

Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932 Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho Governor

Michael W. Cruz, M.D. Lieutenant Governor

DEC 1 4 2010

The Honorable Judith T. Won Pat, Ed.D. Speaker *Mina' Trenta Na Liheslaturan Guåhan* 155 Hessler Street Hagåtña, Guam 96910

2010 DEC 17 PM 4: 04

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 364-30 (COR): "AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 24-141, RELATIVE TO EVENT ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK" which was signed into law on December 13, 2010 as Public Law 30-204.

Sinseru yan Magåhet,

FELIX P. CAMACHO

I Maga'låhen Guahan Governor of Guahan

Attachment: copy of Bill

2/1/0

I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 364-30 (COR)**, "AN ACT TO *AMEND* SECTION 6 OF PUBLIC LAW 24-141, RELATIVE TO EVENT **ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK"**, was on the 30th day of November 2010, duly and regularly passed.

	Judith T. Won Pat, Ed. D. Speaker
Attested: Tina Rose Muña Barnes Legislative Secretary	
This Act was received by <i>I Maga'lahen Guåhan</i> this	day of Dec 2010, at Assistant Staff Officer Maga'lahi's Office
APPROVED: Januscks FELIX P. CAMACHO I Maga'lahen Guåhan Date: 3 dec. 3010	

I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2010 (SECOND) Regular Session

Bill No. 364-30 (COR)

As substituted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land, and amended on the Floor.

Introduced by:

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v. c. pangelinan
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 24-141, RELATIVE TO EVENT ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 6 of Public Law 24-141 is hereby *amended* to read:

"Section 6. Event Admissions Assessment. The Guam Racing Federation *shall* cause all organizers, sponsors or managers of any event held at the raceway park for which a fee is charged for admission, to pay to the government of Guam, an admissions assessment of ten percent (10%) of

the admission price per paid admission. The Guam Racing Federation *shall* be liable for all admission assessment of ten percent (10%) of the admission price per admission *not* paid by any organizer, sponsor or manager of any event held at the raceway park. In addition to any other reports required by rule, regulation or law, the Guam Racing Federation *shall* file a quarterly report with the *Chamorro* Land Trust Commission and the Speaker of *I Liheslaturan Guåhan* (the Guam Legislature), listing each event, event organizers, sponsors or managers, the admission charged, and all the admissions tax paid for each event."

Section 2. Effective Date. The effective date of this Act *shall* be from the date of enactment of Public Law 24-141.

Section 3. Severability. *If* any of the provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity *shall not* affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.



I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 11/30/10

*3 Passes = No vote

EA = Excused Absence

VOTING SHEET

Bill No. <u>364-30(COR</u>

Clerk of the Legislature

Resolution No					
Question:					, , , , , , , , , , , , , , , , , , ,
<u>NAME</u>	YEAS	<u>NAYS</u>	NOT VOTING <u>/</u> <u>ABSTAINED</u>	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	V				
ADA, V. Anthony	V				
AGUON, Frank B., Jr.					·
BLAS, Frank F., Jr.	1/				
CALVO, Edward J.B.					
CRUZ, Benjamin J. F.	A-C-				EP1
ESPALDON, James V.					
GUTHERTZ, Judith Paulette					
MUNA-BARNES, Tina Rose					
PALACIOS, Adolpho Borja, Sr.					
PANGELINAN, vicente (ben) cabrera	1				
RESPICIO, Rory J.					
TAITAGUE, Telo	V				
TENORIO, Ray					
WON PAT, Judith T.					
TOTAL	14	· · · · · · · · · · · · · · · · · · ·			_/
CERTIFIED TRUE AND CORRECT:					



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

ZCII NOV 22 | RII IZ: 42

NOV 1 8 2010

Chairman Committee on Appropriations, Taxation, Banking, Insurance,

Retirement, and Land

Member

Committee on Education

Member Committee on Municipal Affairs, Aviation, Housing, and Recreation

Member Committee on Labor, the Public Structure, Public Libraries, and Technology

The Honorable Judith T. Won Pat, Ed.D.	
Speaker	
I Mina'trenta na Liheslaturan Guåhan	
155 Hesler Place	
Hagåtña, Guam 96910	

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 364-30 (COR) As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 364-30 (COR) As Substituted: "An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park." which was referred to the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

2 TO PASS

NOT TO PASS

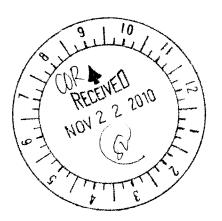
__5_ TO REPORT OUT ONLY

U TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,

Senator vicente c. pangelinan

Chairman



COMMITTEE REPORT ON

Bill No. 364-30 (COR) As Substituted:

"An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park."



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

NOV 182010

MEMORANDUM

To:

All Members

Committee on Appropriations, Taxation, Banking, Insurance,

Retirement, and Land

From:

Senator vicente c. pangelinan

Committee Chairperson

Member Committee on Education

Chairman

Committee on Appropriations, Taxation, Banking, Insurance,

Retirement, and Land

Subject: Committee Report on Bill No. 364-30 (COR) As Substituted

Transmitted herewith for your consideration is the Committee Report on <u>Bill No. 364-30 (COR)</u> As Substituted: "An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park." sponsored by Senator Telo Taitague.

Member Committee on Municipal Affairs, Aviation, Housing, and Recreation

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Bill No. 364-30 (COR)
- Copy of Substituted Bill No. 364-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 364-30 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Fiscal Note

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Si Yu'us Ma'ase,

Senator vicente c. pangelinan

Chairman

Recreation

Member

Committee on Labo

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

Committee Voting Sheet Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land

Bill No. 364-30 (COR) As Substituted: An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park.

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
Senator vicente c. pangelinan Chairperson	<u> </u>				
Speaker Judith T. Won Pat, Ed Vice Chairperson	.D				
Vice Speaker Benjamin J.F Cru					
Senator Tina Rose Muña-Barno Member	es				
Senator Frank B. Aguen Jr. Member			/		
Senator Judith P. Guthertz		***************************************			
Mymber Senator James N. Espaldon			<u> </u>		
Momber					
Senator Telo T. Taitague Member					
Senator Frank Blas, Jr. Member					



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

Committee Report

Bill No. 364-30 (COR): "An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park."

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on <u>June 09, 2010</u> at <u>9:00 am</u> in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on <u>June 4, 2010</u> (5-Day Notice), and again on <u>June 7, 2010</u> (48 Hour Notice).

(a) Committee Members and Senators Present

Senator vicente "ben" pangelinan, Chairman Senator Benjamin J. Cruz Senator Tony Ada Senator Tom Ada Senator Frank Blas, Jr.

(b) Appearing before the Committee

None

(c) Written Testimonies Submitted

Henry Simpson, General Manager, Guam Racing Federation

II. COMMITTEE PROCEEDINGS

Senator vicente pangelinan: Bill number 364 is an act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park.

(a) Bill Sponsor Summary

Senator vicente pangelinan: Very quickly, the current requirement is that all events at the Guam Raceway Park are required to be charged \$2.00 tax on all admissions and what it does it brings it in line with all activities on Guam, events on Guam with a 10% tax. Right now if there is an event at the Guam Raceway Park and \$1.00 is the

Chairman
Committee on Appropriations,
Taxation, Banking, Insurance,
Retirement, and Land

Member Committee on Education

Member Committee on Municipal Affairs, Aviation, Housing, and Recreation

Member Committee on Labor, the Public Structure, Public Libraries, and Technology admissions charge, the tax has to be \$2.00 which is twice the admission, or if there is an event that is \$30.00 they still pay \$2.00 instead of \$3.00 if it was the 10% admission. So this would only change that to bring it in line with all other admission taxes for all other events at all other venues. There have been no testimonies that have been submitted. But the bill for the record has been publicly heard.

*Mr. Henry Simpson submitted written testimony on June 11, 2010 – two days after the public hearing.

III. FINDINGS & RECOMMENDATIONS

The Committee on <u>Appropriations</u>, <u>Taxation</u>, <u>Banking</u>, <u>Insurance</u>, <u>Retirement</u>, <u>and Land</u>, hereby reports out Bill No. <u>364-30</u> (COR), as substituted by the Committee with the recommendation <u>To Report Out</u>.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2010 (Second) Regular Session

Bill No. 364-30 (cor)

Introduced by:

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v.c. pangelinah

AN ACT TO AMEND SECTION 6 OF PUBLIC 24-141 RELATIVE TO ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 6 of Public Law 24-141 is hereby amended to 1 2 read: "Section 6. Event Admissions Assessment. The organizers of any 3 event held at the raceway park for which a fee is charged for admission, 4 shall pay to the government of Guam, an admissions assessment of ten 5 6 percent (10%) of the admission price Two Dollars (\$2.00) per paid admission." 7 8

Section 2. Severability. If any of the provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to

this end the provisions of this Act are severable.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2010 (Second) Regular Session

Bill No. 364-30 (COR)

As substituted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land

Introduced by:

v.c. pangelinan

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 24-141 RELATIVE TO EVENT ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Section 6 of Public Law 24-141 is hereby amended to 2 read: "Section 6. Event Admissions Assessment. The Guam Racing 3 Federation shall cause all organizers, sponsors or managers of any event 4 held at the raceway park for which a fee is charged for admission, to shall 5 pay to the government of Guam, an admissions assessment of ten percent 6 7 (10%) of the admission price Two Dollars (\$2.00) per paid admission. The Guam Raceway Federation shall be liable for all admission assessment of 8 9 ten percent (10%) of the admission price per admission not paid by any organizer, sponsor or manager of any event held at the raceway park. In 10 addition to any other reports required by rule, regulation or law, the Guam 11 Raceway Federation shall file a quarterly report listing each event, event 12 organizers, sponsors or managers the admission charged, all the admissions 13 tax paid for each event with the Speaker of the Guam Legislature." 14

- Section 2. Effective Date. The effective date of this Act shall be from the inception of Public Law 24-141.
- Section 3. Severability. If any of the provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to
- 7 this end the provisions of this Act are severable.

Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land

Bill No. 364-30

Public Hearing Room Sign In Sheet 3/10/10

3/10/10									
Print Name	Sign Name	Address	Support/Oppose						
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		And the second s							
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Guam Racing Federation 976C RT17 Santa Rita, GU 96915 Phone: 565-5208

Cellular: 727-5382 Cellular

Fax: 565-1241 E-mail: <u>mtview@ite.net</u>

June 11, 2010

Senator Vicente "Ben" C. Pangelinan
Chair Person
Committee on Appropriations, Taxation, Banking, Insurance, Retirement & Land
30th Guam Legislature
324 W. Soledad Ave.
Hagåtña, Guam 96910
Phone (671) 473-4236/37
Fax (671) 473-4238
E-mail: ctzenben@ite.net

RE: Written testimony for Pulic Hearing on Bill 364-30 held June 9, 2010

Dear Senator Pangelinan,

As spokesman for the Guam Racing Federation I wish to thank you for introducing Bill 364-30. This bills clears up a discrepancy in the enabling legislation that created a major impediment to finishing the race track.

Thank you for your support.

Sincerely

Henry Simpson General Manager

Guam Racing Federation

Guam Racing Federation 976C RT17, Santa Rita, GU 96915

Phone: 565-5208 Cellular: 727-5382 Cellular Fax: 565-1241

E-mail: <u>mtview@ite.net</u>

Aug. 10, 2010

Senator Vicente "Ben" C. Pangelinan Chair Person Committee on Appropriations, Taxation, Banking, Insurance, Retirement & Land 30th Guam Legislature 324 W. Soledad Ave. Hagåtña, Guam 96910 Phone (671) 473-4236/37 Fax (671) 473-4238

RE: Bill 364-30

Dear Senator Pangelinan,

E-mail: senbenp@guam.net

1 had a meeting today with John San Nicolas at GEDCA at which be informed me that Bill 364-30 (COR) in its present form will not meet our compliance needs. He said that it should be retroactive to the inception of PL24-141.

Please see if you can amend the law to make it retroactive, as this is holding up any further progress.

Thank you for your time and attention to this matter.

Sincerely,

Henry Simpson General Manager

Guam Racing Federation

cc Angelica Okada, aokada@guamlegislature.org cc George Flores, gerogemflores@hotmail.com

Bureau of Budget & Management Research Fiscal Note of Bill No. 364-30 (COR)

Bill Title (Preamble): AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 24-141 RELATIVE TO EVENT ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK

	415451454545454454454444444444444444444	lorgringent/	Agency Appropriati	on Information	: R	
Dept./Agency Afi	fected: Department of		agency approprian	Dept./Agency Head: J	oseph Duenas	
	eneral Fund (GF) appro					\$3,469,338
Department's Ot Appropriation(s)		blic Recreation Service	es Fund & Tourist A	ttraction Fund		\$759,941
	ent/Agency Appropria	tion(s) to date:				\$4,229,279
		Fund Source In	iformation of Propo	sed Appropriation		
				General Fund:	Other (Specify): Special Funds	Total:
FY 2010 Adopted	l Revenues			\$540,218,638	\$112,566,011	\$652,784,649
FY Appro. to P.L	30-35 thru 30-102			(\$540,228,724)	(\$120,120,186)	(\$660,348,910
Sub-total:				(\$10,086)	(\$7,554,175)	(\$7,564,261)
Less appropriation	on in Bill			\$0	\$0	\$0
Total:				(\$10,086)	(\$7,554,175)	(\$7,564,261
	One Full Fiscal Year	For Remainder of Current FY (if applicable)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	Fiscal Year	Current FY (if applicable) \$0	\$0	\$0	\$0	
General Fund Other Fund:	Fiscal Year	Current FY (if applicable)		\$0 <u>\$0</u>	\$0 <u>\$0</u>	\$0
	Fiscal Year	Current FY (if applicable) \$0	\$0	\$0	\$0	\$0 <u>\$0</u>
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Office of the People Senator ben c. p. ngshnan Recaived by:

BBMR-FN1

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COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

SENATOR RORY J. RESPICIO CHAIRPERSON

SENATOR

Judith P. Guthertz Vice

Chairperson

MAJORITY MEMBERS:

Judith T. Won Pat SPEAKER

Benjamin J. F. Cruz Vice Speaker

Tina Rose Muña Barnes LEGISLATIVE SECRETARY

> Thomas C. Ada SENATOR

Frank B. Aguon, Jr. SENATOR

Adolpho B. Palacios, Sr. Senator

Vicente C. Pangelinan SENATOR

MINORITY MEMBERS:

Frank F. Blas, Jr. SENATOR

James V. Espaldon SENATOR April 6, 2010

MEMORANDUM

To:

Pat Santos

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

From:

Senator Rory J. Respicio

Chairperson, Committee on Rules

Subject:

Referral of Bills No. 362-30(COR) to 364-30(COR)

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As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 362-30(COR) to 364-30(COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

I Mina'Trenta Na Liheslaturan Guåhan Bill Log Sheet Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B362-30 (COR)	T. R. Muña Barnes, J. T. Won Pat, Ed. D.	An act relative to renaming the South Daiog Dededo buffer strip the "Dededo Veterans' Memorial Park," which extends partially across lot block 16a.	4/5/10 12:30 p.m.	4/6/10	Committee on Municipal Affairs, Aviation, Housing, and Recreation			
B363-30 (COR)	v. c. pangelinan	An act to amend §75102 (a) of Chapter 75, Title 21 Guam Code Annotated relative to the composition of members to the Chamorro Land Trust Commission	4/05/10 1:02 p.m.	4/6/10	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			
B364-30 (COR)	v. c. pangelinan	An act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park	4/05/10 1:02 p.m.	4/6/10	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			

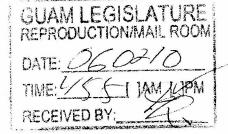


Chairman Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land

Member Committee on Education

Member Committee on Municipal Affairs, Aviation, Housing, and Recreation

Member Committee on Labor, the Public Structure, Public Libraries, and Technology



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

June 2, 2010

Memorandum

To:

All Senators

From:

Senator vicente c. pangelinan

Re:

Public Hearing - FIRST NOTICE - CORRECTION

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Wednesday**, **June 9, 2010** at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 306-30 (COR) (Aguon): An Act Relative to Rezoning Lot 1, Block 2, of the Subdivision of Lot 1098, Remainder, located in the Municipality of Barrigada, Guam from Residential ("R-1") to Commercial ("C") to allow for greater application and use of the property and the surrounding area.

Bill No. 324-30 (COR) (Calvo): An Act to authorize *I Maga'Lahen Guahan* to exchange government property in Barrigada for privately owned property located in Barrigada to be used for the Guam Flood Mitigation Plan.

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Bill No. 356-30 (COR) (Cruz): An Act to Amend §3414 of Article 4, Chapter 3, Title 11 of the Guam Code Annotated; Relative to reducing hours of sale for alcoholic beverages.

Bill No. 357-30 (COR) (Cruz): An Act to stiffen the penalty imposed for violations of the hours of sale provision of the alcoholic Beverage Control Law by amending §3613 of Chapter 3, Title 11 Guam Code Annotated.

Bill No. 363-30 (COR)(pangelinan): An Act to amend §75102(a) of Chapter 75, Title 21 Guam Code Annotated relative to the composition of members to the Chamorro Land Trust Commission.

Bill No. 364-30 (COR) (pangelinan): An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park.

Memo to All Senators June 2, 2010 Page 2

Bill No. 389-30 (COR) (Cruz): An Act to Amend Article 3 of §3303, Article 4 of §3419 and §3420 and Article 6 of §3619 of Chapter 3 Title 11 and Article 1 of §18102 and §18121 of Chapter 18 Title 16 of the Guam Code Annotated relative to increasing the minimum legal drinking age.

Bill No. 391-30 (COR) (pangelinan): An Act to Amend §61619 and §61633 of Article 6, Chapter 61, Title 21 Guam Code Annotated relative to hearing date-notice.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com Si Yu'os Ma'ase.

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21 Guam Code Annotated relative to hearing date-notice.

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Lisa Cipollone Chief of Staff

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Federation members to ensure the bikes are in working order and fit for distribution.

Assembled bikes will then be presented to Big Brothers Big Sisters of Guam to be given to children enrolled in the program. Build-A-Bike teams will also be vying for awards in special categories, including Fastest Team, Top Technical Score and Most Spirited Team.

Participation fee per team is \$650, and includes registration, bicycle kit and a helmet. Funds raised through this event will go toward supporting youth mentoring programs and support services. The Build-A-Bike event is part of the ongoing Little Big Ride Campaign to raise awareness, funds and recruit volunteers for Big Brothers Big Sisters.

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► Grey Line 3 will provide service to the Barrigada Post Office.

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The Guam Parole Board regular scheduled hearing will be on Thursday, June 24, at 8:30 a.m. in the Parole Services Division located on the fifth floor, suite 505 of the DNA Building in Hagatna. For more information, call 473-7001.

The Barrigada Mayor's Office announces that Carmen's Driving School will be holding a "Safe and Drug Free / Violence Prevention" drivers education course for youths ages 15 and older, and adults. Classes will commence on June 2 and thereafter every Wednesday evening from 6:30 to 7:30 p.m. Call 734-3737 for more info.



Mina' Trenta Na Liheslaturan Guahan THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan Office of the People

PUBLIC HEARING Wednesday, June 9, 2010

> **AGENDA** 9:00 AM

Bill No. 306-30 (COR) (Aguon): An Act Relative to Rezoning Lot 1, Block 2, of the Subdivision of Lot 1098, Remainder, located in the Municipality of Barrigada, Guam from Residential ("R1") to-Commercial ("C") to allow for greater application and use of the property and the surrounding area.

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Mina' Trenta Na Liheslaturan Guahan THIRTIETH GUAM LEGISLATURE

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Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

June 7, 2010

Memorandum

To:

All Senators

From:

Senator vicente c. pangelinan

Re:

Public Hearing - SECOND NOTICE

Member Committee on Education

Chairman Committee on Appropriations,

Taxation, Banking, Insurance, Retirement, and Land

Member Committee on Municipal Affairs, Aviation, Housing, and Recreation

Member Committee on Labor, the Public Structure, Public Libraries, and Technology The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Wednesday**, **June 9, 2010** at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 306-30 (COR) (Aguon): An Act Relative to Rezoning Lot 1, Block 2, of the Subdivision of Lot 1098, Remainder, located in the Municipality of Barrigada, Guam from Residential ("R-1") to Commercial ("C") to allow for greater application and use of the property and the surrounding area.

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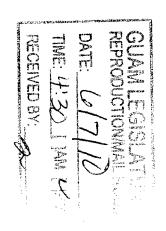
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Bill No. 357-30 (COR) (Cruz): An Act to stiffen the penalty imposed for violations of the hours of sale provision of the alcoholic Beverage Control Law by amending §3613 of Chapter 3, Title 11 Guam Code Annotated.

Bill No. 363-30 (COR)(pangelinan): An Act to amend §75102(a) of Chapter 75, Title 21 Guam Code Annotated relative to the composition of members to the Chamorro Land Trust Commission.

Bill No. 364-30 (COR) (pangelinan): An Act to amend Section 6 of Public Law 24-141 relative to event admissions assessment to the Guam Raceway Park.



Memo to All Senators June 7, 2010 Page 2

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Bill No. 391-30 (COR) (pangelinan): An Act to Amend §61619 and §61633 of Article 6, Chapter 61, Title 21 Guam Code Annotated relative to hearing date-notice.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com Si Yu'os Ma'ase.

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2nd Notice - Public Hearing

Lisa Cipollone

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anaaleah@yahoo.com

Mon, Jun 7, 2010 at 3:53 PM 2nd Notice - Public Hearing

guamlegislature.org

Senator ben pangelinan will hold a public hearing on Thursday, June 9, 2010 beginning at 9:00am at the Legislature Public Hearing Room. See agenda attached.

Lisa Cipollone Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236 cipo@quamlegislature org

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Senator ben pangelinan

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PUBLIC HEARING Wednesday, June 9, 2010 AGENDA 9:00 AM

Bill No. 306-30 (COR) (Aguon): An Act Relative to Rezoning Lot 1, Block 2, of the Subdivision of Lot 1098, Remainder, located in the Municipality of Barrigada, Guam from Residential ("R-1") to Commercial ("C") to allow for greater application and use of the property and the surrounding area.

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--Lisa Cipollone Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236 cipo@guamlegislature.org 1 of 2983 Older >

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how far we can take "Don Muna added. ent coincided with of Uno Magazine's ne issue for June. st was dressed up as playing Julia Roberts ty Woman." A couple p as Superman and

ntestants of the Miss am 2010 contestants present to greet guests ote the pageant to be Vednesday night at the aguna Resort and Spa. the people who went he casting call was varrate, 21, of Yigo, my friend told me to and try it out. I really ow what to expect," I guess I'll be up for if I get a part."

una brothers declined se details of their new it wouldn't be fair to say g now," Don said.

id the project is "100 scal," like the first projects Head."

verything is in place and complete. Don and Kel start production somely next year.

ope to get a solid cast, to cast within the next two months hopefully and re we'll be running them the wringer," Don said.

Mina' Trenta Na Liheslaturan Guahan THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan Office of the People

PUBLIC HEARING Wednesday, June 9, 2010

AGENDA 9:00 AM

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June 7, 2010

Ills off upset



The Associated Press

*ther": Jockey Mike Smith sprints p Drosselmeyer to win the 142nd nont Stakes at Belmont Park in El-



1 Mott Crown

;" said e train-1995a matof the in that ed may

Smith

needed

a little change in routine," said WinStar Farm racing manager Elliott Walden. "We went to Mike because we felt he would get him in a rhythm and keep him running. This horse really kicked hard turning for home and finished strong."

WinStar seems to making all the right calls these days, and closed out the Triple Crown with wins in two races - they also own Kentucky Derby winner Super Saver. Super Saver and Preakness winner Lookin At Lucky did not run in the final leg of the Triple Crown.



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uridåd Inadilånton Ikunumihan Guahan

March 2, 2009

Henry Simpson Guam Racing Federation 976C Rt 17 Santa Rita, Guam 96915

Re: Guam Racing Federation Annual Compliance Requirements CY2008 PL24-141 and its Rules and Regulations

Hafa Adai Henry,

With CY2008 well underway, this letter serves as a reminder to the Guam Racing Federation of its responsibilities as per Public Law 24-141 and its Rules and Regulations.

Section 6. PL 24-141 Event Admissions Assessment: organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admissions assessment of Two Dollars (\$2.00) per paid admission.

• Please advise of any and all events where an admission fee was charged for Calendar Year 2008 and copies of payment remittances to the Treasurer of Guam.

Section 2. Credits Against Business Privilege Tax: To the extent that any business licensed to do business on Guam contributes to the cost of design, labor and materials to design and/or construct the Guam Raceway Park, such business must be certified by GEDCA to be eligible for any credits against Business Privilege Taxes as authorized by the Act. Such credits shall be certified by GEDCA *prior* to expenditures by any licensed business for the Guam Raceway Park.

 Please forward all proposed construction contracts to GEDCA prior to initiating work to be done.

Section 1.05 (a) Rules. Workforce US Citizens. At all times at least seventy-five 75% of all workers in all employment categories of the workforce of the Guam Racing Federation at the Guam Raceway Park shall either be United States citizens or permanent residents of the United States. All such workers shall be paid no less than the prevailing wage rates; provided, however,



Guam Economic Development and Commerce Authority

Aturidad Inadilanton Ikunumihan yan Kumetsion Guahan



April 20, 2008

Henry Simpson Guam Racing Federation 976C Rt 17 Santa Rita, Guam 96915

Re: Guam Racing Federation Annual Compliance Requirements PL24-141 and its Rules, CY2007

Hafa Adai Henry,

This is to follow up on my letter of February 20, 2008. Your immediate response will be most appreciated in order for GEDCA to report on the compliance monitoring of the Guam Racing Association and Guam Raceway Park.

Section 6. PL 24-141 Event Admissions Assessment: organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admissions assessment of Two Dollars (\$2.00) per paid admission.

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authorize payments therefor. Copies of the reports of such engineer or architect to the Guam Racing Federation shall be filed with GEDA and the CLTC. GRF is non-compliant with this section, as they have not provided GEDA with the certification report from a licensed Engineer/architect.

- Part 1. Section 1.05 (f) Public Notice. The Guam Racing Federation shall give public notice of the proposed construction of the Guam Raceway Park by placing at least two (2) notices in a newspaper of general circulation on Guam soliciting bids or proposals from contractors to carry out such construction. GRF is non-compliant, as they have not provided GEDA with documentation to support compliance with this section.
- Part 1. Section 1.06(d) (ii) Employment. Employment levels and classification of employees of the Guam Racing Federation working at the Guam Raceway Park. GRF claims there are no paid employees for the operations at the Guam Raceway Park.
- Part 1. Section 1.06 (d) (iii) Training. Training programs for the employees of the Guam Racing Federation working at the Guam Raceway Park. GRF claims there are no paid employees for the operations at the Guam Raceway Park.
- Part 1. Section 1.06 (d) (iv) Safety. Safety programs for the employees at the Guam Raceway Park. GRF claims there are no paid employees for the operations at the Guam Raceway Park.
- Part 1. Section 1.06 (d) (v) Rules. Rules and regulations for the employees of the Guam Racing Federation working at the Guam Raceway Park. GRF claims there are no paid employees for the operations at the Guam Raceway Park.
- Part 1. Section 1.06 (d) (vii) Finances. That annual audited financial statements and tax returns of the Guam Racing Federation are prepared and available to assure compliance with the act and rules. GRF is non-compliant, as they have not provided GEDA with its annual audited financials to support compliance with this section. GRF recently provided GEDA with its Audited financials for FY 2008/2009.
- Part 1. Section 1.06 (d) (viii) Insurance. That the insurance furnished by the Guam Racing Federation covers general liability for the operations and facilities of the Guam Raceway Park. GRF is compliant and provides GEDA with a copy of its annual renewal for its general liability coverage.

In addition, to specifically address Bill 364-30 these are our comments:

1. Current Form: The organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admission assessment of two dollars (\$2.00) per paid admission. It should be noted that prior to April 01, 2010, there have not been any remittances to the Government of Guam for admissions assessments since the opening of the Guam Raceway Park. However, after GEDA reviewed the Guam Racing Federation ("GRF") 2008/2009 audited financials GRF was compelled to pay ten percent (10%) of gate receipts for 2008 and 2009 to the Treasurer of Guam.

² As required under section 1.06 (d)(vii) of the Guam Raceway Park Tax Credit Program Rules & Regulation audited financials must be submitted by the GRF annually. The 2008/2009 audited financials were the first such documents submitted to GEDA by the GRF.

GUAM RACEWAY PARK RECONCILIATION

REV&TAX 3/22/07

PARTICIPANT'S	APPROVED	AUTHORIZED	USED	AVAILABLE
NAME				
AIC International	\$620,749,43	\$516,431.19	\$429.960.86	\$86.470.33
Bong Jul Corp	\$284,084.83	\$240,401.70	\$62,423.86	\$177,977.84
Black Const	\$220,234.00	\$219,928.65	\$87,384.13	\$132.544.52
Daniel Swavely	\$5,000.00	\$5,000.00	\$1,059.00	\$3,941.00
Dick Pacific	\$3,907,554.00	\$2,152,230.00	\$929,540.22	\$1,222,689.78
Duenas & Assoc	\$596,655.00	\$596,655.00	\$584,485.39	\$12,169.61
EMC2 Consulting	\$60,000.00	\$45,000.00	\$52,660.25	(\$7,660.25)
Hawaiian Rock	\$1,434,130.50	\$927,077.34	\$733,682.67	\$193,394.67
Perez Bros	\$107,852.53	\$101,577.31	\$103,364.40	(\$1,787.09)
Smithbridge	\$2,372,035.86	\$1,712,871.10	\$1,110,611.75	\$602,259.35
South Pacific	\$145,000.00	\$145,000.00	\$290,385.37	(\$145,385.37)
Triple J	\$50,350.00	\$0.00	\$519,908.44	(\$519,908.44)
TOTAL	\$9,803,646.15	\$6,662,172.29	\$4,905,466.34	\$1,756,705.95

GEDA 7/14/08

RECONCILED TO REV & TAX 5/19/08

PARTICIPANT'S	TAX CREDITS	APPROVED	AUTHORIZED	AVAILABLE	PENDING	PROJECTED
NAME	PL 27-45		DRAWDOWNS		AUTHORIZATIONS	NET
AIC International		\$553,401.76	\$551,171.15	\$2,230.61	\$0.00	\$2,230.61
Bong Jul Corp		\$246,870.82	\$188,178.20	\$58,692.62	\$0.00	\$58,692.62
Black Const		\$220,234.00	\$219,928.65	\$305.35	\$0.00	\$305.35
Daniel Swavely		\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00
Dick Pacific		\$2,257,952.00	\$2,165,197.00	\$92,755.00	\$0.00	\$92,755.00
Duenas & Assoc		\$596,655.00	\$592,189.99	\$4,465.01	\$0.00	\$4,465.01
EMC2 Consulting		\$82,456.00	\$54,882.50	\$27,573.50	\$34,947.50	-\$7,374.00
Hawaiian Rock		\$1,434,530.50	\$1,297,511.44	\$137,019.06	\$0.00	\$137,019.06
Perez Bros		\$107,852.53	\$101,577.31	\$6,275.22	\$0.00	\$6,275.22
Smithbridge		\$1,488,324.86	\$1,131,499.45	\$356,825.41	\$356,825.41	\$0.00
South Pacific		\$145,000.00	\$145,000.00	\$0.00	\$0.00	\$0.00
Triple J		\$150,000.00		\$150,000.00	\$150,000.00	\$0.00

PL27-45

\$8,000,000.00

APPROVED

\$7,288,277.47

DRAWDOWNS

\$6,452,135.69

AVAILABLE

\$836,141.78

PENDING

\$541,772.91

PROJECTED NET

\$294,368.87

GUAM RACING FEDERATION ENABALING LEGISLATION PL 24-141 APPROVED AMOUNT \$9,000,000.00 AMENDED TO \$8,000,000.00

ANNUAL COMPLIANCE REVIEW CY09

Section 6. Event Admissions Assessment: organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admissions assessment of Two Dollars (\$2.00) per paid admission.

• Please advise of any and all events where an admission fee was charged for Calendar Year 2009 and copies of payment remittances to the Treasurer of Guam.

We have received receipts for \$347.50 and \$387.25 paid 4/1/10 to the Treasurer of Guam for 2008 and 2009 respectively, your letter of March 3, 2010 proposing to pay ten percent of admissions fees collected and Bill 364-30 amending Section 6 of PL 24-141 to ten percent of the admissions price versus the current \$2.00 in the current law. Again, until the law can be amended to either remove or amend retroactively to the effective date of PL 24-141, the current law requirement stands.

Section 2. Credits Against Business Privilege Tax: To the extent that any business licensed to do business on Guam contributes to the cost of design, labor and materials to design and/or construct the Guam Raceway Park, such business must be certified by GEDCA to be eligible for any credits against Business Privilege Taxes as authorized by the Act. Such credits shall be certified by GEDCA *prior* to expenditures by any licensed business for the Guam Raceway Park.

• Please forward all proposed construction contracts to GEDCA prior to initiating work to be done.

The Guam Racing Federation reported it has acknowledged this requirement and will forward all future contracts to GEDA prior to initiating any work to be done.

Section 1.05 (a) Rules. Workforce US Citizens. At all times at least seventy-five 75% of all workers in all employment categories of the workforce of the Guam Racing Federation at the Guam Raceway Park shall either be United States citizens or permanent residents of the United States. All such workers shall be paid no less than the prevailing wage rates; provided, however, that for good cause shown ,GEDCA may, from time to time, grant temporary exemptions from such requirement for limited periods of time.

• Please provide documentation to show compliance with this section.

Guam Racing Federation reported that there were no employees in FY09.

Section 1.05 Rules (b) Federation to Control Raceway. The Guam Racing Federation shall be responsible for maintaining operational control of both construction and operation of the Guam Raceway Park.

• Please provide Notarized Affidavit to show compliance with this section.

Guam Racing Federation's Notarized Affidavit was dated August 27, 2008, please provide an updated Affidavit for FY09.

Section 1.05 (c) Rules. No Leases. In no case shall the Guam Raceway Park or any portion of its assets be leased, licensed or assigned without the prior express written approval of CLTC.

• Please provide Notarized Affidavit to the CLTC to show compliance with this section.

Guam Racing Federation's Affidavit was dated August 27, 2008, please provide an updated Affidavit for FY09 with a received stamp from the CLTC.

Section 1.05 (d) Local Preference. Shall be in accordance with the Policy as outlined in §5008 of Article 1, Chapter 5 of Title 5 of the Guam Code Annotated.

• Please provide statement to show compliance with this section.

Guam Racing Federation reported that there were no contracts awarded or employees employed. Please refer to your draft Statements of Activities and advise if these expenses have been in accordance with §5008 of Article 1, Chapter 5 of Title 5, Guam Code Annotated.

Section 1.05 (e) Engineer/Architect. The Guam Racing Federation shall retain the services of a licensed professional engineer or architect to monitor the construction of the Guam Raceway Park and to certify the completion of the various phases of the construction so as to authorize payments therafor. Copies of the reports of such engineer or architect to the Guam Racing Federation shall be filed with GEDCA and the CLTC.

 Please provide copies of reports to GEDCA and CLTC to show compliance with this section.

Guam Racing Federation reported no construction in FY09.

Section 1.05 (f) Public Notice. The Guam Racing Federation shall give public notice of the proposed construction of the Guam Raceway Park by placing at least two (2) notices in a newspaper of general circulation on Guam soliciting bids or proposals from contractors to carry out such construction.

• Please provide documentation to show compliance with this section.

Guam Racing Federation reported no construction in FY09.

Section 1.06 (d) (ii) Employment. Employment levels and classification of employees of the Guam Racing Federation working at the Guam Raceway Park.

• Please provide documentation to show all classifications of employees at the Guam Raceway Park

Guam Racing Federation reported no employees in FY09.

Section 1.06 (d) (iii) Training. Training programs for the employees of the Guam Racing Federation working at the Guam Raceway Park.

• Please provide documentation for the training programs currently in effect.

Guam Racing Federation reported no employees for FY09.

Section 1.06 (d) (iv) Safety. Safety programs for the employees of the Guam Raceway Park.

• Please provide documentation for safety programs currently in effect.

Guam Racing Federation reported no employees for FY09.

Section 1.06 (d) (v) Rules. Rules and Regulations for the employees of the Guam Racing Federation working at the Guam Raceway Park.

• Please provide documentation to show compliance with this section.

Guam Racing Federation reported no employees for FY09.

Section 1.06 (d) (vi) Disabled. That an affirmative action plan is in effect requiring the Guam Racing Federation to hire the disabled at the Guam Raceway Park.

• Please provide a copy of your affirmative action plan

Guam Racing Federation reported that there are no plans to hire any employees until the track is finished.

Section 1.06 (d) (vii) Finances. That annual audited financial statements and tax returns of the Guam Racing Federation are prepared and available to assure compliance with the Act and Rules.

 Please provide copy of audited financial statements and filed tax returns for CY2009. Guam Racing Federation reported tax return for FY08 enclosed but not provided. Financial Statement and audit for FY09 is being worked on. Please provide audited financial statements and income tax return for FY09.

Section 1.06 (d) (viii) Insurance. That the insurance furnished by the Guam Racing Federation covers general liability for the operations and facilities of the Guam Raceway Park.

• Please provide proof of insurance coverage for 1/1/09 - 12/31/09 to show compliance with this section.

Received policies for Property and General Liability for 6/30/08-6/30/09 and 6/30/09-6/30/10

Section 1.06 (e) (f) Access. A compliance report from the Department of Integrated Services for Individuals with Disabilities (DISD) confirming that the facilities and buildings have adequate access for the disabled.

• Please provide report from DISD to show compliance with this section.

Guam Racing Federation reported the raceway is not completed and haven't applied for a compliance report. Please provide documentation certifying that the current operations/facilities are accessible by the disabled and is compliant with the Americans with Disabilities Act.

Section 1.06 (f) Annual Fee. The Guam Racing Federation shall be assessed an annual fee of One Thousand Five Hundred Dollars (\$1,500.00) payable to GEDCA.

• Please remit payment for CY2009.

Received GEDA General Fund receipt 5257 3/12/10 for \$1,500.00 for FY09.

Section 1.06 (g) Minimum Standards. In the inspecting and monitoring of construction of the Guam Raceway Park, GEDCA shall require that the Park meet the minimum standards for such a raceway as established by the Federation Internationale de I'Automobile (FIA).

• Please provide letter to show compliance with this section.

Received Michael McDonough's letter of November 14, 2008. Please advise if payment of the required study fee has been paid to FIA and that you have received the circuit license.

GUAM RACING FEDERATION ANNUAL COMPLIANCE REVIEW CY09

COMPLIANT NON COMPLIANT
REVIEWED BY:
Dri 4./2./0
Mike Willess, Compliance Officer
John San Nicolas, Compliance Supervisor
Claire Cruz, Programs and Compliance Manager
ADMINISTRATOR'S ACTION / APPROVED / / DISAPROVED .
Anthony C. Blaz, Administrator



I MAGA' LAHEN GUAHAN GOVERNOR OF GUAM FELIX P. CAMAGAN SEGUNDO NA MAGA' I AHEN GUAHAN

I SEGUNDO NA MAGA' LAHEN GUAHAN LI GOVERNOR OF GUAM MICHAEL W. CRUZ M.D.

> ADMINASTRADOT ADMINISTRATOR ANTHONY C. BLAZ

Aturidåd Inadilånton Ikunumihan Guahan

April 13, 2010

Mr. Jesse Garcia Acting Administrator Chamorro Land Trust Commission P.O. Box 2950 Hagatna, Guam 96932

Subject: Guam Raceway Federation - LICENSE AGREEMENT OF June 1, 1998

Hafa Adai Jesse,

Currently the Guam Economic Development Authority (GEDA) is conducting its annual compliance review of the Guam Racing Federation in accordance with PL 24-141 and its Rules & Regulations. A condition in the law specifically refers to the license agreement between the Guam Raceway Federation and the CLTC.

"LICENSE AGREEMENT Section 1.06 (c) No Leases. In no case shall the Guam Raceway Federation or any portion of its property or assets be leased, licensed or assigned without the prior express written approval of CLTC. The terms "leased, licensed, assigned or collateralize" do not include entering into a concession agreement whereby a concessionaire sells goods, services or sponsors of any other advertising that maybe appropriate within the Guam Raceway Park. Copies of such concessions agreements shall be filed with the CLTC."

GEDA would appre Federation's LICENS	eciate your assistance E AGREEMENT with t	in verifying the he Chamorro Land	status of the Guam Frust Commission.	Raceway		
is in full compl	iance with LICENSE A	GREEMENT OF Jun	e 1, 1998			
is not in full co	mpliance with LICENS	SE AGREEMENT OF	June 1, 1998			
Signature	Name	Title	Date			
You may fax response to 671-649-4146 or email John San Nicolas, Compliance Supervisor at <u>jsannicolas@guameda.net</u> . Thank you in advance for your most prompt response to this request.						
Si Yu'os Ma'ase						
por						
ANTHONY C. BLAZ	Z.					
Administrator						



I SEGUNDO NA MAGA LAHEN GUAHAN LT. GOVERNOR OF GUAM MICHAEL W. CRUZ M.D.

> ADMINASTRADOT ADMINISTRATOR ANTHONY C. BLAZ

Aturidåd Inadilånton Ikunumihan Guahan

June 23, 2010

Honorable Vicente "Ben" Pangelinan Senator, 30th Guam Legislature Chairman, Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land 324 W. Soledad Avenue Hagatna, Guam 96910

RE: Guam Raceway Park Tax Credit Program (P. L. 24-141 as amended by P. L. 25-27)

Hafa Adai Senator Pangelinan,

It is our understanding that you have recently introduced Bill 364-30 "an act to amend Section 6 of PL 24-141 relative to the admissions assessment to the Guam Raceway Park". GEDA is herein providing you with an overview and compliance report on the program to date:

P. L. 24-141 as amended:

• Section 6. Event Admission Assessment: Organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admissions assessment of Two Dollars (\$2.00) per paid admission. GRF is non-compliant as they have not provided GEDA with documentation to support that they have paid the government of Guam for the event assessment fees for all their sponsored events at the Guam Raceway Park with the exception of 2008 and 2009.

Administrative Rules & Regulations:

- Part 1. Section 1.05 (a) Rules. Workforce US Citizens. At all times at least seventy-five75% of all workers in all employment categories of the workforce of the Guam Racing Federation at the Guam Raceway Park shall either be United States citizens or permanent residents of the United States. All such workers shall be paid no less than the prevailing wage rates; provided, however, that for good cause shown, GEDA may, from time to time, grant temporary exemptions from such requirement for limited periods of time. GRF claims there are no paid employees for the operations at the Guam Raceway Park.
- Part 1. Section 1.05 (c) Rules. No Leases. In no case shall the Guam Raceway Park or any portion of its assets be leased, licensed or assigned without the prior express written approval of CLTC. GEDA verifies this through a third party, the Chamorro Land Trust Commission¹
- Part 1. Section 1.05 (e) Engineer/Architect. The Guam Racing Federation shall retain the services of a licensed professional engineer or architect to monitor the construction of the Guam Raceway Park and to certify the completion of the various phases of the construction so as to

¹ Sample letter from GEDA to CLTC is attached.

- 2. Proposed Amendment under Bill 364-30: The organizers of any event held at the raceway park for which a fee is charged for admission, shall pay to the Government of Guam, an admissions assessment of ten percent (10%) of the admission price per paid admission. GEDA feels that the amendment falls short in:
 - There is still no mechanism to enforce the collection and remittance of the events admissions. The amendment should specify which entity is to enforce collection and remittance for the events admissions assessment to the government of Guam for any and all events that are held at the Guam Raceway Park. If it is to be the GRF or a government of Guam agency, say the Department of Revenue and Taxation.

GEDA's legal Counsel has opined "the plain language of the law provides that only the "organizers" of the event shall pay the admissions assessment. The Government of Guam must seek payment of the admissions assessment from the organizer(s) directly." GEDA recommends that this responsibility be that of the GRF who maybe able to include this as a requirement under their event agreements with third party event organizers. Tasking the Dept. of Revenue & Taxation with this collection and enforcement responsibility may not be prudent given its staffing and funding limitations they may not be able to successfully collect these fees.

• Guam Racing Federation contends that the effective date of admissions assessment is upon completion of the full raceway park so that prior years obligations that have not been paid and have been a long-standing compliance issue with GEDA are waived resulting in the GRF obtaining retroactive compliance. GEDA's legal counsel has opined that "the effective date of admissions assessment is immediately after the enactment of PL 24-141". The amendment should clarify this issue as the Raceway Park has been in a continual state of development, renovation, etc. and these assessment fees may never be provided to the government.

We would also like to make you aware of a situation that although has no relevance on the Guam Raceway Park Tax Credit Program may need your attention. When an application for tax credits is submitted GEDA staff normally conducts a site inspection at the raceway park. We have noticed that recently there were many dump trucks waiting to be loaded by Hawaiian Rock heavy equipment on site. Since there have been no tax credits issued since 2008 one may question (1) "how are these companies being paid for work they do at the GRP", (2) "What is happening to all the aggregate and how much has left the property", and (3) which entity, GRF or Government of Guam should profit from the "sale" of this aggregate.

Included with this letter is a schedule of tax credits applied for and approved. This schedule has been reconciled by GEDA in cooperation with the department of Revenue and Taxation and reviewed by the Office of Public Accountability. Should you have any questions regarding this matter, please contact Mrs. Claire L. Cruz, GEDA Programs & Compliance Manager at 647-4332 extension 114.

Si(Yu'ose Ma'gse

ANTHONY C. BLAZ

Administrator

Encl. Tax Credit Schedule
Sample Compliance Report
Letter from GEDA to CLTC verifying conditions under section 1.06(c)



DEPARTMENT OF THE NAVY

JOINT GUAM PROGRAM OFFICE (FORWARD) PSC 455, BOX 152 FPO AP 96540-1009

Ole July

11 August 2010

Mr. Henry Simpson 997 S. Marine Dr. Santa Rita, GU 96913

Dear Henry,

On behalf of Mr. David Bice, I wanted to thank you for taking the time to discuss with us your concerns about possible encroachment of firing ranges on the existing Guam International Raceway location, and your desire not to relocate the Raceway. We certainly respect your efforts to protect the Raceway and those in Guam that use it.

I wanted to assure you that we understand your concerns. As we move from the planning process to the execution of the program, we will continue to work with you to address your concerns in a manner that benefits the Raceway, its users, and the training needs of the Marine Corps. Following the upcoming release of the Record of Decision related to the Marine relocation to Guam, we would like to meet with you and your designated representatives to ensure that your concerns are integrated into our planning process, as we develop site specific locations for range facilities; we are confident a satisfactory solution can be achieved.

We look forward to continued dialogue in the future to ensure that this build-up is a success for all.

Sincerely,

John J Jackson

Director

Joint Guam Program Office (Forward)