

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
29-35 (COR)	James C. Moylan Jose "PEDO" Terlaje Joe S. San Agustin William M. Castro	AN ACT TO AMEND AND REENACT §64.62, ARTICLE 2, CHAPTER 64, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE MAYORS COUNCIL OF GUAM TO ESTABLISH RULES AND REGULATIONS RELATED TO GAMES OF CHANCE AT FAIRS.	1/25/19 3:53 p.m.						

1 *I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN*

2 2019 (FIRST) Regular Session

3  
4 BILL NO. 29-35 (COF)

5  
6 INTRODUCED BY:

JAMES C. MOYLAN *JCM*

7 JOSE TERLAJE *JT*

8 JOE S. SAN AGUSTIN *JS*

9 WILLIAM M. CASTRO *WC*

10  
11 AN ACT TO AMEND AND REENACT §64.62, ARTICLE 2, CHAPTER  
12 64, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO  
13 AUTHORIZING THE MAYORS COUNCIL OF GUAM TO ESTABLISH  
14 RULES AND REGULATIONS RELATED TO GAMES OF CHANCE AT  
15 FAIRS.

16 BE IT ENACTED BY THE PEOPLE OF GUAM:

17 SECTION 1: Legislative Findings:

18 The *I Liheslaturan Guahan* recognizes the concerns shared by the Mayor's  
19 Council of Guam (MCOG) in relation to Public Law 34-15, which ended  
20 games of chance at fairs, and specifically to the loss of revenue from such  
21 gaming that benefitted village projects. Some of the quandaries that led to  
22 the passage of the public law related to concerns associated with having  
23 rules in place, or even a plan identifying how the games are procured,  
24 managed and funds disbursed.

25 The intent of this legislation is not to authorize gambling, but rather to  
26 provide the MCOG the opportunity to justify and establish rules and

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1 regulations for review to determine whether limited games of chance can  
2 once again be authorized at the Guam Island Fair, Liberation Day Carnival,  
3 or any other fair or carnival that the governor has issued a proclamation  
4 for.

5 The annual Liberation Day festivities are a critical aspect of the island's  
6 history, representation, image, and by many means, its culture.  
7 Unfortunately funding is required to assure the event is a success, and the  
8 bids for the game of chance have resulted in monies to manage the month  
9 long festivities without seeking public appropriations. This year, the  
10 MCOG will be tasked with hosting the 75<sup>th</sup> Liberation Day festivities, and  
11 with government funding shortages, it is paramount that games of chance  
12 be added to assure that the event remains a historic success.

13 SECTION 2: §64.62 of Article 2, Chapter 64, Title 9, Guam Code  
14 Annotated is *hereby amended and reenacted* to read as follows:

15 “§64.62 AUTHORIZING THE MAYORS COUNCIL OF GUAM TO  
16 DRAFT RULES AND REGULATIONS TO PERMIT GAMES OF  
17 CHANCE AT THE GUAM ISLAND FAIR, LIBERATION DAY  
18 CARNIVAL, AND ANY OTHER FAIR OR CARNIVAL THAT THE  
19 GOVERNOR HAS ISSUED A PROCLAMATION FOR:

20 Notwithstanding any other provisions of the law, the Mayors Council of  
21 Guam is hereby authorized to draft and submit to I Liheslaturan Guahan  
22 within two (2) months from the enactment of this law, Rules and  
23 Regulations to permit games of chance at the Guam Island Fair, Liberation  
24 Day Carnival, and any other Fair or Carnival that the Governor has issued  
25 a proclamation for.

1 Upon submittal of the rules and regulations, I Liheslaturan Guahan shall  
2 have thirty (30) days to act on the draft, and failure to act in this timeline  
3 shall enact the draft into law.

4 The Rules and Regulations shall consist of, among other items, the  
5 following:

- 6 a. Protocol for authorization.
- 7 b. Determining how municipalities manage the games of chance  
8 including timelines.
- 9 c. Determining how proceeds are split among municipalities.
- 10 d. Determining how the funds will be expended.
- 11 e. Determining how the games of chance and other vendors will be  
12 procured.
- 13 f. Identifying what gaming devices and activity will be pursued.
- 14 g. Stipulating a plan as to which fairs and carnivals will be utilized.
- 15 h. Identify security protocol, including how minors will not be  
16 impacted.
- 17 i. Identify projected revenues.
- 18 j. Identify maintenance plans. “

19 **SECTION 2: EFFECTIVE DATE.** This Act *shall* be effective immediately  
20 upon enactment.

21 **SECTION 3: SEVERABILITY.** If any provision of this Act or its  
22 application to any person or circumstances is found to be invalid or  
23 contrary to law, such invalidity *shall* not affect other provisions or  
24 applications of this Act that can be given effect without the invalid  
25 provision or application, and to this end the provisions of this Act are  
26 severable.