

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
38-36 (COR)	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 THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.	1/22/21 3:32 p.m.						

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

Bill No. 38-36 (COR)

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 THAT FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS.

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

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

4 “(b) In any land use action that requires the review and decision by
5 the Guam Land Use Commission, no municipal public hearing shall be
6 scheduled and conducted in the affected municipality until any and all
7 available reports and position statements have been received from the
8 Department of Land Management. ~~To the maximum extent possible, s~~Said
9 reports and position statements shall be provided by the Application Review
10 Committee within ~~thirty (30)~~forty-five (45) calendar~~working~~ days from the
11 filing of the application.

1 A member-agency of the Application Review Committee requiring
2 additional time to submit their respective report or position statement shall
3 obtain written approval no later than ten (10) working days prior to the forty-
4 five (45)-day deadline from the Chairman of the Application Review
5 Committee. The additional time shall not exceed a period of fourteen (14)
6 working days. A second extension may be granted with written approval
7 from the Chairman of the Application Review Committee for a period not to
8 exceed an additional fourteen (14) working days. The director of a member-
9 agency that fails to submit a required report or position statement within the
10 timeline stipulated herein shall pay an administrative fine of Two Hundred
11 Fifty Dollars (\$250.00).

12 The administrative fine shall be a personal expense for the director of
13 the member-agency of the Application Review Committee and in no way
14 shall the fine be paid by an agency or the Government of Guam. All
15 administrative fines imposed pursuant to this Subsection shall be paid to the
16 Treasurer of Guam and deposited into the Land Survey Revolving Fund
17 established by 21 GCA § 60602.

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

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