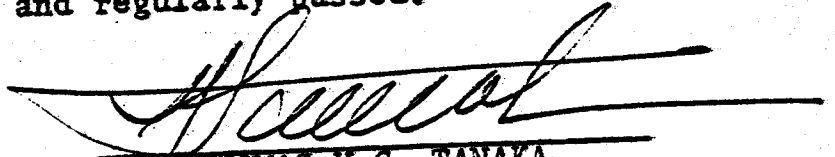


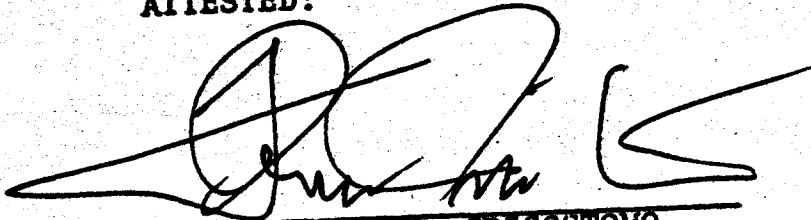
SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

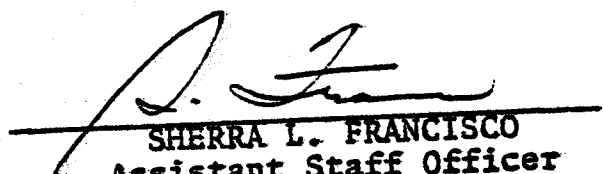
This is to certify that Substitute Bill No. 225, "An Act to repeal and reenact Section 6110 of the Government Code relative to disposal of surplus property", was on the 18th day of January 1982, duly and regularly passed.

  
THOMAS V.C. TANAKA  
Speaker

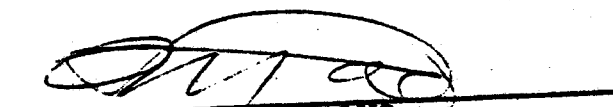
ATTESTED:

  
THOMAS C. CRISOSTOMO  
Legislative Secretary

-----  
This Act was received by the Governor this 27<sup>th</sup> day of  
January, 1982, at 10:30 o'clock A.M.

  
SHERRA L. FRANCISCO  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
PAUL M. CALVO  
Governor of Guam

DATED: 2/8/82 2:00 p.m.  
P.L. 16-61

SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

Bill No. 225  
(As Substituted by the Committee  
on Governmental Operations)

Introduced by: A. R. Unpingco, J. Q. Torres, K. S. Moylan

F. F. Blas  
M. Z. Bordallo  
E. T. Charfauros  
T. C. Crisostomo  
E. R. Duenas  
C. T. C. Gutierrez  
C. A. Kasperbauer  
A. C. Lamorena III  
J. I. Leon Guerrero  
P. F. Perez, Jr.  
J. F. Quan  
F. J. Quitugua  
J. T. San Agustin  
F. R. Santos  
R. Q. Sudo  
T. V. C. Tanaka  
L. L. Umagat  
J. H. Underwood

AN ACT TO REPEAL AND REENACT SECTION 6110 OF  
THE GOVERNMENT CODE RELATIVE TO DISPOSAL OF  
SURPLUS PROPERTY.

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

2 Section 1. Section 6110 of the Government Code is repealed  
3 and reenacted to read:

4 Section 6110. (a) There is within the government of  
5 Guam a Board of Survey which shall be composed of five (5)  
6 members appointed by the Governor with the advice and  
7 consent of the Legislature. The Board of Survey shall meet  
8 within fifteen (15) days after preparation of a listing of  
9 surplus and lost property. No member shall be an employee  
10 of the government of Guam. No member shall receive compensa-  
11 tion for his services on the Board of Survey. No member  
12 shall purchase or obtain surplus property upon its disposi-  
13 tion. No entity, charitable or for profit, in which a  
14 member is actively involved shall be eligible to purchase

1 or obtain surplus property upon its disposition. Three (3)  
2 members of the Board shall constitute a quorum and the  
3 majority of those present may take action on behalf of the  
4 Board.

5 (b) On the second Monday of each quarter, each depart-  
6 ment administrator whose department has surplus or lost pro-  
7 perty shall provide the Director of Administration with a  
8 list of all personal property which has been disposed of in  
9 accordance with Section 6110.1 of this Chapter, become  
10 unserviceable through wear and tear, obsolescence or  
11 otherwise, or has been lost. On the third Monday of each  
12 quarter, the Director of Administration shall promulgate a  
13 listing of all surplus and lost property and distribute it  
14 to each department or agency within the government of Guam.  
15 Any department or agency may request transfer of the surplus  
16 property to it at no cost. The request for transfer shall  
17 indicate the intended use of such property. The Vocational  
18 Technical School and the Department of Vocational Rehabili-  
19 tation may be requested to repair property if the property  
20 can be restored to use at a reasonable rate, provided, that  
21 no property shall be repaired or restored if the cost exceeds  
22 sixty-five percent (65%) of the value of the property.

23 (c) The Board of Survey shall authorize the transfer  
24 of property among agencies and departments of the government.  
25 If costs of repair have been incurred, then the acquiring  
26 agency shall pay such costs.

27 (d) If a department or agency proposes to use  
28 surplus property as a trade-in, then the Board of Survey  
29 shall approve the terms of the trade-in including the  
30 amount of the allowance.

31 (e) Property not disposed of by transfer or trade-in  
32 shall be sold as follows:

1           (1) Property with an acquisition cost of less  
2 than One Thousand Dollars (\$1,000) or with an acqui-  
3 sition cost of more than One Thousand Dollars (\$1,000)  
4 with a fair market value at the time of disposal of less  
5 than Five Hundred Dollars (\$500) may be sold at fixed  
6 prices as determined by the Board at a surplus sale  
7 operated by the Department of Administration and open  
8 to the public at specified dates and times.

9           (2) Property with an acquisition cost of more  
10 than One Thousand Dollars (\$1,000) and with a fair  
11 market value at the time of disposal of more than Five  
12 Hundred Dollars (\$500) shall be sold to the highest  
13 bidder at an auction which has been advertised to  
14 the public more than ten (10) days in advance of said  
15 sale.

16           (3) All money received from any sale shall be  
17 deposited in the General Fund.

18           (f) Property which has not been transferred, traded  
19 in or sold after sixty (60) days may be donated to a local  
20 charitable, social or civic association on a first come  
21 first basis, or disposed of in any other way possible.

22           (g) If the property has been lost, then the Board of  
23 Survey shall review the circumstances of the loss, determine  
24 if the loss was due to the negligence of any employee and  
25 authorize the removal of the property from official govern-  
26 ment records. If the loss occurred because of the negligence  
27 of any employee, then the Board shall refer the matter  
28 to the Attorney General to pursue recovery of the loss.

1           (h) The provision of this Section shall be applicable  
2 to the executive, legislative and judicial branches of  
3 the government unless the property is subject to disposal  
4 by federal law."