



OFFICE OF THE PUBLIC AUDITOR  
Doris Flores Brooks, CPA, CGFM  
Public Auditor

March 15, 2011

GUAM LEGISLATURE  
REPRODUCTION/MAIL ROOM

DATE: 3/15/11

Honorable Tina Muña-Barnes  
Senator, Legislative Secretary, and Chairperson on  
Committee on Municipal Affairs, Tourism, Housing and Recreation  
I Mina' Trentai Unu Na Lihesaturan Guahan  
155 Hesler Place  
Hagåtña, Guam 96910

3/15/11  
3:35  
Jane

**Re: Written Testimony on Bill No. 57-31 (COR), An Act to Amend §1013 of Chapter 10 of Title 1 of the Guam Code Annotated**

Dear Senator Muña-Barnes and Committee Members,

I applaud the initiative taken in Bill No. 57 to address concerns raised in OPA Report No. 10-09, Liberation Day Committee Funds and Activities. Bill No. 57 aims to provide continuity by specifying that the Mayors' Council of Guam (MCOG) is responsible for the oversight of the Guam Island Fair Committee. In addition, each committee will be required to submit an annual report no later than 60 days after the close of Liberation festivities promoting accountability and transparency, another area of concern identified in OPA Report No. 10-09.

I am in general support of this Bill with certain amendments and/or clarifications.

With respect to the amendment to §1013.1, it is unclear whether the current section 1013.1 (a) through (d) will be repealed and replaced with the new section stated in Bill No. 57. If not repealed, the current §1013.1 allows for two organizations to host two separate events if the Guam Island Fair is not held in the Agaña Paseo Stadium: (1) the Guam Island Fair and (2) a Liberation Day Carnival. Our citizens have known the Guam Island Fair to be the same as the Liberation Day Carnival and it should be considered whether or not it remains the intent of the Legislature to allow two separate competing events, regardless if the Guam Island Fair is held at the Agaña Paseo Stadium or not.

I would also like to point out that sub-section (c) only specifies that the proceeds from the separate "Liberation Day Carnival" is subject to an audit by the Public Auditor. Among the recommendations made in OPA Report No. 10-09 was to amend the law to require that funds derived from the Liberation Day festivities and activities, including the Guam Island Fair and/or the Liberation Day Carnival, be subject to an annual audit.

Lastly, Bill No. 57-31 does not make mention of repealing §1013.2, which affects the applicability of §1013.1. This section states that Title 1 Guam Code Annotated Section 1013.1

shall apply "only when the Guam Island Fair is held in a location other than the Agana Paseo grounds," which has been the location of this event for several years now.

OPA requests that the foregoing areas be amended prior to the passage of Bill 57-31. Should you have any questions, please contact Auditor Llewelyn Terlaje or myself.

Senseramente,

A handwritten signature in black ink, appearing to read "Doris Flores Brooks", written in a cursive style.

Doris Flores Brooks, CPA, CGFM  
Public Auditor