

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

| BILL NO.   | SPONSOR   | TITLE  | DATE INTRODUCED      | DATE REFERRED      | CMTE REFERRED   | PUBLIC HEARING DATE   | DATE COMMITTEE REPORT FILED | FISCAL NOTES  | NOTES |
|--|---|--|----------------------|--------------------|---|-----------------------|-----------------------------|---|-------|
| <b>29-35 (COR)</b><br>As amended by the Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure, and Public Transit. | James C. Moylan<br>Jose "Pedo" Terlaje<br>Joe S. San Agustin<br>William M. Castro | AN ACT TO REPEAL AND REENACT § 64.62, 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, LIBERATION DAY CARNIVAL.   | 1/25/19<br>3:53 p.m. | 1/31/19            | Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure, and Public Transit | 3/8/19<br>9:00 a.m.   | 3/20/19<br>5:08 p.m.        | Request: 2/4/19<br><br>Fiscal Note Waiver: 2/4/19         |       |
|  | <b>SESSION DATE</b>   | <b>TITLE</b>   | <b>DATE PASSED</b>   | <b>TRANSMITTED</b> | <b>DUE DATE</b>   | <b>PUBLIC LAW NO.</b> | <b>DATE SIGNED</b>          | <b>NOTES</b>  |       |
|  | 3/21/19   | 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. | 3/29/19              | 3/29/19            | 4/10/19   | 35-4                  | 4/3/19                      | Received: 4/4/19<br>Mess and Comm. Doc. No. 35GL-19-0316. |       |

UFISINAN I MAGA'HÅGA  
OFFICE OF THE GOVERNOR



LOURDES A. LEON GUERRERO  
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO  
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

April 3, 2019

35GL-19-0316  
Speaker Tina Rose Muña Barnes

Honorable Tina Rose Muña-Barnes  
Speaker  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
Guam Congress Building  
Hagåtña, Guam 96910

APR 04 2019  
Time 02 ( )AM ( )PM  
Received By: [Signature]

2019 APR -4 AM 10:16  
[Signature]

**RE: Public Law 35-4 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**

Dear Madame Speaker:

I have signed Bill 29-35 as **Public Law 35-4** which authorizes the drafting of rules and regulations (the "Rules") to permit games of chance at the Guam Island Fair and Liberation Day Carnival. Once complete, these Rules will be submitted to *I Liheslaturan Guåhan*, which will have final approval authority over the same.

This year, we are observing the Diamond Anniversary of our liberation from Japanese occupation during World War II. Over the past 75 years, we have gathered together on the 21st of each July in gratitude, remembrance, and celebration. As many will remember, our gatherings at the Liberation Day Carnival included what is referred to now as "games of chance." These pastimes included activities such as the "Color Game" and "Beto Beto." Unfortunately, these games garnered concern as they started to reflect money-making ventures, rather than community entertainment. Like many, I am concerned about the consequences that unregulated and unimpeded gaming may have on our families and social structure. It is for this reason that I am instructing the Department of Revenue and Taxation to lead efforts in creating the Rules, which will ensure that there are safeguards in place to protect the most vulnerable in our community.

Certainly, there are many cautionary stories of families who have suffered under the weight of gambling addiction. As we celebrate 75 years of liberation, P.L. 35-4 will ensure that the nostalgia of these recreational activities is enjoyed responsibly. The fond sights and sounds of previous Liberation Day carnivals can be restored without harming the social fabric of our community.

*Senseremente,*

**LOURDES A. LEON GUERRERO**  
*Maga'hågan Guåhan*  
Governor of Guam

0316



2019-1719  
RCVD AT CENTRAL FILES  
MAR 29 '19 PM 1:20

Jessica Cruz

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
Thirty-Fifth Guam Legislature

March 29, 2019

The Honorable Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*  
*Ufisinan I Maga'håga*  
*Hagåtña, Guam 96910*

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith is **Bill No. 29-35 (COR)**, which was passed by *I Mina'trentai Singko Na Liheslaturan Guåhan* on March 29, 2019.

Sincerely,

AMANDA L. SHELTON  
Legislative Secretary

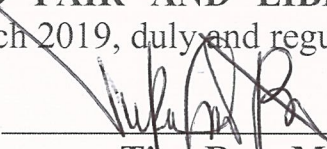
Enclosure (1)



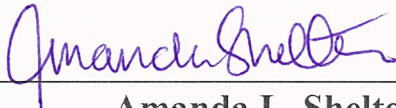
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

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

This is to certify that **Bill No. 29-35 (COR)**, "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," was on the 29<sup>th</sup> day of March 2019, duly and regularly passed.

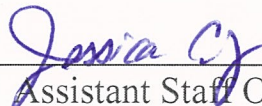
  
\_\_\_\_\_  
Tina Rose Muña Barnes  
Speaker

Attested:



\_\_\_\_\_  
Amanda L. Shelton  
Legislative Secretary

-----  
This Act was received by *I Maga'hågan Guåhan* this 29<sup>th</sup> day of March,  
2019, at 1:20 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:



\_\_\_\_\_  
Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*

Date: 4/3/2019

Public Law No. 35-4

2019-1719  
RCVD AT CENTRAL FILES  
MAR 29 '19 PM 1:21

Jessica Cruz

**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**2019 (FIRST) Regular Session**

**Bill No. 29-35 (COR)**

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.

Introduced by:

James C. Moylan  
Jose "Pedo" Terlaje  
Joe S. San Agustin  
William Mendiola Castro  
Régine Biscoe Lee  
Kelly Marsh (Taitano), PhD  
Louise B. Muña  
Tina Rose Muña Barnes  
Telena Cruz Nelson  
Clynton E. Ridgell  
Amanda L. Shelton  
Telo T. Taitague  
Therese M. Terlaje  
Mary Camacho Torres

**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.**

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

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

1           **“§ 64.62. Rules and Regulations to Permit Games of Chance at the Guam**  
2 **Island Fair and Liberation Day Carnival.**

3           (a) Notwithstanding any other provision of law, rule, or regulation to the  
4 contrary, the Mayors Council of Guam, with the Attorney General of Guam and the  
5 Director of the Department of Revenue and Taxation, is hereby authorized to draft  
6 and submit to the Speaker of *I Liheslaturan Guåhan*, no later than sixty (60) days  
7 from the enactment of this Act, rules and regulations to permit Games of Chance at  
8 the Guam Island Fair and Liberation Day Carnival upon a proclamation by *I*  
9 *Maga'hågan Guåhan*. For the purpose of the rules and regulations authorized by this  
10 Section, “Games of Chance” shall be limited to:

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

- 13                   (i) the contestant actively participates;
- 14                   (ii) the outcome depends in a material degree upon the skill of  
15 the contestant;
- 16                   (iii) only merchandise prizes are awarded;
- 17                   (iv) the outcome is not in the control of the operator; and
- 18                   (v) the wagers are placed, the winners are determined, and a  
19 distribution of prizes or property is made in the presence of all persons  
20 placing wagers at such game;

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

22           (3) *Pusoy*;

23           (4) Baccarat;

24           (5) Blackjack;

25           (6) Monte;

26           (7) Color Game;

27           (8) Big & Small;

1 (9) Beto Beto; and

2 (10) Bingo.

3 (b) *I Liheslaturan Guåhan* may, by the passage of a bill into law, approve,  
4 disapprove, or amend the rules and regulations permitted by this Section within  
5 thirty (30) calendar days from the date of filing with the Speaker of *I Liheslaturan*  
6 *Guåhan*; *except*, that any pending rules *shall* be deemed disapproved upon  
7 adjournment sine die of *I Liheslaturan Guåhan*.

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

10 (1) protocol for authorization;

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

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

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

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

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

19 (7) an identification of projected revenues; and

20 (8) an identification of maintenance plans.”

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

23 **“§ 64.62.1. Mandatory Conditions.**

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

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

4 (b) Any Games of Chance authorized under § 64.62 of this Article *shall*  
5 maintain the same hours of operation as the Guam Island Fair and Liberation Day  
6 Carnival; *except*, that Games of Chance under § 64.62 may operate until 2:00 a.m.  
7 on Fridays and Saturdays, and any night prior to an official federal or Guam holiday  
8 during the time period authorized by Subsection (c) of this Section.

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

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

15 **“§ 64.62.2. Financial Reports Required.**

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

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