



Territory of Guam  
Territorio de Guam

OFFICE OF THE GOVERNOR  
FINANCIAL BUILDING  
AGANA, GUAM 96910

MAY 29 1992

The Honorable Joe T. San Agustin  
Speaker, Twenty-First Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

RECEIVED  
LEGISLATIVE SECRETARIAT

Dear Mr. Speaker:

Transmitted herewith is Bill No. 99, which I have signed into law this date as Public Law 21-105.

Sincerely yours,

JOSEPH F. ADA  
Governor

210823

Attachment



Commonwealth Now!

TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 99 (LS), "AN ACT TO REPEAL AND REENACT §§26012 AND 26015 OF, AND TO ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT CODE TO ESTABLISH THE PARKS AND RECREATION FUND," was on the 13th day of May, 1992, duly and regularly passed.

  
\_\_\_\_\_  
JOE T. SAN AGUSTIN  
Speaker

Attested:

  
\_\_\_\_\_  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 20<sup>th</sup> day of MAY, 1992,  
at 3:00 o'clock P.M.

  
\_\_\_\_\_  
Annie T. Santos  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
JOSEPH F. ADA  
Governor of Guam

Date: MAY 29 1992

Public Law No. 21-105

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 99 (LS)  
As substituted by the Committee on  
Youth, Senior Citizens and Cultural  
Affairs and as further substituted by  
the Committee on Rules

Introduced by:

E. P. Arriola  
J. T. San Agustin  
P. C. Lujan  
-----  
J. P. Aguon  
M. Z. Bordallo  
H. D. Dierking  
C. T. C. Gutierrez  
G. Mailloux  
D. Parkinson  
F. R. Santos  
D. L. G. Shimizu  
M. C. Ruth  
J. G. Bamba  
A. C. Blaz  
D. F. Brooks  
E. R. Dueñas  
E. M. Espaldon  
M. D. A. Manibusan  
M. J. Reidy  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO REPEAL AND REENACT §§26012 AND 26015  
OF, AND TO ADD §§26012.1 AND 26012.2 TO THE  
GOVERNMENT CODE TO ESTABLISH THE PARKS  
AND RECREATION FUND.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2

Section 1. §26012 of the Government Code is repealed and reenacted to

1 read:

2 **"§26012. Parks and Recreation Revolving Fund: Establishment.**

3 There is hereby established separate and apart from other government  
4 funds, the Parks and Recreation Revolving Fund (the "Fund"), which  
5 Fund shall be used by the Department of Parks and Recreation (the  
6 "Department") for the development, improvement and maintenance of  
7 the Guam Territorial Park System under the jurisdiction of the  
8 Department, consisting of natural reserves, conservation reserves,  
9 territorial parks, territorial recreational facilities, historical and pre-  
10 historic objects and sites and cemeteries. All money collected from  
11 donations and fees pursuant to §26012.1 of this Chapter shall be  
12 deposited in the Fund."

13 **Section 2.** §26012.1 is added to the Government Code to read:

14 **"§26012.1. Fees.** The Parks and Recreation Commission (the  
15 "Commission") may collect fees, charges and assessments for the  
16 following:

17 The use of park shelters, pavilions and open areas by the public  
18 and by park vendors, the use of recreation facilities, sign-up fees,  
19 concession, billboards, equipment rentals, facility rentals, overnight  
20 camping fees, and commercial photography fees as established by the  
21 Commission. The Commission shall establish a fee schedule for the  
22 foregoing uses of the Guam Territorial Park System and recreational  
23 facilities. All such fee schedules shall be adopted in compliance with the  
24 Administrative Adjudication Law. All fees collected under such  
25 schedules shall be deposited into the Fund. Any fee schedule and the  
26 Recreation Activity Revolving fee schedule adopted by the Commission  
27 prior to the enactment of this §26012.1 shall remain in effect until

1 altered and may be so altered or modified by the Commission only after  
2 public hearing on any proposed changes, in compliance with the  
3 Administrative Adjudication Law."

4 **Section 3.** §26012.2 is added to the Government Code to read:

5 "§26012.2. **Management.** The Director of Administration (the  
6 "Director") shall be the custodian of the Fund and may deposit monies  
7 collected therein in one (1) or more local banks. The Director is  
8 authorized to draw monies from the Fund, at the request of the  
9 Commission, for the development, improvement or maintenance of the  
10 Territorial Park System under the jurisdiction of the Department, for  
11 recreational facilities, or for on-island sports programs and to  
12 underwrite the cost of implementing the recreational on-island sports  
13 programs established by the Department, not to exceed Twenty-Five  
14 Thousand Dollars (\$25,000) for any one project or program. No monies  
15 from the Fund shall be used for off-island travel. The existing  
16 Recreation Activity Revolving Fund rules and regulations that are not  
17 in conflict with §§26012, 26012.1 and 26012.2 of this Chapter shall  
18 remain in effect. The Commission shall submit, no later than January  
19 31st of each year, an annual audited financial statement of the Fund to  
20 the Governor and to the Legislature."

21 **Section 4.** §26015 of the Government Code is repealed and reenacted  
22 to read:

23 "§26015. **Voluntary improvements.** The Parks and  
24 Recreation Commission may permit a person or legal entity to  
25 improve and maintain, without expense to the government of  
26 Guam, any part of the Guam Territorial Park System. Permits  
27 may be renewed annually by the Governor. No permit shall grant

1 any exclusive use of any park property to the permittee nor shall a  
2 permit impair or limit the government of Guam from controlling  
3 access to and use of park property."

4 **Section 5. Closing other fund.** The Recreation Activities Revolving  
5 Fund established by Executive Order No. 76-30, as amended by Executive  
6 Order No. 88-13, shall be closed on the effective date of this Act, and all  
7 monies therein deposited in the Parks and Recreation Revolving Fund created  
8 by this Act.



# Twenty-First Guam Legislature

SENATOR ELIZABETH P. ARRIOLA

*Chairperson*  
Committee on Youth,  
Senior Citizens and Cultural Affairs

March 27, 1991

The Honorable Joe T. San Agustin  
Speaker  
Twenty-First Guam Legislature  
155 Hernan Cortez Street  
Agana, Guam 96910

VIA: Chairman, Committee on Rules

Dear Mr. Speaker:

The *Committee on Youth, Senior Citizens and Cultural Affairs* to which was referred Bill No. 99, "AN ACT TO REPEAL AND REENACT §26012, AND TO ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT CODE TO ESTABLISH THE PARKS AND RECREATION FUND", has had the same under consideration and now wishes to report back its recommendation TO DO PASS as substituted.

Committee votes received:

TO PASS

-10-

NOT TO PASS

-0-

REPORT OUT

-0-

OTHER

-0-

Attached herewith are the Committee Report and other pertinent documents for your perusal.

Sincerely,

ELIZABETH P. ARRIOLA

Attachments

# VOTE SHEET

## COMMITTEE ON YOUTH, SENIOR CITIZENS AND CULTURAL AFFAIRS

on  
Bill No. 99 -  
as substituted by the Committee:

**"AN ACT TO REPEAL AND REENACT §26012, AND TO ADD §26012.1 AND  
26012.2 TO THE GOVERNMENT CODE TO ESTABLISH THE PARKS AND  
RECREATION FUND."**

Chairperson:	To Pass	Not To Pass	Report Out	Inactive File
<u>Elizabeth P. Arriola</u> Elizabeth P. Arriola	✓	_____	_____	_____
<i>Members:</i> <u>Frank R. Santos</u> Frank R. Santos	✓	_____	_____	_____
<u>J. George Bamba</u> J. George Bamba	✓	_____	_____	_____
<u>Herminia D. Dierking</u> Herminia D. Dierking	✓	_____	_____	_____
<u>Edward R. Duenas</u> Edward R. Duenas	✓	_____	_____	_____
<u>Ernesto M. Espaldon</u> Ernesto M. Espaldon	✓	_____	_____	_____
<u>Pilar C. Lujan</u> Pilar C. Lujan	✓	_____	_____	_____
<u>Martha C. Ruth</u> Martha C. Ruth	<u>sm</u> 3/25/91	_____	_____	_____
<u>David L. G. Shimizu</u> David L. G. Shimizu	✓	_____	_____	_____
<u>Speaker Joe T. San Agustin</u> Speaker Joe T. San Agustin	✓	_____	_____	_____

**COMMITTEE REPORT**  
of the  
**COMMITTEE ON YOUTH, SENIOR CITIZENS  
AND CULTURAL AFFAIRS**  
on ***BILL NO. 99***

***AN ACT TO REPEAL AND REENACT §26012, AND  
TO ADD §§26012.1 AND 26012.2 TO THE  
GOVERNMENT CODE TO ESTABLISH THE PARKS  
AND RECREATION FUND.***

**PREFACE**

A public hearing on **Bill No. 99** was held by the Committee on Youth, Senior Citizens and Cultural Affairs on Tuesday, February 26, 1991, at the Legislative Public Hearing Room, Pacific Arcade Building.

Present at the hearing were Chairperson, Senator Elizabeth P. Arriola and attended by Senators Frank R. Santos, Pilar C. Lujan, Edward R. Duenas, David L.G. Shimizu, and Michael J. Reidy.

**BACKGROUND**

Public Law No. 12-209 authorizes the Director of Parks and Recreation to grant permits to individuals or groups to establish concessions or use any part of the Guam Territorial Park System, the fees for which are deposited in the Parks Fund. The use of the funds, however, has to be appropriated by the Legislature to cover certain costs in the Department's annual budget. An estimated Eighty-Two Thousand Dollars (\$82,000.00) has been generated in 1990 from park user fees and park vendor fees.

**TESTIMONY**

Mr. Dennis Zermeno, Deputy Director, Department of Parks and Recreation, testified that the Department supports the intent of Bill No. 99. He suggests certain amendments be made in order to protect the fund from possible misuse.

When asked by Senator Santos whether parks that are not generating any revenue would be ignored from adequate maintenance and repair work, Mr. Zermeno responded that the Parks Fund would be used for all parks under the jurisdiction of the Department.

Senator Shimizu commented that the Department should try to erect signs on all park sites for public awareness of government-owned parks.

When asked by Senator Reidy if the Fund is going to be used for capital improvement projects, Mr. Zermeno stated that major capital improvement projects would have to be funded by the Legislature. The Fund is intended for maintenance and repair work.

Chairperson Arriola concluded the hearing with comments that the Department should try to install fixtures in the parks and recreational bathroom facilities not susceptible to vandalism.

There being no further testimony, Chairperson Arriola adjourned the hearing on **Bill No. 99**.

## **COMMITTEE RECOMMENDATION**

The Committee on Youth, Senior Citizens, Cultural Affairs, and Human Resources wishes to report **Bill No. 99, "AN ACT TO REPEAL AND REENACT §26012, AND TO ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT CODE TO ESTABLISH THE PARKS AND RECREATION FUND"** has had the same under consideration, and now wishes to report back the same with the recommendation **TO DO PASS** as substituted by the Committee.

## **ATTACHMENTS**

1. Written testimony by Mr. Anthony C. Mariano, Director, Department of Parks and Recreation.
2. Executive Order Nos. 76-30 and 88-13.

Twenty-First Guam Legislature  
1991 (FIRST) Regular Session

Bill No. 99

*As substituted by the Committee on Youth, Senior Citizens  
and Cultural Affairs*

Introduced by:

E. P. Arriola  
*[Signature]*  
M.C. RUTHAN

**AN ACT TO REPEAL AND REENACT §26012, AND TO ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT CODE TO ESTABLISH THE PARKS AND RECREATION FUND.**

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

2 **Section 1.** §26012 of the Government Code is repealed and reenacted to read:

3 **"§26012. Parks and Recreation Revolving Fund: Establishment.**

4 There is hereby established separate and apart from other government funds,  
5 the Parks and Recreation Revolving Fund (the "Fund"), which Fund shall be used by the  
6 Department of Parks and Recreation for the development, improvement and maintenance of  
7 the Guam Territorial Park System under the jurisdiction of the Department of Parks and  
8 Recreation consisting of natural reserves, conservation reserves, territorial parks, territorial  
9 recreational facilities, historical and pre-historic objects and sites and cemeteries. All  
10 money collected from donations and fees pursuant to §26012.1 of this Chapter shall be  
11 deposited in the Fund."

12 **Section 2.** §26012.1 is added to the Government Code to read:

13 **"§26012.1. Fees.**

14 The Parks and Recreation Commission (the "Commission") may collect fees,  
15 charges and assessments for the following:

16 The use of park shelters, pavilions and open areas by the public and by park  
17 vendors, the use of recreation facilities, sign-up fees, concessions, billboards, equipment

1 rentals, user charges, facility rentals, admissions, camping fees, commercial photography  
2 fees and other fees as established by the Department. The Commission may establish a  
3 fee schedule for the foregoing uses of the Guam Territorial Park System and recreational  
4 facilities, including admission fees. All such fee schedules shall be adopted in compliance  
5 with the Administrative Adjudication Law. All fees collected under such schedules shall  
6 be deposited into the Fund. Any fee schedule and the Recreation Activity Revolving fee  
7 schedule adopted by the Commission prior to the enactment of §26012.1 shall remain in  
8 effect until altered and maybe so altered or modified by the Commission only after public  
9 hearing on any proposed changes, in compliance with the Administrative Adjudication  
10 Law."

11 **Section 3.** §26012.2 is added to the Government Code to read:

12 "**§26012.2 Management.**

13 The Director of the Department (the "Director") shall be the custodian of the  
14 Fund and may deposit monies collected therein in one (1) or more local banks. The Director  
15 is authorized to draw monies from the Fund for the development, improvement or  
16 maintenance of the Territorial Park System under the jurisdiction of the Department of  
17 Parks and Recreation, for recreational facilities, or for sports program and to underwrite the  
18 cost of implementing the recreational sports program established by the Department of  
19 Parks and Recreation. Funds generated by a specific division may only be expended within  
20 the said division. The existing promulgated Recreation Activity Revolving Fund  
21 (Recreation Fund) rules and regulations that are not in conflict with Sections 1, 2 or 3 of this  
22 Bill shall remain in effect. The Director shall submit, no later than January 31st of each  
23 year, an annual financial statement of the Fund to the Governor and to the Legislature."

24 **Section 4.** The Recreation Activities Revolving Fund established by Executive Order No. 76-30, as  
25 amended by Executive Order No. 88-13, shall be closed on the effective date of this Act, and all monies  
26 therein deposited in the Parks and Recreation Revolving Fund created by this Act.

Twenty-First Guam Legislature  
1991 (FIRST) Regular Session

Bill No. 99

Introduced by:

E. P. Arriola *EPA*

*YSC*  
AN ACT TO REPEAL AND REENACT §26012, AND TO  
ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT  
CODE TO ESTABLISH THE PARKS AND RECREATION  
FUND.

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

2 Section 1. §26012 of the Government Code is repealed and reenacted to read:

3 "§26012. Parks and Recreation Revolving Fund: Establishment.

4 There is hereby established separate and apart from other government funds, the Parks  
5 and Recreation Revolving Fund (the "Fund"), which Fund shall be used by the Department of  
6 Parks and Recreation for the development, improvement and maintenance of the Guam Territorial  
7 Park System, for maintenance and improvements or other recreational facilities, or for sports  
8 programs. All money collected from donations and fees pursuant to §26012.1 of this Chapter  
9 shall be deposited in the Fund."

10 Section 2. §26012.1 is added to the Government Code to read:

11 "§26012.1. Fees.

12 The Parks and Recreation Commission (the "Commission") may collect fees, charges and  
13 assessments for the following:

14 The use of park shelters, pavilions and open areas by the public and by park vendors, the  
15 use of recreation facilities, sign-up fees, concessions, billboards, equipment rentals, user  
16 charges, facility rentals and admissions. The Commission may establish a fee schedule  
17 for the foregoing uses of the Guam Territorial Park System and recreational facilities,

1 including admission fees. All such fee schedules shall be adopted in compliance with  
2 Administrative Adjudication Law. All fees collected under such schedules shall  
3 deposited into the Fund. Any fee schedule and the Recreation Activity Revolving f  
4 schedule adopted by the Commission prior to the enactment of §26012.1 shall remain  
5 effect until altered and maybe so altered or modified by the Commission only after publ  
6 hearing on any proposed changes, in compliance with the Administrative Adjudicatio  
7 Law."

8 **Section 3.** §26012.2 is added to the Government Code to read:

9 "**§26012.2 Management.**

10 The Director of the Department (the "Director") shall be the custodian of the Fund and  
11 may deposit monies collected therein in one (1) or more local banks. The Director is authorized to  
12 draw monies from the Fund for the development, improvement or maintenance of the Territorial  
13 Park System, for recreational facilities, or for sports program. The Director shall submit, no later  
14 than January 31st of each year, an annual financial statement of the Fund to the Governor and to  
15 the Legislature."

16 **Section 4.** The Recreation Activities Revolving Fund established by Executive Order No. 76-30, as  
17 amended by Executive Order No. 88-13, shall be closed on the effective date of this Act, and all monies  
18 therein deposited in the Parks and Recreation Revolving Fund created by this Act.



JOSEPH F. ADA  
Governor

FRANK F. BLAS  
Lt. Governor

ANTHONY C. MARIANO  
Director

DENNIS M. ZERMENO  
Deputy Director

## DEPARTMENT OF PARKS AND RECREATION

GOVERNMENT OF GUAM  
490 CHALAN PALASYO ROAD  
Agana Heights, Guam 96919  
Telephone: (671) 477-9620/1



FEB 26 1991

The Honorable Elizabeth P. Arriola  
Chairperson, Committee on Youth Senior  
Citizens and Cultural Affairs  
Twenty-first Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Senator Arriola:

The Department of Parks and Recreation stands in support of Bill 99. If enacted into law, the department will once and for all be able to monitor and direct the expenditure of current Park Fund revenues.

However, there are certain important changes that are strongly recommended in the wording of the proposed legislation:

(1) Section 1. should read, "For the development, improvement and maintenance of the Guam Territorial Park System under the jurisdiction of the Department of Parks and Recreation consisting of Natural Preserves, Conservation Reserves, Territorial Parks, Territorial Recreational Facilities, Historical and Pre-Historic Objects and Sites and cemeteries."

(2) Section 2. should read with the following addition, "camping fees, commercial photography fees and other fees as established by the department" "any fee scheduled to include the Park Vendor Fees, Park User Fees and the Recreation Activity Revolving Fee Schedule adopted by the commission prior to the establishment of S26012.1 shall remain in effect."

(3) Section 3. must be modified to reflect the need to protect the fund from possible misuse and at the same time continue the stringent promulgated rules and regulations of the current Recreation Activity Revolving Fund as it pertains to recreation division expenditures of the proposed Parks and Recreation Fund. Therefore, Section 3 should read with the following additions, "Development, improvement and maintenance of the Guam Territorial Park system under the jurisdiction of the Department of Parks and Recreation, and to underwrite the

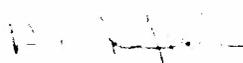
Page 2

The Honorable Elizabeth P. Arriola

cost of implementing the recreational sports program established by the Department of Parks and Recreation. Funds generated by a specific division may only be expended within the said division. The existing promulgated Recreation Activity Revolving Fund (Recreation Fund) rules and regulations that are not in conflict with sections 1-2 or 3 of this Bill shall remain in effect."

Thank you.

Sincerely,

  
ANTHONY C. MARIANO



Commonwealth Now!



*Territory of Guam*  
*Territorio de Guam*

OFFICE OF THE GOVERNOR  
UPSIÑAN I MALA'LANI  
AGANA, GUAM 96910 U.S.A.

JUN 14 1988

Honorable Pilar C. Lujan  
Senator  
Nineteenth Guam Legislature  
P.O. Box CB-1  
Agana, Guam 96910

Dear Senator Lujan:

Transmitted herewith, are the Parks Fund and Recreation Activity Revolving Fund fee schedules for your review and consideration.

Please find attached, also, a copy of Executive Order No. 88-13, promulgated by my office on May 17, 1988, which - I am sure you will agree - will strengthen and enhance the new RARF fee schedule.

Should you have any questions or comments, please feel free to contact me at your earliest convenience.

Thank you for your time.

Sincerely,

FRANK F. BLAS  
Governor of Guam  
Acting

Attachments

*in Rod offer. May 9*  
*out June 15*

*in legislature June 15*  
*120 day deadline Oct 13*

*Rec'd*  
*6/15/88*



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

EXECUTIVE ORDER NO. 88-13

AMENDING

EXECUTIVE ORDER NO. 76-30

RECREATION ACTIVITIES REVOLVING FUND

WHEREAS, the Parks and Recreation Commission has adopted proposed fees for use of recreation facilities; and

WHEREAS, the types of fees, charges and assessments have expanded from the date of initial creation of the Recreation Activities Fund; and

WHEREAS, in order to provide better maintained recreation facilities for the people of this territory, it is necessary to assure that all money collected pursuant for the use recreation facilities is properly used and accounted for.

NOW, THEREFORE, I, JOSEPH F. ADA, Governor of the Territory of Guam, by virtue of the authority vested in me by the Organic Act and the Laws of Guam, as amended, do hereby order that:

1. Item 3 of Executive Order 76-30 is amended to read:

"3. that the deposits in this Fund be from donations and fees collected pursuant to the fee schedule for recreation activities including, but not limited to: sign-up fees, concessions, billboards, equipment rentals, users fees, facility rentals and admission fees"; and

2. Item 4 of Executive Order 76-30 is amended to read:

"4. that these Funds be used for maintenance and improvements at recreational facilities and to underwrite the cost of implementing the recreational sports program established by the Department of Parks and Recreation; and"

3. A new Item 7 is added to Executive Order 76-30 to read:

"7. The accounting for the Fund shall be under the purview of the Department of Administration; and"

EXECUTIVE ORDER  
RECREATION ACTIVITIES  
REVOLVING FUND  
PAGE TWO



- 4. that the rules and regulations governing administration of the Recreation Activities Revolving Fund adopted by the Parks and Recreation Commission on March 20, 1985, are to continue in full force and effect until further modified by the Commission; such modifications to be approved by the Governor.

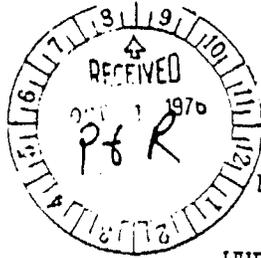
SIGNED AND PROMULGATED this 17th day of May,  
1988.

*Joseph F. Ada*  
JOSEPH F. ADA  
Governor of Guam

COUNTERSIGNED:

FRANK F. BLAS  
Lieutenant Governor of Guam

GOVERNMENT OF GUAM  
OFFICE OF THE GOVERNOR  
AGANA, GUAM



EXECUTIVE ORDER NO. 76-30

RECREATION ACTIVITIES REVOLVING FUND

WHEREAS, the Department of Parks and Recreation has been charged with the responsibility of initiating and implementing a recreational program for the youth and the citizens of Guam; and

WHEREAS, said recreational program includes volleyball, basketball, baseball, bowling, golf, tennis and other sports and special activities; and

WHEREAS, many individuals, village organizations and clubs participate in said recreational program; and

WHEREAS, the winning team receives various awards and trophies for their victorious participation; and

WHEREAS, said recreational program requires the services of officials to referee, umpire, or somehow officiate over the event; and

WHEREAS, awards, trophies and services rendered cost money; and

WHEREAS, the cost of underwriting said recreational program is borne by registration fees by all team entrants; and

WHEREAS, no special fund has been designated to be the depository of these funds; and

WHEREAS, the Department of Parks and Recreation's Recreation Division has had to face the problem of controlling and keeping these funds safe;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam, by the powers vested in me by the Organic Act, as amended, do hereby order:

1. the establishment of a Recreation Activities Revolving Fund; and
2. that this Fund be deposited in a local bank; and

3. that the deposits in this Fund be comprised exclusively of private registration fees and no Government Funds; and
4. that these Funds be used to underwrite the cost of implementing the recreational sports program established by the Department of Parks and Recreation; and
5. the Parks and Recreation Commission is hereby required to develop rules and regulations necessary in the administration of the Recreation Activities Revolving Fund; said rules and regulations must be approved by the Governor; and
6. the Parks and Recreation Commission is required to submit an annual financial statement of the Recreation Activities Revolving Fund to the Office of the Governor and other agencies as appropriate.

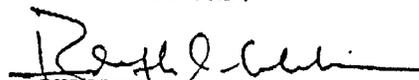
Signed and promulgated this 29th day of September

1976.



RICARDO J. BORDALLO  
Governor of Guam

COUNTERSIGNED:



RUDOLPH G. SABLAN  
Lieutenant Governor

JAN 23 '91

Bill No. 99 (LS)

Introduced by:

E. P. Arriola *EPA*

**AN ACT TO REPEAL AND REENACT §26012, AND TO  
ADD §§26012.1 AND 26012.2 TO THE GOVERNMENT  
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FUND.**

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

2 **Section 1.** §26012 of the Government Code is repealed and reenacted to read:

3 **"§26012. Parks and Recreation Revolving Fund; Establishment.**

4 There is hereby established separate and apart from other government funds, the Parks  
5 and Recreation Revolving Fund (the "Fund"), which Fund shall be used by the Department of  
6 Parks and Recreation for the development, improvement and maintenance of the Guam Territorial  
7 Park System, for maintenance and improvements or other recreational facilities, or for sports  
8 programs. All money collected from donations and fees pursuant to §26012.1 of this Chapter  
9 shall be deposited in the Fund."

10 **Section 2.** §26012.1 is added to the Government Code to read:

11 **"§26012.1. Fees.**

12 The Parks and Recreation Commission (the "Commission") may collect fees, charges and  
13 assessments for the following:

14 The use of park shelters, pavilions and open areas by the public and by park vendors, the  
15 use of recreation facilities, sign-up fees, concessions, billboards, equipment rentals, user  
16 charges, facility rentals and admissions. The Commission may establish a fee schedule  
17 for the foregoing uses of the Guam Territorial Park System and recreational facilities,

1 including admission fees. All such fee schedules shall be adopted in compliance with the  
2 Administrative Adjudication Law. All fees collected under such schedules shall be  
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5 effect until altered and maybe so altered or modified by the Commission only after public  
6 hearing on any proposed changes, in compliance with the Administrative Adjudication  
7 Law."

8 **Section 3.** §26012.2 is added to the Government Code to read:

9 **"§26012.2 Management.**

10 The Director of the Department (the "Director") shall be the custodian of the Fund and  
11 may deposit monies collected therein in one (1) or more local banks. The Director is authorized to  
12 draw monies from the Fund for the development, improvement or maintenance of the Territorial  
13 Park System, for recreational facilities, or for sports program. The Director shall submit, no later  
14 than January 31st of each year, an annual financial statement of the Fund to the Governor and to  
15 the Legislature."

16 **Section 4.** The Recreation Activities Revolving Fund established by Executive Order No. 76-30, as  
17 amended by Executive Order No. 88-13, shall be closed on the effective date of this Act, and all monies  
18 therein deposited in the Parks and Recreation Revolving Fund created by this Act.