

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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JPM

Bill No. 508'31 (cor)

Introduced by:

Judith P. Guthertz, DPA

**AN ACT TO ADD A NEW SUB SECTION (A) TO §
77114.1 AND § 77115 OF ARTICLE 1, CHAPTER 77, TITLE
21 GUAM CODE ANNOTATED RELATIVE TO FEES
AND REVENUE FROM CONCESSIONS AND USES.**

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

2 **Section 1.** § § 77114.1 of Article 1, Chapter 77, Title 21 Guam Code Annotated
3 is hereby amended to read:

4 "§ 77114.1 Fees. The Parks and Recreation Commission (the
5 "Commission") may collect fees, charges and assessments for the following:

6 The use of park shelters, pavilions and open areas by the public and by park
7 vendors, the use of recreation facilities, sign-up fees, concession, billboards,
8 equipment rentals, facility rentals, overnight camping fees, and commercial
9 photography fees as established by the Commission. The Commission shall
10 establish a fee schedule for the foregoing uses of the Guam Territorial Park
11 System and recreational facilities. All such fee schedules shall be adopted in
12 compliance with the Administrative Adjudication Law. All fees collected
13 under such schedules shall be deposited into the Fund. Any fee schedule and
14 the Recreation Activity Revolving fee schedule adopted by the Commission
15 prior to the enactment of this 26012.1 shall remain in effect until altered and

1 may be so altered or modified by the Commission only after public hearing on
2 any proposed changes, in compliance with the Administrative Adjudication
3 Law.

4 a.) The Commission shall develop a policy specific to vendors wishing
5 to do business within our Territorial Park system whose services
6 showcase the island’s cultural heritage, history and legacy; and who
7 offer products “Made in Guam” that have the Guam Product Seal
8 permit, or showcase Guam’s livestock such as the Carabao and other
9 animals historically identified with the island, and agricultural products
10 grown locally and activities identified with Guam.

11 All offerings by these vendors such as handmade products, park rides,
12 and or photo opportunities shall demonstrate cultural practices,
13 craftsmanship, and design readily identified in Guam’s history that
14 showcase the island’s heritage, history, and legacy. These vendors shall
15 be exempt from fees; however, the Commission may establish terms and
16 conditions specific to these vendors as they do business or offer their
17 products or activities in our territorial park system.

18 b.) The Commission may limit the number and type of vendors per
19 park, in accordance with its administrative rules and regulations, whose
20 services showcase the island’s cultural heritage, history and legacy. “

21 **Section 2.** § 77115 of Article 1, Chapter 77, Title 21 Guam Code
22 Annotated is hereby amended to read:

23 **“§ 77115. Revenue from Concessions and Uses.**

1 The Director is authorized to grant permits to individuals or groups to
2 establish concessions on or otherwise use any part of the Guam Territorial
3 Park System, the fees for which shall be deposited in the Parks Fund;
4 provided, that any person or group granted such a permit shall not be
5 required to give bond or obtain products liability insurance or personal injury
6 liability insurance.

7 a.) Notwithstanding any other provision of law, vendors wishing to do
8 business within our Territorial Park system, whose services showcase
9 the island's cultural heritage, history and legacy; and who offer
10 products "Made in Guam" that have the Guam Product Seal permit, or
11 showcase Guam's livestock such as the Carabao and other animals
12 historically identified with the island, and agricultural products grown
13 locally and activities identified with Guam, shall be exempt from vendor
14 fees assigned by the Department of Parks and Recreation.

15 All offerings by these vendors such as handmade products, park rides,
16 and or photo opportunities shall demonstrate cultural practices,
17 craftsmanship, and design readily identified in Guam's history that
18 showcase the island's heritage, history, and legacy."