



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JAN 23 1997

Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

RE: B713 VOTED UPON BY TWENTY-THIRD GUAM LEGISLATURE.

Dear Speaker Unpingco:


Enclosed please a copy of Bill No. 713, apparently voted upon by the Twenty-Third Guam Legislature on January 5, 1997. The bill is entitled: "AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN, WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT."

This bill was never transmitted to the Governor by the Speaker of the Twenty-Third Guam Legislature during that Legislature's term of office.

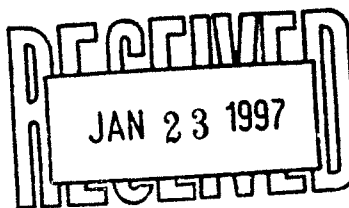
It was subsequently received at the Governor's Office under certification and signature of Senator Ted S. Nelson on January 15, 1997.

If B713 was properly passed, it has been signed and designated as Public Law No. 23-146.


Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment
000029



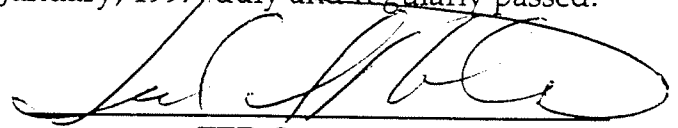
OFFICE OF SENATOR
MARK FORBES
ACTING LEGISLATIVE SECRETARY

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 1/23/97
Time: 0956
Rec'd by: 
Print Name: Charlene D.

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 713 (LS) "AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN, WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT," was on the 5th day of January, 1997, duly and regularly passed.



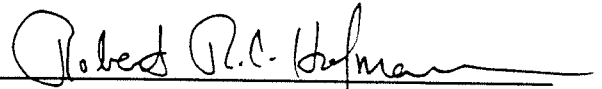
TED S. NELSON
Acting Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 15th day of January, 1997, at
1:35 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 1-15-97

Public Law No. 23-146

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. 713 (LS)

As amended by the Committee on
Community, Housing and Cultural Affairs

Introduced by

A. L. G. Santos

AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN, WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

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

2 **Section 1. Legislative statement.** The "Land for the Landless" program
3 in the village of Inarajan has run into problems. In Public Law 20-189, the
4 legislative language directed the Department of Land Management to
5 identify and survey available lands within the municipality of Inarajan
6 substantial enough to accommodate the program. The Department did
7 extensive research and found 120.5 in Tract 3734 (formerly Lot No. 8-3) acres
8 of usable property to meet the need. However, the guaranty claim document
9 from the Federal government did not specify that the conveyance from

1 Federal holding to the government of Guam automatically registers legal
2 ownership. The Department sought guidance from the Office of the Attorney
3 General who in turn advised that the government of Guam must register the
4 land as prescribed by law. The Department of Land Management is now
5 faced with a very serious situation because lots within the Ija subdivision have
6 been lotteried and deeds of conveyances on certain lots therein have already
7 been issued. In order for the conveyances to have force and effect, the
8 Department of Land Management must first gain title to the subject Tract
9 3734, Ija, Inarajan by fulfilling the land registration requirement prescribed in
10 Chapter 29 of Title 21 of the Guam Code Annotated.

11 The Inarajan Land for the Landless Act of 1990 has been executed to the
12 point where three hundred five (305) lots were assigned to qualified buyers
13 who are now anxiously waiting for roads, water, power, sewer and other
14 services to be extended to the Ija, Inarajan subdivision in which they will
15 reside. The Legislature acknowledges that "Land for the Landless" programs
16 have been hastily instituted, resulting in delays and frustrations for both the
17 residents whom they were intended to help and the government entities who
18 have been tasked to assist them. In their quest to secure shelter for
19 themselves, families' anxieties are initially relieved by the procurement of
20 land, but then they face additional requirements of home construction
21 financing and infrastructure development. To make use of experienced
22 government resources in the interest of completing the Ija project, the
23 Legislature desires that the Guam Housing and Urban Renewal Authority
24 take the lead role in the subdivision's infrastructure design and construction.

25 Financing for infrastructure in the Dededo (FEMA) and Inarajan
26 subdivisions was provided by Public Law 22-63. Although the law authorized

1 \$9,000,000 to be split equally between the two subdivisions, the Department of
2 Administration reported that the Dededo subdivision either required the
3 expenditure or obligation of most of the funds and that a balance of \$345,161
4 is available and free from encumbrance which should be placed into the
5 Inarajan project. In addition, the Legislatures expects the government of
6 Guam to receive Seven Hundred Sixty-Two Thousand Five Hundred Dollars
7 (\$762,500) in payments from purchases of Ija lots. Therefore, the unexpended
8 funds from Dededo and the Ija payments shall be seed money for the Ija,
9 Inarajan infrastructure project.

10 **Section 2. Registration of Tract 3734, Ija, Inarajan.** Immediately upon
11 enactment of this Act, the Department of Land Management is hereby
12 directed to initiate land title registration of Tract 3734, Ija, Inarajan, as
13 shown on DLM Drawing No. 086-FY92, as prescribed by Chapter 29, Title 21
14 of the Guam Code Annotated. The Department of Land Management shall
15 use the recorded subdivision map as a land registration map and shall
16 represent those lot recipients in a class action request to register Tract 3734,
17 Ija, Inarajan in fulfillment of Public Law 20-189, the "INARAJAN LAND FOR
18 THE LANDLESS SUBDIVISION ACT OF 1990." The Department of Land
19 Management will continue to be responsible for the disposition of these
20 properties, including acceptance of payments for the residential lots and the
21 issuance of title deeds and other related documents.

22 **Section 3. A new Section 13 is added to Public Law 20-189 to read:**

23 **"Section 13. GHURA to manage design and construction of**
24 **subdivision infrastructure.** In accordance with its duties and
25 responsibilities under Chapter 5 of Title 12 of the Guam Code Annotated,
26 the Guam Housing and Urban Renewal Authority (GHURA) is hereby

1 tasked with managing the design and construction of the Ija subdivision's
2 roadways, power, water and sewer, telephone and other services.
3 GHURA shall identify and use Federal funding from the Community
4 Development Block Grant and the anticipated payments from Ija land
5 buyers for this purpose."

6 **Section 4. Appropriation for Ija Inarajan subdivision infrastructure.**

7 The Department of Administration shall transfer back to the Ija Subdivision
8 Infrastructure Account Three Hundred Forty-Five Thousand One Hundred
9 Sixty-One Dollars (\$345,161), which is the balance of the appropriation under
10 Section 2 Public Law 22-63 for the Dededo and Inarajan subdivisions, and
11 place in the same account, payments as they are received from the three
12 hundred five (305) buyers of Ija, Inarajan lots, anticipated to be a total of
13 Seven Hundred Sixty-Two Thousand Five Hundred Dollars (\$762,500). The
14 Department of Administration and the Guam Housing and Urban Renewal
15 Authority shall work cooperatively to ensure that the sum of One Million One
16 Hundred Seven Thousand Six Hundred Sixty-One Dollars (\$1,107,661) from
17 the Ija Subdivision Infrastructure Account is obligated to the project described
18 in Section 3 of this Act.

TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Date: 1/5/97

VOTING SHEET

Bill No. 713
 Resolution No. _____
 Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth /	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.				✓
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.				✓
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.				✓
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

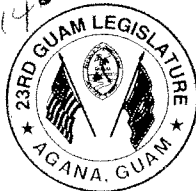
TOTAL

17 0 0 4

CERTIFIED TRUE AND CORRECT:

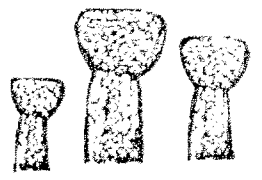
 Recording Secretary

PL 23-146



Ufisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

Ge'hilo' I Kumunidat Guma' yan
Asuntan Kottura na Kumite



December 19, 1996

Speaker Don Parkinson
Twenty-Third Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Community, Housing, and Cultural Affairs, to which was referred Bill No. 713, hereby reports back to the Legislature with its recommendation **TO DO PASS Bill No. 713, as amended by the Committee** - "An act to facilitate registration of land in Ija, Inarajan which was reserved for use in implementing Public Law 20-189, the Inarajan Land for the Landless Subdivision Act of 1990, and to add a new section 13 to the same public law, relative to authorizing the Guam Housing and Urban Renewal Authority to manage and facilitate the subdivision's infrastructure design and construction, and to identify funds for the project".

The voting record is as follows:

TO PASS	<u>12</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
INACTIVE FILE	<u>0</u>

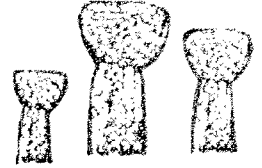
The Committee Report and supporting documents are attached.

ANGEL L.G. SANTOS
attachments



Ufisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

Ge'hilo' I Kumunidat Guma' yan
Asunton Kottura na Kumite



December 18, 1996

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report on **Bill No. 713, as amended by the Committee** - An act to facilitate registration of land in Ija, Inarajan which was reserved for use in implementing Public Law 20-189, the Inarajan Land for the Landless Subdivision Act of 1990, and to add a new section 13 to the same public law, relative to authorizing the Guam Housing and Urban Renewal Authority to manage and facilitate the subdivision's infrastructure design and construction, and to identify funds for the project.

Transmitted herewith for your consideration and action is our Committee Report on the subject matter.

Please indicate your choice on the attached VOTING RECORD and return the documents to my office for transmittal to the other members.

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

Your attention and cooperation in this matter are greatly appreciated.

ANGEL L.G. SANTOS
attachments

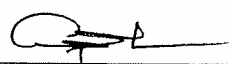
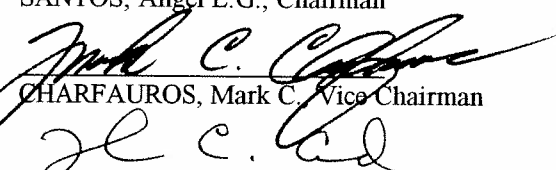
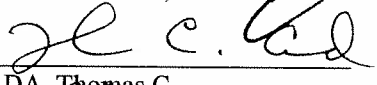
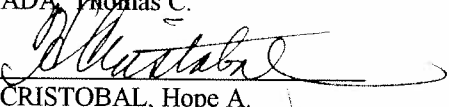
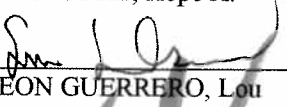
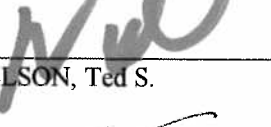
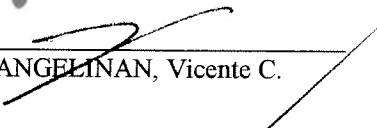
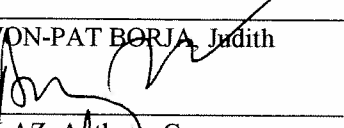
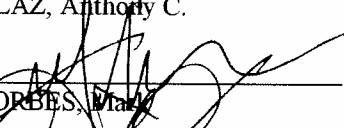
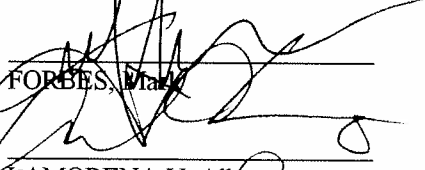
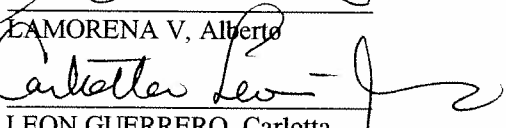
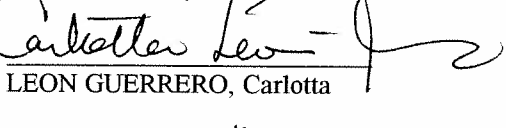

Fanohge Chamoru • Commonwealth Pa'go!

#324 W. Soledad Ave., Suite 202 Agana, Guam 96910

• Tel: (671) 472-3586/3411 • Fax: (671) 477-4482

COMMITTEE ON COMMUNITY, HOUSING, AND CULTURAL AFFAIRS
23rd Guam Legislature
VOTING RECORD

Bill No. 713, as amended by the Committee - An act to facilitate registration of land in Ija, Inarajan which was reserved for use in implementing Public Law 20-189, the Inarajan Land for the Landless Subdivision Act of 1990, and to add a new section 13 to the same public law, relative to authorizing the Guam Housing and Urban Renewal Authority to manage and facilitate the subdivision's infrastructure design and construction, and to identify funds for the project.

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 SANTOS, Angel L.G., Chairman	✓	—	—	—
 CHARFAUROS, Mark C., Vice Chairman	✓	—	—	—
 ADA, Thomas C.	✓	—	—	—
 CRISTOBAL, Hope A.	✓	—	—	—
 LEON GUERRERO, Lou	✓	—	—	—
 NELSON, Ted S.	✓	—	—	—
 PANGELINAN, Vicente C.	✓	—	—	—
 WON-PAT BORJA, Judith	✓	—	—	—
 BLAZ, Anthony C.	✓	—	—	—
 FORBES, Mark	✓	—	—	—
 LAMORENA V, Alberto	✓	—	—	—
 LEON GUERRERO, Carlotta	✓	—	—	—
 PARKINSON, Don, Ex-Officio	✓	—	—	—



COMMITTEE ON COMMUNITY, HOUSING,
AND CULTURAL AFFAIRS
Twenty-Third Guam Legislature



REPORT

on

Bill No. 713, as amended by the Committee

An act to facilitate registration of land in Ija, Inarajan which was reserved for use in implementing Public Law 20-189, the Inarajan Land for the Landless Subdivision Act of 1990, and to add a new section 13 to the same public law, relative to authorizing the Guam Housing and Urban Renewal Authority to manage and facilitate the subdivision's infrastructure design and construction, and to identify funds for the project.

December 18, 1996

COMMITTEE MEMBERS

Angel L.G. Santos, Chairman

Mark C. Charfauros, Vice-Chairman

Thomas C. Ada

Anthony C. Blaz

Hope A. Cristobal

Mark Forbes

Alberto Lamorena V

Carlotta Leon Guerrero

Lou Leon Guerrero

Vice Speaker Ted S. Nelson

Vicente C. Pangelinan

Judy Won Pat-Borja

Speaker Don Parkinson, Ex-Officio

I. OVERVIEW

The Committee on Community, Housing, and Cultural Affairs conducted a public hearing on August 8, 1996 at 7:00 PM at the Inarajan Community Center, to receive public input on Bill No. 713. Public notice was given in the Pacific Daily News on August 6, 1996.

Senator Angel Santos, Chairman, presided over the hearing.

The following people appeared to give testimony in support of the Bill's passage:

Taling Taitano, GHURA Executive Director

Jaime Paulino, GHURA Board member

Ronald Lujan, GHURA staff

Rosalie Flores, GHURA staff

Gil Shinohara, DPW Director

Antonio Perez, DPW Deputy Director

Jesse L.G. Perez, Inarajan Mayor

Jesus Meno, Ija land buyer

Bill Flores

Joaquin Paulino

Pedro M. Asanoma

Benny San Nicolas

Dr. Richard Wyttenbach

Harold Pangelinan

Eddie Crisostomo

Margaret R.C. San Nicolas

II. SUMMARY OF THE HEARING

GHURA officials enthusiastically support Bill 713 which would make them the lead agency to move the Ija project forward. They testified that they have identified \$2.5 Million of the estimated total \$10 Million of funds needed to complete the grading and infrastructure development. They are working closely with the utility agencies as well as the Guam Economic Development Authority to identify alternative methods to finance the development costs. It is their intention to work closely with the families as GHURA identifies various design and financing alternatives. They emphasized that GHURA's mission does not stop with the construction of the infrastructure: it ends when all 305 families move into their homes.

Mayor Perez testified that 3 years ago the wagon came before the carabao. The people of Inarajan have waited too long. They are tired of hearing the same old thing. If this (Bill 713) is the carabao that will pull the wagon/cart then let's process it. We are tired of talk...political rhetoric.

Jesus Meno, a lot buyer, said that the people of Inarajan have been misdirected. Some of the money paid into the Treasurer of Guam are not accounted for.

Bill Flores supports Bill 713 and that the surf side is Inarajan's Ipaos Beach.

DPW's Deputy Director testified that DPW has re-submitted the request/permit to the Army Corps of Engineers. The Chairman requested a copy of the letter.

Joaquin Paulino said that the Ija recipients have waited over 6 years.

Pedro Asanoma, Benny San Nicolas, Harold Pangelinan and Eddie Crisostomo testified they support the bill and thanked the Chairman for his efforts in helping the people of Inarajan.

III. FINDINGS AND RECOMMENDATION

A. Land Registration

The land for the landless program in the village of Inarajan has run into problems. In Public Law 20-189, the legislative language directed the Department of Land Management to identify and survey available lands within the municipality of Inarajan substantial enough to accommodate the program. The Department did extensive research and found 120.5 in Tract 3734 (formerly Lot No. 8-3) acres of usable property to meet the need. However, the guaranty claim document from the Federal government did not specify that the conveyance from Federal holding to the government of Guam automatically registers legal ownership. The Department sought guidance from the Office of the Attorney General who in turn advised that GovGuam must register the land as prescribed by law. Land Management is now faced with a very serious situation because lots within the Ija subdivision have been lotteried and deeds of conveyances on certain lots therein have already been issued. In order for the conveyances to have force and effect, the Department of Land Management must first gain title to the subject Tract 3734, Ija Inarajan by fulfilling the land registration requirement prescribed in Chapter 29 of Title 21 of the Guam Code Annotated.

B. Subdivision development

The Inarajan Land for the Landless Act of 1990 has been executed to the point where three hundred five lots were assigned to qualified buyers who are now anxiously waiting for roads, water, power, sewer and other services to be extended to the Ija Inarajan subdivision in which they will reside. The Committee acknowledges that "land for the landless" programs have been hastily instituted, resulting in delays and frustrations for both the residents whom they were intended to help and the government entities who have been

tasked to assist them. In their quest to secure shelter for themselves, families' anxieties are initially relieved by the procurement of land but then they face additional requirements of home construction financing and infrastructure development. To make use of experienced government resources in the interest of completing the Ija project, the Committee recommends that the Guam Housing and Urban Renewal Authority take the lead role in the subdivision's infrastructure design and construction.

C. Financial resources

Financing for infrastructure in the Dededo (FEMA) and Inarajan subdivisions was provided by Public Law 22-63. Although the law authorized \$9,000,000 to be split equally between the two subdivisions, the Department of Administration reported that the Dededo subdivision either required the expenditure or obligation of most of the funds and that a balance of \$345,161 is available and free from encumbrance which should be placed into the Inarajan project. In addition, the Legislatures expects the government of Guam to receive \$762,500 in payments from purchases of Ija lots. Therefore, the unexpended funds from Dededo and the Ija payments shall be seed money for the Ija Inarajan infrastructure project.

Also, GHURA is searching it funding sources to add to this project and in fact it has identified \$2.5 Million of the estimated \$10 Million needed for the infrastructure development. The agency is excited to take the lead in coordinating construction phases and they indicated their commitment to continue until all the homeowners are settled. They did recommend that the Bill include language to the effect that Department of Land Management will take care of land titling, a recommendation which the Committee followed by inserting the appropriate additional language in the Bill.

D. Conclusion

The Ija Inarajan subdivision will be built if certain obstacles discussed above are eliminated. This legislative measure provides the necessary statutory adjustments to move the project forward.

Accordingly, the Committee on Community, Housing, and Cultural Affairs, to which was referred Bill No. 713, submits its findings and recommendation to the Twenty-Third Guam Legislature "TO DO PASS" said Bill, as amended by the Committee.

TWENTY-THIRD GUAM LEGISLATURE
1996 (Second) Regular Session

Bill No. 713
as amended by the Committee on
Community, Housing and Cultural Affairs

Introduced by

A.L.G. Santos

AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

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12 home construction financing and infrastructure development. To make use of experienced
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14 that the Guam Housing and Urban Renewal Authority take the lead role in the subdivision’s
15 infrastructure design and construction.

16 Financing for infrastructure in the Dededo (FEMA) and Inarajan subdivisions was
17 provided by Public Law 22-63. Although the law authorized \$9,000,000 to be split equally
18 between the two subdivisions, the Department of Administration reported that the Dededo
19 subdivision either required the expenditure or obligation of most of the funds and that a
20 balance of \$345,161 is available and free from encumbrance which should be placed into
21 the Inarajan project. In addition, the Legislatures expects the government of Guam to
22 receive \$762,500 in payments from purchases of Ija lots. Therefore, the unexpended funds
23 from Dededo and the Ija payments shall be seed money for the Ija Inarajan infrastructure
24 project.

25 **SECTION 2. Registration of Tract 3734, Ija Inarajan.** Immediately upon
26 enactment of this Act, the Department of Land Management is hereby directed to initiate
27 land title registration of Tract 3734, Ija Inarajan, as shown on DLM Drawing No. 086-

1 FY92, as prescribed by Chapter 29, Title 21 of the Guam Code Annotated. The Department
2 of Land Management shall use the recorded subdivision map as a land registration map and
3 shall represent those lot recipients in a class action request to register Tract 3734, Ija
4 Inarajan in fulfillment of Public Law 20-189, the “INARAJAN LAND FOR THE
5 LANDLESS SUBDIVISION ACT OF 1990”. The Department of Land Management will
6 continue to be responsible for the disposition of these properties, including acceptance of
7 payments for the residential lots and the issuance of title deeds and other related documents.

8 **SECTION 3. A new Section 13 is added to Public Law 20-189 to read:**

9 **“Section 13. GHURA to manage design and construction of subdivision**
10 **infrastructure.** In accordance with its duties and responsibilities under Chapter 5 of Title
11 12 of the Guam Code Annotated, the Guam Housing and Urban Renewal Authority
12 (GHURA) is hereby tasked with managing the design and construction of the Ija
13 subdivision’s roadways, power, water and sewer, telephone and other services. GHURA
14 shall identify and use Federal funding from the Community Development Block Grant and
15 the anticipated payments from Ija land buyers for this purpose.”

16 **SECTION 4. Appropriation for Ija Inarajan subdivision infrastructure.** The
17 Department of Administration shall transfer back to the Ija subdivision infrastructure
18 account Three Hundred Forty-Five Thousand One Hundred Sixty-One Dollars (\$345,161),
19 which is the balance of the appropriation under Section 2 Public Law 22-63 for the Dededo
20 and Inarajan subdivisions, and place in the same account payments, as they are received
21 from the three hundred five (305) buyers of Ija Inarajan lots, anticipated to be a total of
22 Seven Hundred Sixty-Two Thousand Five Hundred Dollars (\$762,500). The Department of
23 Administration and the Guam Housing and Urban Renewal Authority shall work
24 cooperatively to ensure that the sum of One Million One Hundred Seven Thousand Six
25 Hundred Sixty-One Dollars (\$1,107,661) is obligated to the project.

TWENTY-THIRD GUAM LEGISLATURE
1996 (Second) Regular Session

Bill No. 713

A.L.G. Santos 

AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

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

2 **SECTION 1. Legislative statement.** The land for the landless program in the
3 village of Inarajan has run into problems. In Public Law 20-189, the legislative language
4 directed the Department of Land Management to identify and survey available lands
5 within the municipality of Inarajan substantial enough to accommodate the program. The
6 Department did extensive research and found 120.5 in Tract 3734 (formerly Lot No. 8-3)
7 acres of usable property to meet the need. However, the guaranty claim document from the
8 Federal government did not specify that the conveyance from Federal holding to the
9 government of Guam automatically registers legal ownership. The Department sought
10 guidance from the Office of the Attorney General who in turn advised that GovGuam must
11 register the land as prescribed by law. Land Management is now faced with a very serious
12 situation because lots within the Ija subdivision have been lotteried and deeds of
13 conveyances on certain lots therein have already been issued. In order for the conveyances
14 to have force and effect, the Department of Land Management must first gain title to the

1 subject Tract 3734, Ija Inarajan by fulfilling the land registration requirement prescribed in
2 Chapter 29 of Title 21 of the Guam Code Annotated.

3 The Inarajan Land for the Landless Act of 1990 has been executed to the point
4 where three hundred five lots were assigned to qualified buyers who are now anxiously
5 waiting for roads, water, power, sewer and other services to be extended to the Ija Inarajan
6 subdivision in which they will reside. The Legislature acknowledges that "land for the
7 landless" programs have been hastily instituted, resulting in delays and frustrations for
8 both the residents whom they were intended to help and the government entities who have
9 been tasked to assist them. In their quest to secure shelter for themselves, families'
10 anxieties are initially relieved by the procurement of land but then they face additional
11 requirements of home construction financing and infrastructure development. To make
12 use of experienced government resources in the interest of completing the Ija project, the
13 Legislature desires that the Guam Housing and Urban Renewal Authority take the lead
14 role in the subdivision's infrastructure design and construction.

15 Financing for infrastructure in the Dededo (FEMA) and Inarajan subdivisions was
16 provided by Public Law 22-63. Although the law authorized \$9,000,000 to be split
17 equally between the two subdivisions, the Department of Administration reported that the
18 Dededo subdivision either required the expenditure or obligation of most of the funds and
19 that a balance of \$345,161 is available and free from encumbrance which should be
20 placed into the Inarajan project. In addition, the Legislatures expects the government of
21 Guam to receive \$762,500 in payments from purchases of Ija lots. Therefore, the
22 unexpended funds from Dededo and the Ija payments shall be seed money for the Ija
23 Inarajan infrastructure project.

24 **SECTION 2. Registration of Tract 3734, Ija Inarajan.** Immediately upon
25 enactment of this Act, the Department of Land Management is hereby directed to initiate
26 land title registration of Tract 3734, Ija Inarajan, as shown on DLM Drawing No. 086-
27 FY92, as prescribed by Chapter 29, Title 21 of the Guam Code Annotated. The
28 Department of Land Management shall use the recorded subdivision map as a land

1 registration map and shall represent those lot recipients in a class action request to register
2 Tract 3734, Ija Inarajan in fulfillment of Public Law 20-189, the "INARAJAN LAND
3 FOR THE LANDLESS SUBDIVISION ACT OF 1990."

4 **SECTION 3. A new Section 13 is added to Public Law 20-189 to read:**

5 **"Section 13. GHURA to manage design and construction of subdivision**
6 **infrastructure.** In accordance with its duties and responsibilities under Chapter 5 of Title
7 12 of the Guam Code Annotated, the Guam Housing and Urban Renewal Authority
8 (GHURA) is hereby tasked with managing the design and construction of the Ija
9 subdivision's roadways, power, water and sewer, telephone and other services. GHURA
10 shall identify and use Federal funding from the Community Development Block Grant
11 and the anticipated payments from Ija land buyers for this purpose."

12 **SECTION 4. Appropriation for Ija Inarajan subdivision infrastructure.** The
13 Department of Administration shall transfer back to the Ija subdivision infrastructure
14 account Three Hundred Forty-Five Thousand One Hundred Sixty-One Dollars
15 (\$345,161), which is the balance of the appropriation under Section 2 Public Law 22-63
16 for the Dededo and Inarajan subdivisions, and place in the same account payments, as
17 they are received from the three hundred five (305) buyers of Ija Inarajan lots, anticipated
18 to be a total of Seven Hundred Sixty-Two Thousand Five Hundred Dollars (\$762,500).
19 The Department of Administration and the Guam Housing and Urban Renewal Authority
20 shall work cooperatively to ensure that the sum of One Million One Hundred Seven
21 Thousand Six Hundred Sixty-One Dollars (\$1,107,661) is obligated to the project.

Bill No. 712

A.L.G. Santos 

AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO IDENTIFY AND DIRECT THE INVOLVEMENT OF GOVERNMENT ENTITIES IN INFRASTRUCTURE DESIGN.

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

2 **SECTION 1. Legislative statement.** The land for the landless program in the
3 village of Inarajan has run into problems. In Public Law 20-189, the legislative language
4 directed the Department of Land Management to identify and survey available lands
5 within the municipality of Inarajan substantial enough to accommodate the program. The
6 Department did extensive research and found 120.5 in Tract 3734 (formerly Lot No. 8-3)
7 acres of usable property to meet the need. However, the guaranty claim document from the
8 Federal government did not specify that the conveyance from Federal holding to the
9 government of Guam automatically registers legal ownership. The Department sought
10 guidance from the Office of the Attorney General who in turn advised that GovGuam must
11 register the land as prescribed by law. Land Management is now faced with a very serious
12 situation because lots within the Ija subdivision have been lotteried and deeds of
13 conveyances on certain lots therein have already been issued. In order for the conveyances
14 to have force and effect, the Department of Land Management must first gain title to the
15 subject Tract 3734, Ija Inarajan by fulfilling the land registration requirement prescribed in
16 Chapter 29 of Title 21 of the Guam Code Annotated.

1. Another problem is the lack of coordination among the several government entities
2 which must work jointly to plan and implement the program. For example, Land
3 Management handles issues regarding land ownership, Department of Public Works must
4 engage its engineers to prepare drawings for roadway development, and the Guam
5 Environmental Protection Agency must analyze potential environmental risks to rivers and
6 waterway and the effects of waste generation, and so forth. In short, each entity must do its
7 part so that the Ija subdivision development is timely and residents are able to build
8 homes. The same scenario applies to the Yigo, Dededo and Agat Chamorro homelands
9 designated by P.L. 23-39 so the cooperative effort should extend to those areas as well.

10 **SECTION 2. Registration of Tract 3734, Ija Inarajan.** Immediately upon
11 enactment of this Act, the Department of Land Management is hereby directed to initiate
12 land title registration of Tract 3734, Ija Inarajan, as shown on DLM Drawing No. 086-
13 FY92, as prescribed by Chapter 29, Title 21 of the Guam Code Annotated. The
14 Department of Land Management shall use the recorded subdivision map as a land
15 registration map and shall represent those lot recipients in a class action request to register
16 Tract 3734, Ija Inarajan in fulfillment of Public Law 20-189, the "INARAJAN LAND
17 FOR THE LANDLESS SUBDIVISION ACT OF 1990."

18 **SECTION 3. Agencies and departments to assist in infrastructure planning.**
19 The Department of Public Works, Public Utility Agency of Guam, Guam Power
20 Authority, Guam Telephone Authority, Guam Environmental Agency and any other
21 affected agency or department shall assist, and coordinate with, the Department of Land
22 Management to identify and devote appropriate human and other resources to prepare
23 infrastructure and civil design plans for the Inarajan land for the landless established by
24 P.L. 20-189 and the Yigo, Dededo and Agat Chamorro homelands designated by P.L. 23-
25 39.

TWENTY-THIRD GUAM LEGISLATURE
1996 (Second) Regular Session

Bill No. 711

A.L.G. Santos 

AN ACT TO ADD A NEW SECTION 13 TO PUBLIC LAW 20-189 (ENTITLED "INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990"), RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

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

2 **SECTION 1. Legislative statement.** Public Law 20-189, the "Inarajan Land for
3 the Landless Act of 1990", has been executed to the point where three hundred five lots
4 were assigned to qualified buyers who are now anxiously waiting for roads, water, power,
5 sewer and other services to be extended to the Ija Inarajan subdivision in which they will
6 reside. The Legislature acknowledges that "land for the landless" programs have been
7 hastily instituted, resulting in delays and frustrations for both the residents whom they
8 were intended to help and the government entities who have been tasked to assist them. In
9 their quest to secure shelter for themselves, families' anxieties are initially relieved by the
10 procurement of land but then they face additional requirements of home construction
11 financing and infrastructure development. To make use of experienced government
12 resources in the interest of completing the Ija project, the Legislature desires that the
13 Guam Housing and Urban Renewal Authority take the lead role in the subdivision's
14 infrastructure design and construction.

15 Financing for infrastructure in the Dededo (FEMA) and Inarajan subdivisions was
16 provided by Public Law 22-63. Although the law authorized \$9,000,000 to be split

1 equally between the two subdivisions, the Department of Administration reported that the
2 Dededo subdivision either required the expenditure or obligation of most of the funds and
3 that a balance of \$345,161 is available and free from encumbrance which should be
4 placed into the Inarajan project. In addition, the Legislatures expects the government of
5 Guam to receive \$762,500 in payments from purchases of Ija lots. Therefore, the
6 unexpended funds from Dededo and the Ija payments shall be seed money for the Ija
7 Inarajan infrastructure project.

8 **SECTION 2. A new Section 13 is added to Public Law 20-189 to read:**

9 **“Section 13. GHURA to manage design and construction of subdivision**
10 **infrastructure.** In accordance with its duties and responsibilities under Chapter 5 of Title
11 12 of the Guam Code Annotated, the Guam Housing and Urban Renewal Authority
12 (GHURA) is hereby tasked with managing the design and construction of the Ija
13 subdivision’s roadways, power, water and sewer, telephone and other services. GHURA
14 shall identify and use Federal funding from the Community Development Block Grant
15 and the anticipated payments from Ija land buyers for this purpose.”

16 **SECTION 3. Appropriation for Ija Inarajan subdivision infrastructure.** The
17 Department of Administration shall transfer back to the Ija subdivision infrastructure
18 account Three Hundred Forty-Five Thousand One Hundred Sixty-One Dollars
19 (\$345,161), which is the balance of the appropriation under Section 2 Public Law 22-63
20 for the Dededo and Inarajan subdivisions, and place in the same account payments, as
21 they are received from the three hundred five (305) buyers of Ija Inarajan lots, anticipated
22 to be a total of Seven Hundred Sixty-Two Thousand Five Hundred Dollars (\$762,500).
23 The Department of Administration and the Guam Housing and Urban Renewal Authority
24 shall work cooperatively to ensure that the sum of One Million One Hundred Seven
25 Thousand Six Hundred Sixty-One Dollars (\$1,107,661) is obligated to the project.



GHURA

Guam Housing and Urban Renewal Authority

P.O. Box CS • Agana, Guam 96910 • Phones (671) 477-9851 to 4 • Fax (671) 477-4184 • TDD No. 472-3701



Carl T.C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

Taling M. Taitano
Executive Director

Jose T. San Nicolas
Deputy Director

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DEC 06 1996

The Honorable Angel L.G. Santos
Chairman, Committee on Community,
Housing, and Cultural Affairs
Twenty-Third Guam Legislature
Suite 202 Quan Building
324 West Soledad Avenue
Agana, Guam 96910

Dear Senator Santos:

Attached, please find a timeline that we have developed for the Ija Project. Please feel free to contact me or Albert Santos if you have any suggestions, comments, or questions regarding the timeline.

Happy Holidays,


TALING M. TAITANO
Executive Director

Attachment

Ija Subdivision Time Line

<u>Activity:</u>	<u>Due Date</u>
<input type="checkbox"/> Hold Public Hearing to discuss reprogramming of Funds	Nov. 1996
<input type="checkbox"/> Work with DLM to develop scope of responsibility for lot and subdivision	Dec. 1996
<input type="checkbox"/> Award EIA contract	Jan 1997
<input type="checkbox"/> Meeting with HUD Officials to discuss project	Jan. 1997
<input type="checkbox"/> Develop scope based on funding availability	Jan 1997
<input type="checkbox"/> Present to Board GHURA's plan for Ija and how much fund is required.	Jan 1997
<input type="checkbox"/> Review EIA's Impact	Feb 1997
<input type="checkbox"/> Meet with DPW, DPR & ACE on EIA impact and cost	Feb 1997
<input type="checkbox"/> Meet and develop scope of work by agencies, DPW, DLM, GPA, PUAG and GTA	Feb. 1997
<input type="checkbox"/> Have memorandum of understanding signed by all Gov. agencies	Mar. 1997
<input type="checkbox"/> Hold Public hearing	Mar 1997
<input type="checkbox"/> Develop RFP for design	Apr. 1997
<input type="checkbox"/> RFP out for bid	May. 1997
<input type="checkbox"/> Award contract for consultant	July 1997
<input type="checkbox"/> Hold Public meeting on design status/changes	Dec 1997
<input type="checkbox"/> Construction bid documents ready for bid	Feb. 1998

Received 4/1/95 11:50 AM



GOVERNMENT OF GUAM
AGANA GUAM 96910

mfj

Account Copy to
Ray A. + Ann E. T.

March 28, 1995

(P)
3/30/95

Memorandum

To: Director, Department of Land Management (P)
From: Attorney General
Subject: Ija Government Subdivision
Tract 3734, Formally Lot No. 8-3
Malojloj, Inarajan

This is in response to your memo to Maria Fitzpatrick concerning the registration of land which has been deeded to private persons. **Once the government has issued a deed, it becomes the responsibility of the new land owner to register the land. The government has no authority to register the land for the owner.**

The duties of the Attorney General as outlined in **5 GCA §30109(c)** include:

Conduct on behalf of the government of Guam all civil actions in which the government is an interested party....

The attached decision of the Superior Court states: **"The Government of Guam may not register lands belonging to private parties."**

Therefore, once a deed has been issued, we cannot register the land.

DONALD L. PAILLETTE
Acting

Attachment

IJALRI.M01\mb1



Commonwealth Now!



DEPARTMENT OF LAND MANAGEMENT

(DIPATTAMENTON TANO')

Government of Guam

P.O. Box 2950

Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



CARL T. C. GUTIERREZ
Governor

J. A. MARTINEZ
Director

MADELEINE Z. BORDALLO
Lieutenant Governor

April 12, 96

JAMES P. CRUZ
Deputy Director

Senator Angel Santos
Chairman, Committee on Housing and Cultural Affairs
23rd Guam Legislature
Government of Guam

Buenas Senator,

At the recent oversight hearing held in the village of Inarajan concerning the Ija land for the landless subdivision and the probable reasons of the delay in its implementation, we jointly agreed that my office would outline the major factors that is preventing the timely completion.

As I stated that evening, the three major stumbling blocks are:

(Legislative) Legal requirements: At the inception of P.L. 20-189, the legislative language directed the Department of Land Management to identify and survey available lands within the municipality of Inarajan substantial enough to accommodate the program. The department did extensive research and found 124 acres of usable property to meet the need. Needless to say, the guaranty claim document does not spell out in language that the conveyance from federal holding to GovGuam does not automatically register legal ownership. Not until after a more thorough research and numerous trips to the Attorney General's office was the opinion rendered that we are required to go through the land registration proceeding. This possess a very serious problem because the previous administration had already lotteried and issued deeds of conveyances on certain lots within the subdivision. The government is left with two (2) options only.

- a.) that the recipients quitclaim their lots back to GovGuam and allow the department to complete the land registration requirement or
- b.) amend the existing provisions of P.L. 20-189 to include a section whereby the Government can use the recorded subdivision map as a land registration map and represent those lot recipients in a class action request to register the property.



The second major defect is in the administrative language of P.L. 20-189. If the law had been more precise to identify the four (4) major agencies to mandate their participation and appropriate adequate findings, the smooth transition of responsibilities would have made this process more enduring.

Example: Land Management does not have engineers to do Civil drawings necessary to carry out construction requirements for roadway developments, nor does DPW have environmental experts to analyze potential environmental pollution to rivers, waterways or waste generation. Thus, if the section on tasking was included in the Public Law, then there will be no question as to the responsibility of each agency in their part.

The third and most crucial element of the subdivision is the construction phase. This phase is without a doubt the most single important part that needs to be implemented in order that lot owners are able to begin utilizing the property to explain the constructive phase. Which is basically the appropriation of funds to construct the infrastructure such as water, power, sewer lines, easements, curbs, gutters, and the monumentation of lot boundaries. This is where the government certifies that residents or lot owners are assured that no environmental, physical or man made hazards are present to pose danger to their lives. However, this is also the most time consuming and costly endeavors of any subdivision development. As a proposal, we offer as we did at the oversight hearing, to include within the language of the law, a request to waiver of full improvement for a period not to exceed a minimum of two (2) years.

To summarize, Senator, the introduction of a substitute bill or amendment to Bill 20-189 must be inclusive of:

Section §: To authorize the Department of Land Management to register lot 8-1, Ija Inarajan under the land for the landless program subdivision by any legal means available in order to convey lots to lottery holders;


Section §: To mandate the Department of Public Works, (Department of) Public Utility Agency of Guam; and Guam Environmental Protection Agency to assist and coordinate in the execution of infrastructure and civil design plans to minimize cost and accelerate the subdivision process;

and Section §: To identify funds from any agency sources that will effectuate the construction and design of Ija Subdivision to meet minimum

page 3 lja land

standards of the subdivision rules and regulations as prescribed in 21 GCA until such time that all improvements are in-place, a waiver of full improvement will be granted to allow for lot holders to access and clear or construct temporary structures within defined lot lines, in order to satisfy the provision of 20-189.

I hope that this will be sufficient information to begin the thought process towards a resolution of the problems of the land for the landless program in Inarajan. Looking forward to working with your staff.


James P. Cruz
Deputy Director

U2/2

3:03 PM

6/11/96

649-0694

U2/2/1

Facsimile Cover Sheet

To: Judy Alderton

Phone:

Fax: 649-0694

From: Francis M. Dayton

Agency: U. S. Army Corps of Engineers

Phone: (671) 472-8091

Fax: (671) 344-6181

Date: 06/11/96

Pages including this 1
cover page:

Judy,

In response to your request please find the following information:

1. Pigua subdivision, there are portions of the project where the roads and house lots will not affect wetlands. This is the area to the east and south of the Mayor's office. Portions of the playground are in wetlands and one access road would have affected wetlands, however, Guam DPW will eliminate this road in order to avoid wetlands. The area to the north and west of the Mayor's office and the PUAG water tank has not been flagged making a wetland assessment impossible to do. Guam DPW will survey this portion of the site so that the wetland boundaries can be determined. It does appear that the playground, some house lots and roads would be in wetlands. However, until flagging is placed I cannot be sure of how much of the site will be affected by wetlands. Some of the lots along the east side of the project appear to be quite steep.

2. Ija subdivision, we had an application from Guam DPW; however, because of their non responsiveness to requests for additional information I was unable to process the application for the access road into the site. There are likely wetlands within the site. These wetlands could be affected by the roads, house lots and infrastructure. The project should be flagged so that it would be possible to determine the extent of wetlands that would be affected. Once that is done it may be possible to realign this project to avoid wetlands.

3. The Senator was correct in stating that the bank protection needed to stop erosion along the Masso River could be covered by a Nationwide permit and that a Section 401 Water Quality Certification is required from the Guam EPA. To date, I have not been contacted by Guam DPW concerning a permit.

received
JUL 19 1996

Department of Administration
DIVISION OF ACCOUNTS
Dibision Kuenta

Controller
John P. DeNorcey
475-1260/1169

July 18, 1996

Memorandum

General Ledger
Rodolfo Manzana
475-1114

To: Director, Bureau of Budget and Management Research

Via: Acting Director of Administration *dy*

From: DOA Controller

Appropriations
Kathrine B. Kakigi
475-1226

Subject: Appropriation Adjustments, Infrastructure
Improvement Bonds, Series 1989 A, Capital
Projects Fund

Revenue/Debt/Property
Arleen U. Pierce
475-1232

Federal
Barbara Howard
475-1283

Guam Public Law 23-97 enacted by the Guam Legislature in June, 1996 reduced certain appropriations, and added one new appropriation from the Fund specified above.


Payroll
Cecilia T. Terlaje
475-1207

Further, during the discussion of the Committee of the Whole, Senators Ted Nelson and Angel Santos reminded those appearing that Public Law requires the \$9,000,000 appropriated from three (3) Bond Funds to be allocated equally to the Dededo (FEMA) Subdivision and the Ija, Inarajan Subdivision.

Post Office Box 884
Agana, Guam 96932

Fax: (671) 472-8483

We advised the committee that the only reason this was not done was because the Dededo Subdivision had either required the expenditure or obligation of most of the funds. After the hearing, I had the opportunity to review the records and determined a balance of \$345,161 available and free from encumbrance which should be moved from the Dededo to Ija Subdivision.

7/22/96


Memorandum to the Director, BBMR
Ref.: *Appropriation Adjustments, Infrastructure
Improvement Bonds, Series 1989 A, Capital
Projects Fund*

July 18, 1996

Page 2

I have enclosed a single schedule (with two [2] different presentations) highlighting in yellow the appropriation amounts which the Bureau of Budget should modify (see last column).

Since the law took effect June 4, 1996 the Division of Accounts will include the effect of these changes in the June, 1996 financial statements since they have not but been modified in the budget and accounting files.

We trust the Bureau will make the necessary modification as soon as possible.


JOHN P. De NORCEY

Attachments

cf: Chairman, Committee on Tourism
and Transportation
Senator Ted Nelson
Senator Angel Santos





GHURA

Guam Housing and Urban Renewal Authority
Aturidat Ginima' Yan Rinueban Siudat Guahan

P.O. Box CS • Agana, Guam 96910 • Phones (671) 477-9851 to 4 • Fax: (671) 477-4184 • TDD# 472-3701



AUG 08 1996

Carl T. C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

Taling M. Taitano
Executive Director

Jose T. San Nicolas
Deputy Director

Senator Angel L.G. Santos
Chairperson
Committee on Community, Housing, & Cultural Affairs
324 W. Soledad Avenue, Ste. 202
Agana, Guam 96910

Re: Testimony on Bill 713

Mr. Chairman:

Mr. Chairman and members of the Committee on Community, Housing and Cultural Affairs, I will focus my testimony on Bill 713 as it is a consolidation of Bill 711 and 712. For the record, my name is Taling Taitano and I am the Executive Director for the Guam Housing and Urban Renewal Authority.

I am proud to report that the staff and management of G H U R A have enthusiastically embraced the challenge of making the Ija subdivision a reality. Some of the residents here tonight can tell the Committee of the persistence demonstrated by G H U R A's staff in their efforts to complete the survey of the lottery winners. At least half a dozen staff live in or have family living here in Inarajan. This is a project that this organization will pursue with professional pride and personal commitment.

Bill 713 designates G H U R A as the lead agency to develop the Ija subdivision. The bill also addresses the need to resolve the land registration issue. We will work closely with the Department of Land Management on this issue.

I would like the Committee to consider adding language to Bill 713 to clearly indicate that the Department of Land Management will continue to be responsible for the disposition of these properties. This will include accepting payments for the lots through the Treasurer of Guam and issuing grant deeds for lots that are paid off. When this many organizations are involved in a project such as the Ija subdivision, it is essential that every organization's role be defined so as to minimize ambiguity.

Mr. Paulino stated in his testimony that we have identified one fourth of the funding we estimate is needed to complete the grading and infrastructure development. We are working closely with the utility agencies as well as the Guam Economic Development Authority to identify alternative methods to finance the development costs. It is our intention, as Mr. Paulino stated, to work closely with the families as we identify various design and financing alternatives.

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 712 Date Received: 08/14/96
 Amendatory Bill: No Date Reviewed: 08/26/96
 Department/Agency Affected: Land Management
 Department/Agency Head: Joseph A. Martinez
 Total FY Appropriation to Date: \$3,960,466 (General Fund)

Bill Title (preamble): AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO IDENTIFY AND DIRECT THE INVOLVEMENT OF GOVERNMENT ENTITIES IN INFRASTRUCTURE DESIGN.
 Change in Law: N/A

Bill's Impact on Present Program Funding:

Increase X Decrease _____ Reallocation _____ No Change _____

Bill is for: Operations: _____ Capital Improvement: _____ Other: Inarajan Land for th Landless Subdivision Act of 1990

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

Program Category	General Fund	OTHER	TOTAL
Natural Resources, Recreation and Arts			1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND						
OTHER						
TOTAL						1/

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? No funds appropriated

IF NO, ADDITIONAL AMOUNT REQUIRED: 1/

AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND						
OTHER						
TOTAL						1/

ANALYST: Angela F. Merfalen

DATE: 9/5/96

DIRECTOR: Joseph E. Rivera, Acting

DATE: SEP 12 1996

FOOTNOTE:

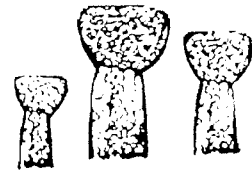
1/ Although an appropriation is not included, enactment of Bill No. 712 entails a fiscal impact relative to infrastructure, land registration and costs associated in implementing the subdivision program requiring coordination among Land Management, Guam Environmental Protection Authority, Department of Public Works, Guam Waterworks Authority, and Guam Telephone Authority.





Ofisinan I TaoTao Tano'
Senator Angel L.G. Santos

Chairperson, Committee on Community,
Housing & Cultural Affairs



COPY

August 12, 1996

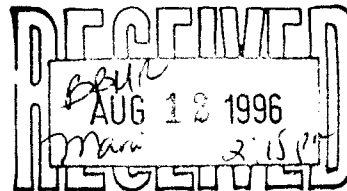
Joseph E. Rivera

Acting Director

Bureau of Budget & Research (BBMR)

P.O. Box 2950

Agana, Guam 96910



SUBJECT: Request for Fiscal Notes

RE: Bill No's. 711, 712, 713, & 714.

Please prepare a fiscal note on the following bills:

BILL NO. 711 - AN ACT TO ADD A NEW SECTION 13 TO PUBLIC 20-189 (ENTITLED "INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990"), RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

BILL NO. 712 - AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO IDENTIFY AND DIRECT THE INVOLVEMENT OF GOVERNMENT ENTITIES IN INFRASTRUCTURE DESIGN.

BILL NO. 713 - AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND-FOR-THE-LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SUBSECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

BILL NO. 714 - AN ACT TO DEVELOP LAND-USE POLICY AND PLANS FOR CERTAIN PARCELS OF EXCESS FEDERAL PROPERTIES IDENTIFIED IN THE 1994 GUAM LAND USE PLAN (GLUP 94).

Thank you for usual cooperation.

Senseramente,

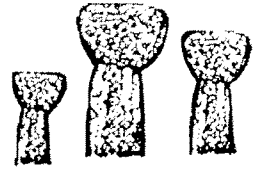
ANGEL L.G. SANTOS

Commonwealth Now!



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Senator Angel L.G. Santos

Chairperson, Committee on Community,
 Housing & Cultural Affairs



WITNESS SIGN-IN SHEET

Public Hearing

Bill 713 - AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

Thursday, August 8, 1996

7:00 PM

Inarajan Community Center

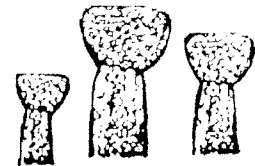
NAME (please print)	ORGANIZATION	ORAL/WITTEN	FOR/AGAINST
<i>Mitzy Cruz</i>	<i>Concerned Citizen</i>		<i>for</i>
<i>Paula Lopez</i>			<i>against</i>
<i>Darlene Duencas</i>			<i>for</i>
<i>John Mnt</i>			<i>for</i>
<i>Melton Duencas</i>			<i>AGAINST</i>
<i>Ronald Diego</i>			<i>?</i>
<i>Jesse Manglona</i>			<i>FOR</i>
<i>Joe Flores</i>			<i>For</i>
<i>Margaret San Nicolas</i>			<i>FOR</i>
<i>Luis San Nicolas</i>			<i>For</i>
<i>Don Weakley</i>			<i>For</i>

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Senator Angel L.G. Santos

Chairperson, Committee on Community,
 Housing & Cultural Affairs



WITNESS SIGN-IN SHEET
Public Hearing

Bill 713 - AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

Thursday, August 8, 1996

7:00 PM

Inarajan Community Center

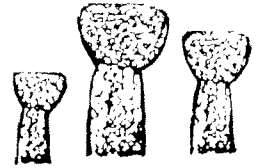
NAME (please print)	ORGANIZATION	ORAL/WRITTEN	FOR/AGAINST
Frank Meno			?
Pedro Asanoma			For
Tomas M. Taitague			For
Walter Beck			For
Monica Beck			For
Teresita Aguon			For
Harold Pangelinan			For
Benny San Nicolas		Oral	For
Dennis Flores			For
Rosalie Flores			For
Taling Taitano			For

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Senator Angel L.G. Santos

Chairperson, Committee on Community,
 Housing & Cultural Affairs



WITNESS SIGN-IN SHEET
Public Hearing

Bill 713 - AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

Thursday, August 8, 1996

7:00 PM

Inarajan Community Center

NAME (please print)	ORGANIZATION	ORAL/WRITTEN	FOR/AGAINST
Joseph Leon Guerrero			For
Jaime Paulino			For
Ray Taimanglo			For
Benny Mend			For
Edward C. Crisostomo	Self		
GRAC SUCOWAN	DPA	ORAL	
Franklin Taitagur			?

Commonwealth Now!

AUG 19 1996

Bill No. 713 (LS)

1. A.L.G. Santos
2. M.C. [Signature]
3. J. [Signature]

AN ACT TO FACILITATE REGISTRATION OF LAND IN IJA, INARAJAN WHICH WAS RESERVED FOR USE IN IMPLEMENTING PUBLIC LAW 20-189, THE INARAJAN LAND FOR THE LANDLESS SUBDIVISION ACT OF 1990, AND TO ADD A NEW SECTION 13 TO THE SAME PUBLIC LAW, RELATIVE TO AUTHORIZING THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY TO MANAGE AND FACILITATE THE SUBDIVISION'S INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND TO IDENTIFY FUNDS FOR THE PROJECT.

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

2 **SECTION 1. Legislative statement.** The land for the landless program in the
3 village of Inarajan has run into problems. In Public Law 20-189, the legislative language
4 directed the Department of Land Management to identify and survey available lands
5 within the municipality of Inarajan substantial enough to accommodate the program. The
6 Department did extensive research and found 120.5 in Tract 3734 (formerly Lot No. 8-3)
7 acres of usable property to meet the need. However, the guaranty claim document from the
8 Federal government did not specify that the conveyance from Federal holding to the
9 government of Guam automatically registers legal ownership. The Department sought
10 guidance from the Office of the Attorney General who in turn advised that GovGuam must
11 register the land as prescribed by law. Land Management is now faced with a very serious
12 situation because lots within the Ija subdivision have been lotteried and deeds of
13 conveyances on certain lots therein have already been issued. In order for the conveyances
14 to have force and effect, the Department of Land Management must first gain title to the

1 subject Tract 3734, Ija Inarajan by fulfilling the land registration requirement prescribed in
2 Chapter 29 of Title 21 of the Guam Code Annotated.

3 The Inarajan Land for the Landless Act of 1990 has been executed to the point
4 where three hundred five lots were assigned to qualified buyers who are now anxiously
5 waiting for roads, water, power, sewer and other services to be extended to the Ija Inarajan
6 subdivision in which they will reside. The Legislature acknowledges that “land for the
7 landless” programs have been hastily instituted, resulting in delays and frustrations for
8 both the residents whom they were intended to help and the government entities who have
9 been tasked to assist them. In their quest to secure shelter for themselves, families’
10 anxieties are initially relieved by the procurement of land but then they face additional
11 requirements of home construction financing and infrastructure development. To make
12 use of experienced government resources in the interest of completing the Ija project, the
13 Legislature desires that the Guam Housing and Urban Renewal Authority take the lead
14 role in the subdivision’s infrastructure design and construction.

15 Financing for infrastructure in the Dededo (FEMA) and Inarajan subdivisions was
16 provided by Public Law 22-63. Although the law authorized \$9,000,000 to be split
17 equally between the two subdivisions, the Department of Administration reported that the
18 Dededo subdivision either required the expenditure or obligation of most of the funds and
19 that a balance of \$345,161 is available and free from encumbrance which should be
20 placed into the Inarajan project. In addition, the Legislatures expects the government of
21 Guam to receive \$762,500 in payments from purchases of Ija lots. Therefore, the
22 unexpended funds from Dededo and the Ija payments shall be seed money for the Ija
23 Inarajan infrastructure project.

24 **SECTION 2. Registration of Tract 3734, Ija Inarajan.** Immediately upon
25 enactment of this Act, the Department of Land Management is hereby directed to initiate
26 land title registration of Tract 3734, Ija Inarajan, as shown on DLM Drawing No. 086-
27 FY92, as prescribed by Chapter 29, Title 21 of the Guam Code Annotated. The
28 Department of Land Management shall use the recorded subdivision map as a land

1 registration map and shall represent those lot recipients in a class action request to register
2 Tract 3734, Ija Inarajan in fulfillment of Public Law 20-189, the "INARAJAN LAND
3 FOR THE LANDLESS SUBDIVISION ACT OF 1990."

4 **SECTION 3. A new Section 13 is added to Public Law 20-189 to read:**

5 **"Section 13. GHURA to manage design and construction of subdivision**
6 **infrastructure.** In accordance with its duties and responsibilities under Chapter 5 of Title
7 12 of the Guam Code Annotated, the Guam Housing and Urban Renewal Authority
8 (GHURA) is hereby tasked with managing the design and construction of the Ija
9 subdivision's roadways, power, water and sewer, telephone and other services. GHURA
10 shall identify and use Federal funding from the Community Development Block Grant
11 and the anticipated payments from Ija land buyers for this purpose."

12 **SECTION 4. Appropriation for Ija Inarajan subdivision infrastructure.** The

13 Department of Administration shall transfer back to the Ija subdivision infrastructure
14 account Three Hundred Forty-Five Thousand One Hundred Sixty-One Dollars
15 (\$345,161), which is the balance of the appropriation under Section 2 Public Law 22-63
16 for the Dededo and Inarajan subdivisions, and place in the same account payments, as
17 they are received from the three hundred five (305) buyers of Ija Inarajan lots, anticipated
18 to be a total of Seven Hundred Sixty-Two Thousand Five Hundred Dollars (\$762,500).
19 The Department of Administration and the Guam Housing and Urban Renewal Authority
20 shall work cooperatively to ensure that the sum of One Million One Hundred Seven
21 Thousand Six Hundred Sixty-One Dollars (\$1,107,661) is obligated to the project.