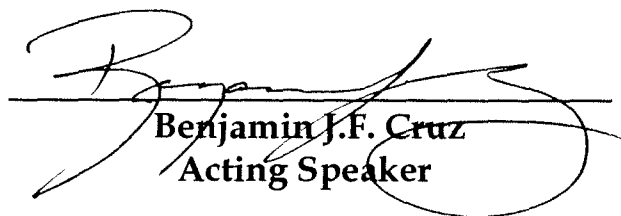


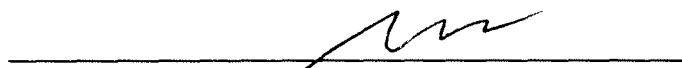
I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

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

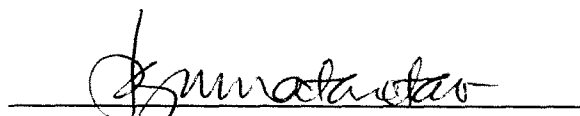
This is to certify that **Substitute Bill No. 196-30 (COR), "AN ACT TO ADD A NEW §40115.A TO CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING VILLAGE MAYORS AS DIRECT REPRESENTATIVES OF THE PEOPLE, AND EMPOWERING THEM WITH AUTHORITY FOR VILLAGE EVENTS,"** was on the 13<sup>th</sup> day of November, 2009, duly and regularly passed.

  
Benjamin J.F. Cruz  
Acting Speaker

Attested:

  
Rory J. Respicio  
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of Nov, 2009, at 4:30 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

\_\_\_\_\_  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 196-30 (COR)**

As substituted by the Committee on Municipal Affairs,  
Aviation, Housing and Recreation and as  
amended on the Floor.

Introduced by:

T. R. Muña Barnes  
Telo Taitague  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
M. J. Rector  
R. J. Respicio  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §40115.A TO CHAPTER 40,  
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO  
RECOGNIZING VILLAGE MAYORS AS DIRECT  
REPRESENTATIVES OF THE PEOPLE, AND  
EMPOWERING THEM WITH AUTHORITY FOR  
VILLAGE EVENTS.**

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

**2 Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
**3** that the responsibilities and authorities of our Village Mayors have evolved over a  
**4** long period of time. Since the enactment of Public Law 14-27, it is common

1 knowledge that other elected leaders yield to Village Mayors to seek out what the  
2 people from their respective villages desire for the betterment of their community.

3 As the powers, responsibilities, and duties of Village Mayors continue to  
4 evolve, it is the intent of *I Liheslaturan Guåhan* to provide Mayors with greater  
5 authority and autonomy to ensure people’s needs are taken care of at the  
6 community level. Mayors today are *not* just the custodians of their jurisdiction that  
7 maintain a clean and beautiful neighborhood. Our Mayors have been granted  
8 authority to act as Peace Officers and are obliged to assist in maintaining law and  
9 order. Mayors have also been given powers to issue citations for the violations of  
10 sanitary, health, and litter laws in their village.

11 It is the intent of *I Liheslaturan Guåhan* to recognize our Mayors as the  
12 direct administrative representatives of our people and to empower them with the  
13 authority to approve any lawful concessionary activities that are officially  
14 sponsored *or* organized by their office *or* the Mayors’ Council of Guam.

15 **Section 2.** A new §40115.A is hereby *added* to Chapter 40, Title 5, Guam  
16 Code Annotated, to read:

17 **“§40115.A. Mayors Empowered with Approving Authority.**

18 Notwithstanding any other provisions of law, individual Mayors are granted  
19 authority to sponsor and to approve concessions, festivals, fiestas, or other  
20 village events associated with the promotion of the *Chamorro* culture,  
21 tradition, heritage and tourism, and officially sponsored by their mayoral  
22 office, *or* by the Mayors’ Council of Guam, to be held within village  
23 property under the jurisdiction and control of the Mayor or Municipal  
24 Planning Council of that village. The names of the events *shall* be at the  
25 discretion of the Mayor. The net proceeds of such concessionary activity  
26 *shall* be given to the Municipal Planning Council of the Village in which the  
27 activity is held.

1           The Village Mayor *or* Vice-Mayor will provide a report of the amount  
2 of the proceeds that is transmitted to the Municipal Planning Council *not*  
3 *more than* thirty (30) days from the last day of such event to the Department  
4 of Revenue and Taxation, *I Maga'lahen Guåhan*, the Speaker of *I*  
5 *Lihe slatura*, and the Office of Public Accountability.

6           This special authority granted to Mayors *does not* negate any other  
7 governmental requirement from being met, including, but *not limited to*,  
8 health and sanitary permits *if* such concessionary activities involve the  
9 handling of consumables, *or* the approval and permitting for gambling and  
10 cockfighting activities, *or* other permit *or* licensing requirements. A  
11 Certificate of Approval affixed with the approving Mayor's signature *shall*  
12 constitute the official authorization for a concessionary activity *not to exceed*  
13 a period of thirty (30) days. Such document *shall* indicate the nature of the  
14 activity and the activity's duration, which *shall not exceed* sixty (60) days  
15 from issuance of approval. A copy of the certificate *shall* be transmitted to  
16 the Speaker of *I Lihe slaturan Guåhan*. The funds and activities generated in  
17 this Section *shall* be subject to annual audit by the Office of Public  
18 Accountability.”