

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 3-33 (LS)

As corrected by the Prime Sponsor.

Introduced by:

Tommy A. Morrison

R. J. Respicio

B. T. McCreadie

**AN ACT TO AMEND § 5204(d) OF ARTICLE 2 OF
CHAPTER 5, TITLE 11, GUAM CODE
ANNOTATED, RELATIVE TO AUTHORIZING
THE PROCUREMENT OF SPORTS EQUIPMENT
AND SUPPLIES FOR YOUTH AND COMMUNITY
SPORTS PROGRAMS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 5204(d) of Article 2 of Chapter 5, Title 11, Guam Code Annotated, is hereby *amended* to read:

“§ 5204. Limited Gaming Fund.

(a) There is hereby created, separate and apart from other funds of the government of Guam, a fund to be known as the Limited Gaming Fund. All license fees, taxes and penalties collected under this Act *shall* be deposited in the Fund. The Fund *shall not* be commingled with the General Fund, except as indicated herein, *shall* be kept in a separate bank account, and *shall not* be used as a pledge of security or as collateral for government loans. The Director of Administration *shall* make an itemized quarterly report to *I Maga'lahren Guåhan* (the Governor of Guam), and *I Liheslaturan Guåhan*, of the condition of, and a detailed description of all financial

1 activity within, the Fund. The Director of Administration *shall* further make
2 an itemized annual report, which *shall* be made available to the general
3 public.

4 (b) The Fund *shall* be used for the purpose of the administration of
5 this Act, and as otherwise stated herein. *No more than* five percent of the
6 fund balance may be expended for this purpose, and funds *shall not* be
7 expended for personnel costs. Said Fund *shall* be examined and reported
8 upon by the Director of Administration as required by law.

9 (c) No claim for the payment of any expense incurred by the
10 Department or any other agency in the administration of this Act, shall be
11 made unless it is against the Fund. No other moneys of the government of
12 Guam *shall* be used or obligated to pay the expenses of the Department.

13 (d) Moneys remaining in the Fund, after maintaining the stated
14 reserves for administrative expenses of this Act, *shall* be appropriated in the
15 following manner in each fiscal year:

16 (1) up to one third (1/3) of the available balance to the
17 Mayors Council of Guam for the repair and construction of village
18 recreational facilities, including community centers, and for the
19 procurement of sports equipment and supplies;

20 (2) up to one third (1/3) of the available balance to the
21 Department of Parks and Recreation for the repair and construction of
22 its facilities, and for the procurement of sports equipment and
23 supplies; and

24 (3) up to one third (1/3) of the available balance to the
25 Department of Education for the repair and construction of its sports
26 facilities, and for the procurement of sports equipment and supplies.

1 (e) The Mayors Council of Guam, the Department of Parks and
2 Recreation, and the Department of Education *shall* present memoranda of
3 request to the Department of Administration detailing the use of funds to be
4 allocated to each entity. Funds *shall not* be expended for personnel costs.
5 The Department of Administration *shall* release funds to each entity on the
6 first Monday of each fiscal quarter.”

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