


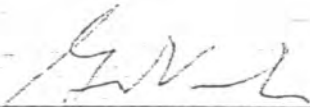
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 67, "An Act to amend Sections 48001, 48003, 48005, 48013, and 48027 of the Government Code of Guam to make the improvement district law applicable to all municipalities and villages in the territory of Guam", was on the 8th day of May, 1974, duly and regularly passed.

  
F. T. RAMIREZ  
Speaker

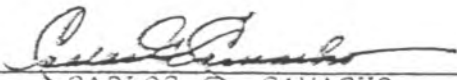
ATTESTED:

  
G. M. BAMBA  
Legislative Secretary

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This Act was received by the Governor this 17<sup>th</sup> day  
of May, 1974 at 10:30 o'clock P.M.

  
KEITH L. ANDREWS  
Attorney General of Guam

APPROVED:

  
CARLOS G. CAMACHO  
Governor of Guam

DATED: MAY 23 1974  
2:10 P.M.



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TWELFTH GUAM LEGISLATURE  
1973 (FIRST) Regular Session

Bill No. 67

Introduced by F. G. Lujan

AN ACT TO AMEND SECTIONS 48001, 48003,  
48005, 48013, AND 48027 OF THE GOVERNMENT  
CODE OF GUAM TO MAKE THE IMPROVEMENT  
DISTRICT LAW APPLICABLE TO ALL MUNICI-  
PALITIES AND VILLAGES IN THE TERRITORY  
OF GUAM.

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

2 Section 1. Section 48001 of the Government Code of Guam  
3 is hereby amended to read as follows:

4 "Section 48001. Purpose. The purpose of this Title  
5 is to provide a method of cooperation among landowners  
6 in obtaining construction or reconstruction of public  
7 facilities as defined herein within any municipality  
8 or village of Guam and any area within any municipality  
9 or village by creation of improvement districts, and to  
10 provide a method of financing such construction or  
11 reconstruction."

12 Section 2. Subparagraph (c) of Section 48003 of the  
13 Government Code of Guam is hereby amended to read as follows:

14 "(c) 'Landowner' or 'owner of land' means any  
15 owner of legal title of record to land in Guam, including  
16 the government of Guam. Land does not include improvements."

17 Section 3. A Subparagraph (h) is hereby added to Section  
18 48003 of the Government Code of Guam to read as follows:

19 "(h) 'Municipality or village' means those areas  
20 set forth and described in Section 15001.1 of the  
21 Government Code of Guam."

22 Section 4. Section 48005 of the Government Code of Guam  
23 is hereby amended to read as follows:

24 "Section 48005. Initiation of improvement districts.  
25 If the owners of twenty-five percent (25%) of the land

1 lying within any single municipality or village in Guam  
2 or any area within any municipality or village desire to  
3 have an improvement district created for the purpose of  
4 constructing or reconstructing and financing one or more  
5 public facilities, they may file a petition with the  
6 Director asking that such a district be created.

7 The petition shall set forth:

8 (a) The proposed name of the district;

9 (b) A statement that there is a need for the creation  
10 of the district to provide for the construction or re-  
11 construction of one or more public facilities as enumerated;

12 (c) A description of the boundaries of the proposed  
13 district, with a drawing on a base map selected by the  
14 Department;

15 (d) A request that the Commission issue an order for  
16 the Department of Public Works, the Public Utility Agency,  
17 or both, to survey, study and evaluate the proposed  
18 facility, including plans and specifications, and to  
19 furnish estimates of the cost of construction;

20 (e) The signatures of the landowners proposing the  
21 district."

22 Section 5. Section 48013 of the Government Code of Guam  
23 is hereby amended to read as follows:

24 "Section 48013. Final notice. Upon the filing of the  
25 report, the Executive Secretary will mail to each landowner  
26 notice of the proposed assessment. Such final notice  
27 shall show the amount of the proposed assessment if paid  
28 upon completion of the project, the annual installments  
29 if amortized over five (5) years, and the annual install-  
30 ments if amortized over ten (10) years.

31 The Executive Secretary shall also cause to be  
32 published a notice once per week for two successive weeks

1 in a newspaper of general circulation in Guam which will  
2 state the place and a date not less than two weeks from  
3 the date of the last publication, at which a public  
4 hearing in the area, municipality or village affected  
5 will be held by the Commission. The notice will state  
6 the place, time, and date of the hearing and include a  
7 brief description of the district, the proposed public  
8 facility, the total cost, and the place at which the  
9 report may be inspected by interested persons."

10 Section 6. Section 48027 of the Government Code of Guam  
11 is hereby amended to read as follows:

12 "Section 48027. Application to subdivisions. This  
13 Title may not be used to provide for the financing of  
14 improvements required for subdividing land under the  
15 Subdivision Law, either as a separate improvement  
16 district or as a part of another proposed improvement  
17 district. However, in the latter instance, with regard  
18 to any required improvements within and limited to the  
19 Subdivision the full cost of such subdivision improvements  
20 shall be allocated exclusively to parcels within the  
21 subdivision in addition to the prorata share of the cost  
22 public facilities for the entire district."

23 Section 7. Section 48009 of the Government Code of Guam  
24 is hereby amended to read as follows:

25 "Section 48009. Preliminary consent. If, within the  
26 time prescribed by the notice, the owners of sixty percent  
27 (60%) of the land and sixty percent (60%) of the landowners  
28 within the proposed district give their approval in  
29 writing to the proposed district, the Commission will  
30 establish the district. If such approval is not given,  
31 the Commission shall not establish the district;  
32 provided, however, that if such approval is subsequently  
33 given, the Commission shall reconsider the petition."