

*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>152-35 (COR)</b> As substituted by the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs; and amended on the Floor	Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD	AN ACT TO <i>REPEAL</i> ARTICLE 4 OF CHAPTER 50, TITLE 12, GUAM CODE ANNOTATED, TO <i>ADD</i> A NEW ARTICLE 2 AND A NEW § 3103(h) BOTH TO CHAPTER 3, TITLE 12 GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING THE GUAM FILM OFFICE UNDER THE GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION.	6/3/19 2:37 p.m.	6/28/19	Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña-Revitalization, Self-Determination, and Regional Affairs	7/8/19 9:30 a.m.	10/22/19 3:01 p.m.	6/26/19	
	<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>
	10/28/19	AN ACT TO <i>REPEAL</i> ARTICLE 4 OF CHAPTER 50, AND TO ADD A NEW ARTICLE 2 AND A NEW § 3103(h) TO CHAPTER 3, ALL OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM FILM OFFICE WITHIN THE GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION	10/31/19	10/31/19	11/12/19	35-48	11/12/19	Received: 11/13/19 Mess and Comm. Doc. No. 35GL-19-1222.	



LOURDES A. LEON GUERRERO  
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO  
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

November 12, 2019

35GL-19-1222  
Speaker Tina Rose Muña Barnes

**HONORABLE TINA ROSE MUÑA BARNES**

Speaker

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96932

NOV 12 2019  
Time 5:46 (~~AM~~) ~~X~~PM  
Received By: MA

**Re: Substitute Bill No. 152-35 (COR) – An Act to Repeal Article 4 of Chapter 50, and to Add a New Article 2, and a New § 3103(h) to Chapter 3, All of Title 12, Guam Code Annotated, Relative to Establishing the Guam Film Office Within the Guam Educational Telecommunications Corporation**

Dear Madame Speaker:

Guam is home to great talent--talent which our people have shared throughout the world. In music and theater, dance and the visual arts, literature and film--our People have shown brightly.

Approximately twelve years ago, the Legislature sought to showcase Guam itself through film projects of every manner and type. Recognizing that film was a multi-billion dollar industry, and that many tourists make vacation decisions based on the films they see, it was hoped that a Guam Film Office could invite film related investment to Guam, create jobs, and expand our visitor portfolio.

This is why I am excited to sign Bill 152-35 into **Public Law 35-48**.

By placing the Guam Film Office under the auspices of Guam Educational Telecommunications Corporation ("PBS Guam"), we are now pairing it with an agency more appropriate for its operations.

Furthermore, with the help and guidance of PBS Guam, the Guam Film Office is now poised to achieve its mission after seven long years of dormancy.

1222

2019 NOV 13 AM 8:22

To: Speaker Tina Rose Muña Barnes  
Fr: Governor of Guam  
Date: November 12, 2019  
Re: Substitute Bill No. 152-35 (COR)

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Page 2 of 2

At its core, the Guam Film Office is an economic driver. Guam presently hosts numerous small and medium-scale film productions throughout the year, and this year saw its first million-dollar Netflix production. The island's strategic geographical location, US legal structure, and favorable business environment act as significant incentives to make projects like these more than a rare occurrence.

Yet, taking advantage of this industry's job-creating potential requires that entities like the Guam Film Office become more than an idea on a page. This is why I also appreciate the amendments made to the original bill as introduced which work to protect and promote Guam's cultural identity to the world.

In signing this measure into law, I also stress that the scope of this legislation must not be expanded beyond the reasonable limits of commonsense. I expect that the Guam film office will help film productions meet the requirements of regulatory agencies and the laws of Guam. Further, the rulemaking process will clarify that the film office's role and authority are limited only to film projects seeking to do business on Guam.

We will also work government-wide to ensure a successful experience for film projects while ensuring that our basic regulatory and permitting requirements are followed.

I look forward to the success of this measure and the many good this it will bring to Guam.

*Senseremente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

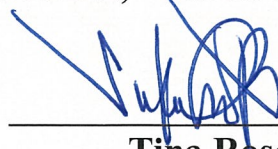
Enclosure(s): Substitute Bill No. 152-35 *nka* Public Law 35-48

cc via email: *Sigundo Maga'låhen Guåhan*  
Compiler of Laws

*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 **Substitute Bill No. 152-35 (COR), "AN ACT TO REPEAL ARTICLE 4 OF CHAPTER 50, AND TO ADD A NEW ARTICLE 2 AND A NEW § 3103(h) TO CHAPTER 3, ALL OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM FILM OFFICE WITHIN THE GUAM EDUCATIONAL TELECOMMUNICATIONS CORPORATION,"** was on the 31<sup>st</sup> day of October 2019, duly and regularly passed.



**Tina Rose Muña Barnes**  
Speaker

Attested:



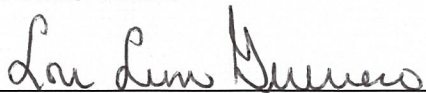
**Amanda L. Shelton**  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 31<sup>st</sup> day of October, 2019, at 6:00 o'clock P.M.



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

APPROVED:



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

Date: 11/12/2019

Public Law No. 35-48

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

**Bill No. 152-35 (COR)**

As substituted by the Committee on Heritage and the Arts,  
Parks, Guam Products, Hagåtña Revitalization,  
Self-Determination, and Regional Affairs;  
and amended on the Floor.

Introduced by:

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

**AN ACT TO *REPEAL* ARTICLE 4 OF CHAPTER 50, AND  
TO *ADD* A NEW ARTICLE 2 AND A NEW § 3103(h) TO  
CHAPTER 3, ALL OF TITLE 12, GUAM CODE  
ANNOTATED, RELATIVE TO ESTABLISHING THE  
GUAM FILM OFFICE WITHIN THE GUAM  
EDUCATIONAL TELECOMMUNICATIONS  
CORPORATION.**

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

2 **Section 1.** Article 4 of Chapter 50, Title 12, Guam Code Annotated, is  
3 hereby *repealed*.



1 Revenue Service as a charitable organization, or is produced by students of an  
2 educational institution, and for which no person, directly or indirectly, shall receive  
3 a profit from the marketing and production of the film or from showing the films,  
4 tapes, or photos.

5 (d) *Commercial films* means and includes all activity attendant to filming  
6 any entertainment or advertising programs for any media now known or hereafter  
7 created.

8 (e) *Committee* means an Advisory Committee established by the Station  
9 Manager.

10 (f) *Contractors' Registry* means a list of all Guam licensed businesses, and  
11 their contact information, who provide services to companies engaged in the film  
12 industry.

13 (g) *Corporation* means the Guam Educational Telecommunications  
14 Corporation.

15 (h) *Filming/production* means and includes all activity attendant to staging  
16 or shooting commercial motion pictures, television shows or programs, and  
17 commercial still photography, videotapes, computer-based programs, or other visual  
18 reproduction technology now known or hereafter created. The period of filming  
19 includes the set-up, strike, and time of photography.

20 (i) *Government* means the government of Guam, its authorized agents,  
21 officers, representatives, and employees of departments, agencies, autonomous  
22 agencies, offices, or instrumentalities.

23 (j) *News media* means the photographing, filming or videotaping for the  
24 purpose of spontaneous, unplanned television news broadcasts, or reporting for print  
25 media by journalists, reporters, photographers, or camera operators.

26 (k) *Person* means an individual or business.

1 (l) *Private property* means any property *not* owned by the government of  
2 Guam on which filming would *not* interfere with the public's right-of-way, access,  
3 or safety.

4 (m) *Station Manager* means a person appointed in accordance with § 3107  
5 of this Chapter.

6 (n) *Studio* means a fixed place of business where filming activities (motion  
7 or still photography) are regularly conducted upon the premises.

8 **§ 3202. Guam Film Office.**

9 There is hereby established the Guam Film Office as a division within the  
10 Guam Educational Telecommunications Corporation. The Station Manager of the  
11 Corporation *shall* be responsible for the administration of the Guam Film Office and  
12 serve as the fiduciary to the Corporation. The Station Manager *shall* submit a  
13 strategic plan to the Board for approval *no later than* thirty (30) days after the  
14 adoption of rules and regulations. The plan *shall* be updated every three (3) years.

15 **§ 3203. Rules and Regulations.**

16 Rules and Regulations. The Station Manager *shall* establish an Advisory  
17 Committee that is responsible for the promulgation of rules, regulations, and fees to  
18 govern the form, time, and location of filming activity set forth within Guam. The  
19 composition of the Advisory Committee *shall* be as follows:

20 (a) no less than three (3) individuals and representatives of non-  
21 governmental organizations that have substantial experience in the film,  
22 video, and media fields;

23 (b) one (1) member *shall* be *I Ge'helo'* (the Chair) or a designated  
24 alternate from *I Kumision I Fino' CHamoru yan I Fina'nâ'guen I Historia yan*  
25 *I Lina'la' I Taotao Tâno*;



1 (c) one (1) member *shall* be the Guam Historic Preservation Officer  
2 or his/her designee;

3 (d) one (1) member *shall* be from the Guam Visitors Bureau; and

4 (e) one (1) member *shall* be from the Guam Economic Development  
5 Authority.

6 The Committee *shall* allow for the full participation of any member of  
7 the public during its deliberations. The rules and regulations *shall* also provide  
8 for the issuance of permits, notification of permit denial, and a process of  
9 appeal. The rules and regulations may also include requirements for non-local  
10 production companies to provide local apprenticeships within the film  
11 industry during the course of film production on Guam. The rules, regulations,  
12 and fees *shall* be adopted by the Board of the Guam Educational  
13 Telecommunications Corporation and comply with the provisions of the  
14 Administrative Adjudication Law, 5 GCA Chapter 9, within ninety (90) days  
15 upon the enactment of this Article. The rules and regulations *shall* be based  
16 upon the following criteria:

17 (a) the health and safety of all persons;

18 (b) avoidance of undue disruption of all persons within the affected  
19 area;

20 (c) the safety of property in Guam;

21 (d) traffic congestion at particular locations in Guam; and

22 (e) to foster to the maximum extent possible, the accuracy or  
23 appropriateness of the presentation, interpretation, and/or usage of tangible  
24 and intangible aspects of the *CHamoru* culture and heritage that may be  
25 practicable in the production of films, videos, audio recordings, music  
26 recordings, computer-generated imagery and other media-related products.

1        **§ 3204. Powers and Duties.**

2        The Guam Film Office *shall* have the following powers and duties:

3            (a)    to promote, encourage and advertise the use of Guam facilities  
4            and services for the production of films, videos, television programs, audio  
5            recordings, music recordings, computer-generated imagery and other media-  
6            related products;

7            (b)    to provide support services to visiting and local production  
8            companies, including assistance to film, video, audio, and media producers in  
9            securing necessary permits or permissions from government of Guam  
10           authorized agents, officers, representatives and employees of departments,  
11           agencies, autonomous agencies, offices or instrumentalities;

12           (c)    to develop and update annually a resource guide of viable filming  
13           locations in Guam, available video and media production facilities, permitting  
14           requirements, and tax incentives;

15           (d)    to work in coordination with the Guam Visitors Bureau to  
16           conduct and attend trade shows and production workshops to promote Guam  
17           to the national and international film industries;

18           (e)    to promote and attract business activities in film, video,  
19           computer-generated and other media production activity in Guam, and take  
20           any other administrative action which may improve Guam's film, video and  
21           media production industries in national and international markets;

22           (f)    to work in coordination with *I Kumision I Fino' CHamoru yan I*  
23           *Fina'nâ'guen I Historia yan I Lina'la' I Taotao Tâno* to ensure, to the  
24           maximum extent possible, the accuracy or appropriateness of the presentation,  
25           interpretation, and usage of tangible and intangible aspects of the *CHamoru*  
26           culture and heritage in the production of films, videos, audio recordings,

1 music recordings, computer-generated imagery and other media-related  
2 products;

3 (g) to accept any funds, gifts, donations, bequests or grants of funds  
4 from private, federal, and public sources for the purposes of this Article;

5 (h) to create a “one stop permitting” process for the film industry by  
6 formulating and proposing rules and regulations for standardized permits  
7 which *shall* be used by the government of Guam, its authorized agents,  
8 officers, representatives and employees of departments, agencies,  
9 autonomous agencies, offices, or instrumentalities, in accordance with the  
10 requirements set forth in this Article;

11 (i) to work in coordination with the Guam Historic Preservation  
12 Officer to ensure the integrity of historic and cultural sites;

13 (j) to require at its discretion, non-local production companies to  
14 provide local apprenticeships within the film industry during the course of  
15 film production on Guam. Such requirements may take into account the size  
16 of the production and other factors the Guam Film Office deems appropriate;  
17 and

18 (k) to establish a Contractors’ Registry, which *shall* be provided to  
19 all potential film companies upon written request and made available via the  
20 Guam Film Office’s website.

21 **§ 3205. Guam Film Office Fund.**

22 There is established a Fund to be known as the Guam Film Office Fund, which  
23 *shall* be administered by the Board for the Guam Film Office and be maintained  
24 separate and apart from any other funds of the government of Guam, including the  
25 General Fund. Independent records and accounts *shall* be maintained in connection  
26 therewith. All proceeds deposited in the Guam Film Office Fund *shall* be

1 appropriated to the Corporation for the administration, equipment, operations, the  
2 development of facilities, and for other purposes necessary to carry out this Article.  
3 All funds collected from fees, charges, or fines levied pursuant to this Article *shall*  
4 be deposited in the Guam Film Office Fund, and all interest earned by the Guam  
5 Film Office Fund *shall* accrue. Any unencumbered funds remaining in the Guam  
6 Film Office Fund at the end of each fiscal year *shall* remain in the Fund. The Guam  
7 Film Office Fund *shall* be subject to audits by the Office of Public Accountability.

8 **§ 3206. Permits Required.**

9 (a) Permit Required. No person shall use any government street, alley,  
10 sidewalk, park, pier, way, or other public property owned or controlled by the  
11 government of Guam for the purpose of making commercial films without first  
12 applying for and receiving a permit from the Guam Film Office Administrator or  
13 his/her designee; provided, that the provisions of this Article *shall not* apply to or be  
14 construed to affect (1) news media; and (2) filming solely for private/family use.

15 (b) No person shall use any private property for the purpose of making  
16 commercial films without first applying for and receiving a permit from the Guam  
17 Film Office Administrator or his/her designee. Notwithstanding the foregoing, the  
18 provisions of this Article *shall not* apply to or be construed to affect the following  
19 filming on private property:

20 (1) filming which requires *no* parking variances and uses *no* public  
21 property or rights-of-way on public property;

22 (2) filming which *does not* impair the quiet enjoyment of the  
23 surrounding properties;

24 (3) filming which *does not* involve the use of any pyrotechnic  
25 devices;

- 1           (4) a licensed business which regularly employs a licensed  
2 pyrotechnic operator;
- 3           (5) filming by news media;
- 4           (6) filming solely for private/family use; or
- 5           (7) filming which *does not* interfere with the public's use of  
6 government property.

7       (c) *Except* as provided herein, each applicant must comply with all local  
8 and federal laws and regulations and must obtain all necessary permits and licenses  
9 as a precondition for the commencement of commercial film production hereunder.  
10 Thereafter, the permittee *shall* remain in full compliance with all local and federal  
11 laws, regulations, permits and licenses throughout the filming.

12       (d) Upon reasonable notice by the applicant, the Administrator or his/her  
13 designee is authorized, upon showing of good cause, to change the conditions under  
14 which a permit has been issued; provided, that the requirements of this Article are  
15 met and the government of Guam department, agency, autonomous agency, office  
16 or instrumentality can undertake all necessary administrative review within the time  
17 requested.

18       **§ 3207. General Exemptions.**

19       The provisions of this Article *shall not* apply to or affect:

20       (a) Guam Educational Telecommunications Corporation and  
21 companies providing services or partnering on station projects.

22       (b) News Media. Reporters, photographers, or camera operators in  
23 the employ of a newspaper, news service, or similar entity, engaged in the on-  
24 the-spot broadcasting of news events concerning those persons, scenes or  
25 occurrences which are in the news and of general public interest, including  
26 sporting events.

1 (c) Private/Family Use. The filming or videotaping of motion  
2 pictures solely for private/family use.

3 (d) Charitable Films and Student Films. Projects produced by a  
4 nonprofit organization that is registered with the Guam Department of  
5 Revenue and Taxation or the Internal Revenue Service as a charitable  
6 organization or produced by a student(s) of an educational institution.

7 (e) Small Crews. If the crew *does not* exceed four (4) persons and  
8 there is *no* extensive use of props, equipment, cast or other participants, the  
9 small crew *shall* be exempt if the following conditions are met:

10 (1) the crew is filming a parade, demonstration or other  
11 special event, and has obtained all permission that may be required. The  
12 exemption *shall* allow them to operate on the same basis as a citizen  
13 with a camera;

14 (2) pedestrian and vehicular traffic is *not* altered;

15 (3) no special parking provisions are included;

16 (4) no stunt work is performed;

17 (5) permission is obtained from controlling authorities to use  
18 government of Guam property, other than sidewalks and streets;

19 (6) permission is obtained from owners to use private property  
20 where applicable; and

21 (7) the production company or film crew ensures, to the  
22 maximum extent possible, the accuracy or appropriateness of the  
23 presentation, interpretation, and usage of tangible and intangible  
24 aspects of the *CHamoru* culture and heritage as may be practicable in  
25 the production of films, videos, audio recordings, music recordings,  
26 computer-generated imagery and other media-related products.

1           **§ 3208.       Local Production Companies Exempt.**

2           In addition to the General Exemptions authorized in § 3207 of this Article, the  
3 provisions of this Article and the rules, regulations, and requirements authorized  
4 herein *shall not* apply to or affect local production companies if:

5                   (a)   the production company was incorporated in Guam;

6                   (b)   the principal owner(s) is a resident of Guam and has filed  
7 individual tax returns in Guam for a period of at least three (3) years;

8                   (c)   the production company maintains its headquarters in Guam;

9                   (d)   the production company is licensed to do business in Guam;

10                  (e)   the daily operations of the production company are managed by  
11 a resident of Guam; and

12                  (f)   the production company ensures, to the maximum extent  
13 possible, the accuracy or appropriateness of the presentation, interpretation,  
14 and usage of tangible and intangible aspects of the *CHamoru* culture and  
15 heritage as may be practicable in the production of films, videos, audio  
16 recordings, music recordings, computer-generated imagery and other media-  
17 related products.

18           **§ 3209.       Applicants and Issuance.**

19           (a)   Issuing Authority. The issuing authority *shall* be the Guam Film Office  
20 Administrator.

21           (b)   Applications. Each application for filming under this Article must be  
22 completed in full and filed with the Administrator or his/her designee.

23           (c)   The permit application *shall* be in a form the Administrator or his/her  
24 designee may reasonably require. In lieu of the foregoing, the applicant may submit  
25 the permit application on the form adopted and in use by the Guam Film Office.

1 (d) The Administrator or his/her designee may refer the application to such  
2 appropriate government department, agency, autonomous agency, office or  
3 instrumentality as are directly impacted by the application, and as he/she deems  
4 necessary from the nature of the application for review, evaluation, investigation,  
5 and recommendations by the department, agency, autonomous agency, office or  
6 instrumentality regarding approval or disapproval of the application.

7 (e) The Administrator or his/her designee *shall* issue a permit under this  
8 Article if it is determined that the following criteria have been met:

9 (1) the proposed use will *not* unreasonably interfere with or  
10 endanger the public peace or rights of nearby residents to the quiet,  
11 peaceful enjoyment of their property, or otherwise be detrimental to the  
12 public peace, health, safety or general welfare;

13 (2) the proposed use will *not* unduly impede, obstruct or  
14 interfere with the operation of emergency vehicles or equipment in or  
15 through the permit area, or adversely affect the government's ability to  
16 perform municipal functions or furnish government services in the  
17 vicinity of the permitted area; and

18 (3) the proposed use will *not* constitute a fire or safety hazard  
19 and all proper safety precautions will be taken as is reasonably  
20 necessary to protect the public peace, health, safety or general welfare.

21 (f) The Administrator or his/her designee *shall* deny the permit if the  
22 conditions of this Article and all applicable laws and regulations have not been met  
23 or if the application contains incomplete or false information. No permit shall be  
24 denied without a clear written explanation of the reasons compelling a denial and  
25 the process by which said denial may be appealed.



1 (g) The Administrator or his/her designee may immediately revoke or  
2 suspend a permit which has been granted if the conditions of this Article and all  
3 applicable laws and regulations are no longer being met, or if the information  
4 supplied by the applicant becomes, or is determined to be, false or incomplete, or if  
5 any substantial change in circumstances results in the proposed use becoming  
6 detrimental to the public peace, health, safety or general welfare.

7 (h) The Administrator or his/her designee *shall* conduct production site  
8 inspections, monitoring, and enforcement of this Article.

9 (i) Reimbursement for Personnel. The production company *shall*  
10 reimburse the relevant government of Guam agency for any personnel provided to  
11 the company (i.e. police, fire, traffic control, medical personnel) for the purpose of  
12 assisting the production. Any cost *shall* be negotiated, and approved, prior to the  
13 shoot date. A fee for issuance of the permit *shall* be set by the Advisory Committee.

14 **§ 3210. Indemnification of Government Against Liability.**

15 Prior to and as a condition precedent to the granting of a permit under this  
16 Article, each applicant *shall* agree to indemnify, defend and hold the government of  
17 Guam, its authorized agents, officers, representatives and employees harmless from  
18 and against any and all losses, damages, claims, causes of action, costs, liabilities,  
19 penalties, judgments and expenses, including without limitation, defense costs and  
20 reasonable legal fees, resulting from any and all claims or damage of any nature,  
21 including any accident, loss or damage to persons or property which the government  
22 may incur and which arise from or relate to any activity conducted by the permittee  
23 or any of its agents, employees, representatives, contractors or consultants in  
24 connection with the rights granted in the permit or under this Article. The form of  
25 the indemnification agreement *shall* be as determined by the Attorney General of  
26 Guam.

1           **§ 3211.       Insurance and Bonding Required.**

2           (a)    Liability Insurance. As a condition of the issuance of a permit  
3 hereunder, every permittee must procure and maintain in full force and effect during  
4 the term of the permit a policy (or policies) of insurance from an insurance company  
5 licensed to do business in Guam, naming the government of Guam, its officers,  
6 employees and agents as coinsured for protection against claims of third persons for  
7 any and all liability of permittee with respect to its obligations and liabilities under  
8 its permit and this Article, and its indemnities, including, but *not* limited to,  
9 commercial general liability insurance on an “occurrence” basis against claims for  
10 personal injury, including death, bodily injury or property damage liability, and in  
11 an amount *no less than* One Million Dollars (\$1,000,000), or which otherwise  
12 provides sufficient coverage that the Administrator or his/her designee determines  
13 to be necessary and adequate under the circumstances. The certificate of insurance  
14 *shall not* be subject to cancellation or modification until after thirty (30) days’  
15 written notice to the Guam Film Office. Prior to the issuance of any permit, a copy  
16 of the certificate of insurance *shall* be provided to the Insurance Commissioner. A  
17 copy of the certificate will remain on permanent file.

18           (b)    Worker’s Compensation Insurance. An applicant *shall* conform to all  
19 applicable federal and local requirements for worker’s compensation insurance for  
20 all persons operating under a permit.

21           (c)    Hold Harmless Agreement. An applicant *shall* execute a hold harmless  
22 agreement as provided by the government of Guam and incorporated within the  
23 permit issued under this Article.

24           (d)    Faithful Performance Bond. To ensure cleanup and restoration of any  
25 public property involved in the filming, the permittee may be required to post a  
26 refundable faithful performance bond (amount to be determined by the rules and

1 regulations), cash surety or other comparable form of security guarantee at the time  
2 the application is submitted. Upon completion of filming, cleanup and restoration,  
3 and a satisfactory inspection of the site by the Guam Film Office Administrator or  
4 his/her designee, the bond may be returned to the applicant.

5       **§ 3212.       Effective Date.**

6       This Article *shall* be effective one hundred eighty (180) days after the date of  
7 enactment.

8       **§ 3213.       Severability.**

9       If any provision of this Article or its application to any person or circumstance  
10 is found to be invalid or contrary to law, such invalidity *shall not* affect other  
11 provisions or applications of this Article that can be given effect without the invalid  
12 provision or application, and to this end the provisions of this Article are severable.”

13       **Section 3.** A new § 3103(h) is *added* to Chapter 3, Title 12, Guam Code  
14 Annotated, to read:

15               “(h) The Corporation is authorized to create and administer the Guam  
16 Film Office in order to advocate for the *Håfa Adai* spirit globally.”

17       **Section 4.   Transfer of Assets.** Any property and assets of the Guam Film  
18 Office which is held by the Guam Economic Development Authority *shall* be  
19 transferred immediately to the Guam Educational Telecommunications Corporation.

20       **Section 5.   Severability.** If any provision of this Act or its application to any  
21 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
22 *not* affect other provisions or applications of this Act that can be given effect without  
23 the invalid provision or application, and to this end the provisions of this Act are  
24 severable.