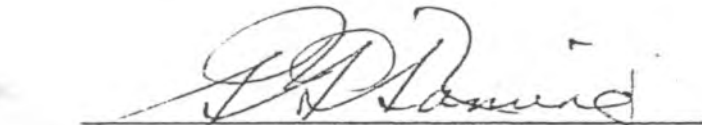


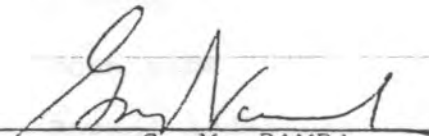
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

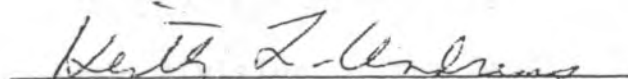
This is to certify that Bill No. 30, "An Act to add a new Chapter XII-A to Title XIV of the Government Code of Guam relative to protecting and confirming public rights to land on Guam, and authorizing an appropriation to carry out the purpose thereof", which was heretofore passed and thereafter on November 12, 1973, returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration the Legislature did on the 27th day of November, 1973, agree to pass said bill notwithstanding the objections of the Governor by a vote of more than two-thirds of all the members thereof, to wit: by a vote of 15 members.


F. T. RAMIREZ
Speaker

ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 3rd day of
December, 1973, at 3:00 o'clock p.M.


KEITH L. ANDREWS
Attorney General of Guam

Public Law

by Richard D. Meyer

12-61

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Bill No. 30
Substitute Bill

Introduced by _____
P. J. Bordallo

AN ACT TO ADD A NEW CHAPTER XII-A TO
TITLE XIV OF THE GOVERNMENT CODE OF
GUAM RELATIVE TO PROTECTING AND CON-
FIRMING PUBLIC RIGHTS TO LAND ON GUAM,
AND AUTHORIZING AN APPROPRIATION TO
CARRY OUT THE PURPOSE THEREOF.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Chapter XII-A to Title XIV is hereby added to
3 the Government Code of Guam to read as follows:

4 "CHAPTER XII-A

5 Confirmation of Public Rights

6 Section 13980. Legislative findings. The Legislature
7 finds that the traditional pattern of land ownership on
8 Guam was that many areas of the island were completely
9 open to public access and public's use of such land was
10 totally unfettered. Examples of such areas are the dry
11 sand area of Guam's beaches and the steep slopes of Guam's
12 mountains, both areas having been referred to as Monte Sine
13 Dueno. Additionally, there are many areas of Guam over
14 which the public, through frequent and uninterrupted use,
15 has acquired rights which need to be confirmed, settled,
16 and vested by means of asserting these rights in land
17 registration cases.

18 Section 13981. Researching and identifying public
19 rights: duty of Land Records Division of the Department.
20 The Land Records Division of the Department is hereby
21 directed to conduct an exhaustive study of the patterns
22 of land ownership and of public land use on Guam in order
23 to identify those areas where the public may be able to

1 establish a legally sufficient claim for ownership or
2 use thereof in a land registration proceeding instituted by
3 either the government of Guam on behalf of the public's
4 right thereto or by a private citizen in derogation of the
5 public's right thereof. The Division shall also conduct
6 research and prepare reports with respect to such land as
7 the Attorney General may request to assist the government's
8 presentation in land registration cases in which the
9 public's interest in land is being asserted.

10 Section 13982. Confirming public rights: duty of
11 Attorney General. The Director shall report the findings
12 of the Land Records Division to the Attorney General and
13 it shall be the duty of the Attorney General to enter an
14 appearance in or file on behalf of the public in land
15 registration proceedings for any unregistered land over
16 which the public has a claim as revealed by research and
17 study of the Department."

18 Section 2. There is hereby authorized to be appropriated
19 the sum of One Hundred Thousand Dollars (\$100,000.00) to carry
20 out the intent and purpose of this Act.

*revised
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22*
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23 Section 3 Notwithstanding any other provision of law to
24 the contrary, the Land Transfer Board, the Governor of Guam and
25 the Director of the Department of Land Management shall not
26 sell, lease or exchange government-owned property without the
27 prior approval of the Legislature. If the Legislature fails to
28 act within twenty (20) Legislative days following receipt of
29 such proposed sale, lease or exchange, it shall be deemed to have
concurred. This section shall not apply to Land Use Permits
issued pursuant to Chapter VII of the Government Code of Guam.

PL 12-61