

Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
URISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

JUL 13 1994
LEGISLATIVE CENTER

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

RECEIVED
OFFICE OF THE SPEAKER
DATE: 7/19/94
TIME: 1:40
RECD BY: [Signature]

Dear Mr. Speaker:

Transmitted herewith is Bill No. 879 , which has been designated as Public Law
No. 22-134.

Sincerely yours,

[Signature]
JOSEPH F. ADA
Governor

Attachment

220799

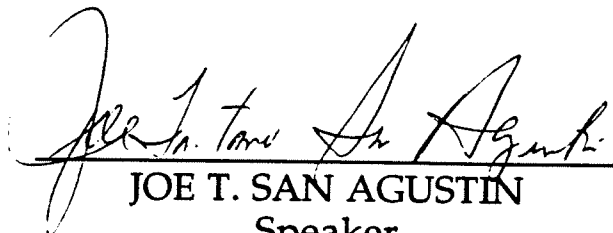


Commonwealth Now!

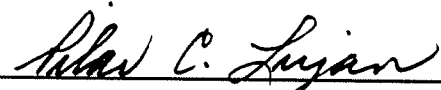
TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

CERTIFICATION OF AN ACT OF PASSAGE TO THE GOVERNOR

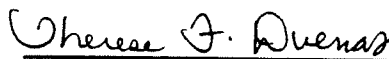
This is to certify that Substitute Bill No. 879 (LS), "AN ACT TO REPEAL SECTION 9 OF PUBLIC LAW 21-99 AND TRANSFER THE LAND CITED IN SUCH SECTION TO THE CHAMORRO LAND TRUST COMMISSION," returned to the Legislature without the approval of the Governor, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 30th day of June, 1994, agree to pass said bill notwithstanding the objection of the Governor by a vote of two-thirds or more of all the members thereof, to wit: by a vote of nineteen (19) members.


JOE T. SAN AGUSTIN
Speaker

Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 11th day of July
1994, at 4:20 o'clock P.M.


Theresa J. Duenas
Assistant Staff Officer
Governor's Office

Date: JUL 28 1994

Public Law No. 22-134

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 879 (LS)
As substituted by the
Committee on Rules

Introduced by:

J. T. San Agustin
H. D. Dierking
J. P. Aguon
V. C. Pangelinan
A. R. Unpingco
E. D. Reyes
P. C. Lujan
E. P. Arriola
T. C. Ada
M. Z. Bordallo
C. T. C. Gutierrez
T. S. Nelson
D. Parkinson
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka

AN ACT TO REPEAL SECTION 9 OF PUBLIC LAW 21-99
AND TRANSFER THE LAND CITED IN SUCH
SECTION TO THE CHAMORRO LAND TRUST
COMMISSION.

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

1 **Section 1. Legislative findings.** The Legislature finds that Section 9 of
2 Public Law 21-99 placed 272.5 acres of Lot No. 5402, Mangilao (the
3 "Property"), under the administrative jurisdiction of the Guam Housing
4 Corporation for eventual development as a site for housing units. The
5 Legislature also finds that this transfer of the Property was permitted on the
6 basis of Executive Branch assurances that there were no families residing
7 thereon. It is, however, the further finding of the Legislature that there are
8 over fifty families residing on the Property, contrary to the Executive Branch
9 assurances given during the Legislature's consideration of the proposal.
10 Additionally, the Legislature finds that no action has been taken to proceed
11 with the development of the Property for the intended housing development.
12 Given these circumstances, the Legislature finds that the authorization
13 granted in Public Law 21-99 should be revoked, an alternate site found for the
14 intended housing development, and the Property transferred to the
15 Chamorro Land Trust Commission.

16 **Section 2. Repeal.** Section 9 of Public Law 21-99 is hereby repealed.

17 **Section 3. New site.** The Governor shall identify a parcel of
18 government land, other than Lot No. 5402, Mangilao, which can be used as a
19 site for the development of affordable housing units, market housing units,
20 and special needs housing units as called for by Public Law 21-99.

21 **Section 4. Transfer to Chamorro Land Trust.** Lot No. 5402, Mangilao,
22 is hereby designated as available land for the purposes of the Chamorro Land
23 Trust Commission, pursuant to §75104, Title 21, Guam Code Annotated.

Merriden

TWENTY-SECOND GUAM LEGISLATURE

1993 (FIRST) Regular Session

Date: 6/30/94

VOTING SHEET
(AS REVISED)

Bill No. Vetoed Bill 879

Resolution No. _____

Question: Shall Vetoed B 879 be enacted into law notwithstanding the Governor's objection? "

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George				✓
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.				✓
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A. /	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL 19 0 0 2



*Territory of Guam
Territorio de Guam*

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

**REFER TO
LEGISLATIVE SECRETARY**

A handwritten signature in black ink, appearing to be 'J. San Agustin'.

MAY 31 1994

The Honorable Joe T. San Agustin
Speaker, 22nd Guam Legislature
155 Hesler Street
Agana, Guam 96910

RECEIVED
OFFICE OF THE SPEAKER
DATE: 5/31/94
TIME: 5:10
RECD BY: Lucyela

Dear Mr. Speaker:

Enclosed is Substitute Bill No. 879 which I have vetoed in its entirety.

Public Law 21-99, which the majority of your colleagues voted for, set aside this parcel of property for the development of critically needed affordable housing units and special needs housing units. These units would be subsidized by allowing the developer to sell and market housing units and limited commercial units.

I am very concerned that at this stage, the reasons why the Legislature voted for this measure are being forgotten. As you must recall, this property has the potential to provide some ONE THOUSAND affordable homes for the people of Guam, if handled properly. The requirement for affordable homes for a thousand families is still there, in my view, and I would assume, yours. Mr. Speaker, we have an opportunity here to benefit over four thousand of our citizens by giving them the real opportunity to own a home.

The concept here is similar to the one that built Kaiser so many years ago. This type of program is needed today, more than ever.

The reason that the master plan has not been completed is simply the curtailment of General Fund releases for new projects until the financial posture of the government improves. Guam Housing Corporation is still able and willing to undertake the master planning of this development as soon as funds are available. As an alternative, we might consider some novel approaches to reduce the need for the government to capitalize this project. For example, we could consider a design-build award for this project, in a manner which would allow the master plan to become part of the over-all construction award. There are also turnkey alternatives which we could consider to get this project off the ground.



Commonwealth Now!

Page 2

The point is that our energies should be directed at creatively approaching financing options for this project, not turning back the clock another few years when the demand and the need for affordable housing is now.

We cannot solve these issues if they are constantly going to be held hostage to momentary political whim. Long-term solutions require a long-term commitment on our part.

Public law 21-99 allows a partnership to exist between the government and the private sector to meet a pressing need for affordable housing. Several of your colleagues including Senators George Bamba, Marilyn Manibusan and Tony Blaz, have come out publicly in support of the idea of private and government partnerships in housing as well as other government projects. I urge you and your colleagues not to jeopardize the implementation of Public Law 21-99. Rather, let us seek more opportunities to allow the private sector to participate in providing affordable housing to the residents of this territory.

Sincerely,



FRANK F. BLAS
Governor,
Acting

220730

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 879 (LS), "AN ACT TO REPEAL SECTION 9 OF PUBLIC LAW 21-99 AND TRANSFER THE LAND CITED IN SUCH SECTION TO THE CHAMORRO LAND TRUST COMMISSION," was on the 13th day of May, 1994, duly and regularly passed.



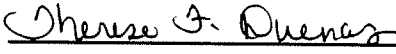
JOE T. SAN AGUSTIN
Speaker

Attested:



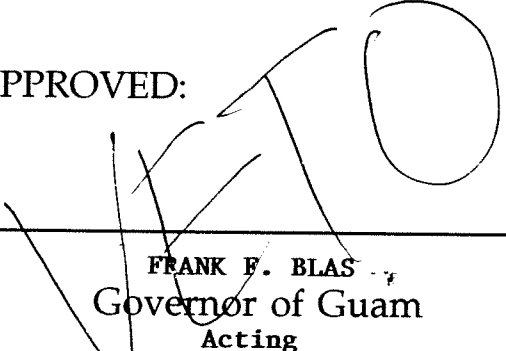
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of May,
1994, at 3:04 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: _____

Public Law No. _____

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 879 (LS)
As substituted by the
Committee on Rules

Introduced by:

J. T. San Agustin
H. D. Dierking
J. P. Aguon
V. C. Pangelinan
A. R. Unpingco
E. D. Reyes
P. C. Lujan
E. P. Arriola
T. C. Ada
M. Z. Bordallo
C. T. C. Gutierrez
T. S. Nelson
D. Parkinson
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka

AN ACT TO REPEAL SECTION 9 OF PUBLIC LAW 21-99
AND TRANSFER THE LAND CITED IN SUCH
SECTION TO THE CHAMORRO LAND TRUST
COMMISSION.

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

1 **Section 1. Legislative findings.** The Legislature finds that Section 9 of
2 Public Law 21-99 placed 272.5 acres of Lot No. 5402, Mangilao (the
3 "Property"), under the administrative jurisdiction of the Guam Housing
4 Corporation for eventual development as a site for housing units. The
5 Legislature also finds that this transfer of the Property was permitted on the
6 basis of Executive Branch assurances that there were no families residing
7 thereon. It is, however, the further finding of the Legislature that there are
8 over fifty families residing on the Property, contrary to the Executive Branch
9 assurances given during the Legislature's consideration of the proposal.
10 Additionally, the Legislature finds that no action has been taken to proceed
11 with the development of the Property for the intended housing development.
12 Given these circumstances, the Legislature finds that the authorization
13 granted in Public Law 21-99 should be revoked, an alternate site found for the
14 intended housing development, and the Property transferred to the
15 Chamorro Land Trust Commission.

16 **Section 2. Repeal.** Section 9 of Public Law 21-99 is hereby repealed.

17 **Section 3. New site.** The Governor shall identify a parcel of
18 government land, other than Lot No. 5402, Mangilao, which can be used as a
19 site for the development of affordable housing units, market housing units,
20 and special needs housing units as called for by Public Law 21-99.

21 **Section 4. Transfer to Chamorro Land Trust.** Lot No. 5402, Mangilao,
22 is hereby designated as available land for the purposes of the Chamorro Land
23 Trust Commission, pursuant to §75104, Title 21, Guam Code Annotated.

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development Twenty-Second Guam Legislature

228 Archbishop Flores St.
Agana, Guam 96910

Tel: (671) 472-3453 ~4
Fax: (671) 477-6338

May 6, 1994

SPEAKER JOE T. SAN AGUSTIN
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred Bill ~~978~~⁸⁷⁹, wishes to report back to the Legislature with its recommendation **"TO DO PASS"** Bill No. 879 - "An Act to Repeal Section 9 of P.L. 21-99".

The voting record is as follows:

TO PASS	<u>5</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.



EDWARD D. REYES

Attachments

Senator Edward D. Reyes
Chairman
Committee on Housing and Community Development
Twenty-Second Guam Legislature

228 Archbishop Flores St.
Agana, Guam 96910

Tel: (671) 472-3453 ~ 4

Fax: (671) 477-6338

May 5, 1994

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 879** - "An Act to Repeal Section 9 of P.L. 21-99".

Transmitted herewith for your information and action is the Committee on Housing and Community Development's Report on the subject Bill.

The narrative report is accompanied by the following:

1. Bill 879;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet;
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.



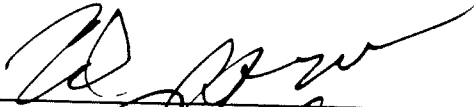
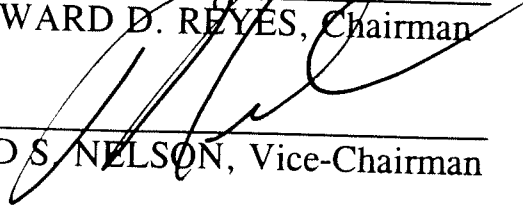
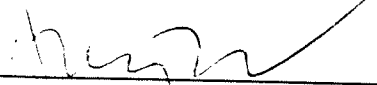
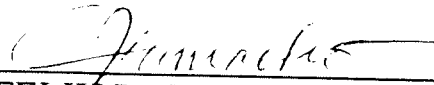

EDWARD D. REYES

Attachments.

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
 22nd Guam Legislature

VOTING RECORD

Bill No. 879 - "An Act to Repeal Section 9 of P.L. 21-99".

	<u>TO</u> <u>PASS</u>	<u>NOT TO</u> <u>PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE</u> <u>FILE</u>
 EDWARD D. REYES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TED S. NELSON, Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
THOMAS C. ADA, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ELIZABETH P. ARRIOLA, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. GEORGE BAMBA, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ANTHONY C. BLAZ, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FELIX P. CAMACHO, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARILYN D.A. MANIBUSAN, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 VICENTE C. PANGELINAN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOE T. SAN AGUSTIN, Ex-Officio Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TWENTY-SECOND GUAM LEGISLATURE
1994 (Second) Regular Session

Bill No. 879 (LS)

Introduced by:

J. T. San Agustin
J. T. SAN AGUSTIN
J. P. Acuña
J. P. ACUÑA
Rep. P. Lopez
Rep. E. Ari
2.c.e.

AN ACT TO REPEAL SECTION 9 OF P.L. 21-99

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

1 Section 1. Legislative Findings. The Legislature finds that Public Law 21-99
2 provided for placing 272.5 acres, in Lot No. 5402, Mangilao, under the
3 administrative jurisdiction of the Guam Housing Corporation for eventual
4 development as a site for new housing units. The Legislature also finds that this
5 transfer of land was authorized on the basis of Executive Branch assurances that
6 there were no families residing on that land. It is the further finding of the
7 Legislature that, since the enactment of this law, it has come to light that there are
8 over 50 families residing in Lot No. 5402, Mangilao contrary to Executive Branch
9 assurances given during the consideration of P.L. 21-99. Additionally, the
10 Legislature finds that no action has been taken to proceed with the development of
11 this site for the intended housing development. Given these circumstances, the
12 Legislature finds that the authorization granted in P.L. 21-99 should be revoked,
13 an alternate site found for the intended housing development, and that Lot. No.
14 5402, Mangilao should be transferred to the Chamorro Land Trust Commission.

1 Section 2. Section 9 of Public Law 21-99 is hereby repealed.

2 Section 3. The Governor shall identify a parcel of government land, other
3 than Lot. No. 5402, Mangilao, which can be used as a site for the development of
4 affordable housing units, market housing units, and special needs housing units as
5 initially called for by Public Law 21-99.

6 Section 4. Lot. No. 5402, Mangilao, is hereby designated as available land
7 for the purposes of the Chamorro Land Trust Commission as provided in §75104,
8 Title 21, Guam Code Annotated.

COMMITTEE ON HOUSING AND
COMMUNITY DEVELOPMENT
Twenty-Second Guam Legislature

COMMITTEE REPORT
BILL NO. 879

“AN ACT TO REPEAL SECTION 9 OF P.L. 21-99”

May 5, 1994

I. OVERVIEW

The Committee on Housing and Community Development scheduled a public hearing on April 18, 1994 at 9:00 a.m. at the Legislative Public Hearing Room. Public notice was printed in the Pacific Daily News on April 16, 1994. Members present were:

Senator Edward Reyes, Chairman
Senator Ted Nelson, Vice-Chairman
Senator Tom Ada
Senator Elizabeth Arriola
Senator Marilyn Manibusan
Senator Ben Pangelinan.

Appearing to testify on the bill were:

Arthur and Judy Jackson, private citizens
Juanita P. Cruz, private citizen
David Sablan, private citizen
Lydia Sablan, private citizen
Joseph M. Borja, Administrative Director, Chamorro Land Trust Commission.

II. SUMMARY OF TESTIMONY

The people who attended the hearing gave verbal testimony. They all supported the transfer of jurisdiction over Lot 5402, Mangilao from the Guam Housing Corporation to the Chamorro Land Trust Commission.

III. FINDING AND RECOMMENDATION

Public Law 21-99 granted administrative jurisdiction of Lot 5402, Pagat, Mangilao, containing 272.5 acres, to the Guam Housing Corporation (GHC) for the purpose of constructing housing units to be sold to qualified homebuyers. Transfer of the property was authorized on the basis of Executive Branch assurances that they were no families residing on that land. Since the enactment of the law, the Legislature has been apprised that over 50 families are residing in the area, contrary to Executive Branch assurances. Also, no action has been taken by GHC to begin the housing project and GHC management indicate no such activity will take place in the near future. Given these circumstances, the Committee concurs with the bill's provisions that the authorization granted in P.L. 21-99 be revoked, that an alternate site for the housing project be identified, and that the property be transferred to the Chamorro Land Trust Commission.

Accordingly, the Committee on Housing and Community Development, to which was referred **Bill No. 879**, does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature "**TO DO PASS**" **Bill No. 879** - "An Act to Repeal Section 9 of P.L. 21-99".

TWENTY-SECOND GUAM LEGISLATURE
1994 (Second) Regular Session

FEB 16 '94

Bill No. 879 (LS)

Introduced by:

J. T. San Agustin
J. T. SAN AGUSTIN
J. P. Acuña
J. P. ACUÑA
V. C. Pardo
V. C. PARDO
Sebastian Rodriguez
Sebastian RODRIGUEZ
E. P. ...
E. P. ...
2.c. ed

AN ACT TO REPEAL SECTION 9 OF P.L. 21-99

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

1 Section 1. Legislative Findings. The Legislature finds that Public Law 21-99
2 provided for placing 272.5 acres, in Lot No. 5402, Mangilao, under the
3 administrative jurisdiction of the Guam Housing Corporation for eventual
4 development as a site for new housing units. The Legislature also finds that this
5 transfer of land was authorized on the basis of Executive Branch assurances that
6 there were no families residing on that land. It is the further finding of the
7 Legislature that, since the enactment of this law, it has come to light that there are
8 over 50 families residing in Lot No. 5402, Mangilao contrary to Executive Branch
9 assurances given during the consideration of P.L. 21-99. Additionally, the
10 Legislature finds that no action has been taken to proceed with the development of
11 this site for the intended housing development. Given these circumstances, the
12 Legislature finds that the authorization granted in P.L. 21-99 should be revoked,
13 an alternate site found for the intended housing development, and that Lot. No.
14 5402, Mangilao should be transferred to the Chamorro Land Trust Commission.

1 Section 2. Section 9 of Public Law 21-99 is hereby repealed.

2 Section 3. The Governor shall identify a parcel of government land, other
3 than Lot. No. 5402, Mangilao, which can be used as a site for the development of
4 affordable housing units, market housing units, and special needs housing units as
5 initially called for by Public Law 21-99.

6 Section 4. Lot. No. 5402, Mangilao, is hereby designated as available land
7 for the purposes of the Chamorro Land Trust Commission as provided in §75104,
8 Title 21, Guam Code Annotated.