

I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 300-31(LS)

Introduced by:

Sam Mabini, Ph.D

2011 SEP - 5
MM
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AN ACT AMENDING TITLE 5 GUAM CODE ANNOTATED, CHAPTER 60, §60113 ITEM "A," AND THE ADDITION OF A NEW §60113 ITEM "B", RELATIVE TO AMENDING THE AUTHORIZATION OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER AND COLLECT FEES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Mina'Trentai Unu Na Liheslaturan* finds the Department of Agriculture needs to be authorized to administer and collect fees, fines and penalties.

Section 2: Title 5 GCA, Chap. 60 § 60113 is amended to read as follows:

“§ 60113. Authority to Receive Money.

The Department is authorized to receive monies derived from all fees provided under this Division, from the sale and rental of equipment, and from the sale of livestock, produce fertilizers, plants, seeds, and pesticides, fines, penalties, and fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit by the Building and Permits Division of the Department of Public Works. Such monies shall be promptly transmitted to the Treasurer of Guam, together with an accounting of the source from which such monies are derived, and deposited in the General Fund.

Section 3: Item (c) of §60113, Chapter 60, 5 Guam Code Annotated is added to read as follows:

“(b) The Director of the Department of Agriculture, or a designated representative, shall develop and adopt a fee structure for fees associated from the approval of the 'Clearing, Grading and Construction' permit by the Department of Agriculture. All fees associated from the approval of the Department of Agriculture for the 'Clearing, Grading and Construction' permit

1 by the Building and Permits Division of the Department of Public Works, shall be used at the
2 discretion of the Director of the Department of Agriculture. These fees may be used for, but are
3 not limited to, costs associated and accrued by the Forestry and Soil Resources Division,
4 Department of Agriculture, for approval of the ‘Clearing, Grading and Construction’ permit.”

5 **Section 4. Effective Date.** This Act shall take effect upon enactment.

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