

*I Mina'Trentai Kuáttro Na Liheslaturan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
26-34 (COR) As corrected by the Prime Sponsor.	Telena Cruz Nelson	AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 33-104 AND SECTION 2 OF PUBLIC LAW 33-176, RELATIVE TO EXTENDING THE TIMELINES AND MEANS OF NOTIFICATION FOR LAND FOR THE LANDLESS PURCHASERS.	2/20/17 1:01 p.m.  <b>AS CORRECTED</b> 3/14/17 3:43 p.m.	3/15/17	Committee on Environment, Land, Agriculture, and Procurement Reform	5/30/17 2:00 p.m.	6/20/17 12:13 p.m.	Fiscal Note Request 3/15/17  Fiscal Note 3/29/17	
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
	6/26/17	AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 33-104 AND SECTION 2 OF PUBLIC LAW 33-176, RELATIVE TO EXTENDING THE TIMELINES AND MEANS OF NOTIFICATION FOR LAND FOR THE LANDLESS PURCHASERS.	6/30/17	7/3/17 2:10 p.m.  As corrected by the Prime Sponsor; and amended on the Floor.	7/14/17	Public Law No. 34-20	7/13/2017	Received: 7/14/17 Mess and Comm. Doc. No. 34GL-17-0725	



**EDDIE BAZA CALVO**  
Governor  
**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor Of Guam.*

**JUL 14 2017**

Honorable Benjamin J.F. Cruz  
Speaker  
*I Mina'trentai Kuáttro Na Liheslaturan Guåhan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

GL# 34-17-725  
Speaker Benjamin J.F. Cruz

JUL 14 2017  
Time: 2:20 [ ] AM [ ] PM File No. 34-650  
Received By: *elena*

2017 JUL 14 PM 3:17  
FC

Dear Mr. Speaker:

Transmitted herewith is Bill No. 26-34 (COR), "AN ACT TO AMEND SECTION 3 OF PUBLIC LAW 33-104 AND SECTION 2 OF PUBLIC LAW 33-176, RELATIVE TO EXTENDING THE TIMELINES AND MEANS OF NOTIFICATION FOR LAND FOR THE LANDLESS PURCHASERS," which was signed into law on July 13, 2017, as Public Law 34-20.

*Senseramente,*

EDDIE BAZA CALVO

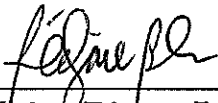
***I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN***  
**2017 (FIRST) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUÁHAN***

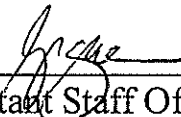
This is to certify that **Bill No. 26-34 (COR)**, “AN ACT TO *AMEND SECTION 3 OF PUBLIC LAW 33-104 AND SECTION 2 OF PUBLIC LAW 33-176, RELATIVE TO EXTENDING THE TIMELINES AND MEANS OF NOTIFICATION FOR LAND FOR THE LANDLESS PURCHASERS,*” was on the 30<sup>th</sup> day of June 2017, duly and regularly passed.

  
Benjamin J.F. Cruz  
Speaker


Attested:

  
Régine Biscoe Lee  
Legislative Secretary

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This Act was received by *I Maga'láhen Guáhan* this 03 day of July,  
2017, at 2:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'láhi's Office*

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'láhen Guáhan*

Date: JUL 13 2017

Public Law No. 34-20

*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN*  
**2017 (FIRST) Regular Session**

**Bill No. 26-34 (COR)**

As corrected by the Prime Sponsor;  
and amended on the Floor.

Introduced by:

Telena Cruz Nelson  
Thomas C. Ada  
FRANK B. AGUON, JR.  
William M. Castro  
B. J.F. Cruz  
James V. Espaldon  
Fernando Barcinas Esteves  
Régine Biscoe Lee  
Tommy Morrison  
Louise B. Muña  
Dennis G. Rodriguez, Jr.  
Joe S. San Agustin  
Michael F.Q. San Nicolas  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO *AMEND* SECTION 3 OF PUBLIC LAW 33-104 AND SECTION 2 OF PUBLIC LAW 33-176, RELATIVE TO EXTENDING THE TIMELINES AND MEANS OF NOTIFICATION FOR *LAND FOR THE LANDLESS PURCHASERS*.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that *I Mina'Trentai Tres Na Liheslaturan Guåhan* (the 33<sup>rd</sup> Guam Legislature) and  
4 the Department of Land Management attempted to cover over defaulted and unused  
5 *Land for the Landless* program lots to the Chamorro Land Trust Commission

1 through Public Laws 33-104 and 33-176. A 2011 report listed four hundred forty-  
2 three (443) defaulted accounts, and efforts in 2016 reduced this number to three  
3 hundred fifty-six (356), with thirty-nine (39) families in homes built on defaulted  
4 lots.

5 *I Liheslaturan Guåhan* further finds that the recently specified procedures and  
6 processing deadlines may have been too restrictive for public agents and applicants  
7 to address the range of historic issues and satisfy program guidelines.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* that a deadline extension  
9 is warranted to allow for a wider variety of procedures to be employed by public  
10 officers to find and notify qualified *Land for the Landless* program applicants; for  
11 qualified applicants to file appeals and make payments; for public officers to assist  
12 unsuccessful applicants to transition to other housing and land application programs;  
13 and, to definitively identify foreclosed and vacated lots for transfer into the  
14 Chamorro Land Trust Commission lands inventory.

15 **Section 2.** Section 3 of Public Law 33-104 is hereby *amended* to read:

16 **“Section 3. Transfer of Trust, Chamorro Homelands.**

17 The Department of Land Management is hereby directed to transfer all titles  
18 and maps of lots in the *Land for the Landless* subdivisions, and all other such  
19 subdivisions, which have contracts that have expired and/or foreclosed, or are  
20 unsold, and are not occupied by the original awardees or their legal  
21 beneficiaries, to the Chamorro Land Trust Commission’s available lands  
22 inventory. These lots are now declared Chamorro Homelands.”

23 **Section 3.** Section 2 of Public Law 33-176, which amended Section 2 of  
24 Public Law 33-104, is hereby *amended* to read:

25 **“Section 2. Notification of Purchasers Under the Land for the**  
26 **Landless Program Who Had Defaulted and Remedy.**

1           (a) The Director of the Department of Land Management  
2 (Department) *shall* exercise his best efforts to notify purchasers who have  
3 defaulted on contracts under the *Land for the Landless* program to submit, at  
4 the purchaser's option, an appeal to rescind the default. The appeal must  
5 provide justification on why the default should be rescinded.

6           (b) Purchasers, or their legal beneficiaries, *shall* be given ninety (90)  
7 days from enactment of this Act to submit their appeal and justification to the  
8 Department. The Department *shall* have forty-five (45) days to review the  
9 appeals and to make a determination. Appeals that *do not* receive a  
10 determination within the forty-five (45) days *shall* be deemed approved.

11           (c) If the Department finds the justification to be reasonable or the  
12 appeal is approved pursuant to Subsection (b) of this Section, and the  
13 purchaser, or his/her legal beneficiary, is still eligible under the program's  
14 guidelines, the Department *shall* give the purchaser the opportunity to rectify  
15 the default within two (2) years from the date of notice that the default has  
16 been rescinded. However, the purchaser, or his/her legal beneficiaries, *shall*  
17 be required to place, within one hundred twenty (120) days of receipt of the  
18 notice that the default has been rescinded, a minimum deposit of ten percent  
19 (10%) of the balance due.

20           (d) The remedy available to the purchaser, or his/her legal  
21 beneficiary, *shall* be to pay the full amount of the balance due on the initial  
22 Two Thousand Five Hundred Dollars (\$2,500) purchase price and any interest  
23 penalty, as described in Subsection (e) of this Section.

24           (e) An interest penalty *shall* be assessed on the unpaid balance at an  
25 annual percentage rate (APR) of four and one half percent (4.5%) from the  
26 date that the last payment was made or should have been made.

1 (f) Funds received *shall* be deposited in the *Chamorro Land Trust*  
2 *Survey and Infrastructure Fund*.

3 (g) Re-entry. Every deed of conveyance of a lot under this Act *shall*  
4 contain a right of re-entry by the government if the grantee sells or leases any  
5 of the conveyed property within ten (10) years after the date of execution of  
6 the deed by *I Maga'låhi* (the Governor).

7 (h) Limitations in Deed. Each deed conveying a lot pursuant to this  
8 Act *shall* contain a reversionary clause to the government if the grantee sells  
9 or leases any of the conveyed property within ten (10) years after the  
10 execution of the deed, or if the grantee inherits or otherwise acquires other  
11 land in Guam, in addition to the conveyed lot, and at the time of such  
12 subsequent acquisition of land the grantee has not constructed any structure  
13 on the conveyed lot.

14 (i) If complete payment of the account was made ten (10) years or  
15 more ago, but through some administrative error or some other reason a deed  
16 of conveyance failed to be signed, the ten (10) year waiting period before any  
17 subsequent transfer can be made is hereby waived and the deed of conveyance  
18 *shall* be issued immediately without any reference to the waiting period. The  
19 furnishing of proof, which may include cancelled checks, receipts, or account  
20 ledger, *shall* be the responsibility of the applicant.

21 (j) If upon a field inspection of the subject lot of the expired contract  
22 the Department finds that the original assignee-applicant for that lot, or their  
23 legal beneficiaries, is found to be currently residing on the lot, then the  
24 Department *shall* give the purchaser the opportunity to rectify the default  
25 within two (2) years of the date of notice that the default has been rescinded.  
26 Interest *shall* continue to accrue in the payment extension period and the  
27 minimum deposit provisions in Subsection (c) of this Section *shall* apply.

1           (k) Notwithstanding any law, provision, rule, or regulation, the  
2 Department of Land Management is hereby authorized to transfer, by journal  
3 voucher, Five Thousand Dollars (\$5,000) to reimburse the Department for  
4 postal and publication expenses related to the administration of Public Law  
5 33-104. The transfer *shall* come from the *Chamorro Land Trust Survey and*  
6 *Infrastructure Fund* identified as Department of Administration Revenue  
7 Account Number 3669-57001, CLT-Sale of Government Land.”

8           **Section 4. Reporting Requirements.**

9           The Director of Land Management *shall* issue a quarterly report to *I Maga'låhi*  
10 (the Governor) and the Speaker of *I Liheslatura* (the Legislature) on the  
11 Department’s specific progress towards resolving outstanding *Land for the Landless*  
12 applications and transferring defaulted and unassigned properties to the Chamorro  
13 Land Trust Commission lands inventory.