


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

Bill No. 66-31 (Cop)

Introduced by:

T.C. Ada 

**AN ACT TO AUTHORIZE THE GOVERNOR OF
GUAM TO FULFILL THE MANDATE OF P.L. 22-18
BY COMPLETING THE FEE-SIMPLE, NO FEE
CONVEYANCE OF LOT 5412-2 IN THE
MUNICIPALITY OF MANGILAO DIRECTLY TO THE
GUAM POWER AUTHORITY TO PROVIDE
NECESSARY LAND FOR THE DEVELOPMENT OF A
CONSOLIDATED CENTRAL OFFICE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that Public Law 22-18, passed in 1993, established that certain
4 Government of Guam properties be set aside for the eventual transfer, at no
5 cost, to Government of Guam entities for use in fulfilling their mandates.

6 One such parcel of land, a portion of Lot 5412 comprising an area of fifteen
7 acres, was allocated by Public Law 22-18, and identified in the exhibit
8 known as the Government of Guam Reserved Lands List which is annexed
9 to Section 2(b) of Public Law 22-18, for use in developing a Consolidated
10 Central Office for the island's water and power utilities.

1 *I Liheslatura* finds that development of the Consolidated Central
2 Office will benefit the ratepayers of Guam as follows: the Guam Power
3 Authority (GPA) will no longer have to rent private commercial space for
4 their Administrative and Engineering operations, and the co-location of the
5 GPA and Guam Waterworks Authority’s (GWA) administrative and
6 engineering operations will allow for greater efficiency and reduced costs
7 through shared information technology systems. The Consolidated Central
8 Office will also incorporate new dispatch offices for GPA and GWA from
9 which the utility systems can monitor the state of affairs in the water and
10 power systems.

11 *I Liheslatura* further finds that GPA has fulfilled all the requirements
12 of Section 3 of Public Law 22-18 relative to the process of reserving the
13 lands for future needs. The GPA has additionally completed the design of
14 the facility, purchased necessary rights-of-way, and secured the necessary
15 construction funding through a bond issuance. The final step to fulfill the
16 process outlined in Public Law 22-18 is for the no fee conveyance and
17 transfer of ownership of the parcel of land over to the Guam Power
18 Authority. Conveyance for a fee would inevitably have a financial impact
19 on the ratepayers of the Guam Power Authority.

1 **Section 2. Transfer of Property.** To provide necessary land for the
2 development of a Consolidated Central Office, there is hereby transferred to
3 GPA, in fee simple, the following described parcel of real property,
4 determined to be necessary and related to GPA's immediate need for the
5 Consolidated Central Office. A parcel of government of Guam land more
6 particularly described as Lot No. 5412-2 (Property), situated in Fadian,
7 Mangilao, containing an area of 60,759± square meters as shown on the map
8 recorded in the Department of Land Management on November 30, 2006
9 under Document Number 746393.

10 **Section 3. Rezoning.** Lot No. 5412-2, Municipality of Mangilao, is
11 hereby rezoned from Agricultural “A” to Public Facility “PF” for the
12 purpose of constructing a Consolidated Central Office.

13 **Section 4. Title and Ownership.** Title and ownership of the Property
14 must remain with GPA for a period of at least ten (10) years. In the event
15 that title and ownership for the property be conveyed or otherwise
16 transferred to another entity without prior legislative approval, such title and
17 ownership of the Property shall revert to the Government of Guam.

18 **Section 5. Effective Date.** Notwithstanding any other provisions of
19 law, the action requested herein is approved and will be in effect when this
20 Act is signed into law by the Governor.

1 **Section 6. Severability.** If any provision of this Act or its application
2 to any person or circumstance is found to be invalid or contrary to law, such
3 invalidity shall *not* affect other provisions or applications of this Act which
4 can be given effect without the invalid provisions or applications, and to this
5 end the provisions of this Act are severable.