



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

MAY 06 1998

Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuattro na Liheslaturan Guahan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Jani Desu</u>
Time	<u>2:15 p.m.</u>
Date	<u>5-7-98</u>


Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 568 (LS), "AN ACT TO REQUIRE / *MAGA'LAHEN GUAHAN* TO SELL 1/2 ACRE OF GOVERNMENT LAND, LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00).", which I have signed into law today as **Public Law No. 24-192.**

This legislation legitimizes a situation already existing for the past 35 years. Mrs. Josephine Brennan has resided on the lot in question since 1964. Since that time, the government of Guam has allowed her to build at first a tin-roofed wooden structure, and after the various typhoons, a concrete structure, in which she is residing.

The land, while originally government of Guam land, currently is under the name of the Guam Housing and Urban Renewal Authority (GHURA). The GHURA has no immediate use for the lot, and no plans for use of the lot in the foreseeable future.

Very truly yours,


Carl T. C. Gutierrez
I Maga'lahaen Guahan
Governor of Guam

00801

Attachment: copy attached for signed bill
original attached for vetoed bill

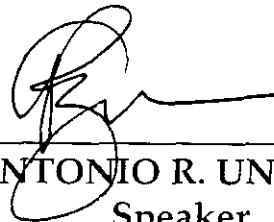
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 5/7/98
Time: 10:45 am
Rec'd by: Jani Desu
Print Name: Jani Desu

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 568 (LS), "AN ACT TO REQUIRE I MAGA'LAHEN GUAHAN TO SELL A ½ ACRE OF GOVERNMENT LAND, LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)," was on the 27th day of April, 1998, duly and regularly passed.



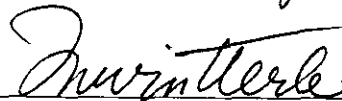
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga'lahaen Guahan this 30th day of April, 1998,
at 10:40 o'clock 9.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 5-6-98

Public Law No. 24-192

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

Bill No. 568 (LS)

As substituted by the Committee on
Finance and Taxation and further
substituted on the Floor and amended.

Introduced by:

A. C. Blaz
A. R. Unpingco
C. A. Leon Guerrero
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
L. Leon Guerrero
J. C. Salas
A. L.G. Santos
F. E. Santos

**AN ACT TO REQUIRE *I MAGA'LAHEN GUAHAN*
TO SELL A ½ ACRE OF GOVERNMENT LAND,
LOCATED IN MAIMAI, MUNICIPALITY OF
SINAJANA, CHALAN PAGO-ORDOT, GUAM TO
MRS. JOSEPHINE BRENNAN FOR NOT MORE
THAN TWO THOUSAND FIVE HUNDRED
DOLLARS (\$2,500.00).**

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

2 **Section 1. Terms and Conditions.**

3 Notwithstanding any other
4 provision of law, rules or regulations, *I Maga'lahaen Guahan* shall sell the ½ acre
5 of government land, located in Maimai, Municipality of Sinajana, Chalan
6 Pago-Ordot, Guam which is bounded on the north by the unsurveyed
7 property of the heirs of Felix de Castro; on the east by Estate No. 1140, Lot No.
8 3375-R1, and by Lot No. 3376; on the south by Lot No. 3237 and part of Lot
9 No. 3376; and on the west by Lot Nos. 3354-1, 3354-2, 3354-R1, to Mrs.
10 Josephine Brennan for not more than Two Thousand Five Hundred Dollars
11 (\$2,500.00); provided, however, that the buyer shall pay for survey costs and
other expenses for registration of title to said parcel.

Pl. 24-192

MINA' BENTE KUÁTRO NA LIHESL/ 'IRAN GUÅHAN



Office of the Vice Speaker

ANTHONY C. BLAZ RECEIVED

'98 APR 23 AM 10 00

10:35 AM

April 15, 1998

Chairman,
Finance & Taxation

Chairman,
Ethics & Standards

Vice-Chairman,
Committee on Rules

Member,
Judiciary, Public Safety & Consumer
Protection

Member,
Natural Resources

Member,
Tourism, Economic Development, &
Cultural Affairs

Member,
Transportation, Telecommunications &
Micronesian Affairs

Member,
Guam Finance Commission

Member,
Commission on Self Determination

The Honorable Speaker Antonio R. Unpingco
24th Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Finance and Taxation, to which was referred Bill No. 568 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)," which was subsequently substituted by the Committee on Finance And Taxation and herein reports back with the recommendation **TO DO PASS**.

Votes of the committee members are as follows:

To Pass

Not To Pass

To Place in Inactive File

Abstained

Off-Island

Not Available


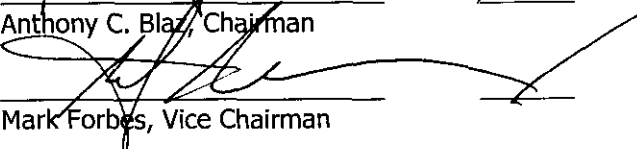
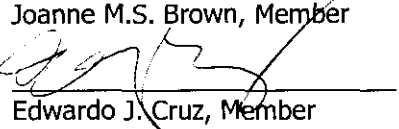
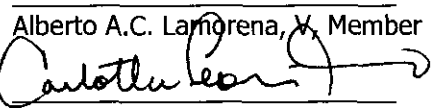
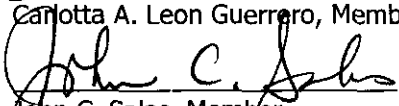
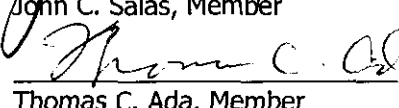
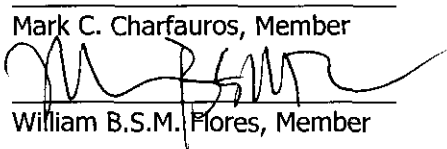
Sincerely,

Anthony C. Blaz

attachment

Committee on Finance and Taxation
Voting Sheet on Substitute Bill 568

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Anthony C. Blaz, Chairman	✓			
 Mark Forbes, Vice Chairman	✓			
Antonio R. Unpingco, Ex-Officio				
Joanne M.S. Brown, Member				
 Edwardo J. Cruz, Member	✓			
Lawrence F. Kasperbauer, Member				
Alberto A.C. Lamorena, Member				
 Carlotta A. Leon Guerrero, Member	✓			
 John C. Salas, Member	✓			
 Thomas C. Ada, Member	✓			
Mark C. Charfauros, Member				
 William B.S.M. Flores, Member	✓			
Francis E. Santos, Member				



Committee on Finance & Taxation

Vice Speaker Anthony C. Blaz, Chairman

***Committee Report on
Substitute Bill No. 568***

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

Committee on Finance and Taxation Report on Substitute Bill No. 568

"AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

PUBLIC NOTICE:

Pursuant to the requirements of Public Law 24-109, notice of the Public Hearing on Bill No. 568 was sent to all media on Thursday, April 2, 1998 and a reminder memorandum was sent on Monday April 6, 1998. Additionally, a public hearing notice was published in the Pacific Daily News on Thursday, April 2, 1998 and on Sunday, April 5, 1998.

PUBLIC HEARING:

The Committee on Finance and Taxation conducted a public hearing on Monday, Monday, April 8, 1998 at 1:30 PM in the Legislature's Public Hearing Room to hear testimonies on Bill No. 568.

MEMBERS PRESENT:

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:
Senator Francisco P. Camacho

PROVIDING PUBLIC TESTIMONY ON THE BILL:

Former Senator Pilar Lujan
Ron Teehan, Chamorro Land Trust Commission
Mayor Rosanna D. San Miguel
David N. Sanford, Chairman Board of Commissioners, GHURA

BACKGROUND :

Former Senator Pilar Lujan, testified in support of the bill. She outlined that Bill 568 has been in progress for many years, unfortunately has not been taken care of to this date. Lujan stated that Mrs. Brennan has had problems getting loans due to the lack of title to the property. Additionally, since 1964, Mrs. Brennan has been occupying the said property and urged lawmakers to expedite this bill so that a solution can finally be reached.

Ronald Teehan, in his written testimony stated that Bill 568 is simply a "house-keeping" bill that will resolve a matter that should have been taken care of long ago. He added that he supports the passage of the bill and that he would like to see this matter resolved.

David Sanford, GHURA, in his written testimony outlined that Bill 568 will establish a precedent as to how GovGuam intends to resolve a longstanding issue that affects hundreds of families living on

government land. However, Sanford added that he feels that 568 is ambiguously worded which will make it difficult for any agency to implement. He asked if in fact the title belonged to GovGuam, can clear title be provided? He also questioned the "fair market" fixed price of \$2,500.00 stated in the bill and whether or not current values should apply. He recommended that the legislature authorize the appropriate administering agency to enter into a long-term lease with the Brennan family or any other families at below fair-market subject to certain requirements, (outlined in his written testimony).

FINDINGS:

The Legislature finds that the Brennan family has long been guaranteed title to the said property. The government failed in its obligations to settle this issue long ago. Furthermore, provisions set out in P.L. 11-44 authorized the subdivision of residential lots for sale or lease, however the lots were never subdivided thus the agreement to sale the property at the market value of \$2,500.00 never transpired. It is the intention of the 24th Guam Legislature to resolve this issue once and for all.

COMMITTEE RECOMMENDATION:

The Committee, having conducted a sufficient hearing, does hereby recommend to the Legislature **to do pass Substitute Bill 568-** "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman



MAR 3 1 1998

MEMORANDUM

TO: Chairman
Committee on Finance and Taxation ✓

FROM: Chairman ✓
Committee on Rules, Government Reform and Federal Affairs

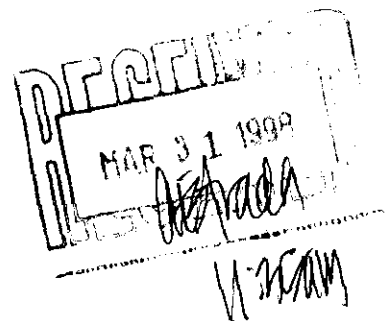
SUBJECT: Referral- Bill No. 568

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment



Public Law 11-44

Eleventh Guam Legislature

(Bill 241)

May 8, 1971

AN ACT

An Act authorizing the Subdivision of an unsurveyed government property at Maimai in the Municipalities of Sinajana and Chalan Pago-Ordot and the sale of lots therein at less than fair market value and setting up priorities of such sales.

Be it enacted by the People of the Territory of Guam:

Section 1. That unsurveyed government property located at Maimai in the municipalities of Sinajana and Chalan Pago-Ordot, which is bounded on the north by the unsurveyed property of the heirs of Felix de Castro, on the east by Estate No. 1140, Lot No. 3375-R1 and by Lot No. 3376; on the south by Lot No. 3237 and part of Lot 3236; and on the west by Lots No. 3354-1, 3354-2, and 3354-R1 is hereby authorized to be subdivided into residential lots for sale or lease pursuant to the provisions of this Act. The subdivision herein authorized shall conform to the provisions of Title 19 of the Government Code of Guam.

Section 2. Subject to the approval of the Territorial Planning Commission, the Director of Land Management shall develop a plan for the subdivision which, after survey and registration of the area, shall be submitted through the Governor to the Guam Legislature where it shall lie for a period of thirty (30) days. If the Legislature does not disapprove of the plan within that period, the Director may proceed with the subdivision in accordance with such master plan and the provisions of this Act.

Section 3. Notwithstanding any other provisions of law (including the provisions of Chapter 6, Title XIV of the Government Code of Guam) with respect to the sale of government land, the Director of

Land Management, subject to the approval of the Governor, is authorized to sell or lease lots for residential purposes in the subdivision authorized by this Act in accordance with the following provisions.

Section 4. In carrying out the mandate of this Act, the Director shall observe the following practices in selling and leasing said lots:

- (1) First preference shall be given to those purchasers who are tenants of any part or portion of the government property described herein, and who are without fee title to any real property of their own or who are not at the time of application entitled to receive by right of inheritance any real property upon which safe, sanitary and decent housing could be erected; and
- (2) Second preference shall be given to those purchasers who reside in Chalan Pago-Ordot and who are without fee title to any real property of their own and or who are not at the time of application entitled to receive by right of inheritance any real property upon which safe, sanitary and decent housing could be erected.

Section 5. The Director, subject to the approval of the Governor, is authorized to sell or lease lots in the subdivision authorized by this Act at less than the fair market value of the lots, and at less than the cost expended by the government of Guam in developing said lots; provided, however, that the purchasers thereof shall have no income ability or property ownership higher than those who are eligible to subsidize rent housing under Title 1 of P.L. 75-412, except those permittees who have been on the property for the last five (5) years. All other purchasers given title under the provisions of Section 3 foregoing shall pay for the current market value of the improved property.

Section 6. In any contract of sale or deed of conveyance or lease agreement executed as a result of the provisions in this Act, a covenant shall be included whereby the purchaser, grantee or lessee agrees that any residential building erected on the lot the subject of the contract or deed shall be constructed in conformity with the residential construction requirements of the Guam Housing Corporation in effect at the time of the construction.

Section 7. The Director, subject to the approval of the Governor and the provisions of the Administrative Adjudication Act shall adopt necessary rules and regulations to effect the purpose of this Act and any sale or lease made without the publication of such rules and regulations in a newspaper of general circulation shall be void.

Section 8. No lot may be sold or leased pursuant to this Act unless the publication requirement provided by the provisions of Section 13505.1 of the Government Code of Guam shall first be met, and any such sale or lease made in violation of the provisions of said Section 13505.1 shall be void and shall have no effect.

Section 9. There is hereby authorized to be appropriated the sum of Seventy-Five Thousand Dollars (\$75,000.00) to be used to carry out the provisions of this Act.

Section 10. This Act is an urgency measure.

Approved May 8, 1971.

**FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

BBMR-F7

Bill Number: 568 (LS) Date Received: 04/01/98
 Amendatory Bill: No Date Reviewed: 04/14/97
 Department/Agency Affected: Land Management
 Department/Agency Head: Carl Aquon
 Total FY Appropriation to Date: \$2,764,000 (General Fund)

Bill Title (preamble): "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A 1/2 ACRE OF GOVERNMENT LAND, LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGE-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

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 X

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Natural Resources, Recreation & Arts			//

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						//

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? _____ -- IF NO, ADD'L AMOUNT REQUIRED \$ _____
 AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						//

ANALYST A. Flores DATE 04/14/98 DIRECTOR Joseph E. Rivera, Acting APR 21 1998
 DATE _____

FOOTNOTES: // Although an appropriation measure is not provided, enactment of Bill No. 568(LS) will impact on scarce government land resources. The value proposed in the Bill of not to exceed \$2,500 for 21,780 sq. ft. falls short of fair market value. It is not known whether all land exchange or conveyance issues of the government can be addressed with remaining land acreage. If the affected lot falls under the jurisdiction of Land Management, then funds received from such conveyance shall be deposited into the Land Survey Revolving Fund.



COMMITTEE ON FINANCE & TAXATION
Twenty-Fourth Guam Legislature
Vice Speaker A.C. Blaz, Chairman

Public Hearing
Wednesday, April 8, 1998 1:30 PM
Guam Legislature Public Hearing Room

AGENDA

▲Bill 567: (A.C. BLAZ) "AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE LOT NUMBER 2264-1-2, BARRIGADA, GUAM, ESTATE NO. 54650, SUBURBAN, CONTAINING AN AREA OF 2,216.05 SQUARE METERS, CERTIFICATE OF TITLE NUMBER 59593 UNDER THE OWNERSHIP OF THE BISHOP OF GUAM, A CORPORATION SOLE, WITH A GOVERNMENT OF GUAM PROPERTY, ON A VALUE FOR VALUE BASIS, REGARDLESS IF SUCH PROPERTY IS CURRENTLY UNDER THE INVENTORY OF THE CHAMORRO LAND TRUST COMMISSION."

▲Bill 568: (A.C. BLAZ) "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO CONVEY A ½ ACRE OF GOVERNMENT LAND, LOCATED IN MAIMAI, MUNICIPALITY OF SINAJANA, CHALAN PAGO-ORDOT, GUAM (BOUNDED ON THE NORTH BY THE UNSURVEYED PROPERTY OF THE HEIRS OF FELIX DE CASTRO; ON THE EAST BY ESTATE NO. 1140, LOT NO. 3375-R1, AND BY LOT NO. 3376; ON THE SOUTH BY LOT NO. 3237 AND PART OF LOT NO. 3376; AND ON THE WEST BY LOT NOS. 3354-1, 3345-2, 3354-R1) TO MRS. JOSEPHINE BRENNAN FOR NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)."

▲Bill 569: (FX P. CAMACHO) AN ACT TO REQUIRE CORPORATIONS TO FILE ANNUAL REPORTS WITH THE GUAM DEPARTMENT OF REVENUE AND TAXATION.

▲BILL 468 (FR P. CAMACHO) AN ACT TO APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR THE CONSTRUCTION OF A NEW INARAJAN MAYOR'S OFFICE AND A MANAMKO CENTER.

▲BILL 483 (L. F. KASPERBAUER) AN ACT TO ALLOCATE ONE HUNDRED PERCENT OF THE FINANCIAL EFFECTS OF THE GROSS RECEIPTS TAX EXEMPTIONS OF THE DAVE SANTOS SMALL BUSINESS ACT TO THE PORTION OF GROSS RECEIPTS TAXES NOT DESIGNATED FOR THE SCHOOL OPERATIONS FUNDS.

▲BILL 498 (F.B. AGUON) AN ACT RELATIVE TO AUTHORIZING THE UNIVERSITY OF GUAM TO IDENTIFY FINANCIAL SOURCES FOR THE CONSTRUCTION OF THE COLLEGE OF BUSINESS AND PUBLIC ADMINISTRATION BUILDING, THE STUDENT CENTER, AND THE ADMINISTRATION BUILDING.

▲ BILL 336 (F.B. AGUON) AN ACT RELATIVE TO REMOVING THE REQUIREMENT FOR NON-PROFIT ORGANIZATIONS TO PUBLISH ANNUAL FINANCIAL REPORTS, THUS ALLOWING FOR THE APPLICATION OF SUCH FUNDS TOWARD ASSOCIATION PROGRAMS/ACTIVITIES, AND REQUIRING THAT THE FINANCIAL REPORTS INSTEAD BE MADE READILY AVAILABLE TO THE COMMUNITY THROUGH THE DEPARTMENT OF REVENUE AND TAXATION OR DIRECTLY THROUGH THE ORGANIZATION.

▲BILL 577 (A.C. BLAZ) AN ACT TO APPROPRIATE FIFTY THOUSAND DOLLARS (\$50,000.00) FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC WORKS FOR RENOVATION, REPAIRS AND RESTORATION OF SPORTS FACILITIES IN TAMUNING.

▲BILL 578 (A.C. BLAZ) AN ACT TO APPROPRIATE SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) TO THE MAYOR OF SANTA RITA COMMUNITY DEVELOPMENT FUND FOR REPAIRS OF DAMAGES ON PUBLIC FACILITIES INFLICTED BY SUPERTYPHOON PAKA.

▲BILL 579 (A.C. BLAZ) AN ACT TO APPROPRIATE SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) TO THE MAYOR OF TAMUNING COMMUNITY DEVELOPMENT FUND FOR REPAIRS OF DAMAGES ON PUBLIC FACILITIES INFLICTED BY SUPERTYPHOON PAKA.

▲BILL 582 (A.C. BLAZ) AN ACT TO APPROPRIATE THIRTY-NINE THOUSAND TWO HUNDRED DOLLARS (\$39,200.00) TO THE UNIVERSITY OF GUAM FOR THE R. F. TAITANO MICRONESIAN AREA RESEARCH CENTER (MARC).

▲BILL 584 (A.C. BLAZ) AN ACT TO APPROPRIATE TO THE UNIVERSITY OF GUAM SIX HUNDRED TEN THOUSAND DOLLARS (\$610,000.00) FROM THE GENERAL FUND TO THE UNIVERSITY OF GUAM TO FUND THEIR FISCAL YEAR 1998 LIBRARY ENHANCEMENT AND IMPROVEMENT PROGRAM.

▲CONFIRMATION HEARING: MR. RUDOLFO V. COLET, ALCOHOL BEVERAGE CONTROL BOARD



Office of the Mayor

DISTRICT OF CHALAN PAGO / ORDOT
P.O. Box 786
Agana, Guam 96910



Rossana D. San Miguel
MAYOR

Fax: (671) 472-8302
Tel: (671) 477-1333

TESTIMONY IN SUPPORT OF BILL 568(LS)

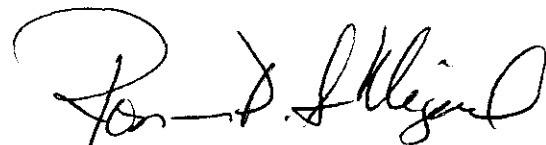
Mr. Chairman and members of the Committee of Finance and Taxation, I am here today representing the District of Chalan Pago-Ordot. I would like to say that I am in full support of bill 568.

The Brennan family have been living on the subject parcel since 1964, since then, they have had to endure three (3) major Typhoons , Pamela, Omar and Paka, not to mention two Public Hearings since 1993.

I implore this committee to help this family by acting expeditiously to enable them to build a permanent structure and not have to waste hard earn money to continuously finance structural repairs that could have been spared, if their home could have been fully harden.

I believe it is time to give this family the opportunity to purchase said parcel so that they will be able to move on and not be subjected to any further hardships.

Thank you very much for giving me this opportunity to support Bill 568.


Rossana D. San Miguel



GHURA

Guam Housing and Urban Renewal Authority
Aturidat Ginima' Yan Rinueban Siudat Guahan
117 Bien Venida Avenue • Sinajana, Guam 96926
Phones: (671) 477-9851 to 4 • Fax: (671) 472-7565 • TTY # (671) 472-3701



APR 09 1998

Honorable Anthony C. Blaz
Vice Speaker
Twenty-Fourth Guam Legislature
155 Hesler St.
Agana, Guam 96910

Subject: Bill 586

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Governor

Madeleine Z. Bordallo
Lieutenant Governor

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Executive Director

Jose T. San Nicolas
Deputy Director

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Member

Dear Mr. Chairman:

Thank you for inviting GHURA to express its views on Bill 568, "An Act To Authorize The Governor Of Guam To Convey A ½ Acre Of Government Land, Located In Maimai, Municipality Of Sinajana, Chalan Pago-Ordot, Guam (Bounded On The North By The Unsurveyed Property Of The Heirs Of Felix De Castro; On The East By Estate No. 1140, Lot No. 3375-R1, And By Lot No. 3376; On The South By Lot No. 3237 And A Part Of Lot No. 3376; And On The West By Lot Nos. 3354-1, 3345-2, 3354-R1) To Mrs. Josephine Brennan For Not More Than Two Thousand five Hundred Dollars (\$2,500.00)." We feel Bill 568 will establish a precedent as to how GovGuam intends to resolve a longstanding issue that affects perhaps hundreds of families living on government land. Granted, many of these families may be accommodated by the Chamorro Land Trust Commission some time in the future, however, there are still many of these families residing on government properties that are not administered by the Chamorro Land Trust Commission.

We also believe that Bill 568 is ambiguously worded, and will be most difficult for any agency of the government to implement. Indeed, which lot is it? Does it, in fact, belong to GovGuam? Can a clear title be provided? Which government agency administers this particular property? Are there other families residing on the lot in question, as is the case in Maimai? Should these families, and others like them in similar circumstances, also be afforded the same opportunity to acquire a portion of the lot in question? Is this the legislature's chosen method of resolving this long-suffering issue of permanent residential dwelling units erected on government land under expired, or even non-existent, land use permits? Is it the legislature's intent to extend this practice of wholesaling government property to all such properties in question?

How was the ½ acre size determined to be appropriate? The area is zoned R1 making the proposed ½ acre lot size larger than is required to comply with the minimum lot size.



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What are the results of this piecemeal wholesaling of government property without proper compliance reviews? Guam Water Works maintains a wellhead within one thousand feet of the Brennan residence. Guam Environmental Protection agency regulations require that any development within one thousand feet of a wellhead must either hook up to a public sewer or use an on-site secondary treatment system. Are we prepared to face the consequences of undermining regulations designed to protect our scarce water resources? Do we require the Brennan family to comply with these GEPA regulations immediately, as a condition of a future sale or other such transfer of the property?

What are we to make of the "fair market" fixed price of \$2,500 cited in Bill 568? Are we to use current land values, pre-war land values, immediate post-war land values, land value at the time of initial occupancy or at the time of permanent dwelling construction? If the permanent dwelling was legally constructed, should we set a threshold occupancy date for determination of such "fair market" value? How do we account or discount for the endemic easement and right of way problems that plague Maimai?

Further, Bill 568 requires the Brennan family to bear the costs of surveying and such, in order to record a clear title. Is it the legislature's intent to saddle these families with the costs to survey, subdivide and settle easement, right of way and possible restricted use concerns? All these issues must be addressed before the Maimai property can legally be parceled as required by this piece of legislation, and we sincerely doubt that any of the affected families anywhere will be amenable to shouldering the costs of such, never mind the responsibility of seeing it done.

We recommend that the legislature authorize the appropriate administering agency to enter into long-term leases with the Brennan family, or any other families, at below fair market subject to certain requirements. These requirements may include the following:

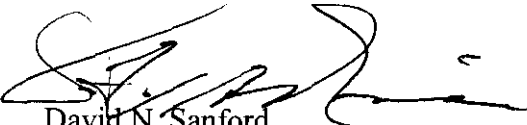
1. Household income below median household income as adjusted for family size, or;
2. Legal occupant under a land use permit at the time property was transferred to the administering agency unless the administering agency is the Chamorro Land Trust Commission, or;
3. Occupant of property prior to the issuance of the court order to implement the Chamorro Land Trust Commission Law;
4. Parcel must comply with all applicable land-use laws and regulations at the time that a lease is executed;
5. Size of the property to be severed should not be larger than necessary to comply with minimum lot size for the zoning designation.



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We believe this approach will avoid setting an all encompassing precedent for other families occupying government owned properties. We cannot support any further wholesaling of government property as most developable government owned properties have been transferred into the inventory of the Chamorro Land Trust Commission.

Sincerely,


David N. Sanford
Chairman, Board of Commissioners