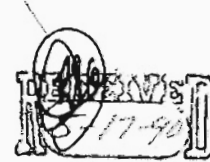




*Territory of Guam*  
*Territorio de Guam*

OFFICE OF THE GOVERNOR  
URISINAN I MAGALANI  
AGANA, GUAM 9690 U.S.A.



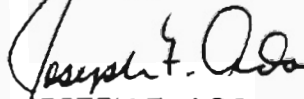
APR 09 1990

The Honorable Joe T. San Agustin  
Speaker, Twentieth Guam Legislature  
Post Office Box CB-1  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 1001, which I have signed into law this date as  
Public Law 20-181.

Sincerely,

  
JOSEPH F. ADA  
Governor

Attachment



Commonwealth News

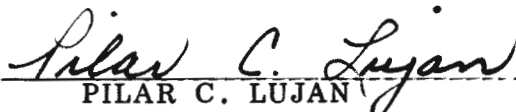
TWENTIETH GUAM LEGISLATURE  
1990 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

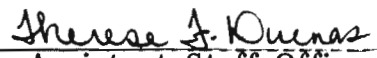
This is to certify that Bill No. 1001 (LS), "AN ACT TO ADD SECTION 2109 TO TITLE 2, GUAM CODE ANNOTATED, TO REQUIRE THAT PRIVATE LAND BILLS BE INDIVIDUALLY CONSIDERED," was on the 7th day of March, 1990, duly and regularly passed.

  
JOE T. SAN AGUSTIN  
Speaker

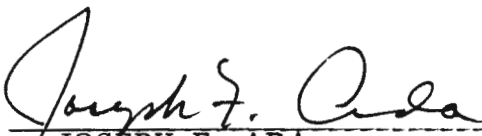
Attested:

  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 22~~nd~~ day of March 1990,  
at 2:42 o'clock p.m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
JOSEPH F. ADA  
Governor of Guam

Date: APR 03 1990

Public Law No. 20-161

TWENTIETH GUAM LEGISLATURE  
1990 (SECOND) Regular Session

Bill No. 1001 (LS)

Introduced by:

D. Parkinson  
J. P. Aguon  
E. P. Arriola

---

M. Z. Bordallo  
H. D. Dierking  
C. T. C. Gutierrez  
P. C. Lujan  
G. Mailloux  
T. S. Nelson  
F. J. A. Quitugua  
E. D. Reyes  
J. T. San Agustin  
F. R. Santos  
J. G. Bamba  
D. F. Brooks  
E. R. Duenas  
E. M. Espaldon  
M. D. A. Manibusan  
M. C. Ruth  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO ADD SECTION 2109 TO TITLE 2,  
GUAM CODE ANNOTATED, TO REQUIRE  
THAT PRIVATE LAND BILLS BE  
INDIVIDUALLY CONSIDERED.

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

2 Section 1. A new Section 2109 is added to Title 2, Guam Code  
3 Annotated, to read as follows:

4 "Section 2109. Separate consideration of land bills. (a) Every  
5 bill authorizing the sale, gift, disposal, transfer, or trade of  
6 government of Guam land (hereinafter called 'transfer of land' or 'land  
7 transfer'), and every bill authorizing the leasing of any government  
8 land for more than two (2) years shall contain only matters reasonably  
9 related to one (1) such transaction, and may not be considered with  
10 any other transaction or any unrelated matters. No authorization for  
11 such land lease or land transfer may be considered as a "rider" or

1 amendment to another bill, and neither may any unrelated amendment  
2 or "rider" be considered by the Legislature on any bill which  
3 authorizes the lease or transfer of land.

4 (b) No such bill authorizing the transfer of land or leasing of  
5 land may be considered by the Legislature on third reading unless  
6 accompanied by two (2) appraisals on all land concerned from licensed  
7 real estate appraisers, one (1) of which appraisals is not more than  
8 six (6) months old, and which appraisals are paid for by the  
9 transferee. The transferee shall sign a statement that the transferee  
10 agrees that his paying for the appraisals does not in any way obligate  
11 the Legislature nor the government of Guam to approve the transfer.  
12 One (1) of the appraisers shall be selected by the chairperson of the  
13 committee of the Legislature having cognizance over land transfer  
14 matters or of such other committee as may be later designated by the  
15 standing rules of the Legislature."

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. 1001

Date: 3/7/90

Resolution No. \_\_\_\_\_

QUESTION: \_\_\_\_\_

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. Bamba		✓		
M. Z. Bordallo	✓			
D. F. Brooks		✓		
H. D. Dierking	✓			
E. R. Duenas			✓	
E. M. Espaldon		✓		
C. T. C. Gutierrez	✓			
P. C. Lujan	✓			
G. Mailloux	✓			
M. D. A. Manibusan		✓		
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. A. Quitugua	✓			
E. D. Reyes	✓			
M. C. Ruth		✓		
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka		✓		
A. R. Unpingco		✓		

13 7 1

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) REGULAR SESSION

Introduced

OCT 05 '89

Bill No. 1001 (LS)

Introduced By:

D. Parkinson

*Ed. Reyes*  
*Abelardo C. Gutierrez*  
*J. P. ...*  
*Ed. Reyes*  
*F. R. Santos*  
*P. Aguon*

AN ACT TO ADD A NEW SECTION 2109 TO TITLE 2, GUAM CODE ANNOTATED.

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

Section 1. A new Section 2109 is added to Title 2, Guam Code Annotated to read as follows:

Section 2109. Every bill authorizing the sale, gift, disposal, transfer, or trade or Government of Guam land (hereinafter called 'transfer of land' or 'land transfer'), and every bill authorizing the leasing of any Government Land for more than one year shall contain only matters reasonably related to one transaction, and may not be considered with any other transactions or any unrelated matters. No authorization for such land lease or land transfer may be considered as a "rider" or amendment to another bill, and neither may any unrelated amendment or "rider" be considered by the Legislature on any bill which authorizes the lease or transfer of land.

No such bill authorizing the transfer of land or leasing of land may be considered by the Legislature on third reading unless accompanied by two (2) appraisals on all land concerned from licensed real estate appraisers, one of which one appraisal is not more than 18 months old, and which appraisals are paid for by the transferee. The transferee shall sign a statement that the transferee understands that paying for the appraisals does not in any way obligate the Legislature nor the Government of Guam to approve the transfer. One of the appraisers shall be selected by the chairperson of the committee of the Legislature having cognizance over land transfer matters or such other committee as may be later designated by the standing rules of the Legislature.

jla(20-40/govland.bil)



# SENATOR GORDON MAILLOUX

CHAIRMAN, COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT  
TWENTIETH GUAM LEGISLATURE

January 4, 1990

Vice-Chairman on  
the committee on  
Health, Welfare and  
Ecology

Member of the  
Committees on:

- General Govern-  
mental Operation
- Economic Deve-  
lopment
- Justice, Judiciary  
& Criminal Justice
- Energy, Utilities  
and Consumer Pro-  
tection
- Youth, Human  
Resources, Senior  
Citizen & Cultural  
Affairs

Ethics

Honorable Joe T. San Agustin  
Speaker, Twentieth Guam Legislature  
163 Chalan Santo Papa  
Agana, Guam 96910

Dear Mr. Speaker:

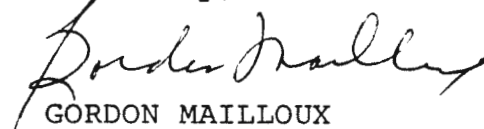
The Committee on Housing and Community Development to which  
was referred **Bill No. 1001, "AN ACT TO ADD A NEW SECTION  
2109 TO TITLE 2, GUAM CODE ANNOTATED,"** does only report the  
**Bill** out to the Twentieth Guam Legislature.

The Committee votes are as follow:

To Do Pass	3
Not to Pass	0
To Report Out Only	6
To Place in Inactive File	0
Not Available for Voting	2

A copy of the Committee Report and other pertinent documents  
are enclosed for your perusal.

Sincerely,

  
GORDON MAILLOUX

Enclosures

GM/cq



COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

VOTE SHEET

BILL NO. 1001, AS AMENDED

"AN ACT TO ADD A NEW SECTION 2109  
TO TITLE 2, GUAM CODE ANNOTATED"

<u>COMMITTEE MEMBERS</u>	<u>TO DO PASS</u>	<u>TO NOT PASS</u>	<u>REPORT OUT ONLY</u>	<u>INACTIVE FILE</u>
<u><i>Gordon Mailloux</i></u> GORDON MAILLOUX Chairman	<u><i>✓</i></u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u><i>Madeleine Z. Bordallo</i></u> MADELEINE Z. BORDALLO Vice-Chairperson	<u>_____</u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u><i>John P. Aguon</i></u> JOHN P. AGUON	<u>_____</u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u>ELIZABETH P. ARRIOLA</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u><i>Pilar C. Lujan</i></u> PILAR C. LUJAN	<u><i>✓</i></u>	<u>_____</u>	<u><i>XXX</i></u>	<u>_____</u>
<u><i>Ted S. Nelson</i></u> TED S. NELSON	<u><i>✓</i></u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u>DON HARKINSON</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u><i>Edward D. Reyes</i></u> EDWARD D. REYES	<u><i>✓</i></u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u><i>Francisco R. Santos</i></u> FRANCISCO R. SANTOS	<u>_____</u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u><i>J. George Bamba</i></u> J. GEORGE BAMBA	<u>_____</u>	<u>_____</u>	<u><i>✓</i></u>	<u>_____</u>
<u>MARILYN D. MANIBUSAN</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

PUBLIC HEARING MINUTES ON BILL NO. 1001

"AN ACT TO ADD A NEW SECTION 2109 TO TITLE 2,  
GUAM CODE ANNOTATED"

**DATE:** NOVEMBER 13, 1989  
**TIME:** 2:00 P.M.  
**PLACE:** LEGISLATIVE SESSION HALL

**MEMBERS PRESENT:** Chairperson Senator Gordon Mailloux.

**WITNESSES PRESENT:** No Witnesses Present. Written testimony submitted by Director of Bureau of Planning.

**SUMMARY OF TESTIMONIES**

The following written testimony is entered for the record.

**Mr. Peter P. Leon Guerrero**, Director, Bureau of Planning, submitted written testimony supporting the passage of Bill 1001, with amendments.

Because of the rapid loss of government land, the Bureau recognizes the urgent need to preserve and ensure adequate protection of government resources by carefully scrutinizing land transfers and leases. The Bureau feels, however, that because of the fast turnover and escalation of land values in Guam, appraisals should be no more than six (6) months old instead of the 18 months called for in the bill. Additionally, the Bureau suggests that the provision in Section 1 that references leases for more than one year be changed to more than 2 years to be consistent with Public Law 17-40, Section 13600 (b).

**FINDINGS/RECOMMENDATIONS**

In light of the rapid loss of government land, the Committee finds that there is a need to carefully scrutinize land transfers and leases.

The Committee hereby recommends to Report Out Only Bill No. 1001, as Amended, to the Twentieth Guam Legislature.

**ATTACHMENTS:**

1. Bill No. 1001, as Amended by the Committee.
2. Bill No. 1001, as referred to the Committee.
3. Testimony of Director, Bureau of Planning.
4. Public Law 17-40.

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) REGULAR SESSION

BILL NO. 1001  
Amended by the Committee on  
Housing and Community Development

Introduced by:

D. PARKINSON  
G. MAILLOUX *✓*  
H.D. DIERKING

---

AN ACT TO ADD A NEW SECTION 2109 TO TITLE 2,  
GUAM CODE ANNOTATED.

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

2 Section 1. A new Section 2109 is added to Title 2, Guam  
3 Code Annotated to read as follows:

4 Section 2109. Every bill authorizing the sale, gift,  
5 disposal, transfer, or trade [or] of Government of Guam land  
6 (hereinafter called 'transfer of land' or 'land transfer'), and  
7 every bill authorizing the leasing of any Government Land for  
8 more than [one] two years shall contain only matters reasonably  
9 related to one transaction, and may not be considered with any  
10 other transactions or any unrelated matters. No authorization  
11 for such land lease or land transfer maybe considered as a  
12 "rider" or amendment to another bill, and neither may any  
13 unrelated amendment or "rider" be considered by the Legislature  
14 on any bill which authorizes the lease or transfer of land.

15 No such bill authorizing the transfer of land or leasing of  
16 land may be considered by the Legislature on third reading

1 unless accompanied by two (2) appraisals on all land concerned  
2 from licensed real estate appraisers, one of which one appraisal  
3 is not more than [18] 6 months old, and which appraisals are  
4 paid for by the transferee. The transferee shall sign a  
5 statement that the transferee understands that paying for the  
6 appraisals does not in any way obligate the Legislature nor the  
7 Government of Guam to approve the transfer. One of the  
8 appraisers shall be selected by the chairperson of the committee  
9 of the Legislature having cognizance over land transfer matters  
10 or such other committee as may be later designated by the  
11 standing rules of the Legislature.

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) REGULAR SESSION

Bill No. 1001 (LS)

Introduced By:

D. Parkinson  
S. Mendez  
William CTC Gutierrez  
J. R. Santos  
E. D. REXES  
F. R. SANTOS

AN ACT TO ADD A NEW SECTION 2109 TO TITLE 2, GUAM CODE ANNOTATED.

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Section 1. A new Section 2109 is added to Title 2, Guam Code Annotated to read as follows:

Section 2109. Every bill authorizing the sale, gift, disposal, transfer, or trade or Government of Guam land (hereinafter called 'transfer of land' or 'land transfer'), and every bill authorizing the leasing of any Government Land for more than one year shall contain only matters reasonably related to one transaction, and may not be considered with any other transactions or any unrelated matters. No authorization for such land lease or land transfer may be considered as a "rider" or amendment to another bill, and neither may any unrelated amendment or "rider" be considered by the Legislature on any bill which authorizes the lease or transfer of land.

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SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

NOV 13 1988

*Chaloy*

Senator Gordon Mailloux  
Chairman, Committee on Housing  
and Community Development  
Twentieth Guam Legislature  
P.O. Box CB-1  
Agana, Guam 96910

Hafa Adai Senator Mailloux:

At the request of the Acting Chairperson, Honorable Madeleine Z. Bordallo, the Bureau is submitting its position on the following Bills 1001, 966, and 1008.

The Bureau of Planning wholeheartedly supports the passage of Bill 1001. Because of the rapid loss of government land, the Bureau recognizes the urgent need to preserve and ensure adequate protection of government resources by carefully scrutinizing land transfers and leases. We feel, however, that because of the fast turnover and escalation of land values in Guam, appraisals should be no more than six (6) months old, instead of the 18 months called for in the bill. Additionally, we suggest that the provision in Section 1 that references leases for more than one year be changed to more than 2 years to be consistent with Public Law 17-40, Section 13600 (b).

With regard to Bill 966, we agree in principle with the intent of this bill, and suggest the following changes. The Department of Agriculture has the expertise in identifying properties necessary for preserving and/or protecting wildlife and habitat areas, and this function should remain with the Department of Agriculture, not with the Department of Land Management (as called for in the bill). We recommend that once the Department of Agriculture identifies the local public land as well as releasable federal lands needed for preserves, and the conservation use of those parcels is agreed to by other concerned GovGuam agencies, Department of Land Management then transfer these lands to Department of Agriculture for administration.

The Bureau further suggests that increased funding to the Department of Agriculture be identified to address the additional manpower and workload requirements in carrying out the purpose and intent of this bill.

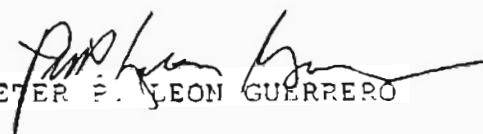


In regard to Bill 1008, the Bureau of Planning agrees with the intent of Bill 1008, which is to redefine the municipal boundary of Agana and Asan to include Adelup Peninsula as part of the Municipality of Agana, in order to fulfill the requirements of the Organic Act.

The Bureau feels that Bill 1008 is in order and therefore, we are in support of its passage.

Thank you for the opportunity to comment.

Si Yu'os Ma'ase,

  
PETER P. LEON GUERRERO



AN ACT TO ENACT TITLE XIV, CHAPTER VII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO LAND USE PERMITS.

Section 1 .... Adds §13600 GC: Land Use permits; generally.  
Section 2 .... Adds §13601 GC: Land use permits for non-profit organizations and civic leagues.

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

Section 1. Section 13600 of the Government Code is enacted to read:

"§13600. Use Permits.

(a) The Director with the approval of the Governor is authorized to grant permits for the use of any suitable government real property, not otherwise occupied or in use, for any lawful purposes except agriculture.

(b) Such permits shall be granted for a period not exceeding two (2) years.

(c) No such person shall use or occupy under any such permit more than one (1) acre.

(d) The Department shall collect a reasonable charge from each permit holder based upon the fair market value of the land and the use made thereof.

(e) The form of such permits shall be prescribed by the Attorney General.

(f) The Director, with the approval of the Governor, shall make such reasonable rules, not inconsistent with the foregoing provisions of this Section, governing the qualifications for, applications for an issuance of such permits, the terms and conditions thereof, the charges to be collected therefor, supervision of operations thereunder, and enforcement of the terms thereof as may be necessary or desirable to the efficient administration of the program and in the public interest."

Section 2. Section 13601 of the Government Code is enacted to read:

"§13601. Use Permits: Civic Purposes.

(a) The Director may, with the approval of the Governor, grant permits for the temporary use of government real property

P.L. No. 17-40

and structures, not otherwise occupied or used by the government, by civic leagues or organizations not organized for profit as defined by §501(c)(4) of the Guam Territorial Income Tax Law (Internal Revenue Code as made applicable to Guam by virtue of Section 31 of the Organic Act).

(b) Such permits shall be granted for a period not exceeding two (2) years.

(c) Such permits may be issued on a nominal-charge basis, but the permit holder shall in every case be responsible for all utilities and maintenance.

(d) The form of such permits shall be prescribed by the Attorney General.

(e) The Director, with the approval of the Governor, shall make such reasonable rules, not inconsistent with the foregoing provisions of this Section, governing the qualifications for, applications for and issuance of such permits, the terms and conditions thereof, the charges to be collected therefor, supervision of operation thereunder, and enforcement of the terms thereof as may be necessary or desirable to the efficient administration of the program and in the public interest."

---

PUBLIC LAW NO. 17-41

Bill No. 318

Introduced by: D. Parkinson

Date Became Law: January 12, 1984

T.S. Nelson

Governor's Action: Approved

Riders: None

AN ACT TO ADD NEW SUBSECTIONS (c), (d), (e) AND (f) TO §43.50 OF CHAPTER 43 OF TITLE 9 GUAM CODE ANNOTATED TO REQUIRE CERTAIN RECORDS BE KEPT BY PERSONS ENGAGED IN THE PURCHASE OF USED GOLD, JEWELRY AND GEMS; TO REQUIRE HOLDING GOLD, JEWELRY AND GEMS, TO PROHIBIT PURCHASES OF GOLD AND JEWELRY FROM MINORS, AND FOR OTHER PURPOSES.

Section 1 .... Adds 9 GCA §43.50(c): Records for purchasing of on-island jewelry, etc.

Section 2 .... Adds 9 GCA §43.50(d): Retaining period of on-island purchased jewelry.