for homes.

I Liheslaturan Guåhan intends to rescind administrative jurisdiction of Lot R23, Block 5B, Tract 3241, municipality of *Umatac*, from the DLM, and to vest administrative jurisdiction with the Office of the Mayor of *Umatac* and the *Umatac* Municipal Planning Council for their determination of need and use of said lot.

I Liheslaturan Guåhan further intends that if the community of *Umatac* does not adopt a Municipal Planning Council approved plan for the lot within twelve (12) months of the enactment of this Act, then said lot *shall* automatically transfer to the *Chamorro* Land Trust Commission lands inventory for *Chamorro* Homelands.

Section 2. Grant of Administrative Jurisdiction of Lot R23, Block 5B, Tract 3241 in the Municipality of *Umatac* to the Office of the Mayor of *Umatac* and the *Umatac* Municipal Planning Council.

(a) Administrative jurisdiction of Lot R23, Block 5B, Tract 3241, municipality of *Umatac*, is hereby rescinded from the Department of Land Management and *shall* rest with the Office of the Mayor of *Umatac* and the *Umatac* Municipal Planning Council for general community land needs, as determined and prioritized by the residents of *Umatac*, and as represented by the Office of the Mayor and the Municipal Planning Council of *Umatac*.

(b) A land use plan for Lot R23, Block 5B, Tract 3241 *shall* be adopted, by resolution, by the *Umatac* Municipal Planning Council detailing how said lot is to be utilized. Said land use plan *shall* be completed within

twelve (12) months from the date of enactment of this Act. Failure to adopt a land use plan *shall* cause administrative jurisdiction to expire, and said lot *shall* automatically transfer to the *Chamorro* Land Trust Commission lands inventory for *Chamorro* Homelands by operation of this Act. The adopted land use plan *shall* be transmitted to the Mayors Council of Guam, the Southern Development Masterplan Taskforce, the Bureau of Statistics and Plans, *I Liheslaturan Guåhan*, and *I Maga'låhen Guåhan*.

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid, or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.