I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Bill No. 209-31 (COR), "AN ACT TO *AMEND* §1033 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE GUAM *KO'KO'* ROAD RACE AS PART OF THE GUAM-MICRONESIA ISLAND FAIR, AND TO PROVIDE FOR SUPPORT FROM THE GUAM POLICE DEPARTMENT AND GUAM FIRE DEPARTMENT,"** was on the 19th day of September, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 209-31 (COR)
As amended on the Floor.

Introduced by: T. R. Muña Barnes
B. J.F. Cruz
Chris M. Dueñas
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §1033 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE GUAM *KO'KO'* ROAD RACE AS PART OF THE GUAM-MICRONESIA ISLAND FAIR, AND TO PROVIDE FOR SUPPORT FROM THE GUAM POLICE DEPARTMENT AND GUAM FIRE DEPARTMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that since 2006, the Guam *Ko'Ko'* Road Race, an event intended to raise awareness for Guam's endangered official Territorial Bird and to attract international athletes

to Guam, has become an annual addition to the Guam-Micronesia Island Fair. As the Guam *Ko'Ko'* Road Race has become an integral part of the Guam-Micronesia Island Fair, it is appropriate that the event be an official function of the government of Guam, and that the two (2) events be joined and renamed to the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race. *I Liheslaturan Guåhan* further finds that public safety support from the Guam Police Department and Guam Fire Department for the events is warranted.

Section 2. §1033 of Chapter 10, Title 1, Guam Code Annotated, is hereby *amended* to read:

"**§ 1033. Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race.**

(a) Annually, *I Maga'lahen Guåhan* (Governor) *shall* issue a proclamation calling upon the people of Guam to observe a Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race, which *shall* be held at the discretion of the Guam Visitors Bureau.

(b) The Guam Visitors Bureau *shall* be the organizing body for the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race, and *shall* provide the necessary logistics and financial support to ensure the success of the Fair as an international event and visitor attraction. The Department of Parks and Recreation *shall* assist by issuing permits for booths and exhibits, and designing the general layout of booths, exhibits and activities, with cultural awareness paramount in the design. The Department of Public Works *shall* inspect and ensure that the public facilities at the selected site are in good working condition to adequately protect the health and safety of the persons at the Fair. The Department of Revenue and Taxation *shall* issue on a priority basis a license for each type of activity being conducted at the Fair which requires a license from the Department. The Department of

Public Health and Social Services *shall* issue licenses for the preparation and sale of food. The Customs and Quarantine Agency *shall* provide information and assistance to participants concerning the importation requirements of the statutes of Guam, the U.S. Department of Agriculture, and other agencies for importation of items into Guam for use at the Fair. The Department of Agriculture *shall* establish regulations for the judging of produce and livestock exhibited at the Fair.

The Mayors Council *shall* create a mechanism for village participation *or* competitions. The Guam Council on the Arts and Humanities Agency *shall* provide technical assistance to encourage public participation of the performing and fine arts. The Guam Police Department, the Guam Fire Department, Guam Homeland Security, and all other law enforcement entities of the government of Guam *shall* provide public safety support at the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race at the request of the Guam Visitors Bureau. The Guam Fire Department *shall* also inspect all booths and temporary structures to ensure compliance of Fire and Life Safety requirements, and issue required permits to operate such booths and temporary structures.

(c) *I Maga'lahi* (the Governor) *shall* appoint, from among the personnel of the departments and agencies mentioned in Subsection (b) of this Section, personnel to ensure the success of the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race. The Speaker, in consultation with the respective Chairpersons of the Committees on Economic Development and Tourism, *shall* designate representatives from *I Liheslatura* (the Legislature) to serve as members of the organizing committee.

(d) The Guam Visitors Bureau, in collaboration with the agencies listed in Subsection (b), *shall* establish a fee schedule for the conduct of the

Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race. The fee schedule *shall* include at a minimum: the cost for rental of display space; a participation fee to cover the costs of security, maintenance and other common area services at the Fair site; and a means by which food and beverage, produce, handicrafts, and other items being offered for sale may be purchased. All fees from the sale of goods or services sold at the Fair *shall* be collected and deposited to the Treasury of Guam. Twenty-five percent (25%) of the proceeds collected *shall* be deposited in the General Fund; fifty percent (50%) *shall* be deposited in the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race Revolving Fund, which is hereby created, to be administered by the Guam Visitors Bureau, for the sole purpose of paying for the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race-related expenses; and twenty-five percent (25%) shall be deposited in the FESTPAC 2016 Folklife Festival Trust Account.

(e) Within thirty (30) days of the close of each Guam-Micronesia Island Fair and Guam *Ko 'Ko'* Road Race, the Guam Visitors Bureau *shall* report on the financial status of the Fair and the Guam-Micronesia Island Fair and Guam *Ko'Ko'* Road Race Revolving Fund to *I Maga'lahi* (the Governor) and the Speaker of *I Liheslaturan Guåhan*, and *shall* make recommendations to improve the implementation of the Fair, including future sites and dates of the Fair and post the same on its website."