



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 16 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>5:23pm</u>
Date	<u>5-16-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 125 (COR), "AN ACT TO AMEND SECTIONS 9106 (d) AND (f), ARTICLE 1, CHAPTER 9 OF TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF THE TWO (2) LEGISLATIVE DIRECTORS AND THE SINGLE ALTERNATE DIRECTOR AT THE GUAM VISITOR'S BUREAU.", which I have signed into law today as **Public Law No. 24-30**.

This legislation inserts language to indicate that the Legislative Directors and the Legislative Alternate Director of the Board of Directors of the Guam Visitors Bureau shall serve at the pleasure of the Speaker of the Legislature, who is the appointing authority for those particular positions. The Speaker will fill vacancies created in the positions of Legislative Director and Legislative Alternate Director.

It is my understanding that the legislation was also intended to remove the 2 year term limit requirement for Legislative Directors and Legislative Alternate Directors.


It appears that the Legislative Directors and the Legislative Alternate Director still serve for 2 year terms, because this legislation did not repeal Subsection (c) of §9106 of Chapter 9 of Title 12, Guam Code Annotated, contained in Section 37 of Public Law No. 19-10, and which states:

Office of the Speaker
ANTONIO R. UNPINGCO
 Date: 5-16-97
 Time: 4:15pm
 Rec'd by: [Signature]
 Print Name: Annal

"Section 37. Subsection (c) of 12 GCA Subsection 9106, repealed and reenacted in Section 135 of P. L. 19-05, is amended to read:

'(c) Elected and alternate directors, the legislative directors and the twelfth (12) director shall serve for two (2) years."

Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

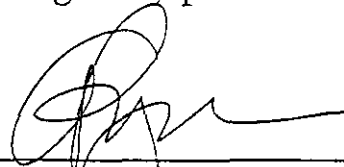
Attachment 00224

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 125 (COR), "AN ACT TO AMEND SECTIONS 9106 (d) AND (f) OF ARTICLE 1 OF CHAPTER 9 OF TITLE 12 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF THE TWO (2) LEGISLATIVE DIRECTORS AND THE SINGLE ALTERNATE DIRECTOR AT THE GUAM VISITORS BUREAU," was on the 6th day of May, 1997, duly and regularly passed.



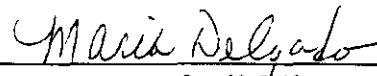
ANTONIO R. UNPINGCO
Speaker

Attested:



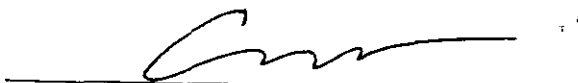
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 8th day of May, 1997, at
12:35 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 5-16-97

Public Law No. 24-30

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 125 (COR)

Introduced by:

A. C. Lamorena, V
A. R. Unpingco
A. C. Blaz

AN ACT TO AMEND SECTIONS 9106 (d) AND (f) OF
ARTICLE 1 OF CHAPTER 9 OF TITLE 12 OF THE
GUAM CODE ANNOTATED, RELATIVE TO THE
APPOINTMENT AND REMOVAL OF THE TWO (2)
LEGISLATIVE DIRECTORS AND THE SINGLE
ALTERNATE DIRECTOR AT THE GUAM VISITORS
BUREAU.

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

2 **Section 1. Legislative Findings.** Wherein an ambiguity exists as to
3 whether the Speaker of the Guam Legislature may remove the two (2) Legislative
4 Directors and the single, alternate director from the Guam Visitor's Bureau
5 without cause. Further, whether the Speaker may fill vacancies arising in these
6 positions. It is the intention of the Guam Legislature that the two (2) Legislative
7 Directors and the single, alternate director serve at the Speaker's pleasure and
8 that vacancies in these positions be filled by the Speaker, as do Gubernatorial
9 appointments.

10 **Section 2.** Section 9106 (d) of Article 1 of Chapter 9 of Title 12 of the Guam
11 Code Annotated is repealed and re-enacted to read:

12 “(d) (1) Appointed directors shall serve at the pleasure of the
13 Governor.”

1 “(d) (2) Legislative Directors and the alternate director shall serve
2 at the pleasure of the Speaker of the Guam Legislature.”

3 Section 3. Section 9106 (f) of Article 1 of Chapter 9 of Title 12 of the Guam
4 Code Annotated is repealed and re-enacted to read:

5 “(f) (1) A vacancy on the Board, whether created by resignation
6 or removal, of a director who was appointed by the Governor shall be filled
7 by appointment of the Governor with the advice and consent of the Guam
8 Legislature. Said persons shall serve at the pleasure of the Governor.”

9 “(f) (2) The Speaker of the Guam Legislature shall fill vacancies
10 on the Board, whether created by resignation or removal, of the Legislative
11 Directors and the alternate director. Said persons shall serve at the
12 pleasure of the Speaker of the Guam Legislature.”

PL
24-30



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Minoolek Gaaan

Alberto "Tony" Cristobal Lamorena V

Senator
Twenty-Fourth Guam Legislature

April 14, 1997

Chairman
Committee on

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
155 Hesler St.
Agana, Guam 96910

Tourism

Dear Mr. Speaker,

Economic
Development

The Committee on Tourism, Economic Development and Cultural Affairs, to which was referred **Bill No. 125, "An Act to Amend Sections 9106 (d) and (f), Article 1, Chapter 9, Title 12, Guam Code Annotated Relative to the Appointment and Removal of the Two (2) Legislative Directors and the Single Alternate Director at the Guam Visitor's Bureau"**, has had the same under consideration, and now wishes to report back the same with the recommendation **To Pass**.

The Committee votes are as follows:

and

To Pass	<u>8</u>
Not To Pass	<u>-0-</u>
Abstain	<u>-0-</u>
Inactive File	<u>-0-</u>

Cultural
Affairs

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

Vice-Chairman
Committee on

Sincerely,

ALBERTO C. LAMORENA V

Natural
Resources

attachments





Senator Alberto "Tony" Cristobal Lamorena V

Chairman

COMMITTEE ON TOURISM, ECONOMIC DEVELOPMENT
AND CULTURAL AFFAIRS

Twenty-Fourth Guam Legislature

VOTING SHEET ON BILL NO.125

AN ACT TO AMMEND SECTIONS 9106 (d) AND (f), ARTICLE 1, CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF THE TWO (2) LEGISLATIVE DIRECTORS AND THE SINGLE ALTERNATE DIRECTOR AT THE GUAM VISITOR'S BUREAU.



RECOMMENDATION TO

Committee Members	Signature	To pass	Not to pass	Abstain	Place in Inactive File
Senator Alberto "Tony" Lamorena Chairperson					
Senator Joanne Brown Vice-Chairperson		✓			
Speaker Antonio Unpingco		✓			
Vice-Speaker Anthony Blaz		✓			
Senator Mark Forbes		✓			
Senator Carlotta Leon Guerrero		✓			
Senator Felix Camacho		✓			
Senator Eduardo Cruz, M.D.		✓			
Senator William Flores					
Senator Mark Charfauros					
TOTAL VOTES:		8	-0-	-0-	-0-



Guam Visitors Bureau
Setbision Bisitan Guahan



TESTIMONY OF

JAMES E. NELSON III
GENERAL MANAGER
GUAM VISITORS BUREAU

March 24, 1997

Hafa Adai Chairman Lamorena and distinguished Members of the Committee on Tourism, Economic Development and Cultural Affairs. Thank you for this opportunity to present testimony on **Bill No. 704 - AN ACT TO AMEND SECTIONS 9106 (d) AND (f), ARTICLE 1, CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED RELATIVE TO THE APPOINTMENT AND REMOVAL OF THE TWO (2) LEGISLATIVE DIRECTORS AND THE SINGLE, ALTERNATE DIRECTOR AT THE GUAM VISITOR'S BUREAU.**

The Guam Visitors Bureau fully understands the intent of Bill No. 125 and appreciates the position being taken by the Committee on behalf of the Speaker of the 24th Guam Legislature.

The Guam Visitors Bureau recommends that should Bill No. 125 pass, strong consideration be given to all future appointments made by the Speaker of the Guam Legislature, who are active and directly involved in Guam's tourism industry. This will insure direct representation by tourism industry members who are knowledgeable about the tourism industry and will lend their respective expertise towards the growth of tourism on Guam.

Again, I appreciate this opportunity to present testimony on Bill No. 125 and look forward to working with you as we build tourism for a better Guam.

Si Yu'os Ma'ase!


JAMES E. NELSON III
General Manager

**FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

BBMR-F7

received
[]

Bill Number: 125
Amendatory Bill: Yes

Date Received: 3/17/97
Date Reviewed: 4/2/97

Department/Agency Affected: Guam Visitors Bureau
Department/Agency Head: James Nelson
Total FY Appropriation to Date: \$13,819,750

Bill Title (preamble): AN ACT TO AMEND SECTIONS 9106 (D) AND (F), ARTICLE 1, CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED RELATIVE TO THE APPOINTMENT AND REMOVAL OF THE TWO (2) LEGISLATIVE DIRECTORS AND THE SINGLE, ALTERNATE DIRECTOR AT THE GUAM VISITORS BUREAU.

Change in Law: Amends section 9106 (d) and (f), Article 1, Chapter 9, Title 12 GCA.

Bill's Impact on Present Program Funding:

Increase _____ Decrease _____ Reallocation _____ No Change XX
Bill is for:
Operations _____ Capital Improvement _____ Other XX

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Economic Development		See Comments	

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? 1/ -- IF NO, ADD'L AMOUNT REQUIRED \$ _____
AGENCY/PERSON/DATE CONTACTED: N/A

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST [Signature] Stephen J. Guerrero DATE 4/2/97 DIRECTOR [Signature] Joseph E. Rivera, Acting DATE APR 03 1997

FOOTNOTES: Bill No. 125 is administrative in nature and has no fiscal impact on the General Fund.