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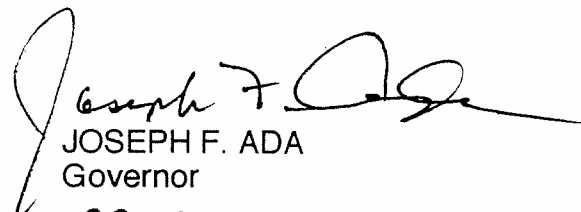
DEC 29 1994

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 1018, which I have signed into law this date as
Public Law 22-151.

Sincerely yours,


JOSEPH F. ADA
Governor
220918


Attachment



TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

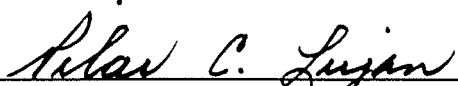
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 1018 (LS), "AN ACT TO AMEND §§47412 AND 47413 OF THE GOVERNMENT CODE ON THE PUBLICATION REVOLVING FUND OF THE DEPARTMENT OF COMMERCE AND ON CHARGING FOR THE DISSEMINATION OF INFORMATION," was on the 9th day of December, 1994, duly and regularly passed.



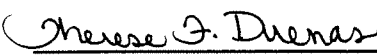
JOE T. SAN AGUSTIN
Speaker

Attested:



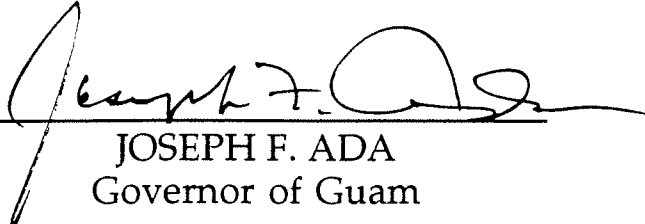
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of December,
1994, at 4:30 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: DEC 29 1994

Public Law No. 22-151

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1018 (LS)
As substituted on the floor

Introduced by:

At the request of the Governor

V. C. Pangelinan
T. S. Nelson
T. C. Ada
J. P. Aguon
E. P. Arriola
M. Z. Bordallo
H. D. Dierking
C. T. C. Gutierrez
P. C. Lujan
D. Parkinson
E. D. Reyes
J. T. San Agustin
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AMEND §§47412 AND 47413 OF THE
GOVERNMENT CODE ON THE PUBLICATION
REVOLVING FUND OF THE DEPARTMENT OF
COMMERCE AND ON CHARGING FOR THE
DISSEMINATION OF INFORMATION.

1

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

1 **Section 1.** §47412 of the Government Code is amended to read:

2 "§47412. **Fees.** The Department of Commerce shall
3 establish a schedule of nominal fees to be charged for providing
4 printed information. The fee schedule shall be designed so that
5 fees received are sufficient but no more than necessary to pay for
6 the costs of printing and disseminating the information. The costs
7 of dissemination include but are not limited to postage and
8 shipping. Fees received shall be deposited in the Publication
9 Revolving Fund".

10 **Section 2.** §47413 of the Government Code is amended to read:

11 "§47413. **Publication Revolving Fund.** There is created a
12 special fund known as the 'Publication Revolving Fund' (the
13 "Fund") which shall be segregated and set apart from all other
14 funds of the government of Guam. The Fund shall be used for
15 the sole purpose of printing and disseminating information by
16 the Department of Commerce. The Director of Commerce
17 shall administer the Fund, subject to audit by the Department
18 of Administration and the Bureau of Budget and Management
19 Research."

VOTING SHEET
(as revised)

Bill No. 1018

12/9/94
(Date)

Resolution No. _____

Question: _____

Senators	Aye	No	Declined to Vote	Required to vote	Excused from voting	ABSENT/OUT DURING ROLL CALL
Ada, Thomas C.	✓					
AGUON, John P.	✓					
ARRIOLA, Elizabeth P.	✓					
BAMBA, George J.	✓					
BLAZ, Anthony C.	✓					
BORDALLO, Madeleine Z.						✓
BROOKS, Doris F.	✓					
CAMACHO, Felix P.	✓					
DIERKING, Hermina D.	✓					
GUTIERREZ, Carl T. C.	✓					
LUJAN, Pilar C.	✓					
MANIBUSAN, M. D. A.	✓					
NELSON, Ted S.	✓					
PANGELINAN, Vicente C.	✓					
PARKINSON, Don	✓					
REYES, Edward D.	✓					
SAN AGUSTIN, Joe T.	✓					
SANTOS, Francis E.	✓					
SHIMIZU, David L. G.	✓					
TANAKA, Thomas V. C.	✓					
UNPINGCO, Antonio R.	✓					

TOTAL

20					1
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Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

November 21, 1994

Speaker Joe T. San Agustin
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker,

The Committee on Economic-Agricultural Development and Insurance, to which was referred BILL 1018 wishes to report back to the Legislature with its recommendation **TO DO PASS**. The voting record is as follows:

TO PASS	8
NOT TO PASS	0
ABSTAIN	0
TO PLACE IN INACTIVE FILE	0

Copies of the Committee Report and other pertinent documents are attached. Your attention to this matter is appreciated.

Sincerely,


vicente c. pangelinan
Chairman

Attachments.

Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

November 21, 1994

MEMORANDUM

TO: Members, Committee on
Economic-Agricultural Development and Insurance

FROM: Sen. Vicente C. Pangelinan

SUBJECT: Committee Report and Voting Sheet

Transmitted herewith for your information and action is the Committee Report regarding Bill 1018 An Act To Amend Section 47412 And 47213 Of The Government Code With Respect To The Publication Revolving Fund Of The Department Of Commerce And Charging For The Dissemination Of Information. The narrative report is accompanied by the following:

1. Committee Voting Sheet
2. Written Testimony
3. Evidentiary Materials
4. Biographical Data

Should you have any questions on the narrative report or the accompanying documents, I would be happy to answer any of them. Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members. Your prompt attention and cooperation in this matter is greatly appreciated.


vicente c. pangelinan
Chairman

attachments.

Office of



The People

Senator Vicente C. Pangelinan
Twenty-Second Guam Legislature

Chairman, Committee on Economic-Agricultural Development and Insurance
130 Aspinall Avenue • Suite 101 • Agana Guam • 96910 Phone (671) 472-3552-4 Fax (671) 472-3556

COMMITTEE VOTING SHEET

SUBJECT: Committee Report on Bill 1018 An Act To Amend Section 47412 And 47213
Of The Government Code With Respect To The Publication Revolving Fund Of The
Department Of Commerce And Charging For The Dissemination Of Information.

Committee Members	Initials	To Pass	Not To To Pass	Abstain	To Place In Inactive File
V.C. Pangelinan		✓	_____	_____	_____
T.C. Ada		✓	_____	_____	_____
A.C. Blaz		✓	_____	_____	_____
F.P. Camacho		✓	_____	_____	_____
H.D. Dierking	_____	_____	_____	_____	_____
P.C. Lujan	_____	_____	_____	_____	_____
M.D.A. Manibusan	_____	_____	_____	_____	_____
T.S. Nelson		_____	_____	_____	_____
E.D. Reyes		✓	_____	_____	_____
J.T. San Agustin		_____	_____	_____	_____
F.E. Santos		✓	_____	_____	_____
T.V.C. Tanaka		✓	_____	_____	_____

Committee on Economic-Agricultural
Development and Insurance
Committee Report on
Bill 1018

An Act To Amend Section 47412 And 47413 Of The Government Code With
Respect To The Publication Revolving Fund Of The Department Of Commerce
And Charging For The Dissemination Of Information. *Introduced at the request
of the Governor.*

I. OVERVIEW

The Committee on Economic-Agricultural Development and Insurance having jurisdiction over the Department of Commerce and its operations was referred Bill 1018 on May 11, 1994. A public hearing on Bill 1018 was conducted on Thursday, June 2, 1994 at 8:30 am in the Public Hearing Room, Guam Legislature Temporary Building in Agana. Public notice was published in the Pacific Daily News. Chairman V.C. Pangelinan presided over the hearing also present at the hearing was Senator George Bamba.

II. Summary of Testimony

Witnesses present at the hearing were Mr. Peter C. Mayer testifying on behalf of the Department of Commerce. Also present was Mr. Peter Barcinas, Director of Commerce.

In his oral testimony Mr. Mayer stated that the 20th Guam Legislature passed legislation establishing within the Business and Overseas Affairs Division of the Department of Commerce a Publication Revolving Fund in order to retain fees charged for the Department's publications. The fees are for the purpose of paying the cost of printing of the publications. However, the Department of Commerce has found that the cost of the dissemination of these informational materials (postage and shipping) has continually placed a burden on the Department's resources. Mr. Mayer further states that many of the publications are the work products of divisions other than the Business and Overseas Affairs Division and proposes that changes in the enabling legislation is required in order for the Department of Commerce to recoup the cost of dissemination of the publications for the entire Department and the fund should be administered by the Department.

Senator Bamba asked Mr. Mayer if the Department will be publishing a fee schedule informing the public the additional fees for dissemination.

In response Mr. Mayer stated: "We will have a schedule of fees."

Chairman Pangelinan asked Mr. Mayer: "How many publications does the Department currently send out via a mailing list?"

Mr. Mayer answered: "I can think of four (4) right off hand two (2) price index's. a consumer price index, a food price index, the Quarterly Economic Review and the Annual Economic Review."

Governor Joseph F. Ada also submitted written testimony which was presented by Mr. Peter C. Mayer. The Governor's testimony supported the bill. The Governor stated that charging for postage and handling is consistent with the Administration's policy of charging user fees for services provided. Additionally he presented that for some publications the majority of the cost is for postage and handling and charging for the cost of printing only, would be merely a nuisance.

III. Findings and Recommendations

Prior to the passage of P.L. 20-13 the Overseas Affairs Office of the Department of Commerce assumed the entire cost of the dissemination (postage and handling) of Department publications. After the passage of P.L. 20-13 the Overseas Affairs Office was changed to the "Overseas and Business Affairs Division". The new division was to

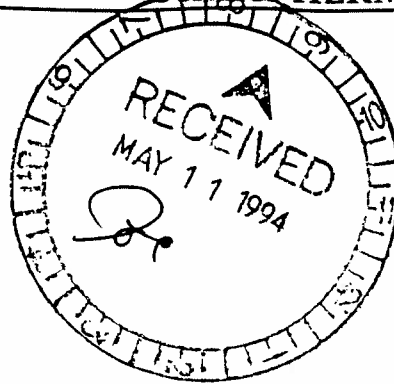
develop a schedule of fees to be charged for providing published reports generated by the Overseas and Business Affairs Division. The fee schedule was designed so that fees charged are sufficient to recover the cost of printing the reports. P.L. 20-13 also created a Publication Revolving fund separate and apart from all other funds of the Government of Guam. The Department now finds the costs associated with the dissemination of the reports generated by the Overseas and Business Affairs Division and the other reports generated by the Department are sometimes as much as the printing cost. Charging postage and handling for the dissemination of these are reasonable and rational. The charging of postage and handling for the dissemination of these reports is a reasonable policy to implement and will comply with the overall government policy of the full cost recovery for services provided to the general public. Furthermore, the fees for postage and handling will not generate a profit and will not be so burdensome that it will discourage the general public from availing themselves of the information.

The Committee on Economic-Agricultural Development and Insurance does hereby report Bill 1018 with a recommendation **TO DO PASS**.



Senator **HERMINIA D. DIERKING**

22nd GUAM LEGISLATURE



May 11, 1994

Committees:

MEMORANDUM

CHAIRPERSON:

Rules

VICE CHAIRPERSON:

Ways & Means

MEMBER:

Economic-
Agricultural
Development,
and Insurance

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

General
Governmental
Operations and
Micronesia Affairs

Health,
Ecology and
Welfare

Judiciary
and
Criminal Justice

Tourism and
Transportation

Youth, Senior
Citizens and
Cultural Affairs

TO: Chairperson, Committee on Economic-Agricultural
Development and Insurance

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 1018

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.


HERMINIA D. DIERKING

Attachment

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1018 (LS)
Introduced By:

*Introduced
V.P. 5/10/94
Ben Pangelinan*

At the request of the Governor

T. S. Nelson

AN ACT TO AMEND SECTION 47412 AND 47213 OF THE
GOVERNMENT CODE WITH RESPECT TO THE PUBLICATION
REVOLVING FUND OF THE DEPARTMENT OF COMMERCE AND
CHARGING FOR THE DISSEMINATION OF INFORMATION

1 SECTION 47212 AND 47213 BE REPEALED AND RE-ENACTED TO READ:

2 "Section 47412. Fees. The ~~Business and Overseas Affairs Division~~ Department of
3 Commerce shall establish a schedule of nominal fees to be charged for providing printed
4 information. The fee schedule shall be designed so that fees received are sufficient but
5 no more than necessary to pay for the cost of printing and dissemination of the
6 information disseminated. The cost of dissemination include but not be limited to
7 postage and shipping. Fees received shall be deposited in the Publication Revolving
8 Fund."

9 "Section 47413. Publication Revolving Fund. There is created a special fund
10 known as the 'Publication Revolving Fund' (the 'Fund') which shall be segregated and set
11 apart from all other funds of the Government of Guam. The 'Fund' shall be used for the
12 sole purpose of printing and disseminating information disseminated by the ~~Business~~
13 ~~and Overseas Affairs Division~~ Department of Commerce. The Director of Commerce shall
14 administer the Fund, subject to audit by the Department of Administration."

ERC Publications
March 9, 1993

1. Guam Annual Economic Review (published annually)
2000 bks @ \$24,950 = \$12.47 ea.

Postage:		Recommended charge:
Intra-island	\$2.19	\$15.00
Domestic	4.05	15.00
Foreign	6.73	20.00

2. Quarterly Economic Review (published qtrly)
2000 bks @ \$2,600 = \$1.30 ea.

Postage:		Recommended charge:
Intra-island	\$1.67	\$3.00
Domestic	1.67	3.00
Foreign	4.77	6.00

3. Consumer Price Index (published qtrly)
2000 bks @ \$840 = .42 ea.

Postage:		Recommended charge:
Intra-island	\$.29	\$.75
Domestic	.29	.75
Foreign	.69	1.15

4. Monthly Food Index (published monthly)
5. Economic Perspective (published qtrly)
6. Guam's Economy in Brief (published when updates available)

Publications 4,5 and 6 are produced in house

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Notice of Public Hearing Committee on Economic-Agricultural Development & Insurance

8:30 am Thursday, June 2, 1994
Public Hearing Room
Guam Legislature Temporary Building
155 Hesler St. Agana, Guam

Agenda

Bill 1015 an act establishing the right to farm, by adding a new Section 60353 to Chapter 60, Title 5 Guam Code Annotated.

Bill 1018 an act to amend Section 47412 and 47413 of the Government Code with respect to the publication revolving fund of the Department of Commerce and charging for the dissemination of information.

Bill 1025 an act to repeal Chapter 1, Title XLIV, Government Code, to amend §2101 of Title 12, GCA, and to add Article 10 to Chapter 2 of said Title, to consolidate the Department of Commerce with the Guam Economic Development Authority and to name the new agency the Economic Development and Commerce Authority.

Chairman, Sen. Ben C. Pangelinan invites the Public to attend.
"Y MANMA CUMBIBADA Y PUBLICO"

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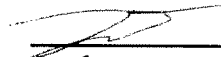
Pacific Daily News

477-9711 Ext. 207

MAY 10'94

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1018 (L)
Introduced By:


At the request of the Governor

AN ACT TO AMEND SECTION 47412 AND 47213 OF THE
GOVERNMENT CODE WITH RESPECT TO THE PUBLICATION
REVOLVING FUND OF THE DEPARTMENT OF COMMERCE AND
CHARGING FOR THE DISSEMINATION OF INFORMATION

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12 sole purpose of printing and disseminating information disseminated by the ~~Business~~
13 ~~and Overseas Affairs Division~~ Department of Commerce. The Director of Commerce shall
14 administer the Fund, subject to audit by the Department of Administration."