



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JAN 03 2001

The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina Bente Singko na Liheslaturan Guåhan  
Twenty-Fifth Guam Legislature  
Suite 200  
130 Aspinal Street  
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 501 (COR), "AN ACT TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES," which I have signed into law as **Public Law No. 25-179**.

This legislation authorizes the lease, for up to 99 years in total, for the land at Oka Point belonging to the Chamorro Land Trust (CLT) and generally known as Hospital Point. The Chamorro Land Trust Commission may lease the lots and may use the services of the Guam Economic Development Authority (GEDA) in the process. The lease must be at fair market value, providing for incremental lease rate adjustments. The lessee must begin work by expending at least 10% of the total expected cost of the development within 2 years of the lease, or the lease may be reclaimed by the CLT.

The income from the lease shall be earmarked for infrastructure improvements of the CLT lands, payment of CLT home mortgage, small business and aquacultural loans, surveying, and other CLTC programs and administrative costs.

This legislation also provides for the setting up of a Task Force to explore development schemes for the property. The Task Force consists of officials of the CLTC, qualified participants in CLT programs, members of the GEDA and CLTC boards, as well as a member selected by the Speaker of i Liheslatura, the Legislature, and a member selected by the other members.

GEDA shall also research the possibility of securing a bond for the purposes of making immediate improvements to CLT lands.

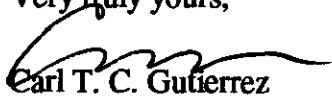
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OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Carl</i>
Time	2:10 p-
Date	1/2/01

Speaker  
SB501;PL25-179  
Page 2

Finally, this legislation provides for the CLTC to issue an additional 500 residential or agricultural leases.

Very truly yours,

  
Earl T. C. Gutierrez  
I Maga'Lahen Guåhan  
Governor of Guam

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

cc: The Honorable Antonio R. Unpingco  
Speaker

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session


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

This is to certify that Substitute Bill No. 501 (COR) AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES," was on the 20<sup>th</sup> day of December 2000, duly and regularly passed.

  
ANTONIO R. UNPINGCO  
Speaker

Attested:  
  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 20 day of December, 2000,  
at 5:21 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
CARL T. C. GUTIERREZ  
*I Maga'lahen Guahan*

Date: 1-3-01

Public Law No. 25.179

**MINA'BENTE SINGKO NA LIHESLATURAN GUÁHAN**  
**2000 (SECOND) Regular Session**

**Bill No. 501 (COR)**

As substituted by the Committee  
on Land, Agriculture, Military  
Affairs and the Arts, and amended  
on the Floor.

Introduced by:

A.C. Lamorena, V

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

Mark Forbes

L. F. Kasperbauer

C. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

J. C. Salas

S. A. Sanchez, II

A. R. Unpingco

**AN ACT AUTHORIZING THE CHAMORRO LAND  
TRUST COMMISSION TO ENTER INTO A  
GENERAL LEASE FOR THE COMMERCIAL  
DEVELOPMENT OF OKA POINT; AND FOR  
OTHER PURPOSES.**

1           **Section 2. Legislative Intent.**     It is the intent of *I Liheslaturan*  
2 *Guåhan* to authorized the Commission to lease properties, such as Lot  
3 Number 10175, Lot Number 10173, Lot Number 5173-1-R2NEW and Lot  
4 Number 5174-REM-2-R1, more commonly known as the *Old Hospital Point*  
5 for commercial purposes under a general lease at fair market value to the  
6 general public.

7           **Section 3. Definitions.**     For the purposes of this Act, *except* as  
8 otherwise specifically provided, the following words shall have the  
9 meaning ascribed to them:

10           (a) "*Commission*" shall mean the Chamorro Land Trust  
11 Commission.

12           (b) "*GEDA*" shall mean the Guam Economic Development  
13 Authority.

14           (c) "*GHC*" shall mean the Guam Housing Corporation.

15           (d) "*SBA*" shall mean the Small Business Administration.

16           **Section 4. Commercial Lease Authorized.**     Lot Number 1075, Lot  
17 Number 1073, Lot Number 5173-1-R2NEW, containing and area of forty-  
18 eight (48) acres, and Lot Number 5174-REM-2-R1, containing an area of  
19 two point six (2.6) acres, more commonly known as either the *Old Hospital*  
20 *Point*, or *Oka Point*, is hereby designated by *I Liheslaturan Guåhan* as being  
21 available for general lease at its fair market value, for commercial purposes  
22 to the general public.

23           (a) The Commission may utilize the services of GEDA to  
24 negotiate and dispose of the lots designated as available for lease. A

1 additional term of forty-nine (49) years, provided that the approval of  
2 any extension shall be *subject to* the following conditions:

3 (1) that the properties have been used substantially for  
4 the purposes in which they were originally leased;

5 (2) that the aggregate of the initial term and any  
6 extension granted thereafter, shall *not* exceed ninety-nine (99)  
7 years;

8 (3) that the rental shall *not* be less than the rental for the  
9 preceding term; *and*

10 (4) that any additional terms and conditions shall  
11 insure and promote the intended purpose(s) of the properties.

12 (e) The minimum acceptable parameters of the terms and  
13 conditions of the lease shall be established by the Commission. The  
14 Commission shall reserve the right to insure that its terms and  
15 conditions are met *prior to* the final execution of any lease; *provided,*  
16 *further,* that *if* such terms and conditions are *not* met, the  
17 Commission may withdraw the property.

18 (f) All revenues generated by the lease shall be accrued to  
19 the Commission and shall be deposited into Commission accounts, as  
20 specified by the Commission. All revenues realized from any lease(s)  
21 shall be earmarked for the following:

22 (1) infrastructure improvements (roads, water, power,  
23 telephone, and sewer lines) on Chamorro Land Trust Lands;

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session

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\_\_\_\_\_  
**ANTONIO R. UNPINGCO**  
Speaker

Attested:

\_\_\_\_\_  
**JOANNE M.S. BROWN**  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this \_\_\_\_\_ day of \_\_\_\_\_, 2000,  
at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
**CARL T. C. GUTIERREZ**  
*I Maga'lahen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN  
2000 (SECOND) Regular Session**

**Bill No. 501 (COR)**

As substituted by the Committee  
on Land, Agriculture, Military  
Affairs and the Arts, and amended  
on the Floor.

Introduced by:

A.C. Lamorena, V  
F. B. Aguon, Jr.  
E. C. Bermudes  
A. C. Blaz  
J. M.S. Brown  
E. B. Calvo  
M. G. Camacho  
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L. F. Kasperbauer  
C. A. Leon Guerrero  
K. S. Moylan  
V. C. Pangelinan  
J. C. Salas  
S. A. Sanchez, II  
A. R. Unpingco

**AN ACT AUTHORIZING THE CHAMORRO LAND  
TRUST COMMISSION TO ENTER INTO A  
GENERAL LEASE FOR THE COMMERCIAL  
DEVELOPMENT OF OKA POINT; AND FOR  
OTHER PURPOSES.**



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

2           **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that the  
3 Chamorro Land Trust Commission (“Commission”) currently has in its  
4 possession a prime commercial property known as Oka Point. The  
5 Commission has determined that the highest and best use of the Oka Point  
6 property cannot be found in neither residential nor agricultural programs.  
7 Due to the absence of the authorization to implement commercial lease  
8 agreements, the Commission cannot begin the planning for the  
9 development of this property, which is commercial in nature. As a result  
10 of this lack of statutory authority, the Commission has lost out on  
11 generating revenue in its inability to lease the Oka Point property. *I*  
12 *Liheslaturan Guåhan* further finds that by authorizing the commercial lease  
13 for property, such as Oka Point to a developer, revenues generated from  
14 such a lease can be earmarked to fund various infrastructure  
15 improvements and other programs within the residential and agricultural  
16 leases currently being implemented by the Commission.

17           *I Liheslaturan Guåhan* is of the opinion that with the statutory  
18 authority for the commercial lease of certain Chamorro Land Trust  
19 properties, revenues generated from these leases will significantly benefit  
20 the Commission’s residential and agricultural programs. Upon the  
21 implementation and completion of the infrastructure improvements for the  
22 residential and agricultural programs, Chamorros and others within the  
23 program will finally be able to fulfill their dreams, move in and build on  
24 land that is rightfully theirs.

1           **Section 2. Legislative Intent.**     It is the intent of *I Liheslaturan*  
2 *Guåhan* to authorized the Commission to lease properties, such as Lot  
3 Number 10175, Lot Number 10173, Lot Number 5173-1-R2NEW and Lot  
4 Number 5174-REM-2-R1, more commonly known as the *Old Hospital Point*  
5 for commercial purposes under a general lease at fair market value to the  
6 general public.

7           **Section 3. Definitions.**     For the purposes of this Act, *except* as  
8 otherwise specifically provided, the following words shall have the  
9 meaning ascribed to them:

10           (a)    “*Commission*” shall mean the Chamorro Land Trust  
11           Commission.

12           (b)    “*GEDA*” shall mean the Guam Economic Development  
13           Authority.

14           (c)    “*GHC*” shall mean the Guam Housing Corporation.

15           (d)    “*SBA*” shall mean the Small Business Administration.

16           **Section 4. Commercial Lease Authorized.**    Lot Number 1075, Lot  
17 Number 1073, Lot Number 5173-1-R2NEW, containing and area of forty-  
18 eight (48) acres, and Lot Number 5174-REM-2-R1, containing an area of  
19 two point six (2.6) acres, more commonly known as either the *Old Hospital*  
20 *Point*, or *Oka Point*, is hereby designated by *I Liheslaturan Guåhan* as being  
21 available for general lease at its fair market value, for commercial purposes  
22 to the general public.

23           (a)    The Commission may utilize the services of GEDA to  
24           negotiate and dispose of the lots designated as available for lease. A

1 commercial lease may be disposed of through negotiation, *subject to*  
2 findings by the Commission that such is, *at a minimum*, compliant  
3 with their terms and conditions. After a determination is made to  
4 negotiate the disposition of a commercial lease or leases, then, notice  
5 of a proposed disposition by negotiation shall be published *at least*  
6 once in each of three (3) successive weeks in a newspaper of general  
7 circulation, and a copy of the same shall be readily available upon  
8 request. Such notice shall invite proposals and state in general terms,  
9 the size, location and rental prices of the lots to be leased, the terms of  
10 the lease, and the last date on which applications shall be received, at  
11 which such date shall *not* be less than thirty (30) days after the last  
12 date of publication of the notice. The notice shall also state the times  
13 and places at which more detailed information with respect to the  
14 lease may be obtained by interested persons.

15 (b) The lease(s) shall be at fair market value and shall  
16 provide for incremental lease rate adjustments based upon the fair  
17 market value. The frequency of such adjustments shall be  
18 determined by the Commission *prior to* the execution of any lease.

19 (c) Title to the Lots shall remain with the Commission and  
20 shall *not* be sold.

21 (d) The initial term of the lease shall *not* exceed fifty (50)  
22 years, and further, provided that upon the expiration of the lease, all  
23 improvements to the leased area shall revert to the Commission. At  
24 the discretion of the Commission, the lease may be renewed for an

1 additional term of forty-nine (49) years, provided that the approval of  
2 any extension shall be *subject to* the following conditions:

3 (1) that the properties have been used substantially for  
4 the purposes in which they were originally leased;

5 (2) that the aggregate of the initial term and any  
6 extension granted thereafter, shall *not* exceed ninety-nine (99)  
7 years;

8 (3) that the rental shall *not* be less than the rental for the  
9 preceding term; *and*

10 (4) that any additional terms and conditions shall  
11 insure and promote the intended purpose(s) of the properties.

12 (e) The minimum acceptable parameters of the terms and  
13 conditions of the lease shall be established by the Commission. The  
14 Commission shall reserve the right to insure that its terms and  
15 conditions are met *prior to* the final execution of any lease; *provided,*  
16 *further,* that *if* such terms and conditions are *not* met, the  
17 Commission may withdraw the property.

18 (f) All revenues generated by the lease shall be accrued to  
19 the Commission and shall be deposited into Commission accounts, as  
20 specified by the Commission. All revenues realized from any lease(s)  
21 shall be earmarked for the following:

22 (1) infrastructure improvements (roads, water, power,  
23 telephone, and sewer lines) on Chamorro Land Trust Lands;

1 (2) Chamorro Land Trust Home Mortgage, Small  
2 Business, Agricultural and Aquacultural Loan Programs;

3 (3) surveying of all remaining Chamorro Land Trust  
4 Lands;

5 (4) any other Chamorro Land Trust Commission  
6 program; *and*

7 (5) administrative costs, upon receiving legislative  
8 approval.

9 (g) The failure of a commercial lessee to commence  
10 substantial development with the project for which any commercial  
11 lease was disposed of within a period of two (2) years shall be  
12 sufficient cause for the Commission, at its discretion, to revoke the  
13 lease without liability whatsoever on the part of the Commission to  
14 the lessee or the lessee's creditors, *if any, except* to the extent the  
15 Commission may have previously agreed to, pursuant to the terms of  
16 the lease. Substantial development shall constitute *at least* ten percent  
17 (10%) of the total expected cost of development of the project. The  
18 expected cost of development includes the architectural and  
19 engineering fees, labor and building materials. The preliminary  
20 construction operations, which include preparing plans or drawings,  
21 clearing and grading or excavating, pouring concrete for foundations,  
22 and test borings to determine the subsoil shall *never* alone be deemed  
23 to constitute ten percent (10%) of the total expected cost of  
24 development.

1 (h) *Prior to* proceeding with the negotiated lease process, the  
2 Commission shall establish a Task Force, comprised of nine (9)  
3 members, to explore the potential development schemes. The Task  
4 Force shall be chaired by the Administrative Director of the  
5 Commission, or in the Director's absence, the Deputy Administrative  
6 Director. The Vice Chair shall be the Administrator of GEDA, or in  
7 that person's absence, the Deputy Administrator. The balance of the  
8 membership shall be selected as follows:

9 (1) one (1) member who is qualified to participate in  
10 the Chamorro Land Trust program to be selected by *I*  
11 *Maga'lahaen Guåhan*;

12 (2) one (1) member who is qualified to participate in  
13 the Chamorro Land Trust program to be selected by the  
14 Speaker of *I Liheslaturan Guåhan*;

15 (3) two (2) members shall be selected from among the  
16 GEDA Board of Directors;

17 (4) two (2) members shall be selected from among the  
18 membership of the Commission; *and*

19 (5) the ninth (9<sup>th</sup>) member shall be selected by the eight  
20 (8) members of the Task Force, in which such member shall  
21 continue to serve until a development scheme is adopted by the  
22 Task Force.

23 **Section 5. Bond Research; Development of Home and Small**

24 **Business Loans** (a) Upon enactment of this Act, GEDA shall

1 research the possibility of securing a Bond for the purposes of  
2 making funding available for the immediate implementation of  
3 infrastructure improvements on Chamorro Land Trust lands. GEDA  
4 shall within one hundred twenty (120) days, report to the Speaker of *I*  
5 *Liheslaturan Guåhan* its findings with respect to the Bond research.

6 (b) GEDA shall coordinate its efforts with GHC and SBA in  
7 developing Home Mortgage and Small Business Loan Programs to  
8 include participation in all HUD, Veterans Administration and other  
9 Federal Entities which provide funds for holders of Chamorro Land  
10 Trust leases.

11 **Section 6. Authorization to Issue Additional Leases.** Within one  
12 hundred-twenty (120) days upon enactment of this Act, the Commission  
13 shall issue an additional five hundred (500) residential or agricultural  
14 leases.

15 **Section 7. Severability.** *If* any provision of this Law or its  
16 application to any person or circumstance is found to be invalid or contrary  
17 to law, such invalidity shall *not* affect other provisions or applications of  
18 this Law which can be given effect without the invalid provisions or  
19 applications and to this end the provisions of this Law are severable.

6

# I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

2000 (SECOND) Regular Session

Date: 12/20/00

## VOTING SHEET

Bill No. 501 (COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BERMUDES, Eulogio C.	✓				
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.		✓			
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F. 11	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.					✓
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.		✓			
SALAS, John C. 11	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

10   2   \_\_\_\_\_   \_\_\_\_\_   1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence





FILE

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**TWENTY-FIFTH GUAM LEGISLATURE**  
155 Hesler Street, Hagåtña, Guam 96910

November 13, 2000

( DATE )

Memorandum

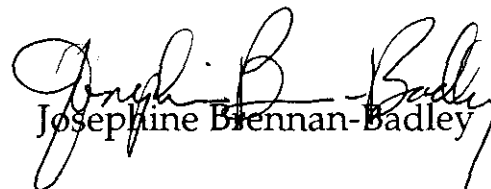
To: Senator Alberto C. Lamorena

From: Clerk of the Legislature

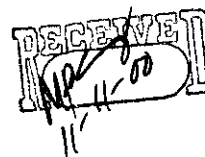
Subject: Report on Bill No. 501(COR)

Pursuant to §7.04 of Rule VII of the 25<sup>th</sup> Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 501(COR), for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

  
Josephine Brennan-Badley

Attachment





The Office of

**Senator Marcel G. Camacho**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Aspinall Avenue, Hagåtña, Guam 96910  
Suite 108A • Ada Plaza Center  
Phones (671) **479 8261 / 62 / 63 / 64**  
Facsimile (671) **472 8223**

November 9, 2000

The Honorable Antonio Unpingco, Speaker  
I Mina' Bente Singko na Liheslaturan Guahan  
155 Hesler St.  
Hagåtña, Guam 96910

Via: Committee on Rules

Dear Mr. Speaker:

The Committee on Land, Agriculture, Military Affairs and the Arts, wishes to report out its committee report on Bill No. 501(COR), *as substituted by the Committee*, with the recommendation **TO DO PASS**.

**Committee Voting Record:**

To do Pass: ✓ 6  
To not Pass:       
Abstain:     

A copy of the Committee Report is attached for your consideration.

Sincerely yours,

**MARCEL G. CAMACHO**  
Chairman

Attachments



The Office of

**Senator Marcel G. Camacho**

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN  
Twenty-Fifth Guam Legislature**

**Chairman, Committee on Land, Agriculture, Military Affairs and the Arts**

173 Aspinall Avenue, Hagåtña, Guam 96910  
Suite 108A • Ada Plaza Center  
Phones (671) **479 8261 / 62 / 63 / 64**  
Facsimile (671) **472 8223**

November 9, 2000

**MEMORANDUM**

**TO: Members,  
Committee on Land, Agriculture, Military Affairs & the  
Arts**

**FR: Chairman**

**RE: Bill No. 501 (COR)**

Transmitted herewith for your consideration is the Committee on Land, Agriculture, Military Affairs, and the Arts' Report of **Bill No.501 (COR)**, *as substituted by the Committee.* (See attached for details).

Should you have any questions please contact me or my Chief-of-Staff, Alfred Duenas.

Sincerely,

**MARCEL G. CAMACHO  
Chairman**

**Attachments**

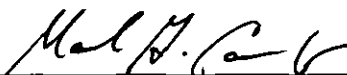







**COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS  
and the ARTS**

**I Mina'Bente Singko Na Liheslaturan Guåhan  
Twenty-Fifth Guam Legislature**

**VOTING SHEET**

November 9, 2000

**RE: Bill No. 501 (COR): AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES., as substituted by the Committee..**

COMMITTEE MEMBERS:	SIGNATURE	TO DO PASS	TO NOT PASS	ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Marcel G. Camacho Chairman		✓			
Senator Lawrence F. Kasperbauer, Vice-Chairman		x			
Senator Joanne M.S. Brown		✓			
Senator Eduardo B. Calvo		✓			
Senator Kaleo S. Moylan		✓			
Senator Simon A. Sanchez, II					
Senator Frank B. Aguon, Jr.		✓			
Speaker Antonio "Tony" R. Unpingco, Ex Officio					

## Committee on Land, Agriculture, Military Affairs & the Arts

### Committee Report November 3, 2000

The Committee on Land, Agriculture, Military Affairs & the Arts held a public hearing on July 18, 2000 at the Public Hearing Room in the Legislative Building. The hearing was called to order at 9:27 a.m. by the Chairman, Senator Marcel G. Camacho.

Present for the hearing were Senator Frank Aguon and Senator Tony Lamorena.

**Bill No. 253 (COR):** AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT./**Bill No. 501(COR):** AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES.

#### Testimony Submitted by:

Pat Punzalan, CLTC	Written
Joey Cepeda, GEDA	Oral/Written
Joe Borja, ALC	Oral
Ronald Teehan, CLTC	Oral
Lucy Lin, Bel Canto Music Foundation/CAHA	Oral
Stephen Bednarzyk, Guam Symphony Society	Oral

#### Summary of Testimonies:

**Joey Cepeda:** Acting Administrator of GEDA in favor of bill. Read testimony (see attached).

**Joe Borja:** Director, Ancestral Lands Commission. In favor of bill. Made three suggestions: 1) Section 3, page 2, lots surrounding area known as Old Hospital Point Lots 10175 & 10173, suggests working with Land Management to include these lots in the old Hospital Point area. 2) Line 11, page 2, "the Chamorro Land Trust Commission shall utilize the services of GEDA", use "may" in place of "shall";, and 3) Numerical make-up of the task force. With the numbers as it is, it is conceivable that the control of the development of the property could be lost by the Chamorro Land Trust Commission itself by not having enough votes or a swing vote on the task force. Maybe a consideration in terms of the make-up of the task force so that the Chamorro Land Trust Commissioners have the absolute number to control the property development of that area.

**Ronald Teehan:** Administrative Director, Chamorro Land Trust Commission. In favor and agrees with suggestions made by Mr. Borja.

**Lucy C. Lin:** Bel Canto Music Foundation and CAHA Board Member . This would be a prime location for a covention/arts center which would benefit the people of Guam and the tourists. It would generate revenue and also attract world class artists.

**Stephen Bednarzyk:** Music Director & Conductor Guam Symphony Society. The Guam Symphony is the only orchestra on island and has been around for 35 years. They still do not have a permanent place to perform which is true for all performing arts groups. He likes the idea of a Cultural Center. A venue for the performing arts groups with good sound and lighting. This will attract visiting groups to the island.

There being no other testimony, the bill is publicly heard.

**Legislative findings and recommendations:** The Committee finds that Oka Point is one of the most valuable properties in the inventory of the Chamorro Land Trust. It has been sitting idle since the Department of Public Works declared it a hazard over fifteen years ago. One of the stumbling blocks that prevented any development of the site was the existence of the Old Guam Memorial Hospital. The government did not have the financial resources to demolish the building and dispose of the debris. The Guam Economic Development Authority has commissioned numerous studies and plans on the development of the site. None could be pursued further because of the presence of the building on the site.

After Typhoon Paka, the government was able to secure a FEMA grant to demolish and dispose of the debris. Even after this monumental feat was accomplished, the Chamorro Land Trust Commission still could not authorize the development of the site because they do not have their Commercial Real Property Rules and Regulations in place. The subject of the rules and regulations has been discussed at numerous CLTC board meetings. All the discussions have not brought CLTC any closer to drafting their rules and regulations.

The leaseholders of CLTC residential property have been waiting for over five (5) years for the Commission to provide the needed infrastructure so they could construct their dream house. Each time the Commission members are pressured by the leaseholders, they refer to the need to lease out Oka Point so they could obtain the needed bond financing to complete the much-anticipated infrastructure.

The Committee further finds that the leaseholders of CLTC residential property are tired of waiting for the CLTC board to approve the rules and regulations for commercial lease. However it is imperative that *I Liheslaturan Guahan* take the lead and allow the Chamorro Land Trust to start receiving **real money** to finance all the programs that the Chamorro people are entitled to.

The Chairman, Committee on Land, Agriculture, Military Affairs and the Arts, during the public hearing for Bill 253 ruled that both Bill 253 and 501 are similar in purpose and content and that Bill 501 will be the bill to be reported out and discussed by the Body.

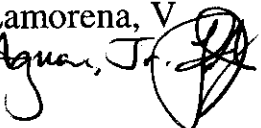
The Committee recommends that *I Mina Bente Singko Na Liheslaturan Guahan* approve Bill 501, as substituted by the Committee.

**MINA BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**2000 (SECOND) Regular Session**

**Bill No. 501 (COR)**

....As Substituted by the Committee  
On Land, Agriculture, Military  
Affairs and the Arts.

Introduced by:

A.C. Lamorena, V  
F.B. Aguon, Jr. 

**AN ACT AUTHORIZING THE CHAMORRO  
LAND TRUST COMMISSION TO ENTER INTO A  
GENERAL LEASE FOR THE COMMERCIAL  
DEVELOPMENT OF OKA POINT; AND FOR  
OTHER PURPOSES.**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the Chamorro Land Trust Commission currently has in its possession, a prime commercial property known as Oka Point. The Commission has determined that the highest and best use of the Oka Point property can not be found in neither residential nor agricultural programs. Due to the absence of the authorization to implement commercial lease agreements, the Chamorro Land Trust Commission can not begin the planning for the development of this property, which is commercial in nature. As a result of this lack of statutory authority, the Commission has lost out on generating revenue in its inability to lease the Oka Point property. *I Liheslaturan Guahan* further finds that by authorizing the commercial lease for property such as Oka Point to a developer, revenues generated from such a lease can be earmarked to fund various infrastructure



1 improvements and other programs within the residential and agricultural leases  
2 currently being implemented by the commission.

3 *I Liheslaturan Guahan* is of the opinion that with the statutory authority for  
4 the commercial lease of certain Chamorro Land Trust properties, revenues  
5 generated from these leases will significantly benefit the CLTC residential and  
6 agricultural programs. Upon the implementation and completion of the  
7 infrastructure improvements for the residential and agricultural programs,  
8 Chamorus and others within the program will finally be able to fulfill their dreams,  
9 move in and build on land that is rightfully theirs.

10 **Section 2. Legislative Intent.** It is the intent of *I Liheslaturan Guahan* to  
11 authorized the Chamorro Land Trust Commission to lease properties such as, Lot  
12 No 10175, Lot No. 10173, Lot No. 5173-1-R2NEW, and Lot No. 5174-REM-2-  
13 R1, more commonly known as the *Old Hospital Point* for commercial purposes  
14 under a general lease at Fair Market Value to the general public.

15 **Section 3. Definitions.** For the purposes of this Act, except as otherwise  
16 specifically provided, the following words shall have the meaning ascribed to them  
17 as follows:

18 (a) *The Commission* shall mean the Chamorro Land Trust  
19 Commission.

20 (b) *GEDA* shall mean the Guam Economic Development  
21 Authority.

22 (c) *GHC* shall mean the Guam Housing Corporation.

23 (d) *SBA* shall mean the Small Business Administration.

24 **Section 4. Commercial Lease Authorized.** Lot No. 1075, Lot No. 1073,  
25 Lot No. 5173-1-R2NEW, containing and area of forty-eight (48) acres, and Lot

1 No. 5174-REM-2-R1, containing an area of two point six (2.6) acres, more  
2 commonly known as either the *Old Hospital Point*, or *Oka Point*, is hereby  
3 designated by *I Liheslaturan Guahan* as being available for general lease, at the  
4 fair market value, for commercial purposes to the general public.

5 (a) The Chamorro Land Trust Commission (*the Commission*)  
6 [~~shall~~] may utilize the services of the Guam Economic Development  
7 Authority (*GEDA*) to negotiate and dispose of the lots designated as  
8 available for lease. A commercial lease may be disposed of through  
9 negotiation, subject to findings by the Commission that such is, at a  
10 minimum, compliant with their terms and conditions. After a determination  
11 is made to negotiate the disposition of a commercial lease or leases, then,  
12 notice of a proposed disposition by negotiation shall be published at least  
13 once in each of three (3) successive weeks in a newspaper of general  
14 circulation, and a copy of the same shall be readily available upon request.  
15 Such notice shall invite proposals and state in general terms, the size,  
16 location, and rental prices of the lots to be leased, the terms of the lease, and  
17 the last date on which applications shall be received, at which such date shall  
18 not be less than thirty (30) days after the last date of publication of the  
19 notice. The notice shall also state the times and places at which more  
20 detailed information with respect to the lease may be obtained by interested  
21 persons.

22 (b) The lease(s) shall be at fair market value and shall provide for  
23 incremental lease rate adjustments based on the fair market value. The  
24 frequency of such adjustments shall be determined by the Commission prior  
25 to the execution of any lease.

1 (c) Title to the Lots shall remain with the Chamorro Land Trust  
2 Commission and shall *not* be sold.

3 (d) The initial term of the lease shall not exceed fifty (50) years,  
4 and further, provided that upon the expiration of the lease, all improvements  
5 to the leased area shall revert to the Commission. At the discretion of the  
6 Commission, the lease may be renewed for an additional term of [~~twenty-~~  
7 ~~five (25) years~~] forty-nine (49) years, provided that the approval of any  
8 extension shall be subject to the following conditions:

9 (1) That the properties have been used substantially for the  
10 purposes in which they were originally leased;

11 (2) That the aggregate of the initial term and any extension  
12 granted thereafter, shall *not* exceed [~~seventy five (75)~~] ninety (90)  
13 years;

14 (3) That the rental shall *not* be less than the rental for the  
15 preceding term; *and*

16 (4) That any additional terms and conditions shall insure and  
17 promote the intended purpose(s) of the properties.

18 (e) The minimum acceptable parameters of the terms and  
19 conditions of the lease shall be established by the Commission. The  
20 Commission shall reserve the right to insure that its terms and conditions are  
21 met prior to the final execution of any lease; *provided*, further, that if such  
22 terms and conditions are not met, the Commission may withdraw the  
23 property.

24 (f) All revenues generated by the lease shall be accrued to the  
25 Commission and shall be deposited into Commission accounts, as specified

1 by the Commission. All revenues realized from any lease(s) shall be  
2 earmarked for the following:

3 (1) Infrastructure improvements (roads, water, power,  
4 telephone, and sewer lines) on Chamorro Land Trust Lands;

5 (2) Chamorro Land Trust Home Mortgage, Small Business,  
6 Agricultural and Aquacultural Loan Programs;

7 (3) Surveying of all remaining Chamorro Land Trust Lands;

8 (4) Any other Chamorro Land Trust Commission program

9 *and*

10 (5) Administrative costs, upon receiving legislative approval.

11 (g) The failure of a commercial lease to commence with the project  
12 and/or purposes for which any commercial lease was disposed of within a  
13 period of two (2) years shall be sufficient cause for the Commission, at its  
14 discretion, to order GEDA to revoke the lease without liability whatsoever  
15 on the part of the Commission to the lessee or his creditors, if any, except to  
16 the extent the Commission may have previously agreed to, pursuant to the  
17 terms of the lease.

18 (h) Prior to proceeding with the negotiated lease process, the  
19 Commission and GEDA shall establish a Task Force, comprised of nine (9)  
20 members, to explore the potential development schemes. The Task Force  
21 shall be chaired by the Administrative Director of the Commission, or in his  
22 absence, the Deputy Administrative Director. The Vice Chair shall be the  
23 Administrator of GEDA, or in his absence, the Deputy Administrator. The  
24 balance of the membership shall be selected as follows:

1 (1) One (1) member who is qualified to participate in the  
2 Chamorro Land Trust program to be selected by the  
3 Governor;

4 (2) One (1) member who is qualified to participate in the  
5 Chamorro Land Trust program to be selected by the  
6 Speaker;

7 (3) Two (2) members shall be selected from among the  
8 GEDA Board of Directors;

9 (4) Two (2) members shall be selected from among the  
10 membership of the Commission; *and*

11 (5) The ninth (9<sup>th</sup>) member shall be selected by the eight  
12 members of the Task Force, in which such member shall continue to  
13 serve until a development scheme is adopted by the Task force.

14 **Section 5. Bond Research; Development of Home and Small Business**  
15 **Loans.** (a) Upon enactment of this Act, GEDA shall research the possibility of  
16 securing a Bond for the purposes of making funding available for the immediate  
17 implementation of infrastructure improvements on Chamorro Land Trust lands.  
18 GEDA shall within one hundred twenty (120) days, report to the Speaker of *I*  
19 *Liheslaturan Guåhan*, its findings with respect to the Bond research.

20 (b) GEDA shall coordinate its efforts with the Guam Housing  
21 Corporation (*GHC*) and the Small Business Administration (*SBA*) in  
22 developing a Home Mortgage and Small Business Loan Programs to include  
23 participation in all HUD, Veterans Administration (VA) and other Federal  
24 Entities which provide funds for holders of Chamorro Land Trust Leases.

1           **Section 6. Authorization to Issue Additional Leases.** Within one  
2 hundred-twenty (120) days upon enactment of this Act, the Commission shall issue  
3 an additional five hundred (500) residential or agricultural leases.

4           **Section 7. Severability.** *If* any provision of this Law or its application to  
5 any person or circumstance is found to be invalid or contrary to law, such  
6 invalidity shall *not* affect other provisions or application s of this Law which can  
7 be given effect without the invalid provisions or applications and to this end the  
8 provisions of this Law are severable.

OCT 27 2000

**MINA BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session**

Bill No. 501 ( ) 2002

Introduced by:

A.C. Lamorena, *Vaidh*

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**AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES.**

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

1           **Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the  
2 Chamorro Land Trust Commission currently has in its possession, a prime commercial  
3 property known as Oka Point. The Commission has determined that the highest and  
4 best use of the Oka Point property can not be found in neither residential nor  
5 agricultural programs. Due to the absence of the authorization to implement  
6 commercial lease agreements, the Chamorro Land Trust Commission can not begin the  
7 planning for the development of this property, which is commercial in nature. As a  
8 result of this lack of statutory authority, the Commission has lost out on generating  
9 revenue in its inability to lease the Oka Point property. *I Liheslaturan Guahan* further  
10 finds that by authorizing the commercial lease for property such as Oka Point to a  
11 developer, revenues generated from such a lease can be earmarked to fund various  
12 infrastructure improvements and other programs within the residential and agricultural  
13 leases currently being implemented by the commission.  
14

1            *I Liheslaturan Guahan* is of the opinion that with the statutory authority for the  
2 commercial lease of certain Chamorro Land Trust properties, revenues generated from  
3 these leases will significantly benefit the CLTC residential and agricultural programs.  
4 Upon the implementation and completion of the infrastructure improvements for the  
5 residential and agricultural programs, Chamorus and others within the program will  
6 finally be able to fulfill their dreams, move in and build on land that is rightfully theirs.

7            **Section 2. Legislative Intent.** It is the intent of *I Liheslaturan Guahan* to  
8 authorized the Chamorro Land Trust Commission to lease properties such as, Lot No.  
9 5173-1-R2NEW, and Lot No. 5174-REM-2-R1, more commonly known as the *Old*  
10 *Hospital Point* for commercial purposes under a general lease at Fair Market Value to  
11 the general public.

12            **Section 3. Definitions.** For the purposes of this Act, except as otherwise  
13 specifically provided, the following words shall have the meaning ascribed to them as  
14 follows:

15            (a) *The Commission* shall mean the Chamorro Land Trust  
16 Commission.

17            (b) *GEDA* shall mean the Guam Economic Development Authority.

18            (c) *GHC* shall mean the Guam Housing Corporation.

19            (d) *SBA* shall mean the Small Business Administration.

20            **Section 4. Commercial Lease Authorized.** Lot No. 5173-1-R2NEW,  
21 containing an area of forty-eight (48) acres, and Lot No. 5174-REM-2-R1, containing  
22 an area of two point six (2.6) acres, more commonly known as either the *Old Hospital*  
23 *Point*, or *Oka Point*, is hereby designated by *I Liheslaturan Guahan* as being available  
24 for general lease, at the fair market value, for commercial purposes to the general  
25 public.



1           (a) The Chamorro Land Trust Commission (*the Commission*) shall  
2 utilize the services of the Guam Economic Development Authority (*GEDA*) to  
3 negotiate and dispose of the lots designated as available for lease. A commercial  
4 lease may be disposed of through negotiation, subject to findings by the  
5 Commission that such is, at a minimum, complaint with their terms and  
6 conditions. After a determination is made to negotiate the disposition of a  
7 commercial lease or leases, then, notice of a proposed disposition by negotiation  
8 shall be published at least once in each of three (3) successive weeks in a  
9 newspaper of general circulation, and a copy of the same shall be readily  
10 available upon request. Such notice shall invite proposals and state in general  
11 terms, the size, location, and rental prices of the lots to be leased, the terms of  
12 the lease, and the last date on which applications shall be received, at which  
13 such date shall not be less than thirty (30) days after the last date of publication  
14 of the notice. The notice shall also state the times and places at which more  
15 detailed information with respect to the lease may be obtained by interested  
16 persons.

17           (b) The lease(s) shall be at fair market value and shall provide for  
18 incremental lease rate adjustments based on the fair market value. The  
19 frequency of such adjustments shall be determined by the Commission prior to  
20 the execution of any lease.

21           (c) Title to the Lots shall remain with the Chamorro Land Trust  
22 Commission and shall *not* be sold.

23           (d) The initial term of the lease shall not exceed fifty (50) years, and  
24 further, provided that upon the expiration of the lease, all improvements to the  
25 leased area shall revert to the Commission. At the discretion of the Commission,

1 the lease may be renewed for an additional term of twenty-five (25) years,  
2 provided that the approval of any extension shall be subject to the following  
3 conditions:

4 (1) That the properties have been used substantially for the  
5 purposes in which they were originally leased;

6 (2) That the aggregate of the initial term and any extension  
7 granted thereafter, shall *not* exceed seventy-five (75) years;

8 (3) That the rental shall *not* be less than the rental for the  
9 preceding term; *and*

10 (4) That any additional terms and conditions shall insure and  
11 promote the intended purpose(s) of the properties.

12 (e) The minimum acceptable parameters of the terms and conditions  
13 of the lease shall be established by the Commission. The Commission shall  
14 reserve the right to insure that its terms and conditions are met prior to the final  
15 execution of any lease; *provided*, further, that if such terms and conditions are  
16 not met, the Commission may withdraw the property.

17 (f) All revenues generated by the lease shall be accrued to the  
18 Commission and shall be deposited into Commission accounts, as specified by  
19 the Commission. All revenues realized from any lease(s) shall be earmarked for  
20 the following:

21 (1) Infrastructure improvements (roads, water, power, telephone,  
22 and sewer lines) on Chamorro Land Trust Lands;

23 (2) Chamorro Land Trust Home Mortgage, Small Business,  
24 Agricultural and Aquacultural Loan Programs;

25 (3) Surveying of all remaining Chamorro Land Trust Lands; *and*

1 (4) Administrative costs, upon receiving legislative approval.

2 (g) The failure of a commercial lease to commence with the project  
3 and/or purposes for which any commercial lease was disposed of within a period  
4 of two (2) years shall be sufficient cause for the Commission, at its discretion,  
5 to order GEDA to revoke the lease without liability whatsoever on the part of the  
6 Commission to the lessee or his creditors, if any, except to the extent the  
7 Commission may have previously agreed to, pursuant to the terms of the lease.

8 (h) Prior to proceeding with the negotiated lease process, the  
9 Commission and GEDA shall establish a Task Force, comprised of nine (9)  
10 members, to explore the potential development schemes. The Task Force shall  
11 be chaired by the Administrative Director of the Commission, or in his absence,  
12 the Deputy Administrative Director. The Vice Chair shall be the Administrator  
13 of GEDA, or in his absence, the Deputy Administrator. The balance of the  
14 membership shall be selected as follows:

15 (1) One (1) member to be selected by the Governor;

16 (2) One (1) member to be selected by the Speaker;

17 (3) Two (2) members shall be selected from among the GEDA  
18 Board of Directors;

19 (4) Two (2) members shall be selected from among the  
20 membership of the Commission; *and*

21 (5) The ninth (9<sup>th</sup>) member shall be selected by the eight  
22 members of the Task Force, in which such member shall continue to serve  
23 until a development scheme is adopted by the Task force.

24 **Section 5. Bond Research; Development of Home and Small Business**

25 **Loans.** (a) Upon enactment of this Act, GEDA shall research the possibility of

securing a Bond for the purposes of making funding available for the immediate implementation of infrastructure improvements on Chamorro Land Trust lands. GEDA shall within one hundred twenty (120) days, report to the Speaker of *I Liheslaturan Guåhan*, its findings with respect to the Bond research.

(b) GEDA shall coordinate its efforts with the Guam Housing Corporation (*GHC*) and the Small Business Administration (*SBA*) in developing a Home Mortgage and Small Business Loan Programs for holders of Chamorro Land Trust Leases.

**Section 6. Authorization to Issue Additional Leases.** Within one hundred-twenty (120) days upon enactment of this Act, the Commission shall issue an additional five hundred (500) residential or agricultural leases.

**Section 7. Severability.** *If any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Law which can be given effect without the invalid provisions or applications and to this end the provisions of this Law are severable.*

JUN 25 1999

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session**

Bill No. 253 (cur)

Introduced by:

A.C. Lamorena, V 

---

**AN ACT AUTHORIZING THE CHAMORRO LAND TRUST  
COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO  
ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL  
DEVELOPMENT OF OKA POINT..**

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

1           **Section 1. Legislative Findings.** It is the finding of the Legislature that the  
2 Chamorro Land Trust Commission has, in its possession, a prime commercial grade  
3 property known as Oka Point. The Commission has determined the highest and best  
4 use of Oka Point is not found in residential or agricultural programs. However, the  
5 Commission has lost out on generating revenue as a result of the inability to lease the  
6 Oka Point property, directly due to a lack of statutory authority to execute commercial  
7 leases within a market that will insure the highest revenue yield to the Commission.  
8

9           The Legislature finds that the Oka Point could be leased to a developer, with the  
10 revenues generated from such lease earmarked to fund the various programs of the  
11 Commission.

12           **Section 2. Legislative Intent.** It is the intent of the Legislature that the  
13 Chamorro Land Trust Commission shall be authorized to dispose of Lot 5173-1-  
14 R2NEW, and Lot 5174-REM-2-R1, commonly known as "Old Hospital Point," for

1 commercial purposes under a general lease at fair market value to the general public.  
2 Further, that all revenue realized shall accrue to the Commission.

3 **Section 3. Definitions, as used in this Act.**

4 (a) ***"The Commission"*** shall mean the Chamorro Land Trust Commission.

5 (b) ***"GEDA"*** shall mean the Guam Economic Development Authority.

6 **Section 4.** Lot 5173-1-R2NEW, comprising an approximate area of forty eight  
7 (48) acres, and Lot 5174-REM-2-R1, comprising an approximate area of two point six  
8 (2.6) acres, commonly known as "Old Hospital Point," is hereby designated by the  
9 Legislature as being available for general lease, at fair market value, for commercial  
10 purposes to the general public.

11 (a) The Chamorro Land Trust Commission shall utilize the services of the  
12 Guam Economic Development Authority to negotiate and dispose of the lots  
13 designated as available for lease. A commercial lease may be disposed of  
14 through negotiation, subject to a finding by the Commission that such is, at a  
15 minimum, compliant with their terms and conditions. After a determination is  
16 made to negotiate the disposition of a commercial lease or leases, then, notice  
17 of a proposed disposition by negotiation shall be published at least once in each  
18 of three successive weeks in a newspaper of general circulation, and a copy of  
19 same shall be readily available upon request. Such notice shall invite proposals  
20 and state in general terms the size, location, and prices of rental of lots to be  
21 leased, the terms of lease, and the last date on which applications shall be  
22 received, which date shall not be less than thirty (30) days after the last date of  
23 publication of the notice. The notice shall also state the times and places at  
24 which more detailed information with respect to the lease may be obtained by  
25 interested persons.

1 (b) The lease(s) shall be at fair market value and shall provide for incremental  
2 lease rate adjustments based on fair market value, the frequency of such  
3 adjustments shall be determined by the Commission prior to the execution of any  
4 lease.

5 (c) Title to the Lots shall remain with the Chamorro Land Trust Commission  
6 and shall not be sold.

7 (d) The initial term of the lease shall not exceed fifty (50) years, and further,  
8 provided, that upon the expiration of the lease, all improvements to the leased  
9 area shall revert to the Commission. At the discretion of the Commission, the  
10 lease may be renewed for an additional term of twenty-five (25) years, provided,  
11 that the approval of any extension shall be subject to the following:

12 (1) The demised premises have been used substantially for the purpose  
13 for which they were originally leased;

14 (2) The aggregate of the initial term and any extension granted  
15 thereafter shall not exceed seventy-five (75) years.

16 (3) The rental shall not be less than the rental for the preceding term;

17 (4) Any additional terms and conditions which shall insure and  
18 promote the intended purpose(s) of the demised lands.

19 (e) The minimum acceptable parameters of the terms and conditions of the  
20 lease shall be established by the Commission. The Commission shall reserve the  
21 right to insure that its terms and conditions are met prior to the final execution  
22 of any lease; provided, further, that if such terms and conditions are not met, the  
23 Commission may withdraw the property.

24 (f) All revenues generated by the lease shall be accrued to the Commission  
25 and shall be deposited into Commission accounts, as specified by the

1 Commission. All revenues realized from any lease(s) shall be earmarked for the  
2 following:

- 3 i. Infrastructure improvements (roads, water, power, telephone, and  
4 sewer lines) on Chamorro Land Trust Lands;
- 5 ii. Special Funds of the Commission; and
- 6 iii. Any other Chamorro Land Trust program or project deemed  
7 necessary by the Commission, as authorized pursuant to law.

8 (g) The failure of a commercial lessee to commence with the project and/or  
9 purposes for which any commercial lease was disposed of within a period of two  
10 years shall be sufficient cause for the Commission, at its discretion, to order  
11 GEDA to revoke the lease without liability whatsoever on the part of the  
12 Commission to the lessee or his creditors, if any, except to the extent the  
13 Commission may have previously agreed to pursuant to the terms of the lease.

14 (h) Prior to proceeding with the negotiated lease process, the Commission and  
15 GEDA shall establish a Task Force, comprised of nine (9) members, to explore  
16 the potential development schemes. The Task Force shall be chaired by the  
17 Administrative Director of the Commission, or in his absence, the Deputy  
18 Administrative Director of the Commission. The Vice-Chair shall be the  
19 Executive Director of GEDA, or in his absence, the Deputy Executive Director.

20 The balance of the membership shall be selected as follows:

- 21 (1) One member selected by the Governor;
- 22 (2) One member selected by the Speaker;
- 23 (3) Two members shall be selected by GEDA's Board of Directors;
- 24 (4) Two members shall be selected by the Members of the  
25 Commission; and



1                   **(5) The ninth member shall be selected by the eight members of the**  
2                   **Task Force, and shall continue to serve until a development scheme is**  
3                   **adopted by the Task Force.**



**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asunton Fidirat

*Senadot Mark Forbes, Gehilu  
Kabisiyon Mayuråt*

**JUL 12 1999**

**MEMORANDUM**

**TO:** Chairman  
Committee on Land, Agriculture, Military Affairs and Arts

**FROM:** Chairman *[Signature]*  
Committee on Rules, Government Reform, Reorganization  
and Federal Affairs

**SUBJECT:** Principal Referral – Bill No. 253

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Please note that a secondary referral of this bill has been made to the Committee on Tourism, Economic Development and Parks.

Thank you for your attention to this matter.

**MARK FORBES**

Attachment


OFFICE OF  
*Marcel G. Camacho*  
SENATOR  
Date 7/12/99 Time: 3:10 p  
Received By *DF*

JUN 25 1999

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session**

Bill No. 253(102)

Introduced by:

A.C. Lamorena, V 

---

**AN ACT AUTHORIZING THE CHAMORRO LAND TRUST  
COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO  
ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL  
DEVELOPMENT OF OKA POINT..**

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

**Section 1. Legislative Findings.** It is the finding of the Legislature that the Chamorro Land Trust Commission has, in its possession, a prime commercial grade property known as Oka Point. The Commission has determined the highest and best use of Oka Point is not found in residential or agricultural programs. However, the Commission has lost out on generating revenue as a result of the inability to lease the Oka Point property, directly due to a lack of statutory authority to execute commercial leases within a market that will insure the highest revenue yield to the Commission.

The Legislature finds that the Oka Point could be leased to a developer, with the revenues generated from such lease earmarked to fund the various programs of the Commission.

**Section 2. Legislative Intent.** It is the intent of the Legislature that the Chamorro Land Trust Commission shall be authorized to dispose of Lot 5173-1-R2NEW, and Lot 5174-REM-2-R1, commonly known as "Old Hospital Point," for

1 commercial purposes under a general lease at fair market value to the general public.  
Further, that all revenue realized shall accrue to the Commission.

3 **Section 3. Definitions, as used in this Act.**

4 (a) ***"The Commission"*** shall mean the Chamorro Land Trust Commission.

5 (b) ***"GEDA"*** shall mean the Guam Economic Development Authority.

6 **Section 4.** Lot 5173-1-R2NEW, comprising an approximate area of forty eight  
7 (48) acres, and Lot 5174-REM-2-R1, comprising an approximate area of two point six  
8 (2.6) acres, commonly known as "Old Hospital Point," is hereby designated by the  
9 Legislature as being available for general lease, at fair market value, for commercial  
10 purposes to the general public.

11 (a) The Chamorro Land Trust Commission <sup>may</sup> shall utilize the services of the  
12 Guam Economic Development Authority to negotiate and dispose of the lots  
13 designated as available for lease. A commercial lease may be disposed of  
14 through negotiation, subject to a finding by the Commission that such is, at a  
15 minimum, compliant with their terms and conditions. After a determination is  
16 made to negotiate the disposition of a commercial lease or leases, then, notice  
17 of a proposed disposition by negotiation shall be published at least once in each  
18 of three successive weeks in a newspaper of general circulation, and a copy of  
19 same shall be readily available upon request. Such notice shall invite proposals  
20 and state in general terms the size, location, and prices of rental of lots to be  
21 leased, the terms of lease, and the last date on which applications shall be  
22 received, which date shall not be less than thirty (30) days after the last date of  
23 publication of the notice. The notice shall also state the times and places at  
24 which more detailed information with respect to the lease may be obtained by  
25 interested persons.

1 (b) The lease(s) shall be at fair market value and shall provide for incremental  
2 lease rate adjustments based on fair market value, the frequency of such  
3 adjustments shall be determined by the Commission prior to the execution of any  
4 lease.

5 (c) Title to the Lots shall remain with the Chamorro Land Trust Commission  
6 and shall not be sold.

7 (d) The initial term of the lease shall not exceed fifty (50) years, and further,  
8 provided, that upon the expiration of the lease, all improvements to the leased  
9 area shall revert to the Commission. At the discretion of the Commission, the  
10 lease may be renewed for an additional term of twenty-five (25) years, provided,  
11 that the approval of any extension shall be subject to the following:

12 (1) The demised premises have been used substantially for the purpose  
13 for which they were originally leased;

14 ~~(2) The aggregate of the initial term and any extension granted~~  
15 ~~thereafter shall not exceed seventy-five (75) years.~~ ]

16 (3) The rental shall not be less than the rental for the preceding term;

17 (4) Any additional terms and conditions which shall insure and  
18 promote the intended purpose(s) of the demised lands.

19 (e) The minimum acceptable parameters of the terms and conditions of the  
20 lease shall be established by the Commission. The Commission shall reserve the  
21 right to insure that its terms and conditions are met prior to the final execution  
22 of any lease; provided, further, that if such terms and conditions are not met, the  
23 Commission may withdraw the property.

24 (f) All revenues generated by the lease shall be accrued to the Commission  
25 and shall be deposited into Commission accounts, as specified by the

Aturidad Inadilanton



Ikunumihan Guahan

**Governor**  
Carl T.C. Gutierrez

**Lieutenant Governor**  
Madeleine Z. Bordallo

TESTIMONY ON  
BILL 253(COR) AN ACT AUTHORIZING THE CHAMORRO LAND TRUST  
COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO ENTER INTO A  
GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT

Submitted by  
Joey Cepeda  
Acting Administrator  
Guam Economic Development Authority  
November 3, 2000

Good morning, Mr. Chairman and members of the Committee on Land, Agriculture,  
Military Affairs & the Arts, ladies and gentlemen.

My name is Joey Cepeda, and I am the Acting Administrator of the Guam Economic  
Development Authority (GEDA). I am here on behalf of the Authority to provide testimony  
in favor of Bill 253 (COR). The Authority fully supports the intent of the Legislature to lease  
the Oka Point property to attain the highest and best use of this prime commercial grade  
property.

To enable GEDA to effectively carry out this mandate, when passed, I would like to  
suggest the following changes to this bill:

Under **Section 4(d)** regarding the term of the lease, we propose that the language be  
amended to read: "The initial term of the lease shall not exceed ninety-nine (99) years, or at  
least fifty (50) years with an option to extend for another forty-nine (49) years, provided, that  
the approval of any extension shall be subject to the following: ..."

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The following Subsections (1), (3), and (4) would remain unchanged.

**Subsection (2)** would then be deleted or changed to read "The aggregate of the initial term and any extension granted thereafter shall not exceed ninety-nine (99) years."

Based on the numerous inquiries the Authority has received throughout these years from serious major investors/developers, a lease limited to only fifty years does not allow sufficient time for them to secure adequate financing, to recover their investments and compensate for the risks they are undertaking. The suggested extended lease period would provide adequate time and incentive to attract substantial investment for this prime property.

Under **Section 4(e)**, there should be a specified timeframe for the Commission to establish the *minimum acceptable parameters of the terms and conditions* of the lease. These parameters need to be established before the request for proposals can be published.

Under **Section 4(f)**, I propose that a new sub item be added to allocate funds for GEDA to implement the mandates under its enabling statutes to promote Guam to investors on a global basis, with language as follows:

"iv. Subject to legislative approval, a certain percentage of the income received from the lease of this property shall be earmarked for GEDA to promote and market the island of Guam as an investment destination and/or to authorize GEDA to establish and assess fees to the *Commission for this purpose*."

Under **Section 4(h)**, the sentence beginning in line 18 should be amended to read: "The Vice-Chair shall be the Administrator of GEDA, or in his absence, the Deputy Administrator...."

# Chamorro Land Trust Commission

P.O. Box 2950 Hagatña, Guam 96932

Phone: 475-4259 Fax: 477-8082

Joseph T. Gumataotao, Chairman  
Tomas T. Aguon, Commissioner  
John Q. Finona, Commissioner  
Lucy B. San Nicolas, Commissioner

Ronald E. Franquez Teehan  
Administrative Director  
Eustaquio "Pak" A. Punzalan  
Deputy Administrative Director

**Hafa Adai Mr. Chairman and Members of the Committee on Land, Agriculture, Military Affairs and the Arts:**

On behalf of the Chamorro Land Trust Commission, I would like to thank you for allowing me to present testimony in support of Bill 253 as introduced by Senator Lamorena.

I find it comforting that the Legislature recognizes the value of Oka Point and its potential development through a commercial lease rather than through the Commission's residential and agricultural programs. Surely, the end result of having a private business lease to develop the property should yield many win-win situations. Some examples include, the Commission's revenue base will increase to support its mandates and programs, the tax payers would not be burdened with all the development costs, the lessee/developer will achieve a positive business investment and objective, the potential of the project may generate/create additional employment opportunities and local purchases, and thus as we all know from basic economics, result with an injection of little more cash flow within Guam's tax base.

I must admit that the CLTC is not adequately resourced at this time to take on such a project by itself. However, Bill 253 allows the CLTC to forge a partnership with the Guam Economic Development Authority. The Commission certainly welcomes GEDA's experience, expertise, advice and assistance to help us facilitate and energize this project.

The only concern at this time which I would like to ask the Legislature to consider and possibly include in Bill 253 are provisions for reimbursement of administrative costs associated with the request for proposal process. If this Bill becomes law, it would obviously become an unfunded budgeted item. The Bill



should include a provision to assess a minimum of a \$200 nonrefundable per RFP fee for each RFP specifications released to interested parties and an additional minimum of a \$200 nonrefundable per application/proposal fee upon submission. These fees would allow us to pass on some of the costs for the production of request for proposal specifications, maps, advertisement notices, legal review, etc.

The \$200 per RFP fee will assist in ensuring that specifications will only be released to those most serious about the project and reduce the potential for unnecessary and excessive copies. The \$200 per application/proposal fee will be used to recover any remaining costs incurred. For example, if we received at least three interested parties that resulted in three submitted proposals, we should have collected \$1,200. Because the bill requires that we publish a notice of a proposed disposition by negotiation at least three times, I have estimated that a 2-inch by 6 column print ad to cost approximately \$852 (\$284 times three days). This would leave us with a balance of \$348 to spread out between RFP production and legal review costs. Obviously, \$348 would not be enough for these types of expenses, particularly legal fees, but I think you get the idea of what I would hope to accomplish in recovering some of the expenses, if we were to go through with this process and project.

Other than that, thank you for allowing me to present my testimony.

Dangkulu Na Si Yu'os Ma'ase!





The Office of

**Senator Marcel G. Camacho**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

173 Aspinall Avenue, Hagåtña, Guam 96910  
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**Friday, November 3, 2000**  
**9:00 am**  
**Legislature's Public Hearing Room**

**AGENDA**

- I. Opening Remarks**
- II. Bill No. 253 (COR): AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION, OR ITS DESIGNATED REPRESENTATIVE, TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT.**
- III. Bill No. 491 (COR): AN ACT TO AUTHORIZE *IMAGA'LAHEN GUAHAN* TO EXCHANGE A PORTION OF GOVERNMENT OF GUAM PROPERTY DESIGNATED AS LOT NO. 10120-R16, DEDEDO ON A VALUE FOR VALUE BASIS WITH LOT NO. 147, BLOCK 20, AGANA.**
- IV. Bill No. 496 (COR): AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX(6) MEMBERS TO FOUR(4) MEMBERS.**
- V. Bill No. 499 (COR): AN ACT TO REPEAL SUBSECTION (C) OF SECTION 4 OF PUBLIC LAW 22-79.**
- VI. Adjournment**

**TESTIMONY SHEET**  
**LAND, AGRICULTURE, MILITARY AFFAIRS and the ARTS**

**TESTIMONY RELATIVE TO THE PUBLIC HEARING:**

Friday, November 3, 2000  
 Public Hearing Room, Legislature Building

**Bill No. 253**

CLASSIFICATION	TOPIC	WRITTEN TESTIMONY	ORAL TESTIMONY	REMARKS
<i>Trust Commission</i>		<del>X</del>	<del>X</del>	
		<del>X</del>	<del>X</del>	
			X	<i>technical</i>
<i>Executive Director</i>	<i>253</i>		✓	<i>in favor</i>
<i>Music Journalists</i>			✓	
<i>HA</i>			✓	
<i>CONDUCTOR SOCIETY</i>				



**TESTIMONY SHEET**  
**COMMITTEE ON LAND, AGRICULTURE, MILITARY AFFAIRS and the ARTS**

TESTIMONY RELATIVE TO THE PUBLIC HEARING:

Friday, November 3, 2000  
 Public Hearing Room, Legislature Building

**Bill No. 253**

NAME	AGENCY / BUSINESS / SELF / ORGANIZATION	TOPIC	WRITTEN TESTIMONY	ORAL TESTIMONY	REMARKS
1 Pat Puzalan	Charrero Land Trust Comm.		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
2 <del>Joan Cepeda</del>	<del>GEDA</del>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
3 Tony Llu. Proya	self			<input checked="" type="checkbox"/>	technical
4 Ronald Teche	CLTC Administrative Director	253		<input checked="" type="checkbox"/>	in favor
5 Cuy C. Lin	BEL CANTO Music Foundation Board on KATHA			<input checked="" type="checkbox"/>	
6 STEPHEN BEDNARZYK	MUSIC DIRECTOR & CONDUCTOR GUAM SYMPHONY SOCIETY			<input checked="" type="checkbox"/>	
7					
8					
9					
10					



**Senator  
Marcel G. Camacho**  
Chairman, Committee on Land,  
Agriculture,  
Military Affairs and the Arts



155 Hesler St. Hagåtña, GU 96910-Phone: 479-8261-4-Fax: 472-8223

**PUBLIC HEARING**  
Friday, November 3, 200, 9:00 AM  
Legislative Public Hearing Room

**AGENDA**

**Bill No. 253 (COR):** AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION, OR ITS DESIGNATE REPRESENTATIVE, TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT.

**Bill No. 491 (COR):** AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE A PORTION OF GOVERNMENT OF GUAM PROPERTY DESIGNATED AS LOT NO. 10120-R16, DEDEDO ON A VALUE FOR VALUE BASIS WITH LOT NO. 147, BLOCK 20, AGANA.

**Bill No. 496 (COR):** AN ACT TO AMEND §80103 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE QUORUM OF THE ANCESTRAL LANDS COMMISSION FROM SIX (6) MEMBERS TO FOUR (4) MEMBERS.

**Bill No. 499 (COR):** AN ACT TO REPEAL SUBSECTION (c) OF SECTION 4 OF PUBLIC LAW 22-79.

*THE PUBLIC IS ENCOURAGED TO ATTEND*

FSV 10/27

**COPY**



The Office of  
**Senator Marcel G. Camacho**

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN  
**Twenty-Fifth Guam Legislature**

Chairman, Committee on Land, Agriculture, Military Affairs and the Arts

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Facsimile (671) **472 8223**

October 27, 2000

Mr. Joseph E. Rivera  
Acting Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96932

Dear Mr. Rivera:

I am requesting Fiscal Notes or Waiver of Fiscal Notes pursuant to 2GCA §9101 on Bill Nos. 253, 491, 496, and 499.

We have scheduled a public hearing on the above bill on Friday, November 3, 2000 at 9:00 am at the Legislature's Public Hearing room.

Should you require any additional information, please contact my Chief of Staff, Mr. Alfred F. Duenas, at 479-8261.

Sincerely,

A handwritten signature in black ink, appearing to read "Marcel G. Camacho", written over a horizontal line.

Marcel G. Camacho  
Senator

/lbd

Attachments

MINA BENTE SINGKO NA LIHESLATURAN GUAHAN  
2000 (SECOND) Regular Session

Bill No. 501 ( ) 2012

(73) 445  
10/27/02

Introduced by:

A.C. Lamorena, *Vick*

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**AN ACT AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION TO ENTER INTO A GENERAL LEASE FOR THE COMMERCIAL DEVELOPMENT OF OKA POINT; AND FOR OTHER PURPOSES.**

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

**Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the Chamorro Land Trust Commission currently has in its possession, a prime commercial property known as Oka Point. The Commission has determined that the highest and best use of the Oka Point property can not be found in neither residential nor agricultural programs. Due to the absence of the authorization to implement commercial lease agreements, the Chamorro Land Trust Commission can not begin the planning for the development of this property, which is commercial in nature. As a result of this lack of statutory authority, the Commission has lost out on generating revenue in its inability to lease the Oka Point property. *I Liheslaturan Guahan* further finds that by authorizing the commercial lease for property such as Oka Point to a developer, revenues generated from such a lease can be earmarked to fund various infrastructure improvements and other programs within the residential and agricultural leases currently being implemented by the commission.

1            *I Liheslaturan Guahan* is of the opinion that with the statutory authority for the  
2 commercial lease of certain Chamorro Land Trust properties, revenues generated from  
3 these leases will significantly benefit the CLTC residential and agricultural programs.  
4 Upon the implementation and completion of the infrastructure improvements for the  
5 residential and agricultural programs, Chamorus and others within the program will  
6 finally be able to fulfill their dreams, move in and build on land that is rightfully theirs.

7            **Section 2. Legislative Intent.** It is the intent of *I Liheslaturan Guahan* to  
8 authorized the Chamorro Land Trust Commission to lease properties such as, Lot No.  
9 5173-1-R2NEW, and Lot No. 5174-REM-2-R1, more commonly known as the *Old*  
10 *Hospital Point* for commercial purposes under a general lease at Fair Market Value to  
11 the general public.

12            **Section 3. Definitions.** For the purposes of this Act, except as otherwise  
13 specifically provided, the following words shall have the meaning ascribed to them as  
14 follows:

15            (a) ***The Commission*** shall mean the Chamorro Land Trust  
16 Commission.

17            (b) ***GEDA*** shall mean the Guam Economic Development Authority.

18            (c) ***GHC*** shall mean the Guam Housing Corporation.

19            (d) ***SBA*** shall mean the Small Business Administration.

20            **Section 4. Commercial Lease Authorized.** Lot No. 5173-1-R2NEW,  
21 containing an area of forty-eight (48) acres, and Lot No. 5174-REM-2-R1, containing  
22 an area of two point six (2.6) acres, more commonly known as either the *Old Hospital*  
23 *Point*, or *Oka Point*, is hereby designated by *I Liheslaturan Guahan* as being available  
24 for general lease, at the fair market value, for commercial purposes to the general  
25 public.



1           (a) The Chamorro Land Trust Commission (*the Commission*) shall  
2 utilize the services of the Guam Economic Development Authority (*GEDA*) to  
3 negotiate and dispose of the lots designated as available for lease. A commercial  
4 lease may be disposed of through negotiation, subject to findings by the  
5 Commission that such is, at a minimum, compliant with their terms and  
6 conditions. After a determination is made to negotiate the disposition of a  
7 commercial lease or leases, then, notice of a proposed disposition by negotiation  
8 shall be published at least once in each of three (3) successive weeks in a  
9 newspaper of general circulation, and a copy of the same shall be readily  
10 available upon request. Such notice shall invite proposals and state in general  
11 terms, the size, location, and rental prices of the lots to be leased, the terms of  
12 the lease, and the last date on which applications shall be received, at which  
13 such date shall not be less than thirty (30) days after the last date of publication  
14 of the notice. The notice shall also state the times and places at which more  
15 detailed information with respect to the lease may be obtained by interested  
16 persons.

17           (b) The lease(s) shall be at fair market value and shall provide for  
18 incremental lease rate adjustments based on the fair market value. The  
19 frequency of such adjustments shall be determined by the Commission prior to  
20 the execution of any lease.

21           (c) Title to the Lots shall remain with the Chamorro Land Trust  
22 Commission and shall *not* be sold.

23           (d) The initial term of the lease shall not exceed fifty (50) years, and  
24 further, provided that upon the expiration of the lease, all improvements to the  
25 leased area shall revert to the Commission. At the discretion of the Commission,

1 the lease may be renewed for an additional term of twenty-five (25) years,  
2 provided that the approval of any extension shall be subject to the following  
3 conditions:

4 (1) That the properties have been used substantially for the  
5 purposes in which they were originally leased;

6 (2) That the aggregate of the initial term and any extension  
7 granted thereafter, shall *not* exceed seventy-five (75) years;

8 (3) That the rental shall *not* be less than the rental for the  
9 preceding term; *and*

10 (4) That any additional terms and conditions shall insure and  
11 promote the intended purpose(s) of the properties.

12 (e) The minimum acceptable parameters of the terms and conditions  
13 of the lease shall be established by the Commission. The Commission shall  
14 reserve the right to insure that its terms and conditions are met prior to the final  
15 execution of any lease; *provided*, further, that if such terms and conditions are  
16 not met, the Commission may withdraw the property.

17 (f) All revenues generated by the lease shall be accrued to the  
18 Commission and shall be deposited into Commission accounts, as specified by  
19 the Commission. All revenues realized from any lease(s) shall be earmarked for  
20 the following:

21 (1) Infrastructure improvements (roads, water, power, telephone,  
22 and sewer lines) on Chamorro Land Trust Lands;

23 (2) Chamorro Land Trust Home Mortgage, Small Business,  
24 Agricultural and Aquacultural Loan Programs;

25 (3) Surveying of all remaining Chamorro Land Trust Lands; *and*

1 securing a Bond for the purposes of making funding available for the immediate  
2 implementation of infrastructure improvements on Chamorro Land Trust lands. GEDA  
3 shall within one hundred twenty (120) days, report to the Speaker of *I Liheslaturan*  
4 *Guåhan*, its findings with respect to the Bond research.

5 (b) GEDA shall coordinate its efforts with the Guam Housing  
6 Corporation (*GHC*) and the Small Business Administration (*SBA*) in developing  
7 a Home Mortgage and Small Business Loan Programs for holders of Chamorro  
8 Land Trust Leases.

9 **Section 6. Authorization to Issue Additional Leases.** Within one hundred-  
10 twenty (120) days upon enactment of this Act, the Commission shall issue an additional  
11 five hundred (500) residential or agricultural leases.

12 **Section 7. Severability.** *If any provision of this Law or its application to any*  
13 *person or circumstance is found to be invalid or contrary to law, such invalidity shall*  
14 *not affect other provisions or application s of this Law which can be given effect*  
15 *without the invalid provisions or applications and to this end the provisions of this Law*  
16 *are severable.*