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NINTH GUAM LEGISLATURE  
1968 (SECOND) Regular Session

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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 350, "An Act to add Sections 13971, 13972, 13973, 13974, 13975, and 13976 to the Government Code of Guam transferring the funds in the Land Transfer Fund to a new fund called the Land Survey Fund, creating said Land Survey Fund and defining its sources of revenue, authorizing government surveys of private property and providing for payment of the cost thereof, and for other purposes", was on the 6th day of February, 1968, duly and regularly passed.

J. C. ARRIOLA  
Speaker

APPROVED:

  
F. T. RAMIREZ  
Legislative Secretary

This Act was approved by the Governor this 21 day  
of February, 1968 at 10:30 o'clock P.M.

By Joe T. San Agustin

Secretary of Guam

*[Faint handwritten notes and dates]*  
MAR 12 1968  
10:30 A.M.

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MAR 18 1968

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Public Law 9-187

NINTH GUAM LEGISLATURE  
1968 (SECOND) Regular Session

Bill No. 350  
Substitute Bill by the  
Committee on Resources and  
Development.

Introduced by R. F. Taitano

AN ACT TO ADD SECTIONS 13971, 13972, 13973,  
13974, 13975, AND 13976 TO THE GOVERNMENT  
CODE OF GUAM TRANSFERRING THE FUNDS IN THE  
LAND TRANSFER FUND TO A NEW FUND CALLED THE  
LAND SURVEY FUND, CREATING SAID LAND SURVEY  
FUND AND DEFINING ITS SOURCES OF REVENUE,  
AUTHORIZING GOVERNMENT SURVEYS OF PRIVATE  
PROPERTY AND PROVIDING FOR PAYMENT OF THE  
COST THEREOF, AND FOR OTHER PURPOSES.

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

Section 1. Section 13971 is hereby added to the Government Code  
of Guam to read as follows:

"Section 13971. Creation of Land Survey Fund.

There is within the government of Guam a special fund known as  
the 'Land Survey Fund.' The Land Transfer Fund is abolished  
and all monies therein, except those monies derived from the  
program of clearing the fractional lots in the City of Agaña,  
are transferred to the Land Survey Fund. The Land Survey Fund  
shall be under the administration of the Director of Land  
Management, but no monies shall be expended therefrom except by  
appropriation of the Legislature. All proceeds from the sale  
and lease of public lands, from land permit fees, and all other  
income derived from the operation of the Department of Land  
Management, including recording fees, but excluding the Document  
Tax proceeds, shall be covered into the Land Survey Fund; provided,  
however, that the maximum amount in said fund shall not exceed  
Two Hundred and Fifty Thousand Dollars (\$250,000), all such  
income in excess of said amount to be covered into the General  
Fund. The Land Survey Fund shall cease and terminate on June  
30, 1975 and monies in said fund at such time shall be covered  
into the General Fund."

1 Section 2. Section 13972 is hereby added to the Government Code  
2 of Guam to read as follows:

3 "Section 13972. Survey of Private Property. If in the course  
4 of a survey by the government of Guam of its real property, any  
5 owner of land adjoining said property agrees to bear the cost of  
6 a survey in the manner hereinafter provided, the government shall  
7 make a survey of said private property, install all needed concrete  
8 monuments, and furnish a map showing the results thereof to such  
9 owner. In so doing, accurate records will be kept of all government  
10 of Guam expenditures, including time and material, used in making  
11 such survey so that the actual cost to the government of each such  
12 private survey can be determined, except that the cost to the  
13 government of surveying any common boundary between government  
14 land and that of such owner shall not be included."

15 Section 3. Section 13973 is hereby added to the Government Code  
16 of Guam to read as follows:

17 "Section 13973. Report of Cost prior to the Survey of Private  
18 Land. The landowner may request a preliminary estimate of the  
19 total cost to the government of such survey and what the annual  
20 installments would be if the cost were to be paid over a period of  
21 ten years without interest. Such estimate shall be followed by  
22 the government in making the survey and if it appears during the  
23 course thereof that the actual cost will be more than 25% greater  
24 than the estimate, the landowner shall be so notified and he shall  
25 have the option to then terminate the survey at no cost to himself.  
26 In the event of his election to continue the survey, or in the  
27 event the cost is within 25% of the estimate, then he shall be  
28 liable for the full cost of the completed survey."

29 Section 4. Section 13974 is hereby added to the Government Code  
30 of Guam to read as follows:

31 "Section 13974. Survey Procedure. Upon acceptance by the  
32 landowner of the estimate and his execution of an agreement to pay  
33 the cost thereof, then the Territorial Surveyor shall proceed with



1 the survey. Upon completion thereof he shall record the survey  
 2 map and give copies thereof to the landowner, together with a  
 3 record of the cost thereof. Said account of the cost shall also  
 4 be recorded and shall become a lien upon the land surveyed,  
 5 payable and collectible as taxes under the provisions of Chapter  
 6 4, Title XX of the Government Code of Guam."

7 Section 5. Section 13975 is hereby added to the Government Code  
 8 of Guam to read as follows:

9 "Section 13975. Addition to Assessment Roll.

10 An itemized listing of the survey liens resulting from the  
 11 provisions of the immediately preceding sections of this Chapter  
 12 shall be forwarded to the Assessor who shall add the amount of  
 13 each survey lien as a special assessment on the tax list of the  
 14 owner or owners of the surveyed land on the next assessment roll  
 15 prepared after completion of the survey. The special assessment  
 16 shall be entered as a separate item. The amount so entered shall  
 17 not be subject to change by the Board of Equalization but said  
 18 Board may correct the roll as to clerical errors or omissions."

19 Section 6. Section 13976 is hereby added to the Government Code  
 20 of Guam to read as follows:

21 "Section 13976. Election to Amortize Special Assessment.

22 The taxpayer may, on or before the date when the first half of  
 23 property taxes is due, elect to pay in annual installments the  
 24 amount of the special survey assessment in either five (5) or ten  
 25 (10) years, without interest, or pay the same in full as other  
 26 property taxes within the year. If the taxpayer elects to pay in  
 27 installments, the tax collector shall collect the amount due in  
 28 each year with such election and credit each payment to the special  
 29 assessment portion of the tax bill and after each installment show  
 30 the balance of the debt. Thereafter, the unpaid balance and  
 31 the annual installment shall not be construed as preventing the  
 32 owner of land subject to the assessment from paying the unpaid  
 33 balance at any time. All assessment collections shall be

credited to the Land Survey Fund."

Section 7. This Act shall take effect on January 1, 1968.

Section 8. This Act is an urgency measure.