

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

Bill No. 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.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building July 8, 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	√					
Senator Telena Cruz Nelson	√					
Senator Sabina Flores Perez	√					
Senator Clynton E. Ridgell	√					
Senator Joe S. San Agustin	√					
Senator Amanda L. Shelton	√					
Senator Telo T. Taitague	√					
Senator Jose "Pedo" Terlaje	√					
Speaker Therese M. Terlaje	√					
Senator Mary Camacho Torres	√					

TOTAL

14

0

1

1

Aye

Nay

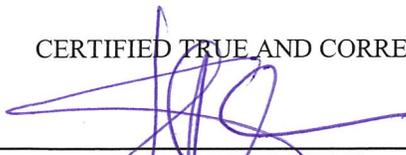
Not Voting/
Abstained

Out During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

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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.

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

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

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

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

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

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

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

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

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