

OFFICE OF THE LEGISLATIVE SECRETARY
 ACKNOWLEDGMENT RECEIPT
 Received By: [Signature]
 Date: 12/22/01

DEC 22 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 Bill No. 209 (LS) "AN ACT TO AMEND § 16(c) OF CHAPTER III OF P.L. NO. 26-35, RELATIVE TO GUAM VISITORS BUREAU APPROPRIATIONS" which was I have signed into law as **Public Law No. 26-67**.

There are some inconsistencies in this legislation, because Section 16(c) was added in Public Law No. 26-35, but deleted along with Sections 16 (b) and (d) in Public Law No. 26-36.

Section 16(c), as originally enacted in Public Law No. 26-35, provided for a 5% transfer authority between the marketing items within the budget of the Guam Visitors Bureau. All of the transfer flexibility was subsequently deleted in the amendment made to Section 16 in Public Law No. 26-36.

The original bill No. 209 removed the language restricting the transfer authority to 5%, to allow the GVB to transfer more than 5% between marketing item categories. The original bill also added language: "These funds shall not be subject to the transfer authority of I Maga'lahaen Guåhan". The final version of this bill, now acted upon, reinstates the 5% transfer authority that was originally contained in Public Law No. 26-35, but now includes the language: "These funds shall not be subject to the transfer authority of I Maga'lahaen Guåhan".

Very truly yours,

[Signature]
 Carl T. C. Gutierrez
 I Maga'Lahaen Guåhan
 Governor of Guam

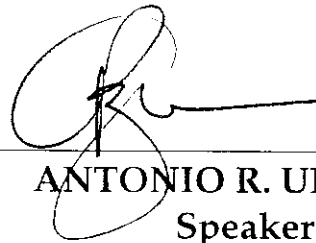
Attachments: original bill for vetoed legislation or
 copy of bill for signed or overridden legislation
 and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
 Speaker

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 Bill No. 209 (LS) "AN ACT TO AMEND § 16(c) OF CHAPTER III OF P.L. NO. 26-35, RELATIVE TO GUAM VISITORS BUREAU APPROPRIATIONS," was on the 7th day of December, 2001, duly and regularly passed.



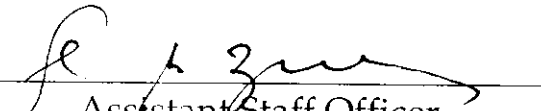
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 12th day of December, 2001,
at 4:47 o'clock 9.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 12-22-01

Public Law No. 26-67

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

Bill No. 209 (LS)

As amended.

Introduced by:

F. P. Camacho

J. F. Ada

T. C. Ada

F. B. Aguon, Jr.

J. M.S. Brown

E. B. Calvo

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 AMEND § 16(c) OF CHAPTER III OF
P.L. NO. 26-35, RELATIVE TO GUAM VISITORS
BUREAU APPROPRIATIONS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the current state of our tourism industry is critical and that the
4 Guam Visitors Bureau ("GVB") is in need of as much help as possible to
5 ensure that our Island's main industry survives these troubling times.

6 Projected numbers from both GVB and the Guam Hotel and Restaurant
7 Association show that the next few months will be challenging, with visitor

1 arrivals expected to remain well below previous years' arrivals. The hotels,
2 restaurants, tour operators and other businesses that rely upon tourists are
3 struggling to survive. As such, *I Liheslaturan Guåhan* finds that there is a need
4 for GVB to adjust its marketing budgets to better serve the needs of the
5 Island's visitor industry. It is the intent of this legislation to allow GVB the
6 transfer authority to move funds among its marketing areas. *However*, GVB
7 shall *not* use the funds for any other purpose.

8 **Section 2.** Section 16(c) of Chapter III of Public Law Number 26-35 is
9 hereby *amended* to read as follows:

10 “(c) Notwithstanding Subsection (b) of this Section, a five
11 percent (5%) transfer flexibility is authorized from among Items (a)(1),
12 (a)(2), (a)(3), (a)(4), (a)(5) and (a)(6) of this Section. These funds shall *not*
13 be subject to the transfer authority of *I Maga'lahen Guåhan*.”

14 **Section 3. Severability.** *If* any provision of this Law or its
15 application to any person or circumstance is found to be invalid or contrary to
16 law, such invalidity shall *not* affect other provisions or applications of this
17 Law which can be given effect without the invalid provisions or application,
18 and to this end the provisions of this Law are severable.

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I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 12/7/01

VOTING SHEET

Bill No. 909 (LS)

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

14
0
0
0
0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
P.O. BOX 10000
HAGATNA, GUAM 96910

Phone: (671) 498-1000
Fax: (671) 498-1000
E-mail: gov@guam.gov
Internet: www.guam.gov

November 14, 2001

The Honorable Antonio R. Espingco
Speaker
I Mina' Bente Sais Na Liheslaturan Guahan
155 Hessler Street
Hagatna, Guam 96910

Dear Mr. Speaker:

The Committee on Tourism, Transportation and Economic Development, to which was referred **Bill No. 209 (LS)** "AN ACT TO AMEND SECTION 16 (c), CHAPTER III MISCELLANEOUS APPROPRIATIONS AND OTHER PURPOSES OF PUBLIC LAW 26-35 RELATIVE TO THE GUAM VISITORS BUREAU APPROPRIATIONS," does hereby report back with the recommendation **TO DO PASS**.

The Committee votes are as follows:

- 5 To Pass
- Not To Pass
- To Report Out On
- To The Inactive File
- Abstained
- Off-Island
- Not Available



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

Sincerely,

Felix P. Camacho

VOTING SHEET

BILL 209(LS)

COMMITTEE MEMBERS	RECOMMENDATION TO					
	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Senator Felix Camacho		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Kaleo Moylan		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Antonio Unpingco		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Speaker Larry Kasperbauer		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Joseph Ada		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mark Forbes		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mark Charlauros		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ben Panelinan		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tom Ada		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lou Leon Guerrero		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMITTEE REPORT

ON

BILL NO. 209 (LS)

"AN ACT TO AMEND SECTION 16 (c), CHAPTER 16 MISCELLANEOUS
APPROPRIATIONS AND OTHER PURPOSES OF PUBLIC LAW 26-35 RELATIVE
TO THE GUAM VISITORS BUREAU APPROPRIATIONS."

COMMITTEE MEMBERS

Chairman: Felix P. Camacho
Vice Chairman: Kaleo Moylan
Ex-Officio Member: Antonio R. Unpingco

Larry Kasperbauer
Joseph Ada
Mark Forbes
Eddie Baza Calvo
Mark Charfauros
Ben Pangelinan
Tom Ada
Lou Leon Guerrero

COMMITTEE REPORT
TOURISM, TRANSPORTATION AND ECONOMIC
DEVELOPMENT

BILL NO. 209 (LS)

"AN ACT TO AMEND SECTION 16 (c), CHAPTER III MISCELLANEOUS APPROPRIATIONS AND OTHER PURPOSES OF PUBLIC LAW 26-35 RELATIVE TO THE GUAM VISITORS BUREAU APPROPRIATIONS.

I. PUBLIC HEARING

The Committee on Tourism, Transportation and Economic Development held a public hearing on November 14, 2011 at 1 p.m. to hear testimony on Bill 209 (LS), "AN ACT TO AMEND SECTION 16 (c), CHAPTER III MISCELLANEOUS APPROPRIATIONS AND OTHER PURPOSES OF PUBLIC LAW 26-35 RELATIVE TO THE GUAM VISITORS BUREAU APPROPRIATIONS."

The hearing was called to order by Senator Felix P. Camacho, Chairman of the Committee on Tourism, Transportation and Economic Development. Members present included Vice Speaker Larry Kasperbauer.

Present to testify was Guam Visitors Bureau General Manager James Nelson.

II. TESTIMONY

James Nelson, Guam Visitors Bureau General Manager

Mr. Nelson thanked the committee for the opportunity to testify. He read his written testimony and offered to answer any questions.

Senator Camacho said he wanted to be clear that this bill only allows transfers between the marketing categories. Mr. Nelson said GVB understood this.

III. FINDINGS

The Committee finds that Bill No. 209 (LS), "AN ACT TO AMEND SECTION 16 (c), CHAPTER III MISCELLANEOUS APPROPRIATIONS AND OTHER PURPOSES OF PUBLIC LAW 26-35 RELATIVE TO THE GUAM VISITORS BUREAU APPROPRIATIONS," will provide the Guam Visitors Bureau with flexibility to respond to obstacles and challenges during these difficult times.

IV. RECOMMENDATIONS

The Committee on Tourism, Transportation and Economic Development hereby reports out Bill No. 209 (LS) with the recommendation *TO DO PAS*:



MINA BENTE SAIS NA LIHESLATURAN GUAHAN

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

*Senadot Mark Forbes, Gebilu
Kabisiyon Mayurát*

06 NOV 2001

MEMORANDUM

TO: Chairman
Committee on Tourism, Transportation and Economic Development

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

SUBJECT: Principal Referral - Bill No. 209 (LS)

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

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Section 2. Section 16 (c), Chapter III of Public Law 26-35, as amended, is further *amended* to read as follows:

“(c). Notwithstanding Subsection (b) of this Section, a ~~five percent~~ (5%) transfer flexibility is authorized from among Items (a)(1), (a)(2), (a)(3), (a)(4), (a)(5) *and* (a)(6) of this Section. These funds shall not be subject to the transfer authority of the governor.”

Section 3. Severability. *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.



GOVERNMENT OF GUAM
Honorable Felix P. Camacho
GOVERNOR OF THE GUAM LEGISLATURE

GOVERNMENT OF GUAM
LEGISLATURE
1ST DISTRICT
472-3111 487-46
472-3111 72-3561

Public Hearing
1 p.m. Wednesday, November 14, 2001

AGENDA

- I. Call to Order
- II. Announcement and Introduction of Members
- III. Confirmation Hearing: Lorenzo Aflague to the Guam International Airport Authority
- IV. Legislative Measure: BILL NO. 210
- V. Legislative Measure: BILL NO. 162
- VI. Legislative Measure: BILL NO. 209
- VII. Remarks
- VIII. Adjournment



THE OFFICE OF
Senator
Felix P. Camacho
 TWENTY-SIXTH GUAM LEGISLATURE
 Suite 15B • 777 Avenida • Hagåtña, Guam

REPUBLIC OF GUAM
 GOVERNMENT OFFICE
 COMMITTEE ON TOURISM, TRANSPORTATION
 AND ECONOMIC DEVELOPMENT
 Suite 15B • 777 Avenida • Hagåtña, Guam • Phone: (671) 472-3544 / 45 / 46 • Fax: (671) 472-3534

BILL NO. *209*

NAME :	ORGANIZATION :
<i>James Nelson</i>	
CONTACT :	MAILING ADDRESS :
NAME :	ORGANIZATION :
CONTACT :	MAILING ADDRESS :
NAME :	ORGANIZATION :
CONTACT :	MAILING ADDRESS :
NAME :	ORGANIZATION :
CONTACT :	MAILING ADDRESS :
NAME :	ORGANIZATION :
CONTACT :	MAILING ADDRESS :

Testimony for Bill 209
James A. Nelson, III, General Manager
Guam Visitors Bureau
Wednesday, November 14, 2001

Hafa Adai Mr. Chairman and members of the Committee on Tourism, Transportation, and Economic Development. Thank you for the opportunity to present testimony on Bill No. 209: An Act to Amend Section 16 (c), Chapter III Miscellaneous Appropriations and other purposes of Public Law 26-35 relative to Guam Visitors Bureau appropriations.

In past years, we have been witness to events that affected our tourism industry and island's economy such as the KAL 007 crash and the Asian Economic Crisis. During these times, we were presented with promising marketing opportunities that would allow for recovery and prosperity. However, most of the opportunities had to be passed on because funding was not available in marketing budgets.

However, knowing the importance to recover from these events, we had to alter and sometimes cancel scheduled marketing promotions and activities to tackle what was more real and present to our island's situation.

Due to the 9-11 tragedy, we again needed to re-direct funds within our Japan budget to implement the \$1.6 million recovery plan. Similar circumstances were also applied to our Korea efforts. And, with the future prospect of including Guam on the approved destination for travel list in China, we must also re-evaluate marketing dollars.

We know that we will have to look at our entire marketing budget and reallocate the bottom line figures in order to accommodate programs and activities for our more lucrative markets of Japan and Korea.

These incidents are just some examples of how GVB had to redirect marketing funds for emergency or recovery efforts. The goal continues to be that we need to maintain or build Guam's image as an ideal visitor destination, and for this reason, we need the flexibility to transfer funds within the Bureau's appropriation.

We all hope and pray that there will never be another "September 11" attack, however, in this volatile industry that we live and work in, we must be able to react quickly to address challenges and obstacles along the way.



GOVERNMENT OF GUAM
Felipe C. Reyes, Governor
Felix P. Camacho, Chairman
TWENTY-SIXTH GUAM LEGISLATURE

DATE: 11/13/01
TO: All Members
FROM: Chairman
SUBJECT: 172-3, 141-01
172-4

November 13, 2001

MEMORANDUM

To: All Members, Committee on Tourism, Transportation and Economic Development

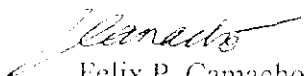
From: The Chairman

Subject: Reminder Notice

Hafa Adai! This is to remind you that that the Committee on Tourism, Transportation and Economic Development will be conducting a public hearing at 1 p.m. tomorrow at the Legislature's Public Hearing Room. The Committee will hear testimony on Bills 210 and 162 regarding government refinancing and Bill 209 regarding GVB transfer authority. The committee also will hear testimony on the confirmation of Lorenzo Aflague to the Guam International Airport Authority.

Should you have any questions, please feel free to contact my office at the numbers listed above.

Thank you,



Felix P. Camacho

Cc: All Senators
Clerk of the Legislature
Protocol
Archives
Media

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

Bill No. 12(2)

Introduced by:

F. P. Camacho 

**AN ACT TO *AMEND* SECTION 16 (c), CHAPTER III
MISCELLANEOUS APPROPRIATIONS AND OTHER
PURPOSES OF PUBLIC LAW 26-35 RELATIVE TO
GUAM VISITORS BUREAU APPROPRIATIONS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 the current state of our tourism industry is critical and that the Guam Visitors
4 Bureau is in need of as much help as possible to ensure that our island's main
5 industry survives these troubling times.

6 Projected numbers from both the Visitors Bureau and the Guam Hotel and
7 Restaurant Association show that the next few months will be challenging, with
8 visitor arrivals expected to remain well below previous years' arrivals. The hotels,
9 restaurants, tour operators and other businesses that rely on tourists are struggling
10 to survive. As such, *I Liheslaturan Guåhan* finds that there is a need for the Guam
11 Visitors Bureau to adjust its marketing budgets to better serve the needs of the
12 island's visitor industry. It is the intent of this Legislation to allow the Visitors
13 Bureau the transfer authority to move funds among its marketing areas. However,
14 the Visitors Bureau shall not use the funds for any other purpose.

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