


TWELFTH GUAM LEGISLATURE  
1974 (SECOND) Regular Session

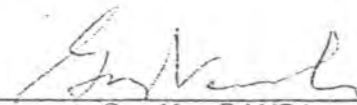
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

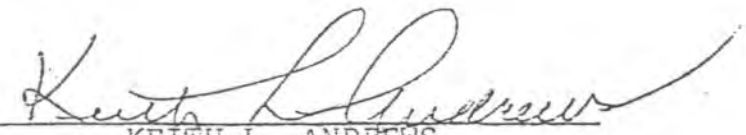
This is to certify that Bill No. 765, "An Act to add new Sections 13979.13, 13979.14, and 13979.15 to Chapter XIII, Title XIV of the Government Code of Guam relative to reimbursement or compensation for expenses under the Relocation Assistance Act of Guam", was on the 7th day of June, 1974, duly and regularly passed.

  
F. T. RAMIREZ  
Speaker


ATTESTED:

  
G. M. BAMBA  
Legislative Secretary

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This Act was received by the Governor this 11th day  
of June, 1974 at 1:30 o'clock P. M.

  
KEITH L. ANDREWS  
Attorney General of Guam

APPROVED:

  
CARLOS G. CAMACHO  
Governor of Guam

DATED: JUN 19 1974  
11:50 A.M.

Public Law  
12-148

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Bill No. 765

Introduced by

Committee on Judiciary,  
by request of the  
Governor.

AN ACT TO ADD NEW SECTIONS 13979.13, 13979.14,  
AND 13979.15 TO CHAPTER XIII, TITLE XIV OF THE  
GOVERNMENT CODE OF GUAM RELATIVE TO REIMBURSE-  
MENT OR COMPENSATION FOR EXPENSES UNDER THE  
RELOCATION ASSISTANCE ACT OF GUAM.

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

2 Section 1. A new Section 13979.13 is hereby added to Chapter  
3 XIII, Title XIV, Government Code of Guam, to read as follows:

4 "Section 13979.13. Miscellaneous payments. In  
5 addition to other payments authorized by the Relocation  
6 Assistance Act, the instrumentality or agency of the  
7 government of Guam involved may, as part of the cost of  
8 any program or project, reimburse the owner reasonable  
9 and necessary expenses incurred for:

10 (a) Recording fees, transfer taxes and other expenses  
11 incidental to conveying the real property;

12 (b) Penalty costs for prepayment of any mortgage then  
13 existing entered into in good faith encumbering the real  
14 property if the mortgage is on record or has been filed  
15 for record as provided by law; and

16 (c) The prorata portion of real property taxes paid  
17 which are allocable to the period subsequent to the date  
18 of vesting title in, or the effective date of possession of  
19 such real property by the said instrumentality or agency,  
20 whichever is earlier."

21 Section 2. A new Section 13979.14 is hereby added to Chapter  
22 XIII, Title XIV, Government Code of Guam, to read as follows:

23 "Section 13979.14. Reimbursement for expenses where  
24 condemnation does not result in acquisition or is abandoned.

1 A court having jurisdiction over a proceeding instituted  
2 by an instrumentality or agency of the government of Guam  
3 to acquire real property by condemnation shall, when  
4 required by federal law or by a federal grant contract  
5 governing the project or program, award the owner of any  
6 right, title or interest in the real property, a sum which  
7 will reimburse the owner for his reasonable costs, dis-  
8 bursements and expenses, including reasonable attorney,  
9 appraisal and engineering fees actually incurred because  
10 of the condemnation proceedings if:

11 (a) The final judgment in the proceeding is that  
12 the said instrumentality or agency cannot acquire the  
13 real property by condemnation; or

14 (b) The proceeding is abandoned by the said in-  
15 strumentality or agency."

16 Section 3. A new Section 13979.15 is hereby added to Chapter  
17 XIII, Title XIV, Government Code of Guam, to read as follows:

18 "Section 13979.15. Compensation for expenses of  
19 inverse condemnation. A court, rendering a judgment for the  
20 plaintiff in a proceeding awarding compensation for the  
21 actual physical taking of the real property by an instru-  
22 mentality or agency of the government of Guam, or the  
23 instrumentality or agency thereof effecting a settlement  
24 of any such proceeding, shall, when required by federal law  
25 or by a federal grant contract governing the project or  
26 program, determine and award or allow to the plaintiff as  
27 a part of the judgment or settlement a sum which will  
28 reimburse the plaintiff for his reasonable costs, disburse-  
29 ments and expenses, including reasonable attorney, appraisal  
30 and engineering fees actually incurred because of the  
31 proceedings."