

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
134-36 (COR) As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and further amended on the Floor.	Clynton E. Ridgell Tina Rose Muña Barnes Joe S. San Agustin Jose "Pedo" Terlaje V. Anthony Ada Telo T. Taitague James C. Moylan Frank Blas Jr.	AN ACT TO <i>AMEND</i> § 60354 OF ARTICLE 3, CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE MINIMUM ACREAGE FOR PROTECTION OF FARMS.	5/6/21 4:06 p.m.	5/12/21	Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts	5/19/21 9:00 a.m.	6/17/21 3:40 p.m.	Request: 5/12/21 Waiver: 5/18/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	6/25/21	AN ACT TO <i>AMEND</i> § 60354 OF ARTICLE 3, CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE MINIMUM ACREAGE FOR PROTECTION OF FARMS.	7/8/21	7/8/21	7/20/21				

COPY



I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
Thirty-Sixth Guam Legislature

July 8, 2021

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 93-36 (LS), 99-36 (LS), 108-36 (COR), 109-36 (COR), 134-36 (COR), 136-36 (COR) and 140-36 (LS);** and **Substitute Bill No. 120-36 (COR)** which were passed by *I Mina'trentai Sais Na Liheslaturan Guåhan* on July 8, 2021.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (8)

RCVD AT CENTRAL FILES
JUL 8 '21 PM5:13

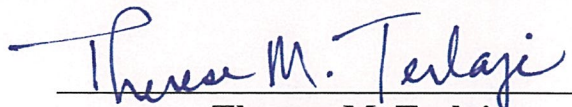
Elaine Tajalle



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

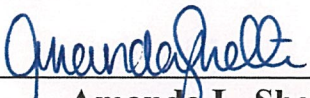
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 134-36 (COR)**, "AN ACT TO *AMEND* § 60354 OF ARTICLE 3, CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE MINIMUM ACREAGE FOR PROTECTION OF FARMS," was on the 8th day of July 2021, duly and regularly passed.



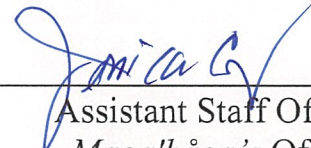
Therese M. Terlaji
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 8th day of July,
2021, at 5:13 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

RCUD AT CENTRAL FILES
JUL 8 '21 PM5:13

Elaine Tajalle

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

Bill No. 134-36 (COR)

As amended by the Committee on Economic Development,
Agriculture, Power and Energy Utilities, and the Arts.

Introduced by:

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

**AN ACT TO *AMEND* § 60354 OF ARTICLE 3, CHAPTER
60, TITLE 5, GUAM CODE ANNOTATED, RELATIVE
TO REMOVING THE MINIMUM ACREAGE FOR
PROTECTION OF FARMS.**

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

2 **Section 1.** § 60354 of Article 3, Chapter 60, Title 5, Guam Code Annotated,
3 is *amended* to read:

4 **"§ 60354. Farm Protection.**

5 A farm for purposes of this Section shall be farmland used for bona fide

1 agriculture, as defined in § 60102 of this Chapter. No person who is engaged
2 in agricultural use of farmland may be forced or required to stop such farming
3 activities because of changes in the usages of surrounding lands, nor because
4 of zoning changes.

5 (a) Any farm, as defined above, shall be deemed a preferred use of
6 the land and, for so long as the land continues in production and continues to
7 be used for agricultural purposes, said land shall be considered authorized as
8 a farming area notwithstanding changes in zoning or changes in the usage and
9 characteristics of the neighborhood in which it is located.

10 (b) Any farm which is authorized herein for agricultural usage may
11 continue to be used in a manner consistent with the traditional agricultural
12 uses of the land in the past.

13 (c) If a farm as defined herein has been used for agricultural
14 purposes within the previous two (2) years, there shall be a rebuttable
15 presumption that the usage of the land is continuous and that there has been
16 no abandonment of the farming operations on the land. Any time the land is
17 not being used for agricultural purposes for two (2) consecutive years, there
18 shall be a rebuttable presumption that there has been an abandonment of the
19 usage of the land for agricultural purposes.

20 (d) When land which was previously used for farming is no longer
21 used for farming, and the agricultural operations have been abandoned as
22 defined herein, the land shall be subject to the zoning laws and restrictions on
23 use to the same extent as if it had never been used for agricultural purposes.
24 The courts shall not order the cessation of agricultural usage for a farm, as
25 defined herein, on the basis of inconvenience or discomfort which such usage
26 may cause the neighbors of adjoining property, if such usage was originally
27 commenced in a lawful manner.

1 (e) The provisions of this Section do not override or supersede any
2 existing laws which govern the use of pesticides or herbicides near populated
3 areas.

4 (f) The definition of a farmer for the purpose of this Section shall be
5 as defined by provision II.1. of the Rules for Compensation to Farmers for
6 Crop Damages in Section 2 of P.L. 22-64.”

7 **Section 2. Effective Date.** This Act shall be effective upon enactment.

8 **Section 3. Severability.** If any provision of this Act or its application to any
9 person or circumstance is found to be invalid or contrary to law, such invalidity shall
10 not affect other provisions or applications of this Act that can be given effect without
11 the invalid provision or application, and to this end the provisions of this Act are
12 severable.