



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

DEC 28 1998


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


Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 748 (LS), "AN ACT TO AMEND §2 OF P.L. NO. 20-113, RELATIVE TO THE EXCHANGE AND REFINANCING OF LOTS WITHIN THE AS TUMBO SUBDIVISION", which I have signed into law today as **Public Law No. 24-317**.

This legislation was requested by the Guam Housing and Urban Renewal Authority (GHURA) in order to allow homeowners to refinance existing mortgages to take care of lower interest rates, and to allow for an exchange of property between family members, i.e. between a parent and child or between siblings.

Very truly yours,



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

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By: 
Time: 2:54 pm
Date: 12-28-98

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

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


01144

Office of the Speaker
ANTONIO R. UNPINGCO
Date: December 29, 1998
Time: 11:52
Rec'd by: 
Print Name: Jack

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


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

This is to certify that Substitute Bill No. 748 (LS), "AN ACT TO AMEND §2 OF P.L. NO. 20-113, RELATIVE TO THE EXCHANGE AND REFINANCING OF LOTS WITHIN THE AS TUMBO SUBDIVISION," was on the 11th day of December, 1998, duly and regularly passed.



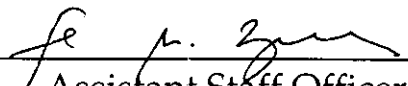
ANTONIO R. UNPINGCO
Speaker

Attested:



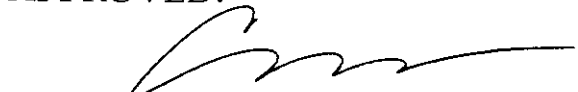
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 16th day of December, 1998,
at 11:10 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 12-28-98

Public Law No. 24-317

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

Bill No. 748 (LS)

As substituted by the Committee on
Agriculture, Land, Housing, Community
and Human Resources Development, and
as amended on the Floor.

Introduced by:

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

**AN ACT TO AMEND §2 OF P.L. NO. 20-113,
RELATIVE TO THE EXCHANGE AND
REFINANCING OF LOTS WITHIN THE AS
TUMBO SUBDIVISION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

3 finds that the government of Guam created the As Tumbo subdivision in
4 order to provide safe and affordable housing for the people of Guam.
5 Restrictions exist on the conveyance of As Tumbo Subdivision property in
6 order to protect the integrity of the program and its residents, so that an
7 unqualified party cannot take advantage of the unique opportunity As
8 Tumbo Subdivision provides for low income families to own land.

9 A situation has arisen in which two (2) family members, who have been
10 granted property within the As Tumbo Subdivision, have reason to exchange
11 the property with one another. This is in no way a violation of the intent to
12 secure affordable housing for qualified people, and the exchange of granted
13 As Tumbo Subdivision property between a parent and child, or between
14 siblings, should be allowable by law.

15 Further, the restrictions of §2 of Public Law Number 20-113 do *not* allow
16 a property owner to refinance his home. Whereas mortgages are permitted,
17 the owner runs into trouble if he wishes to refinance. This amendment allows
18 the flexibility As Tumbo residents need.

19 **Section 2.** Section 2 of Public Law Number 20-113 is hereby *amended* to
20 read as follows:

21 **"Section 13950. Rules.** The Board shall promulgate
22 reasonable rules and regulations, pursuant to the Administrative
23 Adjudication Law, to effect the purpose of this Chapter, which
24 regulations shall include requirements that: (i) the grantee(s) must

1 personally occupy the property conveyed and *not* lease it to others, (ii)
2 the property may *not* be conveyed by the grantee(s) to a third party,
3 *except* that a deed-for-deed exchange with another grantee who is a
4 parent, child or sibling, or a mortgage to a *bona fide* lending institution to
5 secure funds to construct or refinance a residence on the property, shall
6 *not* be in violation of such rule, even if such mortgage is foreclosed, and
7 (iii) each deed of conveyance shall contain a right of reverter clause to
8 the Authority in the event such regulations are violated.”

9 **Section 3. Severability.** *If* any provision of this Law or its
10 application to any person or circumstance is found to be invalid or contrary to
11 law, such invalidity shall *not* affect other provisions or applications of this
12 Law which can be given effect without the invalid provisions or application,
13 and to this end the provisions of this Law are severable.

24-317



MINA' BENTE KUATTRO
NA LIHESLATURAN GUAHAN

COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS
CHAIRMAN

November 30, 1998

The Honorable Antonio R. Unpingco
Speaker
Mina' Bente Kuattro na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

Dear Mr. Speaker:

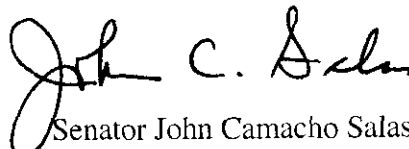
The Committee on Agricultural, Land, Housing, Community & Human Resources Development to which was referred Bill No. 748, has had the same under consideration and now wishes to report back the same with the recommendation **TO DO PASS**, as substituted.

The Committee votes are as follows:

To Do Pass	<u>5</u>
Not To Pass	—
Abstain	—
Other (Off-Island)	—

A copy of the Committee's report and other pertinent documents are attached for your reference and information.

Sincerely,


Senator John Camacho Salas
Chairman



MINA' BENTE KUATTRO
NA LIHESLATURAN GUAHAN

COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS
CHAIRMAN

November 27, 1998

To: Senator Thomas C. Ada, Member • Senator William B. Flores, Member
Senator Frank B. Aguon, Member Senator Carlotta Leon Guerreo, Member
Senator Felix P. Camacho, Member • Senator Larry F. Kasperbauer, Member
Senator Francisco P. Camacho, Member Speaker Antonio R. Unpingco, Ex-Officio

From: Chairman & Vice Chairman

Subject: Voting

Please find the attached committee reports and voting sheets for the following bills:

Bill 748: An act to amend Section 2 of Public Law 20-113, Section 2, relative to the exchange of lots within the As-Tumbo Subdivision.

Bill 750: An act to amend Public Law 23-38, (Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission) relative to commercial crop production.

Bill 753: An act to establish the eligibility of bona fide farmers to procure equipment through the General Services Agency.

If you have any questions on the above, please contact staff member John Meno for assistance. Thank you for your cooperation.

Senator John Camacho Salas
Chairman

Senator Edwardo J. Cruz, M.D.
Vice-Chairman

attachments



SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

VOTING SHEET

BILL NUMBER 748

TITLE AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 20-113, SECTION 2, RELATIVE TO
THE EXCHANGE OF LOTS WITHIN THE AS-TUMBO SUBDIVISION

	TO DO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 John Camacho Salas, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edwardo J. Cruz, M.D., Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Thomas C. Ada, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Frank B. Aguon, Jr., Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Felix P. Camacho, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Francisco P. Camacho, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William B.S.M. Flores, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Carlotta A. Leon Guerrero, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry F. Kasperbauer, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Committee on Agriculture, Land, Housing,
Community & Human Resources Development
Committee Report on Bill 748
Publicly Heard Friday, October 30, 1998

Bill 748: An act to amend Section 2 of Public Law 20-113, Section 2, relative to the exchange of lots within the As-Tumbo Subdivision.

I. ATTENDANCE

- Senator John C. Salas, Chairman

II. MAIN SPONSORS

Senator John C. Salas
Senator Edwardo J. Cruz
Senator Larry F. Kasperbauer

III. SYNOPSIS

Bill 748 allows for individual family members who have been granted property in the As-Tumbo Subdivision to exchange property with one another, while keeping the integrity of the program and its residents. Exchanges are allowed between a parent and child or between siblings.

IV. TESTIMONY

Mr. Ronald Lujan, GHURA, provided testimony supporting the bill.

Ms. Taling Taitano, Executive Director of GHURA, also provided written testimony supporting Bill 748 with an additional provision to the bill. GHURA requested that the Committee change existing law to allow homeowners to refinance existing mortgages to take advantage of lower interest rates. Current law allows for the mortgage of homes, but not the refinancing of such loans.

Chairman Salas asked Mr. Lujan if this bill would lend itself to abuse. Mr. Lujan noted that it would not as long as GHURA continues to control and monitor the program.

V. COMMITTEE FINDINGS & RECOMMENDATION

The Committee finds Bill 748 is a reasonable amendment to the As-Tumbo Subdivision program which allows immediate family members who are participating in the program to exchange lots for the betterment of all concerned. Further, the Committee also understands the need for participants to refinance mortgage loans to take advantage of better interest rates currently available. Therefore, the Committee recommends that Bill 748 be amended to include the a provision allowing a participant to convey title for the purpose of refinancing an existing home mortgage.

The Committee therefore recommends **TO DO PASS Bill 748**, as substituted.



MINA' BENTE KUATTRO
NA LIHESLATURAN GUAHAN

COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS
CHAIRMAN

AGENDA

FRIDAY, OCTOBER 30, 1998
LEGISLATIVE PUBLIC HEARING ROOM
1:00 P.M. - 3:00 P.M.

PUBLIC HEARINGS

Bill 748: An act to amend Section 2 of Public Law 20-113, Section 2, relative to the exchange of lots within the As-Tumbo Subdivision.

Bill 750: An act to amend Public Law 23-38, (Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission) relative to commercial crop production.

Bill 753: An act to establish the eligibility of bona fide farmers to procure equipment through the General Services Agency.



SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

TESTIMONY SIGN IN SHEET

Friday, October 30, 1998

Bill Number **748**

Title AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 20-113, SECTION 2, RELATIVE TO THE EXCHANGE OF LOTS WITHIN THE AS-TUMBO SUBDIVISION

NAME	ORGANIZATION	TESTIMONY	
RONALD LUJAN	GHORA	<input type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
CONTACT	MAILING ADDRESS	<input type="checkbox"/> AGAINST	<input checked="" type="checkbox"/> ORAL
477-9851			
NAME	ORGANIZATION	TESTIMONY	
		<input type="checkbox"/> FOR	<input type="checkbox"/> WRITTEN
CONTACT	MAILING ADDRESS	<input type="checkbox"/> AGAINST	<input type="checkbox"/> ORAL
NAME	ORGANIZATION	TESTIMONY	
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CONTACT	MAILING ADDRESS	<input type="checkbox"/> AGAINST	<input type="checkbox"/> ORAL



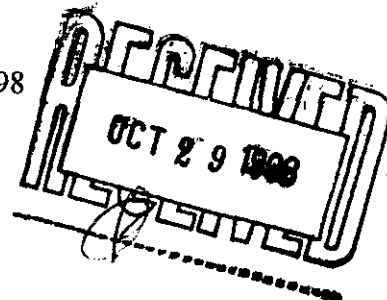
GHURA

Guam Housing and Urban Renewal Authority
Aturidat Ginima' Yan Rinueban Siudad Guahan

117 Bien Venida Avenue • Sinajana, Guam 96926
Phones: (671) 477-9851 to 4 • Fax: (671) 472-7565 • TTY # (671) 472-3701



October 28, 1998



Carl T. C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

Taling M. Taitano
Executive Director

Jose T. San Nicolas
Deputy Director

Board of Commissioners

David N. Sanford
Chairman

Glorina Q. Perez
Vice Chairperson

Soledad A. Lujan
Member

Jaime D. S. Paulino
Member

Jesus S. Okada
Member

Juan C. Wusstig
Member

Luis L. G. Paulino
Member

Senator John Camacho Salas
Mina' Bente Kuattro Na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

Re: Bill 748
An Act to Amend Section 2 of Public Law 20-113

Honorable Senator Salas:

Thank you for permitting us to comment on Bill 748.

We wholeheartedly support Bill 748. We strongly believe that the deed-for-deed exchange with another grantee who is a parent, child or sibling is within the bounds of the statute. The eligibility of the grantees is not compromised because they are both recipients of the lottery.

We would also like your committee to consider amending the statute that would allow the homeowners the ability to refinance their existing mortgages. The statute as it is written does not permit grantees to refinance their existing mortgages. We have had several inquiries from Astumbo homeowners who would like to take advantage of the low interest mortgage loans the banks are currently offering. These are tough economic times for some of our homeowners and they would like to lower their monthly mortgage payments. Some grantees would also like to put an addition to the house but without the ability to refinance, it would be impractical.

We must continue finding creative ways for our families to maintain homeownership and avoid ending back into the public housing program. If we do not help these families now, we are sure that we will see an increase in mortgage foreclosures within the Astumbo Subdivision Project. Moreover, we must continue revisiting P.L. 20-113 and find creative and innovative solutions before the problem occurs.

Please find attached our proposed amendment to be included in Bill 748.

Sincerely,


Taling M. Taitano
Executive Director

Attachment.

ATTACHMENT

Section 2. Amendment. Section 2 of Public Law 20-113 is hereby amended to read as follows:

“Section 2. 13950. Rules. The Board shall promulgate reasonable rules and regulations, pursuant to the Administrative Adjudication Law, to effect the purpose of this chapter, which regulations shall include requirements that (I) the grantee(s) must personally occupy the property conveyed and not lease it to others, (ii) the property may not be conveyed by the grantee(s) to a third party, except that a deed-for-deed exchange with another grantee who is a parent, child or sibling, or a mortgage to a bona fide lending institution to secure funds to construct or refinance a residence on the property, shall not be in violation of such rule even if such mortgage is foreclosed, and (iii) each deed of conveyance shall contain a right of reverter clause to the Authority in the event such regulations are violated.”



MINA' BENTE KUATTRO
NA LIHESLATURAN' GUAHAN

COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS
CHAIRMAN

October 29, 1998

MEMORANDUM

To: Director, Bureau of Budget & Management Research
From: Senator John Camacho Salas
Subject: Request for Fiscal Notes

Please find attached Committee Bill 748, Bill 750, and Bill 753, for which I respectfully request issuance of Fiscal Notes.

Your issuance of these fiscal notes will be greatly appreciated. Thank you for your very kind assistance.

Senator John Camacho Salas
Chairman

Attachments

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATES OF

SEBASTIAN ANDRES LEON GUERRERO and MATILDE SAKAI LEON GUERRERO, Deceased.

Probate Case No. 0085-98

NOTICE TO CREDITORS

Notice is given by the undersigned ANDREW LEON GUERRERO, Administrator of the Estates of Sebastian Andres Leon Guerrero and Matilde Sakai Leon Guerrero, deceased, to the creditors of, and all persons having claims against the said estate or against said deceased, that within 60 days after the first publication of this notice, they either file their claims in the office of the Clerk of the Superior Court of Guam, or exhibit them with the necessary vouchers to the said Andrew Leon Guerrero

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ADOPTION OF

OF A.M.O., Minor

By WILLIAM ANTHONY MENO PEREZ and CYNTHIA MANANGAN PEREZ, Petitioners.

ADOPTION CASE NO. AT 0032-97

SECOND AMENDED NOTICE OF HEARING ON PETITION FOR TERMINATION OF PARENTAL RIGHTS

PLEASE TAKE NOTICE that on **November 13, 1998, at 9:00 a.m.**, the Petition For Termination Of Parental Rights in the above captioned matter shall be heard before the Honorable Katherine A. Maraman, Judge,

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE OF JESUS C. LEON GUERRERO, DECEASED.

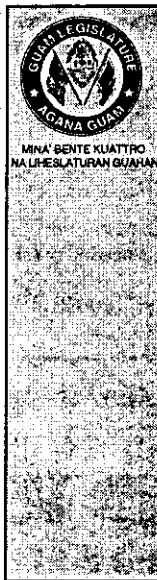
PROBATE CASE NO. PR 0065-98


NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN by the undersigned, JOSEPH A. LEON GUERRERO, Administrator of the estate of JESUS C. LEON GUERRERO, decedent, to the creditors, of, and all persons having claims against the said decedent, that within two (2) months after the first publication of this notice they file them with necessary vouchers to said Administrator, JOSEPH A. LEON GUERRERO, at the Law Office of David J. Lujan, Hamilton Guest House, Suite 227 (Rear Side)

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688-9598

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Waitstaff, Bartender
APPLY IMPERIAL SUITE HOTEL
YPAO ROAD, TAMUNING



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YIGO TOWN CENTER
1,147s.f. - 10,000s.f. **472-9830**

Sonny Ada
ADA'S TRUST INVESTMENT, INC.


DeBiasi Guam, Inc.
Landscape/Irrigation Supervisor
Working knowledge in all phases of Landscape Construction. Must demonstrate ability to communicate and lead job-site supervisor personnel. Applicants must submit a resume with a work history. Applicants may apply in person at DeBiasi Guam, Inc., Route 16, Besta Plaza, 2nd Floor, Ste. 202.

Senator John Camacho Salas
Chairman of the Committee on Agriculture, Land, Housing, Community & Human Resources Development
Oversight Hearing of the Guam Housing Corporation
Oversight Hearing of the Tiyan Reuse Authority
Rescheduled from Monday, October 26, 1998
Bill 748: An act to amend Section 2 of Public Law 20-113, Section 2, relative to the exchange of lots within the As-Tumbo Subdivision
Bill 750: An act to amend Public Law 23-38, (Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission) relative to commercial crop production
Bill 753: An act to establish the eligibility of bona fide farmers to procure equipment through the General Services Agency
Friday, October 30, 1998, 9:00 a.m.
Legislature Public Hearing Room
address: 777 Sinajana Commercial Building, Route 4, Sinajana, Guam 96926
telephone: 472-3585, fax: 472-3583
website: KUENTOS-http://www.guam.net/sensalas
American Disabilities Association Coordinator.
e-mail: jsalas@sensalas.guam.net
TALAYA-http://www2.ite.net/senators/sensalas
John Meno tel: 472-3585