Guam Legislature Clerks <clerks@guamlegislature.org>

Messages and Communications for Doc. Nos. 36GL-22-2663 through 36GL-22-2669*
1 message

Committee on Rules 36GL <cor@guamlegislature.org> Wed, Oct 12, 2022 at 7:45 PM
To: Clerks <clerks@guamlegislature.org>, Rennae Meno <rennae@guamlegislature.org>
Cc: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Hâfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-22-2663 through 36GL-22-2669 for processing:

36GL-22-2663	BILL NO. 303-36 (COR) nka P.L. 36-109 AN ACT TO *ADD* A NEW§ 849.16 TO ARTICLE 1 OF CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING A PORTION OF ROUTE 4 AS "SEVEN HEROES OF *MALESSO'* HIGHWAY".*	Office of the Governor of Guam
36GL-22-2664	SUBSTITUTE BILL NO. 333-36 (COR) nka P.L. 36-110 AN ACT TO *ADD* A NEW ITEM (D) TO § 40109(2), AND A NEW ITEM (6) TO § 40118 OF CHAPTER 40 (GUAM FOOD, DRUG AND COSMETIC ACT); AND TO *AMEND* § 23102 OF CHAPTER 23 (EATING AND DRINKING ESTABLISHMENTS), AND § 24103 OF CHAPTER 24 (FOOD ESTABLISHMENT), ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO CANNABIS CONTENT IN EDIBLE AND COSMETIC CANNABIS PRODUCTS.*	Office of the Governor of Guam
36GL-22-2665	BILL NO. 259-36 (LS) nka P.L. 36-111 AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A NEW SPECIAL QUALIFYING CERTIFICATE FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS; AND TO BE KNOWN AS THE "*ÅKTON GUMA* (GROUP USE *MANÅMKO* ACCOMMODATIONS) INCENTIVE ACT.*	Office of the Governor of Guam
36GL-22-2666	BILL NO. 191-36 (COR) nka P.L. 36-112 (Lapse) AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK.*	Office of the Governor of Guam
36GL-22-2667	BILL NO. 309-36 (LS) nka P.L. 36-113 AN ACT TO *AMEND* § 12212(g) OF ARTICLE 2, PART 1, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENSURING THAT PERSONS OR ENTITIES WHO HAVE REPORTED ARE PROMPTLY INFORMED OF THE GUAM BOARD OF MEDICAL EXAMINERS ACTIONS AND DECISIONS.*	Office of the Governor of Guam
36GL-22-2668	BILL NO. 278-36 (COR) nka P.L. 36-114 AN ACT TO *AMEND* § 75A124 OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND.*	Office of the Governor of Guam
36GL-22-2669	SUBSTITUTE BILL NO. 284-36 (LS) nka P.L. 36-115 (Lapse) AN ACT TO *AMEND* ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, TO CODIFY AND *AMEND* ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.*	Office of the Governor of Guam

Electronic Copies received.

Si Yu'os Ma'âse',

COMMITTEE ON RULES

Vice Speaker Tina Rose Muña Barnes, Chairperson
36th Guam Legislature
I Mina'trentai Seis Na Liheslaturan Guåhan
Guam Congress Building | 163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

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---------- Forwarded message ---------
From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Wed, Oct 12, 2022 at 5:11 PM
Subject: Messages and Communications for 36GL-22-2663 to 36GL-22-2669
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Hâfa Adai,

Please see attached M&C Doc. No. 36GL-22-2663 to 36GL-22-2669*

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Si Yu'os Ma'âse',

Marie Cruz
Community Relations Liaison

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Brianne LG Dunstan** <brianne.dunstan@guam.gov>
Date: Wed, Oct 12, 2022 at 4:36 PM
Subject: Governor Leon Guerrero's Statements regarding Legislative Bills passed on Sept. 30, 2022
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: GOVERNOR Lourdes A. Leon Guerrero <governor@guam.gov>, LT. GOVERNOR Joshua F. Tenorio <lt.governor@guam.gov>, Geraldine A. Cepeda <gcepeda@guamcourts.gov>, <jdelorie@guamcourts.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Stephanie G. Flores <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, BERTHA <bertha.duenas@guam.gov>, Eliza G. Dames (Chamber) <eliza.dames@guam.gov>, Shamra L.A. Chargualaf (Chamber) <shamra.chargualaf@guam.gov>, Josephine C. Cepeda (Chamber) <josephine.cepeda@guam.gov>, Kathleen C. Cepeda (COS) <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, Jessica Cruz (CF) <jessica.cruz@guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, Ely John Catalan <ely.catalan@guam.gov>

Hafa Adai Madame Speaker,

Enclosed are copies of Governor Leon Guerrero's statements regarding the following seven (7) bills:

- **BILL NO. 303-36 (COR)** nka P.L. 36-109 AN ACT TO *ADD* A NEW§ 849.16 TO ARTICLE 1 OF CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING A PORTION OF ROUTE 4 AS "SEVEN HEROES OF *MALESSO'* HIGHWAY"
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The original statements and bills will be delivered to your office today.

Thank you.

Respectfully,
--

Brianne LG Dunstan
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
Office of Legal Counsel
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

7 attachments

- **36GL-22-2663.pdf** 1267K
- **36GL-22-2664.pdf** 1275K
- **36GL-22-2665.pdf** 1598K
- **36GL-22-2666.pdf** 1302K
- **36GL-22-2667.pdf** 1229K
- **36GL-22-2668.pdf** 1246K

36GL-22-2669.pdf
2067K

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Governor Leon Guerrero's Statements regarding Legislative Bills passed on Sept. 30, 2022

Brianne LG Dunstan <brianne.dunstan@guam.gov> Wed, Oct 12, 2022 at 4:36 PM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, "Geraldine A. Cepeda" <gcepeda@guamcourts.gov>, jdelorie@guamcourts.gov, Guam Compiler of Laws <guamcompiler@gmail.com>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, BERTHA <bertha.duenas@guam.gov>, "Eliza G. Dames (Chamber)" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf (Chamber)" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda (Chamber)" <josephine.cepeda@guam.gov>, "Kathleen C. Cepeda (COS)" <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, "Jessica Cruz (CF)" <jessica.cruz@guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, Ely John Catalan <ely.catalan@guam.gov>

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The original statements and bills will be delivered to your office today.

Thank you.

Respectfully,
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Brianne LG Dunstan
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
Office of Legal Counsel
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
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brianne.dunstan@guam.gov

M&C DOC NOS:
36GL-22-2663
36GL-22-2664
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36GL-22-2666
36GL-22-2667
36GL-22-2668
36GL-22-2669
OFFICE OF THE SPEAKER
Therese M. Terlaje
Date: 10/12/2022
Time: 4:36 p.m.
Received: MCruz

7 attachments

- **Bill No. 303-36 (COR) nka P.L. 36-109.pdf**
  146K
- **Substitute Bill No. 333-36 (COR) nka P.L. 36-110.pdf**
  154K
- **Bill No. 191-36 (COR) nka P.L 36-112 (LAPSE).pdf**
  182K
- **Bill No. 259-36 (LS) nka P.L. 36-111.pdf**
  480K
- **Bill No. 309-36 (LS) nka P.L. 36-113.pdf**
  108K
- **Bill 278-36 (COR) nka P.L. 36-114.pdf**
  124K
- **Substitute Bill No. 284-36 (LS) nka P.L. 36-115 (LAPSE).pdf**
  989K

COMMITTEE ON RULES
RECEIVED:
October 12, 2022
5:11 P.M.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: speaker@guamlegislature.org

October 12, 2022

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: BILL NO. 191-36 (COR) – AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK

Hafa Adai Madame Speaker,

For the reasons provided below, Bill 191-36 will lapse into law without my signature. Although our Administration supports this legislation's general intent to diversify Guam's economy and efforts to support agricultural activities, amendments to rules that regulate "harboring" and "taking" wild deer for livestock could have been properly accomplished by formal rulemaking by the Department of Agriculture ("DoAG")–the agency charged with implementing Guam's Game and Fish laws.

The separation of powers doctrine recognizes that each branch of government has its own appropriate sphere of activity. Under the Organic Act of Guam, the powers of the three branches of government are enumerated and separated in Subchapters II—Executive Branch, III—The Legislature, and IV—The Judiciary. The Organic Act of Guam charges the Executive Branch with powers to issue "regulations" not in conflict with any applicable law, including Guam's rulemaking laws. In contrast, the Legislature is charged with drafting and passing "bills." The powers over rulemaking and law-making roles are separate and distinct under the Organic Act of Guam.

While the Legislature has the power to pass a bill containing Bill No. 191-36's exact language as a law, it cannot do so under the guise of promulgating a rule. The separation of powers doctrine would prohibit legislation from amending executive rules and regulations, just as it would prohibit an agency from amending legislative enactments. Effectuating the well-meaning intent of Bill No. 191-36 should not come at the expense of observing the distinct powers conferred on our respective branches of government.

Once the Legislature has delegated rule-making authority to an agency—such as the Department of Agriculture—in this case, it must abide by that delegation and not interfere with agency rulemaking until altered or revoked by law.

Accordingly, I direct DoAG to begin the statutory rulemaking process to perfect the amendment sought in Bill 191-36. This will ensure the rule will survive possible challenges to its validity and, ultimately, best achieve the agency's mission to protect and promote Guam's agricultural resources and economy.

Again, I thank the agency and the Legislature for their efforts in preparing legislation with the intention of diversifying our economy and supporting livestock agricultural activities. However, for the reasons noted above, Bill 191-36 will lapse into law without my signature.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure: Bill No. 191-36 (COR) *nka P.L. No. 36-112 (LAPSE)*

cc via email: *Honorable* Joshua F. Tenorio, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

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

This is to certify that **Bill No. 191-36 (COR), "AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK,"** was on the 30th day of September 2022, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30TH day of Sept., 2022, at 7:30 o'clock P.M.

POS Echaves

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/12/22

Public Law No. 36-112

Georgiana Rodrigues
2022-17526
RCVD AT CENTRAL FIL
OCT 3 '22 AM10:31

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 191-36 (COR)
As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and further amended on the Floor.

Introduced by: Clynton E. Ridgell
Tina Rose Muña Barnes
Jose "Pedo" Terlaje
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
James C. Moylan
Telena Cruz Nelson
Sabina Flores Perez
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that our local economy must diversify to give our community its greatest chance of economic prosperity and encourage less dependence on imported goods. Agriculture has long been a part of our local economy, from subsistence farming to local

plantations. Raising livestock has been a practice in Guam for hundreds of years and even today is a growing form of agriculture locally. Enacting policies that facilitate this growth will not only be good for our local food supply but will also be good for the local economy.

I Liheslaturan Guåhan further finds that wild deer, considered an invasive species, have since established a stable and ample population, enough to sustain the local hunting community. Hunters at times encounter orphaned fawns that are unlikely to survive without additional care but are unable to take them as it is currently against Guam law for these fawns to be removed from the jungle. At the same time, it is also legal under Guam law to raise deer fawns as livestock. This creates an ambiguous gray area regarding how deer or fawns may come to be livestock. Clarifying this discrepancy solidifies the legality of raising deer and will allow more people access to deer as livestock and a food source.

Therefore, it is the intent of *I Liheslaturan Guåhan* to effectuate this diversification by creating an ability for hunters and farmers to raise deer as livestock. By amending Guam law to allow our people to raise deer as livestock, *I Liheslatura* encourages our local community to explore new options to stimulate the economy and become self-sustaining.

Section 2. § 3402 of Article 4, Chapter 3, Division 1, Title 9, Guam Administrative Rules and Regulations, is *amended* to read:

"**§ 3402. Taking of Deer.**

Guam deer may be taken from the wild for the purpose of harboring them in captivity as livestock. Guam deer currently held in captivity, or the progeny of any registered deer, may be harbored as livestock. At the discretion of the Director, as provided in § 63124(b) of Article 1, Chapter 63, Title 5, Guam Code Annotated, deer may be harbored for other purposes, which include, but are not limited to, research and exhibition in zoos or as prescribed

in § 11310 of Article 3, Chapter 11, Division 2, Article 3, Title 9, Guam Administrative Rules and Regulations."

Section 3. Department of Agriculture to Develop Program Report. The raising of deer as livestock shall be further reviewed by the Department of Agriculture (DoAG) as the lead agency involved with that activity. DoAG will be tasked, via this legislation, to ascertain the viability of raising deer as livestock amongst local residents, to include the minimum space needed to maintain a safe and sanitary environment, recommendations on where to allow such an activity, and other factors necessary for the activity to proceed.

The DoAG shall prepare a report on its findings and recommendations and transmit copies of the same to *I Maga'hågan* and *I Liheslaturan Guåhan*.

Section 4. Effective Date. This Act shall be effective upon enactment.

Section 5. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: speaker@guamlegislature.org

October 12, 2022

Doc Type: 36GL-22-2666
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

-10- 12 2022
Time: 4:38pm
Received:

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: BILL NO. 191-36 (COR) – AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK

Hafa Adai Madame Speaker,

For the reasons provided below, Bill 191-36 will lapse into law without my signature. Although our Administration supports this legislation's general intent to diversify Guam's economy and efforts to support agricultural activities, amendments to rules that regulate "harboring" and "taking" wild deer for livestock could have been properly accomplished by formal rulemaking by the Department of Agriculture ("DoAG")–the agency charged with implementing Guam's Game and Fish laws.

The separation of powers doctrine recognizes that each branch of government has its own appropriate sphere of activity. Under the Organic Act of Guam, the powers of the three branches of government are enumerated and separated in Subchapters II—Executive Branch, III—The Legislature, and IV—The Judiciary. The Organic Act of Guam charges the Executive Branch with powers to issue "regulations" not in conflict with any applicable law, including Guam's rulemaking laws. In contrast, the Legislature is charged with drafting and passing "bills." The powers over rulemaking and law-making roles are separate and distinct under the Organic Act of Guam.

While the Legislature has the power to pass a bill containing Bill No. 191-36's exact language as a law, it cannot do so under the guise of promulgating a rule. The separation of powers doctrine would prohibit legislation from amending executive rules and regulations, just as it would prohibit an agency from amending legislative enactments. Effectuating the well-meaning intent of Bill No. 191-36 should not come at the expense of observing the distinct powers conferred on our respective branches of government.

Once the Legislature has delegated rule-making authority to an agency—such as the Department of Agriculture—in this case, it must abide by that delegation and not interfere with agency rulemaking until altered or revoked by law.

Accordingly, I direct DoAG to begin the statutory rulemaking process to perfect the amendment sought in Bill 191-36. This will ensure the rule will survive possible challenges to its validity and, ultimately, best achieve the agency's mission to protect and promote Guam's agricultural resources and economy.

Again, I thank the agency and the Legislature for their efforts in preparing legislation with the intention of diversifying our economy and supporting livestock agricultural activities. However, for the reasons noted above, Bill 191-36 will lapse into law without my signature.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

COMMITTEE ON RULES
RECEIVED:
October 13, 2022
8:00 A.M.

Enclosure: Bill No. 191-36 (COR) *nka P.L. No. 36-112 (LAPSE)*

cc via email: *Honorable* Joshua F. Tenorio, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

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

This is to certify that **Bill No. 191-36 (COR), "AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK,"** was on the 30th day of September 2022, duly and regularly passed.

Therese M. Terlaje
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30TH day of Sept., 2022, at 7:30 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/12/22

Public Law No. 36-112

Georgiana Rodrigues
2022-17526
RCVD AT CENTRAL FILE
OCT 3'22 AM10:31

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 191-36 (COR)
As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and further amended on the Floor.

Introduced by: Clynton E. Ridgell
Tina Rose Muña Barnes
Jose "Pedo" Terlaje
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
James C. Moylan
Telena Cruz Nelson
Sabina Flores Perez
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that our local economy must diversify to give our community its greatest chance of economic prosperity and encourage less dependence on imported goods. Agriculture has long been a part of our local economy, from subsistence farming to local

plantations. Raising livestock has been a practice in Guam for hundreds of years and even today is a growing form of agriculture locally. Enacting policies that facilitate this growth will not only be good for our local food supply but will also be good for the local economy.

I Liheslaturan Guåhan further finds that wild deer, considered an invasive species, have since established a stable and ample population, enough to sustain the local hunting community. Hunters at times encounter orphaned fawns that are unlikely to survive without additional care but are unable to take them as it is currently against Guam law for these fawns to be removed from the jungle. At the same time, it is also legal under Guam law to raise deer fawns as livestock. This creates an ambiguous gray area regarding how deer or fawns may come to be livestock. Clarifying this discrepancy solidifies the legality of raising deer and will allow more people access to deer as livestock and a food source.

Therefore, it is the intent of *I Liheslaturan Guåhan* to effectuate this diversification by creating an ability for hunters and farmers to raise deer as livestock. By amending Guam law to allow our people to raise deer as livestock, *I Liheslatura* encourages our local community to explore new options to stimulate the economy and become self-sustaining.

Section 2. § 3402 of Article 4, Chapter 3, Division 1, Title 9, Guam Administrative Rules and Regulations, is *amended* to read:

"**§ 3402. Taking of Deer.**

Guam deer may be taken from the wild for the purpose of harboring them in captivity as livestock. Guam deer currently held in captivity, or the progeny of any registered deer, may be harbored as livestock. At the discretion of the Director, as provided in § 63124(b) of Article 1, Chapter 63, Title 5, Guam Code Annotated, deer may be harbored for other purposes, which include, but are not limited to, research and exhibition in zoos or as prescribed

in § 11310 of Article 3, Chapter 11, Division 2, Article 3, Title 9, Guam Administrative Rules and Regulations."

Section 3. Department of Agriculture to Develop Program Report. The raising of deer as livestock shall be further reviewed by the Department of Agriculture (DoAG) as the lead agency involved with that activity. DoAG will be tasked, via this legislation, to ascertain the viability of raising deer as livestock amongst local residents, to include the minimum space needed to maintain a safe and sanitary environment, recommendations on where to allow such an activity, and other factors necessary for the activity to proceed.

The DoAG shall prepare a report on its findings and recommendations and transmit copies of the same to *I Maga'hågan* and *I Liheslaturan Guåhan*.

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LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: speaker@guamlegislature.org

October 12, 2022

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Hagåtña, Guam 96910

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Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure: Bill No. 191-36 (COR) *nka P.L. No. 36-112 (LAPSE)*

cc via email: *Honorable* Joshua F. Tenorio, Lt. Governor of Guam
Compiler of Laws

RECEIVED
OCT 13 2022
8:00 A.M.
COMMITTEE ON RULES

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

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

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Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30TH day of Sept., 2022, at 7:30 o'clock P.M.

POS CGuerrero

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/12/22

Public Law No. 36-112

Georgiana Rodrigues
2022-17526
RCVD AT CENTRAL FIL
OCT 3 '22 AM10:31

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 191-36 (COR)
As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and further amended on the Floor.

Introduced by:

Clynton E. Ridgell
Tina Rose Muña Barnes
Jose "Pedo" Terlaje
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
James C. Moylan
Telena Cruz Nelson
Sabina Flores Perez
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje
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