I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 234-31 (COR), "AN ACT TO *AMEND* §66202.1(a) OF ARTICLE 2, CHAPTER 66 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE GUAM DEPARTMENT OF AGRICULTURE AS ONE OF THE AGENCIES REQUIRED FOR APPROVAL OF A CLEARING AND GRADING PERMIT,"** was on the 19th day of September, 2011, 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'lahen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 234-31 (COR)
As substituted by the Committee on Utilities,
Transportation, Public Works & Veterans Affairs;
and amended on the Floor.

Introduced by: Sam Mabini, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §66202.1(a) OF ARTICLE 2, CHAPTER 66 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE GUAM DEPARTMENT OF AGRICULTURE AS ONE OF THE AGENCIES REQUIRED FOR APPROVAL OF A CLEARING AND GRADING PERMIT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Mina'Trentai Unu Na Liheslaturan* finds that past and growing construction developments have a consequential impact on the natural environment of Guam.

I Mina'Trentai Unu Na Liheslaturan finds that there needs to be more aggressive measures to protect and preserve the natural habitat of Guam. Also needed are improved efforts to raise awareness and instill sound practices to preserve Guam's natural and native habitat.

I Mina'Trentai Unu Na Liheslaturan finds regulatory and corrective measures are needed when construction negatively impacts the natural and native fauna on both public and private property.

I Mina'Trentai Unu Na Liheslaturan finds that in order to proactively and effectively ensure the natural environment of Guam is protected and properly preserved, the Guam Department of Agriculture is included along with other permitting public agencies that authorize and approve the Clearing, Grading and Construction permit issued by the Building Permits and Inspection Division of the Department of Public Works.

Section 2. §66202.1(a) of Article 2, Chapter 66 of Title 21, Guam Code Annotated, is *amended* to read as follows:

"(a) A permit for Clearing, Grading, and Construction *shall* be required of government, autonomous, and public entities in the same manner as private citizens.

An application for the permit *shall* be submitted to the Department of Public Works by the entity who owns the property, or which is to authorize, complete, or contract for the proposed project on government land, with the approval of the following agencies indicated on the application to the Department of Public Works: Department of Land Management, Zoning Division; Department of Parks and Recreation; Guam Power Authority; Guam Environmental Protection Agency; Guam Geodetic Network Survey Division; Department of Agriculture; and the Department of Public Works. No

fee shall be charged for government application for a permit pursuant hereto and the application *shall* be submitted in such form as the Building Official may prescribe. Government entities *shall* be subject to all other applicable provisions of this Chapter. Clearing, grading, or construction *shall not* begin on any government property or project in violation of this statute. Building Officials and Guam Peace Officers are authorized to issue citations to violators of this Section in accordance with the rules and regulations promulgated by the Department of Public Works in this regard. Officers acting in violation of this statute *shall* be held personally liable for all damages resulting therefrom, and *shall* be subject to a fine of One Thousand Dollars ($1,000) for each offense, and may be fined up to Five Thousand Dollars ($5,000) for violations after the third violation of this Section."