

Territory of Guam  
Territorio de Guam

JUN 01 1992

RECEIVED  
LEGISLATIVE DIVISION  
*[Handwritten signature]*

The Honorable Joe T. San Agustin  
Speaker, Twenty-First Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Speaker:

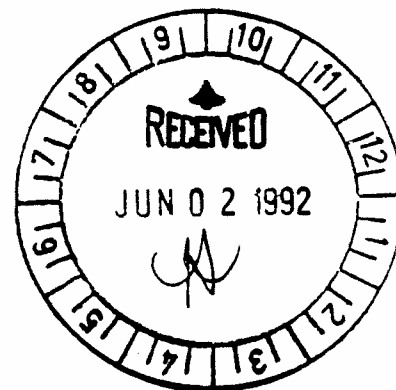
Transmitted herewith is Bill No. 186 which I have signed into law  
this date as Public Law 21-111.

Sincerely yours,

*[Handwritten signature of Joseph F. Ada]*  
JOSEPH F. ADA  
Governor

210830

Attachment

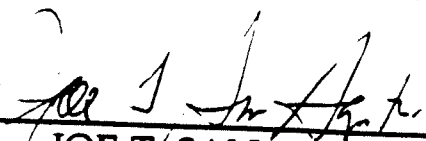


Commonwealth Now

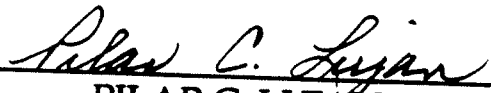
TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

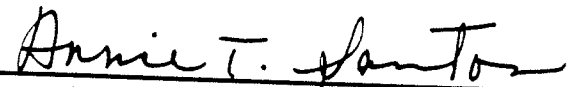
This is to certify that Substitute Bill No. 186 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO DEDICATE LAND IN THE MUNICIPALITY OF DEDEDO FOR USE AS A PLAYGROUND AND FOR PARKING, AND TO AMEND SUBSECTION (a) OF §15607, AND REPEAL SUBSECTION (d) OF §15609, ALL OF TITLE 17, GUAM CODE ANNOTATED, ON DOCTORAL SCHOLARSHIPS," was on the 15th day of May, 1992, duly and regularly passed.

  
\_\_\_\_\_  
JOE T. SAN AGUSTIN  
Speaker

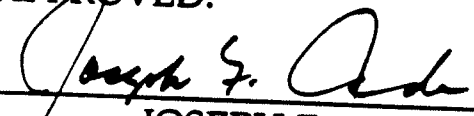
Attested:

  
\_\_\_\_\_  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 20<sup>th</sup> day of MAY, 1992,  
at 3:00 o'clock P.M.

  
\_\_\_\_\_  
Annie T. Santos  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
JOSEPH F. ADA  
Governor of Guam

Date: JUN 01 1992

Public Law No. 21-111

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 186 (COR)

As amended and substituted by the  
Committee on Housing, Community  
Development, Federal and Foreign  
Affairs and as further substituted  
by the Committee on Rules

Introduced by:

H. D. Dierking  
J. T. San Agustin  
F. R. Santos

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J. G. Bamba  
E. P. Arriola  
M. D. A. Manibusan  
J. P. Aguon  
M. Z. Bordallo  
C. T. C. Gutierrez  
P. C. Lujan  
G. Mailloux  
D. Parkinson  
D. L. G. Shimizu  
A. C. Blaz  
D. F. Brooks  
E. R. Dueñas  
E. M. Espaldon  
M. J. Reidy  
M. C. Ruth  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO  
DEDICATE LAND IN THE MUNICIPALITY OF DEDEDO FOR  
USE AS A PLAYGROUND AND FOR PARKING, AND TO  
AMEND SUBSECTION (a) OF §15607, AND REPEAL  
SUBSECTION (d) OF §15609, ALL OF TITLE 17, GUAM CODE  
ANNOTATED, ON DOCTORAL SCHOLARSHIPS.

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

2           **Section 1. Dedication authorized.** The Governor of Guam is hereby  
3 authorized, on behalf of the government of Guam, to dedicate to public use a  
4 portion of Lot No. 89, containing an area measuring approximately one  
5 hundred feet (100') by three hundred sixty feet (360'), in the Municipality of  
6 Dededo, to be used as a playground, for parking facilities, and for a multi-  
7 purpose building that will primarily serve as an activity center for the use of  
8 the community's students.

9           **Section 2.** Subsection (a) of §15607, Title 17, Guam Code Annotated, is  
10 amended to read:

11                   "(a) No award shall be made under this Article unless the  
12 Board has made a written finding that the proposed candidate for  
13 fellowship has demonstrated financial need and is seeking  
14 training in an area where priority is given to fair representation  
15 of women and minorities."

16           **Section 3.** Subsection (d) of §15609 of Title 17, Guam Code Annotated,  
17 is hereby repealed.



**COMMITTEE ON HOUSING,  
COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS**

**TWENTY-FIRST GUAM LEGISLATURE**

163 Chalan Santo Papa  
Agaña, Guam 96910

21-111

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

May 8, 1992

The Honorable Joe T. San Agustin  
Speaker, 21st Guam Legislature  
155 Hesler St.  
Agaña, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred **BILL NO.186: *An Act to authorize the Governor to enter into a long term land lease for government land with the Santa Barbara School in the Municipality of Dededo*** has had the same consideration and herewith reports its recommendation **TO DO PASS** as amended and substituted by the Committee . The Committee votes were as follows:

TO DO PASS	-10-
TO DO NOT PASS	-0-
TO REPORT OUT ONLY	-0-
OFF ISLAND/NOT VOTING	-0-

Sincerely yours,

F.R. Santos

**COMMITTEE ON HOUSING,  
COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS**

**TWENTY-FIRST GUAM LEGISLATURE**

163 Chalan Santo Papa  
Agaña, Guam 96910

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

# COMMITTEE REPORT

on

## BILL NO. 186

*An Act to Authorize the Governor of Guam to enter into a long term land lease agreement with the Santa Barbara School in the Municipality of Dededo.*

May 7, 1992

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL, AND FOREIGN AFFAIRS  
TWENTY FIRST GUAM LEGISLATURE**

155 Hesler Street  
Agaña, Guam 96910

Senator Francisco R. Santos  
Chairman

Tel: (671) 472 3414/3415  
Fax: (671) 477-3048

**Voting Sheet**

Bill No. 186 - An Act to Authorize the Governor to Enter into a  
Long-Term Lease Agreement with the Santa Barbara School  
in the Municipality of Dededo

	TO DO PASS	TO DO NOT PASS	TO REPORT OUT ONLY	NOT VOTING/ OFF ISLAND
<i>F.R. Santos</i> FRANK R. SANTOS	✓			
<i>P. Lujan</i> PILAR C. LUJAN	✓			
<i>John P. Agon</i> JOHN P. AGUON	✓			
<i>E. Arriola</i> ELIZABETH P. ARRIOLA	✓			
<i>H. Dierking</i> HERMINIA D. DIERKING	✓			
<i>J. George Bamba</i> J. GEORGE BAMBA	✓			
<i>Marilyn Manibusan</i> ✓ <i>5/11/92</i> MARILYN D.A. MANIBUSAN	✓			
<i>E. Duenas</i> EDWARD R. DUENAS	✓			
<i>Anthony C. Blaz</i> ANTHONY C. BLAZ	✓			
<i>Joe T. San Agustin</i> JOE T. SAN AGUSTIN	✓			

TWENTY FIRST GUAM LEGISLATURE  
SECOND REGULAR (1992) SESSION

Bill No. 186

As amended and substituted by the  
Committee on Housing, Community Development  
Federal and Foreign Affairs

Introduced by:

H.D. Dierking

J.T. San Agustin

*F.R. SANTOS*

AN ACT TO AUTHORIZE THE GOVERNOR OF  
GUAM TO ENTER INTO A LONG TERM LAND  
LEASE AGREEMENT WITH THE SANTA  
BARBARA SCHOOL IN THE MUNICIPALITY  
OF DEDEDO.

*W. B. ...*  
*M. M. ...*

1       Whereas, there is presently an unutilized parcel of  
2 government land between the Mayor's Office and Santa  
3 Barbara School, which is approximately 250 feet in width and  
4 360 feet in length; and  
5       Whereas, Santa Barbara School has been utilizing  
6 portions of this government land unofficially for playground  
7 and parking spaces and for other school related purposes; and  
8       Whereas, Santa Barbara School has leased a portion of  
9 this unused government land, Lot No. 89, containing an area  
10 of approximately 100 feet in weidth and 360 feet in length  
11 since December 2, 1981; and  
12       Whereas, Santa Barbara School has an annual enrollment  
13 of at least six hundred students, from kindergarten level to  
14 the seventh grade; and



1       Whereas, Santa Barbara School services at least found  
2 hundred families in the largest municipality of the Territory  
3 of Guam; and

4       Whereas, this proposed land lease agreement will greatly  
5 enhance the continuing effort of the Santa Barbara School to  
6 expand its facilities in order to meet the increasing scholastic  
7 needs of the municipality of Dededo; and

8       Whereas, the Mayor's Office of Dededo and the majority  
9 of the residents of Dededo have previously endorsed and  
10 continue to support this proposed land lease arrangement;  
11 now, therefore

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

14       **SECTION 1. LEASE AUTHORIZED.** The Governor of  
15 Guam is hereby authorized, on behalf of the government of  
16 Guam to lease, on a long term basis, to the Santa Barbara  
17 School a portion of government land, Lot No. 89, containing  
18 an area of approximately 100 feet by 360 feet, in the  
19 Municipality of Dededo. The lease shall contain provisions to  
20 provide for the following:

21       a. Santa Barbara School agrees that the leased land  
22 shall be used solely as a playground and for parking facilities  
23 for the school.

24       b. Santa Barbara School agrees that, while school is not  
25 in session, the playground and parking facilities shall be  
26 available for public use when requested by the Mayor of  
27 Dededo.

1           c.    There shall be no excavation or removal of material  
2 from the area without the approval of the Director of Land  
3 Management and the Director of Public Works.

4           d.    The term of the lease shall not exceed 50 years.

5           e.    The lease shall not be mortgaged, transferred,  
6 subleased, hypothecated, subordinated or conveyed in any  
7 other manner, means or form, without prior authorization by  
8 statute.

Introduced

FEB 16 '91

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 185 (C.R.)

Introduced by:

H. D. Dierking  
J.T. San Agustin

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO  
ENTER INTO A LONG-TERM LAND LEASE AGREEMENT  
WITH THE SANTA BARBARA SCHOOL IN THE  
MUNICIPALITY OF DEDEDO.

1           Whereas, there is presently an unutilized parcel of government land  
2 between the Mayor's Office and Santa Barbara School, which is approximately  
3 250 feet in width and 360 feet in length; and

4           Whereas, Santa Barbara School has been utilizing portion of this  
5 government land unofficially for playground and parking spaces and for other  
6 school related purposes; and

7           Whereas, Santa Barbara School has leased a portion of this unused  
8 government land, Lot No. 89, containing an area of approximately 100 feet in  
9 width and 360 feet in length since December 2, 1981; and

10           Whereas, Santa Barbara School has an annual enrollment of at least six  
11 hundred students, from kindergarten level to the seventh grade; and

12           Whereas, Santa Barbara School services at least four hundred families  
13 in the largest municipality of the Territory of Guam; and

1           Whereas, this proposed land lease agreement will greatly enhance the  
2 continuing effort of the Santa Barbara School to expand its facilities in order  
3 to meet the increasing scholastic needs of the Municipality of Dededo; and

4           Whereas, the Mayor's Office of Dededo and the majority of the residents  
5 of Dededo have previously endorsed and continue to support this proposed  
6 land lease arrangement; now, therefore

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

8           Section 1. The Governor of Guam is hereby authorized, on behalf of the  
9 Government of Guam, to lease on a long-term basis to the Santa Barbara  
10 School a portion of government land, Lot No. 89, containing an area of  
11 approximately 100 feet by 360 feet, in the Municipality of Dededo. Santa  
12 Barbara School shall utilize this land solely for the purpose of expanding its  
13 school facilities.

COMMITTEE REPORT ON BILL NO. 186

PREPARED BY

**THE COMMITTEE ON HOUSING, COMMUNITY  
DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS  
TWENTY-FIRST GUAM LEGISLATURE**

**MAY 5, 1992**

**COMMITTEE ON HOUSING, COMMUNITY  
DEVELOPMENT FEDERAL AND FOREIGN  
AFFAIRS - COMMITTEE REPORT**

**ON BILL NO. 186**

**AN ACT TO AUTHORIZE THE GOVERNOR TO ENTER INTO A  
LONG-TERM LEASE AGREEMENT WITH THE SANTA BARBARA  
SCHOOL IN THE MUNICIPALITY OF DEDEDO.**

**PUBLICLY HEARD ON 7:00 P.M. TUESDAY, APRIL 14,1992  
AT MARIA ULLOA ELEMENTARY SCHOOL, DEDEDO**

**I. INTRODUCTION**

**THE COMMITTEE ON HOUSING, COMMUNITY  
DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS CONDUCTED  
A PUBLIC HEARING APRIL 14, 1992 ON BILL NO. 186 TO  
RECEIVE TESTIMONY ON SAID BILL. COMMITTEE MEMBERS  
IN ATTENDANCE WERE:**

<b>SENATOR F.R. SANTOS</b>	<b>CHAIRMAN</b>
<b>SENATOR H.D. DIERKING</b>	<b>MEMBER</b>
<b>SENATOR J.T. SAN AGUSTIN</b>	<b>MEMBER</b>
<b>SENATOR J.GEORGE BAMBA</b>	<b>MEMBER</b>

**APPEARING TO TESTIFY ON THE BILL WERE:**

<b>SISTER BERNADETTE MARIE</b>	<b>SANTA BARBARA</b>
<b>MR. FRANK L.G. CASTRO</b>	<b>DEPT OF LAND</b>
	<b>MANAGEMENT</b>
<b>MS. DOROTHY W. KRIEGER</b>	<b>DEDEDO RESIDENT</b>
<b>MS. MAMERTA A. OLIVERA</b>	<b>DEDEDO RESIDENT</b>

## II. SUMMARY OF TESTIMONY

SISTER BERNADETTE MARIE TESTIFIED IN FAVOR OF BILL NO. 186 CITING THE MUCH NEEDED EXPANSION OF THE SANTA BARBARA SCHOOL AS THE PRIMARY REASON THE LONG-TERM LEASE IS BEING SOUGHT. IT IS PROPOSED THAT SANTA BARBARA SCHOOL INCORPORATE OR EXTEND GRADES 9 THROUGH 12 INTO ITS EDUCATION CURRICULA IN ORDER TO ACCOMODATE A PARTICULAR ENROLLMENT DEMAND. VIEWING THAT THE ISLANDS POPULATION CENTER CONTINUOUS TO SHIFT NORTHWARD, THE NEED FOR MORE EDUCATION FACILITIES, BE THEY PUBLIC OR PRIVATE BECOMES APPARENT. SECONDLY, THE PRESENT SCHOOL SITE HAS REACHED A NEAR SATURATION POINT IN SO FAR AS LAND FOR ANCILLARY FACILITIES ARE CONCERNED. APPROVAL OF THE PROPOSED LEASE WOULD GREATLY ENHANCE THE PRESENT SCHOOL SITE BY ALLOWING ADDITIONAL SPACE FOR A MULTI-PURPOSE BUILDING THAT WOULD PRIMARILY SERVE AS AN ACTIVITIES CENTER FOR THE STUDENTS, PARENTS AND TEACHERS.

MR. FRANK L.G. CASTRO, DIRECTOR OF LAND MANAGEMENT SPOKE IN FAVOR OF THE BILL IF CERTAIN MODIFICATIONS CAN BE MADE. FIRSTLY, THERE IS THE PROBLEM OF THAT CONCERNS THE DEPARTMENT OF PUBLIC WORKS AND THE FACT THAT THEY CURRENTLY UTILIZE THE AREA UNDER CONSIDERATION FOR LEASE AS A LOADING AND UNLOADING ZONE AND PARKING FOR SCHOOL BUSES DURING SCHOOL HOURS.

SECONDLY, THE LAND UNDER CONSIDERATION FOR LEASE SHOULD AT ALL TIMES BE LEFT OPEN AS A PUBLIC THROUGHWAY GIVEN THE PROPERTY'S HISTORICAL AND PRESENT USE AS A PARKING OVERFLOW AND STAGING AREA FOR BOTH THE SANTA BARBARA SCHOOL AND THE DEDEDO FIRE STATION.

THE PUBLIC HEARING THEN CONCLUDED DUE TO AN UNSCHEDULED NOR PUBLICLY ANNOUNCED POWER OUTAGE UNDER THE GUAM POWER AUTHORITY'S LOAD-SHEDDING PROGRAM. THE CHAIRMAN, HOWEVER ,

ANNOUNCED TO ALL IN ATTENDANCE THAT THE COMMITTEE OVER THE NEXT FEW DAYS WOULD CONTINUE TO RECEIVE WRITTEN TESTIMONY PERTAINING TO BILL NO. 186 AND THE OTHER BILLS SCHEDULED FOR PUBLIC HEARING THAT EVENING FOR INCLUSION IN THE COMMITTEE RECORD. THE PUBLIC HEARING ENDED AT 8:00 P.M.

### **III. COMMITTEE RECOMMENDATIONS**

THE COMMITTEE UPON ITS REVIEW, DELIBERATION AND HEARING OF BILL NO.186 RECOMMENDS THE PASSAGE OF SAID ACT SUBJECT TO THE INCORPORATION OF SPECIAL TERMS AND CONDITIONS IN THE PROPOSED LONG-TERM LEASE AGREEMENT WHICH WOULD BE DEVELOPED MUTUALLY BY THE DEPARTMENTS OF LAND MANAGEMENT AND PUBLIC WORKS. SAID SPECIAL TERMS AND CONDITIONS SHALL BE FORMULATED AND INCORPORATED INTO THE LONG-TERM LEASE AT THE TIME OF DRAFTING AND SHALL ADDRESS THE OPEN ACCESS AND GOVERNMENT AGENCY USE OR USES OF THE SAID PROPERTY.



COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS  
TWENTY-FIRST GUAM LEGISLATURE

163 Chalan Santo Papa  
Agaña, Guam 96910

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

Witness Sign Up Sheet

On Bill No. 186

Name (Please Print)	Village/ Representing	Phone No.	Favor/ Against
1 MAMERTA A. OLIVEROS	DEDEDO	637-0139	Favor
2 Dorothy White Keger	Dededo	632-5578	11
3			
4			
5			
6			
7			
8			
9			
10			
11			

COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS  
TWENTY-FIRST GUAM LEGISLATURE

163 Chalan Santo Papa  
Agaña, Guam 96910

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

Witness Sign Up Sheet

On Bill No. 186

Name (Please Print)	Village/ Representing	Phone No.	Favor/ Against
1 <u>FRANK CASTRO</u> <u>DLH</u>		<u>475-5252</u>	<u>FOR</u>
2 <u>Sister Bernadette Maria Dedado</u>		<u>632-5578</u>	<u>For</u>
3 _____		_____	_____
4 _____		_____	_____
5 _____		_____	_____
6 _____		_____	_____
7 _____		_____	_____
8 _____		_____	_____
9 _____		_____	_____
10 _____		_____	_____
11 _____		_____	_____

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS  
TWENTY-FIRST GUAM LEGISLATURE**

163 Chalan Santo Papa  
Agaña, Guam 96910

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

April 6, 1992

**MEMORANDUM**

TO: Members, Committee on Housing, Community  
Development, Federal and Foreign Affairs

FR: Chairman

SUBJ: Public Hearings - April 10 and 14, 1992

The Committee has scheduled two (2) public hearings in April on the 10th and 14th. The proposed legislation to be heard are as follows;

**Friday, April 10, 1992 - 9:00 A.M. at the Public Hearing  
Room of the Guam Legislature, 155 Hesler St. Agana**

Bill No. 220 - An Act to amend Section 18005 (b) of the Government Code to allow twenty-foot roadways within agricultural subdivisions, By J.G. Bamba;  
Bill No. 634 - An Act to rezone Lot No. 109-R3 in Yona from Single Family Residential (R-1) to Commercial (C), By F. R. Santos;  
Bill No. 765 - An Act to exchange government property in Tumon to complete the widening of San Vitores Road, By J. P. Aguon;  
Bill No. 807 - An Act to rezone Lot No. 144-1-1, Lot 144-1-2 and Lot No. 144-1-R3 in Yona from Agricultural (A) to Multi-Family Dwelling (R-2), By F. R. Santos;  
Bill No. 824 - An Act to Authorize the Governor to exchange a government bull-cart Trail for two parcels of private property in the Camp Watkins Road Area of Tamuning, By F. R. Santos;

Tuesday, April 14, 1992 - 7:00 P.M. at the Maria Ulloa  
Elementary School (Cafeteria), Dededo

**Bill No. 186** - An Act to Authorize the Governor to Lease Government Property on a Long-term Basis to Santa Barbara School in Dededo, By

H. D. Dierking;

**Bill No. 332** - An Act to Authorize the Governor to Transfer Government Land to the U.S. Postal Service for Post Office Sites to Serve Northern and Southern Communities on Guam, By J. T. San Agustin;

**Bill No. - 751** - An Act to Provide Additional Childcare Facilities for the Community Through the Rezoning of Lot Nos. 88 and 89, Block 3 Tract 100 in Dededo, By J. T. San Agustin;

**Bill No. 825** - An Act to rezone Lot No. 6 Block No. 4 in Dededo from Single-Family Residential (R-1) to Multi-Family Dwelling (R-2), By F. R. Santos.

As usual, the attendance and participation of all members is encouraged and appreciated.

For more information, please contact the Office of Senator Frank Santos at 472-3414/5.



F. R Santos

cc: Exec. Director, Guam Legislature  
Protocol Officer, Guam Legislature  
All Media

Introduced

FEB 16 '91

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 175 (C.R.)

Introduced by:

H. D. Dierking  
J.T. San Agustin

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO  
ENTER INTO A LONG-TERM LAND LEASE AGREEMENT  
WITH THE SANTA BARBARA SCHOOL IN THE  
MUNICIPALITY OF DEDEDO.

1           Whereas, there is presently an unutilized parcel of government land  
2 between the Mayor's Office and Santa Barbara School, which is approximate  
3 250 feet in width and 360 feet in length; and

4           Whereas, Santa Barbara School has been utilizing portion of the  
5 government land unofficially for playground and parking spaces and for other  
6 school related purposes; and

7           Whereas, Santa Barbara School has leased a portion of this unused  
8 government land, Lot No. 89, containing an area of approximately 100 feet  
9 width and 360 feet in length since December 2, 1981; and

10           Whereas, Santa Barbara School has an annual enrollment of at least six  
11 hundred students, from kindergarten level to the seventh grade; and

12           Whereas, Santa Barbara School services at least four hundred families  
13 in the largest municipality of the Territory of Guam; and

1           Whereas, this proposed land lease agreement will greatly enhance t  
2 continuing effort of the Santa Barbara School to expand its facilities in orc  
3 to meet the increasing scholastic needs of the Municipality of Dededo; and

4           Whereas, the Mayor's Office of Dededo and the majority of the resider  
5 of Dededo have previously endorsed and continue to support this proposi  
6 land lease arrangement; now, therefore

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

8           Section 1. The Governor of Guam is hereby authorized, on behalf of th  
9 Government of Guam, to lease on a long-term basis to the Santa Barba  
10 School a portion of government land, Lot No. 89, containing an area  
11 approximately 100 feet by 360 feet, in the Municipality of Dededo. San  
12 Barbara School shall utilize this land solely for the purpose of expanding i  
13 school facilities.



SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA GUAM 96910

4.20-92  
15:00

APR 16 1992

Honorable Francisco R. Santos  
Chairman, Committee on Housing, Community  
Development, Federal and Foreign Affairs  
Twenty-First Guam Legislature  
163 Chalan Santo Papa  
Agana, Guam 96910

Hafa Adai Senator Santos:

The Bureau has completed its review of Bill 186(COR), and has the following comments. Based on a telephone conversation with Mr. Francis Taitano, Rights-of-Ways, Department of Public Works (DPW), Santa Barbara School proposes to expand or construct their Administration Building on the government land they are requesting to lease on a long-term basis. The government land being requested is located between the Municipal Fire and Police Station and the existing school building.

Per DPW's memorandum of April 2, 1992 to the Mayor of Dededo, the school buses use the vacant government land for picking up and dropping off the school children. Due to the proposed expansion of the school facility onto the government parcel, we feel that this may have an affect on the traffic circulation. (Please see attached memorandum from DPW to Mayor of Dededo.) However, the Bureau believes that the school will address this probable situation if the question were to arise.

The Bureau, would also like to add that if the bill were to be passed, the proposed activity in expansion onto the government parcel should directly benefit the children. The Bureau feels that the first and foremost concern to be considered is the education, safety and well-being of the school children.

Finally, the proposed lease should be done based on the current fair market value of the government parcel.

In this regard, the Bureau of Planning believes that if our comments are taken into consideration, we find the intent of Bill No. 186(COR) to be acceptable.

Thank you for the opportunity to comment.

Si Yu'os Ma'ase',

  
PETER P. LEON GUERRERO  
Director



GOVERNOR JOSEPH F. ADA  
 LT. GOVERNOR FRANK F. BLAS



APR 02 1992

**MEMORANDUM**

**TO:** Mayor of Dededo  
**FROM:** Director of Public Works  
**SUBJECT:** Assessment of Iglesia Circle One-Way Traffic

Responding to your memorandum of February 3, 1992, we monitored the area and concluded the following problems:

1. The parking lot west side of Sta. Barbara School is being used for double and triple parking during the P.M. rush hours.
2. Parents stop in the travel lanes to drop their children.
3. Vehicles illegally parking facing traffic on shoulders.

The one-way traffic flow as the school recommended during A.M. and P.M. rush hours is not warranted.

The following are our recommendations to minimize these problems.

1. Request Guam Police assistance to monitor the parking lot on the west side of Sta. Barbara School to prohibit double/triple parking and not to allow parents to drop their children on travel lanes adjacent to this area.
2. Request the Sta. Barbara School to encourage parents to use the vacant space between the school and the Fire Department for drop offs and pick ups or parking purposes. This area is also now used by the school buses.
3. Installation of "No Stopping" signs are needed along Iglesia Circle where parents used to drop/pick up their children. This will be done by our Department prior to the above implementation.


Should you have any questions concerning this matter, please feel free to call my Traffic Engineer at 646-3210/3118.



Memo to Mayor of Dededo  
Assessment of Iglesia Circle One-Way Traffic  
Page 2

Thank you for your concern.

ORIGINAL SIGNED BY  
/S/ BENIGNO M. PALOMO  
BENIGNO M. PALOMO



RRIVERA:cc

03/25/92

- cc: TEC Chrono
- COE
- Sign & Marking
- DD
- Dir's Chrono
- GPD, Northern Precinct

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM

LAND USE PERMIT AGREEMENT

Land Use Permit Agreement No: 2236-Dededo

Santa Barbara Elem. School, resident of Dededo

Territory of Guam, herein called the PERMITTEE, having made application in accordance with rules and regulations to the Director of Land Management for permission to use the land hereinafter described for the purpose of Non-Profit Organization - Playground the said land being the property of and in the possession of the GOVERNMENT OF GUAM, herein called the GOVERNMENT, this permit is granted upon the terms and conditions hereinafter stated:

A portion of government land located in Dededo, containing an area of 100' x ~~360'~~ 360' x 14

Santa Barbara Elem. School - North  
Government land Lot No. 89 - East  
Dededo Commissioner's Bldg. - South  
Government land R/W - West

This permit will be effective on the 1st day of September, 1981, and expire on the 31st day of August, 1982 unless earlier terminated in accordance with the provisions herein or Land Use Permit Rules and Regulations.

The GOVERNMENT OF GUAM has the right to terminate this permit whenever the GOVERNMENT determines that the land subject to this permit is required for public use or purpose by the GOVERNMENT; provided that in such event, the GOVERNMENT shall give to the PERMITTEE, thirty (30) calendar days notice in writing of such termination.

The PERMITTEE may terminate this permit by giving to the Director of Land Management thirty (30) calendar days notice in writing of such termination and paying to the Treasurer of Guam all charges for use of said land through the date of termination, and other charges and determined herein and the Land Use Permit Rules and Regulations.

The PERMITTEE shall pay to the GOVERNMENT, through the Treasurer of Guam for use of said land, the sum of No Charge (\$ -0-) payable as follows:

1. Twenty Five Percent (25%) of applicable charges upon execution.
2. Balance within six (6) months after execution.

This permit is granted to the PERMITTEE only and may not be assigned or transferred.

At the termination of the Permit by expiration or otherwise, the PERMITTEE will vacate the said land and peaceably surrender the same to the GOVERNMENT in as good condition as when first occupied under this permit, ordinary use and damage by action of the elements excepted.

The GOVERNMENT reserves the right to enter upon the land subject to this permit at any time for the purpose of determining compliance with the terms and conditions herein and the Land Use Permit Rules and Regulations.

The PERMITTEE shall not cut, nor permit to be cut, any trees of any description growing on said land on the effective date of this permit unless such trees have been inspected and officially branded for cutting by the Director of Agriculture or his duly authorized representative.

No structure may be erected or placed on the land designated herein without the consent of the Director of Land Management or his authorized representative, as designated, and the proper building permit procured in accordance with law.

Any improvement so placed on the said land becomes a part of the land and the property of the GOVERNMENT OF GUAM unless otherwise agreed to by the Director of Land Management and the PERMITTEE.

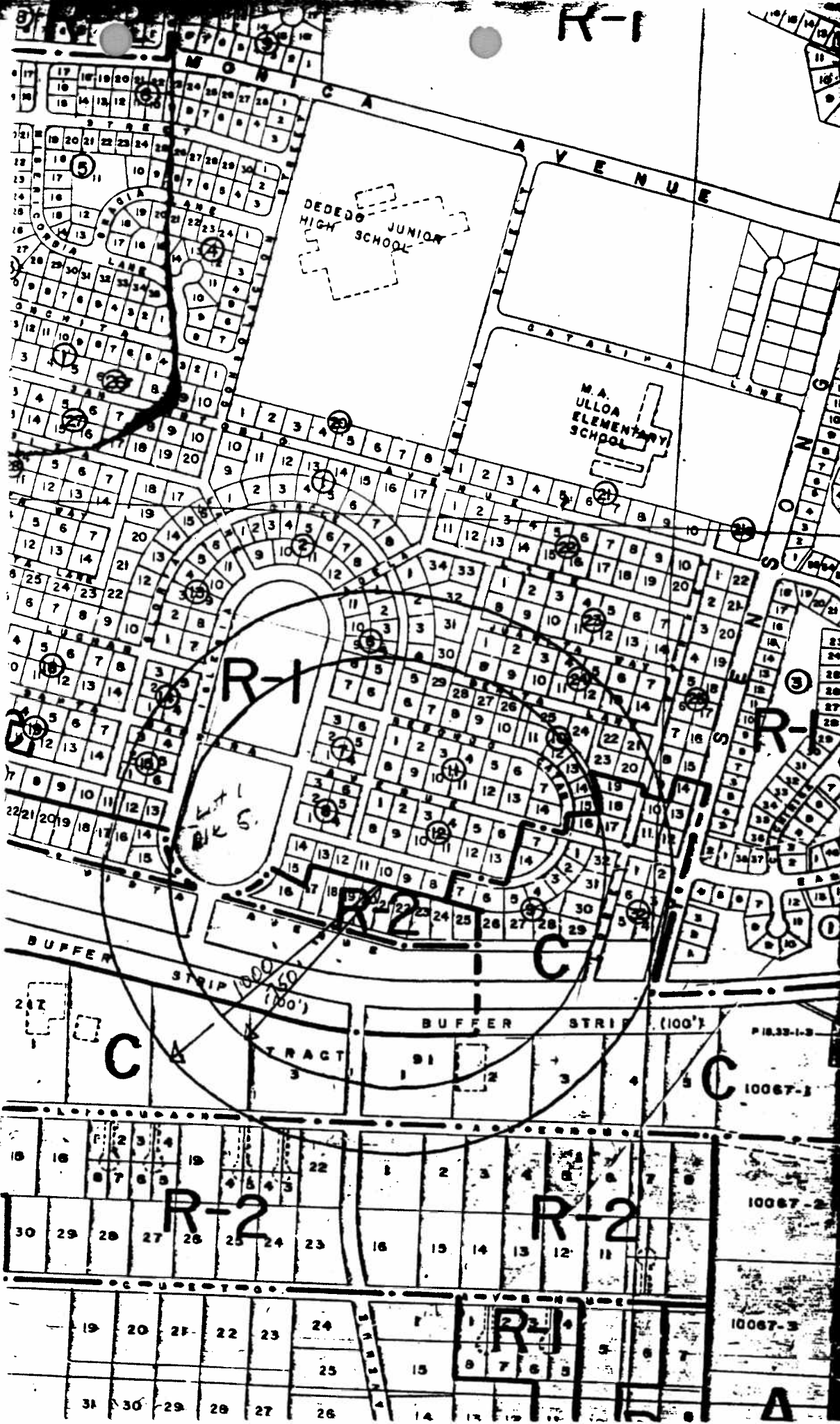
During the term of this permit or at its expiration, the GOVERNMENT shall have no responsibility for removal or expense of removal of any improvement of any improvement that is authorized to be removed.

Default by the PERMITTEE of any of the terms and conditions of this permit shall be grounds for its immediate termination by the GOVERNMENT, in which event the GOVERNMENT may re-enter and take possession of the land with or without legal action.

The Land Use Permit will automatically terminate if charges are not paid by the PERMITTEE within Thirty (30) days.



R-1







# SENATOR GORDON MAILLOUX

CHAIRMAN, COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT  
TWENTIETH GUAM LEGISLATURE

September 19, 1990

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

Member of the Committees on:

• Tourism, Transportation and Communications

• General Governmental Operation

• Economic Development

• Justice, Judiciary & Criminal Justice

• Energy, Utilities and Consumer Protection

• Youth, Human Resources, Senior Citizen & Cultural Affairs

Ethics

Honorable Joe T. San Agustin  
Speaker, Twentieth Guam Legislature  
155 Hessler St.  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Housing and Community Development to which was referred Bill No. 1131 "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO A LONG-TERM LEASE AGREEMENT WITH THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDO." The Committee on Housing and Community Development hereby recommends Bill No. 1131, as Referred, to Pass by the Twentieth Guam Legislature.

The Committee votes are as follows:

To Do Pass	6
To Not Pass	0
To Report Out Only	3
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/pjb

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

VOTE SHEET-BILL NO.1131

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO A LONG-TERM LEASE AGREEMENT WITH THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDO"

<u>MEMBERS</u>	<u>TO DO</u> <u>PASS</u>	<u>TO NOT</u> <u>PASS</u>	<u>REPORT</u> <u>OUT ONLY</u>	<u>INACTIVE</u>
<u><i>G. Mailloux</i></u> GORDON MAILLOUX Chairman	_____	_____	_____ ✓	_____
<u><i>M. Bordallo</i></u> MADELEINE Z. BORDALLO Vice Chairperson	_____ ✓	_____	_____	_____
<u><i>John P. Agon</i></u> JOHN P. AGUON	_____ ✓	_____	_____	_____
<u><i>E. Arriola</i></u> ELIZABETH P. ARRIOLA	_____ ✓	_____	_____	_____
<u><i>P. Zujan</i></u> PILAR C. ZUJAN	_____ ✓	_____	_____	_____
<u><i>Ted S. Nelson</i></u> TED S. NELSON	_____ ✓	_____	_____	_____
<u><i>Don Parkinson</i></u> DON PARKINSON	_____	_____	_____ ✓	_____
<u>EDWARD R. REYES</u>	_____	_____	_____	_____
<u>FRANCISCO R. SANTOS</u>	_____	_____	_____	_____
<u><i>J. George Bamba</i></u> J. GEORGE BAMBA	_____ ✓	_____	_____	_____
<u><i>Marilyn Manibusan</i></u> MARILYN D.A. MANIBUSAN	_____	_____	_____	_____

✓ 9/18/90  
mlm — some reservation language need to be changed!



COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

PUBLIC HEARING MINUTES ON BILL NO. 1131

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO  
ENTER INTO A LONG-TERM LAND LEASE AGREEMENT WITH  
THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDO."

**DATE:** JANUARY 26, 1990  
**TIME:** 9:00 A.M.  
**PLACE:** LEGISLATIVE SESSION HALL

**MEMBERS PRESENT:** Chairperson Senator Gordon Mailloux; Senator Ted Nelson.

**WITNESSES PRESENT:** Sister Bernadette Marie, Principal, Santa Barb School; Doris Ferreira, Vice Mayor, Dededo; Jose A. Rivera, Mayor, Dededo. Written testimonies submitted by Michael J. Reidy, Director of Bureau of Budget and Management Research; Peter P. Leon Guerre Bureau of Planning; Manuel Quitugua Cruz, Chairman, Archdiocesan Board of Education.

**SUMMARY OF TESTIMONIES**

Sister Bernadette Marie, testified in support of Bill 1131. In addition to the reasons already stated as to why a long-term lease is needed, Santa Barbara School has plans to extend the school enrollment to High School level that is 9 to 12 grades. Also, the school is planning for a Multi-purpose building, a place to conduct varied activities for the development of students in the different grade level as well as teachers and parents.

For the record, Senator Mailloux noted that a series of support signatures for the passage of Bill 1131 were submitted by Santa Barbara School.

Ms. Doris Ferreira, Vice-Mayor of Dededo, testified in support of Bill 300. A long-term lease will improve the school and will be something the school can look forward to in the coming future. Plans to extend the school enrollment to High School level (9-12 grades) and the long-term lease will definitely help the school. She asked the Committee for their consideration on Bill 1131.

Mr. Jose A. Rivera, Mayor of Dededo, testified in support of Bill 1131. He stated that Sister Bernadette Marie approached him in February of last year about the possibility of renewing the lease that was enacted years before where a portion of the property located behind the Commissioner's office and the Santa Barbara School was utilized by the students. With that, in mind, Sister wrote a letter to the Mayor's office. In turn, Mr. Rivera stated he wrote to the Governor who instructed the

Department of Land Management to intervene and look into the possibility of rekindling the renewal. On March 23, a letter from the Department of Land Management concurring with the request was received.

Mr. Rivera stressed the need for making the agreement a long-term lease. Santa Barbara School needs space. The playground facility located in the Iglesias Circle is presently being utilized by the school. That indicates that there is need for more land.

In the rights-of-way documentation under Department of Public Works, there was a time when Dededo Central Proper was subdivided and there was a road linking the Redondo Catan to the Redondo Luchan which is situated behind the school.

Mr. Rivera asked the Committee to look into the feasibility and proper wording where if this bill passes, it will show that whatever road easement indicated from previous plan will be automatically null and void.

He stated his support and appealed for the Committee's consideration for a long term lease.

**Mr. Frank Castro**, Director, Department of Land Management, stated that he was not cleared by TPC to testify on this bill, but, does know that the administration is in full support.

The following written testimonies are entered for the record.

**Mr. Michael J. Reidy**, Director, Bureau of Budget and Management Research, commented that enactment of the proposed bill will result in a positive impact on the General Fund. Revenues will be generated through the proposed long-term land lease agreement. Information from the Department of Land Management indicates that the price is approximately \$25.00 per square meter for a total of \$21,135 per year, or \$105,675 at the end of the fifth year. Additionally, a 10% increase shall be applied every five years, up to fifty years, in the case of a long-term lease agreement.

**Mr. Peter P. Leon Guerrero**, Director, Bureau of Planning, commented that the Attorney General's office has issued an opinion that leasing of government property to a religious organization would violate Section 5 (P) of the Organic Act. Additionally, inquiries to the Department of Public Works, Rights-of-Way Division, confirm that DPW does not support a long-term lease of this land which is a designated right-of-way under DPW jurisdiction. Because of these reasons, the Bureau does not support this Bill.

**Mr. Manuel Quitugua Cruz** testified in support of Bill 1131. Santa Barbara School is one of the largest Catholic elementary schools on the island. The school currently have about 600

students.

The portion of the unused government land, Lot No. 89, has been in use by the school since 1981. Since the lease expires this year, it needs to be renewed for the sake of the students. The government can continue to be assured that the land is being well utilized.

The Attorney General's office issued an opinion that leasing government land to a religious organization would be inorganic and the constitutionality of such a lease would be in question.

#### FINDINGS/RECOMMENDATIONS

Bill No. 1131 proposes to allow the Government of Guam to enter into a long-term lease with Santa Barbara School in Dededo. Santa Barbara School, a parochial primary school, has been leasing a portion of government land near the Mayor's office in Dededo, for a playground and for parking. The lease is being requested because Santa Barbara School is planning on expanding their facilities to include a secondary school and they would need more space.

In light of the Attorney General's opinion, as well as the Department of Public Works and the Bureau of Planning, the Government of Guam may have erred in leasing the government land to Santa Barbara School in the beginning. The Government of Guam has not legally been able to lease government land to other religiously affiliated organizations because of the requirement to maintain the separation of church and state. Therefore, the Committee on Housing and Community Development recommends Bill No. 1131, To Report Out Only to the Twentieth Guam Legislature.

#### ATTACHMENTS:

1. Bill No. 1131, as referred to the Committee.
2. Opinion of the Attorney General.
3. Testimony of Manuel Q. Cruz.
4. Testimony of the Bureau of Planning.
5. Testimony of Santa Barbara School Principal Sister Bernadette Marie.
6. Fiscal Impact Report from the Bureau of Budget and Management Research.
7. Attendance sheet.

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) Regular Session

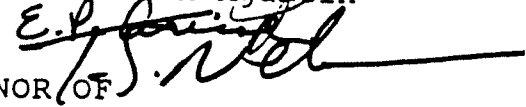
Introduced

DEC 28 '89

Bill No. 1131(LS)

Introduced by:

H. D. Dierking  
J. T. San Agustin



AN ACT TO AUTHORIZE THE GOVERNOR OF  
GUAM TO ENTER INTO A LONG-TERM LAND  
LEASE AGREEMENT WITH THE SANTA  
BARBARA SCHOOL IN THE MUNICIPALITY  
OF DEDEDO.

1           Whereas, there is presently an unutilized parcel of  
2 government land between the Mayor's Office and Santa Barbara  
3 School, which is approximately 250 feet in width and 360 feet in  
4 length; and

5           Whereas, Santa Barbara School has been utilizing portion of  
6 this government land unofficially for playground and parking  
7 spaces and for other school related purposes; and

8           Whereas, Santa Barbara School has leased a portion of this  
9 unused government land, Lot No. 89, containing an area of  
10 approximately 100 feet in width and 360 feet in length since  
11 December 2, 1981; and

12           Whereas, Santa Barbara School has an annual enrollment of at  
13 least six hundred students, from kindergarten level to the seventh  
14 grade; and

15           Whereas, Santa Barbara School services at least four hundred  
16 families in the largest municipality of the Territory of Guam; and

17           Whereas, this proposed land lease agreement will greatly  
18 enhance the continuing effort of the Santa Barbara School to  
19 expand its facilities in order to meet the increasing scholastic  
20 needs of the Municipality of Dededo; and

21           Whereas, the Mayor's Office of Dededo and the majority of the  
22 residents of Dededo have previously endorsed and continue to  
23 support this proposed land lease arrangement; now, therefore

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

25           Section 1. The Governor of Guam is hereby authorized, on  
26 behalf of the Government of Guam, to lease on a long-term basis to  
27 the Santa Barbara School a portion of government land, Lot No. 89,  
28 containing an area of approximately 100 feet by 360 feet, in the  
29 Municipality of Dededo. Santa Barbara School shall utilize this  
30 land solely for the purpose of expanding its school facilities.



Elizabeth Barrett-Anderson  
Attorney General

Office of the Attorney General  
Territory of Guam

Donald L. Palotta  
Chief Deputy Attorney General

Phone: (671) 472-4441  
Telefax: (671) 472-3441  
Telex: (600) 697-333

December 13, 1989

Senator Gordon Mailloux  
Chairman, Committee on Housing  
and Community Development  
Twentieth Guam Legislature  
Agana, Guam 96910

*EA Spurrin 734 3359*  
*477-9802 - AG*  
*734-5980*  
*Rich Sola*  
*D.O.C.*  
*nutters*

Re: Bill No. 883

Dear Senator:

Your November 14, 1989 letter has requested that this office relook at the issue of whether Bill #883 is organic. As you recall on October 12, 1989, in response to an inquiry from Senator Doris Brooks, I opined that Bill #883 would be inorganic in violation of Section 5(p) of the Organic Act. Having reviewed your letter it does not raise any clearly new issue for this office to reconsider. However, because the issue of separation of church and state is an important one, and a matter which I did not more fully elaborate in my letter to Senator Brooks, I believe it is important to return to this issue for a full discussion via your recent inquiry.

In my letter to Senator Brooks I pointed out that Section 5(p) of the Organic Act provides:

(p) No public money or property shall ever be appropriated, supplied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or association, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such.

It is important to note that the Organic Act provision above quoted prohibits acts both direct or indirect that would benefit, support or be used by a religious group. This language is indeed stricter than language found under the First Amendment of the U.S. Constitution respecting establishment of religion. Under the U.S. Constitution, Congress is proscribed to pass laws respecting the establishment of religion. The U.S. Constitution

Senator Gordon Lilloux  
Re: Bill No. 883  
December 13, 1989

constitutionality under the First Amendment: "A legislative enactment does not contravene the Establishment Clause if it has a secular legislative purpose, if its principal or primary effect neither advances nor inhibits religion, and if it does not foster an excessive government entanglement with religion." Comm. for Public Education v. Regan, 44 U.S. 646, 100 S.Ct. 840. A benefit however which is indirect, remote or only incidentally benefits a religious institution is not for that reason alone unconstitutional. (Committee for Public Education v. Nyquist, 413 U.S. 756; 93 S.Ct. 2955, 37 L.Ed 2d 948). The U.S. Supreme Court, and many state courts have espoused this indirect benefit rule.

In Christian Science v. City & County of San Francisco, 784 F.2d 1010, a case involving lease of governmental property, the Ninth Circuit Court of Appeals stated, with reference to Article XVI, Sec. 5 of California's Constitution, that the Constitution would not be violated by indirect or incidental benefits from the San Francisco Airport Authority's rental of lease space to the Christian Science Reading Room, citing California Teachers Association v. Riles, 29 Cal.3d 794, 179 Cal. Rptr. 300 (1981). The court ruled that the Airport's policy of leasing space was purely secular, and at arm's length. It was not seen as a direct or immediate benefit to the religious group.

While the U.S. Supreme Court may have allowed for public aid to sectarian institutions under the "indirect-remote" rationale, a state may impose greater restrictions than required under the federal Constitution. A state statute may be violative under a state's constitutional ban, though not necessarily violative under the federal constitution. An example of this is the California Supreme Court's ban on free textbook loan programs to private schools. The U.S. Supreme Court in 1968 held under the "child benefit" theory that lending textbooks to students in private schools was not unconstitutional. Board of Education v. Allen, 392 U.S. 236, 88 S.Ct. 1923. In 1981 the California Supreme Court, ruling upon its own constitution, held that such aid was a direct appropriation of funds to support sectarian schools. Riles, supra.

I believe that the drafters of Guam's Organic Act framed a stricter standard than required under the federal Constitution by the adoption of both a direct and indirect proscription. This is a tough standard to bear. We have no case law on point interpreting the meaning of "indirect" under Section 5(p) of our Organic Act. It is not certain how our courts might interpret this restriction; either liberally to allow certain public support which does not run afoul of the basic tests of constitutionality under the First Amendment of the U.S. Constitution, or whether our courts will render a more conservative and restrictive view of Section 5(p) of our Organic

Senator Gordon Mailoux  
Re: Bill No. 883  
December 13, 1989

Act. The meaning of "indirect" under the statute is subject to varying interpretation. It is query whether the drafters of the Organic Act meant to exclude even remote or incidental benefits. There is room, and perhaps need for judicial thought in years to come.

It is my consistent opinion, however, in the absence of interpretative case law regarding the strict standard established under our Organic Act, that a law which would benefit a religious institution directly, or indirectly, would fail constitutional challenge.

Sincerely,

  
ELIZABETH BARRETT-ANDERSON



TESTIMONY  
BEFORE THE  
COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT  
20TH GUAM LEGISLATURE  
LEGISLATIVE SESSION HALL

26 JANUARY 1990

BILL NO. 1131  
-----

Mr. Chairman and Members of the Committee:

My name is Manuel Quitugua Cruz. I am the Chairman of the Archdiocesan Board of Education. I represent fourteen (14) Catholic educational institutions on Guam, ranging from pre-schools to high schools. There are approximately 5,000 students attending these schools.

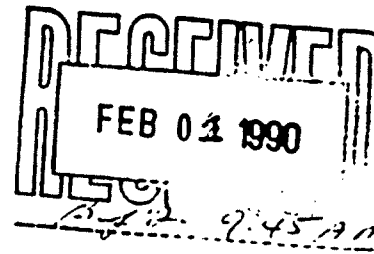
I am here to testify in support of Bill No. 1131, "an Act to Authorize the Governor of Guam to enter into a Long-Term Land Lease Agreement with the Santa Barbara School in the Municipality of Dededo". Santa Barbara School is one of our largest Catholic elementary schools on the island. Currently we have about 600 students at the school.

The portion of the unused government land, Lot No. 89, has been in use by the school since 1981. Since the lease expires this year, it needs to be renewed for the sake of these students. The government can continue to be assured that the land is being well utilized.

On behalf of the Archdiocesan Board of Education, I personally thank the sponsors of Bill No. 1131, Senator Dierking and Speaker San Agustin, for their interest and support of Santa Barbara School. At the same time, I urge the Committee to pass the bill in its entirety. Si Yuus Maase.



SETBISION MAMPLANEHA  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910



JAN 30 1990

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:

As requested, the Bureau of Planning is submitting its comments on the following Bills 1067, 300, 1131, and 1104.

Bill 1067 - The Bureau has no objection to amend Section 4 of Public Law 10-52 concerning Tract 170, West Acres, Dededo, which listed the names of tenants/applicants.

Bill 300 - The Bureau finds no problem in the intent of this Bill to provide affordable subdivision land for landless people of Guam and thus, support the passage of the Bill. It should be noted, however, that while we recognize the merits of this Bill, the parcel identified for the proposed subdivision poses difficulty in developing the project due to extensive earthmoving requirement.

Bill 1131 - The Attorney General has issued an opinion that leasing of government property to a religious organization would violate Section 5 (P) of the Organic Act. Additionally, inquiries to the Department of Public Works, Rights-of-Way Division, confirm that DPW does not support a long term lease of this land which is a designated right-of-way under DPW jurisdiction. Because of these reasons, the Bureau does not support this Bill.

COMMONWEALTH NOW!

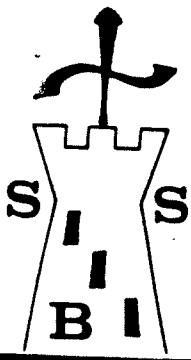
Senator Gordon Mailloux  
Page 2

Bill 1104 - The Bureau has no objection in general, to the acquisition of property in Mangilao for the benefit of the University of Guam. However, due to the variance in the valuation of Government Lot Nos. 7161-1 and 7161-R1, Yigo versus Private Lot No. 5420-1-1, Mangilao, a 44:1 exchange ratio results, which is not in the best interest of public lands management and does not accrue a proportional benefit to the public in general. Because of this, the Bureau of Planning is not in support of the exchange as stipulated in this Bill.

Thank you for the opportunity to comment.



PETER P. LEON GUERRERO



# SANTA BARBARA SCHOOL

274-A Iglesias Circle, Dededo, Guam M. I. 96912

Phone. 632-5126

January 22, 1990

Senator Gordon Mailloux  
Chairman  
Committee on Housing and Community Development  
Twentieth Guam Legislature

Dear Senator Mailloux,

We are extending our most heartfelt appreciation for the inclusion of BILL 1131 on the scheduled Public Hearing to be held on Friday, January 26, 1990 at 9:00 a.m.

We are prayerfully hoping for its approval as soon as possible.

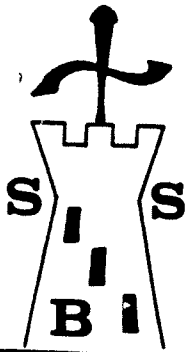
In addition to the reasons already stated why we want and need a long-term lease of the said land is the plan to extend the school enrolment to High School level that is 9 to 12 grades. This is perceived to be most logical in anticipation of the notably fast-growing population not only of DEDEDO but of the whole island of GUAM.

Also, another school facility that SANTA BARBARA SCHOOL is planning for is a Multi-purpose Building, a place to conduct varied activities for the development of students in the different grade level as well as teachers and parents.

We truly hope that our goals will be considered and our request be acted upon favorably. Thank you.

Very sincerely yours,

*Sister Bernadette Marie*  
Sister Bernadette Marie  
Principal, Santa Barbara School



# SANTA BARBARA SCHOOL

274-A Iglesias Circle, Dededo, Guam M. I. 96912

Phone. 632-5126

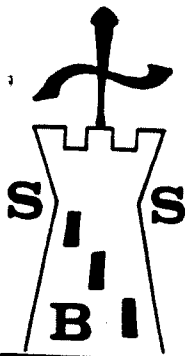
JANUARY 22, 1990

WE, THE PARENTS AND TEACHERS OF SANTA BARBARA SCHOOL  
AND COMMUNITY MEMBERS OF DEDEDO FULLY SUPPORT BILL NO. 1131:

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO  
A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA  
SCHOOL IN THE MUNICIPALITY OF DEDEDO"

TO WIT:

*Mary Ann Camacho*  
*Paige Anderson*  
*Terresita Scavetta*  
*Delfina Pluman*  
*John A. Farrell III*  
*Harumi Madell*



# SANTA BARBARA SCHOOL

274-A Iglesias Circle, Dededo, Guam M. I. 96912

Phone. 632-5126

JANUARY 22, 1990

WE, THE PARENTS AND TEACHERS OF SANTA BARBARA SCHOOL  
AND COMMUNITY MEMBERS OF DEDEDO FULLY SUPPORT BILL NO. 1131:

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO  
A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA  
SCHOOL IN THE MUNICIPALITY OF DEDEDO"

TO WIT:

*[Signature]*  
*Billy Kappach*  
*Sister Mary David*  
*Sister Evelyn M. ...*  
*Tung Beng ...*



**Catholic Education Office**  
Cuesta San Ramon Agana, Guam 96910

472-6116

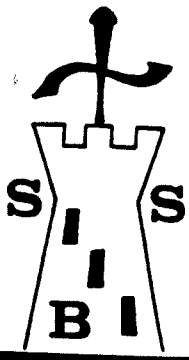
January 20, 1990

WE, THE MEMBERS OF THE ARCHDIOCESAN BOARD OF EDUCATION,  
FULLY SUPPORT BILL NO. 1131:

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER  
INTO A LONG-TERM LAND LEASE AGREEMENT WITH THE  
SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF  
DEDEDO".

TO WIT:

*Archbishop Anthony Paul Apuron Agonley*  
-----  
*M. J. S.*  
-----  
*F. A. Chao*  
-----  
*M. A. M.*  
-----  
*Fred Leon Guerrero*  
-----  
*Sister Ana Lee, O.P.*  
-----  
*Sister Bernadette Marie Leon Guerrero*  
-----  
*Sofia S. Tiray*



# SANTA BARBARA SCHOOL

274-A Iglesias Circle, Dededo, Guam M. I. 96912

Phone. 632-5126

JANUARY 22, 1990

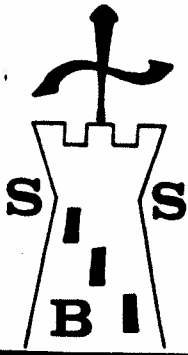
WE, THE PARENTS AND TEACHERS OF SANTA BARBARA SCHOOL AND COMMUNITY MEMBERS OF DEDEDO FULLY SUPPORT BILL NO. 1131:

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDO"

TO WIT:

- Sister M. Gertrude Quintana*
- Jack Jiminir*
- Bernadette Camacho-Hunzler*
- Lourdes M. Lico*
- Luz B. Garcia*
- Francis M. Aguon*
- L. C. Jones*
- Proctor*
- Sister Mary Rose*
- L. S. Winsty*
- Maria L. Pardo*
- Victoria Y. Ramos*
- Melagun S. Villa*
- Arlet Gares*
- A. Payne*





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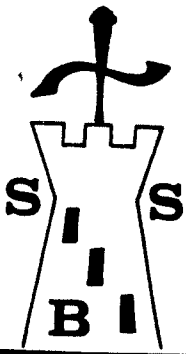
JANUARY 22, 1990

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AND COMMUNITY MEMBERS OF DEDEDO FULLY SUPPORT BILL NO. 1131:

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO  
A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA  
SCHOOL IN THE MUNICIPALITY OF DEDEDO"

TO WIT:

*Ray T. Francisco*  
*Scott Anderson*  
*Genaida L. Hallera*  
*Romulo B. Aguirre*  
*Victoria G. Ramos*  
*Armando D. Manian*  
*Marion J. Peter*  
*Luisa A. Ando*  
*Nancy L. Eder*  
*Esperanza Sanchez*  
*Hector P. Tello*  
*Manuel Olvera*  
*Margarita M. Catabay*  
*Luis M. Berg*  
*Rosa I. Cruz*



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A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA  
SCHOOL IN THE MUNICIPALITY OF DEDEDO"

TO WIT:

Edwina C. San Nicolas

Joyce M. Chong

Margaret Calabaz

Esperanza A. Sanchez

Gertrudes P. Tabales

A. Chirio

Lourdes Acosta

Nancy S. Enderes

Olga

Wells

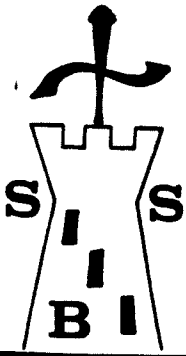
Esther Ruzon

Camelita C. Hernandez

Lito Y. Garcia

Aug B. Flauta

Lycia M. Salcedo



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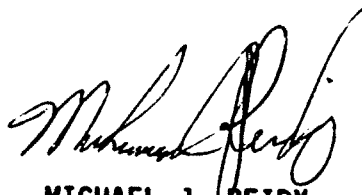
TO WIT:

*Santa Bernadette Maria Lem Guerrero*  
*Alfonso S. Viray*  
*John J. ...*  
*Ronela Soad*  
*Navasca*  
*Walleiga ...*  
*Joshua D. Damian*  
*...*  
*Odlynn*  
*...*  
*Nancy L. Endera*  
*...*  
*Fabillas*  
*...*  
*...*  
*...*

COMMENTS ON BILL NO. 1131(LS)

Bill No. 1131(LS) is an Act to authorize the Governor of Guam to enter into a long-term land lease agreement with the Santa Barbara School in the municipality of Dededo.

Enactment of the proposed Bill will result in a positive impact on the General Fund. Revenues will be generated through the proposed long-term land lease agreement. Information from the Department Land Management indicates that the price is approximately \$25.00 per square meter for a total of \$21,135 per year, or \$105,675 at the end of the fifth year. Additionally, a 10% increase shall be applied every five years, up to fifty years, in the case of a long-term lease agreement.

  
of MICHAEL J. REIDY

Bill No. 1131 (LS)

Mandatory Bill Yes  No

Date Received 1/19/90

Date Reviewed 1/19/90

Department/Agency Affected: Land Management

Department/Agency Head: Frank Castro

Fiscal Year Appropriation: \$2,392,125

Title (concise): AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO A LONG-TERM LAND LEASE AGREEMENT WITH THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDO

Age in Law: N/A

Attempts to:

Bill is for:

- Increase Program Funding
- Decrease Program Funding
- Reallocate Present Program Funding

- Operations
- Capital Improvement
- Other Lease Agreement

FINANCIAL/PROGRAM IMPACT

PROGRAM CATEGORIES	Minimum Estimated Required Funds (For Five Years)		
	GENERAL FUND	FEDERAL	OTHER
Natural Resources	N/A		
Recreation and Arts			
GRAND TOTAL			

ESTIMATED MULTI-YEAR FUND REQUIREMENTS

SOURCES	1st	2nd	3rd	4th	5th
General Fund	N/A				
Other Fund					
Grand Total					

ESTIMATED MULTI-YEAR REALIZED REVENUES

SOURCES	1st	2nd	3rd	4th	5th
General Fund	\$21,135	\$21,135	\$21,135	\$21,135	\$21,135
Other Fund					
Grand Total	\$21,135	\$21,135	\$21,135	\$21,135	\$21,135

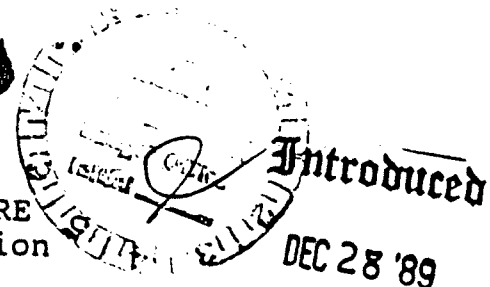
*Angela S. Flores*  
Angela S. Flores

PROGRAM ANALYST

*Michael J. Reidy*  
MICHAEL J. REIDY  
DIRECTOR

Date Review Terminated: 1/19/90

TWENTIETH GUAM LEGISLATURE  
1989 (FIRST) Regular Session



Bill No. 1131(LS)

Introduced by:

H. D. Dierking  
J. T. San Agustin

AN ACT TO AUTHORIZE THE GOVERNOR OF  
GUAM TO ENTER INTO A LONG-TERM LAND  
LEASE AGREEMENT WITH THE SANTA  
BARBARA SCHOOL IN THE MUNICIPALITY  
OF DEDEDO.

1           Whereas, there is presently an unutilized parcel of  
2 government land between the Mayor's Office and Santa Barbara  
3 School, which is approximately 250 feet in width and 360 feet in  
4 length; and

5           Whereas, Santa Barbara School has been utilizing portion of  
6 this government land unofficially for playground and parking  
7 spaces and for other school related purposes; and

8           Whereas, Santa Barbara School has leased a portion of this  
9 unused government land, Lot No. 89, containing an area of  
10 approximately 100 feet in width and 360 feet in length since  
11 December 2, 1981; and

12           Whereas, Santa Barbara School has an annual enrollment of at  
13 least six hundred students, from kindergarten level to the seventh  
14 grade; and

15           Whereas, Santa Barbara School services at least four hundred  
16 families in the largest municipality of the Territory of Guam; and

17           Whereas, this proposed land lease agreement will greatly  
18 enhance the continuing effort of the Santa Barbara School to  
19 expand its facilities in order to meet the increasing scholastic  
20 needs of the Municipality of Dededo; and

21           Whereas, the Mayor's Office of Dededo and the majority of the  
22 residents of Dededo have previously endorsed and continue to  
23 support this proposed land lease arrangement; now, therefore

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

25           Section 1. The Governor of Guam is hereby authorized, on  
26 behalf of the Government of Guam, to lease on a long-term basis to  
27 the Santa Barbara School a portion of government land, Lot No. 89,  
28 containing an area of approximately 100 feet by 360 feet, in the  
29 Municipality of Dededo. Santa Barbara School shall utilize this  
30 land solely for the purpose of expanding its school facilities.

ATTENDANCE SHEET

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

DATE: JANUARY 26, 1990

BILL NO.: 1181

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO ENTER INTO A LONG-TERM LEASE AGREEMENT WITH THE SANTA BARBARA SCHOOL IN THE MUNICIPALITY OF DEDEDOW"

TESTIMONY

Written:  Oral:

Sign: Ms. A. Rivera  
Ms. Bernadette Marie  
Ms. Bernadette Marie  
Ms. Bernadette Marie

AGENCY/INTEREST GROUP

Debbie Mayra  
Principal Santa Barbara  
Ms. Mayra

COMMENT

Favor:

Against:



Introduced

FEB 16 '91

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 186 (COR)

Introduced by:

H. D. Dierking  
J.T. San Agustin

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO  
ENTER INTO A LONG-TERM LAND LEASE AGREEMENT  
WITH THE SANTA BARBARA SCHOOL IN THE  
MUNICIPALITY OF DEDEDO.

1           Whereas, there is presently an unutilized parcel of government land  
2 between the Mayor's Office and Santa Barbara School, which is approximately  
3 250 feet in width and 360 feet in length; and

4           Whereas, Santa Barbara School has been utilizing portion of this  
5 government land unofficially for playground and parking spaces and for other  
6 school related purposes; and

7           Whereas, Santa Barbara School has leased a portion of this unused  
8 government land, Lot No. 89, containing an area of approximately 100 feet in  
9 width and 360 feet in length since December 2, 1981; and

10           Whereas, Santa Barbara School has an annual enrollment of at least six  
11 hundred students, from kindergarten level to the seventh grade; and

12           Whereas, Santa Barbara School services at least four hundred families  
13 in the largest municipality of the Territory of Guam; and

1           Whereas, this proposed land lease agreement will greatly enhance the  
2 continuing effort of the Santa Barbara School to expand its facilities in order  
3 to meet the increasing scholastic needs of the Municipality of Dededo; and

4           Whereas, the Mayor's Office of Dededo and the majority of the residents  
5 of Dededo have previously endorsed and continue to support this proposed  
6 land lease arrangement; now, therefore

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9 Government of Guam, to lease on a long-term basis to the Santa Barbara  
10 School a portion of government land, Lot No. 89, containing an area of  
11 approximately 100 feet by 360 feet, in the Municipality of Dededo. Santa  
12 Barbara School shall utilize this land solely for the purpose of expanding its  
13 school facilities.