# *I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*

## 2019 (FIRST) Regular Session

# LEGISLATIVE SESSION VOTING RECORD

| **Bill No. 29-35 (COR)**<br>As amended by the Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure, and Public Transit; and further amended on the Floor. | **Speaker Antonio R. Unpingco Legislative Session Hall**<br>**Guam Congress Building**<br>**March 29, 2019** |
|---|---|

| NAME | Aye | Nay | Not Voting/ Abstained | Out During Roll Call | Absent | Excused |
|---|---|---|---|---|---|---|
| **Senator William M. CASTRO** | ✓ | | | | | |
| **Senator Régine Biscoe LEE** | | I ✓ | | | | |
| **Senator Kelly G. MARSH (TAITANO), PhD** | | | | | ✓ | ✓ |
| **Senator James C. MOYLAN** | ✓ | | | | | |
| **Speaker Tina Rose MUÑA BARNES** | ✓ | | | | | |
| **Senator Louise B. MUÑA** | | | | | ✓ | ✓ |
| **Vice Speaker Telena Cruz NELSON** | | ✓ | | | | |
| **Senator Sabina Flores PEREZ** | | ✓ | | | | |
| **Senator Clynton E. RIDGELL** | ✓ | I | | | | |
| **Senator Joe S. SAN AGUSTIN** | ✓ | | | | | |
| **Senator Amanda L. SHELTON** | ✓ | | | | | |
| **Senator Telo T. TAITAGUE** | ✓ | | | | | |
| **Senator Jose "Pedo" TERLAJE** | ✓ | | | | | |
| **Senator Therese M. TERLAJE** | | ✓ | | | | |
| **Senator Mary Camacho TORRES** | | ✓ | | | | |

| **TOTAL:** | 8 | 5 | | | 2 | 2 |
|---|---|---|---|---|---|---|
| | **Aye** | **Nay** | **Not Voting/ Abstained** | **Out During Roll Call** | **Absent** | **Excused** |

CERTIFIED TRUE AND CORRECT:

RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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**Bill No. 29-35 (COR)**
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Introduced by: James C. Moylan
Jose "Pedo" Terlaje
Joe S. San Agustin
William Mendiola Castro

**AN ACT TO *REPEAL* AND *REENACT* § 64.62 AND *ADD* NEW §§ 64.62.1 AND 64.62.2, ALL OF ARTICLE 2, CHAPTER 64, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE MAYORS COUNCIL OF GUAM TO ESTABLISH RULES AND REGULATIONS RELATED TO GAMES OF CHANCE AT THE GUAM ISLAND FAIR AND LIBERATION DAY CARNIVAL.**

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

**Section 1.** § 64.62 of Article 2, Chapter 64, Title 9, Guam Code Annotated, is hereby *repealed* and *reenacted* to read as follows:

"**§ 64.62. Rules and Regulations to Permit Games of Chance at the Guam Island Fair and Liberation Day Carnival.**

(a) Notwithstanding any other provision of law, rule, or regulation to the contrary, the Mayors Council of Guam, with the Attorney General of Guam and the Director of the Department of Revenue and Taxation, is hereby authorized to draft and submit to the Speaker of *I Liheslaturan Guåhan*, *no later than* sixty (60) days

from the enactment of this Act, rules and regulations to permit Games of Chance at the Guam Island Fair and Liberation Day Carnival upon a proclamation by *I Maga'hågan Guåhan.* For the purpose of the rules and regulations authorized by this Section, "Games of Chance" *shall* be limited to:

(1) Carnival Games which for the purpose of this Section *shall* mean a game played for entertainment in which:

(i) the contestant actively participates;

(ii) the outcome depends in a material degree upon the skill of the contestant;

(iii) only merchandise prizes are awarded;

(iv) the outcome is not in the control of the operator; and

(v) the wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game;

(2) Poker, to include, but not be limited to, Texas Hold'em;

(3) *Pusoy*;

(4) Baccarat;

(5) Blackjack;

(6) Monte;

(7) Color Game;

(8) Big & Small;

(9) Beto Beto; and

(10) Bingo.

(b) *I Liheslaturan Guåhan* may, by the passage of a bill into law, approve, disapprove, or amend the rules and regulations permitted by this Section within thirty (30) calendar days from the date of filing with the Speaker of *I Liheslaturan*

*Guåhan*; *except*, that any pending rules *shall* be deemed disapproved upon adjournment sine die of *I Liheslaturan Guåhan*.

(c) The rules and regulations *shall* consist of, among other items, the following:

(1) protocol for authorization;

(2) a determination of how municipalities manage the games of chance, including timelines;

(3) a determination of how proceeds are split among municipalities;

(4) a determination of how the funds will be expended;

(5) a determination of how the games of chance and other vendors will be procured;

(6) an identification of security protocol, including how minors will not be impacted;

(7) an identification of projected revenues; and

(8) an identification of maintenance plans."

**Section 2.** A new § 64.62.1 is *added* to Article 2, Chapter 64, Title 9, Guam Code Annotated, to read:

"**§ 64.62.1. Mandatory Conditions.**

Rules and regulations permitted under § 64.62 must comply with the following:

(a) The Director of the Department of Revenue and Taxation *shall* designate and require the physical presence of a compliance agent during the operation of any Games of Chance permitted by § 64.62 of this Article.

(b) Any Games of Chance authorized under § 64.62 of this Article *shall* maintain the same hours of operation as the Guam Island Fair and Liberation Day Carnival; *except*, that Games of Chance under § 64.62 may operate until 2:00 a.m.

on Fridays and Saturdays, and any night prior to an official federal or Guam holiday during the time period authorized by Subsection (c) of this Section.

(c) Games of Chance permitted under § 64.62 of this Article *shall* begin *no earlier than* the opening day of the Guam Island Fair and Liberation Day Carnival, and *shall* cease operations *no later than* sixty (60) days from the date of the opening day."

**Section 3.** A new § 64.62.2 is *added* to Article 2, Chapter 64, Title 9, Guam Code Annotated, to read:

*"***§ 64.62.2. Financial Reports Required.**

The Mayors Council of Guam *shall* be subject to an audit by the Office of Public Accountability (OPA) within thirty (30) days of completion of the Guam Island Fair and Liberation Day Carnival. All financial documents that are required for this audit *shall* be submitted by the Mayors Council of Guam to the OPA, or the activities permitted under § 64.62 *shall* be suspended. The OPA *shall* publish the audit and submit its report to the Speaker of *I Liheslaturan Guåhan*."

**Section 4. Effective Date.** This Act *shall* be effective upon enactment.