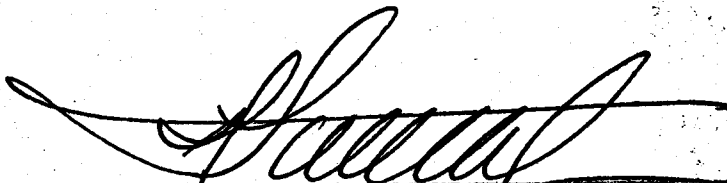


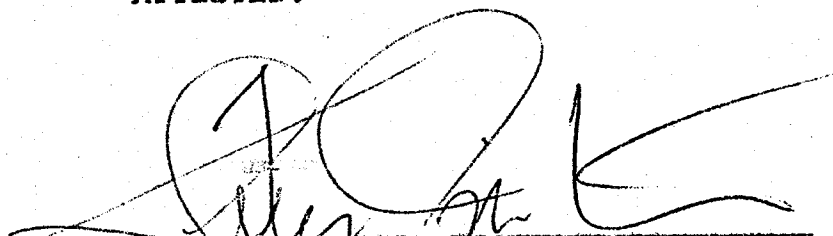
SIXTEENTH GUAM LEGISLATURE
1981 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

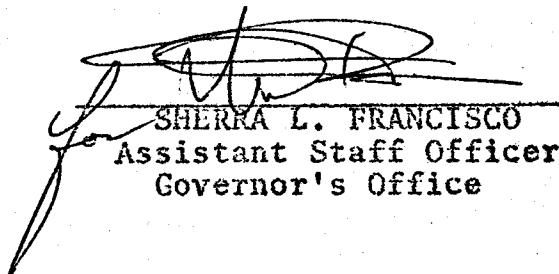
This is to certify that Substitute Bill No. 230, "An Act creating an independent Unsafe Structure Removal Fund to be administered by the Department of Public Works and for other purposes", was on the 28th day of December 1981, duly and regularly passed.


THOMAS V.C. TANAKA
Speaker

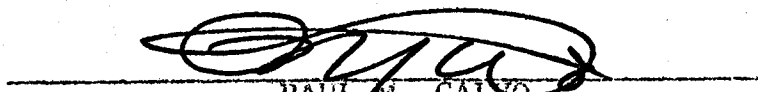
ATTESTED:


THOMAS C. CRISOSTOMO
Legislative Secretary

This Act was received by the Governor this 30th day of
DECEMBER, 1981, at 10:00 o'clock A. M.


SHERRA L. FRANCISCO
Assistant Staff Officer
Governor's Office

APPROVED:


PAUL M. CALVO
Governor of Guam

DATED: 1-9-82
P.L. 16-56

SIXTEENTH GUAM LEGISLATURE
1981 (FIRST) Regular Session

Bill No. 230
(As Substituted by Committee on
Tourism, Transportation and
Communications)

Introduced by: A. R. Unpingco

J. H. Underwood
J. Q. Torres
E. T. Charfauros
L. L. Umagat
R. Q. Sudo
F. F. Blas
T. C. Crisostomo
J. F. Quan
M. Z. Bordallo

AN ACT CREATING AN INDEPENDENT UNSAFE STRUCTURE
REMOVAL FUND TO BE ADMINISTERED BY THE DEPARTMENT
OF PUBLIC WORKS AND FOR OTHER PURPOSES.

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

2 Section 1. There is created within the Department of Public
3 Works the "Unsafe Structure Removal Fund" (hereinafter referred to
4 as 'Fund'). The fund shall be separately and independently
5 maintained by the Department of Public Works solely for the
6 purposes of paying legal, labor, and equipment costs directly
7 attributable to the demolition and removal of debris of private
8 structures deemed unsafe by the building official pursuant to
9 the provisions of the Government Code.

10 Section 2. Notwithstanding any other provision of law to
11 the contrary, the fund shall be continuously operating, revolving
12 fund. Expenditures for unsafe building demolition and clearing
13 may be made from the fund without further appropriation and
14 authorization, provided that all the requirements of this Act
15 are met.

16 Section 3. The fund shall consist of any appropriations
17 made thereto by the Legislature. In addition, any money collected
18 by the Government of Guam as reimbursement from private property

1 owners for expenses incurred by the government in demolishing
2 and clearing unsafe structures shall be paid directly to the
3 fund. Notwithstanding any other provision of law to the contrary,
4 the fund may also consist of money contributed by governmental,
5 quasi-governmental, or private agencies or institutions, including
6 but not limited to the Guam Visitors Bureau and any of its
7 related organizations.

8 Section 4. The Department of Public Works shall use the
9 fund to pay legal, labor, and equipment costs directly attri-
10 butable to the demolition of private unsafe structures and the
11 removal of debris therefrom. Payment from the fund shall require
12 the approval of (a) the Director of Public Works or his designated
13 representative, and (b) the Attorney General. Notwithstanding
14 any provision of law to the contrary, use of the fund for the
15 purposes of this Act is not subject to additional administrative
16 procedures or provisions, except that the fund shall be operated
17 under generally accepted standards of accounting and the fund
18 shall be subject to regular audits on the same basis as other
19 government funds.

20 Section 5. The Department of Public Works shall contract
21 with the lowest bidder which need not be a licensed building
22 contractor for the clearing and demolition of unsafe buildings.
23 The department shall give preference to the Municipal Planning
24 Council or non-profit organizations located in the village where
25 the unsafe building is located. If the department determines
26 that removal of the building is too dangerous for a non-licensed
27 contractor, then it may preclude bidding by such non-profit
28 organizations and the Municipal Planning Council. If a Municipal

1 Planning Council removes an abandoned building, then the amount
2 of compensation shall be deposited in the Municipal Fund for
3 expenditure in accordance with Section 15012 of the Government
4 Code.

5 Section 6. The fund shall exist from the date this Act
6 becomes law, and shall continue in existence until December 31,
7 1984, unless further extended by law. Any money remaining in
8 the fund at the time the fund is closed shall revert to the
9 Tourist Attraction Fund.

10 Section 7. A quarterly statement of fund receipts and
11 expenditures shall be provided to the Speaker of the Legislature,
12 the Attorney General, and to any organization or entity contribut-
13 ing to the fund.

14 Section 8. The Attorney General shall use his best efforts
15 to collect money due the government of Guam as repayment of
16 government expenses incurred in the demolition and clearing of
17 unsafe structures. The fund may make payments to the Office
18 of the Attorney General for the cost of legal representation
19 directly related to (a) the actions and procedures necessary to
20 authorize the demolition and clearing of unsafe private structures
21 and (b) attempts to collect reimbursement from owners of such
22 structures which are demolished and cleared at the expense of
23 the government.

24 Section 9. Twenty-Five Thousand Dollars (\$25,000) is
25 appropriated from the Tourist Attraction Fund to the Unsafe
26 Structure Removal Fund.

1 Section 10. Section 6804 of the Government Code is amended
2 to read:

3 "Section 6804. Exceptions. The provisions of this
4 Act shall not apply to the accounting operations of the
5 Guam Power Authority, the Guam Telephone Authority, the
6 Guam Airport Authority, the Guam Housing and Urban Renewal
7 Authority, the Guam Housing Corporation, the Guam Economic
8 Development Authority, the Judicial Branch, the Legislative
9 Branch, the Guam Community College, the Department of
10 Education, the University of Guam and the Guam Mass Transit
11 Authority."

12 Section 11. Section 21950 of the Government Code, as most
13 recently amended by Public Law 16-44, is amended to read as
14 follows:

15 "Section 21950. Schedules and Fares. The Board of
16 Directors, after public hearing thereon, may establish
17 schedules and fares to control the operation of the Authority
18 and such schedules and fares may be altered or modified
19 only after public hearing on any proposed changes, said
20 hearing to comply with the provisions of the Administrative
21 Adjudication Law and other legal requirements of the
22 territory."