

EDDIE BAZA CALVO
Governor



2012
RAY TENORIO
Lieutenant Governor
11-3-28

Office of the Governor of Guam

January 24, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-1268
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 11/26/12
Time 3:07 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 401-31 (LS) "AN ACT TO EXEMPT THE MAPS OF THE CHAMORRO LAND TRUST LEASE SITES PREVIOUSLY APPROVED BY THE CHAMORRO LAND TRUST COMMISSION FROM THE REQUIREMENTS OF ARTICLE 2 OF CHAPTER 62, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO SUBDIVISION AND RECORDINATION PROCEDURES", which was enacted into law without the signature of *I Maga'låhen Guåhan*. The legislation is now designated as **Public Law 31-170**.

Senseramente,


EDDIE BAZA CALVO

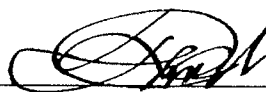
Attachment: copy of Bill

1268

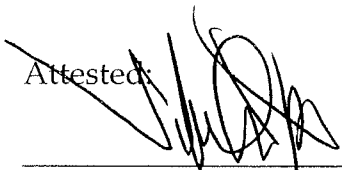
I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 401-31 (LS), "AN ACT TO EXEMPT THE MAPS OF THE CHAMORRO LAND TRUST LEASE SITES PREVIOUSLY APPROVED BY THE CHAMORRO LAND TRUST COMMISSION FROM THE REQUIREMENTS OF ARTICLE 2 OF CHAPTER 62, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO SUBDIVISION AND RECORDATION PROCEDURES", was on the 22nd day of December, 2011, duly and regularly passed.

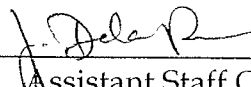


Judith T. Won Pat, Ed.D.
Speaker

Attested: 

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 23rd day of Dec., 2011, at
10:35 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: JAN 05 2012

Public Law No. 31-170

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

Bill No. 401-31 (LS)

As amended on the Floor.

Introduced by:

v. c. pangelinan
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *EXEMPT* THE MAPS OF THE *CHAMORRO* LAND TRUST LEASE SITES, PREVIOUSLY APPROVED BY THE *CHAMORRO* LAND TRUST COMMISSION, FROM THE REQUIREMENTS OF ARTICLE 2 OF CHAPTER 62, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO SUBDIVISION AND RECORDATION PROCEDURES.

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

2 **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that since
3 the initial implementation of the *Chamorro* Land Trust Leasing Program
4 (Program), the *Chamorro* Land Trust Commission (CLTC), as the Trustee to

1 public lands within its inventory, has *not* submitted the parceling of lands to the
2 Guam Land Use Commission (GLUC).

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

10 At the present time, a large number of CLTC lessees with CLTC-approved
11 maps have requested that their maps be approved and recorded by DLM. As
12 efforts were made to accommodate the requests, DLM remains adamant that these
13 property maps will *not* be approved *unless* the CLTC acquires the approval of the
14 GLUC, for properties subdivided into six (6) or more lots. Without GLUC
15 approval, there is no likelihood that DLM will process, approve and record these
16 maps in accordance with law.

17 **Section 2. Legislative Intent.** *I Liheslaturan Guåhan* intends to assist the
18 hundreds of lessees of the *Chamorro* Land Trust Commission affected by the lack
19 of approved maps by exempting maps, prepared and signed by licensed
20 professional land surveyors, of the CLTC properties which were previously
21 approved by the CLTC and/or its Administrative Director. Enactment of this
22 legislation will assist in the expedient and timely processing of maps previously
23 drawn for CLTC lessees, and consequently assist the CLTC to expeditiously
24 process those leases and the list of applicants waiting for their maps to be
25 approved.

26 It is the intent of *I Liheslaturan Guåhan* that the exemption *shall not* be
27 applicable to any new applicants processing for maps under the CLTC for property

1 subdivision of two (2) or more lots, and *shall* comply with the provisions of Article
2 2 of Chapter 62 of Title 21, Guam Code Annotated.

3 **Section 3. Exemption From Provisions of Article 2 of Chapter 62, Title**
4 **21, Guam Code Annotated.**

5 (a) **Exemption.** Notwithstanding any provision of law, the
6 *Chamorro* Land Trust Commission leased property maps, prepared and
7 signed by professional land surveyors, which have been approved by the
8 Administrative Director of CLTC, and which must be redrawn or updated to
9 meet mapping requirements and submitted to the Department of Land
10 Management for editing, final approval and recordation, are hereby *exempt*
11 from the provisions of Article 2 of Chapter 62, Title 21, Guam Code
12 Annotated, requiring the approval of the Guam Land Use Commission.

13 (b) **Approval.** Any CLTC leased property maps prepared and
14 signed by professional land surveyors and approved by the CLTC and/or the
15 Administrative Director of CLTC are hereby deemed approved.

16 (c) **Application to New Subdivisions.** Upon enactment of this
17 Act, any new applications for subdivision of six (6) or more lots received by
18 the CLTC *shall* comply with the provisions of Article 2 of Chapter 62 of
19 Title 21.

20 **Section 4. Severability.** *If* any of the provisions of this Act or the
21 application thereof to any person or circumstance is held invalid, such invalidity
22 *shall not* affect any other provision or application of this Act which can be given
23 effect without the invalid provision or application, and to this end the provisions of
24 this Act are severable.

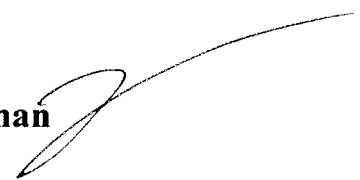
I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (First) Regular Session

2011 DEC 21 11:35 AM

Bill No. 401-31(LS)

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 invalid²⁴ provision or application, and to
17 this end the provisions of this Act are severable.