



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

JUN 20 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>D. S. J.</u>
Time	<u>3:35pm</u>
Date	<u>6-20-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 158 LS), "AN ACT TO REPEAL AND RE-ENACT §3122 OF CHAPTER 3, AND §80102, §80103, §80104, §80106, §80108, §80109, §80111, §80113, §80116, §80117, §80118 AND §80119 OF CHAPTER 80, OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OPERATIONS OF THE GUAM PUBLIC LIBRARY.", which I have signed into law today as **Public Law No. 24-41.**

This legislation modernizes our statutes relative to the Guam Public Library System. When the library was first opened in 1949, there was only 1 library building in Agana. Since that time, the Guam Public Library has grown to 6 libraries. It is no longer 2 Quonset huts near the Azotea in the Plaza de España, nor even 1 concrete building on Martyr Street. We are entering an era of integrative technology encompassing the use of computers and the Internet as well as printed and bound books. To reflect these ever-changing times, our library will now be known as the "Guam Public Library System", and the Agana Branch of that system will be known as the "Nieves M. Flores Memorial Library".

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment

00283

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

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 6.20.97

Time: 2pm

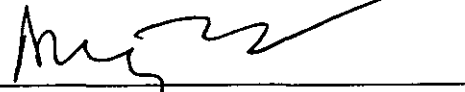
Rec'd by: myh

Print Name: Morgan ysa He

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 158 (LS), "AN ACT TO REPEAL AND RE-ENACT §3122 OF CHAPTER 3, AND §80102, §80103, §80104, §80106, §80108, §80109, §80111, §80113, §80116, §80117, §80118 AND §80119 OF CHAPTER 80, OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OPERATIONS OF THE GUAM PUBLIC LIBRARY," was on the 7th day of June, 1997, duly and regularly passed.



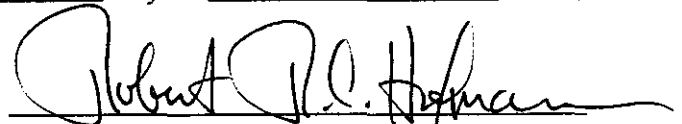
ANTHONY C. BLAZ
Acting Speaker

Attested:



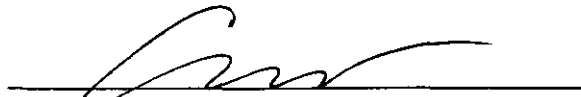
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 13th day of June, 1997, at
8:10 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:


CARL T. C. GUTIERREZ
Governor of Guam

Date: 6-20-97

Public Law No. 24-41

**TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session**

Bill No. 158 (LS)

As substituted by the Committee
on Education, and as further substituted
on the Floor and amended.

Introduced by:

L. F. Kasperbauer
Francisco P. Camacho
J. Won Pat-Borja
T. C. Ada
F. B. Aguon, Jr.
E. Barrett-Anderson
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco

**AN ACT TO REPEAL AND RE-ENACT §3122 OF
CHAPTER 3, AND §80102, §80103, §80104, §80106,
§80108, §80109, §80111, §80113, §80116, §80117, §80118
AND §80119 OF CHAPTER 80, OF TITLE 5 OF THE
GUAM CODE ANNOTATED, RELATIVE TO THE
OPERATIONS OF THE GUAM PUBLIC LIBRARY.**

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

2 **Section 1. Legislative Findings and Intent.** It is the finding of the
3 Guam Legislature that the Guam Public Library, which opened its doors on
4 January 31, 1949, was officially named the Nieves M. Flores Memorial Library
5 in June of that year. The Library was housed in two (2) quonset huts in
6 Agana near the Azotea, and was opened twenty (20) hours each week. It was
7 staffed by a head librarian and two (2) part-time helpers. The Guam
8 Legislature also finds that during the first decade the Library had a steady
9 growth and the staff and collection increased proportionally. The Guam
10 Legislature further finds that the Library was transferred out of the
11 Department of Education in 1954 and established as a separate government
12 agency, governed by a five (5) member board, appointed by the Governor and
13 confirmed by the Guam Legislature. By the end of the 1950's, the Library
14 doubled the number of books and the staff increased threefold. However, it
15 was still a very small Library with limited services. In the years that followed,
16 there was tremendous growth in the Library's collection and staff, and
17 expansion in the number of villages served and in the number and types of
18 services offered to the public. It is the intent of the Guam Legislature to
19 update the present statute to address the changes and expansion in the Guam
20 Public Library that have occurred over the last four (4) decades."

21 **Section 2.** Section 3122 of Chapter 3 of Title 5 of the Guam Code
22 Annotated is repealed and re-enacted to read:

23 **"Section 3122. Guam Public Library System.** (a) There is within
24 the government of Guam a Guam Public Library System, herein referred
25 to as the *Library System*, which shall be a separate agency of the
26 government of Guam. The title of all Library System's property is and
27 shall continue to be in the government of Guam. All references made to

1 the term "Library" in this Section, and Sections within Chapter 80 of
2 Title 5 of the Guam Code Annotated, shall mean the Library System.

3 (b) The Library System shall be under the general cognizance of
4 the Guam Public Library Board, hereinafter referred to as the *Board*,
5 which shall have the authority, power and responsibility for the
6 administration and operation of the Guam Public Library System.

7 (c) The Board shall appoint a Director who shall perform such
8 executive functions in connection with the operation of the Library
9 System as may be designated by the Board, and who shall serve as
10 executive secretary of the Board without additional compensation. The
11 Director shall, with the concurrence of the Board, appoint a Deputy
12 Director who shall be in the unclassified service and who shall be a
13 librarian, as defined by the Library System's minimum knowledge,
14 abilities and skills qualifications for a librarian position."

15 **Section 3.** Section 80102, §80103, §80104, §80106, §80108, §80109,
16 §80111, §80113, §80116, §80117, §80118 and §80119 of Chapter 80 of Title 5 of
17 the Guam Code Annotated are repealed and re-enacted to read:

18 "Section 80102. **Name.** The Agana Branch Library within the
19 Guam Public Library System shall have the name "*Nieves M. Flores*
20 *Memorial Library.*"

21 **Section 80103. Use.** All the libraries in the Library System shall
22 be available for use by all persons in Guam in accordance with the rules
23 and regulations promulgated by the Board. However, the Board shall
24 have the authority to impose fines for lost books, late return of books or
25 other misuses of the library resources. The Board shall also have the
26 authority to establish fees for other services provided by the library
27 pursuant to the provisions of the Administrative Adjudication Law.

1 **Section 80104. Collection of Locally Authored Books and**
2 **Materials.** The Library System is hereby authorized to actively solicit
3 or purchase, if necessary, books and written matter authored by local
4 residents which contain information of significant historical and cultural
5 value to the people of Guam. The Library System shall insure that all
6 materials so acquired will benefit the people of Guam and the Library
7 System's Guam collection. The Board shall establish and promulgate
8 rules and regulations pursuant to the Administrative Adjudication Law
9 for the implementation of this Section. The Library System is
10 authorized to request funds for the implementation of the provisions of
11 this Section to be included in the Library System's annual budget
12 request submitted to the Governor for submission to the Guam
13 Legislature.

14 **Section 80106. Library Board Members.** The Board shall be
15 composed of seven (7) members, of which one (1) member shall be a
16 secondary student, in compliance with Public Law No. 22-160, Section 7,
17 to be appointed by the Governor with the advice and consent of the
18 Guam Legislature.

19 **Section 80108. Library Board Chairperson.** The Board shall
20 annually elect at the first meeting of each fiscal year, a chairperson from
21 among its members.

22 **Section 80109. Board Meetings.** Meetings of the Board shall be
23 open to the public and held at a regular time and place each month.
24 Special meetings may be called by the Chairperson, and, at his
25 discretion, shall be open or closed.

1 **Section 80111. Acts of the Board.** The concurrence of four (4)
2 members of the Board shall be necessary for the validity of its official
3 actions, including the election of the Chairperson.

4 **Section 80113. Report to the Governor.** The Board shall make an
5 annual report to the Governor with respect to its activities, financial
6 status, the condition of the Library System, and recommendations as to
7 future operations.

8 **Section 80116. Selection of Employees.** Employees of the Library
9 System, except for the Director and Deputy Director, shall be appointed,
10 paid and hold their positions pursuant to the provisions of Title 4,
11 Guam Code Annotated, and other personnel laws, and their
12 remuneration shall be established in accordance with the provisions of
13 said Title 4 and such other personnel laws. The salary of the Director
14 and Deputy Director shall be established by the Civil Service
15 Commission.

16 **Section 80117. Gifts to the Library System.** The Board shall have
17 authority to accept on behalf of, and in the name of, the government of
18 Guam from any government or agency thereof, or any person, advisory
19 services, grants-in-aids, gifts, donations of money and other property
20 for the benefit of the Library System, or the Guam Archives; provided,
21 that any grants-in-aid, gifts, donations or other form of assistance
22 involving an obligation on the part of the Library System or the Guam
23 Archives or the government of Guam shall require the approval of the
24 Governor.

25 **Section 80118. Custody of Funds.** Funds received by the Library
26 System pursuant to §§80103 and 80117 of this Chapter shall be for the

1 exclusive use of the library system and shall be kept in the custody of
2 the Treasurer of Guam and disbursed under authority of the Board.

3 **Section 80119. Rules and Regulations.** The Board shall prepare
4 rules and regulations for the government of the Library System in
5 pursuance to the provisions of this Chapter, including, if deemed
6 desirable, provisions for the following: registration fees, deposits by
7 borrowers, fines for failure to return borrowings on time, charges for
8 damaged or destroyed borrowings, pursuant to the provisions of the
9 Administrative Adjudication Law.”

PL 24 41



Senator Lawrence F. Kasperbauer, Ph.D. ✓
Chairman, Committee on Education

215-A Chalan Santo Papa, Suite 106-F • Ada's Commercial & Professional Center • Agaña, Guam 96910
Telephone 475-KIDS • FAX 475-2000

April 11, 1997

Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Agana, Guam 96910

Via: Chairman, Committee on Rules

Dear Honorable Speaker:

The Committee on Education to which was referred **BILL NO. 158 AN ACT TO AMEND SUB-SECTION 3122, SUB-SECTIONS (a), (b), and (c) AND CHAPTER 80, SUB-SECTIONS 80102, 80103, 80104, 80106, 80108, 80109, 80111, 80113, 80116, 80117, 80118, AND 80119 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE OPERATIONS OF THE GUAM PUBLIC LIBRARY.** Wishes to report its findings and recommendations for passage of **Bill No. 158** as substituted by the Committee on Education.

The voting record is as follows:

To Pass	<u>12</u>
Not To Pass	<u>none</u>
Abstain	<u>none</u>
To Place In Inactive File	<u>none</u>

Attached are all pertinent documents for your review.

Lawrence F. Kasperbauer
Lawrence F. Kasperbauer, Ph.D.



Senator Lawrence F. Kasperbauer, Ph.D.
Chairman, Committee on Education

215-A Chalan Sarto Papa, Suite 106-F • Ada's Commercial & Professional Center • Agaña, Guam 96910
Telephone 475-KIDS • FAX 475-2000

MEMORANDUM

To: All Members
Committee on Education

From: Chairman
Committee on Education

Date: April 10, 1997

Subj: Voting Sheet - Bill No. 158

Transmitted herewith is the voting sheet and Committee Report on Bill 158, as substituted by the Committee on Education for your review and signature.

Your attention to this matter is greatly appreciated.

Si Yu'os Ma'ase.

Lawrence F. Kasperbauer, Ph.D.

Enclosures

COMMITTEE ON EDUCATION
TWENTY-FOURTH GUAM LEGISLATURE
 155 Hesler Street, Agana, Guam 96910

<p>Chairman: Senator Lawrence F. Kasperbauer, Ph.D. Vice Chairman: Senator John C. Salas Ex-Officio Member: Speaker Antonio R. Unpingco</p>

VOTING SHEET ON:

BILL NO. 158 (LS)
AS SUBSTITUTED BY THE COMMITTEE ON EDUCATION
RELATIVE TO THE OPERATION OF THE GUAM PUBLIC LIBRARY

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Sen. Lawrence F. Kasperbauer	<i>LK</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. John C. Salas	<i>Salas</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Antonio R. Unpingco	<i>Unpingco</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Thomas C. Ada	<i>Ada</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Frank B. Aguon, Jr.	<i>Frank B. Aguon, Jr.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Elizabeth Barrett-Anderson	<i>EB Anderson</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Anthony C. Blaz	<i>Blaz</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne M.S. Brown	<i>Joanne M.S. Brown</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Felix P. Camacho	<i>Felix P. Camacho</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Edwardo J. Cruz, MD	<i>Edwardo J. Cruz, MD</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mark Forbes	<i>Mark Forbes</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Angel L.G. Santos	<i>Angel L.G. Santos</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Judith Won Pat-Borja	<i>Judith Won Pat-Borja</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMITTEE ON EDUCATION

TWENTY-FOURTH GUAM LEGISLATURE

155 Hesler Street, Agana, Guam 96910

COMMITTEE REPORT

ON

**Bill 158 AN ACT TO AMEND SUB-SECTION 3122, SUB-SECTIONS (a), (b), and (c) AND
CHAPTER 80, SUB-SECTIONS 80102, 80103, 80104, 80106, 80108, 80109, 80111, 80113,
80116, 80117, 80118, AND 80119 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE
TO THE OPERATIONS OF THE GUAM PUBLIC LIBRARY as substituted by the
Committee on Education**

COMMITTEE MEMBERS

**Lawrence F. Kasperbauer, Ph.D.
CHAIRMAN**

**John C. Salas, Ph.D.
VICE CHAIRMAN**

**Speaker Antonio R. Unpingco
EX-OFFICIO MEMBER**

Thomas C. Ada

Frank B. Aguon, Jr.

Elizabeth Barrett-Anderson

Anthony C. Blaz

Joanne M.S. Brown

Eduardo M.S. Brown

Eduardo J. Cruz, MD

Mark Forbes

Angel L.G. Santos

Judith Won Pat-Borja