



CARL T. C. GUTIERREZ
GOVERNOR OF GUAM

OCT 17 2001


The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 139 (COR) "AN ACT TO REPEAL AND REENACT § 64.40 OF TITLE 9, AND § 39110 OF TITLE 22, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO ILLEGAL COCKFIGHT" which was I have signed into law as **Public Law No. 26-52.**

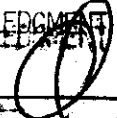
This legislation adds a new Subsection (b) to §64.40 of Title 9 of the Guam Code Annotated, adding penalties to the owner of the property and establishment where illegal cockfighting is taking place. It assesses a fine of \$500 for a first offense, and \$2000 for a second or subsequent offense. This legislation also requires the Mayor or Vice-Mayor of the village in which a legal cockfight is taking place (on village fiestas, Discovery Day, and Fiestan Tasi) to submit a report of the proceeds to the Department of Revenue and Taxation not more than 30 days from the last day of the event. If the report is not submitted, a future cockfight can be denied.

Very truly yours,


Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	1:57 PM
Date	10/17/01

0535

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 139 (COR), "AN ACT TO REPEAL AND REENACT § 64.40 OF TITLE 9, AND § 39110 OF TITLE 22, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO ILLEGAL COCKFIGHT.," was on the 25th day of September, 2001, duly and regularly passed.



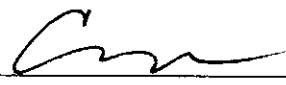
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 25th day of OCT, 2001,
at 6 pm o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 10-17-01

Public Law No. 26-52

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 139 (COR)

As substituted on the Floor
and amended.

Introduced by:

F. B. Aguon, Jr.

J. F. Ada

T. C. Ada

J. M.S. Brown

E. B. Calvo

F. P. Camacho

M. C. Charfauros

Mark Forbes

L. F. Kasperbauer

L. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

A. L.G. Santos

A. R. Unpingco

J. T. Won Pat

**AN ACT TO REPEAL AND REENACT § 64.40 OF
TITLE 9, AND § 39110 OF TITLE 22, ALL OF THE
GUAM CODE ANNOTATED, RELATIVE TO
ILLEGAL COCKFIGHT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that over the past many years, the interest by the community in
4 cockfighting activities continues to increase. This is reflected by the
5 increasing number of people attending and participating in such events. It
6 has also been observed that cockfighting activities outside of licensed cockpit
7 arenas have also increased, causing concern that, aside from these activities

1 taking place during authorized festivities, such as fiesta gatherings, it is
2 becoming more evident that some of these activities are illegally being
3 sponsored.

4 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that,
5 although such activities are regulated and presently authorized by law, any
6 activities that are *not* in compliance with existing mandates must be
7 appropriately addressed. This provision would therefore, set strict fines and
8 penalties for individuals or businesses that sponsor cockfighting activities that
9 are in direct violation of existing laws.

10 **Section 2.** Section 64.40 of Article 2, Chapter 64 of Title 9 of the Guam
11 Code Annotated is hereby *repealed and reenacted* to read as follows:

12 **“Section 64.40. Legal Cockfight Gambling Permitted, and**
13 **Penalties for Non-Compliance.**

14 (a) Section 64.10 does *not* apply to making or accepting a
15 wager upon the result of a cockfight when:

16 (i) the cockfight takes place at a licensed cockpit;
17 *and*

18 (ii) all the wagerers are present at the cockpit and
19 are eighteen (18) years of age or more.

20 (b) **Penalties.** The following penalties shall be
21 established, which shall be considered in conjunction with the
22 provisions contained within § 64.10 of this Chapter, and shall
23 apply to the owner of said property and establishment being
24 utilized for such activities:

1 (i) for the first offense, a fine of Five Hundred
2 Dollars (\$500.00) shall be assessed; *and*

3 (ii) for a second offense and for each subsequent
4 offense(s), a fine of Two Thousand Dollars (\$2,000.00) shall
5 be assessed."

6 **Section 3.** Section 39110 of Chapter 39, Division 3 of Title 22 of the
7 Guam Code Annotated is hereby *repealed and reenacted* to read as follows:

8 **"Section 39110. Cockfights: Days.**

9 (a) Cockfights may be held on Sundays, legal holidays or
10 church holidays. In addition thereto, additional cockfight events
11 may be held each year upon the approval thereof by a majority of
12 the members of the Board.

13 (b) Notwithstanding any other provisions of law, *I*
14 *Maga'lahaen Guåhan* is authorized to allow the conduct of
15 cockfights for the three (3) day weekend period consisting of
16 Friday, Saturday and Sunday for every annual Village fiesta, for
17 Discovery Day and for Fiestan Tasi, with the net proceeds of such
18 cockfights to be given to the Municipal Planning Council of the
19 Village in which the cockfight is held. The Village Mayor or Vice-
20 Mayor will provide a report of the amount of the proceeds that is
21 transmitted to the Municipal Planning Council *not more than* thirty
22 (30) days from the last day of such event to the Department of
23 Revenue and Taxation. Failure to submit such a report will be

1 reason to deny granting future authorization to conduct such
2 events.”

3 **Section 4. Promulgation of Rules.** Notwithstanding any
4 other provisions of law, the Cockpit License Board, together with the
5 Department of Revenue and Taxation, is hereby authorized to promulgate
6 necessary rules and regulations to create a comprehensive regulatory scheme
7 to regulate all gaming activities on Guam; *provided*, that the rules and
8 regulations shall restrict gaming activities to those authorized and licensed on
9 Guam as of August 1, 2001.

10 **Section 5. Severability.** *If* any provision of this Law or its
11 application to any person or circumstance is found to be invalid or contrary to
12 law, such invalidity shall *not* affect other provisions or applications of this
13 Law which can be given effect without the invalid provisions or application,
14 and to this end the provisions of this Law are severable.

6

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 9/23/01

VOTING SHEET

5 Bill No. 139 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A. //	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T. //	✓				

TOTAL

15 _____

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

September 7, 2001

Honorable Antonio R. Unpingco
Speaker
Mina'Bente Sais Na Liheslaturan Guåhan
Hagåtña, Guam 96910

VIA: Chairperson, Committee on Rules, General Government Operations, Reorganization
and Reform and Federal, Foreign and General Affairs

Dear Mr. Speaker:


The Committee on Ways and Means, to which was referred Bill No. 139 (COR), "AN ACT TO REPEAL AND REENACT SECTIONS 64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF THE GUAM CODE ANNOTATED, AND 39110 OF CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND OR ILLEGAL COCKFIGHT EVENTS CONDUCTED IN VIOLATION OF EXISTING LAWS," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

<u> E </u>	To Do Pass
<u> C </u>	Not to Pass
<u> J </u>	To Report Out
<u> O </u>	Abstain
<u> V </u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Thank you,


KALEO S. MOYLAN
Chairperson

Enclosure:


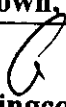

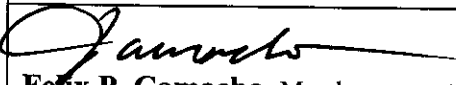
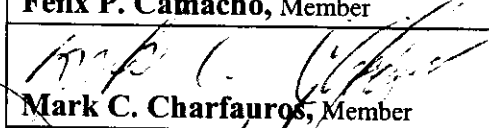
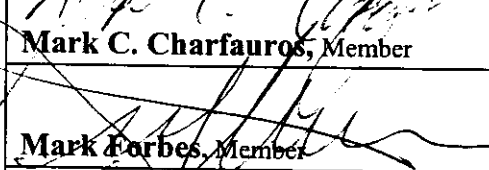


Committee on Ways and Means

Vote Sheet on

Bill No. 139 (COR)

As substituted by the Author.

AN ACT TO REPEAL AND REENACT SECTIONS 64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF THE GUAM CODE ANNOTATED, AND 39110 OF CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND OR ILLEGAL COCKFIGHT EVENTS CONDUCTED IN VIOLATION OF EXISTING LAWS.

COMMITTEE MEMBER	TO DO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
 Kaleo S. Moylan, Chairperson	✓				
Joanne M.S. Brown, Vice Chairperson					
 Antonio R. Unpingco, Speaker & Ex-Officio	✓				
 Eddie B. Calvo, Member	✓				
 Felix P. Camacho, Member	✓				
 Mark C. Charfauros, Member	✓				
 Mark Forbes, Member	✓				
 Lawrence R. Kasperbauer, Member	✗				
 Vicente C. Pangelinan, Member	✓				

**Committee on Ways and Means
Report on**

Bill No. 139 (COR)

As substituted by the Author.

“AN ACT TO REPEAL AND REENACT SECTIONS 64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF THE GUAM CODE ANNOTATED, AND 39110 OF CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND OR ILLEGAL COCKFIGHT EVENTS CONDUCTED IN VIOLATION OF EXISTING LAWS.”

PUBLIC HEARING

The Committee on Ways and Means, to which was referred Bill No. 139 (COR), “AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED,” conducted a public hearing on Tuesday, August 28, 2001, at the Guam Legislature Public Hearing Room. Senator Kaleo S. Moylan, Chairperson of the Committee on Ways and Means, convened the hearing at 9:00 a.m. Also in attendance were Senators Thomas C. Ada, Lou A. Leon Guerrero, Vicente C. Pangelinan, Felix P. Camacho, Eddie B. Calvo and Mark C. Charfauros.

TESTIMONY

Although no individual appeared to testify before the Committee. Written testimony however, was received from Mr. Joseph T. Duenas, Director of the Department of Revenue and Taxation. Mr. Duenas informed the Committee that the Department is in support of establishing stringent penalties and fines for unauthorized and/or illegal cockfight activities.

There being no further discussion, the Chair adjourned the hearing on Bill No 139 (COR).

COMMITTEE PROFILE AND FINDINGS

Profile on

Substitute Bill No. 139 (COR)

Brief Title:	“Penalties for Unauthorized and/or Illegal Cockfight Activities.”
Date Introduced:	Friday, August 3, 2001.
Main Sponsor:	Senator F. B. Aguon, Jr.

Committee Referral: Tuesday, August 21, 2001 from the Committee on Rules, Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs to the Committee on Ways and Means.

Public Hearing: Tuesday, August 28, 2001, 9:00 a.m. at the Legislative Public Hearing Room.

Official Title: "AN ACT TO *REPEAL AND REENACT* SECTIONS 64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF THE GUAM CODE ANNOTATED, AND 39110 OF CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND OR ILLEGAL COCKFIGHT EVENTS CONDUCTED IN VIOLATION OF EXISTING LAWS."

Fiscal Note: Pursuant to the provisions of Chapter 9, of Title 2 of the Guam Code Annotated, a request for a fiscal note on Bill No. 139 (COR) was made to BBMR on Wednesday, August 22, 2001.

Recommendation: To do pass as substituted by the Author.

A Closer Look

A closer look reveals that for many years the interest by the community in the sport of cockfighting throughout the island has continued to increase. This is reflected in the increasing number of people attending and participating in such events. It has also been observed that cockfighting activities outside of licensed cockpit arenas have also increased, causing concern that, aside from these activities taking place during authorized festivities such as fiesta gatherings, it is becoming evident that a number of these activities are being sponsored illegally. It is the author's intent to insure that, although such activities are regulated and presently authorized by law, any activities that are not in compliance with existing mandates must be appropriately addressed. This provision would set strict fines and penalties for individuals or businesses that sponsor cockfighting activities that are in direct violation of existing laws.

Section Analysis

Section 1. Legislative Findings and Intent.

Section 2. Repeal and reenactment. This section repeals and reenacts Section 64.40, Article 2, Chapter 64 of Title 9 of the Guam Code Annotated, relative to Cockfight Gambling Activities and Establishment of Fines and Penalties for Non-Compliance and Legal Cockfight Gambling Permitted, and Penalties for Non-Compliance.

Section 3. Repeal and reenactment. This Section repeals and reenacts Section 39110, Chapter 39, Division 3, Title 22 of the Guam Code Annotated pertaining to Cockfights: Days.

Section 4. Promulgation of Rules. This Section authorizes the Department to promulgate rules and regulations pursuant to the Administrative Adjudication Law.

Section 5. Severability Clause.

FINDINGS

The Committee on Ways and Means to which was referred Bill No. 139 (COR) finds that the legislation was first introduced in the 25th Guam Legislature on October 28, 1999 as Bill No. 347 (LS) by Senator F. B. Aguon, Jr. A public hearing was conducted on Thursday, May 25, 2000, at the Legislative Public Hearing Room by the Committee on Housing, General Government Services and Foreign Affairs. At the hearing the Committee was in receipt of testimony from Mr. Roy Duenas. Presented herein is a summary of Mr. Duenas' testimony.

Summary of Testimony: Mr. Duenas provided the Committee with data indicating that \$310,000 was expended by a current licensee (KM Development) for the opportunity to conduct legal cockfighting in a sanctioned pit and if illegal cockfighting is allowed to continue, the government may stand to lose prospective bidders in the future. Mr. Duenas contends that illegal pits exist throughout the island due to a lack of law enforcement. At these illegal pits, certain vending activities occur without proper government licensing or taxation. The issue at hand is the proper sanctioning and enforcement of laws and regulations that govern these events and its application to those who chose to conduct illegal cockfights in their domain. As a measure of deterrence, Mr. Duenas recommended the levying of penalties or fines against those found to be in violation of the law, be they property owners who host illegal cockfights or the organizers of illegal cockfights.

Furthermore, the Committee is in receipt of testimony from Mr. Joseph T. Duenas, Director of the Department of Revenue and Taxation informing the Committee that the Department is in support of establishing stringent penalties and fines for unauthorized and/or illegal cockfight activities.

COMMITTEE RECOMMENDATION

The Committee on Ways and Means, to which was referred Bill No. 139 (COR), "AN ACT TO REPEAL AND REENACT SECTIONS 64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF THE GUAM CODE ANNOTATED, AND 39110 OF CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND OR ILLEGAL COCKFIGHT EVENTS CONDUCTED IN VIOLATION OF EXISTING LAWS," recommends that the legislation, as substituted, be passed by *I Liheslaturan Guåhan*.

**MINA BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) REGULAR SESSION**

Bill No. 139 (COR)

As substituted on the floor.

Introduced by:

F. B. Aguon, Jr.

**AN ACT TO REPEAL AND REENACT SECTIONS
64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF
THE GUAM CODE ANNOTATED, AND 39110 OF
CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING STRINGENT PENALTIES AND
FINES FOR UNAUTHORIZED AND OR ILLEGAL
COCKFIGHT EVENTS CONDUCTED IN
VIOLATION OF EXISTING LAWS.**

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

2 **Section 1. Legislative Findings/Intent.** *I Liheslaturan Guåhan* finds that
3 over the past many years, the interest by the community in cockfighting
4 activities continues to increase. This is reflected by the increasing number of
5 people attending and participating in such events. It has also been observed
6 that cockfighting activities outside of licensed cockpit arenas have also
7 increased, causing concern that, aside from these activities taking place
8 during authorized festivities such as fiesta gatherings, it is becoming more
9 evident that some of these activities are illegally being sponsored.

10 Therefore, it is the intent of *I Liheslaturan Guåhan* to insure that, although
11 such activities are regulated and presently authorized by law, any activities

1 that are not in compliance with existing mandates must be appropriately
2 addressed. This provision would therefore, set strict fines and penalties for
3 individuals or businesses that sponsor cockfighting activities that are in direct
4 violation of existing laws.

5 **Section 2. Cockfight Gambling Activities and Establishment of Fines**
6 **and Penalties for Non-Compliance.** Section 64.40 of Article 2, Chapter 64,
7 Title 9, Guam Code Annotated, is *hereby repealed and reenacted* to read as
8 follows:

9 **“Section 64.40. Legal Cockfight Gambling Permitted, and**
10 **Penalties for Non-Compliance.** (a) Section 64.10 does not apply to
11 making or accepting a wager upon the result of a cockfight when:

12 (i) the cockfight takes place at a licensed cockpit; *and*
13 (ii) all the wagers are present at the cockpit and are
14 eighteen (18) years of age or more.

15 (b) **Penalties.** The following penalties shall be established,
16 which shall be considered in conjunction with the provisions contained
17 within Section 64.10 of this Chapter, and shall apply to the owner of
18 said property and establishment being utilized for such activities:

19 (i) for the first offense, a fine of Five Hundred Dollars
20 (\$500.00) shall be assessed; *and*

21 (ii) for a second offense and for each subsequent
22 offense(s), a fine of Two Thousand Dollars (\$2,000.00) shall be
23 assessed.”

24 **Section 3.** Section 39110 of Chapter 39, Division 3 of Title 22 of the
25 Guam Code Annotated, is *hereby repealed and reenacted* to read as follows:

1 **"Section 39110. Cockfights: Days.** (a) Cockfights may be
2 held on Sundays, legal holidays or church holidays. In addition thereto,
3 additional cockfight events may be held each year upon the approval
4 thereof by a majority of the members of the Board.

5 (b) Notwithstanding any other provision of law, the Governor is
6 authorized to allow the conduct of cockfights for the three (3) day
7 weekend period consisting of Friday, Saturday, and Sunday for every
8 annual village fiesta, for Discovery Day, and for Fiestan Tasi, with the
9 net proceeds of such cockfights to be given to the Municipal Planning
10 Council of the village in which the cockfight is held. The Village Mayor
11 or Vice Mayor will provide a report of the amount of the proceeds that
12 is transmitted to the Municipal Planning Council not more than thirty
13 (30) days from the last day of such event to the Department of Revenue
14 and Taxation. Failure to submit such a report will be reason to deny
15 *granting future authorization to conduct such events."*

16 **Section 4. Promulgation of Rules.** Notwithstanding any other
17 provision of law, the Cockpit License Board together with the Department, is
18 hereby authorized to promulgate necessary rules and regulations to create a
19 comprehensive regulatory scheme to regulate all gaming activities in Guam,
20 provided that shall restrict gaming activities to those authorized and licensed
21 in Guam as of August 1, 2001.

22 **Section 5. Severability.** *If* any provision of this Law or its
23 application to any person or circumstance is found to be invalid or contrary to
24 law, such invalidity shall *not* affect other provisions or applications of this

- 1 Law which can be given effect without the invalid provisions or application,
- 2 and to this end the provisions of this Law are severable.

**MINA BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) REGULAR SESSION**

Bill No. 139 (COR)

As substituted by the Author.

Introduced by:

F. B. Aguon, Jr.

**AN ACT TO REPEAL AND REENACT SECTIONS
64.40 OF ARTICLE 2, CHAPTER 64, OF TITLE 9 OF
THE GUAM CODE ANNOTATED, AND 39110 OF
CHAPTER 39, DIVISION 3 OF TITLE 22 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING STRINGENT PENALTIES AND
FINES FOR UNAUTHORIZED AND OR ILLEGAL
COCKFIGHT EVENTS CONDUCTED IN
VIOLATION OF EXISTING LAWS.**

BE IT ENACTED B THE PEOPLE OF GUAM:

Section 1. Legislative Findings/Intent. *I Liheslaturan Guåhan* finds that over the past many years, the interest by the community in cockfighting activities continues to increase. This is reflected by the increasing number of people attending and participating in such events. It has also been observed that cockfighting activities outside of licensed cockpit arenas have also increased, causing concern that, aside from these activities taking place during authorized festivities such as fiesta gatherings, it is becoming more evident that some of these activities are illegally being sponsored.

Therefore, it is the intent of *I Liheslaturan Guåhan* to insure that, although such activities are regulated and presently authorized by law, any activities that are not in compliance with existing mandates must be appropriately addressed. This

1 provision would therefore, set strict fines and penalties for individuals or businesses
2 that sponsor cockfighting activities that are in direct violation of existing laws.

3 **Section 2. Cockfight Gambling Activities and Establishment of Fines and**
4 **Penalties for Non-Compliance.** Section 64.40 of Article 2, Chapter 64, Title 9,
5 Guam Code Annotated, is *hereby repealed and reenacted* to read as follows:

6 **“Section 64.40. Legal Cockfight Gambling Permitted, and**
7 **Penalties for Non-Compliance.** (a) Section 64.10 does not apply to
8 making or accepting a wager upon the result of a cockfight when:

9 (i) the cockfight takes place at a licensed cockpit; *and*

10 (ii) all the wagerers are present at the cockpit and are eighteen
11 (18) years of age or more.

12 (b) **Penalties.** The following penalties shall be established, which
13 shall be considered in conjunction with the provisions contained within Section
14 64.10 of this Chapter, and shall apply to the owner of said property and
15 establishment being utilized for such activities:

16 (i) for the first offense, a fine of Five Thousand Dollars
17 (\$5,000.00) shall be assessed; *and*

18 (ii) for a second offense and for each subsequent offense(s), a
19 fine of Ten Thousand Dollars (\$10,000.00) shall be assessed.”

20 **Section 3.** Section 39110 of Chapter 39, Division 3 of Title 22 of the Guam
21 Code Annotated, is hereby *repealed and reenacted* to read as follows:

22 **“Section 39110. Cockfights: Days.** (a) Cockfights may be
23 held on Sundays, legal holidays or church holidays. In addition thereto,
24 additional cockfight events may be held each year upon the approval thereof by
25 a majority of the members of the Board.

1 (b) Notwithstanding any other provision of law, the Governor is
2 authorized to allow the conduct of cockfights for the three (3) day weekend
3 period consisting of Friday, Saturday, and Sunday for every annual village
4 fiesta, for Discovery Day, and for Fiestan Tasi, with the net proceeds of such
5 cockfights to be given to the Municipal Planning Council of the village in
6 which the cockfight is held. The Village Mayor or Vice Mayor will provide a
7 report of the amount of the proceeds that is transmitted to the Municipal
8 Planning Council not more than thirty (30) days from the last day of such event
9 to the Department of Revenue and Taxation. Failure to submit such a report
10 will be reason to deny granting future authorization to conduct such events.”

11 **Section 4. Promulgation of Rules.** Pursuant to the Administrative
12 Adjudication Law, the Cockpit License Board together with the Department, is
13 hereby authorized to promulgate necessary rules and regulations to create a
14 comprehensive regulatory scheme to regulate all gaming activities in Guam, provided
15 that shall restrict gaming activities to those authorized and licensed in Guam as of
16 August 1, 2001.

17 **Section 5. Severability.** *If* any provision of this Law or its application to
18 any person or circumstance is found to be invalid or contrary to law, such invalidity
19 shall *not* affect other provisions or applications of this Law which can be given effect
20 without the invalid provisions or application, and to this end the provisions of this
21 Law are severable.

2001

**MINA BENTE SAIS NA LIHESLATURAN GUAHAN
2001 (FIRST) REGULAR SESSION**

Bill No. 139(COR)
Introduced By:

F. B. Aguon, Jr. 

**AN ACT RELATIVE TO ESTABLISHING
STRINGENT PENALTIES AND FINES FOR
UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT
ACTIVITIES, THROUGH THE REPEAL AND
REENACTMENT OF §§64.40 OF CHAPTER 64,
ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED,
AND §§39110 OF CHAPTER 39, DIVISION 3,
TITLE 22, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings/Intent.**

2 *I Liheslaturan Guahan* finds that for many years the interest by the
3 community in the sport of cockfighting throughout the island has continued to
4 increase. This is reflected in the increasing number of people attending and
5 participating in such events. It has also been observed that cockfighting activities
6 outside of licensed cockpit arenas have also increased, causing concern that, aside
7 from these activities taking place during authorized festivities such as fiesta
8 gatherings, it is becoming evident that a number of these activities are being
9 sponsored illegally.

10 Therefore, it is the intent of *I Liheslaturan Guahan* to insure that, although
11 such activities are regulated and presently authorized by law, any activities that are
12 not in compliance with existing mandates must be appropriately addressed. This

1 provision would set strict fines and penalties for individuals or businesses that
2 sponsor cockfighting activities that are in direct violation of existing laws.

3 **Section 2. Cockfight Gambling Activities and Establishment of Fines and**
4 **Penalties for Non-Compliance.**

5 §§64.40 of Chapter 64, Article 2, Title 9, Guam Code Annotated, is *hereby*
6 *repealed and reenacted* to read as follows:

7 **“Section 64.40. Legal Cockfight Gambling Permitted, and Penalties**
8 **for Non-Compliance.**

9 (a) Section 64.10 does not apply to making or accepting a wager upon
10 the result of a cockfight when:

11 (i.) the cockfight takes place at a licensed cockpit; and

12 (ii.) all the wagerers are present at the cockpit and are eighteen (18)
13 years of age or more.

14 (b) **Penalties.** The following penalties shall be established, which shall
15 be considered in conjunction with the provisions contained within Section 64.10
16 of this Chapter, and shall apply to the owner of said property and establishment
17 being utilized for such activities:

18 (i.) for the first offense, a fine of Five Thousand Dollars
19 (\$5,000.00) shall be assessed; and

20 (ii.) for the second offense and for each subsequent offense(s), a
21 fine of Ten Thousand Dollars (\$10,000.00) shall be assessed.”

22 **Section 3. Cockfight Days.**

23 §§39110 of Chapter 39, Division 3, Title 22, Guam Code Annotated, is
24 hereby *repealed and reenacted* to read as follows:

25 **“Section 39910. Cockfights: Days.**

1 (a) Cockfights may be held on Sundays, legal holidays or church
2 holidays. In addition thereto, additional cockfight events may be held each
3 year upon the approval thereof by a majority of the members of the Board.

4 (b) Notwithstanding any other provision of law, the Governor is
5 authorized to allow the conduct of cockfights for the three (3) day weekend period
6 consisting of Friday, Saturday, and Sunday for every annual village fiesta, for
7 Discovery Day, and for Fiestan Tasi, with the net proceeds of such cockfights to
8 be given to the Municipal Planning Council of the village in which the cockfight
9 is held. The Village Mayor or Vice-Mayor will provide a report of the amount of
10 the proceeds that is transmitted to the Municipal Planning Council not more than
11 thirty (30) days from the last day of such event to the Department of Revenue and
12 Taxation. Failure to submit such a report will be reason to deny granting future
13 authorization to conduct such events.”

14 **Section 4. Severability Clause.**

15 If any provision of this Act, including, but not limited to, any section or
16 subsection contained within this Act, or its application to any person or
17 circumstances is held invalid or contrary to law, the invalidity does *not* affect other
18 provisions, sections, or applications of this Act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this Act are
20 severable.



MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitchan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurát*

21 AUG 2001

MEMORANDUM

TO: Chairman
Committee on Ways and Means

FROM: Chairman
Committee on Rules, General Governmental Operations, Reorganization and
Reform, and Federal, Foreign and General Affairs

SUBJECT: Principal Referral – Bill No. 139 COR

The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

GUAM LEGISLATURE	
OFFICE OF SENATOR KALEO S. MOYLAN	
ACKNOWLEDGEMENT RECEIPT	
Date: 8/21/01	Time: 4:30P
Received by: <i>[Signature]</i>	

Title 9. Crimes and Corrections
Chapter 64. Gambling
Article 2. Authorized Activities

§64.40. Legal Cockfight Gambling Permitted. Section 64.10 does not apply to making or accepting a wager upon the result of a cockfight when:

- (a) the cockfight takes place at a licensed cockpit; and
- (b) all the wagerers are present at the cockpit and are eighteen (18) years of age or more. *SOURCE: *G.P.C. § 330.*

NOTES, REFERENCES, AND ANNOTATIONS

COMMENT: § 64.40 continues the traditional exception found in the Penal Code by allowing wagering at the cockfights, provided that the persons wagering are present, not minors, and are at a licensed cockpit.

Title 22. Business Regulations
Division 3. Business and Professions Subject to Separate
Licensing and Regulatory Requirements

Chapter 33. Cockfighting.

- §39101. License Board: Established.
- §39102. Same: Terms and Compensation.
- §39103. Same: Rules & Regulations.
- §39104. Same: Employees.
- §39105. Cockpits, Authorization to License.
- §39106. Licenses: Issuance.
- §39107. Bid, Invitation for and Submission of.
- §39108. License, Award of.
- §39109. License, Duration, Number, Suspension or Revocation; Citizenship Requirement.
- §39110. Cockfights: Days.
- §39111. Operation of Cockpits.
- §39112. Same: Admission Fees.
- §39113. Same: Wagers. (Repealed)
- §39114. Same: Same: Fees.
- §39115. Wagers.
- §39116. Cockpits & Cockfighting.
- §39117. Same: Drugging Gamecocks and Allied Offenses.

§39118. Penalty.

§39101. License Board: Established. There is hereby established in the Government of Guam a Cockpit License Board (hereafter referred to as the Board) which shall consist of three members including the chairman appointed by the Governor with the consent of the Legislature. *SOURCE: GC § 26100.*

§39102. Same: Terms and Compensation. The members and Chairman of the Board shall be appointed for terms of one (1) year each and shall receive compensation at the rate of Fifty Dollars (\$50) for each attendance at the meeting of the Board, provided, however, that no member shall receive more than One Hundred Dollars (\$100) per month. *SOURCE: GC § 26101; amended by P.L. 15-148:12.*

§39103. Same: Rules & Regulations. The Governor may issue as Executive Orders and the Board may recommend to the Governor for issuance as Executive Orders such reasonable rules and regulations, not inconsistent with the laws of Guam as may be necessary or desirable to enable the Board to carry into effect the provisions of this Chapter. *SOURCE: GC § 26102.*

§39104. Same: Employees. Within the limits of the authorized budget and consistent with the Compensation Law of Guam [Title 4, GCA], the Board may employ and discharge such employees as shall from time to time be necessary in carrying out the duties and responsibilities imposed thereunder. *SOURCE: GC § 26103.*

§39105. Cockpits, Authorization to License. The Board is authorized to issue cockpit licenses for both Balentia and Amara cockpits. Balentia cockfighting shall be that in which the cocks are not equipped with knives or other sharp instruments. Amara cockfighting shall be that in which the cocks are equipped with knives or other sharp instruments. The Board may authorized a licensee to conduct either or both kinds of cockfighting. *SOURCE: GC § 26104; repealed and reenacted by P.L. 13-28:1.*

§39106. Licenses: Issuance. Licenses for the operation of cockpits shall be issued by the Board only after the awarding of the license as herein provided. *SOURCE: GC § 26105.*

§39107. Bid, Invitation for and Submission of. (a) Whenever there are two (2) or less current licenses in effect, the Board shall conduct a public meeting at which it shall review cockpit operations and authorize the letting of bids for licenses which will be new or which will replace the expired or non-renewed licenses.

(b) Not later than ninety (90) days prior to the expiration of an existing license the Board shall publish in a newspaper of general circulation within the territory its invitation for bids.

(c) The invitation for bids shall specify the types of license to be granted and the municipality in which the license is intended to be granted.

(d) The notice shall be published at least once weekly for three (3) consecutive weeks. The notice shall state the address to which bids must be submitted and shall set a

deadline, which shall be thirty (30) days following the day of last publication of notice, for the submission of bids.

(e) No bid for amara shall be considered unless it shall be accompanied by a deposit of One Hundred Dollars (\$100.00) which sum shall not be refundable and which shall be paid into the General Fund of Guam.

(f) No bid shall be considered unless it shall be submitted in a sealed envelope.

(g) The minimum bid which can be received or accepted by the Board for the operation of a cockpit in which amara fights may be conducted shall be Ten Thousand Dollars (\$10,000.00) for five (5) years.

(h) The minimum bid which can be received or accepted by the Board for the operation of a cockpit in which only balentia fights maybe conducted shall be Fifty Dollars (\$50.00) per year. *SOURCE: GC § 26106. Repealed and reenacted by P.L. 13-28:2. Subsection (a) "repealed and reenacted" by P.L. 16-120:28 although no evidence exists of a prior subsection (a). Subsection (a) further amended by P.L. 18-44:37. Subsection (b), which was probably the original section before subsection (a) was added, was amended by P.L. 19-44:38.*

NOTES, REFERENCES, AND ANNOTATIONS

NOTE: Original §§ 26106 and 26107 were repealed in their entirety and a new § 26106 [§ 39107] was enacted by P.L. 13-28:2.

§39108. License, Award of. The Board shall award the license to the highest bidder provided that the bidder is approved by the Board. In the event that the Board does not approve the highest bidder, or the highest bid is for any reason not acceptable to the Board, new notices shall be posted and bids received in the same manner as if no notice had been given. *SOURCE: GC § 26108. Amended by P.L. 13-28:3.*

§39109. License, Duration, Number, Suspension or Revocation; Citizenship Requirement. (a) Licenses to operate cockpits shall be issued for a five (5) year period and may be renewed for an additional five (5) year period upon payment of an amount equal to the amount of his original bid.

(b) No more than three (3) licenses in which amara fights may be conducted shall be granted, provided, that this restriction shall not take effect until the expiration of licenses issued pursuant to previous law.

(c) The Board may suspend or revoke a license for violation of any section of this Chapter or of the rules and regulations issued pursuant thereto. Any action for suspension or revocation shall be taken as provided by the Administrative Adjudication Act.

(d) The Board shall not issue a license to any natural person who is not a citizen of the United States and a resident of Guam not to a legal entity in which the ownership is not at least fifty-one percent (51%) vested in citizens of the United States who are residents of Guam. *SOURCE: GC § 26109. Repealed and reenacted by P.L. 13-28:4; further repealed and reenacted by P.L. 16-120:28(b).*

NOTES, REFERENCES, AND ANNOTATIONS

NOTE: Sections 26109 through 26112 were repealed in their entirety and a new § 26109 [§ 39109] was enacted. by P.L. 13-28:4.

§39110. Cockfights: Days. (a) Cockfights may be held on Sundays, legal holidays or church holidays. In addition thereto, additional cockfight events may be held each year upon the approval thereof by a majority of the members of the Board.

(b) Notwithstanding any other provision of law, the Governor is authorized to allow the conduct of cockfights for the three (3) day weekend period consisting of Friday, Saturday, and Sunday for every annual village fiesta, for Discovery Day, and for Fiestan Tasi, with the net proceeds of such cockfights to be given to the Municipal Planning Council of the village in which the cockfight is held. *SOURCE: Subsection (a): GC § 26110; amended by P.L. 3-28. Subsection (b): Codified by Compiler. Latest version added as a clearly permanent law by P.L. 22-41:29 (second paragraph).*

§39111. Operation of Cockpits. Cockpits may be operated at any time on a day on which they are authorized to be held. *SOURCE: GC § 26114. Amended by P.L. 10-30. Repealed and reenacted by P.L. 16:120:28(c).*

§39112. Same: Admission Fees. The admission fee to a cockpit shall be Three Dollars (\$3.00). *SOURCE: GC § 26115 amended by P.L. 13-133:6.*

§39113. Same: Wagers. (Repealed) *SOURCE: GC § 26116 was repealed by P.L. 3-23.*

§39114. Same: Same: Fees. For each combat between cocks, a fee not to exceed two percent (2%) of the total amount of bets, will be collected by the holder of the franchise. *SOURCE: GC § 26117.*

§39115. Wagers. All wagers on a combat shall be made only within the licensed premises and placed with the licensee or his agent. *SOURCE: GC § 26118.*

§39116. Cockpits & Cockfighting. Every person who shall:

- (a) Operate a cockpit without a license is guilty of a misdemeanor;
- (b) Engage in cockfighting outside of a licensed cockpit is guilty of a misdemeanor. Balentia (without knives or gaffs) or the training of gamecocks shall be exempted from the provision of this subsection, so long as no wagering is involved;
- (c) While under the age of 18 years, attend a licensed cockpit is guilty of a violation punishable by a fine not exceeding Fifty Dollars (\$50.00). *SOURCE: GC § 26119. Repealed and reenacted by P.L. 13-187:181. Amended by P.L. 16-120:28.*

§39117. Same: Drugging Gamecocks and Allied Offenses.

(a) Every person who shall drug, cripple, poison, or in any manner injure any gamecock intended to be matched or entered in a lawful cockfight is guilty of a misdemeanor. For purposes of this section, the taking of a gamecock to within the enclosure of any cockpit shall be sufficient to constitute an intent to match.

(b) Every person who, at any time, has in his possession any grain or other chicken feed, or substance suitable for consumption by chickens which has been mixed or treated with any drug, chemical or other substance poisonous or harmful to chickens with intent to drug, cripple, poison, or in any manner injury any gamecock intended to be matched or entered in a

lawful cockfight is guilty of a misdemeanor. For purposes of this section, possession of any grain or chicken feed, or substance suitable for consumption by chickens which has been mixed or treated with any drug, chemical, or other substance poisonous or harmful to chickens within the enclosure of any cockpit shall be sufficient to constitute an intent to drug, cripple, poison or in any manner injure any gamecock. *SOURCE: GC § 26120. Added by P.L. 13-187:182.*

§39118. Penalty. Violation of any provision of this Chapter or of any rule or regulation duly promulgated by Executive Order pursuant to the provisions of this Chapter for which another penalty is not expressly provided shall be a petty misdemeanor. *SOURCE: GC § 26121. Added by P.L. 13-187:183.*



Dipattamenton Konti sion yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guáhan

CARL T.C. GUTIERREZ, Governor Maga'láhi
LEINE Z. BORDALLO, Lt. Governor Tifente Gubethadora

JOSEPH T. DUENAS, Director Direktot
GEORGE V. CRUZ, Deputy Director
Sigundo Direktot

28 AUG 2001

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

Dear Chairman and Members of the committee:

We are in favor of Bill #139(COR) to establish stringent penalties and fines for unauthorized and/or illegal cockfight activities. In addition to this bill however, we would solicit your support for additional resources for this Department and the Guam Police Department in order to effectively implement this proposed new law. Both our departments lack the resources to aggressively enforce existing law much less new mandates.

Should you have any further question, please call me at 475-1817.

Thank you,

Sincerely,

JOSEPH T. DUENAS

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

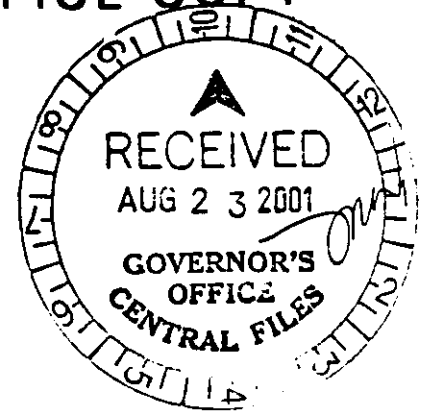
August 22, 2001

OFFICE COPY

The Honorable Carl T.C. Gutierrez
Maga'lahaen Guåhan
R. J. Bordallo Governor's Complex
Agana, Guam 96932

Re: Committee Public Hearing: Tuesday, August 28, 2001

Dear Governor Gutierrez:



This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, August 28, 2001 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Ms. Ma. Elena L. Aquino, to serve as a member of the Guam Housing Corporation, Board of Directors, for the unexpired term of Jessie S. Pendon, to expire on April 26, 2007.

Bill No. 52 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE VILLAGE STREETS FUND TO THE MAYORS' COUNCIL OF GUAM FOR PAYMENT OF UTILITY EXPENSES INCURRED BY MAYORS' OFFICES AND THEIR FACILITIES FOR FISCAL YEAR 2001."

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 130 (COR), "AN ACT RELATIVE TO ALLOWING GOVERNMENT OF GUAM RETIREES TO PARTICIPATE IN THE GOVERNMENT'S SUPPLEMENTAL GROUP LIFE INSURANCE COVERAGE PROGRAM WITH ADDITIONAL PREMIUMS TO BE PAID SOLELY BY THE RETIREE, THROUGH AMENDING §§4303(c) OF TITLE 4, GUAM CODE ANNOTATED."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

The Honorable Carl T.C. Gutierrez

R. J. Bordallo Governor's Council

Re: Committee Public Hearing: Tuesday, August 28, 2001

Page 2

Bill No. 139 (COR), "AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED."

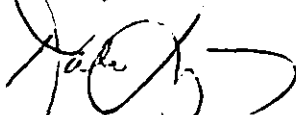
Bill No. 142 (COR), "AN ACT TO APPROPRIATE TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000.00) FROM THE SERIES 2001A SUBACCOUNT OF THE HEALTH SECURITY TRUST FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY FOR PRIOR YEARS' VENDOR PAYMENT OBLIGATIONS AS WELL AS VENDOR PAYMENTS FOR FISCAL YEAR 2001."

Bill No. 144 (COR), "AN ACT TO ADD §26408 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF THE UNIVERSITY OF GUAM CAPITAL IMPROVEMENTS FUND."

Bill No. 154 (COR), "AN ACT TO REPEAL SECTION 8219 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM FOR SICK LEAVE NOT UTILIZED, AND TO AMEND SUBSECTION 4108(h) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM PAYMENTS FOR UNUSED SICK LEAVE."

As these measures directly affect the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Administration's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,



KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina 'Bente Sais Na Liheslaman
Twenty-Sixth Guam Legislature

August 22, 2001

The Honorable Carl T.C. Gutierrez
Maga'lakan Guåhan
R. J. Bordallo Governor's Complex
Agana, Guam 96932

Re: Committee Public Hearing: Tuesday, August 28, 2001

Dear Governor Gutierrez:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, August 28, 2001 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Ms. Ma. Elena L. Aquino, to serve as a member of the Guam Housing Corporation, Board of Directors, for the unexpired term of Jessie S. Pendon, to expire on April 26, 2007.

Bill No. 52 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE VILLAGE STREETS FUND TO THE MAYORS' COUNCIL OF GUAM FOR PAYMENT OF UTILITY EXPENSES INCURRED BY MAYORS' OFFICES AND THEIR FACILITIES FOR FISCAL YEAR 2001."

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 130 (COR), "AN ACT RELATIVE TO ALLOWING GOVERNMENT OF GUAM RETIREES TO PARTICIPATE IN THE GOVERNMENT'S SUPPLEMENTAL GROUP LIFE INSURANCE COVERAGE PROGRAM WITH ADDITIONAL PREMIUMS TO BE PAID SOLELY BY THE RETIREE, THROUGH AMENDING §§4303(c) OF TITLE 4, GUAM CODE ANNOTATED."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

Tel. (671) 472-3342/3 • Fax (671) 472-3440
Sinajana Shopping Mall • Phase II • Suite 16B • 777 Route 4 • Sinajana, Guam 96926 U.S.A.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
(REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

**** COUNT ****

TOTAL PAGES SCANNED : 2
TOTAL PAGES CONFIRMED : 2

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	GOVERNOR	8-22- 1 5:46PM	0'57"	2/ 2	EC	COMPLETED 14400

TOTAL 0:00'57" 2

NOTE:

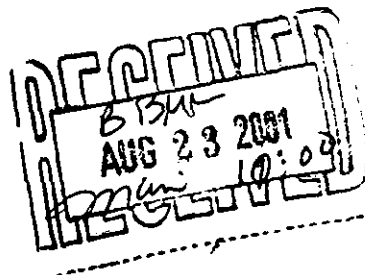
No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

OFFICE COPY

August 22, 2001

Mr. Joseph Rivera
Director
Bureau of Budget and Management Research
R. J. Bordallo Governor's Complex
Hagåtña, Guam 96932



Re: Request for Fiscal Notes

Dear Mr. Rivera:

In addition to Bill Nos. 142 and 144 (COR), please find attached copies of Bill Nos. 52, 127, 130, 135, 139, and 154 (COR), scheduled for public hearing on Tuesday, July 28, 2001. Pursuant to the provisions of Chapter 9, of Title 2 of the Guam Code Annotated, please provide a fiscal note on Bill Nos. 52, 127, 130, 135, 142, 144, 139, and 154 (COR),

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,

KALEO S. MOYLAN

Attachments:

Senator Kaleo S. Moylan
Chairperson, Committee on Hou **L**
ral Government Services and For **A** **ffairs**
Mina' Banta Sala Na Lihaniaturen Guahan
Twenty-Sixth Guam Legislature

August 22, 2001

Mr. Joseph Rivers
 Director
 Bureau of Budget and Management Research
 R. J. Bordallo Governor's Complex
 Hagåtña, Guam 96932

Re: Request for Fiscal Notes

Dear Mr. Rivers:

In addition to Bill Nos. 142 and 144 (COR), please find attached copies of Bill Nos. 52, 127, 130, 135, 139, and 154 (COR), scheduled for public hearing on Tuesday, July 28, 2001. Pursuant to the provisions of Chapter 9, of Title 2 of the Guam Code Annotated, please provide a fiscal note on Bill Nos. 52, 127, 130, 135, 142, 144, 139, and 154 (COR).

A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


 KALEO S. MOYLAN

Attachments:

Tel. (671) 472-3342/3 • Fax (671) 472-3440
 Sinajana Shopping Mall • Phase II • Suite 16B • 777 Route 4 • Sinajana, Guam 96926 U.S.A.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
 (REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

**** COUNT ****

TOTAL PAGES SCANNED : 1
 TOTAL PAGES CONFIRMED : 1

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	BBMR	8-22- 1 5:47PM	0'25"	1/ 1	EC	COMPLETED 14400

TOTAL 0:00'25" 1

NOTE:

No. : OPERATION NUMBER	48 : 4800BPS SELECTED	EC : ERROR CORRECT	G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE	SF : STORE & FORWARD	RI : RELAY INITIATE	RS : RELAY STATION
MB : SEND TO MAILBOX	PG : POLLING A REMOTE	MP : MULTI-POLLING	RM : RECEIVE TO MEMORY

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

August 22, 2001

Mr. Joseph Duenas
Director
Department of Revenue and Taxation
Tiyán, Guam 96932

Re: Committee Public Hearing: Tuesday, August 28, 2001

Dear Mr. Duenas:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, August 28, 2001 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND, REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

Bill No. 139 (COR), "AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED."

As these measures directly affect your Department, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,

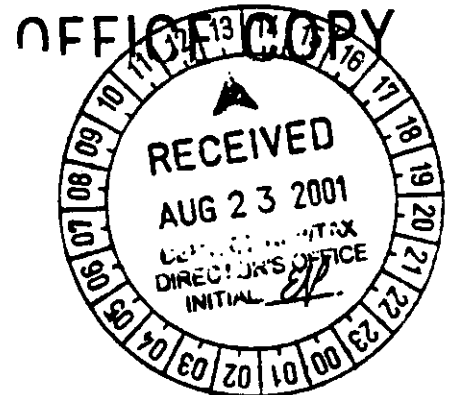

KALEO S. MOYLAN

Enclosures:

cc: Chairman, Cockpit License Board

Tel. (671) 472-3342/3 • Fax (671) 472-3440

Sinajana Shopping Mall • Phase II • Suite 16B • 777 Route 4 • Sinajana, Guam 96926 U.S.A.



MAIWA DENIE SAIS NA LIHESLATURAN GUAHAN
Senator Kaleo S. Moylan, Chairman
Committee on Ways and Means

Public Hearing
9:00 a.m., Tuesday, August 28, 2001

R E V I S E D
A G E N D A

- I. Call to Order:**
- II. Announcement & Introduction of Members:**
- III. Executive Appointment:**

Ms. Ma. Elena L. Aquino, to serve as a member of the Guam Housing Corporation, Board of Directors, for the unexpired term of Jessie S. Pendon, to expire on April 26, 2007.

IV. Legislative Measures:

Bill No. 52 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE VILLAGE STREETS FUND TO THE MAYORS' COUNCIL OF GUAM FOR PAYMENT OF UTILITY EXPENSES INCURRED BY MAYORS' OFFICES AND THEIR FACILITIES FOR FISCAL YEAR 2001."

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 130 (COR), "AN ACT RELATIVE TO ALLOWING GOVERNMENT OF GUAM RETIREES TO PARTICIPATE IN THE GOVERNMENT'S SUPPLEMENTAL GROUP LIFE INSURANCE COVERAGE PROGRAM WITH ADDITIONAL PREMIUMS TO BE PAID SOLELY BY THE RETIREE, THROUGH AMENDING §§4303(c) OF TITLE 4, GUAM CODE ANNOTATED."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

The Hearing will take place at the Guam Legislature's Public Hearing Room. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Kaleo S. Moylan at 472-3342.

TRANSMISSION REPORT

**THIS DOCUMENT WAS CONFIRMED
 (REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)**

**** COUNT ****

TOTAL PAGES SCANNED : 2
TOTAL PAGES CONFIRMED : 2

***** SEND *****

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	REV & TAX	8-22- 1 6:08PM	0'53"	2/ 2	EC	COMPLETED 14400

TOTAL 0:00'53" 2

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
 PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
 MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

August 22, 2001

OFFICE COPY

Mr. Robert Kono, Esq.
Acting Attorney General
Department of Law
Hagåtña, Guam 96910

RECEIVED

AUG 23 2001

ATTORNEY GENERAL'S OFFICE

10:20 am

Re: Committee Public Hearing: Tuesday, August 28, 2001

Dear Mr. Kono:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, August 28, 2001 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Bill No. 52 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE VILLAGE STREETS FUND TO THE MAYORS' COUNCIL OF GUAM FOR PAYMENT OF UTILITY EXPENSES INCURRED BY MAYORS' OFFICES AND THEIR FACILITIES FOR FISCAL YEAR 2001."

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 130 (COR), "AN ACT RELATIVE TO ALLOWING GOVERNMENT OF GUAM RETIREES TO PARTICIPATE IN THE GOVERNMENT'S SUPPLEMENTAL GROUP LIFE INSURANCE COVERAGE PROGRAM WITH ADDITIONAL PREMIUMS TO BE PAID SOLELY BY THE RETIREE, THROUGH AMENDING §§4303(c) OF TITLE 4, GUAM CODE ANNOTATED."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

Bill No. 139 (COR), "AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED."

Tel. (671) 472-3342/3 • Fax (671) 472-3440

Sinajana Shopping Mall • Phase II • Suite 16B • 777 Route 4 • Sinajana, Guam 96926 U.S.A.

Mr. Robert Kono, Esq.
Acting Attorney General
Re: Committee Public Hearing: Tuesday, August 28, 2001
Page 2

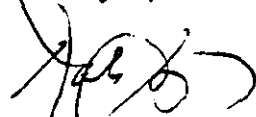
Bill No. 142 (COR), "AN ACT TO APPROPRIATE TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000.00) FROM THE SERIES 2001A SUBACCOUNT OF THE HEALTH SECURITY TRUST FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY FOR PRIOR YEARS' VENDOR PAYMENT OBLIGATIONS AS WELL AS VENDOR PAYMENTS FOR FISCAL YEAR 2001."

Bill No. 144 (COR), "AN ACT TO ADD §26408 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF THE UNIVERSITY OF GUAM CAPITAL IMPROVEMENTS FUND."

Bill No. 154 (COR), "AN ACT TO REPEAL SECTION 8219 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM FOR SICK LEAVE NOT UTILIZED, AND TO AMEND SUBSECTION 4108(h) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM PAYMENTS FOR UNUSED SICK LEAVE."

As these measures directly affect the operations of the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Agency's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Thank you,



KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
 Chairperson, Committee on Ways and Means
Mina Banta Sais Na Likesiatuan (Chairman)
 Twenty-Sixth Guam Legislature

August 22, 2001

Mr. Robert Kono, Esq.
 Acting Attorney General
 Department of Law
 Hagåtña, Guam 96910

Re: Committee Public Hearing: Tuesday, August 28, 2001

Dear Mr. Kono:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Tuesday, August 28, 2001 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Bill No. 52 (COR), "AN ACT TO APPROPRIATE FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) FROM THE VILLAGE STREETS FUND TO THE MAYORS' COUNCIL OF GUAM FOR PAYMENT OF UTILITY EXPENSES INCURRED BY MAYORS' OFFICERS AND THEIR FACILITIES FOR FISCAL YEAR 2001."

Bill No. 127 (COR), "AN ACT TO AMEND §§ 26101(a) and (k), 70103(c) AND (e), 70130, 70131, 76504 AND 106721, ALL OF TITLE 11, GUAM CODE ANNOTATED; TO REPEAL AND REENACT §2110, TO ADD NEW §§ 2110.1, 2110.2 AND 4304, AND TO REPEAL AND REENACT CHAPTER 7, ALL OF TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING THE BUSINESS CLIMATE ON GUAM BY CLARIFYING THE BUSINESS AND BUSINESS LICENSE LAWS ON GUAM."

Bill No. 130 (COR), "AN ACT RELATIVE TO ALLOWING GOVERNMENT OF GUAM RETIREES TO PARTICIPATE IN THE GOVERNMENT'S SUPPLEMENTAL GROUP LIFE INSURANCE COVERAGE PROGRAM WITH ADDITIONAL PREMIUMS TO BE PAID SOLELY BY THE RETIREE, THROUGH AMENDING §§4303(c) OF TITLE 4, GUAM CODE ANNOTATED."

Bill No. 135 (COR), "AN ACT TO AMEND §7123 OF CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, TO READ AS §7123.1; TO ADD §7123.2 TO CHAPTER 7 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO LICENSE PLATES."

Bill No. 139 (COR), "AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED."

Tel. (671) 472-3342/3 • Fax (671) 472-3448
 Sinajana Shopping Mall • Phase II • Suite 16B • 777 Route 4 • Sinajana, Guam 96926 U.S.A.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
 (REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

**** COUNT ****

TOTAL PAGES SCANNED : 2
 TOTAL PAGES CONFIRMED : 2

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	DEPT LAW	8-22- 1 5:48PM	0'52"	2/ 2	EC	COMPLETED 14400

TOTAL 0:00'52" 2

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
 PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
 MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature

August 22, 2001

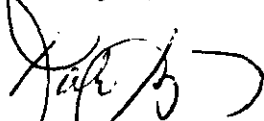
MEMORANDUM

To: All Members, Committee on Ways and Means
From The Chairperson,
Subject: Committee Public Hearing

This is to inform you that the Committee Ways and Means will be conducting a public hearing on Tuesday, August 28 2001, at 9:00 a.m., in the Legislative Public Hearing Room.

Copies of the legislation and revised hearing Agenda are attached for your review.

Thank you,



KALEO S. MOYLAN

Attachment:

cc: All Senators
Clerk of Legislature
Protocol
Media

STORE & FORWARD REPORT

DATE/TIME
 LOCAL TERMINAL ID.
 LOCAL NAME
 COMPANY LOGO

8-22- 1 7:17PM
 6714723440
 SENATOR K. MOYLAN
 GLAM LEGISLATURE

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
001	SENATOR AGUON	8-22- 1 6:17PM	1'50"	2/ 2	EC SF	COMPLETED 7200
002	SEN joseph ada	6:23PM	1'16"	2/ 2	EC SF	COMPLETED 9600
003	SEN thomas ada	6:28PM	1'16"	2/ 2	EC SF	COMPLETED 9600
004	SENATOR BROWN	6:33PM	1'17"	2/ 2	EC SF	COMPLETED 9600
005	SENATOR CALVO	6:41PM	1'34"	2/ 2	SF	COMPLETED 9600
006	SENATOR CAMACHO	6:44PM	1'15"	2/ 2	EC SF	COMPLETED 9600
007	SENATOR FORBES	6:50PM	1'32"	2/ 2	SF	COMPLETED 9600
008	SEN KASPERBAUER	6:54PM	0'51"	2/ 2	EC SF	COMPLETED 14400
009	SEN charfauros	7:01PM	1'33"	2/ 2	SF	COMPLETED 9600
010	SENATOR L. G.	7:02PM	0'50"	2/ 2	EC SF	COMPLETED 14400
011	SEN PANGELINAN	7:05PM	1'14"	2/ 2	EC SF	COMPLETED 9600
012	SENATOR SAntos	7:08PM	0'52"	2/ 2	EC SF	COMPLETED 14400
013	SENATOR won pat	7:14PM	0'50"	2/ 2	EC SF	COMPLETED 14400
014	SPKR UNPINGCO	7:16PM	1'17"	2/ 2	EC SF	COMPLETED 7200

TOTAL 0:17'27" 28

DIAL GROUP

No.	DIRECTORY NUMBERS
015	001 002 003 004 005 006 007 008 009 010 011 012 013 014

NOTE:

No. : DIRECTORY NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
 PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
 MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

**Committee on Ways and Means
Public Hearing
9:00 a.m., Tuesday, August 28, 2001
Revised A G E N D A**

Bill No. 139 (COR), “AN ACT RELATIVE TO ESTABLISHING STRINGENT PENALTIES AND FINES FOR UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT ACTIVITIES, THROUGH THE REPEAL AND REENACTMENT OF §§64.40 OF CHAPTER 64, ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED, AND §§39110 OF CHAPTER 39, DIVISION 3, TITLE 22, GUAM CODE ANNOTATED.”

Bill No. 142 (COR), “AN ACT TO APPROPRIATE TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000.00) FROM THE SERIES 2001A SUBACCOUNT OF THE HEALTH SECURITY TRUST FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY FOR PRIOR YEARS’ VENDOR PAYMENT OBLIGATIONS AS WELL AS VENDOR PAYMENTS FOR FISCAL YEAR 2001.”

Bill No. 144 (COR), “AN ACT TO ADD §26408 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF THE UNIVERSITY OF GUAM CAPITAL IMPROVEMENTS FUND.”

Bill No. 154 (COR), “AN ACT TO REPEAL SECTION 8219 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM FOR SICK LEAVE NOT UTILIZED, AND TO AMEND SUBSECTION 4108(h) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LUMP SUM PAYMENTS FOR UNUSED SICK LEAVE.”

V. Remarks:

VI. Adjournment:

**The Hearing will take place at the Guam Legislature’s Public Hearing Room.
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the
Office of Senator Kaleo S. Moylan at 472-3342.**

**MINA BENTE SAIS NA LIHESLATURAN GUAHAN
2001 (FIRST) REGULAR SESSION**

Bill No. 139 (COR)

Introduced By:

F. B. Aguon, Jr. 

**AN ACT RELATIVE TO ESTABLISHING
STRINGENT PENALTIES AND FINES FOR
UNAUTHORIZED AND/OR ILLEGAL COCKFIGHT
ACTIVITIES, THROUGH THE REPEAL AND
REENACTMENT OF §§64.40 OF CHAPTER 64,
ARTICLE 2, TITLE 9, GUAM CODE ANNOTATED,
AND §§39110 OF CHAPTER 39, DIVISION 3,
TITLE 22, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Legislative Findings/Intent.

2 *I Liheslaturan Guahan* finds that for many years the interest by the
3 community in the sport of cockfighting throughout the island has continued to
4 increase. This is reflected in the increasing number of people attending and
5 participating in such events. It has also been observed that cockfighting activities
6 outside of licensed cockpit arenas have also increased, causing concern that, aside
7 from these activities taking place during authorized festivities such as fiesta
8 gatherings, it is becoming evident that a number of these activities are being
9 sponsored illegally.

10 Therefore, it is the intent of *I Liheslaturan Guahan* to insure that, although
11 such activities are regulated and presently authorized by law, any activities that are
12 not in compliance with existing mandates must be appropriately addressed. This

1 provision would set strict fines and penalties for individuals or businesses that
2 sponsor cockfighting activities that are in direct violation of existing laws.

3 **Section 2. Cockfight Gambling Activities and Establishment of Fines and**
4 **Penalties for Non-Compliance.**

5 §§64.40 of Chapter 64, Article 2, Title 9, Guam Code Annotated, is *hereby*
6 *repealed and reenacted* to read as follows:

7 **“Section 64.40. Legal Cockfight Gambling Permitted, and Penalties**
8 **for Non-Compliance.**

9 (a) Section 64.10 does not apply to making or accepting a wager upon
10 the result of a cockfight when:

11 (i.) the cockfight takes place at a licensed cockpit; and

12 (ii.) all the wagerers are present at the cockpit and are eighteen (18)
13 years of age or more.

14 (b) **Penalties.** The following penalties shall be established, which shall
15 be considered in conjunction with the provisions contained within Section 64.10
16 of this Chapter, and shall apply to the owner of said property and establishment
17 being utilized for such activities:

18 (i.) for the first offense, a fine of Five Thousand Dollars
19 (\$5,000.00) shall be assessed; and

20 (ii.) for the second offense and for each subsequent offense(s), a
21 fine of Ten Thousand Dollars (\$10,000.00) shall be assessed.”

22 **Section 3. Cockfight Days.**

23 §39110 of Chapter 39, Division 3, Title 22, Guam Code Annotated, is
24 hereby *repealed and reenacted* to read as follows:

25 **“Section 39910. Cockfights: Days.**

1 (a) Cockfights may be held on Sundays, legal holidays or church
2 holidays. In addition thereto, additional cockfight events may be held each
3 year upon the approval thereof by a majority of the members of the Board.

4 (b) Notwithstanding any other provision of law, the Governor is
5 authorized to allow the conduct of cockfights for the three (3) day weekend period
6 consisting of Friday, Saturday, and Sunday for every annual village fiesta, for
7 Discovery Day, and for Fiestan Tasi, with the net proceeds of such cockfights to
8 be given to the Municipal Planning Council of the village in which the cockfight
9 is held. The Village Mayor or Vice-Mayor will provide a report of the amount of
10 the proceeds that is transmitted to the Municipal Planning Council not more than
11 thirty (30) days from the last day of such event to the Department of Revenue and
12 Taxation. Failure to submit such a report will be reason to deny granting future
13 authorization to conduct such events.”

14 **Section 4. Severability Clause.**

15 If any provision of this Act, including, but not limited to, any section or
16 subsection contained within this Act, or its application to any person or
17 circumstances is held invalid or contrary to law, the invalidity does *not* affect other
18 provisions, sections, or applications of this Act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this Act are
20 severable.