

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN  
2011 (First) Regular Session

Bill No. 206-31 (cor)

Introduced by:

v.c. pangelinan

2011 MAY 23 AM 11:14  
kww

**AN ACT TO ADD A NEW SUBSECTION (e) TO  
§80105 OF CHAPTER 80, TITLE 21 GUAM  
CODE ANNOTATED RELATIVE TO  
TRANSFER PROPERTIES UNDER THE  
JURISDICTION OF GUAM COMMUNITY  
COLLEGE TO THE JURISDICTION OF THE  
GUAM ANCESTRAL LANDS COMMISSION**

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

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
2 finds that prior to the enactment of the Organic Act, the United States of  
3 America administered island wide leaseholds on private property from July  
4 1, 1946 to June 30, 1947, pursuant to District Court of Guam Civil Case No.  
5 15-47. Furthermore, island wide leasehold continued under the District  
6 Court of Guam, Civil Case No. 3-48 from July 1, 1947 to June 30, 1948, in  
7 Civil Case No. 1-49 from July 1, 1948 to June 30, 1949 and in Civil Case  
8 No. 1-50 from July 1, 1949 to June 30, 1950. Condemnation of private  
9 property subsequently occurred on June 30, 1950 pursuant to District Court  
10 of Guam Civil Case No. 34-50.

11           On June 8, 1990 the United States of America, acting by and through  
12 the Secretary of Education, Gail Niedernhofer, Administrator for  
13 Management Services, United States Department of Education, conveyed

1 certain real property situated in Barrigada, known as the GLUP Parcel 1AF,  
2 a portion of Andersen Air Force Base Communications Annex No. 2-AJKE,  
3 consisting of approximately 252.83 acres and NAVCAMS WESTPAC  
4 Parcel IN consisting of approximately 61.45 acres to the Guam Community  
5 College (herein referred to as GCC).

6 *I Liheslaturan Guåhan* further finds that the GCC has held the  
7 property for over twenty (20) years and has not developed the property. It  
8 has instead invested tens of millions of dollars in upgrading and expanding  
9 its facilities at the existing Mangilao campus. The current site of the  
10 Mangilao campus contains large land areas yet to be developed, which could  
11 accommodate the GCC's future expansion plans. Furthermore, surrounding  
12 property abutting the campus remains the property of the government of  
13 Guam, which can be made available to the GCC for even more expansion.

14 *I Liheslaturan Guåhan* further finds that there were several families  
15 who lived on the land and owned the property conveyed to GCC and were  
16 unjustly removed from their land when the United States of America  
17 condemned it.

18 It has been more than sixty four (64) years that these families have  
19 had to endure the perpetual injustices imposed upon them by the land taking  
20 and further exacerbated by never appropriately being compensated for their  
21 loss.

22 *I Liheslaturan Guåhan* intends to right the wrong by returning the  
23 lands to the original land owners and/or their heirs. Any further delay would  
24 only continue the cycle of injustices to these families.

25 *I Liheslaturan Guåhan* further intends to transfer the aforementioned  
26 properties currently in the GCC inventory to the Guam Ancestral Lands

1 Commission as the suitable custodian of lands returned from the United  
2 States of America.

3 **Section 2. New subsection (e) of §80105, Chapter 80, Title 21**  
4 **Guam Code Annotated is hereby *added* to read:**

5 “(e) GLUP Parcel 1AF, a portion of Anderson Air Force Base  
6 Communications Annex No. 2-AJKE, consisting of approximately 252.83  
7 acres and certain Federal surplus real property located in Barrigada, known  
8 as the NAVCAMS WESTPAC Parcel IN consisting of approximately 61.45  
9 acres shall be transferred and deeded to the Guam Ancestral Land  
10 Commission (GALC) within thirty (30) days of the enactment of this Act.  
11 The GALC shall dispose of the land parcels and lots transferred by this Act  
12 in a manner consistent with and pursuant to its enabling legislation and its  
13 mandates.”

14 **Section 3.** The above mentioned property shall be zoned Agriculture,  
15 (“A”).

16 **Section 4.** The Department of Land Management shall plot, plan,  
17 design, and provide within sixty (60) days of enactment of this Act an aerial  
18 overlay map delineating all road easements, bull-cart trails, and public  
19 access as to determine such access or easements location in relation to the  
20 return subject lot that no lot is landlocked. The overlay shall show all  
21 original lot lines generally and shall be transmitted to the *I Mina'trentai Unu*  
22 *Na Liheslaturan Guåhan*.

23 **Section 5. Designation of real-estate taxes to GCC.** All real estate  
24 taxes assessed on the properties and subsequent improvements returned to  
25 the original landowners and any subsequent owners shall be deposited to the  
26 Guam Community College Endowment Fund for the purpose of funding  
27 improvements and operations of the college, pursuant to the Board policy.

1           **Section 6. 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.