

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) REGULAR SESSION

2008 APR 28 PM 3:20 JF

Bill No. 284 (EC)

Introduced by:

v.c. pangelinan

AN ACT TO ADD A NEW §40123.1 TO 5GCA,  
DIVISION 4, CHAPTER 40 RELATIVE TO THE  
CONSTRUCTION OF GOVERNMENT FACILITIES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds  
3 that existing law tasks the Municipal Planning Council from each of Guam's  
4 villages with the responsibility to review and make comments on variance  
5 applications, zone changes, and government leases involving land within  
6 their districts pursuant to Sections 61623, 61638, and 60115 of Title 21, Guam  
7 Code Annotated. Currently, the Municipal Planning Council has no authority  
8 over the approval or disapproval of plans for construction of government  
9 facilities proposed in their respective villages. Municipal Planning Council  
10 members are responsible for advising the Mayor on all matters affecting the  
11 well-being of their community and can provide the best perspective with  
12 respect to examining the suitability of any proposed construction of a  
13 government facility.

14 Therefore, it is the intent of *I Liheslatura* to authorize the Municipal  
15 Planning Council to approve or disapprove by resolution the construction of  
16 any government facility within their respective villages.

1           **Section 2.** A new §40123.1 is hereby added to 5GCA, Division 4, chapter  
2 40 to read:

3           “**§40123.1. Municipal Planning Council Approval for the Construction**  
4 **of Government Facilities.** Notwithstanding any other provision of law, rule,  
5 or regulation, the Municipal Planning Council is hereby authorized by  
6 resolution to approve or disapprove the construction of any government  
7 facility and shall be adopted by a majority of the members of the Municipal  
8 Planning Council in the District from which a proposed government of Guam  
9 facility will be constructed. Such resolution shall be forwarded to *I*  
10 *Maga’Lahen Guahan* and the Speaker of *I Liheslaturan Guahan.*”

11           **Section 3. Severability.** If any of the provisions of this Act or the  
12 application thereof to any person or circumstance is held invalid, such  
13 invalidity shall not affect any other provision or application of this Act which  
14 can be given effect without the invalid provision or application, and to this  
15 end the provisions of this Act are severable.