

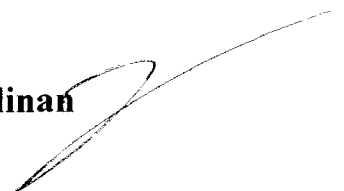
I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (First) Regular Session

2011 JUN 20 PM 3:12
- De

Bill No. 241-31(COR)

Introduced by:

v.c pangelinan



AN ACT TO *EXEMPT* MAPS OF THE CHAMORRO LAND TRUST LEASE SITES PREVIOUSLY APPROVED BY THE CHAMORRO LAND TRUST COMMISSION FROM THE REQUIREMENTS OF ARTICLE 2, CHAPTER 62 OF THE GUAM CODE ANNOTATED, RELATIVE TO SUBDIVISION AND RECORDATION PROCEDURES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that
2 since the initial implementation of the Chamorro Land Trust Leasing
3 Program (Program), the Chamorro Land Trust Commission (CLTC), as the
4 Trustee to public lands within its inventory has not submitted the parceling
5 of lands to the Guam Land Use Commission (GLUC).

6 From the initial inception of the Program until sometime in 2003,
7 CLTC survey maps only required the approval of the Administrative
8 Director as a matter of commission policy. Hundreds of survey maps of
9 leased parcels were processed without the approval of either the GLUC or
10 that of the Department of Land Management (DLM), and further, lessees
11 were permitted to enter upon and develop the properties for the
12 enhancement of their livelihood. All maps were prepared and signed by duly
13 licensed professional land surveyors.

1 At the present time, a large number of CLTC lessees with CLTC-
2 approved maps have requested that their maps be approved and recorded by
3 DLM. As efforts were made to accommodate the requests, DLM remains
4 adamant that these property maps will not be approved unless the CLTC
5 acquires the approval of the GLUC, for properties subdivided into six or
6 more lots. Without GLUC approval, there is no likelihood that DLM will
7 process, approve and record these maps in accordance with law.

8 **Section 2. Legislative Intent.** *I Liheslaturan Guahan* intends to assist
9 the hundreds of lessees of the Chamorro Land Trust Commission affected
10 by the lack of approved maps by exempting maps, prepared and signed by
11 licensed professional land surveyors of the CLTC properties which were
12 previously approved by the CLTC and/or its Administrative Director.
13 Enactment of this legislation will assist in the expedient and timely
14 processing of maps previously drawn for CLTC lessees and consequently
15 assist the CLTC to expeditiously process those leases and the list of
16 applicants waiting for their maps to be approved.

17 It is the intent of *I Liheslaturan Guahan* that the exemption *shall* not
18 be applicable to any new applicants processing for maps under the CLTC for
19 property subdivision of six or more lots and *shall* comply with the
20 provisions of Article 2 of Chapter 62 of Title 2.

21 **Section 3. Exemption from provisions of Article 2, Chapter 62 of**
22 **Title 21 of the Guam Code Annotated.**

23 **(a) Exemption.** Notwithstanding any provision of law, *I*
24 *Liheslaturan Guahan*, for and on behalf of the people of Guam and upon
25 enactment of this Act, Chamorro Land Trust Commission leased property
26 maps prepared and signed by professional land surveyors which have been
27 approved by the CLTC and/or the Administrative Director of CLTC and

1 which must be redrawn or updated to meet mapping requirements and
2 submitted to the Department of Land Management for editing, final approval
3 and recordation, are hereby *exempt* from the provisions of Article 2 of
4 Chapter 62 of Title 21 requiring the approval of the Guam Land Use
5 Commission.

6 **(b) Approval.** Any CLTC leased maps prepared and signed by
7 professional land surveyors and approved by the CLTC and/or the
8 Administrative Director of CLTC are hereby deemed approved.

9 **(c) Application to New Subdivisions.** Upon enactment of this
10 Act, any new applications for subdivision of six or more lots received by the
11 CLTC *shall* comply with the provisions of Article 2 of Chapter 62 of Title
12 21.

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