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Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

17 APR 2009

2009 APR 17 PM 4: 47

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guahan
Thirtieth Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Hafa Adai! Transmitted herewith please find Bill No. 71(LS) "AN ACT TO AMEND SECTION 25(A) OF PART II, CHAPTER 5 OF PUBLIC LAW 29-113; TO ADD A NEW SECTION 25(J) TO PART 11, CHAPTER 5 OF PUBLIC LAW 29-113; TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 25(A) OF PART 11, CHAPTER 5 OF PUBLIC LAW 29-19; AND TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 18 OF PART 11, CHAPTER IV OF PUBLIC LAW 28- 150; RELATIVE TO PROVIDING GREATER FLEXIBILITY TO THE GUAM VISITORS BUREAU IN ITS USE OF APPROPRIATIONS AUTHORIZED BY I LIHESLATURAN GUAHAN," which I have vetoed.

While I support the goal of this legislation to provide greater flexibility to the Guam Visitors Bureau, the decline in visitor arrivals brought on by recent global events has negatively impacted Tourist Attraction Fund (TAF) collections. As of February 2009, TAF revenues are tracking under estimates by some \$1 million. Approval of this measure will not achieve its intent as current trends indicate collections are insufficient to support the re-appropriations contained in this measure and will only add to the present deficit status of the Fund.

Sinseru yan Magâhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Segundu Maga'lahaen Guâhan
Acting Governor of Guam

30-09-0468
Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 4/17/09
Time 7:24
Received by [Signature]

0474

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

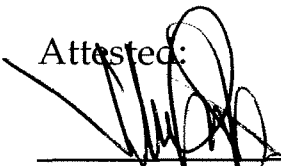
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 71 (LS), "AN ACT TO AMEND SECTION 25(a) OF PART II, CHAPTER V OF PUBLIC LAW 29-113; TO ADD A NEW SECTION 25(j) TO PART II, CHAPTER V OF PUBLIC LAW 29-113; TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 25(a) OF PART II, CHAPTER V OF PUBLIC LAW 29-19; AND TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 18 OF PART II, CHAPTER IV OF PUBLIC LAW 28-150, RELATIVE TO PROVIDING GREATER FLEXIBILITY TO THE GUAM VISITORS BUREAU IN ITS USE OF APPROPRIATIONS AUTHORIZED BY I LIHESLATURAN GUÅHAN," was on the 3rd day of April, 2009, duly and regularly passed.



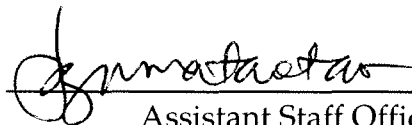
Judith T. Won Pat, Ed. D.
Speaker

Attested:



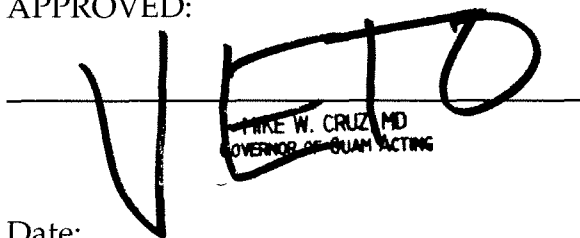
Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by I Maga'lahaen Guåhan this 6 day of April, 2009, at 4:45 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 71 (LS)

As amended.

Introduced by:

B. J.F. Cruz
F. B. Aguon, Jr.
T. R. Muña Barnes

Judith Paulette Guthertz, DPA
R. J. Respicio
T. C. Ada
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Adolpho B. Palacios, Sr.
vicente c. pangelinan
M. J. Rector
Ray Tenorio
Telo Taitague
Judith T. Won Pat, Ed. D.

AN ACT TO *AMEND* SECTION 25(a) OF PART II, CHAPTER V OF PUBLIC LAW 29-113; TO *ADD* A NEW SECTION 25(j) TO PART II, CHAPTER V OF PUBLIC LAW 29-113; TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 25(a) OF PART II, CHAPTER V OF PUBLIC LAW 29-19; AND TO *REAPPROPRIATE* UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 18 OF PART II, CHAPTER IV OF PUBLIC LAW 28-150, RELATIVE TO PROVIDING GREATER FLEXIBILITY TO THE GUAM VISITORS BUREAU IN ITS USE OF APPROPRIATIONS AUTHORIZED BY *I LIHESLATURAN GUÅHAN*.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Statement.** In recent years, *I Liheslaturan Guåhan*
3 has for various reasons placed restrictions on sums appropriated from the Tourist

1 Attraction Fund to the Guam Visitors Bureau. While these restrictions are
2 intended to preserve the integrity and proper use of tourism marketing dollars
3 obtained through receipts from the Monthly Excise Tax of Occupancy of Hotel and
4 Similar Lodging House Facilities, recent economic events, including, the global
5 financial market meltdown, has negatively impacted visitor arrivals. The Bureau's
6 dependence on volatile collections deposited into the Tourist Attraction Fund and
7 the infrequency of cash allotments for appropriations approved by *I Liheslatura* to
8 the Bureau has severely impacted the bureau's ability to carry out its purpose
9 outlined in §9104, Chapter 9, Title 12, Guam Code Annotated.

10 It is the intent of *I Liheslatura* to assist the Guam Visitors Bureau in its
11 ability to procure necessary services related to its marketing mission by providing
12 greater flexibility in the statutes governing its current and previous appropriations
13 from the Tourist Attraction Fund.

14 **Section 2. Fiscal Year 2009 Appropriation to the Guam Visitors**
15 **Bureau.** Section 25 (a) of Part II, Chapter V of Public Law 29-113 is *amended* to
16 read:

17 **“Section 25. (a) Appropriations to the Guam Visitors**
18 **Bureau.** The sum of Twelve Million One Hundred Ninety-six
19 Thousand Five Hundred Ninety-five Dollars (\$12,196,595) is
20 appropriated from the Tourist Attraction Fund (TAF) to the Guam
21 Visitors Bureau (GVB) for the items and the indicated sums listed as
22 follows:

23	(1) General Administration	\$2,137,197
24	(2) Marketing	\$8,095,133
25	(3) Printing, Promotional	\$ 238,875
26	(4) Research	\$ 375,000
27	(5) Destination Development	\$1,350,390

1 Notwithstanding the general provisions of §30107.1, Title 11,
2 Guam Code Annotated and this Act, these appropriations *shall*
3 continue to be available until expended.”

4 **Section 3. Guam Visitors Bureau Transfer Authority for Fiscal Year**
5 **2009.** A new Section 25(j) is *added* to Part II, Chapter V of Public Law 29-113 to
6 read:

7 “**(j) Guam Visitors Bureau Transfer Authority.** The Guam
8 Visitors Bureau Board of Directors may exercise limited transfer
9 authority over the appropriation in Subsection (a) in that transfers may
10 be made between items of appropriation listed in Subsection (a),
11 except that *no* transfers *shall* be made into *or* out of the General
12 Administration item.”

13 **Section 4. Re-appropriation of Fiscal Year 2008 Funds.**

14 Notwithstanding the general provisions of §30107.1, Title 11, Guam Code
15 Annotated and this Act, such unexpended sums, as previously authorized in
16 Section 25 (a) of Part II, Chapter V of Public Law 29-19, are hereby re-
17 appropriated from the Tourist Attraction Fund to the Guam Visitors Bureau for the
18 purposes of the Guam Visitors Bureau’s operations. The funds authorized herein
19 *shall* be specifically used for purposes determined by the Guam Visitors Bureau
20 Board of Directors, *except* that such sums *shall not* be used for personnel services
21 *or* for any other project of the government of Guam that is *not* initiated *or*
22 administered by the Guam Visitors Bureau. This appropriation *shall not* validate
23 any agreement entered into by officers of the government of Guam prior to the
24 enactment of this Act.

25 **Section 5. Re-appropriation of Fiscal Year 2007 Funds.**

26 Notwithstanding the general provisions of §30107.1, Title 11, Guam Code
27 Annotated, and this Act, such unexpended sums, as previously authorized in

1 Section 18 of Part II, Chapter IV of Public Law 28-150, are hereby re-appropriated
2 from the Tourist Attraction Fund to the Guam Visitors Bureau for the purposes of
3 the Guam Visitors Bureau's operations. The funds authorized herein *shall* be
4 reprogrammed and specifically used for purposes determined by the Guam Visitors
5 Bureau Board of Directors, *except* that such sums shall *not* be used for personnel
6 services *or* for any project of the government of Guam that is *not* initiated *or*
7 administered by the Guam Visitors Bureau. This appropriation *shall not* validate
8 any agreement entered into by officers of the government of Guam *prior* to the
9 enactment of this Act.