

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
151-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A NEW SUB SECTION (A) TO § 77114.1 AND § 77115 OF ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO FEES AND REVENUE FROM CONCESSIONS AND USES.	7/12/13 4:47 p.m.	07/15/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	08/06/13 9:00 a.m.		Fiscal Note Requested 07/15/13 Fiscal Note Received 10/16/13



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Rory J. Respicio
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Thomas C. Ada
VICE CHAIRPERSON
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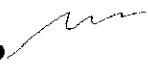
Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 16, 2013

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio 
Majority Leader & Rules Chair

Subject: Fiscal Notes /Waivers

Hafa Adai!

Attached please find the waiver for the bill numbers listed below.
Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 135-32(COR)
- Bill No. 151-32(COR)
- Bill No. 163-32(COR)
- Bill No. 166-32(LS)
- Bill No. 168-32(LS)

WAIVERS:

- Bill No. 162-32(LS)
- Bill No. 175-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 OCT 16 AM 11:05 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

SEP 11 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 135-32(COR), 151-32(COR), 166-32(LS), 168-32(LS) and Fiscal Note Waiver on the following Bill Nos.: 162-32(LS), and 175-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 151-32 (COR)**

AN ACT TO ADD A NEW SUB SECTION (A) TO § 77114.1 AND § 77115 OF ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO FEES AND REVENUE FROM CONCESSIONS AND USES.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Parks and Recreation		Dept./Agency Head: Raymond F.Y. Blas	
Department's General Fund (GF) appropriation(s) to date:	\$	3,057,669	
Department's Special Fund (Public Recreation Services Fund) appropriation(s) to date:		186,098	2/
Department's Special Fund (Tourist Attraction Fund) appropriation(s) to date:		749,377	
Total Department/Agency Appropriation(s) to date:	\$	3,993,144	

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund 1/	1/	\$0	1/	1/	1/	1/
(Public Recreation Services Fund) 2/	(\$3,000)	\$0	(\$3,000)	(\$3,000)	(\$3,000)	(\$3,000)
Total	(\$3,000)	\$0	(\$3,000)	(\$3,000)	(\$3,000)	(\$3,000)

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? /X/ N/A / / Yes / / No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ X / Additional requested agency comments not received as of the due date / / Other:

Analyst: Tammy Lynn D. Amuan Date: 9/11/13 Director: John A. Rios, Director Date: **SEP 11 2013**

Footnotes:

- 1/ See attached Comments.
- 2/ Public Recreation Services Fund replaces all other established funds, to include the Parks Fund, Parks and Recreation Revolving Fund and the Recreation Revolving Fund per §77114 of Article 1, Chapter 77, Title 21 GCA (attached).

COMMENTS on Bill No: 151-32(COR)

Bill 151-32(COR) proposes to add a new subsection (A) to §77114.1 and §77115 of Article 1, Chapter 77, Title 21 GCA relative to fees and revenue from concessions and uses. More specifically, granting a waiver to any vendor, eligible by the specifications outlined within this Bill, selling products and/or services deemed “culturally exclusive” of Guam and/or displays an officially licensed Guam Seal.

According to information received from the Department of Parks and Recreation (DPR), the current Park Permit Vendor listing for FY13 indicate a total of three (3) vendors that meet the criteria within proposed legislation. Each Park Permit Vendor fee is a flat rate of \$1,500, per annum, per each vendor. Of the three (3) vendors deemed qualified by DPR, only one (1) vendor has established a current Memorandum of Understanding (MOU) with DPR and does not pay any vendor fees at this time. The grand total of prospective waived fees would amount to \$1,500 (per annum) x 2 (vendors) = \$3,000 in potential annual revenue to be forfeited by proposed legislation, where presently, fees are being collected and deposited into the Public Recreation Services Fund.



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July 15, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note– Bill No. 151-32(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 JUL 15 PM 4:11

Bill Nos.	Sponsor	Title
151-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A NEW SUB SECTION (A) TO § 77114.1 AND § 77115 OF ARTICLE 1, CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO FEES AND REVENUE FROM CONCESSIONS AND USES.



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July 15, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill No. 151-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 151-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

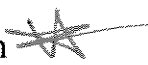
Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (First) Regular Session

2013 JUL 12 PM 4:47

Bill No 151-32 (COR)

Introduced by:

v.c. pangelinan 

**AN ACT TO ADD A NEW SUB SECTION (A) TO § 77114.1
AND § 77115 OF ARTICLE 1, CHAPTER 77, TITLE 21
GUAM CODE ANNOTATED RELATIVE TO FEES AND
REVENUE FROM CONCESSIONS AND USES.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. § 77114.1 of Article 1, Chapter 77, Title 21 Guam Code Annotated is
3 hereby amended to read:

4 “§ 77114.1 Fees. The Parks and Recreation Commission (the “Commission”)
5 may collect fees, charges and assessments for the following:

6 The use of park shelters, pavilions and open areas by the public and by park vendors,
7 the use of recreation facilities, sign-up fees, concession, billboards, equipment rentals,
8 facility rentals, overnight camping fees, and commercial photography fees as
9 established by the Commission. The Commission shall establish a fee schedule for the
10 foregoing uses of the Guam Territorial Park System and recreational facilities. All
11 such fee schedules shall be adopted in compliance with the Administrative
12 Adjudication Law. All fees collected under such schedules shall be deposited into the
13 Fund. Any fee schedule and the Recreation Activity Revolving fee schedule adopted
14 by the Commission prior to the enactment of this 26012.1 shall remain in effect until
15 altered and may be so altered or modified by the Commission only after public

1 hearing on any proposed changes, in compliance with the Administrative Adjudication
2 Law.

3 a.) The Commission shall develop a policy specific to vendors wishing to do
4 business within our Territorial Park system whose services showcase the
5 island’s cultural heritage, history and legacy; and who offer products “Made in
6 Guam” that have the Guam Product Seal permit, or showcase Guam’s livestock
7 such as the Carabao and other animals historically identified with the island,
8 and agricultural products grown locally and activities identified with Guam.

9 All offerings by these vendors such as handmade products, park rides, and or
10 photo opportunities shall demonstrate cultural practices, craftsmanship, and
11 design readily identified in Guam’s history that showcase the island’s heritage,
12 history, and legacy. These vendors shall be exempt from fees; however, the
13 Commission may establish terms and conditions specific to these vendors as
14 they do business or offer their products or activities in our territorial park
15 system.

16 b.) The Commission may limit the number and type of vendors per park, in
17 accordance with its administrative rules and regulations, whose services
18 showcase the island’s cultural heritage, history and legacy. “

19 **Section 2.** § 77115 of Article 1, Chapter 77, Title 21 Guam Code Annotated is hereby
20 amended to read:

21 **“§ 77115. Revenue from Concessions and Uses.**

22 The Director is authorized to grant permits to individuals or groups to establish
23 concessions on or otherwise use any part of the Guam Territorial Park System, the
24 fees for which shall be deposited in the Parks Fund; provided, that any person or
25 group granted such a permit shall not be required to give bond or obtain products
26 liability insurance or personal injury liability insurance.

1 a.) Notwithstanding any other provision of law, vendors wishing to do business
2 within our Territorial Park system, whose services showcase the island’s
3 cultural heritage, history and legacy; and who offer products “Made in Guam”
4 that have the Guam Product Seal permit, or showcase Guam’s livestock such as
5 the Carabao and other animals historically identified with the island, and
6 agricultural products grown locally and activities identified with Guam, shall be
7 exempt from vendor fees assigned by the Department of Parks and Recreation.
8 All offerings by these vendors such as handmade products, park rides, and or
9 photo opportunities shall demonstrate cultural practices, craftsmanship, and
10 design readily identified in Guam’s history that showcase the island’s heritage,
11 history, and legacy.”