

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

Bill No. 38-36 (COR) As amended by the Committee on Health, Land, Justice and Culture; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building February 22, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes		III ✓				
Senator Telen Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton		I ✓				
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres		✓				

TOTAL

12

3

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 SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 38-36 (COR)

As amended by the Committee on Health,
Land, Justice and Culture; and
further amended on the Floor.

Introduced by:

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

AN ACT TO AMEND § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING EXTENSIONS OF DEADLINES TO SUBMIT REPORTS OR POSITIONS STATEMENTS TO THE APPLICATION REVIEW COMMITTEE, AND AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE WHO 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 the
5 Guam Land Use Commission, no municipal public hearing shall be scheduled

1 and conducted in the affected municipality until any and all available reports and
2 position statements have been received from the Department of Land
3 Management. Said reports and position statements shall be provided by the
4 Application Review Committee within forty-five (45) calendar days from the
5 filing of the application.

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

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

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

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