

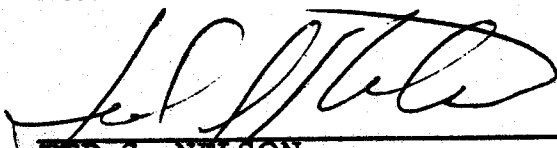
SEVENTEENTH GUAM LEGISLATURE  
1984 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 352, "AN ACT AMENDING CERTAIN SECTIONS OF THE BUILDING CODE, AND FOR OTHER PURPOSES," was on the 7th day of December 1984, duly and regularly passed.

  
CARL T. C. GUTIERREZ  
Speaker

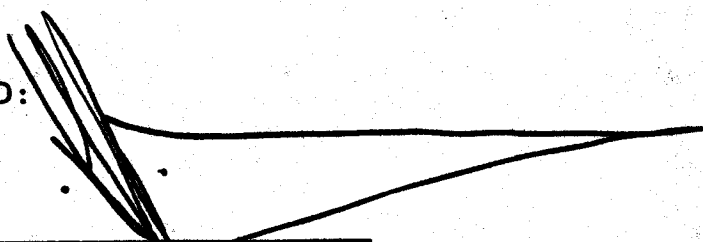
Attested:

  
TED S. NELSON  
Senator and Acting Legislative Secretary

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This Act was received by the Governor this 10<sup>th</sup> day of December 1984, at 4:47 o'clock p.m.

  
for Assistant Staff Officer  
Governor's Office

APPROVED:

  
RICARDO J. BORDALLO  
Governor of Guam

Date: December 11, 1984 4:47 p.m.

Public Law No. 17-76

SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

Bill No. 352

Introduced by:

T. S. Nelson  
M. D. A. Manibusan

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AN ACT AMENDING CERTAIN SECTIONS OF THE  
BUILDING CODE, AND FOR OTHER PURPOSES.

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

2 Section 1. Section 31003(j)(1) of the Government Code, enacted by  
3 Public Law 14-112, is amended to read:

4 "(1) the building or structure has been placed on the Guam  
5 Register of Historical Places;"

6 Section 2. Subsection (a) of Section 31017 of the Government Code is  
7 amended to read:

8 "(a) Any new or alternative materials, methods, devices or  
9 equipment may be used by their proponent only when the proposed use  
10 has been expressly authorized in writing by the Director of Public  
11 Works in execution of the board policy set forth in Section 31014(a) of  
12 this Chapter. The Director of Public Works may promulgate  
13 procedures not inconsistent with rules, regulations and standards in  
14 addition to the provisions of the National Codes adopted in this  
15 Chapter to adopt or to accommodate circumstances and materials which  
16 affects the energy, efficiency and construction costs of single-family  
17 dwellings. Such procedures, rules, regulations and standards shall be  
18 promulgated in accordance with Sections 31014 and 31015 of Title XXXII  
19 of this Code."

20 Section 3. A new Section 35800 is added to the Government Code of  
21 read:

22 "Section 35800. Standard. The latest edition of the Uniform  
23 Mechanical Code of the International Association of Plumbing and  
24 Mechanical Officials (IAPMO) and the International Conference of  
25 Building Officials (ICBO) shall be accepted as the generally recognized

1 standard of design and construction of cooling and refrigeration  
2 systems."

3 Section 4. Section 303 of the Uniform Building Code, Section 31047,  
4 36402, 35411, 36415, 36416, 36417, 36418, 36419, 36420 and 36421 of the  
5 Government Code are amended by updating all references to the 1976  
6 Uniform Building Code to read "Latest Edition of the Uniform Building  
7 Code".

8 Section 5. Value engineering study shall be required for projects  
9 costing One Million Dollars (\$1,000,000) or over.

10 Section 6. Subsection (e) of Section 62313 of the Government Code is  
11 amended to read:

12 "(e). A licensed agent or his employee may sell lottery tickets  
13 or shares only in the Territory of Guam."

14 Section 7. The Governor of Guam with the concurrence of the  
15 Legislature is authorized to borrow from any bank or commercial lending  
16 institution licensed on Guam a sum not to exceed One Million Nine Hundred  
17 Thousand Dollars (\$1,900,000) for the purpose of purchasing real property  
18 to relocate and consolidate all central divisions of the Department of  
19 Education. Such real property shall have clear and marketable title. The  
20 Governor is authorized to mortgage such real property to secure the loan.

21 Section 8. The Department of Education is authorized to create a  
22 "Central Complex Building Fund". Funds appropriated to the Department of  
23 Education for rental payments of leased facilities shall be covered into the  
24 fund and payments for the purchase of the central complex building shall  
25 be made therefrom. The Legislature shall annually appropriate necessary  
26 funds within the Department of Education's operating budget to make annual  
27 payments on the central complex building. Such annual payment shall not  
28 exceed the sum appropriated to the Department of Education for lease of  
29 office space for Fiscal Year 1985.

30 The available balance of the appropriation made to the Department of  
31 Education for lease of office space (Section 5, Part XI, Item D 3, P.L.  
32 17-70) for Fiscal Year 1985 shall be used for the initial annual payment of  
33 the central complex building.

1 Section 9. A new Section 31072 is added to the Government Code to  
2 read:

3 "Section 31072. Whenever the Uniform Building Code used by the  
4 Government of Guam pursuant to Title XXXII of the Government Code  
5 is updated, the Department of Public Works is required to notify in a  
6 newspaper of general circulation all parties who have completed  
7 construction who have been issued building permits or who have  
8 construction in progress that an updated version of the Uniform  
9 Building Code is in use and make a copy of such updated version of  
10 the Uniform Building Code available for their inspection. When there  
11 are amendments to the Uniform Building Code which relate to safety,  
12 notice of such amendments must be published in a newspaper of  
13 general circulation to make owners of buildings aware of possible  
14 safety violations or deficiencies. All buildings under construction at  
15 the time of adoption of amendments to the Uniform Building Code  
16 relating to safety shall conform thereto if practicable."

17 Section 10. A new Section 31073 is added to the Government Code to  
18 read:

19 "Section 31073. Whenever a building inspector of the Department  
20 of Public Works becomes aware of non-conforming construction in  
21 buildings which does not meet current safety standards as a result of  
22 amendments made to the Uniform Building Code subsequent to approval  
23 of the building's plans by the Department of Public Works, the  
24 Department shall notify the building owner of the variance in writing  
25 in order that the building owner be aware of the potential safety  
26 hazard."

27 Section 11. A new Section 5165 is added to the Government Code of  
28 Guam to read:

29 "Section 5165. The Director of the Bureau of Budget and  
30 Management Research shall immediately commence negotiations with the  
31 Office of Inspector General, Department of the Interior in order to  
32 establish a provisional indirect cost rate which incorporates a central  
33 services cost allocation plan to be applied to the line Departments of  
34 the Government of Guam for fiscal years 1983 and 1984. Not later

1 than 180 days subsequent of the obtainment of the provisional rate,  
2 the Bureau of Budget and Management Research must submit a formal  
3 indirect cost allocation plan meeting applicable requirements as  
4 prescribed by the U. S. Federal Government for fiscal year 1985 and  
5 each subsequent fiscal year thereafter.

6 For Fiscal Years beginning 1986, the Governor shall include in his  
7 annual budget estimates of the negotiated rate and the attendant cost  
8 by program."