

11/10

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 12, "AN ACT TO DIRECT THE BUREAU OF PLANNING TO PREPARE A COMPREHENSIVE PLAN FOR THE FINANCING REPLACEMENT AND REPAIR OF THE TERRITORY'S PUBLIC WORKS AND FOR OTHER PURPOSES", returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 8th day of July 1985, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of 17 members.

CARL T. C. GUTIERREZ
Speaker

Attested:

JOHN P. AGUON
Senator and Acting Legislative Secretary

This Act was received by the Governor this _____ day of
1985, at _____ o'clock .m.

Assistant Staff Officer
Governor's Office

Public Law No. 18-7

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 12 (COR)
Substitute by Committee on
Economic Development, Housing
and Community Development
and further substituted by
Committee on Rules

Introduced by:

P. C. Lujan
J. P. Aguon
T. S. Nelson

AN ACT TO DIRECT THE BUREAU OF PLANNING TO
PREPARE A COMPREHENSIVE PLAN FOR THE
FINANCING REPLACEMENT AND REPAIR OF THE
TERRITORY'S PUBLIC WORKS AND FOR OTHER
PURPOSES.

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

2 Section 1. The Bureau of Planning shall prepare a comprehensive plan
3 for financing the replacement and repair of the territory's Public Works.
4 The plan shall include the following:

5 (1) An examination of other territories' or states' approaches to
6 public work financing;

7 (2) Financing recommendations, including an analysis of existing
8 tax revenues, fees and utility rates; and

9 (3) A proposal for establishing an ongoing evaluation system
10 with periodic updates of the territory's public works plan.

11 Section 2. In preparing the plan, the Bureau of Planning shall
12 coordinate its efforts with other federal and territorial agencies. The
13 Bureau of Planning shall also use existing studies by any federal or
14 government of Guam agencies. The Bureau of Planning may contract with a
15 public or private entity to prepare any portion of the plan.

16 Section 3. The Bureau of Planning shall present its plan to the
17 Legislature no later than January 1, 1986.

18 Section 4. There is appropriated from the General Fund to the Bureau
19 of Planning the sum of Sixty Thousand Dollars (\$60,000), or so much
20 thereof as may be necessary to carry out the programs of this Act.

1 Section 5. Chapter IV of Title I of the Government Code is amended
2 to read:

3 "CHAPTER IV

4 Section 300. Revenue from Vending Machines. Except for
5 revenues derived from the sale of goods and services purchased from
6 vending machines and amusement devices, except for poker machines,
7 which are located on property which is within the jurisdiction of the
8 Department of Parks and Recreation, the University of Guam, the
9 Guam Community College, the Guam Airport Authority and the public
10 schools pursuant to Title LXVI of the Government Code, all net
11 revenues derived from the sale of goods and services purchased from
12 vending machines and amusement devices, except for poker machines,
13 located within any facility operated by the government including any
14 autonomous or semi-autonomous government agency or any corporation
15 which is wholly owned by the government shall be paid into the
16 General Fund.

17 Section 301. Notwithstanding any rule, regulations or law, all
18 net revenues derived through the sale of goods and services utilizing
19 vending machines and amusement devices, except for poker machines,
20 located within public schools shall be used exclusively for authorized
21 student activities and all net revenues derived through the sale of
22 goods and services utilizing vending machines and amusement devices,
23 except for poker machines, located within the jurisdiction of the
24 Department of Parks and Recreation shall be deposited in the
25 Recreation Activity Revolving Fund and expended by the Department
26 of Parks and Recreation and all net revenues derived through the sale
27 of goods and services utilizing vending machines and amusement
28 devices, except for poker machines, located within the University of
29 Guam shall be budgeted and expended by the Student Body Association
30 as approved by the Board of Regents and within the Guam Community
31 College shall be budgeted and expended by the Student Body
32 Association as approved by the Board of Trustees of Guam Community
33 College. Nothing in the sections of this Act shall be construed to
34 impair the obligation of existing contracts."

1 Section 6. A new 9 GCA §64.65 is added to read:

2 "§64.65. Amusement devices. Section 64.10 does not apply to
3 the making or accepting of a wager on amusement devices licensed
4 pursuant to Section 19200 of the Government Code; provided that
5 §64.10 shall apply to the making or accepting of a wager on an
6 amusement device licensed pursuant to Section 19200 of the Government
7 Code if such device is located on or about the premises of any
8 government building, located on or about the premises of any
9 government or private school, or if such amusement device is operated
10 by a person under the age of eighteen (18) years."

11 Section 7. Section 19200 of the Government Code is amended to read:

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

19 (a) On each pinball machine, One Hundred Dollars
20 (\$100.00);

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

23 (c) On each coin-activated phonograph or other
24 coin-activated music producing machine, One Hundred Dollars
25 (\$100.00) plus Fifteen Dollars (\$15.00) for each coin slot in
26 excess of one (1);

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

29 (e) On each video horse or greyhound race machine and
30 each poker machine, Six Hundred Dollars (\$600.00);

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

1 No slot machine or amusement device set to make automatic
2 payouts shall be licensed under this Section. 'Slot machine' has
3 the same meaning in this Section as in Subsection (c) of Section
4 19200.5 of the Government Code."

5 Section 8. A new 9 GCA §64.21 is added to read:

6 "§64.21. Poker machines and video lottery terminals. A person
7 commits a misdemeanor when he places or causes to be placed a poker
8 machine or video lottery terminal on or about the premises of any
9 government building, or on or about the premises of any government
10 or private school."

11 Section 9. Section 19513.08 of the Government Code is repealed and
12 reenacted to read:

13 "Section 19513.08. At the time that each taxpayer subject to the
14 Gross Receipt Tax reports his gross revenue, he shall file a payment
15 report for winnings, pay-outs, or malfunction refunds for the
16 preceding month for each amusement device licensed. The report shall
17 contain the identifying number of the amusement device, the date of
18 each winning, pay-out or malfunction refund, the amount of the
19 payment because of the winning, pay-out or malfunction refund and
20 the name of the person to whom the payment was made."

21 Section 10. A new Section 19543.0023 is added to the Government
22 Code to read:

23 "§19543.0023. The amount of winnings, payouts or malfunction
24 refunds reported pursuant to Section 19513.08 of the Government
25 Code."

26 Section 11. Subsection (b) of 9 GCA §64.20 is amended to read:

27 "(b) As used in this Section, 'gambling device' means a
28 mechanical device which, when operated, may return something of
29 value to the user as the result of the application of chance; or by the
30 operation of which a person may become entitled to receive something
31 of value as the result of the application of chance. It does not
32 include pinball, video poker games and other amusement machines or
33 devices which are predominantly games of skill, whether affording the

1 opportunity of additional chances, free plays, winnings, payouts,
2 malfunction refunds or not."

3 Section 12. A new Section 19200.05 is added to the Government Code
4 to read:

5 "Section 19200.05. All license fees on poker machines imposed
6 pursuant to Subsection (e) of Section 19200 of the Government Code
7 shall be earmarked for use for the following educational purposes by
8 the Commissioner, and shall be placed in separate fund for distribution
9 to the following agencies and department for the uses indicated upon
10 appropriation by the Legislature:

11 (a) for the University of Guam for funding of merit wards
12 pursuant to Article 3 to 17 GCA Chapter 15;

13 (b) for the University of Guam for funding of professional
14 and technical awards pursuant to Article 4 of 17 GCA Chapter 15;

15 (c) for the University of Guam for funding for student loans
16 pursuant to Article 2 of 17 GCA Chapter 15;

17 (d) for the Department of Education for special education
18 purposes; and

19 (e) for the Guam Community College for Apprenticeship
20 Training Programs."

21 Section 13. 17 GCA §15301 is repealed and reenacted to read:

22 "§15301. Students Entitled to Merit Awards. There are
23 established annual merit awards for high school students in the
24 graduating classes of the several public and private high schools in
25 Guam, now or hereafter established. The students entitled to these
26 awards shall be those students having the highest scholastic standing
27 in their graduating classes. Each graduating class of each school is
28 entitled to two (2) such awards and an additional award for every fifty
29 (50) graduates or fraction thereof; provided, however, that if as a
30 result of the equal scholastic standing of two (2) or more graduates,
31 there is a tie for the awards granted pursuant to this Chapter and
32 there are an insufficient number of awards available for the tying
33 graduates, additional awards shall be provided for such graduates.
34 Recipients are required to attend the University of Guam, however if

1 the recipient is a valedictorian or salutatorian whose declared major is
2 unavailable at the University of Guam, the valedictorian or salutatorian
3 may attend any accredited college or university in the United States
4 where such declared major is available. Awards shall be subject to the
5 following limitations:

6 (a) A recipient must be a bona fide resident of Guam. In
7 addition, a recipient must be either:

8 (1) a United States citizen, or

9 (2) a permanent resident alien who has completed four (4)
10 academic quarters in public or private high school in the territory
11 of Guam.

12 (b) If any student is ineligible for a scholarship solely because of
13 failure to meet the requirements contained in Subsection (a) of this
14 Section, or if any eligible student chooses not to accept an award
15 when first offered such award, the award shall be granted to the
16 eligible student with the highest scholastic rank who chooses to accept
17 the award.

18 (c) If, within four (4) years of the date of his high school
19 graduation, any student initially ineligible for an award solely because
20 of failure to meet the requirements contained in Subsection (a) of this
21 Section becomes eligible for and wishes to accept an award, or any
22 eligible student who initially declined to accept an award decides to
23 accept an award, such student shall be granted an award, however the
24 period of an award granted pursuant to this Subsection (c) shall be
25 reduced by the amount of time that a recipient has been enrolled in a
26 college or university prior to accepting the award. The granting of
27 an award pursuant to this Subsection (c) shall not affect the status of
28 any awards granted pursuant to Subsection (b) of this Section.

29 (d) A recipient who attends a college or university outside of
30 Guam during the term of the award must agree that he will return to
31 work on Guam for a period of one (1) year subsequent to the
32 completion or termination of the course of studies for which the award
33 was granted, provided that if the recipient continues his education as

1 collection from such machines in accordance with the provisions of the
2 Administrative Adjudication Law."

3 Section 17. Subsection (c) of Section 19200.5 of the Government Code
4 is amended to read:

5 "(c) As used in this Section 'slot machine' means a mechanical,
6 electromechanical, or electronical contrivance, component or machine
7 [device an essential part of which is a drum or reel with insignia
8 thereof and] (1) which when operated may deliver, as the result of
9 the application of an element of chance, any money or property or (2)
10 by the operation of which a person may become entitled to receive, as
11 the result of the application of an element of chance, any money or
12 property."

1 a full-time student at a graduate or professional school he may defer
2 his return to Guam until such additional studies are completed.

3 (e) Awards granted on or subsequent to the effective date of
4 this Act shall be cancelled if a recipient:

5 (1) fails to maintain a grade point average of 2.5 or its
6 equivalent for each year of the award, or

7 (2) fails to meet the academic and other requirements
8 governing full-time students at the institution attended, or

9 (3) is no longer a full-time student."

10 Section 14. 17 GCA §15302 is amended to read:

11 "§15302. Benefits. Students entitled to merit awards pursuant to
12 this Article shall receive the following benefits:

13 (a) Free tuition and fees to be paid by the Fund for a
14 period of not more than four (4) years;

15 (b) An annual allowance of Three Thousand Dollars (\$3,000)
16 per year for room and board, textbooks and educational supplies
17 to be disbursed monthly in accordance with regulations adopted
18 by the Board;

19 (c) If attending a college or university outside of Guam,
20 the cost of transportation for one (1) roundtrip between Guam
21 and the college or university during the period of the award."

22 Section 15. The first valedictorians and salutatorians eligible for
23 awards for study at colleges or universities outside of Guam pursuant to
24 Sections 13 and 14 of this Act shall be those graduating in May and June of
25 1985.

26 Section 16. A new Section 19000 is added to the Government Code to
27 read:

28 "Section 19000. The Department of Revenue and Taxation shall
29 have responsibility for the implementation of the provisions of this Act
30 which are under their jurisdiction and concern poker machines and
31 shall promulgate any rules and regulations necessary to administer the
32 placement in accordance with law, the operation and the revenue
33 collection from such machines in accordance with the provisions of the
34 Administrative Adjudication Law."

1 Section 17. Subsection (c) of Section 19200.5 of the Government Code
2 is amended to read:

3 "(c) As used in this Section 'slot machine' means a mechanical,
4 electromechanical, or electrical contrivance, component or machine
5 (1) which when operated may deliver, as the result of the application
6 of an element of chance, any money or property or (2) by the
7 operation of which a person may become entitled to receive, as the
8 result of the application of an element of chance, any money or
9 property."



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

RICARDO J. BORDALLO
GOVERNOR

The Honorable
Carl T.C. Gutierrez, Speaker
Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

JUL 6 1985

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File 1985
7/6/85
8-39
Bordallo*

Dear Mr. Speaker:

With regard to Bill 12, I have weighed all issues and considerations, and have consulted several advisors on all alternatives involved.

One of my utmost concerns regarding legalization of poker machines is to prevent any transition whatsoever toward casino-type gambling. I believe that without strict regulation, there would exist the potential for island-wide, socially adverse implications. Our very way of life as we now know it on Guam, could be threatened by uncontrolled legalization of these machines. In my veto message of Bill 308, I vehemently emphasized that this administration would only support legalization of poker machines if extremely stringent regulations were placed upon their use and operation. I recommended that the Guam Gaming Commission be the regulating entity. Although Bill 12 seemingly addresses regulation of poker machines, it falls short of even mediocre regulatory standards.

One objection this administration has with Bill 12 is §10. This section exempts poker machine payouts from the application of gross receipts taxes. With this proposal, machine owners will be liable for GRT on net revenues earned by poker machines. This violates the basic premise of the GRT law, and would end up losing money for the government. I raised this same objection in my veto of Bill 308, and I will raise it now. Although Bill 12 would raise \$240,000 from the license fees derived from the legalized poker machines, revenue lost from exclusion of winnings, payouts, and malfunctions, would amount to approximately \$800,000 annually. Therefore, the government would stand to lose approximately \$560,000--an amount that we are currently in desperate need of. If the major purpose of legalizing these machines is mainly to derive a valuable source of revenue therefrom, then that purpose is not met in Bill 12.

Another flaw in Bill 12 is §9. This section provides for the accounting and reporting of poker machine payouts to winners and players. It does not, however, provide sufficient information for use by the Department of Revenue and Taxation to determine which person or persons may be liable for income taxes. Only the name of the person to whom a payment is made is covered under this provision. It does not provide for social security numbers, addresses or other data to correctly ascertain who's liable for any taxes.

Section 16 attempts to regulate the poker machine industry through the Department of Revenue and Taxation. However, the preceding statutory proposals regarding poker machines do not give the Department of Revenue and Taxation a sufficient statutory base to promulgate rules and regulations for adequate regulatory enforcement of the poker machine industry.

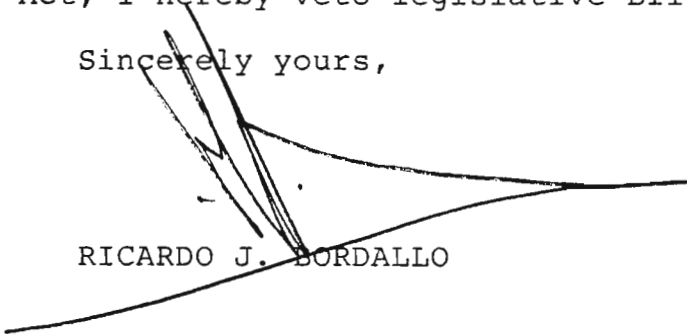
The best piece of legislation which adequately addresses the regulatory issue as well as our fiscal policy concerns, is Bill 470, introduced by Senator John P. Aguon, on June 20, 1985. This bill includes stringent regulations by the Guam Gaming Commission and requires that all payouts, winnings, and malfunctions be included in gross receipts taxation. Senator Aguon's bill, in detail, delineates the duties of the Gaming Commission, as well as expounds upon the qualifications of operators and agents of the machines.

Senator Aguon's bill also allows the Guam Gaming Commission to be the regulating entity for the poker machines. Just as Nevada allows its Gaming Commission to monitor its poker machine amusement devices, so should Guam look to its Gaming Commission to be the proper body to regulate such activity. Because the Legislature already has before it a concise, clear piece of legislation in Senator Aguon's bill, which responsibly addresses our significant community concerns, there should be no excuse for further delay. The time has come to legalize these poker machines in order to prevent further violations of the law, and to derive valuable revenue therefrom.

It would be an egregious wrong and injustice if I were to take an inconsistent stand on Bill 12, from my stand on Bill 308. I have not changed my mind nor my principles, concerning legalization of these poker machines since my prior veto message.

Therefore, for the aforementioned reasons, the power vested in me, pursuant to §19 of the Organic Act, I hereby veto legislative Bill 12.

Sincerely yours,



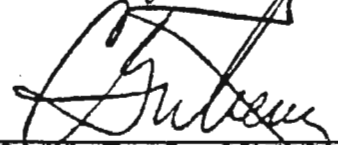
RICARDO J. BORDALLO

180183

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

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CARL T. C. GUTIERREZ
Speaker

Attested:



ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this _____ day of June
1985, at _____ o'clock __.m.

Assistant Staff Officer
Governor's Office

APPROVED:

RICARDO J. BORDALLO
Governor of Guam

Date: _____

Public Law No. _____

EIGHTEENTH GUAM LEGISLATURE
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Bill No. 12 (COR)
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1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

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3 for financing the replacement and repair of the territory's Public Works.
4 The plan shall include the following:

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6 public work financing;

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8 tax revenues, fees and utility rates; and

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10 with periodic updates of the territory's public works plan.

11 Section 2. In preparing the plan, the Bureau of Planning shall
12 coordinate its efforts with other federal and territorial agencies. The
13 Bureau of Planning shall also use existing studies by any federal or
14 government of Guam agencies. The Bureau of Planning may contract with a
15 public or private entity to prepare any portion of the plan.

16 Section 3. The Bureau of Planning shall present its plan to the
17 Legislature no later than January 1, 1986.

18 Section 4. There is appropriated from the General Fund to the Bureau
19 of Planning the sum of Sixty Thousand Dollars (\$60,000), or so much
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10 academic quarters in public or private high school in the territory
11 of Guam.

12 (b) If any student is ineligible for a scholarship solely because of
13 failure to meet the requirements contained in Subsection (a) of this
14 Section, or if any eligible student chooses not to accept an award
15 when first offered such award, the award shall be granted to the
16 eligible student with the highest scholastic rank who chooses to accept
17 the award.

18 (c) If, within four (4) years of the date of his high school
19 graduation, any student initially ineligible for an award solely because
20 of failure to meet the requirements contained in Subsection (a) of this
21 Section becomes eligible for and wishes to accept an award, or any
22 eligible student who initially declined to accept an award decides to
23 accept an award, such student shall be granted an award, however the
24 period of an award granted pursuant to this Subsection (c) shall be
25 reduced by the amount of time that a recipient has been enrolled in a
26 college or university prior to accepting the award. The granting of
27 an award pursuant to this Subsection (c) shall not affect the status of
28 any awards granted pursuant to Subsection (b) of this Section.

29 (d) A recipient who attends a college or university outside of
30 Guam during the term of the award must agree that he will return to
31 work on Guam for a period of one (1) year subsequent to the
32 completion or termination of the course of studies for which the award
33 was granted, provided that if the recipient continues his education as

1 a full-time student at a graduate or professional school he may defer
2 his return to Guam until such additional studies are completed.

3 (e) Awards granted on or subsequent to the effective date of
4 this Act shall be cancelled if a recipient:

5 (1) fails to maintain a grade point average of 2.5 or its
6 equivalent for each year of the award, or

7 (2) fails to meet the academic and other requirements
8 governing full-time students at the institution attended, or

9 (3) is no longer a full-time student."

10 Section 14. 17 GCA §15302 is amended to read:

11 "§15302. Benefits. Students entitled to merit awards pursuant to
12 this Article shall receive the following benefits:

13 (a) Free tuition and fees to be paid by the Fund for a
14 period of not more than four (4) years;

15 (b) An annual allowance of Three Thousand Dollars (\$3,000)
16 per year for room and board, textbooks and educational supplies
17 to be disbursed monthly in accordance with regulations adopted
18 by the Board;

19 (c) If attending a college or university outside of Guam,
20 the cost of transportation for one (1) roundtrip between Guam
21 and the college or university during the period of the award."

22 Section 15. The first valedictorians and salutatorians eligible for
23 awards for study at colleges or universities outside of Guam pursuant to
24 Sections 13 and 14 of this Act shall be those graduating in May and June of
25 1985.

26 Section 16. A new Section 19000 is added to the Government Code to
27 read:

28 "Section 19000. The Department of Revenue and Taxation shall
29 have responsibility for the implementation of the provisions of this Act
30 which are under their jurisdiction and concern poker machines and
31 shall promulgate any rules and regulations necessary to administer the
32 placement in accordance with law, the operation and the revenue
33 collection from such machines in accordance with the provisions of the
34 Administrative Adjudication Law."

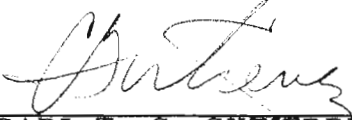
1 Section 17. Subsection (c) of Section 19200.5 of the Government Code
2 is amended to read:

3 "(c) As used in this Section 'slot machine' means a mechanical,
4 electromechanical, or electrical contrivance, component or machine
5 (1) which when operated may deliver, as the result of the application
6 of an element of chance, any money or property or (2) by the
7 operation of which a person may become entitled to receive, as the
8 result of the application of an element of chance, any money or
9 property."

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

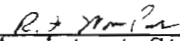
This is to certify that Substitute Bill No. 12, "AN ACT TO DIRECT THE BUREAU OF PLANNING TO PREPARE A COMPREHENSIVE PLAN FOR THE FINANCING REPLACEMENT AND REPAIR OF THE TERRITORY'S PUBLIC WORKS AND FOR OTHER PURPOSES", was on the 24th day of June 1985, duly and regularly passed.


CARL T. C. GUTIERREZ
Speaker

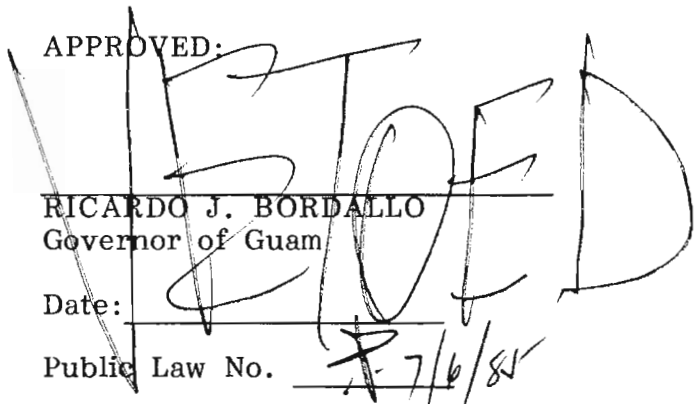
Attested:


ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 25th day of June 1985, at 3:00 o'clock P.m.


Assistant Staff Officer
Governor's Office

APPROVED:


RICARDO J. BORDALLO
Governor of Guam

Date:

Public Law No. 7/6/85

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 12 (COR)
Substitute by Committee on
Economic Development, Housing
and Community Development
and further substituted by
Committee on Rules

Introduced by:

P. C. Lujan
J. P. Aguon
T. S. Nelson

AN ACT TO DIRECT THE BUREAU OF PLANNING TO
PREPARE A COMPREHENSIVE PLAN FOR THE
FINANCING REPLACEMENT AND REPAIR OF THE
TERRITORY'S PUBLIC WORKS AND FOR OTHER
PURPOSES.

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

2 Section 1. The Bureau of Planning shall prepare a comprehensive plan
3 for financing the replacement and repair of the territory's Public Works.
4 The plan shall include the following:

5 (1) An examination of other territories' or states' approaches to
6 public work financing;

7 (2) Financing recommendations, including an analysis of existing
8 tax revenues, fees and utility rates; and

9 (3) A proposal for establishing an ongoing evaluation system
10 with periodic updates of the territory's public works plan.

11 Section 2. In preparing the plan, the Bureau of Planning shall
12 coordinate its efforts with other federal and territorial agencies. The
13 Bureau of Planning shall also use existing studies by any federal or
14 government of Guam agencies. The Bureau of Planning may contract with a
15 public or private entity to prepare any portion of the plan.

16 Section 3. The Bureau of Planning shall present its plan to the
17 Legislature no later than January 1, 1986.

18 Section 4. There is appropriated from the General Fund to the Bureau
19 of Planning the sum of Sixty Thousand Dollars (\$60,000), or so much
20 thereof as may be necessary to carry out the programs of this Act.

1 Section 5. Chapter IV of Title I of the Government Code is amended
2 to read:

3 "CHAPTER IV

4 Section 300. Revenue from Vending Machines. Except for
5 revenues derived from the sale of goods and services purchased from
6 vending machines and amusement devices, except for poker machines,
7 which are located on property which is within the jurisdiction of the
8 Department of Parks and Recreation, the University of Guam, the
9 Guam Community College, the Guam Airport Authority and the public
10 schools pursuant to Title LXVI of the Government Code, all net
11 revenues derived from the sale of goods and services purchased from
12 vending machines and amusement devices, except for poker machines,
13 located within any facility operated by the government including any
14 autonomous or semi-autonomous government agency or any corporation
15 which is wholly owned by the government shall be paid into the
16 General Fund.

17 Section 301. Notwithstanding any rule, regulations or law, all
18 net revenues derived through the sale of goods and services utilizing
19 vending machines and amusement devices, except for poker machines,
20 located within public schools shall be used exclusively for authorized
21 student activities and all net revenues derived through the sale of
22 goods and services utilizing vending machines and amusement devices,
23 except for poker machines, located within the jurisdiction of the
24 Department of Parks and Recreation shall be deposited in the
25 Recreation Activity Revolving Fund and expended by the Department
26 of Parks and Recreation and all net revenues derived through the sale
27 of goods and services utilizing vending machines and amusement
28 devices, except for poker machines, located within the University of
29 Guam shall be budgeted and expended by the Student Body Association
30 as approved by the Board of Regents and within the Guam Community
31 College shall be budgeted and expended by the Student Body
32 Association as approved by the Board of Trustees of Guam Community
33 College. Nothing in the sections of this Act shall be construed to
34 impair the obligation of existing contracts."

1 Section 6. A new 9 GCA §64.65 is added to read:

2 "§64.65. Amusement devices. Section 64.10 does not apply to
3 the making or accepting of a wager on amusement devices licensed
4 pursuant to Section 19200 of the Government Code; provided that
5 §64.10 shall apply to the making or accepting of a wager on an
6 amusement device licensed pursuant to Section 19200 of the Government
7 Code if such device is located on or about the premises of any
8 government building, located on or about the premises of any
9 government or private school, or if such amusement device is operated
10 by a person under the age of eighteen (18) years."

11 Section 7. Section 19200 of the Government Code is amended to read:

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

19 (a) On each pinball machine, One Hundred Dollars
20 (\$100.00);

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

23 (c) On each coin-activated phonograph or other
24 coin-activated music producing machine, One Hundred Dollars
25 (\$100.00) plus Fifteen Dollars (\$15.00) for each coin slot in
26 excess of one (1);

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

29 (e) On each video horse or greyhound race machine and
30 each poker machine, Six Hundred Dollars (\$600.00);

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

1 No slot machine or amusement device set to make automatic
2 payouts shall be licensed under this Section. 'Slot machine' has
3 the same meaning in this Section as in Subsection (c) of Section
4 19200.5 of the Government Code."

5 Section 8. A new 9 GCA §64.21 is added to read:

6 "§64.21. Poker machines and video lottery terminals. A person
7 commits a misdemeanor when he places or causes to be placed a poker
8 machine or video lottery terminal on or about the premises of any
9 government building, or on or about the premises of any government
10 or private school."

11 Section 9. Section 19513.08 of the Government Code is repealed and
12 reenacted to read:

13 "Section 19513.08. At the time that each taxpayer subject to the
14 Gross Receipt Tax reports his gross revenue, he shall file a payment
15 report for winnings, pay-outs, or malfunction refunds for the
16 preceding month for each amusement device licensed. The report shall
17 contain the identifying number of the amusement device, the date of
18 each winning, pay-out or malfunction refund, the amount of the
19 payment because of the winning, pay-out or malfunction refund and
20 the name of the person to whom the payment was made."

21 Section 10. A new Section 19543.0023 is added to the Government
22 Code to read:

23 "§19543.0023. The amount of winnings, payouts or malfunction
24 refunds reported pursuant to Section 19513.08 of the Government
25 Code."

26 Section 11. Subsection (b) of 9 GCA §64.20 is amended to read:

27 "(b) As used in this Section, 'gambling device' means a
28 mechanical device which, when operated, may return something of
29 value to the user as the result of the application of chance; or by the
30 operation of which a person may become entitled to receive something
31 of value as the result of the application of chance. It does not
32 include pinball, video poker games and other amusement machines or
33 devices which are predominantly games of skill, whether affording the

1 a full-time student at a graduate or professional school he may defer
2 his return to Guam until such additional studies are completed.

3 (e) Awards granted on or subsequent to the effective date of
4 this Act shall be cancelled if a recipient:

5 (1) fails to maintain a grade point average of 2.5 or its
6 equivalent for each year of the award, or

7 (2) fails to meet the academic and other requirements
8 governing full-time students at the institution attended, or

9 (3) is no longer a full-time student."

10 Section 14. 17 GCA §15302 is amended to read:

11 "\$15302. Benefits. Students entitled to merit awards pursuant to
12 this Article shall receive the following benefits:

13 (a) Free tuition and fees to be paid by the Fund for a
14 period of not more than four (4) years;

15 (b) An annual allowance of Three Thousand Dollars (\$3,000)
16 per year for room and board, textbooks and educational supplies
17 to be disbursed monthly in accordance with regulations adopted
18 by the Board;

19 (c) If attending a college or university outside of Guam,
20 the cost of transportation for one (1) roundtrip between Guam
21 and the college or university during the period of the award."

22 Section 15. The first valedictorians and salutatorians eligible for
23 awards for study at colleges or universities outside of Guam pursuant to
24 Sections 13 and 14 of this Act shall be those graduating in May and June of
25 1985.

26 Section 16. A new Section 19000 is added to the Government Code to
27 read:

28 "Section 19000. The Department of Revenue and Taxation shall
29 have responsibility for the implementation of the provisions of this Act
30 which are under their jurisdiction and concern poker machines and
31 shall promulgate any rules and regulations necessary to administer the
32 placement in accordance with law, the operation and the revenue
33 collection from such machines in accordance with the provisions of the
34 Administrative Adjudication Law."

1 opportunity of additional chances, free plays, winnings, payouts,
2 malfunction refunds or not."

3 Section 12. A new Section 19200.05 is added to the Government Code
4 to read:

5 "Section 19200.05. All license fees on poker machines imposed
6 pursuant to Subsection (e) of Section 19200 of the Government Code
7 shall be earmarked for use for the following educational purposes by
8 the Commissioner, and shall be placed in separate fund for distribution
9 to the following agencies and department for the uses indicated upon
10 appropriation by the Legislature:

11 (a) for the University of Guam for funding of merit wards
12 pursuant to Article 3 to 17 GCA Chapter 15;

13 (b) for the University of Guam for funding of professional
14 and technical awards pursuant to Article 4 of 17 GCA Chapter 15;

15 (c) for the University of Guam for funding for student loans
16 pursuant to Article 2 of 17 GCA Chapter 15;

17 (d) for the Department of Education for special education
18 purposes; and

19 (e) for the Guam Community College for Apprenticeship
20 Training Programs."

21 Section 13. 17 GCA §15301 is repealed and reenacted to read:

22 "§15301. Students Entitled to Merit Awards. There are
23 established annual merit awards for high school students in the
24 graduating classes of the several public and private high schools in
25 Guam, now or hereafter established. The students entitled to these
26 awards shall be those students having the highest scholastic standing
27 in their graduating classes. Each graduating class of each school is
28 entitled to two (2) such awards and an additional award for every fifty
29 (50) graduates or fraction thereof; provided, however, that if as a
30 result of the equal scholastic standing of two (2) or more graduates,
31 there is a tie for the awards granted pursuant to this Chapter and
32 there are an insufficient number of awards available for the tying
33 graduates, additional awards shall be provided for such graduates.
34 Recipients are required to attend the University of Guam, however if

1 the recipient is a valedictorian or salutatorian whose declared major is
2 unavailable at the University of Guam, the valedictorian or salutatorian
3 may attend any accredited college or university in the United States
4 where such declared major is available. Awards shall be subject to the
5 following limitations:

6 (a) A recipient must be a bona fide resident of Guam. In
7 addition, a recipient must be either:

8 (1) a United States citizen, or

9 (2) a permanent resident alien who has completed four (4)
10 academic quarters in public or private high school in the territory
11 of Guam.

12 (b) If any student is ineligible for a scholarship solely because of
13 failure to meet the requirements contained in Subsection (a) of this
14 Section, or if any eligible student chooses not to accept an award
15 when first offered such award, the award shall be granted to the
16 eligible student with the highest scholastic rank who chooses to accept
17 the award.

18 (c) If, within four (4) years of the date of his high school
19 graduation, any student initially ineligible for an award solely because
20 of failure to meet the requirements contained in Subsection (a) of this
21 Section becomes eligible for and wishes to accept an award, or any
22 eligible student who initially declined to accept an award decides to
23 accept an award, such student shall be granted an award, however the
24 period of an award granted pursuant to this Subsection (c) shall be
25 reduced by the amount of time that a recipient has been enrolled in a
26 college or university prior to accepting the award. The granting of
27 an award pursuant to this Subsection (c) shall not affect the status of
28 any awards granted pursuant to Subsection (b) of this Section.

29 (d) A recipient who attends a college or university outside of
30 Guam during the term of the award must agree that he will return to
31 work on Guam for a period of one (1) year subsequent to the
32 completion or termination of the course of studies for which the award
33 was granted, provided that if the recipient continues his education as

1 Section 17. Subsection (c) of Section 19200.5 of the Government Code
2 is amended to read:

3 "(c) As used in this Section 'slot machine' means a mechanical,
4 electromechanical, or electrical contrivance, component or machine
5 (1) which when operated may deliver, as the result of the application
6 of an element of chance, any money or property or (2) by the
7 operation of which a person may become entitled to receive, as the
8 result of the application of an element of chance, any money or
9 property."



EIGHTEENTH GUAM LEGISLATURE

P.O. BOX CB-1
AGANA, TERRITORY OF GUAM
U.S.A. 96910

**COMMITTEE ON ECONOMIC DEVELOPMENT,
HOUSING AND COMMUNITY DEVELOPMENT**

Chairman

PILAR C. LUJAN
Senator

April 1, 1983

Members

Senator John P. Aguan
Senator Elizabeth P. Arriola
Senator Edward R. Ouenas
Senator Franklin Gutierrez

The Honorable Carl T. C. Gutierrez
Speaker, Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Via: Chairman, Committee on Rules

Dear Mr. Speaker;

The Committee on Economic Development, Housing and Community Development to which was referred Bill No. 12 "AN ACT TO DIRECT THE BUREAU OF PLANNING TO PREPARE A COMPREHENSIVE PLAN FOR THE REPLACEMENT AND REPAIR OF THE TERRITORY'S PUBLIC WORKS", now wishes to report its findings and recommendations for TO PASS.

The Committee Voting Record is as follows:

TO PASS	<u>5</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT ONLY	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

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

Pilar C. Lujan
Pilar C. Lujan
Committee Chairwoman



EIGHTEENTH GUAM LEGISLATURE

P.O. BOX CB-1
AGANA, TERRITORY OF GUAM
U.S.A. 96910

COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING AND COMMUNITY DEVELOPMENT

Chairman
PILAR C. LUJAN
Senator

March 27, 1985

Members
Senator John P. Aguon
Senator Elizabeth P. Arriola
Senator Edward R. Duenas
Senator Franklin Gutierrez

MEMORANDUM

TO: COMMITTEE MEMBERS
FROM: COMMITTEE CHAIRMAN
SUBJECT: VOTING, Bill No. 12

"AN ACT TO DIRECT THE BUREAU OF PLANNING TO PREPARE A COMPREHENSIVE PLAN FOR THE REPLACEMENT AND REPAIR OF THE TERRITORY'S PUBLIC WORKS."

The Committee on Economic Development Housing and Community Development held a public hearing on February 12, 1985, to receive testimony on Bill No. 12

Please indicate your vote below:

Table with 5 columns: Name, to pass, not to pass, to report out only, to place in inactive file. Includes handwritten signatures for P.C. LUJAN, J.P. AGUON, E.P. ARRIOLA, E.R. DUENAS, and F.J. GUTIERREZ.

Thank you for your attention concerning this matter.

Pilar C. Lujan
Pilar C. Lujan
Committee Chairman

**COMMITTEE ON ECONOMIC DEVELOPMENT,
HOUSING AND COMMUNITY DEVELOPMENT**

**Report on the Public Hearing on
Bill No. 12**

**"AN ACT TO DIRECT THE BUREAU OF PLANNING
TO PREPARE A COMPREHENSIVE PLAN FOR THE
REPLACEMENT AND REPAIR OF THE TERRITORY'S
PUBLIC WORKS."**

PREFACE

On Tuesday, February 12, 1985, the Committee on Economic Development, Housing and Community Development convened in the Legislative Session Hall to hear testimony relevant to Bill No. 12. Chairwoman Pilar C. Lujan presided over the hearing. Committee Member Senator Elizabeth P. Arriola was also in attendance.

Testifying at this hearing with written and oral testimony was Mr. Paul B. Souder, Director, Bureau of Planning.

BACKGROUND

The intent of Bill No. 12 is to prepare a comprehensive plan for the replacement and repair of the Island's public works. In the past the Island has been forced to respond to the public works needs of the Island on a case-by-case basis. The Bill seeks to deal with this problem on a more systematic basis:

- Section 1. Outlines the elements of the plan.
- (1) an inventory of the island's physical plant.
 - (2) an assessment of the condition of the plant.
 - (3) cost estimates of replacement and repair work.
 - (4) an examination of the other territories approaches to public works financing.
 - (5) financing recommendations including an analysis of existing tax revenues and fees
 - (6) a proposal for an ongoing evaluation system.
- Section 2. States the Bureau of Planning shall coordinate with other territorial and federal agencies.
- Section 3. Gives a deadline of August 1, 1985, for the plan to be presented to the Legislature.
- Section 4. Appropriates \$60,000 for the plan.
-

TESTIMONY

Mr. Paul B. Souder's testimony on the aforementioned Bill noted that the requirements of subsections 1 through 3 of Section 1 are already being performed by various agencies and suggested the trust of the Bill be focused in the area of financing the Island's public works needs.

COMMITTEE RECOMMENDATIONS

In view of testimony received the Committee recommends passage of Substitute Bill No. 12 with the intent to focus on the preparation of a comprehensive plan to finance the Island's public works needs.

ATTACHMENTS

1. Written testimony, Mr. Paul B. Souder, Director, Bureau of Planning
 2. Substitute Bill No. 12
-



BUREAU OF PLANNING

GOVERNMENT OF GUAM
AGANA, GUAM 96910

TESTIMONY OF THE
DIRECTOR OF BUREAU OF PLANNING
ON BILL NO. 12

FEB 12 1985

AN ACT TO DIRECT THE BUREAU OF PLANNING
TO PREPARE A COMPREHENSIVE PLAN FOR THE
REPLACEMENT AND REPAIR OF THE TERRITORY'S
PUBLIC WORKS.

The Bureau is generally not supportive of Section 1, Subsections, 1, 2, and 3 of subject bill as the actions required by these subsections have already been addressed by various Government of Guam agencies.

The inventory and assessment of local public works needs have been adequately addressed by Government of Guam agencies. Master plans, which provide the technical basis for systematic repair and expansion of the local public works system, have already been prepared by respective agencies, and submitted to the Bureau as currently required under Section 62020 (n) of Public Law 12-200. Moreover, the Executive Branch has given attention to the public works needs by establishing a Capital Improvements Review and Selection Committee which is responsible for coordinating and prioritizing Capital Improvements Projects.

Because the Department of Interior is now reluctant to finance our Capital Improvement Projects, coupled with the poor financial condition of the General Fund, there is an urgent need to seek alternate methods to finance our Capital Improvement Projects.

Therefore, the Bureau suggests that Bill 12 be revised to focus efforts on the formulation of financing approaches to make feasible the repair/expansion of our public works systems. It is recommended that another agency which has expertise in financial matters, such as the Bureau of Budget and Management Research, be tasked with conducting this type of study.


PAUL B. SOUDER

Substitute Bill No. 12
by the Committee on Economic Development,
Housing and Community Development

Introduced by:

P.C. LUJAN

J. Lujan

AN ACT TO DIRECT THE BUREAU OF PLANNING
TO PREPARE A COMPREHENSIVE PLAN FOR THE
REPLACEMENT AND REPAIR OF THE TERRITORY'S
PUBLIC WORKS.

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

2 Section 1. The Bureau of Planning shall prepare a comprehensive plan for
3 financing the replacement and repair of the territory's Public Works. The plan shall
4 include the following:

- 5 (1) An examination of other territories' or states' approaches to public
6 work financing;
- 7 (2) Financing recommendations, including and analysis of existing tax
8 revenues, fees and utility rates; and
- 9 (3) A proposal for establishing an ongoing evaluation system with
10 periodic updates of the territory's public works plan.

11 Section 2. In preparing the plan, the Bureau of Planning shall coordinate its
12 efforts with other federal and territorial agencies. The Bureau of Planning shall also use
13 existing studies by any federal or Government of Guam agencies. The Bureau of Planning
14 may contract with a public or private entity to prepare any portion of the plan.

15 Section 3. The Bureau of Planning shall present its plan to the Legislature no
16 later than August 1, 1985.

17 Section 4. There is appropriated from the General Fund to the Bureau of Planning
18 the sum of Sixty Thousand Dollars (\$60,000), or so much thereof as may be necessary to carry
19 out the programs of this Act.

EIGHTEENTH GUAM LEGISLATURE

CHAIRMAN, COMMITTEE ON RULES

Members: Speaker Carl T.C. Gutierrez
Sens. Elizabeth P. Arriola,
Hermilina D. Dierking,
Franklin J. Gutierrez,
Pilar C. Lujan,
Ted S. Nelson,
Don Parkinson,
Franklin J. Quitugua,
Joe T. San Agustin,
Francisco R. Santos,
Edward R. Duenas



SENATOR JOHN PEREZ AGUON
P.O. Box CB-1
Agana, Guam USA 96910
472-2990, 472-3426, 472-6614

MEMBER

Committee on General Governmental
Operations
Committee on Economic Development,
Housing and Community Development
Committee on Tourism, Transportation
and Communications
Committee on Federal, Foreign and
Legal Affairs

June 24, 1985

The Honorable Carl T.C. Gutierrez
Speaker
Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

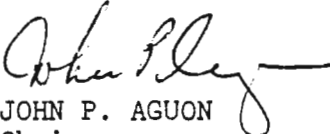
The Committee on Rules at its meeting on June 24, 1985, approved the placement of Bill No. 12 on top of the Second Reading File; and hereby transmits to the full Legislature Bill No. 12 as Substituted by the Committee on Economic Development, Housing & Community Development and further Substituted by the Committee on Rules.

The Committee voting record for passage of Bill No. 12, is as follows:

TO DO PASS	<u>6</u>
TO NOT PASS	<u>1</u>
ABSTAIN	<u> </u>
COMMENTS	<u>3</u>

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


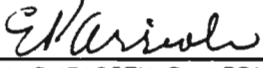

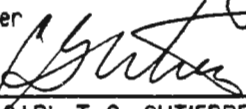
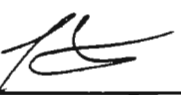

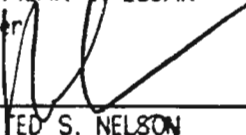


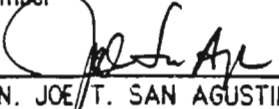
Sincerely yours,


JOHN P. AGUON
Chairman

Attachments

VOTING SHEET
COMMITTEE ON RULES

BILL NO. 12, as Substituted by the Committee on Economic Development, Housing and Community Development and further Substituted by the Committee on Rules.

MEMBERS	TO DO PASS	TO NOT PASS	ABSTAINED	COMMENTS
 SEN. JOHN P. AGUON Chairperson	✓			
 SEN. ELIZABETH P. ARRIOLA Member		✓		TO report out
 SEN. HERMINIA D. DIERKING Member				
 SEN. CARL T. C. GUTIERREZ Member	✓			
 SEN. FRANKLIN J. GUTIERREZ Member	✓			
 SEN. PILAR C. LUJAN Member				Report out
 SEN. TED S. NELSON Member	✓			
 SEN. DON PARKINSON Member	✓			
 SEN. FRANKLIN J. QUITUGUA Member	✓			✓
 SEN. JOE T. SAN AGUSTIN Member	✓			
SEN. FRANCISCO R. SANTOS Member				
SEN. EDWARD R. DUENAS Member				

COMMITTEE ON RULES

Committee Report
Bill No. 12

"An act to direct the Bureau of Planning to prepare a comprehensive plan for the replacement and repair of the territory's public works, and for other purposes."

June 24, 1985

The Committee on Rules of the Eighteenth Guam Legislature met at Noon June 24, 1985, and voted to place Bill 12, Substituted by the Committee on Economic Development, Housing and Community Development, and further substituted by the Committee on Rules, on the top of the Second Reading File of the session agenda for 2 p.m. Monday, June 25, 1985.

Bill No. 12 as substituted by the Committee on Rules contains the following sections:

Sections 1 through 4 are identical to Bill No. 12, substituted by the Committee on Economic Development, Housing and Community Development.

Section 5 amends Chapter IV of Title I of the Government Code to prevent ~~various government agencies from deriving revenue directly from poker machines.~~ various government agencies from deriving revenue directly from poker machines.

Section 6 effectively causes the placement of amusement devices licensed pursuant to Section 19200 of the Government Code to be illegal on or about the premises of any government building, public or private school. It also makes the use of such machines illegal to any person under the age of 18.

Section 7 raises the licensing fees for video horse or greyhound race machines and poker machines from \$300 to \$600 and prevents slot machines from being licensed.

Section 8 adds a new 9 GCA §64.21 to make placing a poker machine or video lottery terminal on or about the premises of any government building or on or about any public or private school a misdemeanor.

Section 9 repeals and reenacts § 19513.08 of the Government Code to provide for filing of Gross Receipts Taxes for winnings, pay-outs and malfunction refunds.

Section 10 adds a new § 19543.0023 to the Government Code to provide for the amount of winnings, payouts or malfunction refunds reported.

Section 11 amends Subsection (b) of 9 GCA §64.20 to eliminate video poker games from the definition of gambling devices regardless of the opportunity of free plays, winnings, payouts, malfunction refunds or not.

Section 12 adds a new § 19200.05 to the Government Code to earmark license fees on poker machines for specific purposes.

Section 13 repeals and reenacts 17 GCA §15301 establishing and making requirements

concerning Merit Awards for students.

Section 14 amends 17 GCA § 15302 to allow the inclusion of the cost of one roundtrip to and from an off-island college or university as an allowable benefit for merit award recipients.

Section 15 makes those graduating in May and June of 1985 the first eligible to receive the awards.

Section 16 adds a new section 19000 to the Government Code to place the responsibility for implementation of the provisions of this act with the Department of Revenue and Taxation.

Section 17 adds a new Subsection (c) to Section 19200.5 defining 'slot machine'.

JAN 14 '85

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 12(004)
Introduced by:

P. C. Lujan
PILAR C. LUJAN

AN ACT TO DIRECT THE BUREAU OF
PLANNING TO PREPARE A COMPREHENSIVE
PLAN FOR THE REPLACEMENT AND REPAIR
OF THE TERRITORY'S PUBLIC WORKS.

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

2 Section 1. The Bureau of Planning shall prepare a comprehensive plan
3 for the replacement and repair of the territory's Public Works. The plan shall include
4 the following:

- 5 (1) An inventory of the territory's roads, bridges, sewers, dams,
6 public education plants and facilities, and water systems;
- 7 (2) An assessment of the physical condition of these public facilities
8 needing replacement or repair to determine whether the facilities:
9 (a) Are dangerous to public health and safety;
10 (b) Require immediate replacement or repair to correct existing
11 deficiencies; or
12 (c) Need replacement or repair within the next fiscal year.
- 13 (3) Cost estimates of replacement and repair work for each category
14 in subsection (2) of this section;
- 15 (4) An examination of other territories' or states' approaches to
16 public work financing;
- 17 (5) Financing recommendations, including and analysis of existing
18 tax revenues, fees and utility rates; and
- 19 (6) A proposal for establishing an ongoing evaluation system with
20 periodic updates of the territory's public works plan.

21 Section 2. In preparing the plan, the Bureau of Planning shall coordinate
22 its efforts with other federal and territorial agencies. The Bureau of Planning shall
23 also use existing studies by any federal or Government of Guam agencies. The Bureau
24 of Planning may contract with a public or private entity to prepare any portion of

1 the plan.

2 Section 3. The Bureau of Planning shall present its plan to the Legislature
3 no later than August 1, 1985.

4 Section 4. There is appropriated from the General Fund to the Bureau
5 of Planning the sum of Sixty Thousand Dollars (\$60,000), or so much thereof as may
6 be necessary to carry out the programs of this Act.