

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 7-35 (LS) As amended by the Committee on Health, Tourism, Historic Preservation, Land, and Justice.		Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building April 25, 2019				
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE		I ✓				
Senator Kelly G. MARSH (TAITANO), PhD			✓			✓
Senator James C. MOYLAN	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Senator Louise B. MUÑA	✓					
Vice Speaker Telen Cruz NELSON		I ✓				
Senator Sabina Flores PEREZ		✓				
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN		✓				
Senator Amanda L. SHELTON		I ✓				
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedro" TERLAJE	✓					
Senator Therese M. TERLAJE	✓	I				
Senator Mary Camacho TORRES		✓				

TOTAL:	8	6	1			1
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:

 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 7-35 (LS)

As amended by the Committee on Health,
Tourism, Historic Preservation, Land and Justice.

*

Introduced by:

Telo T. Taitague

**AN ACT TO AMEND § 61106(b) OF ARTICLE 1,
CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE
ANNOTATED, RELATIVE TO ESTABLISHING AN
ADMINISTRATIVE FINE FOR THE DIRECTOR OF A
MEMBER-AGENCY OF THE APPLICATION REVIEW
COMMITTEE WHICH FAILS TO PROVIDE REQUIRED
REPORTS AND/OR POSITION STATEMENTS ON LAND
USE APPLICATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 61106(b) of Article 1, Chapter 61, Division 2, Title 21, Guam
Code Annotated, is hereby *amended* to read:

“(b) In any land use action that requires the review and decision by
the Guam Land Use Commission, no municipal public hearing shall be
scheduled and conducted in the affected municipality until any and all
available reports and position statements have been received from the
Department of Land Management. Said reports and position statements *shall*
be provided by the Application Review Committee within thirty (30) working
days from the filing of the application.

A member-agency of the Application Review Committee requiring
additional time to submit their respective report or position statement *shall*
obtain written approval no later than ten (10) working days prior to the thirty
(30)-day deadline from the Chairman of the Application Review Committee.

1 The additional time *shall not* exceed a period of fourteen (14) working days.
2 A second extension may be granted with written approval from the Chairman
3 of the Application Review Committee for a period not to exceed an additional
4 fourteen (14) working days. The director of a member-agency which fails to
5 submit the required report and/or position statement within the timeline
6 stipulated herein *shall* pay an administrative fine of One Thousand Dollars
7 (\$1,000.00).

8 The administrative fine *shall* be a personal expense for the director of
9 the member-agency of the Application Review Committee, and in no way
10 shall the fine be paid by the agency or the government of Guam.

11 The Department of Land Management *shall* develop policies and
12 procedures for the enforcement of the aforementioned administrative fine, in
13 accordance with the Administrative Adjudication Law. The Director of Land
14 Management *shall* pay an administrative fine of One Thousand Dollars
15 (\$1,000.00) in the event his or her agency fails to initiate the development of
16 policies and procedures required herein within thirty (30) working days. All
17 administrative fines *shall* be deposited in the Land Survey Revolving Fund
18 established pursuant to § 60602 of Article 6, Chapter 60, Title 21, Guam Code
19 Annotated.

20 Upon receipt of any report or position statement submitted by the
21 Application Review Committee, the Department of Land Management *shall*
22 transmit said documents to the Mayor of the affected municipality.”

23 **Section 2. Severability.** If any provision of this Act or its application to any
24 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
25 *not* affect other provisions or applications of this Act that can be given effect without
26 the invalid provision or application, and to this end the provisions of this Act are
27 severable.