


NINTH GUAM LEGISLATURE
1968 (FIFTH) Special Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 544 (5-S), "An Act to authorize the sale of certain Government Land at less than fair market value to private Land developers who undertake to develop such land for residential housing; and to authorize the transfer of certain Government Land to the Guam Housing and Urban Renewal Authority to be used in relocating persons displaced by the Sinajana Urban Renewal Project", was on the 29th day of April, 1968, duly and regularly passed.


L. C. ARRIOLA
Speaker

ATTESTED:


F. T. RAMIREZ
Legislative Secretary

This Act was received by the Governor this 3rd day of May, 1968 at 4:59 o'clock P.M.

1/s/ Denver Dickerson
DENVER DICKERSON
Secretary of Guam

ATTESTED:

1/s/ Denver Dickerson
DENVER DICKERSON
Secretary of Guam

DATE: MAY 21 1968

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FIFTH GUAM LEGISLATURE
1968 (FIFTH) Special Session

Bill No. 544 (5-S)

Substitute Bill by Committee
on Resources and Development

Introduced by

Committee on Rules, by
request of the Govern-
or in accordance with
Section 6(b) of the
Organic Act of Guam.

AN ACT TO AUTHORIZE THE SALE OF CER-
TAIN GOVERNMENT LAND AT LESS THAN
FAIR MARKET VALUE TO PRIVATE LAND DE-
VELOPERS WHO UNDERTAKE TO DEVELOP
SUCH LAND FOR RESIDENTIAL HOUSING;
AND TO AUTHORIZE THE TRANSFER OF CER-
TAIN GOVERNMENT LAND TO THE GUAM
HOUSING AND URBAN RENEWAL AUTHORITY TO
BE USED IN RELOCATING PERSONS DISPLACED
BY THE SINAJANA URBAN RENEWAL PROJECT.

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

2 Section 1. Legislative Findings. The Legislature finds that there
3 is a substantial and growing residential housing shortage in the terri-
4 tory of Guam, more than 5,000 local residences being in need of replace-
5 ment either because of substandard construction or substantial deterior-
6 ation; that private construction of residential units to replace the
7 substandard homes and to take care of the growing population has proven
8 to be unable to keep pace with the demand, primarily because of the
9 inherent difficulties in financing substantial local construction under
10 the limited funds privately available and because of the difficulty of
11 acquiring privately owned lands at low cost; that the population increase
12 alone in the territory is greater than can be met from private construc-
13 tion, quite aside from the need to replace the thousands of substandard
14 homes; that because of the minimal local construction of private residences,
15 both the government of Guam and the Federal government have tended to
16 build residential compounds inside their own lands for the use of their
17 dependants, which result is detrimental both to the people residing therein
18 who are thus cut off from the local community, and to the public at large
19 who lose the benefit of daily contact with the large transient population
20 working for governmental agencies in the territory, and that to prevent
21 this from continuing, more home construction must take place within the
22 civilian community; that there is government land highly suitable for
23 residential construction that is available and is not now being utilized;
24 and that for all of the foregoing reasons it becomes necessary to

1 encourage the construction of residential dwellings within the civilian
2 community by making available to private developers government land at
3 less than fair market value.

4 Section 2. Private Housing Development: Creation of Committee:
5 Public Bidding: Offer to Private Landowners: Execution of contract.

6 (a) ^{amended by P.L.C. - 37} In the manner hereinafter set out, the Governor is authorized to
7 enter into a contract or contracts with any person, partnership or cor-
8 poration, for the construction and erection of residential houses for sale
9 to the people of Guam on those parcels of government-owned land in the
10 Municipality of Dedede described as Parcels 1, 3, 4, and 5, as shown on
11 Land Management Drawing No. E-4-688650, dated January 26, 1968.

12 (b) Such a contract may provide for sale of such real property at
13 less than fair market value in consideration, among other things, of site
14 development including, but not limited to, roadways, power and water
15 facilities, drainage, and other improvements. Houses constructed hereunder
16 shall conform to Federal Housing Authority and Veterans Administration
17 specifications, as well as to all applicable local law. The contract shall
18 include the prices for which any such homes shall be sold to the public,
19 shall require sale only to home owners and not to those seeking rental
20 income, and such other and further provisions or conditions as may be
21 necessary to carry out the intent of this Act which the Legislature
22 declares to be that of encouraging the maximum development of residential
23 construction for sale to the people of Guam.

24 (c) Before entering into any such contract, the Governor shall
25 appoint from among the full-time employees of the government of Guam a
26 committee of not less than three persons, which committee shall have
27 among its tasks the advertisement for bids and proposals from any person,
28 partnership or corporation which wishes to enter into any such contract,
29 and, thereafter, the evaluation of any bids or proposals received, and
30 written recommendations thereon to the Governor. The bid procedures
31 determined upon by the Committee shall include a requirement that not less
32 than 60 days' notice be given all prospective bidders of the bid closing,
33 and that in all proposals or bids to be submitted, each bidder include as
34 part of his proposal the price to be paid for the government land he
35 seeks to develop.

36 (d) After publication of the bids and receipt thereof, the

1 Committee shall evaluate all bids and proposals received and determine
2 which, in the Committee's judgment, best complies with the intent of this
3 Act. Thereupon, and prior to the execution of any contract with such
4 successful bidder, the fact of this favorable determination must be ad-
5 vertised locally and the amount of money to be paid for the government
6 land in question announced. Within thirty (30) days following such
7 announcement, any private landowner in the territory of Guam owning land
8 comparable to that government land sought by the successful bidder shall
9 have the opportunity to offer the same to the bidder at the same price
10 the latter offered for the government land. If, in the opinion of the
11 Committee, the privately owned land which is then offered to the success-
12 ful bidder is equivalent in value and in utility for residential develop-
13 ment to the government land, then the government land will not be conveyed
14 to the bidder. If no private landowner makes such an offer, or if the
15 land offered is not, in the opinion of the Committee, equal in value or
16 utility, then the Governor may execute the contract authorized by this Act
17 with the successful bidder. The recommendations and findings of the Com-
18 mittee, as well as the contents of the successful bid, shall be made
19 public prior to the execution of any such contract by the Governor.

20 Section 5. Transfer to the Guam Housing and Urban Renewal Authority.
21 Notwithstanding any other provision of law, the Governor of Guam is
22 authorized to convey for a nominal consideration to the Guam Housing and
23 Urban Renewal Authority all title and interest of the government of Guam
24 in those parcels of land making up the proposed "Non-Title I Subdivision"
25 in the Municipality of Sinajana, Guam, such parcels being shown on Land
26 Management Drawing GS-68E-514, dated April 23, 1968. [Such conveyance shall
27 be subject to the condition that the Authority shall utilize such land for
28 the purpose of providing those persons displaced from the Sinajana Urban
29 Renewal area as a result of urban renewal land upon which to reside, such
30 persons to purchase such land from the Authority at no more than the cost
31 of any improvements placed on the land by the Authority.] In the event
32 there are more lots in said Non-Title I Subdivision available than there
33 are displaced Sinajana residents who wish to acquire the same, then said
34 lots shall be sold at their fair market value, any profit on such sales to
35 be returned by the Authority to the Government of Guam.

36 Section 4. The Authority created by the Governor by Sections 1, 2 and

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3 of this Act shall expire June 30, 1970.

Section 5. This Act is an urgency measure.

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