



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UPISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

1/17/89

JAN 04 1989

The Honorable Joe T. San Agustin
Speaker, Twentieth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 269, which has been designated as Public Law
19-51.

Sincerely,

Joseph F. Ada
JOSEPH F. ADA
Governor of Guam

Attachment

RECEIVED AND ACKNOWLEDGED

By *Cecha*
(Signature)

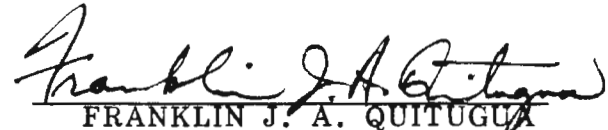
ACMA
(Title)
Edson Cruz
(Department)

Date 1-4-89 Time 9:58 am


NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 269, "AN ACT TO AMEND A PORTION OF SECTION 31003 OF THE GOVERNMENT CODE FOR CONSUMER PROTECTION BY ALLOWING HOMEOWNERS AND BUILDING OWNERS TO MAKE MINOR REPAIRS WITHOUT THE NEED OF A BUILDING PERMIT," returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 31st day of December, 1988, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of fourteen (14) members.


FRANKLIN J. A. QUITUGUA
Speaker

Attested:


PILAR C. LOJAN
Senator and Legislative Secretary

This Act was received by the Governor this 1st day of January 1988,
at 12:50 o'clock p.m.


Katherine A. Maraman
Assistant Staff Officer
Governor's Office

Public Law No. 19-51

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) Regular Session

Bill No. 269
Substitute Bill by Committee on Energy,
Utilities and Consumer Protection
and further substituted by Committee on
Rules 12/19/88

Introduced by:

A. J. Shelton II
M. K. Hartsock
E. P. Arriola

J. G. Bamba
M. Z. Bordallo
H. D. Dierking
E. R. Duenas
E. M. Espaldon
F. J. Gutierrez
P. C. Lujan
M. D. A. Manibusan
J. G. Miles
T. S. Nelson
D. Parkinson
F. J. A. Quitugua
J. M. Rivera
M. C. Ruth
J. T. San Agustin
F. R. Santos

AN ACT TO AMEND A PORTION OF SECTION
31003 OF THE GOVERNMENT CODE FOR
CONSUMER PROTECTION BY ALLOWING
HOMEOWNERS AND BUILDING OWNERS TO
MAKE MINOR REPAIRS WITHOUT THE NEED
OF A BUILDING PERMIT.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. It is the intent of the Legislature that buildings and
3 structures on Guam be well maintained by their owners and occupants. The
4 Legislature also recognizes that it is often difficult or impossible to obtain
5 the services of a licensed contractor for small repairs to buildings or
6 structures. The Legislature believes that owners and occupants should be
7 encouraged to do repair work with a minimum of expense and red tape.

1 Section 2. Subsection (d) of Section 31003 of the Government Code is
2 amended to read:

3 "(d) Additions, Alterations and Repairs: Twenty-Five Percent
4 (25%) or Less. Structural additions, alterations and repairs to any
5 portion of an existing building or structure, within any 12-month
6 period, not exceeding twenty-five percent (25%) of the value of the
7 building or structure, shall comply with all of the requirements for
8 new buildings or structures, except that minor structural additions,
9 alterations, or repairs, which are made by the building owner, leasee,
10 or their full-time employees, families or friends, and not made by a
11 hired contractor, which do not affect structural design or integrity of
12 the house such as, but not limited to, painting, dry wall repair,
13 finishing, siding, plumbing, interior wall construction or electrical
14 repairs, may be made with the same material of which the building or
15 structure is constructed, and may be made without application or
16 notice to the building official. Such building or structure, including
17 new additions, shall not exceed the areas in height specified in this
18 Title."

19 Section 3. Subsection (e) of Section 31003 of the Government Code is
20 amended to read:

21 "(e) Nonstructural Alterations and Repairs: Twenty-Five
22 Percent (25%) or Less. Alterations or repairs, not exceeding
23 twenty-five percent (25%) of the value of an existing building or
24 structure which are nonstructural and do not affect any member or
25 part of the building or structure having required fire resistance, and
26 which are made by the building owner, leasee, employee, family or
27 friends and not made by a hired contractor, may be made with the
28 same materials of which the building or structure is constructed, and
29 may be made without a building permit, application or notice, to the
30 building official when made within any twelve-month period."

31 Section 4. Subsection (f) of Section 31003 of the Government Code is
32 amended to read:

1 "(f) Repairs: Roof Covering. Not more than twenty-five
2 percent (25%) of the roof covering of any building or structure shall
3 be replaced in any 12-month period unless the new roof covering is
4 made to conform to the requirement of this Title for new buildings or
5 structures. Roof coverings which are twenty-five percent (25%) or
6 less, and are replaced within a 12-month period, when replaced by the
7 building owner, and are not replaced by a hired contractor, may be
8 made without building permit, application or notice to the building
9 official."

10 Section 5. Notwithstanding any provision of law, a building permit,
11 application or notice to the building official shall not be required to paint
12 or clean any building or structure or to build any fence which otherwise
13 complies with Government of Guam laws, rules and regulations.

ROLL CALL SHEET

Bill No. 269
 Res No. _____

DATE: 12/19/88

QUESTION: _____

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
E. P. Arriola	✓			
J. G. Bamba	✓			
M. Z. Bordallo	✓			
H. D. Dierking	✓			
E. R. Duenas	✓			
E. M. Espaldon	✓			
F. J. Gutierrez	✓			
M. K. Hartsock	✓			
P. C. Lujan				✓
M. D. A. Manibusan	✓			
J. G. Miles	✓			
T. S. Nelson	✓			
D. Parkinson	✓			
F. J. A. Quitugua	✓			
J. M. Rivera	✓			
M. C. Ruth	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
A. J. Shelton	✓			

18

1

SENATOR DON PARKINSON
19th GUAM LEGISLATURE
163 CHALAN SANTO PAPA STREET
AGANA, GUAM 96910

June 17, 1988

Honorable Franklin Quitugua
Speaker, 19th Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Dear Speaker:

The Committee on Energy, Utilities and Consumer Protection wishes to report out its findings on Bill No 269: "An act to amend a portion of section 31003 of the Government Code for Consumer Protection by allowing homeowners and building owners to make minor repairs without the need of a building permit."

The Committee voting record is as follows:

AYES	-9-
NAYS	-0-
ABSTENTIONS	-0-
REPORT OUT	-3-
OFF-ISLAND	-1-

A copy of the Committee Report and all pertinent documents are attached for your information.

Sincerely,

Senator Don Parkinson
Chairman, Committee on
Energy, Utilities and
Consumer Protection

SENATOR DON PARKINSON
19th GUAM LEGISLATURE
163 CHALAN SANTO PAPA STREET
AGANA, GUAM 96910

COMMITTEE ON ENERGY, UTILITIES AND CONSUMER
PROTECTION

Voting Sheet on Bill No. 269.

"AN ACT TO AMEND A PORTION OF SECTION 31003 OF THE
GOVERNMENT CODE FOR CONSUMER PROTECTION BY ALLOWING
HOMEOWNERS AND BUILDING OWNERS TO MAKE MINOR REPAIRS WITHOUT
THE NEED OF A BUILDING PERMIT".

COMMITTEE
MEMBERS

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>COMMENT</u>
Sen. Don Parkinson	<i>DP</i>	—	—	—
Sen. A.J. Sonny Shelton	<i>JS</i>	—	—	—
Sen. Franklin Gutierrez	<i>FG</i>	—	—	<i>Report out</i>
Sen. Herminia Dierking	<i>H</i>	—	—	—
Sen. Marilyn Manibusan	<i>MM</i>	—	—	<i>Report out</i>
Sen. Martha Ruth	—	—	—	<i>Report out - Mr.</i>
Sen. Marcia Hartsock	<i>MH</i>	—	—	—
Sen. Jerry Rivera	—	—	—	—
Sen. George Bamba	<i>GB</i>	—	—	—
Sen. Madeleine Bordallo	<i>MB</i>	—	—	—
Sen. Jim Miles	<i>JM</i>	—	—	—
Speaker Quitugua	<i>Q</i>	—	—	—

REPORT OF THE COMMITTEE ON ENERGY,
UTILITIES AND CONSUMER PROTECTION
ON BILL NO. 269.

PREFACE

The Committee on Energy, Utilities and Consumer Protection conducted a public hearing on Tuesday, October 13, 1987 at 9:30 a.m. in the Legislative Session Hall on Bill No. 269: An act to amend a portion of section 31003 of the Government Code for Consumer Protection by allowing homeowners and building owners to make minor repairs without the need of a building permit. Present at the public hearing was Senator Don Parkinson, Chairman for the Committee. No one appeared to testify before the Committee on Bill No. 269. Although Governor Joseph Ada and Mr. David Sablan, Chairman of the Guam Contractors Board were informed, they did not appear to testify at the Public Hearing on Bill No. 269.

TESTIMONY

Mr. John J. Zimmerman, a resident of Guam submitted a written testimony after the public hearing. This testimony is labeled Exhibit "A". Mr. Zimmerman's testimony cited his endorsement of Bill No. 269 without any reservation. He also included some recommendations to be added into the bill. These recommendations are: 1) To eliminate the requirement of obtaining a permit for any type of shelter and 2) No fee is to be required for any structural construction on agricultural property.

COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee finds that Bill No. 269 if enacted into law, will permit homeowners or building owners to make any minor improvements and upgrade to any existing building or structure with certain limitations as provided in this Bill.

Therefore, the intent of this Bill is to ensure that homeowners and building owners are capable of maintaining their building at minimum expense, time and inconvenience. The Committee on Energy, Utilities and Consumer Protection therefore recommends that Bill No. 269 be passed by the 19th Guam Legislature.

EXHIBITS

Exhibit "A" Written testimony of Mr. John J. Zimmerman

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) Regular Session

Bill No. 269
As Substituted by the Committee on
Energy, Utilities and Consumer Protection

Introduced By: A.J. Shelton II
M.K. Hartsock

AN ACT TO AMEND A PORTION OF SECTION 31003 OF THE
GOVERNMENT CODE FOR CONSUMER PROTECTION BY ALLOWING
HOMEOWNERS AND BUILDING OWNERS TO MAKE MINOR REPAIRS
WITHOUT THE NEED OF A BUILDING PERMIT.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. It is the intent of the Legislature that buildings and structures on Guam be well maintained by their owners and occupants. The Legislature also recognizes that it is often difficult or impossible to obtain the services of a licensed contractor for small repairs to buildings or structures. The Legislature believes that owners and occupants should be encouraged to do repair work with a minimum of expense and red tape.

Section 2. Subsection (d) of Section 31003 of the Government Code is amended to read:

"(d) Additions, Alterations and Repairs: Twenty-five Percent (25%) or Less. Structural additions, alterations and repairs to any portion of an existing building or structure, within any 12-month period, not exceeding twenty-five percent (25%) of the value of the building or structure, shall comply with all of the requirements for new buildings or structures, except that minor structural additions, alterations, or repairs, [when approved by the building official] which are made by the building owner, leasee, or their full time employees, families or friends, and not made by a hired contractor, which do not affect structural design or integrity of the house such as, but not limited to, painting, dry wall repair, finishing, siding, plumbing, interior wall construction or electrical repairs, may be made with the same material of which the building or structure is constructed, and may be made without application or notice to the building official. Such building or structure, including new additions, shall not exceed the areas in height specified in this Title."

Section 3. Subsection (e) of Section 31003 of the Government Code is amended to read:

"(e) Nonstructural Alterations and Repairs: Twenty-five Percent (25%) or Less. Alterations or repairs, not exceeding twenty-five percent (25%) of the value of an existing building or structure which are nonstructural and do not affect any member or part of the building or structure having required fire resistance, and which are made by the building owner, leasee, employee, family or friends and not made by a hired contractor, may be made with the same materials of which the building or structure is constructed, and may be made without a building permit, application or notice, to the building official when made within any twelve-month period."

Section 4. Subsection (f) of Section 31003 of the Government Code is amended to read:

"(f) Repairs: Roof Covering. Not more than twenty-five percent (25%) of the roof covering of any building or structure shall be replaced in any 12-month period unless the new roof covering is made to conform to the requirement of this Title for new buildings or structures. Roof coverings which are twenty-five percent (25%) or less, and are replaced within a 12-month period, when replaced by the building owner, and are not replaced by a hired contractor, may be made without building permit, application or notice to the building official."

Section 5. Notwithstanding any provision of law. A building permit, application or notice to the building official shall not be required to paint or clean any building or structure or to build any fence which otherwise complies with Government of Guam laws, rules and regulations.

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) Regular Session

Introduced

FEB 07 '87

Bill No. 269

Introduced by:

A. J. Shelton II

M. K. Hartsock

AN ACT TO AMEND A PORTION OF SECTION 31003 OF
THE GOVERNMENT CODE FOR CONSUMER PROTECTION BY
ALLOWING HOMEOWNERS AND BUILDING OWNERS TO MAKE
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8 comply with all of the requirements for new buildings or structures, except
9 that minor structural additions, alterations, or repairs, [when approved by
10 the building official] which are made by the building owner and not made by
11 a hired contractor, which do not affect structural design or integrity of
12 the house such as, but not limited to, painting, dry wall repair, finishing, siding,
13 plumbing, interior wall construction or electrical repairs which do not
14 require additional electrical wiring, may be made with the same material of
15 which the building or structure is constructed, and may be made without
16 application or notice to the building official. Such building or structure,
17 including new additions, shall not exceed the areas in height specified in
18 this Title."

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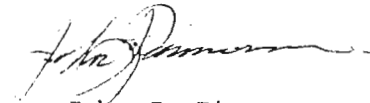
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12 of the roof covering of any building or structure shall be replaced in any
13 12-month period unless the new roof covering is made to conform to the
14 requirement of this Title for new buildings or structures. Roof coverings
15 which are twenty-five percent (25%) or less, and are replaced within a
16 12-month period, when replaced by the building owner and are not replaced
17 by a hired contractor, may be made without application or notice to the
18 building official."

October 15, 1987

I, John J. Zimmerman do hereby endorse Bill No. 269 without any reservation. I would recommend the following addition:

To eliminate the requirement of permit for any type of shelter for example: tools, equipment, animals, birds, produce that is situated on Agricultural Property.

Also included: that no permit nor fee be required for any structure on agricultural property.



John J. Zimmerman

Exhibit "A"

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) Regular Session

Introduced
FEB 07 '87

Bill No. 269

Introduced by:

A. J. Shelton II

M. K. Hartsock

AN ACT TO AMEND A PORTION OF SECTION 31003 OF
THE GOVERNMENT CODE FOR CONSUMER PROTECTION BY
ALLOWING HOMEOWNERS AND BUILDING OWNERS TO MAKE
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