

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 390-31 (cor)

Introduced by:

T.R. Muña-Barnes

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AN ACT TO ADD A NEW ITEM (J) TO §77104 OF CHAPTER 77, TITLE 21 OF THE GUAM CODE ANNOTATED; RELATIVE TO PROVIDING THE DIRECTOR OF PARKS AND RECREATIONS WITH THE AUTHORITY TO DETERMINE THE APPROPRIATE NUMBER OF VENDORS FOR THE GUAM PARK SYSTEM; AND TO REPEAL §2105 OF CHAPTER 2, OF DIVISION 1 OF TITLE 21 GUAM ADMINISTRATIVE REGULATIONS RELATIVE TO THE NUMBER OF ALLOWABLE PARK VENDORS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new item (j) is hereby *added* to §77104, of Chapter 77, Title 21 Guam Code Annotated to read:

“§ 77104. Director: Duties.

The Director shall have the following duties:

(a) Except for the use of sports fields, pools, playgrounds, and youth centers by bona fide youth sports, groups, non-profit youth organizations, public or private school youth sports activities or other youth league sporting activities, competitions or tournaments, to establish fees, rules and regulations to accomplish the purpose of the Department; provided, that any rule shall not be effective until approved by the Legislature. If the Legislature fails to act on the rules within one hundred twenty (120) calendar days after such rules are filed with the Legislative Secretary, they shall be deemed approved.

1 (b) To administer the Department through such organizational units which
2 he may establish;

3 (c) To attend, ex-officio, all meetings of the Commission;

4 (d) To prescribe the duties of assistants, deputies, agents and other
5 persons employed by the Department;

6 (e) To determine which properties constitute the Guam Territorial
7 Park System and to classify such properties, pursuant to § 77108 and §
8 77110;

9 (f) To manage the Parks Fund pursuant to § 77112;

10 (g) To be State Liaison Officer for the Bureau of Outdoor Recreation, and
11 State Liaison Officer for Historic Preservation;

12 (h) To manage the sports fund for off-island travel pursuant to §26020.

13 (i) Guam Territorial Park System as an “Alcohol Free Zone.” The Director
14 shall develop policies and procedures for the effective designation,
15 implementation and administration of “Alcohol Free Zones” in accordance
16 with the Administrative Adjudication Act. “Alcohol Free Zone” designation
17 shall not exceed more than fifteen percent (15%) of the combined total
18 number of beaches and parks, not inclusive of playground-only parks under
19 the jurisdiction of the Department of Parks and Recreation;

20 (j) To, notwithstanding any other provision of law, administrative rule, or
21 regulation, determine the appropriate number of vendors for each park under
22 the department’s jurisdiction, provided that such determination shall not
23 unduly impede park use or access by members of the general public.”

24 **Section 2.Repeal of Administrative Regulation Capping Number of**
25 **Park Vendors.** §2105 of Chapter 2, of Division 1 of Title 21 Guam
26 Administrative Regulations is hereby *repealed*.

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