

***I MINA 'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

Bill No. B196-30(COR)

Introduced by:

T.R. MUNA-BARNES

2009 JUL 30 PM 5:51



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**AN ACT TO ADD A NEW SECTION TO 5 GUAM CODE  
ANNOTATED CHAPTER 40 RELATIVE TO RECOGNIZING  
VILLAGE MAYORS AS THE DIRECT ADMINISTRATIVE  
REPRESENTATIVES OF OUR PEOPLE AND TO EMPOWER  
THEM WITH SPECIAL APPROVING AUTHORITIES**

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

**2 Section 1. Legislative findings and intent. *I Liheslaturan***

**3 *Guåhan* finds that the responsibilities and authorities of our village mayors**  
**4 have evolved over a long period of time. Since the enactment of Public**  
**5 Law 14-27, it is common knowledge that other elected leaders yield to**  
**6 village mayors to seek out what the people from their respective village's**  
**7 desire for the betterment of their community. As the powers,**  
**8 responsibilities, and duties of village mayors continue to evolve, it is**  
**9 certain that it has always been the intent of the Guam Legislature to**  
**10 provide mayors with greater authority and autonomy to conduct the**  
**11 business of ensuring our peoples needs are taken cared of in the community**  
**12 level. Mayors, today are not just the custodians of their jurisdiction that**

1 maintain a clean and beautiful neighborhood. Our mayor's have been  
2 granted authority to act as peace officers and are obliged to assist in  
3 maintaining law in order, mayors have also be given powers to issue  
4 citations for the violations of sanitary, health, and litter laws in their village.  
5 As our island prepares for the onslaught of the migration of 8,000 marines  
6 and their families, our community's needs will continue to grow rapidly.  
7 Our mayor's will no doubt become burdened with development in their  
8 villages that they will need to financially cope with. The limited resources  
9 of the government of Guam has resulted in shortfalls in the annual budget  
10 provided to the individual mayors and to the Mayor's Council of Guam.  
11 Mayor's need to look outside this funding stream in order to deal with  
12 these challenges. Therefore it is the intent of *I Liheslaturan Guåhan* to  
13 recognize our mayor's as the direct administrative representatives of our  
14 people and to empower them with the special authority to approve any  
15 lawful concessionary activities that are officially sponsored or organized by  
16 their office or the Mayor's Council of Guam.

17 **Section 2.** A new §40115.A is hereby added to 5 Guam Code  
18 Annotated Chapter 40:

19 **“§40115.A. Mayor's Empowered with Approving Authority.**

20 Notwithstanding any other provisions of law, individual Mayor's are

1 that are officially sponsored by their mayoral office or granted special  
2 authority to approve any lawful concessionary activities  
3 by the Mayor's Council of Guam.  
4 The net proceeds of such concessionary activity shall be  
5 for the direct benefit of their village or any other non-profit organization.  
6 This special authority granted to Mayor's does not negate any other  
7 governmental requirement from being obtained, such as but not limited to,  
8 health and sanitary permits if such concessionary activity involve the  
9 handling of consumables. A certificate of approval affixed with the  
10 approving mayor's signature shall constitute the official authorization for a  
11 concessionary activity. Such document shall indicate the nature of activity  
12 and its activity's duration, which shall not exceed sixty (60) days from  
13 issuance of approval. A copy of the certificate shall be transmitted to the  
14 Speaker of *I Liheslaturan Guahan*.

15                   **Section 3. Effective Date.** This Act shall take effect upon its  
16 Enactment.