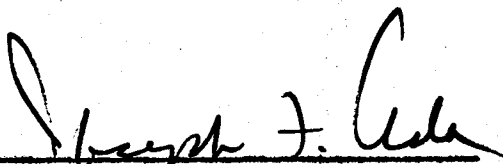


THIRTEENTH GUAM LEGISLATURE
1975 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 180, "An Act to add a new Section 12325 to Chapter IV Title XIII of the Government Code of Guam to provide for the conservation of endangered and threatened species of fish, wildlife, and plants, and to authorize an appropriation to carry out the purposes of this Act", was on the 21st day of October, 1975, duly and regularly passed.



JOSEPH F. ADA
Speaker

ATTESTED:



ERNESTO M. ESPALDON
Acting Legislative Secretary

This Act was received by the Governor this 24th day of
October, 1975 at 10:05 o'clock A.M.

/s/ Ruth F. Won-Pat

RUTH F. WON PAT
Assistant Staff Officer
Governor's Office

APPROVED:

/s/ RICARDO J. BORDALLO

RICARDO J. BORDALLO
Governor of Guam

DATED: OCT 27 1975

1:20 P.M.

P.L. 13-83

THIRTEENTH GUAM LEGISLATURE
1975 (FIRST) Regular Session

Bill No. 180

Introduced by

C. T. C. Gutierrez
R. P. Duenas

AN ACT TO ADD A NEW SECTION 12325 TO CHAPTER
IV TITLE XIII OF THE GOVERNMENT CODE OF GUAM
TO PROVIDE FOR THE CONSERVATION OF ENDANGERED
AND THREATENED SPECIES OF FISH, WILDLIFE, AND
PLANTS, AND TO AUTHORIZE AN APPROPRIATION TO
CARRY OUT THE PURPOSES OF THIS ACT.

1 WHEREAS, the Government of Guam, being a territory of the
2 United States, and self-regulatory body, adopts and agrees to
3 uphold the "Endangered Species Act of 1973," U.S. Public Law
4 93-205 of the 93rd U.S. Congress, December 28, 1973; and agrees
5 to establish its own regulatory laws to enhance and implement
6 this Act to meet the needs of Guam and its territory pursuant
7 to this Act; and

8 WHEREAS, the purposes of this Act are to provide
9 authorization whereby the ecosystems upon which endangered
10 species and threatened species depend may be conserved; to
11 provide a program for the conservation of such endangered and/or
12 threatened species; and to take such steps and agreements as
13 may be appropriate to achieve the purposes of the Endangered
14 Species Act of 1973, U.S. Public Law 93-205, U.S. Congress,
15 December 28, 1973; now, therefore

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

17 Section 1. A new Section 12325 is hereby added to Chapter
18 IV Title XIII of the Government Code of Guam to read as follows:

19 "Section 12325. Policy. (a) It is declared to be
20 the policy of the Government of Guam that all its
21 departments and agencies shall seek to conserve endangered
22 species and threatened species, and shall utilize their
23 authority in furtherance of the purposes of this Act.

1 (b) Regulatory power for the purposes of this Act
2 shall be vested in the Department of Agriculture hereinafter
3 referred to as the 'Department', which is responsible for
4 the management and conservation of fish, wildlife and
5 forestry resources within the territory of Guam.

6 (c) It shall be the responsibility of said 'Department',
7 to determine by rules and regulations on the basis of the
8 best scientific and commercial data available and with
9 consultation with other agencies, if appropriate, whether
10 or not any species is an endangered species or threatened
11 species because of but not limited to any of the following
12 factors:

13 (1) The present or threatened destruction,
14 modification, or curtailment of its habitat or range;

15 (2) Over-utilization for commercial, sporting,
16 scientific, or educational purposes;

17 (3) Diseases or predation;

18 (4) The inadequacy of existing regulatory
19 mechanisms; or

20 (5) Other natural or man-made factors affecting
21 its continued existence.

22 (d) Further, it shall be the responsibility of the
23 'Department' to promulgate rules and regulations in
24 accordance with the Administrative Adjudication Act to
25 improve and enhance the status of endangered species or
26 threatened species and to protect them from all probable
27 deleterious causes, if possible; and, to submit to the
28 Governor of Guam plans, programs, remedies or recommendations
29 which will carry out the purposes of this Act, and which
30 would also appropriately achieve and utilize assistance
31 becoming available through U.S. Public Laws.

32 (e) Such sums as are necessary to carry out the
33 provisions of this Section of the Code are hereby
34 authorized to be appropriated annually."