

MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (First) Regular Session

Bill No. 71 (LS)

Introduced by:

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AN ACT TO AMEND SECTION 25(a) OF PART II, CHAPTER 5 OF PUBLIC LAW 29-113; TO ADD A NEW SECTION 25(j) TO PART II, CHAPTER 5 OF PUBLIC LAW 29-113; TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 25(a) OF PART II, CHAPTER 5 OF PUBLIC LAW 29-19; AND TO REAPPROPRIATE UNEXPENDED SUMS, AS PREVIOUSLY AUTHORIZED IN SECTION 18 OF PART II, CHAPTER IV OF PUBLIC LAW 28-150; RELATIVE TO PROVIDING GREATER FLEXIBILITY TO THE GUAM VISITORS BUREAU IN ITS USE OF APPROPRIATIONS AUTHORIZED BY *I LIHESLATURAN GUÅHAN*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. In recent years, *I Liheslaturan Guåhan*

has for various reasons placed restrictions on sums appropriated from the Tourist Attraction Fund to the Guam Visitors Bureau. While these restrictions are intended to preserve the integrity and proper use of tourism marketing dollars obtained through receipts from the Monthly Excise Tax of Occupancy of Hotel and Similar Lodging House Facilities, recent economic events including the global financial market meltdown has negatively impacted visitor arrivals. The Bureau's dependence on volatile collections deposited into the Tourist Attraction Fund and the infrequency of cash allotments for appropriations *approved by I Liheslatura* to

1 the Bureau has severely impacted the bureau's ability to carry out its purpose
2 outlined in § 9104, Chapter 9, Title 12, Guam Code Annotated.

3 It is the intent of *I Liheslatura* to assist the Guam Visitors Bureau in its
4 ability to procure necessary services related to its marketing mission by providing
5 greater flexibility in the statutes governing its current and previous appropriations
6 from the Tourist Attraction Fund.

7 **Section 2. Fiscal Year 2009 Appropriation to the Guam Visitors Bureau.**

8 Section 25 (a) of Part II, Chapter 5 of Public Law 29-113 is *amended* to read:

9 “**Section 25. (a) Appropriations to the Guam Visitors Bureau.** The
10 sum of Twelve Million One Hundred Ninety-six Thousand Five Hundred
11 Ninety-five Dollars (\$12,196,595) is appropriated from the Tourist
12 Attraction Fund (TAF) to the Guam Visitors Bureau (GVB) for the items
13 and the indicated sums listed ~~for the period of October 1, 2008, through~~
14 ~~September 30, 2009~~ as follows:

15	(1) General Administration	\$2,137,197
16	(2) Marketing	\$8,095,133
17	(3) Printing, Promotional	\$238,875
18	(4) Research	\$375,000
19	(5) Destination Development	\$1,350,390

20 Notwithstanding the general provisions of 11 CGA § 30107.1 and this
21 Act, these appropriations shall continue to be available until expended.”

22 **Section 3. Guam Visitors Bureau Transfer Authority for Fiscal Year**
23 **2009.** A new Section 25(j) is *added* to Part II, Chapter 5 of Public Law 29-113 to
24 read:

25 “**(j) Guam Visitors Bureau Transfer Authority.** The Guam Visitors
26 Bureau Board of Directors may exercise limited transfer authority over the
27 appropriation in Subsection (a) in that transfers may be made between items

1 of appropriation listed in Subsection (a), except that *no* transfers shall be
2 made into or out of the General Administration item.”

3 **Section 4. Re-appropriation of Fiscal Year 2008 Funds.** Notwithstanding
4 the general provisions of 11 CGA § 30107.1 and this Act, such unexpended sums,
5 as previously authorized in Section 25 (a) of Part II, Chapter 5 of Public Law 29-
6 19, are hereby re-appropriated from the Tourist Attraction Fund to the Guam
7 Visitors Bureau for the purposes of the Guam Visitors Bureau’s operations. The
8 funds authorized herein *shall* be specifically used for purposes determined by the
9 Guam Visitors Bureau Board of Directors, except that such sums shall *not* be used
10 for personnel services *or* for any other project of the government of Guam that is
11 *not* initiated *or* administered by the Guam Visitors Bureau. This appropriation
12 *shall* not validate any agreement entered into by officers of the government of
13 Guam prior to the enactment of this Act.

14 **Section 5. Re-appropriation of Fiscal Year 2007 Funds.** Notwithstanding
15 the general provisions of 11 CGA § 30107.1 and this Act, such unexpended sums,
16 as previously authorized in Section 18 of Part II, Chapter IV of Public Law 28-150,
17 are hereby re-appropriated from the Tourist Attraction Fund to the Guam Visitors
18 Bureau for the purposes of the Guam Visitors Bureau’s operations. The funds
19 authorized herein *shall* be reprogrammed and specifically used for purposes
20 determined by the Guam Visitors Bureau Board of Directors, except that such
21 sums shall *not* be used for personnel services *or* for any project of the government
22 of Guam that is *not* initiated *or* administered by the Guam Visitors Bureau. This
23 appropriation *shall* not validate any agreement entered into by officers of the
24 government of Guam prior to the enactment of this Act.