

P.L. 19-24



Territory of Guam

Territorio Guam

OFFICE OF THE GOVERNOR
FINAN I MAUA LAHI
AGANA GUAM 96910 USA

P.L. 19-24

OCT 17 1988

The Honorable Franklin J. A. Quitugua
Speaker, Nineteenth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

I am pleased to sign Bill 433 into law today.

Over a year ago, the Governor made a commitment to the people to sign this Bill, should it come before him. I am happy to fulfill that commitment.

Further, the Governor made a personal commitment to your late and distinguished colleague, Senator Pedro C. Sanchez, to sign this bill. I am pleased to fulfill that commitment as well.

The issue which is finally resolved by this law has been a controversial and divisive one for our community, and it is well that we can now put this behind us and continue to work on solving some of Guam's other pressing concerns. It is good that this issue has finally been resolved in a bi-partisan manner, in a manner which will help unite this community to ever-greater and more noble purpose.

Among those who fought successfully against gambling were Republicans and Democrats. Among those who owned these machines were Democrats and Republicans. It is well that the elected leaders of Guam, both Republican and Democrat, have joined to complete this noble work.

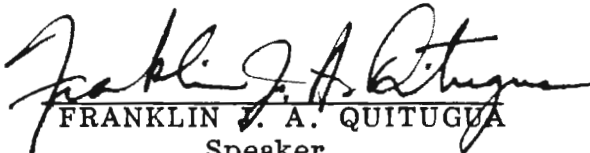
Sincerely,

FRANK F. BLAS
Acting Governor

NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

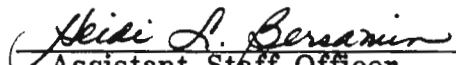
This is to certify that Substitute Bill No. 433, "AN ACT TO AMEND SECTIONS 300, 301, 19200, 19541 OF THE GOVERNMENT CODE, REPEAL AND REENACT SECTION 19000 OF THE GOVERNMENT CODE, REPEAL AND REENACT TITLE 9, GUAM CODE ANNOTATED, §64.22, REPEAL SECTIONS 19200.01, 19200.05, AND 19200.1 OF THE GOVERNMENT CODE, REPEAL SUBSECTIONS (f), AND (g) OF TITLE 9, GUAM CODE ANNOTATED, §64.23 RELATIVE TO BANNING POKER MACHINES AND FOR OTHER RELATED PURPOSES," was on the 7th day of October, 1988, duly and regularly passed.


FRANKLIN J. A. QUITUGUA
Speaker

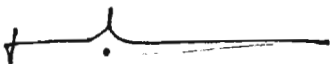
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 12th day of Oct., 1988,
at 2:00 o'clock p.m.


Heidi L. Benjamin
Assistant Staff Officer
Governor's Office

APPROVED:


FRANK F. BLAS
Governor of Guam, Acting

Date: October 17, 1988

Public Law No. 19-24

NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Regular Session

Bill No. 433
Substituted by Author
and further amended by the
Committee on Ways & Means
and the Committee on Rules

Introduced by:

E. P. Arriola
P. C. Lujan
F. R. Santos

T. S. Nelson
J. T. San Agustin
H. D. Dierking
M. C. Ruth
J. M. Rivera
M. D. A. Manibusan
J. G. Miles
M. Z. Bordallo
F. J. Gutierrez
M. K. Hartsock
F. J. A. Quitugua

AN ACT TO AMEND SECTIONS 300, 301,
19200, 19541 OF THE GOVERNMENT CODE,
REPEAL AND REENACT SECTION 19000 OF
THE GOVERNMENT CODE, REPEAL AND
REENACT TITLE 9, GUAM CODE
ANNOTATED, §64.22, REPEAL SECTIONS
19200.01, 19200.05, AND 19200.1 OF THE
GOVERNMENT CODE, REPEAL SUBSECTIONS
(f), AND (g) OF TITLE 9, GUAM CODE
ANNOTATED, §64.20, AND TITLE 9, GUAM
CODE ANNOTATED, §64.23 RELATIVE TO
BANNING POKER MACHINES AND FOR OTHER
RELATED PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. Section 300 of the Government Code is amended to read:
3 "§300. Revenue from Vending Machines. Except for revenues
4 derived from the sale of goods and services purchased from vending
5 machines and amusement devices, which are located on property which
6 is within the jurisdiction of the Department of Parks and Recreation,
7 the University of Guam, the Guam Community College, the Guam
8 Airport Authority and the public schools pursuant to Title LXVI of the

1 Government Code, all net revenues derived from the sale of goods and
2 services purchased from vending machines and amusement devices,
3 located within any facility operated by the government including any
4 autonomous or semi-autonomous government agency or any corporation
5 which is wholly owned by the government shall be paid into the
6 General Fund."

7 Section 2. Section 301 of the Government Code is amended to read:

8 "§301. Notwithstanding any rule, regulation or law, all net
9 revenues derived through the sale of goods and services utilizing
10 vending machines and amusement devices, located within public schools
11 shall be used exclusively for authorized student activities and all net
12 revenues derived through the sale of goods and services utilizing
13 vending machines and amusement devices, located within the
14 jurisdiction of the Department of Parks and Recreation shall be
15 deposited in the Recreation Activity Revolving Fund and expended by
16 the Department of Parks and Recreation and all net revenues derived
17 through the sale of goods and services utilizing vending machines and
18 amusement devices, located within the University of Guam shall be
19 budgeted and expended by the Student Body Association as approved
20 by the Board of Regents and within the Guam Community College shall
21 be budgeted and expended by the Student Body Association as
22 approved by the Board of Trustees of Guam Community College.
23 Nothing in the sections of this Act shall be construed to impair the
24 obligation of existing contracts."

25 Section 3. Section 19000 of the Government Code is repealed and
26 reenacted to read:

27 "§19000. The Department of Revenue and Taxation shall have
28 responsibility for the implementation of the provisions of this
29 Chapter."

30 Section 4. Section 19200 of the Government Code is amended to read:

31 "§19200. Imposition. A license fee is imposed on each of the
32 following amusement devices which are operating to produce revenue in
33 Guam on the effective date of this Chapter (apportioned in accordance
34 with §19200.4 of this Chapter), or thereafter manufactured or

1 constructed in, imported into Guam, maintained or permitted in Guam,
2 and operated to produce revenue in Guam, and annually thereafter on
3 July 1, at the rate stated:

4 (a) on each pinball machine, One Hundred Dollars
5 (\$100.00);

6 (b) on each multiple-coin pinball machine, Two Hundred
7 Fifty Dollars (\$250.00);

8 (c) on each coin-activated phonograph or other
9 coin-activated music producing machine, One Hundred Dollars
10 (\$100.00) plus Fifteen Dollars (\$15.00) for each coin slot in
11 excess of one (1);

12 (d) on each coin-activated kiddie ride, designed for the use
13 of children, Fifty Dollars (\$50.00);

14 (e) on each video horse or greyhound race machine, Six
15 Hundred Dollars (\$600.00);

16 (f) on each coin-activated amusement device not included
17 under Subsections (a), (b), (c), (d) or (e) of this Section, One
18 Hundred Dollars (\$100.00).

19 No slot machine or amusement device set to make progressive
20 or automatic payouts shall be licensed under this Section. 'Slot
21 machine' has the same meaning in this Section as in Subsection
22 (c) of Section 19200.5 of the Government Code."

23 Section 5. Section 19200.01 of the Government Code is repealed.

24 Section 6. Section 19200.05 of the Government Code is repealed.

25 Section 7. Section 19200.1 of the Government Code is repealed.

26 Section 8. Subsection .01 of Section 19541 of the Government Code is
27 amended to read:

28 ".01. Tax on the business of selling tangible personal property.
29 Upon every person engaging or continuing within Guam in the business
30 of selling any tangible property whatsoever (not including, however,
31 bonds or other evidence of indebtedness or stocks), there shall be a
32 tax equivalent to four percent (4%) of gross proceeds of sales."

33 Section 9. Subsections (f) and (g) of Title 9, Guam Code Annotated,
34 §64.20 are repealed.

1 Section 10. Section 64.22 of Title 9 of the Guam Code Annotated is
2 repealed and reenacted to read:

3 "§64.22. Possession of Gambling Devices Prohibited; Penalty.

4 (a) A person commits a misdemeanor when he possesses a
5 gambling device, whether operable or not, unless the gambling
6 device is located upon or is being transported by a vessel
7 regularly operating and engaged in domestic or foreign commerce
8 and is located in a locked compartment of the vessel and is not
9 accessible for use and is not used or operated within the
10 jurisdiction of this territory.

11 (b) As used in this Section 'gambling device' has the same
12 meaning as set forth in Section 64.20 of this Chapter.

13 (c) Any person possessing a gambling device in violation of
14 this Section shall be guilty of a misdemeanor, and be subject to
15 imprisonment, for not more than one year, a fine not to exceed
16 One Thousand Dollars (\$1,000.00) for each gambling device, or
17 with imprisonment or fine.

18 (d) In addition to any other penalty provided by law, any
19 illegal gambling device in violation of this Section shall be subject
20 to the same seizure and forfeiture provisions for illegal
21 importation under Section 64.20 of this Chapter.

22 (e) Notwithstanding the provisions of this section, any
23 poker machine now on Guam which was on Guam on the day
24 immediately preceding the effective date of this Act and which
25 complied with territorial law as to possession on the day
26 immediately preceding the effective date of this Act may be
27 shipped off-island or destroyed or disposed of within six months
28 of the effective date of this Act, without seizure or criminal
29 penalties provided that such Poker Machine is not used for
30 gambling or entertainment purposes after the effective date of
31 this Act. The Guam Police Department shall monitor the shipment
32 or disposal of such gambling devices. The Director of the
33 Department of Revenue and Taxation shall cooperate fully with the
34 Guam Police Department in providing all pertinent records relative

1 to poker machines in the territory. Any poker machines not
2 shipped off-island within six months or otherwise disposed of
3 shall be subject to seizure in accordance with subsection (d) of
4 this Title."

5 Section 11. Section 64.23 of Title 9 of the Guam Code Annotated is
6 repealed.

7 Section 12. Five Hundred Thousand Dollars (\$500,000) are hereby
8 appropriated from the General Fund to the Department of Public Health and
9 Social Services (the "Department") to assist persons who, after the
10 effective date of this Act, are referred off-island for medically necessary
11 treatment of a catastrophic illness, which treatment takes place after the
12 effective date of this Act. Such treatment shall include, but not be limited
13 to, organ transplants. The Director of the Department is hereby
14 authorized to utilize any funds remaining in the catastrophic illness program
15 and to request additional appropriations as the need arises, for the care of
16 victims of catastrophic illness whether such victims are provided care on
17 Guam or are referred to off-island medical facilities, which program was
18 formerly funded through revenues generated by the lawful use of poker
19 machines. "Catastrophic illness" for purposes of this section means (i) an
20 illness for which treatment costs Thirty Thousand Dollars (\$30,000) or more
21 over and above any medical insurance, Medicare, Medicaid or medically
22 indigent program coverage, or (ii) an illness of an indigent person who
23 cannot afford treatment.

NINETEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Bill No. 433

DATE: 01/18/88

Res. No. _____

QUESTION: _____

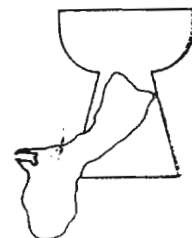
SENATOR	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
<u>E. P. Arriola</u>	✓			
<u>J. G. Bamba</u>	✓			
<u>M. Z. Bordallo</u>	✓			
<u>H. D. Dierking</u>	✓			
<u>E. R. Duenas</u>	✓			
<u>E. M. Espaldon</u>	✓			
<u>F. J. Gutierrez</u>	✓			
<u>M. K. Hartsock</u>	✓			
XXXXXXXXXXXXXXXXXXXX	XXXX	XXXX	XXXX	XXXX
<u>P. C. Lujan</u>	✓			
<u>M. D. A. Manibusan</u>	✓			
<u>J. G. Miles</u>	✓			
<u>T. S. Nelson</u>	✓			
<u>D. Parkinson</u>	✓			
XXXXXXXXXXXXXXXXXXXX	XXXX	XXXX	XXXX	XXXX
<u>F. J. Quitugua</u>	✓			
<u>J. M. Rivera</u>	✓			
<u>M. C. Ruth</u>	✓			
<u>J. T. San Agustin</u>	✓			
<u>F. R. Santos</u>	✓			
<u>A. J. Shelton II</u>			✓	

12

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SENATOR
HERMINIA D. DIERKING
 GUAM LEGISLATURE



COMMITTEES:

CHAIRWOMAN
 Ways & Means

VICE-CHAIRWOMAN
 General Governmental
 Operations

MEMBER:

Economic Development
 & Banking

Energy, Utilities &
 Consumer Protection

Federal, Foreign &
 Legal Affairs

Health, Welfare &
 Ecology

Housing & Community
 Development

Justice, Judiciary &
 Criminal Justice

Rules

Tourism, Transportation
 & Communications

Youth, Senior Citizens,
 Cultural Affairs &
 Human Resources

March 22, 1988

The Honorable Franklin J.A. Quitugua
 Speaker
 Nineteenth Guam Legislature
 P.O. Box CB-1
 Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Ways and Means, to which Bill 433 was referred, wishes to report its findings and recommendations.

The Committee's voting record is as follows:

TO DO PASS	-5-
NOT TO PASS	-0-
TO REPORT OUT ONLY	-9-
ABSTAIN	-0-

A copy of the Committee Report and all pertinent documents are attached.

Sincerely yours,

Herminia Dierking
 HERMINIA D. DIERKING

Attachments

GUAM LEGISLATURE
 COMMITTEE ON WAYS AND MEANS
 COMMITTEE REPORT
 ON

BILL NO. 433 As Substituted by the Committee on Ways & Means

"AN ACT TO AMEND SECTIONS 19200, 19200.5,
 300, AND 301 OF THE GOVERNMENT CODE RELATIVE
 TO POKER MACHINES AND FOR OTHER RELATED PURPOSES"

MEMBERS	TO PASS	TO NOT PASS	ABSTAIN	OFF- ISLAND	TO REPORT OUT ONLY	TO PLACE IN INACTIVE FILE
<i>H. Dierking</i> SEN. H. D. DIERKING CHAIRPERSON					✓	
<i>F. S. Nelson</i> SEN. F. S. NELSON VICE-CHAIRPERSON	✓					
<i>E. P. Arriola</i> SEN. E. P. ARRIOLA	✓					
<i>A. G. Lamorena III</i> SEN. A. G. LAMORENA III					X	<i>with great reservation</i>
<i>P. C. Lujan</i> SEN. P. C. LUJAN					✓	
<i>Marilyn Manibusan</i> SEN. M. D. A. MANIBUSAN					X	<i>Note: Report out w/ some reservation</i>
<i>D. Parkinson</i> SEN. D. PARKINSON					X	<i>with very great reservation</i>
<i>John F. Quan</i> SEN. J. F. QUAN					X	
<i>M. C. Ruth</i> SEN. M. C. RUTH	✓					
<i>J. T. San Agustin</i> SEN. J. T. SAN AGUSTIN	✓					
<i>J. G. Bamba</i> SEN. J. G. BAMBA					✓	
<i>F. R. Santos</i> SEN. F. R. SANTOS					✓	
<i>M. Z. Bordallo</i> SEN. M. Z. BORDALLO	✓					
<i>F. J. Quitugua</i> MR. F. J. QUITUGUA EX-OFFICIO					X	

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) REGULAR SESSION

Bill No. 433
Substitute by Author
And Further Amended by the
Committee on Ways & Means

E. P. Arriola
P. C. Sanchez
P. C. Lujan
F. R. Santos
T. S. Nelson
J. T. San Agustin
H. D. Dierking
M. Ruth
J. M. Rivera
M. Manibusan
J. Miles
M. Bordallo

AN ACT TO AMEND SECTIONS 300, 301, 19200, 19541 OF THE GOVERNMENT CODE, REPEAL AND REENACT SECTION 19000 OF THE GOVERNMENT CODE, REPEAL AND REENACT 9 GCA §64.22, REPEAL SECTIONS 19200.01, 19200.05, AND 19200.1 OF THE GOVERNMENT CODE, REPEAL SUBSECTIONS (f), (g) OF 9 GCA §64.20, AND 9 GCA §64.23 RELATIVE TO BANNING POKER MACHINES AND FOR OTHER RELATED PURPOSES.

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

Section 1. Section 300 of the Government Code is amended to read:

"§300. Revenue from Vending Machines. Except for revenues derived from the sale of goods and services purchased from vending machines and amusement devices, [except poker machines,] which are located on property which is within the jurisdiction of the Department of Parks and Recreation, the University of Guam, the Guam Community College, the Guam Airport Authority and the public schools pursuant to Title LXVI of the Government Code, all net revenues derived from the sale of goods and services purchased from vending machines and amusement devices, [except for poker machines,] located within any facility operated by the government including any autonomous or semi-autonomous government agency or any corporation which is wholly owned by the government shall be paid into the General Fund."

Section 2. Section 301 of the Government Code is amended to read:

"§301. Notwithstanding any rule, regulations or law, all net revenues derived through the sale of goods and services utilizing vending machines and amusement devices, [except for poker machines,] located within public schools shall be used exclusively for authorized student activities and all net revenues derived through the sale of goods and services utilizing vending machines and amusement devices, [except for poker machines,] located within the jurisdiction of the Department of Parks and Recreation shall be deposited in the Recreation Activity Revolving Fund and expended by the Department of Parks and Recreation and all net revenues derived through the sale of goods and services utilizing vending-machines and amusement devices, [except for poker machines,] located within the University of Guam shall be budgeted and expended by the Student Body Association as approved by the Board of Regents and within the Guam Community College shall be budgeted and expended by the Student Body Association as approved by the Board of Trustees of Guam Community College. Nothing in the sections of this Act shall be construed to impair the obligation of existing contracts."

Section 3. Section 19000 of the Government Code is repealed and reenacted to read:

"§19000. The Department of Revenue & Taxation shall have responsibility for the implementation of the provisions of this Act."

Section 4. Section 19200 of the Government Code is amended to read:

"§19200. Imposition. A license fee is imposed on each of the following amusement devices which are operating to produce revenue in Guam on the effective date of this Chapter (apportioned in accordance with §19200.4 of this Chapter), or thereafter manufactured or constructed in, imported into Guam, maintained or permitted in Guam, and operated to produce revenue in Guam, and annually thereafter on July 1, at the rate stated:

(a) on each pinball machine, One Hundred Dollars (\$100.00);

(b) on each multiple-coin pinball machine, Two Hundred Fifty Dollars (\$250.00);

(c) on each coin-activated phonograph or other coin-activated music producing machine, One Hundred Dollars (\$100.00) plus Fifteen Dollars (\$15.00) for each coin slot in excess of one (1);

(d) on each coin-activated kiddie ride, designed for the use of children, Fifty Dollars (\$50.00);

(e) on each video horse or greyhound race machine [and each poker machine], according to the following schedule:

(i) Six Hundred Dollars (\$600.00) until June 30, 1986;

(ii) One Thousand Dollars (\$1,000.00) from July 1, 1986 until June 30, 1989, Four Hundred Dollars (\$400.00) of which may be paid pro rata in equal monthly installments throughout the year;

(iii) One Thousand Five Hundred Dollars (\$1,500.00) from July 1, 1989 until June 30, 1991;

(iv) Two Thousand Dollars (\$2,000.00) on and after July 1, 1991;

(f) on each coin-activated amusement device not included under Subsections (a), (b), (c), (d) or (e) of this Section, One Hundred Dollars (\$100.00).

No slot machine or amusement device set to make progressive or automatic payouts shall be licensed under this Section. 'Slot machine' has the same meaning in this Section as in Subsection (c) of Section 19200.5 of the Government Code."

Section 5. Section 19200.01 of the Government Code is repealed.

Section 6. Section 19200.05 of the Government Code is repealed.

Section 7. Section 19200.1 of the Government Code is repealed.

Section 8. Subsection .01 of section 19541 of the Government Code is amended to read:

".01. Tax on the business of selling tangible personal property. Upon every person engaging or continuing within Guam in the business of selling any tangible property whatsoever (not including, however, bonds or other evidence

Introduced

MAY 05 '87

NINETEENTH GUAM LEGISLATURE
1987 (FIRST) REGULAR SESSION

Bill No. 433 (COR)

Introduced by:

E.P. Arriola *epa* T.S. Nelson
P. C. Sanchez *PC* J.T. San Agusti
P. C. Lujan *pc* H.D. Dierking
F. R. Santos

M. Rivera
M. Manibusan
J. J. J...

AN ACT TO AMEND SECTIONS 19200,
19200.5, 300, AND 301 OF THE GOVERNMENT
CODE RELATIVE TO POKER MACHINES AND FOR
OTHER RELATED PURPOSES.

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

1 Section 1. Section 19200 of the Government

2 Code is amended to read:

3 "§19200. Imposition. A license fee is imposed
4 on each of the following amusement devices which are
5 operating to produce revenue in Guam on the effective date
6 of this Chapter (apportioned in accordance with §19200.4 of
7 this Chapter), or thereafter manufactured or constructed
8 in, imported into Guam, maintained or permitted in Guam,
9 and operated to produce revenue in Guam, and annually
10 thereafter on July 1, at the rate stated:

11 (a) on each pinball machine, One Hundred Dollars
12 (\$100.00);

13 (b) on each multiple-coin pinball machine, Two
14 Hundred Fifty Dollars (\$250.00);

1 (c) on each coin-activated phonograph or other
2 coin-activated music producing machine, One Hundred Dollars
3 (\$100.00) plus Fifteen Dollars (\$15.00) for each coin slot
4 in excess of one (1);

5 (d) on each coin-activated kiddie ride, designed
6 for the use of children, Fifty Dollars (\$50.00);

7 (e) on each video horse or greyhound race machine
8 [and each poker machine], according to the following
9 schedule:

10 (i) Six Hundred Dollars (\$600.00) until
11 June 30, 1986;

12 (ii) One Thousand Dollars (\$1,000.00) from
13 July 1, 1986 until June 30, 1989, Four Hundred Dollars
14 (\$400.00) of which may be paid pro rata in equal monthly
15 installments throughout the year;

16 (iii) One Thousand Five Hundred Dollars
17 (\$1,500.00) from July 1, 1989 until June 30, 1991;

18 (iv) Two Thousand Dollars (\$2,000.00) on
19 and after July 1, 1991;

20 (f) on each coin-activated amusement device not
21 included under Subsections (a), (b), (c), (d) or (e) of
22 this Section, One Hundred Dollars (\$100.00).

23 No slot machine or amusement device set to make
24 automatic payouts shall be licensed under this Section.
25 'Slot machine' has the same meaning in this Section as in
26 Subsection (c) of Section 19200.5 of the Government Code."

1 Section 2. Section 19200.5 of the Government
2 Code is amended to read:

3 "§19200.5. Declaration of Exemption for
4 Certain Devices from the Provisions of 15 U.S.C. §1172.

5 (a) Pursuant to Section 2 of that certain Act of
6 the Congress of the United States entitled 'An Act to
7 prohibit transportation of gambling devices in interstate
8 and foreign commerce,' approved January 2, 1951, being c.
9 1194, 65 Stat. 1134, and also designated as 15 U.S.C.
10 1171-1177 and hereinafter referred to in this Section as
11 the 'Act,' the territory of Guam, acting by and through the
12 duly elected and qualified members of its Legislature, does
13 hereby in this §19200.5 and in accordance with and in
14 compliance with the provisions of Section 2 of the Act,
15 declare and proclaim that the following devices described
16 under Section 1 of the Act are lawful in Guam: Pinball
17 machines, multiple-coin pinball machines, [and poker
18 machines,] and other coin-activated devices taxed under
19 §19200 of the Government Code; provided, however, that this
20 declaration of legality shall not be deemed to apply to any
21 so-called 'slot machines' as defined in Subsection (c) of
22 this Section, which 'slot machines' device [is] are
declared to be and remain unlawful in Guam.

1 (b) Shipments of such devices described in
2 Paragraph 9(a) of this §19200.5 (but excluding slot
3 machines as therein defined), the registering, recording
4 and labeling of which have been duly accomplished by the
5 manufacturer or dealer thereof in accordance with Sections
6 3 and 4 of the Act, shall be deemed legal shipments thereof
7 into Guam.

8 (c) As used in this Section 'slot machine' means
9 a mechanical, electromechanical, or electronical
10 contrivance, component or machine (1) which when operated
11 may deliver, as the result of the application of an element
12 of chance, any money or property or (2) by the operation of
13 which a person may become entitled to receive, as the
14 result of the application of an element of chance, any
15 money or property."

16 Section 3. Section 300 of the Government Code
17 is amended to read:

18 "§300. Revenue from Vending Machines. Except
19 for revenues derived from the sale of goods and services
20 purchased from vending machines and amusement devices,
21 [except for poker machines,] which are located on property
22 which is within the jurisdiction of the Department of Parks
23 and Recreation, the University of Guam, the Guam Community
24 College, the Guam Airport Authority and the public schools
25 pursuant to Title LXVI of the Government Code, all net

1 revenues derived from the sale of goods and services
2 purchased from vending machines and amusement devices,
3 except for poker machines, located within any facility
4 operated by the government including any autonomous or
5 semi-autonomous government agency or any corporation which
6 is wholly owned by the government shall be paid into the
7 General Fund."

8 Section 4. Section 301 of the Government Code
9 is amended to read:

10 "§301. Notwithstanding any rule, regulations or
11 law, all net revenues derived through the sale of goods and
12 services utilizing vending machines and amusement devices,
13 [except for poker machines,] located within public schools
14 shall be used exclusively for authorized student activities
15 and all net revenues derived through the sale of goods and
16 services utilizing vending machines and amusement devices,
17 [except for poker machines,] located within the
18 jurisdiction of, the Department of Parks and Recreation
19 shall be deposited in the Recreation Activity Revolving
20 Fund and expended by the Department of Parks and Recreation
21 and all net revenues derived through the sale of goods and
22 services utilizing vending machines and amusement devices,
23 [except for poker machines,] located within the University
24 of Guam shall be budgeted and expended by the Student Body
25 Association as approved by the Board of Regents and within

1 the Guam Community College and shall be budgeted and
2 expended by the Student Body Association as approved by
3 the Board of Trustees of Guam Community College. Nothing
4 in the sections of this Act shall be construed to impair
5 the obligation of existing contracts."

6 Section 5. Subsection (b) of Section 64.20 of
7 Title 9 of the Guam Code Annotated is amended to read:

8 "(b) As used in this Section, 'gambling device'
9 means a mechanical device which, when operated, may return
10 something of value to the user as the result of the
11 application of chance; or by the operation of which a
12 person may become entitled to receive something of value as
13 the result of the application of chance. It does not
14 include pinball, [video poker games] and other amusement
15 machines or devices which are predominantly games of skill,
16 whether affording the opportunity of additional chances,
17 freeplays, winnings, payouts, malfunction refunds or not."

18 Section 6. Section 19200.05 of the Government
19 Code is repealed.

20 Section 7. Section 19000 of the Government
21 Code is repealed and reenacted to read:

22 "§19000. The Department of Revenue & Taxation
23 shall have responsibility for the implementation of the
24 provisions of this Act which are under their jurisdiction
25 and concern poker machines which by this Act have been made

1 illegal gambling devices within the territory of Guam and
2 shall promulgate any rules and regulations necessary to
3 administer the removal of all poker machines from the
4 territory of Guam and the collection of past due revenues
5 due the territory of Guam from such machines all in
6 accordance with the provisions of the Administrative
7 Adjudication Law.

8 Section 19200.01 of the Government Code is
9 repealed.