

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

DEC 04 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910


33-15-1144
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 12-4-2015
Time: 1:27 pm
Received By: 180

Dear Madame Speaker:

Transmitted herewith is Bill No. 163-33 (LS) "AN ACT TO AMEND § 75108 (b) AND (g) OF CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF A TIME FRAME FOR PAYMENT OF THE CHAMORRO LAND TRUST COMMISSION LEASE TERMS, AND THE PERMANENT WAIVING OF PROPERTY TAX EXEMPTIONS FOR SURVEYED LAND TRACTS FOR APPLICANTS" which was signed into law by Acting Governor, Ray Tenorio on December 1, 2015, as **Public Law 33-102**.

Senseramente,


EDDIE BAZA CALVO

2015 DEC -11 PM 3:51

1144

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that Bill No. 163-33 (LS), "AN ACT TO AMEND § 75108 (b) AND (g) OF CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF A TIME FRAME FOR PAYMENT OF THE CHAMORRO LAND TRUST COMMISSION LEASE TERMS, AND THE PERMANENT WAIVING OF PROPERTY TAX EXEMPTIONS FOR SURVEYED LAND TRACTS FOR APPLICANTS," was on the 19th day of November 2015, duly and regularly passed.



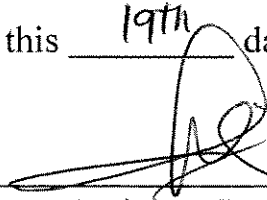
Judith T. Won Pat, Ed.D.
Speaker

Attested:



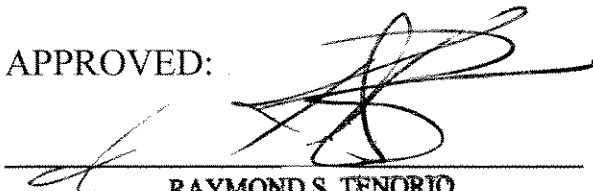
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 19th day of November,
2015, at 550 o'clock P.M.



Assistant Staff Officer
Maga'låhi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: DEC 01 2015

Public Law No. 33-102

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 163-33 (LS)

As amended by the Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affairs and Procurement; and
further amended on the Floor.

Introduced by:

Michael F.Q. San Nicolas

T. C. Ada

V. Anthony Ada

FRANK B. AGUON, JR.

Frank F. Blas, Jr.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreddie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Dennis G. Rodriguez, Jr.

Mary Camacho Torres

N. B. Underwood, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* § 75108 (b) AND (g) OF CHAPTER
75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE
TO THE ESTABLISHMENT OF A TIME FRAME FOR
PAYMENT OF THE CHAMORRO LAND TRUST
COMMISSION LEASE TERMS, AND THE PERMANENT
WAIVING OF PROPERTY TAX EXEMPTIONS FOR
SURVEYED LAND TRACTS FOR APPLICANTS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the time and cost associated with monitoring and processing payments for

1 Chamorro Land Trust Commission (CLTC) agricultural and residential ninety-nine
2 (99) year leases would be more efficient with an established time period for full
3 payment of the lease. The One Dollar (\$1.00) per year CLTC lease should be paid
4 by lessees in an accelerated manner for effective processing of such leases.

5 *I Liheslaturan Guåhan* further finds that § 75108 (g) of Chapter 75, Title 21,
6 Guam Code Annotated, provides original CLTC lessees an exemption from all
7 taxes for the first seven (7) years from the date of lease. Additionally, a survey of
8 assigned land is a mandatory prerequisite for all leases. Many applicants often have
9 difficulty paying for a survey of their assigned land, and therefore, are unable to
10 obtain a lease to use the land. This single issue has been the cause for delaying the
11 issuances of leases for CLTC lessees.

12 *I Liheslaturan Guåhan* further finds that the current listing of CLTC
13 applicants awaiting leased property numbers over eight thousand (8,000)
14 individuals, with approximately four thousand nine hundred (4,900) of these
15 applicants having applied since December 1995. This twenty (20) year wait for
16 those who have applied for leases since the beginning of the CLTC program, and
17 all other individuals that constitute the rest of the list, requires that the government
18 take effective action to adequately comply with the primary objective of the CLTC.

19 **Section 2. Establishment of Payment for Ninety-Nine (99) Year Lease.**

20 § 75108(b) of Chapter 75, Title 21, Guam Code Annotated, is hereby *amended* to
21 read:

22 “(b) The lessee *shall* pay a rental of One Dollar (\$1.00) a year for
23 the tract, and the lease *shall* be for a term of ninety-nine (99) years. Payment
24 for the full term of the lease *shall* be paid, in full, within one (1) year from
25 the effective date of the lease. The payments of such leases may be used for
26 the payment of surveying Chamorro homelands pursuant to § 75108(g)(1) of
27 this Chapter.

1 (1) The remaining balance on any residential or agricultural
2 lease terminated prior to its expiration *shall* be refunded.”

3 **Section 3. Waiving of Tax Exemptions for Surveyed Property.** §
4 75108(g) of Chapter 75, Title 21, Guam Code Annotated, is hereby *amended* to
5 read:

6 “(g) The lessee *shall* perform such other conditions, not in conflict
7 with any provision of this Chapter, as the Commission may stipulate in the
8 lease; provided, however, that an original lessee *shall* be exempt from all
9 taxes for the first seven (7) years from the date of the lease.

10 (1) Thirty (30) days after the enactment of this Act,
11 Chamorro homeland leases surveyed at the cost of the government of
12 Guam *shall not* be eligible for the tax exemptions stipulated in this
13 Subsection as an offset to the cost of such surveys.”

14 **Section 4. Deposit of Funds into the Chamorro Land Trust Survey**
15 **Fund.**

16 Funds received *shall* be deposited into the *Chamorro Land Trust*
17 *Survey Fund*, created by Public Law 33-90.

18 **Section 5. Effective Date.** This Act *shall* be effective upon enactment.

19 **Section 6. Severability.** If any provision of this law or its application to
20 any person or circumstance is found to be invalid, or contrary to law, such
21 invalidity *shall not* affect other provisions or applications of this law which can be
22 given effect without the invalid provision or application, and to this end the
23 provisions of this law are severable.