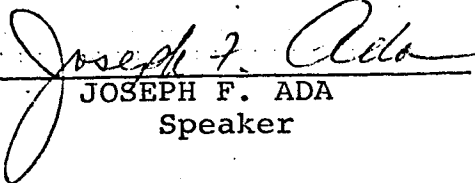


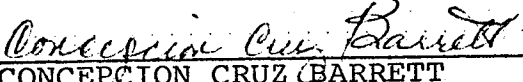
THIRTEENTH GUAM LEGISLATURE  
1976 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

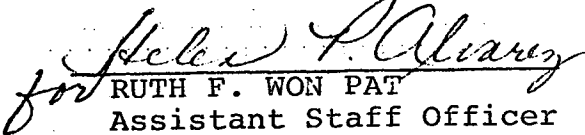
This is to certify that Bill No. 740, "An Act to add Sections 18006 and 18007 and to Amend Sections 58142 and 58134(a) of the Government Code relative to the regulation of the sale and leasing of real property located without the Territorial confines of Guam and to the punishment for publications of false statements or representations concerning land or subdivisions", was on the 16th day of September, 1976, duly and regularly passed.

  
JOSEPH F. ADA  
Speaker

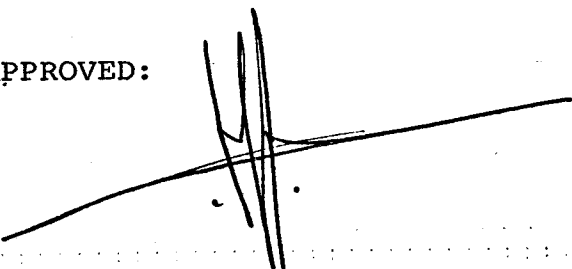
ATTESTED:

  
CONCEPCION CRUZ BARRETT  
Legislative Secretary

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This Act was received by the Governor this 21st day of September, 1976, at 2:10 o'clock P..M.

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

APPROVED:

  
RICARDO J. BORDALLO  
Governor of Guam

DATED:

October 2, 1976  
11:30 AM

P.L. 13-191

THIRTEENTH GUAM LEGISLATURE  
1976 (SECOND) Regular Session

Bill No. 740

Introduced by A. C. Ysrael

AN ACT TO ADD SECTIONS 18006 AND 18007 AND  
TO AMEND SECTIONS 58142 AND 58134(a) OF THE  
GOVERNMENT CODE RELATIVE TO THE REGULATION  
OF THE SALE AND LEASING OF REAL PROPERTY  
LOCATED WITHOUT THE TERRITORIAL CONFINES OF  
GUAM AND TO THE PUNISHMENT FOR PUBLICATIONS  
OF FALSE STATEMENTS OR REPRESENTATIONS  
CONCERNING LAND OR SUBDIVISIONS.

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

2 Section 1. New Sections 18006 and 18007 are hereby added to  
3 to the Government Code of Guam to read:

4 "Section 18006. Subdivision located without the  
5 territorial confines of Guam. No person subject to the  
6 licensing provisions of Title LXI (Real Estate Law) of  
7 the Government Code of Guam shall sell or lease nor offer  
8 to sell or lease any interest in a subdivision located  
9 without the territorial confines of Guam unless the  
10 subdivision plan has been submitted to and approved by  
11 the Real Estate Commissioner. The Commissioner shall not  
12 approve any plan for a subdivision located without the  
13 territorial confines of Guam until he has issued a public  
14 report on the subject property. Such public report may  
15 be issued by the Commissioner based on facts disclosed  
16 from the state in which the property is located or based  
17 on an independent investigation on the part of the  
18 Commissioner. Approval of a subdivision located without  
19 the territorial confines of Guam by the Commissioner shall  
20 not relieve any person from any further requirement for

1 registration or regulation of such transactions provided  
2 elsewhere under the laws of Guam.

3 Section 18007. Subdivision application, verification  
4 of. Any subdivision application provided for by this Title  
5 shall not be accepted or approved by the Commissioner unless  
6 it shall be certified under penalty of perjury or verified  
7 before a notary public or other officer qualified to  
8 administer oaths. Such certification or verification shall  
9 extend to the documents and supplemental materials as well  
10 as to the statements contained in the application itself."

11 Section 2. Section 58142 of the Government Code is hereby  
12 amended to read:

13 "Section 58142. Publication of false statement or  
14 representation concerning land or subdivision: violation  
15 of provisions or order: punishment: trial for suspension  
16 or revocation of license: prosecution by Attorney General.  
17 Every officer, agent or employee of any company, and every  
18 other person who knowingly authorizes, directs or aids in  
19 the publication, advertisement, distribution or circulariza-  
20 tion of any false statement or representation concerning any  
21 land or subdivision thereof, offered for sale or lease, or,  
22 if the land is owned by the territory or Federal government,  
23 which such person offers to assist another or others to file  
24 an application for the purchase or lease of, or to locate or  
25 enter upon, and every person who, with knowledge that any  
26 advertisement, pamphlet, prospectus or letter concerning  
27 any said land or subdivision, contains any written statement  
28 that is false or fraudulent, issues, circulates, publishes  
29 or distributes the same, or causes the same to be issued,  
30 circulated, published or distributed, or who, in any other

1 respect, willfully violates or fails to comply with any of  
2 the provisions of this section, or who in any other respect  
3 willfully violates or fails, omits or neglects to obey,  
4 observe or comply with any order, permit, decision,  
5 demand or requirement of the Commissioner under this  
6 section, is guilty of a felony, and shall be punished by  
7 a fine not exceeding Twenty-Five Thousand Dollars (\$25,000),  
8 or by imprisonment, and, if a real estate licensee, he shall  
9 be given a hearing by a Commissioner for a suspension or  
10 revocation of his license, as provided in the provisions of  
11 this Title relating to hearings. The Attorney General shall  
12 prosecute all violations of the provisions of this section."

13 Section 3. Section 58134(a) of the Government Code is  
14 hereby amended to read:

15 "(a) Anyone who directly performs any of the acts  
16 within the scope of this Title with reference to his own  
17 property or, in the case of a corporation which, through  
18 its regular officers receiving no special compensation  
19 therefor, performs any of the acts with reference to  
20 the corporations's own property. The exemption granted  
21 hereunder shall not however, extend to any person, natural  
22 or legal, who is engaged in the buying, selling, leasing  
23 or development of real property of its own. Such a person  
24 shall be subject to all applicable provisions of this Act."

25 Section 4. This Act shall have immediate effect.