



Territory of Guam

OFFICE OF THE GOVERNOR
AGANA, GUAM 96910
U.S.A.

JUNE 9, 1982

The Honorable Thomas V.C. Tanaka
Speaker
16th Guam Legislature
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill 482 which I have signed into law as Public Law 16-90 notwithstanding objections I have to a part of it.

Immediate action was needed on this bill so that the persons who own the GHURA 500 homes may be given time to apply this month to the Farmers Home Administration (FmHA) for loans that would finance their purchase of the lots on which their houses are constructed. The FmHA has stated that money is currently available for these loans but that it may be lost to Guam if the applications are not made before June 30.

My objection to the bill is twofold:

First, it is my understanding that members of the Legislature indicated to the homeowners that the money generated by the sale of the lots would be reserved for rehabilitating the GHURA 500 homes. The new law does not do this. Instead it requires that the money be deposited into a special fund, the custodian of which would be the Director of Administration, and be utilized only upon appropriation. The law does not restrict the purposes for which the appropriation could be made and it is conceivable that the Legislature could use the money for any lawful purpose of government.

Second, from a legal standpoint it is questionable whether the money can be taken by the government. The land on which the homes were built is owned by Guam Housing and Urban Renewal Authority. It was conveyed to GHURA by a deed duly executed pursuant to Section 13956.1 of the Government Code. The better procedure would have been to have GHURA sell the lots and restrict the agency to using the money only for rehabilitation of the GHURA 500 homes.

Enclosed herewith is a bill that I request that you have introduced in order that the deficiencies I have cited can be corrected. It is crucial that the Legislature act on this measure, rectifying the aforementioned problems, prior to its recess this week.

Yours truly,

Joseph F. Ada
JOSEPH F. ADA
Acting Governor

*Rec'd 6-9-82
6:40 p.m.
Sanford
Munley*

Attachment

1600535

SIXTEENTH GUAM LEGISLATURE
1982 (SECOND) Regular Session

Bill No. _____

Introduced at the request
of the Governor pursuant to
Section 6 of the Organic Act

AN ACT TO RESERVE FUNDS REALIZED FROM
THE SALE OF THE GHURA 500 LOTS FOR
USE IN REHABILITATING THE GHURA 500
HOMES.

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


2 Section 1. Section 13956.3(d) of the Government Code is
3 repealed and reenacted to read:

4 "(d) Receipts from the sale of any lot shall be
5 deposited by Guam Housing and Urban Renewal Authority into a
6 special fund known as the GHURA 500 Rehabilitation Fund and
7 shall be used by the Authority only for the purpose of
8 rehabilitating the homes within the GHURA 500 subdivision.
9 The fund balance shall be reported to the Legislature at
10 the beginning of each quarter of the fiscal year and December
11 31, 1982, and annually thereafter the Authority shall submit
12 a report to the Legislature detailing the rehabilitative work
13 accomplished by the expenditure of the funds."

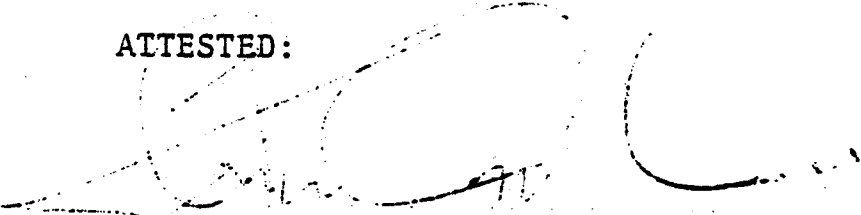
SIXTEENTH GUAM LEGISLATURE
1982 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

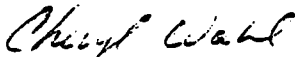
This is to certify that Substitute Bill No. 482, "An Act to authorize the Governor of Guam to designate not more than two (2) acres of government land in the municipality of Merizo for a Martyrs Memorial Park and for other purposes", was on the 7th day of June 1982, duly and regularly passed.


THOMAS V. C. TANAKA
Speaker

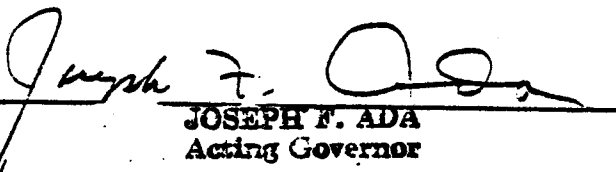
ATTESTED:


THOMAS C. CRISOSTOMO
Senator and Legislative Secretary

This Act was received by the Governor this 7th day of
June, 1982, at 3:15 pm o'clock P M.


for SHERRA L. FRANCISCO
Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Acting Governor

DATED: 6/9/82
P.L. 16-90

SIXTEENTH GUAM LEGISLATURE
1982 (SECOND) Regular Session

Bill No. 482
(As Substituted by the Committee on
Housing, Community Development &
Resources)

Introduced by: J. Q. Torres

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM
TO DESIGNATE NOT MORE THAN TWO (2) ACRES
OF GOVERNMENT LAND IN THE MUNICIPALITY OF
MERIZO FOR A MARTYRS MEMORIAL PARK AND
FOR OTHER PURPOSES.

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

2 Section 1. The Governor of Guam shall designate not more
3 than two (2) acres of government land in the municipality of
4 Merizo for a Merizo Martyrs Memorial Park. The Governor shall
5 seek the assistance of the Municipal Planning Council in
6 choosing the site or sites.

7 Section 2. The Governor shall direct the Director of the
8 Department of Land Management to complete the surveying and
9 mapping of the designated site or sites not later than ninety
10 (90) days after enactment of this Act.

11 Section 3. Section 13956.3 is added to the Government
12 Code to read:

13 "Section 13956.3. Sale of Lots Authorized. (a) The
14 Guam Housing and Urban Renewal Authority shall offer for
15 sale each of the five hundred home lots it established
16 pursuant to Section 13956.1 and which it is authorized to
17 lease pursuant to Subsection (d) of that Section.

18 (b) The sale of lots authorized by Subsection (a) of
19 this Section shall be made to the original lessee of the
20 lots or to the persons, legal or natural, lawfully holding

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under them.

(c) Each lot shall be sold for Two Thousand Five Hundred Dollars (\$2,500).

(d) Receipts from any sale shall be deposited in a special fund kept separate and apart from other funds of the government of Guam. The fund shall be known as the 'GHURA 500 Lot Sale Fund'. The custodian of the fund shall be the Director of the Department of Administration. The fund balance shall be reported to the Legislature at the beginning of each quarter. The fund may be expended only upon appropriation by law."

DATE 6-7-82

SIXTEENTH GUAM LEGISLATURE

VOTING RECORD

5 BILL/RESOLUTION NO. 482

MAIN SPONSOR JQTemes

SENATOR	AYE	NAY	NOT VOTING	ABSENT
BLAS, Frank F.	✓			
BORDALLO, Madeleine Z.	✓			
CHARFAUROS, Edward T.	✓			
CRISOSTOMO, Thomas C.	✓			
DUENAS, Edward R.	✓	✓		
GUTIERREZ, Carl T. C.		✓		
KASPERBAUER, Carmen A.	✓			
LAMORENA, Alberto C., III	✓			
LEON GUERRERO, Jose I.	✓			
MOYLAN, Kurt S.	✓			
PEREZ, Peter F., Jr.	✓			
QUAN, John F.	✓			
QUITUGUA, Franklin J.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.	✓			
SUDO, Ramon Q.	✓			
TANAKA, Thomas V. C.	✓			
TORRES, Jess Q.	✓			
UMAGAT, Lloyd L.	✓			
UNDERWOOD, James H.	✓			
UNPINGCO, Antonio R.	✓			

T O T A L

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