



Territory of Guam
Toritorion Guam

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

RECEIVED
OFFICE OF THE SPEAKER
DATE: 9/21/93
TIME: 4:50 PM
RECD BY: [Signature]

SEP 24 1993

RECEIVED
LEGISLATIVE

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 524 which I have signed into law this date as
Public Law 22-31.

Sincerely yours,

Joseph F. Ada
JOSEPH F. ADA
Governor of Guam

220364

Attachment

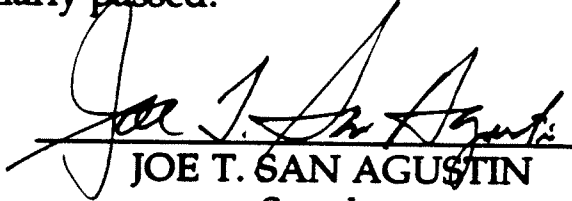


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

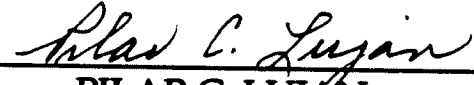
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 524 (LS), "AN ACT TO AMEND §60105, TITLE 21 GUAM CODE ANNOTATED, TO ALLOW THE DIRECTOR OF LAND MANAGEMENT TO PROVIDE TECHNICAL, ADMINISTRATIVE, AND OTHER ASSISTANCE TO THE CHAMORRO LAND TRUST COMMISSION TO ADMINISTER THE LAND-USE PERMIT ("ARRENDU") AND OTHER LAND LEASE PROGRAMS NOW UNDER THE JURISDICTION OF THE COMMISSION," was on the 15th day of September, 1993, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



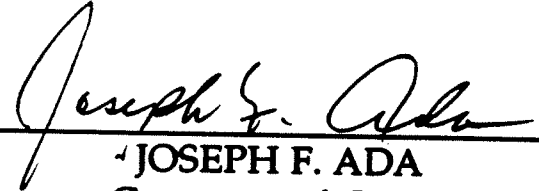
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 17th day of September, 1993, at
10:27 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: September 24, 1993

Public Law No. 22-31

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 524 (LS)

As substituted by the Committee on
Housing and Community Development
and as further substituted by the
Committee on Rules

Introduced by:

E. D. Reyes
T. S. Nelson
T. C. Ada

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

AN ACT TO AMEND §60105, TITLE 21 GUAM CODE ANNOTATED, TO ALLOW THE DIRECTOR OF LAND MANAGEMENT TO PROVIDE TECHNICAL, ADMINISTRATIVE, AND OTHER ASSISTANCE TO THE CHAMORRO LAND TRUST COMMISSION TO ADMINISTER THE LAND-USE PERMIT ("ARRENDU") AND OTHER LAND LEASE PROGRAMS NOW UNDER THE JURISDICTION OF THE COMMISSION.

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

2 **Section 1. Legislative intent.** The Legislature recognizes the need to
3 develop and implement interim legislation which will assist both the Director
4 of Land Management (the "Director") and the Chamorro Land Trust
5 Commission (the "Commission") in administering the Land Use Permit
6 program and other lease programs now under the purview of the
7 Commission until such time as the Commission is in the position to establish a
8 system for program review and evaluation and a mechanism for efficiently
9 administering the land lease programs in their entirety. The Legislature finds
10 that the Commission in facing this task will require a certain period of time
11 before it can develop the necessary degree of administrative and operational
12 efficiency and that there is logical basis for tapping the existing professional
13 and technical capability within the Department of Land Management (the
14 "Department") to assist the Commission in its early stages of so organizing.
15 It is the intent of the Legislature to grant the Director the latitude to transfer
16 personnel, equipment, supplies or any other resource of the Department to
17 the Commission to assist the Commission in making the necessary transition
18 in the management and administration of short- and long-term land lease
19 programs and their recent placement under the jurisdiction of the
20 Commission.

21 **Section 2. Amendment.** §60105, Chapter 60, Title 21, Guam Code
22 Annotated is amended by adding at the end of such section a new paragraph
23 to read as follows:

24 "The Director of Land Management, with the approval of the
25 Governor, is hereby authorized to assign, transfer or allocate to the
26 Chamorro Land Trust Commission current personnel and other
27 resources deemed necessary to fulfill the purposes and intent of this

1 Act and to assist the Commission with its mandate. Funding for said
2 transfer shall be made from the annual operations budget of the
3 Department of Land Management (the "Department") as
4 appropriated by the Legislature. Any current classified employee of
5 the Department falling under the provisions of this Act through such
6 transfer shall retain full personnel status, benefits and entitlements
7 as specified in the Department's approved annual operations budget
8 for classified employees."

9 **Section 3. Deposit of land rentals and sales proceeds.** Proceeds arising
10 from the leasing of property under the Land Use Permit "arrendu" program
11 and from the sale of lands pursuant to Section 1, Public Law 16-118, Section 2,
12 Public Law 20-133, Section 2, Public Law 20-189, and Section 6, Public Law 21-
13 60 as amended by Public Law 21-72, shall be deposited in the Chamorro Home
14 Loan Fund established in Public Law 12-226.

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

6

Date: 9/15/93

VOTING SHEET

Bill No. 524
 Resolution No. _____
 Question: _____

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, Francisco R.				
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL 20

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

July 27, 1993

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 NO. 524**, [An Act to Add a New Paragraph to §60105, Title 21 GCA, Chapter '60, to Allow the Director of Land Management to Provide Technical, Administrative, and Other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes], wishes to report back to the Legislature with its recommendation to pass Bill No. 524, as substituted by the Committee. The voting record is as follows:

TO PASS	<u>6</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.



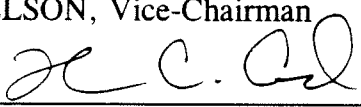
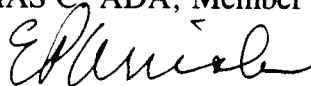
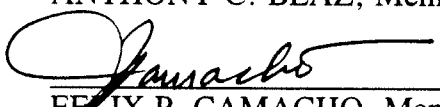

Your attention to this matter is greatly appreciated.


EDWARD D. REYES

Attachments

VOTING RECORD

Bill No. 524, as substituted by the Committee on Housing and Community Development -An Act to Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and Other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes".

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 EDWARD D. REYES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TED S. NELSON, Vice-Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 THOMAS C. ADA, Member	<input checked="" 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"/>
ANTHONY C. BLAZ, Member	<input 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"/>
FRANCISCO R. SANTOS, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

July 23, 1993

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - Bill No. **524** - " An Act to Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and Other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes".

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 524, as substituted by the Committee.
1. Original Bill 524;
2. Committee on Housing and Community Development Voting Sheet;
3. Written 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
Twenty-Second Guam Legislature

COMMITTEE REPORT
BILL NO. **524**
as substituted by the Committee

"AN ACT TO ADD A NEW PARAGRAPH TO §60105, TITLE 21 GCA, CHAPTER 60, TO ALLOW THE DIRECTOR OF LAND MANAGEMENT TO PROVIDE TECHNICAL, ADMINISTRATIVE, AND OTHER NECESSARY ASSISTANCE TO THE CHAMORRO LAND TRUST COMMISSION FOR PURPOSES OF MAINTAINING THE LAND-USE PERMIT ("ARRENDU") PROGRAM AND OTHER LAND LEASE PROGRAMS UNDER THE COMMISSION AND FOR OTHER PURPOSES."

July 19, 1993

I. OVERVIEW

The Committee on Housing and Community Development scheduled a Public Hearing on June 29, 1993 at 9:00 a.m. in the Legislative Public Hearing Room, Temporary Legislative Building, Agana, Guam.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman
Senator Ted Nelson, Vice-Chairman
Senator Tom Ada
Senator Tony Blaz

Appearing before the Committee to testify on the bill were:

Mr. Frank Castro, Director of Land Management, in support.

II. SUMMARY OF TESTIMONY

Frank Castro, Director of Land Management, presented written testimony favoring passage of the bill. He specified that it be made clear that transfer of resources to the Commission be limited to parts of what are available at the current Division of Land Administration and not from other divisions within Land Management.

He offered eight employees for the remainder of Fiscal Year 1993. They include:

- 1 Land Agent Supervisor
- 2 Land Agent III
- 1 Land Agent II
- 3 Land Agent I
- 1 Clerk Typist III.

In addition, he was willing to transfer two vehicles, eight sets of desks and chairs, two typewriters, file cabinets and certain office supplies.

Mr. Castro expressed disappointment that the proposed salary for the Commission's executive director is \$70,000 while his, with duties and responsibilities wider in scope, is only \$55,000.

III. FINDING AND RECOMMENDATION

The enactment of the Chamorro Land Trust Act, effective January 1, 1975, repealed four of the government of Guam's land programs:

- leases and sales of public land;
- land use permits for non-agricultural purposes;
- agricultural leases; and
- land development for housing.

Although repealed, these programs were incorporated into the Chamorro Land Trust Commission's programs. The Commission's members were appointed by the Governor and confirmed by the Legislature in February, 1993. Like any new organization, its initial operation has been slow. In the meantime, the former administrator of land programs, the Department of Land Management, has not renewed land use permits and affected persons have approached both Executive and Legislative Branches for action.

Public Law 22-09, effective May 7, 1993, appropriated \$500,000 to the Commission for its start-up costs, including paying for an executive director. But, the Commission has reported to the Committee that the salary of the director should be increased to entice qualified and interested candidates. The Committee agrees and this bill proposes a salary of \$70,000 annually.

The Committee commends the Director of Land Management for his initiative to transfer staff, equipment and supplies to the Commission. Because the number of expired permits has reached several hundred and growing daily, the Committee wants to take prompt action and recommends swift passage of this bill and subsequent administrative actions on the Executive side.

The Committee on Housing and Community Development to which was referred **Bill No. 524** - " An Act to Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and Other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes" - does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature **"TO DO PASS" Bill No. 524, as substituted by the Committee.**

TWENTY-SECOND GUAM LEGISLATURE
FIRST (1993) REGULAR SESSION

Bill No. 524

as substituted by the Committee on Housing
and Community Development

Introduced by:

E.D. Reyes



An Act To Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes.

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

2 SECTION 1. (a) **Legislative Intent.** The 22nd Guam Legislature recognizes the
3 need to develop and implement an interim measure which would assist both the
4 Director of the Department of Land Management and the Chamorro Land Trust
5 Commission in administering the Land Use Permit program and other lease programs
6 under the perview of the Commission until such time that the Commission is in the
7 position to establish a system for program review and evaluation and a mechanism for
8 efficiently managing the land lease program in its entirety. The Legislature finds that
9 the Commission in facing this task will require a certain period of time before it can
10 develop a degree of administrative and operational efficiency and that there is logical
11 basis for tapping the existing professional and technical capability within the
12 Department of Land Management to assist the Commission in its early stages of
13 organizing. It is the intent of the Legislature to grant the Director of Land
14 Management the latitude to transfer personnel, equipment, supplies or any other
15 resource of the Department of Land Management to the Chamorro Land Trust

1 Commission specifically for the purpose of assisting the government in making the
2 necessary transition with respect to the management and administration of short- and
3 long-term land lease programs and its placement under the cognizance of the
4 Commission.

5 **(b). A new paragraph is added to §60105, Chapter 60, Title 21, Guam Code**
6 **Annotated to read as follows:**

7 "The Director of Land Management, with the approval of the Governor, is
8 hereby authorized to assign, transfer or allocate personnel and other resources deemed
9 necessary to fulfill the purposes and intent of this Act to the Chamorro Land Trust
10 Commission and to assist the Commission with its mandate pursuant to Public Law 12-
11 226. Funding for said transfer shall be made available by the annual operations budget
12 of the Department of Land Management as appropriated by the Legislature. Any
13 classified employee subjected to the provisions of this Act shall retain full personnel
14 status, benefits and entitlements as specified in the Department's approved annual
15 operations budget for classified employees."

16 **(c). §75118(1)(i), Chapter 75, Title 21, Guam Code Annotated is hereby**
17 **amended to read as follows:**

18 "§75118(1)(i). The salary of the Administrative Director shall be determined by
19 the Commission as provided for in said §75102(i) and shall not exceed the sum of
20 [~~Fifty Five Thousand Dollars (\$55,000)~~] *Seventy Thousand Dollars (\$70,000)* per
21 annum."

22 **(d).** Funds generated through the leasing of property under the Land Use
23 Permit "arrendu" program and from the sale of lands pursuant to Section 1, Public
24 Law 16-118; Section 2, Public Law 20-133; Section 2, Public Law 20-189; Section 6,
25 Public Law 21-60 as amended by Public Law 21-72 shall be deposited in the
26 Chamorro Home Loan Fund established in Public Law 12-226.

27 **SECTION 2. (a) Legislative Statement.** Pacific Islands Bible College is trying
28 to construct educational facilities for the purpose of operating a nonprofit private bible
29 college. The College is designed especially for individuals from Guam and the

1 Micronesian islands who are interested in bible studies. The College will provide
2 students the opportunity to study postsecondary theology and other church matters
3 which are currently lacking on-island. Presently, when students want to study
4 postsecondary formal theology, often times, it becomes necessary to travel outside of
5 the region. The growing diverse population necessitates that activities such as the
6 proposed institution be made available.

7 Liebenzell Mission-Guam, a non-profit corporation on Guam since 1976, is a
8 primary sponsor of the College. Liebenzell Mission-Guam owns Lot No. 5396-R5-
9 NEW-3, situated in Mangilao, Municipality of Barrigada, containing 4,200 ± square
10 meters as shown on Drawing No. CC-9036B, D.L.M. No. 454442. In early 1992, the
11 College applied for Fast Track rezoning from "R1 One Family Dwelling" to "R2
12 Multiple Family Dwelling" in order to construct a 2-story educational facility with
13 general administrative offices, classrooms, and a library and two 2-story student
14 housing, parking lot and covered walkways. When the Fast Track application came
15 before this Legislature for action, Mangilao residents in the vicinity of the proposed
16 college site prevailed on the Legislature to disapprove the application, primarily
17 because of their concerns about increased vehicular traffic through their neighborhood
18 and increased use of utilities, particularly water, which need upgrading to handle the
19 additional demand.

20 The Legislature desires to enhance the educational capabilities of Guam, the
21 reputed center of higher education in this region of the world. In order to ensure the
22 concentration of such facilities in one area and to ameliorate concerns of residents on
23 Mariano Road, it is necessary that the government of Guam exchange land with
24 Liebenzell Mission-Guam. The government of Guam owns Lot No. 5372-3A, situated
25 in Mangilao, Municipality of Barrigada, said to contain an area of 42,751 square
26 meters, as delineated on D.L.M. Drawing No. C4-67T-51. The Legislature intends for
27 the government of Guam to identify the northeast corner of Lot 5372-3A and
28 subdivide that portion before executing any land exchange with Liebenzell Mission-
29 Guam.

1 **(b). Authorization for Land Exchange.** The Governor of Guam is hereby
2 authorized to exchange on an area-for-area basis a portion of Lot No. 5372-3A,
3 Mangilao, Municipality of Barrigada, containing 42,751 square meters, as shown on
4 D.L.M. Drawing No. C4-67T-51 with Lot No. 5396-R5-NEW-3, owned by
5 Liebenzell Mission-Guam, containing 4,200 square meters, as shown on Warranty
6 Deed (Instrument No. 455529), Drawing No. CC-9036B recorded as Document No.
7 454442;

8 **(c). Appraisals, Survey, Mapping and Registration.** The cost of all appraisals,
9 surveys, map preparation, land registration or any other costs related to the above land
10 exchange shall be paid by Liebenzell Mission-Guam. All surveys and appraisals
11 required for the land exchange herein shall be done by registered land surveyor and
12 appraisers and shall be subject to the approval of the Director of Land Management. In
13 conducting the survey, the surveyor shall install permanent concrete monuments at all
14 points.

15 **(d). Terms and Conditions.** The land exchange authorized herein shall be
16 governed by the following terms and conditions:

17 1) the parties agree that there shall be no transfer or conveyance, in any manner
18 or form, of the land exchanged herein for a period of ten (10) years beginning on the
19 date the parties accept the applicable deeds for each parcel;

20 2) the parties agree to incorporate, into the exchange document and applicable
21 deeds, reversion clauses to the effect that any conveyance or transfer of the exchanged
22 lands, or any part thereof, or use other than for a bible college in the case of
23 Liegenzell Mission-Guam, will cause the reversion of the exchanged lands to the
24 original owners;

25 3) the government of Guam shall carry out all actions necessary to identify the
26 northeast portion of Lot No. 5372-3A for the exchange authorized herein before the
27 actual land exchange is commenced.

1 4) nothing contained herein shall be construed to prevent or prohibit the parties
2 from improving, or having improved, the properties in accordance with the building
3 and zoning codes of Guam.

4 **e. Lot Rezoned.** Lot No. 5372-3A, situated in Mangilao, Municipality of
5 Barrigada, said to contain an area of 42,751 square meters, as delineated on D.L.M.
6 Drawing No. C4-67T-51, is hereby zoned "R2 Multiple Dwelling".

93 JUN 22 PM 4:46

Bill No. 524

Introduced by:

E.D. Reyes *R*

An Act To Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes

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

2 Section 1. **Legislative Intent.** The 22nd Guam Legislature recognizes the need
3 to develop and implement an interim measure which would assist both the Director of
4 the Department of Land Management and the Chamorro Land Trust Commission in
5 administering the Land Use Permit program and other lease programs under the
6 pervuew of the Commission until such time that the Commission is in the position to
7 establish a system for program review and evaluation and a mechanism for efficiently
8 managing the land lease program in its entirety. The Legislature finds that the
9 Commission in facing this task will require a certain period of time before it can
10 develop a degree of administrative and operational efficiency and that there is logical
11 basis for tapping the existing professional and technical capability within the
12 Department of Land Management to assist the Commission in its early stages of
13 organizing. It is the intent of the Legislature to grant the Director of Land
14 Management the latitude to transfer personnel, equipment, supplies or any other
15 resource of the Department of Land Management to the Chamorro Land Trust

1 Commission specifically for the purpose of assisting the government in making the
2 necessary transition with respect to the management and administration of short- and
3 long-term land lease programs and its placement under the cognizance of the
4 Commission.

5 **Section 2. A new paragraph is added to §60105, Chapter 60, Title 21, Guam**
6 **Code Annotated to read as follows:**

7 "The Director of Land Management, with the approval of the Governor, is
8 hereby authorized to assign, transfer or allocate personnel and other resources deemed
9 necessary to fulfill the purposes and intent of this Act to the Chamorro Land Trust
10 Commission and to assist the Commission with its mandate pursuant to Public Law 12-
11 226. Funding for said transfer shall be made available by the annual operations budget
12 of the Department of Land Management as appropriated by the Legislature. Any
13 classified employee subjected to the provisions of this Act shall retain full personnel
14 status, benefits and entitlements as specified in the Department's approved annual
15 operations budget for classified employees."

16 **Section 3. §75118(1)(i), Chapter 75, Title 21, Guam Code Annotated is**
17 **hereby amended to read as follows:**

18 "§75118(1)(i). The salary of the Administrative Director shall be determined by
19 the Commission as provided for in said §75102(i) and shall not exceed the sum of
20 [~~Fifty Five Thousand Dollars (\$55,000)~~] *Seventy Thousand Dollars (\$70,000)* per
21 annum."

22 **Section 4. Funds generated through the leasing of property under the Land Use**
23 **Permit "arrendu" program and from the sale of lands pursuant to Section 1, Public**
24 **Law 16-118; Section 2, Public Law 20-133; Section 2, Public Law 20-189; Section 6,**
25 **Public Law 21-60 as amended by Public Law 21-72 shall be deposited in the**
26 **Chamorro Home Loan Fund established in Public Law 12-226.**

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Twenty-Second Guam Legislature

155 Hesler Street
Agana, Guam 96910

Senator Edward D. Reyes
Chairman

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

AGENDA

June 29, 1993

9:00 a.m.

**Public Hearing Room
Guam Legislature, Agana**

Bill No. 7 (LS) - An Act to Rezone Lot no. 7, Tract No. 2022, Asan/Piti from Agricultural Zone (A) to Multiple Dwelling Zone (R-2); by Sen. Gutierrez.

Bill No. 170 - An Act to Rezone Lot 14, Block 1, Track III in Dededo; by Sen. J.T. San Agustin

Bill No. 231 - An Act to Rezone Lot No. 67-R, Municipality of Inarajan, From Single Family Residential (R1) to Commercial (C); by Sen. F.R. Santos.

Bill No. 523 - An Act to Authorize the Governor of Guam to Exchange a Portion of Lot No. 5372-3A for Lot No. 5396-R5-NEW-3, owned by Liebenzell Mission-Guam, a non-profit Corporation, both situated in Mangilao, Municipality of Barrigada; by Sen. Reyes.

Bill No. 524 - An Act to Add a New Paragraph to § 60105, Title 21 GCA, Chapter 60, to allow the Director of Land Management to Provide Technical, Administrative, and other Necessary Assistance to the Chamorro Land Trust Commission for purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for other Purposes; by Sen. Reyes.

Bill No. 116 (LS) - An Act To Authorize the Transfer of a certain parcel of Government land situated in Mangilao, Municipality of Barrigada, to the University of Guam for affordable Staff Housing; by Sen. F.R. Santos.

Bill No. 272 - An Act to Rezone Lot No. 2265-RIEM-8-11, AS-PENGAO, Municipality of Barrigada, containing an area of 7,000 ± square meters, owned by Zachary Leon Guerrero Concepcion from R-1 zone to R-2 (Multiple Family) zone; by Sen. Aguon.

Bill No. 514 - An Act to rezone Lot No. 6 NEW, Block 9, Municipality of Barrigada, consisting of 1,323 square meters, from R1 One-Family Dwelling to R2 Multiple dwelling; by Sen. Reyes.

Bill No. 518 - An Act to Authorize the Governor to Exchange Government Property in Dededo for Real Property in Mangilao, Municipality of Borogada; by Sen. Reyes.

Bill No. 522 - An Act to Authorize the Governor to relocate an Alleyway in Agana by means of both Exchange and Sale of Parts thereof; by Sen. Reyes.



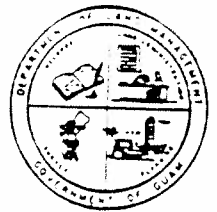
DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO')

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JOSEPH F. ADA
Governor

F. L. G. CASTRO
Director

FRANK F. BLAS
Lieutenant Governor

June 23, 1993

JOAQUIN A. ACFALLE
Deputy Director

The Honorable Edward D. Reyes
Chairman, Committee on Housing
and Community Development
Twenty-Second Guam Legislature
Agana, Guam 96910

Subject: Legislative Bill No. 524

Dear Mr. Chairman:

My initial comments on the subject mentioned Bill are as follows:

1. The intent is good and I support the Bill, provided however, that it is made clear that the transfer of resources to the Commission shall only be limited to parts of what are available at the current Division of Land Administration and not that which will affect any of the other Divisions of the Department. Those which we shall be receptive in transferring shall be inclusive of :

Approximately eight (8) employees together with the remaining funds for Fiscal year 1993 to cover the salaries and benefits of said employees. The anticipated transfer of employees shall consist of: A Land Agent Supervisor; Two Land Agent III; One Land Agent II; Three Land Agent I; and One Clerk Typist III. The remainder of six employees shall remain with the Department. In other words, of the total of 14 employees of the Division, we shall be transferring eight (8) while the Department will retain six. We will also be receptive in transferring one of the two vehicles the Division currently uses; eight sets of desks and chairs; two of the four typewriters; file cabinets; and, certain supplies available.

With regards to the proposed salary of up to \$70,000.00 for the Administrative Director for the Commission. I have no objection to the proposal. However, it most certainly would appear odd that while the Director of Land Management whose duties and responsibilities are wider in scope is only at the \$55,000.00 pay level, the Administrative Director will be at \$70,000.00. Not willing to write details of the Director of DLM's duties in this letter but if you so desire, I would be glad to provide.

Sincerely,

F. L. G. CASTRO
Director, Department of
Land Management





NOTICE OF PUBLIC HEARING

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature

Bill No. 7 (LS) - An Act to Rezone Lot No. 7, Tract No. 2202, Asan/Piti from Agriculture Zone (A) to Multiple Dwelling (R-2); by Sen. Gutierrez

Bill No. 116 (LS) - An Act to Authorize the Transfer of a certain parcel of Government land situated in Mangilao, Municipality of Barrigada, to the University of Guam for Affordable Staff Housing; by F.R. Santos

Bill No. 231 - An Act to Rezone Lot No. 67-R, Municipality of Inarajan, from Single Family Residential (R1) to Commercial (C); by F.R. Santos

Bill No. 272 - An Act to Rezone Lot No. 2265-REM-8-11, AS-PENGAO, Municipality of Barrigada, Containing an area of 7,000 +/- square meters, owned by Zachary Leon Guerrero Conception from R-1 zone to R-2 (Multiple Family) zone; by Sen. Agnon

Bill No. 514 - An Act to Rezone Lot No. 6 NEW, Block 9, Municipality of Barrigada, consisting of 1,323 square meters, from R1 One-Family Dwelling to R2 Multiple Dwelling; by Sen. Reyes

Bill No. 518 - An Act to Authorize the Governor to Exchange Property in Dededo for Real Property in Mangilao, Municipality of Barrigada; by Sen. Reyes

Bill No. 522 - An Act to Authorize the Governor to Relocate an Alleyway in Agaña by Means of Both Exchange and Sale of Parts Thereof; by Sen. Reyes

Bill No. 523 - An Act to Authorize the Governor of Guam to Exchange a Portion of Lot No. 5372-3A for Lot No. 5396-R5-NEW-3, Owned by Liebenzell Mission-Guam, a Non-Profit Corporation, 1996, Situated in Mangilao, Municipality of Barrigada; by Sen. Reyes

Bill No. 524 - An Act to Add a New Paragraph to Section 60105, Chapter 60, Title 21 G.C.A. to Allow the Director of Land Management to Provide Technical, Administrative, and Other Necessary Assistance to the Chairman of Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrenda") Program and Other Land Lease Programs Under the Commission and for Other Purposes; by Sen. Reyes

Date: Tuesday, June 29, 1993

Time: 9:00 AM

Place: Public Hearing Room
Guam Legislature Building
155 Hesler St., Agaña

The Public is Invited to Attend and Participate

AUG 19 '93

Bill No. 524 (LS)

Introduced by:

E.D. Reyes *R*

An Act To Add a New Paragraph to §60105, Title 21 GCA, Chapter 60, to Allow the Director of Land Management to Provide Technical, Administrative, and other Necessary Assistance to the Chamorro Land Trust Commission for Purposes of Maintaining the Land-Use Permit ("Arrendu") Program and Other Land Lease Programs Under the Commission and for Other Purposes

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

2 Section 1. **Legislative Intent.** The 22nd Guam Legislature recognizes the need
3 to develop and implement an interim measure which would assist both the Director of
4 the Department of Land Management and the Chamorro Land Trust Commission in
5 administering the Land Use Permit program and other lease programs under the
6 pervuew of the Commission until such time that the Commission is in the position to
7 establish a system for program review and evaluation and a mechanism for efficiently
8 managing the land lease program in its entirety. The Legislature finds that the
9 Commission in facing this task will require a certain period of time before it can
10 develop a degree of administrative and operational efficiency and that there is logical
11 basis for tapping the existing professional and technical capability within the
12 Department of Land Management to assist the Commission in its early stages of
13 organizing. It is the intent of the Legislature to grant the Director of Land
14 Management the latitude to transfer personnel, equipment, supplies or any other
15 resource of the Department of Land Management to the Chamorro Land Trust

1 Commission specifically for the purpose of assisting the government in making the
2 necessary transition with respect to the management and administration of short- and
3 long-term land lease programs and its placement under the cognizance of the
4 Commission.

5 **Section 2. A new paragraph is added to §60105, Chapter 60, Title 21, Guam**
6 **Code Annotated to read as follows:**

7 "The Director of Land Management, with the approval of the Governor, is
8 hereby authorized to assign, transfer or allocate personnel and other resources deemed
9 necessary to fulfill the purposes and intent of this Act to the Chamorro Land Trust
10 Commission and to assist the Commission with its mandate pursuant to Public Law 12-
11 226. Funding for said transfer shall be made available by the annual operations budget
12 of the Department of Land Management as appropriated by the Legislature. Any
13 classified employee subjected to the provisions of this Act shall retain full personnel
14 status, benefits and entitlements as specified in the Department's approved annual
15 operations budget for classified employees."

16 **Section 3. §75118(1)(i), Chapter 75, Title 21, Guam Code Annotated is**
17 **hereby amended to read as follows:**

18 "§75118(1)(i). The salary of the Administrative Director shall be determined by
19 the Commission as provided for in said §75102(i) and shall not exceed the sum of
20 [~~Fifty Five Thousand Dollars (\$55,000)~~] *Seventy Thousand Dollars (\$70,000)* per
21 annum."

22 **Section 4.** Funds generated through the leasing of property under the Land Use
23 Permit "arrendu" program and from the sale of lands pursuant to Section 1, Public
24 Law 16-118; Section 2, Public Law 20-133; Section 2, Public Law 20-189; Section 6,
25 Public Law 21-60 as amended by Public Law 21-72 shall be deposited in the
26 Chamorro Home Loan Fund established in Public Law 12-226.