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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 401-30 (COR), "AN ACT TO *ADD* A NEW §80105 (e) 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",** was on the 30th day of November 2010, duly and regularly passed.

Judith T. Won Pat, Ed. D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of Dec, 2010, at 1100 o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 401-30 (COR)
As amended.

Introduced by: Judith T. Won Pat, Ed. D.
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio

AN ACT TO *ADD* A NEW §80105 (e) 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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslatura* finds that certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were condemned under Civil Action No. 5-49 by the Naval Government of Guam

creating the Apra Harbor Reservation Boundary. Eventually, the United States quitclaimed portions of the Apra Harbor Reservation to the Government of Guam in December 1984 containing certain parcels, with eventual transfer to the Commercial Port of Guam, now known as the Port Authority of Guam (PAG), for development. In formal conferences and legislative session meetings between the PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board, management, and personnel that the PAG *does not* have any future plans for the development or use of certain portions of the parcels under their jurisdiction.

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

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

"(e) Portions of Parcel 1 South of Route 18 and contiguous to the North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the east, specifically original lot: No. 136-A PI, originally owned by the Estate of Juan San Nicolas Manibusan, in the municipality of *Piti*. The property *shall* be transferred and *shall* be deeded to the Guam Ancestral Lands Commission within thirty (30) days of the effective date of this Act. The Guam Ancestral Lands Commission *shall* within one hundred eighty (180) days dispose of the land parcel and lot transferred by this Act in a manner consistent with and pursuant to its enabling legislation and its mandates. All pre-condemnation roads, easements and bull cart trails *shall* remain as easements for public access and utilities. The transferred property *shall* be zoned "A" – Agricultural zone."

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

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