EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAY 16 2018

The Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na
Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GL#34-18-1886
Speaker Benjamin J.F. Cruz

MAY 17 2018
Time: 2:46 [ ] AM [ ] PM File No. 34-1932
Received By:

Dear Mr. Speaker:

Transmitted herewith is Bill No. 62-34 (COR), **"AN ACT TO TRANSFER ADMINISTRATIVE JURISDICTION OF PORTIONS OF LOT NAVAL AIR STATION *AGAÑA* 19 TO THE OFFICE OF THE MAYOR OF *BARRIGADA* FOR THE PURPOSE OF PROVIDING NEEDED RECREATIONAL FACILITIES,"** which was signed into law on May 14, 2018, as **Public Law 34-88.**

Senseramente,

EDDIE BAZA CALVO
Governor of Guam

2018 MAY 17 PM 3:31

1886

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I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

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

This is to certify that **Bill No. 62-34 (COR), "AN ACT TO TRANSFER ADMINISTRATIVE JURISDICTION OF PORTIONS OF LOT NAVAL AIR STATION *AGAÑA* 19 TO THE OFFICE OF THE MAYOR OF *BARRIGADA* FOR THE PURPOSE OF PROVIDING NEEDED RECREATIONAL FACILITIES,"** was on the 1st day of May 2018, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 3RD day of May, 2018, at 11:50 o'clock A.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan
Date: MAY 14 2018

Public Law No. 34-88

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 62-34 (COR)
As amended by the Committee on Environment, Land, Agriculture and Procurement Reform; and further amended on the Floor.

Introduced by: Joe S. San Agustin
Dennis G. Rodriguez, Jr.
William M. Castro
FRANK B. AGUON, JR.
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO TRANSFER ADMINISTRATIVE JURISDICTION OF PORTIONS OF LOT NAVAL AIR STATION *AGAÑA* 19 TO THE OFFICE OF THE MAYOR OF *BARRIGADA* FOR THE PURPOSE OF PROVIDING NEEDED RECREATIONAL FACILITIES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* finds that the municipality of *Barrigada* desires to use and maintain for public purposes Lot NAS *Agaña* 19, which was conveyed in perpetuity. Furthermore, it is the understanding of the Office of the *Barrigada* Mayor that the

property *shall not* be sold, leased, assigned, or otherwise disposed of, and that the Office of the *Barrigada* Mayor will continue to provide related recreational facilities and services for various Guam sports organizations.

I Liheslaturan Guåhan further finds that on March 7,1995, the *Barrigada* Municipal Planning Council submitted its comments on the *Komitea Para Tiyan* (KPT) NAS Reuse Master Plan. *Barrigada* presented an alternative course of action for the KPT to review. The *Barrigada* Municipal Planning Council requested that additional public lands be transferred to *Barrigada* so it can utilize said lands as parks, and sports and recreation facilities.

I Liheslaturan Guåhan further finds that *Barrigada* had even filed the necessary documents known as "The Tiyan, Barrigada Foundation" to serve and provide public benefits, education, and recreational services to our residents. This approach was supported by the Office of the *Barrigada* Mayor and the *Barrigada* Municipal Planning Council. The *Barrigada* position was based on the fact that the community has proven experience in parks, sports and recreation facilities, maintenance and management, and especially because *Barrigada* has no public parks, recreation or sports facilities in its name.

Section 2. Authorization to Transfer Lot Naval Air Station *Agaña* 19 to the Office of the *Barrigada* Mayor. Notwithstanding any other provision of law, rule or regulation, *I Liheslaturan Guåhan* authorizes *I Maga'låhen Guåhan* to transfer existing recreational fields limited to the Tiyan Football Field, Tiyan Maintenance Building, Tiyan Upper and Lower Softball Fields, and the land area presently occupied by the carnival grounds within Lot Naval Air Station *Agaña* 19, to the Office of the *Barrigada* Mayor, who *shall* assume administrative jurisdiction over said portions of Lot Naval Air Station *Agaña* 19. The property *shall not* be sold, leased, assigned, or otherwise disposed of, and the Office of the *Barrigada* Mayor

will continue to provide related recreational facilities and services for various Guam sports organizations.

Section 3. Reversionary Clause. The Office of the *Barrigada* Mayor must begin construction and refurbishment within five (5) years from the date of enactment of this Act. In the event the property remains idle and the Office of the *Barrigada* Mayor does not begin construction and refurbishment within the stipulated time frame, administrative jurisdiction of the property *shall* revert to the government of Guam.

Section 4. 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.