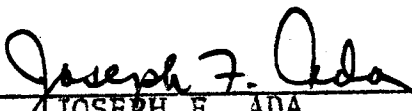



THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 48, "An Act to add a new Subparagraph (h) to Section 18005 of the Government Code of Guam relative to requiring the developer of a subdivision to provide adequate public access to recreational lands", was on the 10th day of October, 1975, duly and regularly passed.

  
\_\_\_\_\_  
JOSEPH F. ADA  
Speaker

ATTESTED:

  
\_\_\_\_\_  
ERNESTO M. ESPALDON  
Acting Legislative Secretary

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This Act was received by the Governor this 16th day of October, 1975 at 1:30 o'clock PM.

*/s/ Ruth F. Won-Pat*

\_\_\_\_\_  
RUTH F. WON PAT  
Assistant Staff Officer  
Governor's Office

APPROVED:

*/s/ RICARDO J. BORDALLO*  
\_\_\_\_\_  
RICARDO J. BORDALLO  
Governor of Guam

DATED: OCT 10 1975  
\_\_\_\_\_  
\_\_\_\_\_  
*P. E. 13-69*

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

Bill No. 48

Introduced by J. M. Rivera

AN ACT TO ADD A NEW SUBPARAGRAPH (h) TO  
SECTION 18005 OF THE GOVERNMENT CODE OF  
GUAM RELATIVE TO REQUIRING THE DEVELOPER  
OF A SUBDIVISION TO PROVIDE ADEQUATE  
PUBLIC ACCESS TO RECREATIONAL LANDS.

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

2 Section 1. Statement of Legislative Finding. The  
3 Legislature finds there is a great need for the establishment  
4 and preservation of public access to many areas in the  
5 territory. There are miles of coastal shorelines and waters  
6 under the jurisdiction of the territory which are inaccessible  
7 to the public due to the absence of public rights-of-way;  
8 the absence of public rights-of-way is a contributing factor  
9 to acts of hostility against private shoreline properties;  
10 the population of the island is increasing while the now  
11 accessible beach and shoreline areas remain fixed; and the  
12 absence of public access to Guam's coastal shoreline  
13 constitutes an infringement upon the fundamental right of free  
14 movement in public space and of access to and use of the sea.  
15 The Legislature further finds that urbanization also may  
16 prevent or impede public access to hill and jungle lands which  
17 have areas for hiking, hunting, fruit-picking and other  
18 recreational purposes.

19 Section 2. Section 18005 of the Government Code of Guam  
20 is amended by the addition of a new Subparagraph (h) to read  
21 as follows:

1           "(h) In cases where public access is not already  
2 provided, dedicate land for public access by right-of-  
3 way for pedestrian travel from a public highway or public  
4 street to abutting lands below the high-water mark on any  
5 coastal shoreline, and to dedicate land for public access  
6 by right-of-way from a public highway or public street to  
7 abutting public lands in the hills and jungle so such lands  
8 shall be accessible for hiking, hunting, fruit picking and  
9 other recreational purposes.

10 The right-of-way shall be clearly designated on the final  
11 map of the subdivision or development upon the dedication  
12 of land for a right-of-way as required by this Subparagraph  
13 and acceptance by the territory, the territory shall  
14 thereafter assume the cost of improvements for and the  
15 maintenance of the right-of-way, and the subdivider shall  
16 accordingly be relieved from such costs."

17           Section 3. This Act shall have immediate effect and  
18 shall apply to the plan of any subdivision or development  
19 which has not been approved prior to the date it shall take  
20 effect.