

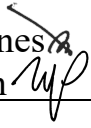
I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
355-38 (COR)	Tina Rose Muña-Barnes William A. Parkinson	AN ACT TO <i>AMEND</i> §60107(a)(1) AND §60107(c) OF CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED AND TO <i>AMEND</i> §63129(d) AND <i>ADD</i> A NEW §63130A BOTH OF CHAPTER 63, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING CONSERVATION LAW ENFORCEMENT WITHIN THE DEPARTMENT OF AGRICULTURE.	9/1/26 1:59 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 355-38 (COR)

Introduced by:

Tina Rose Muña-Barnes
William A. Parkinson 

**AN ACT TO AMEND §60107(a)(1) AND §60107(c) OF
CHAPTER 60, TITLE 5, GUAM CODE ANNOTATED
AND TO AMEND §63129(d) AND ADD A NEW §63130A
BOTH OF CHAPTER 63, TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO STRENGTHENING
CONSERVATION LAW ENFORCEMENT WITHIN THE
DEPARTMENT OF AGRICULTURE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that
Guam's natural resources are limited and essential to our economy, food security,
and environmental stability. Illegal exploitation, particularly in protected areas,
creates economic gain for violators while imposing long-term environmental and
economic costs on the public.

I Liheslaturan Guahan further finds that the enforcement functions of the
Department of Agriculture serve as the primary deterrent against unlawful
exploitation of natural resources, including illegal fishing, poaching, and violations
within protected areas. Where enforcement capacity is limited or penalties are
insufficient, violators may treat penalties as a cost of doing business rather than a

deterrent, undermining conservation goals and lawful economic activity. Effective conservation requires meaningful penalties and adequate enforcement capacity.

I Liheslaturan Guahan recognizes that Guam’s current penalty framework does not adequately reflect the scale or economic impact of certain violations, particularly those involving multiple specimens or occurring within marine preserves and other protected areas. A penalty structure that fails to exceed the economic benefit derived from unlawful conduct diminishes deterrence and places law-abiding individuals at a disadvantage.

I Liheslaturan Guahan also finds that revenues generated through enforcement actions should be structured in a manner that both supports long-term conservation and sustains the operational needs of enforcement personnel. Distinguishing between funds dedicated to conservation and those supporting enforcement activities ensures that each function is adequately resourced and that enforcement units are equipped with the personnel, training, and equipment necessary to carry out their duties effectively.

It is the intent of *I Liheslaturan Guahan* to establish a penalty structure that reflects per count violation, ensure penalties are sufficient to deter violations and proportionate to the harm caused, provide the Department of Agriculture with dedicated, non-lapsing funding to support enforcement of natural resource laws.

Section 2. §60107(a)(1) of Chapter 60, Title 5, Guam Code Annotated is amended to read:

“(1) do not exceed One Thousand Dollars (\$1,000) Ten Thousand Dollars (\$10,000) per incident count. For purposes of this Section, a “count” means each individual act of violation and includes, but is not limited to, each fish, wildlife specimen, or other natural resource unlawfully taken, possessed, transported, sold, or harmed; and”

1 **Section 3.** §60107(c) of Chapter 60, Title 5, Guam Code Annotated is
2 amended to read:

3 “(c) Notwithstanding §63130 of Chapter 63, Title 5, Guam Code Annotated,
4 or any other provision of law, all monies collected by the court for fines and penalties
5 imposed hereunder pursuant to this Section shall be deposited as follows:

6 (1) fines and penalties imposed under general enforcement actions and
7 collected by the court shall be transferred to the Wildlife Conservation Fund
8 as described in § 63130 of Article 1, Chapter 63, Division 6 of Title 5 of the
9 Guam Code Annotated; and

10 (2) fines and penalties imposed and collected under the Department’s
11 Citation Program Fine Schedule shall be deposited into a separate, non-
12 lapsing fund to be known as the Natural Resource Enforcement Fund, as
13 described in § 63130A of Chapter 63, Title 5, Guam Code Annotated,
14 regardless of whether such fines are collected administratively or through
15 court proceedings.

16 The Superior Court shall render a quarterly report to the Department of
17 Agriculture reflecting defendants' names, addresses and other identifying
18 information regarding violators who have been ordered to remit fines and penalties.
19 The Superior Court shall create forms approved by the Director of the Department
20 of Agriculture for citations, record violations, provide for the administration of the
21 prosecution of violators and establish an orderly, secure and efficient procedure for
22 the processing of Natural Resource citations pursuant to Subsections (a) and (b)
23 hereof.

24 **Section 4.** §63129(d) of Chapter 63, Title 5, Guam Code Annotated is
25 amended to read is amended to read:

26 “(d) A violation of any other provision of this Article or its supporting
27 regulations shall be punishable by a fine of not less than Fifty Dollars (\$50) and not

1 more than Five Hundred Dollars (\$500) for each individual offense or count. In
2 addition, all pelagic drift nets or their components, equipment for their manufacture,
3 containers for such nets, fish or fish products gathered through the use of a pelagic
4 drift net, and all conveyances including aircraft, vehicles, and vessels used for their
5 transport shall be subject to forfeiture, and may be seized by an authorized
6 government of Guam official under process issued by the Superior Court, except that
7 such seizure without such process may be made when the seizure is incidental to an
8 arrest or a search pursuant to a search warrant, or as provided by § 63128 of this
9 Article.

10 **Section 5.** A new §63130A is added to Chapter 63, Title 5, Guam Code
11 Annotated, to read:

12 **§63130A. Natural Resource Enforcement Fund.**

13 (a) There is hereby established a special fund to be known as the Natural
14 Resource Enforcement Fund. The Fund shall consist of all fines, penalties, and
15 forfeitures collected under the Department of Agriculture's Citation Program Fine
16 Schedule.

17 (b) The Fund shall be non-lapsing and shall be used exclusively by the
18 Conservation Law Enforcement Division for enforcement-related purposes,
19 including but not limited to:

- 20 (1) personnel training and certification;
- 21 (2) enforcement equipment and vessels;
- 22 (3) surveillance and monitoring activities;
- 23 (4) community outreach and compliance programs; and
- 24 (5) operational expenses directly related to natural resource law
25 enforcement.

1 (d) The Director of the Department of Agriculture shall administer the
2 Fund and shall provide an annual report to *I Liheslaturan Guåhan* detailing
3 revenues, expenditures, and program outcomes.