



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

17 AUG 2006

Office of the Speaker

MARK FORBES

Date: 8/17/06

Time: 4:00 pm

Rec'd by: [Signature]

Print Name: [Signature]

28-06-1025

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 207(EC), "AN ACT TO ADD A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO AMEND §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO ADD A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM," now designated as Public Law 28-145.

Sinseru yan Magåhet,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: a copy of the overridden bill is attached

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

928

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: [Signature]
Print Name & Initial
Time: 3:28
Date: 8-21-06

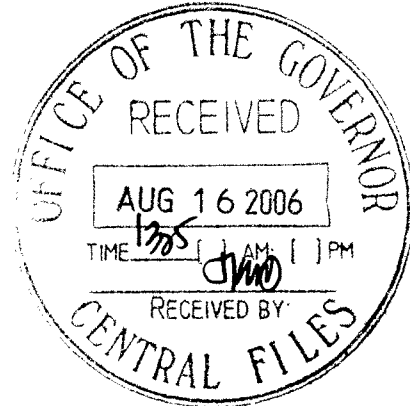


**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
TWENTY-EIGHTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

**FILE COPY**

August 16, 2006

The Honorable Felix P. Camacho  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 207(EC) & 309(EC) which were overridden by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on August 15, 2006, notwithstanding your veto.

Sincerely,

EDWARD J.B. CALVO  
Senator and Secretary of the Legislature

Enclosures (2)

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2006 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 207 (EC), "AN ACT TO ADD A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO AMEND §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO ADD A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM," returned without approval of *I Maga'lahen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 15<sup>th</sup> day of August, 2006, to pass said bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of ten (10) Members.

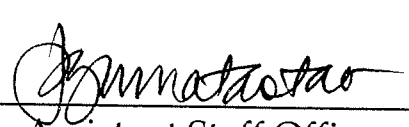
  
MARK FORBES  
Speaker

Attested:

  
EDWARD J.B. CALVO

Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guåhan* this 16 day of August, 2006, at 1:25 o'clock  
9.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

Public Law No. 28-145

**MINA BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

**Bill No. 207 (EC)**

As amended.

Introduced by:

R. J. Respicio  
F. B. Aguon, Jr.  
J. M.S. Brown  
Edward J.B. Calvo  
B. J.F. Cruz  
Mike Cruz  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
J. A. Lujan  
A. B. Palacios, Sr.  
Ray Tenorio  
A. R. Unpingco  
J. T. Won Pat

**AN ACT TO *ADD* A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO *AMEND* §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO *ADD* A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that §2103 of Chapter 2 of Title 5, Guam Code Annotated provides for a separate  
4 budget for the Office of the Lieutenant Governor. This law, enacted in Fiscal Year  
5 1977, states in part that....“this is to ensure the effective discharge of the  
6 responsibilities and duties of the Office of the Lieutenant Governor as an office  
7 separate from that of the Governor pursuant to Section 6 of the Organic Act of  
8 Guam.”

9           It is the intent of *I Liheslaturan Guåhan* to provide *I Segundo Na*  
10 *Maga'lahen Guåhan* appointment and removal powers pursuant to statute and the  
11 Organic Act of Guam.

12           **Section 2. A new §2103.1 is hereby *added* to Chapter 2 of Title 5 of the**  
13 **Guam Code Annotated to read as follows:**

14           “**§2103.1. Lieutenant Governor’s Appointment Powers.** The  
15 Lieutenant Governor of Guam shall have exclusive authority to  
16 appoint and remove officers and employees within the Office of the  
17 Lieutenant Governor, the Guam State Clearinghouse, and all other  
18 offices that may be established and placed under the purview or  
19 direction of the Lieutenant Governor of Guam.”

20           **Section 3. §6207 of Article 2, Chapter 6 of Title 4 of the Guam Code**  
21 **Annotated is hereby *amended* to read as follows:**

22           “**§6207. Positions in the Governor’s Office.** The Governor is  
23 authorized to establish such positions as may be necessary for the  
24 operation of the Office of the Governor including off-island offices  
25 and Government House; provided, however, that no person shall be  
26 appointed to fill such a position in the absence of an appropriation to

1 pay the salary set for such position. The Governor shall set the salaries  
2 for positions for which salaries are not set by law.”

3 **Section 4. A new §6207.1 is hereby *added* to Article 2, Chapter 6 of Title**  
4 **4 of the Guam Code Annotated to read as follows:**

5 **“§6207.1. Positions in the Lieutenant Governor’s Office.**

6 The Lieutenant Governor is authorized to establish such positions as  
7 may be necessary for the operation of the Office of the Lieutenant  
8 Governor, the Guam State Clearinghouse, and other offices that are  
9 established and placed under the purview or direction of the  
10 Lieutenant Governor of Guam; provided, however, that *no* person  
11 shall be appointed to fill such a position in the absence of an  
12 appropriation to pay the salary set for that position. The Lieutenant  
13 Governor shall set the salaries for positions for which salaries are not  
14 set by law.”

*Overridden*

# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 8/15/06

## VOTING SHEET

*Vetoed*  
Bill No. 207 (EC)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)		✓			
FORBES, Mark	✓				
KASPERBAUER, Lawrence F. /		✓			
KLITZKIE, Robert		✓			
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.		✓			
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

10    4    0    0    0

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3407 • Fax (671) 472-3510

**Speaker Mark Forbes**

**Speaker Mark Forbes**  
**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**155 Hesler Place**  
**Hagatna, Guam 96910**

The Committee on General & Omnibus Matters to which Bill No. 207 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 207 (EC)**: "Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated".

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

  4   TO PASS  
  1   NOT TO PASS  
  2   TO REPORT OUT ONLY  
      ABSTAIN  
      INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.

  
**MARK FORBES**

Attachments



**MEMORANDUM**

**TO:** Committee Members

**FROM:** Chairman

**SUBJECT:** Committee Report- BILL No. 207 (EC): "Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated".

Transmitted herewith for your information and action is the report on Bill No. 207 (EC) from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 207 (EC)
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

**MARK FORBES**

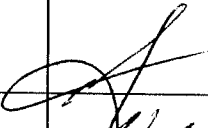

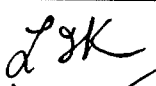





Attachments

# COMMITTEE ON GENERAL AND OMNIBUS MATTERS

*I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN*  
155 HESLER PLACE, HAGÅTNA, GUAM 96910

Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.

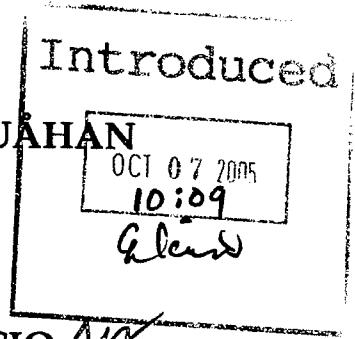
## VOTING SHEET

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Mark Forbes, Chairman		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Edward J.B. Calvo		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawrence F. Kasperbauer, Ph.D.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jesse A. Lujan		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ray Tenorio		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Cruz, M.D.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lou A. Leon Guerrero		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judith T. Won Pat		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benjamin J.F. Cruz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Zmf*  
6/1/06

*Zmf*  
6/15/06

MINA BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) REGULAR SESSION



Bill No. 207(EC)

Introduced by:

R.J. RESPICIO *[Signature]*

RELATIVE TO THE APPOINTMENT AND REMOVAL AUTHORITY OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARING HOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM BY ADDING A NEW §2103.5 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED, AMENDING §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED AND ADDING A NEW §6207.5 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED.

BE IT RESOLVED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Section 2103 of Chapter 2 of Title 5, Guam Code Annotated provides for a separate budget for the Office of the Lieutenant Governor. This law enacted almost thirty years ago in Fiscal Year 1977 states in part that...."this is to ensure the effective discharge of the responsibilities and duties of the Office of the Lieutenant Governor as an office separate from that of the Governor pursuant to Section 6 of the Organic Act of Guam." It is the intent of *I Lehislaturan Guahan* to provide *I Segundo Na Maga'lahren Guåhan* appointment and removal powers pursuant to Title 5 GCA and the Organic Act of Guam.

1           **Section 2. A new Section 2103.5 is hereby added to Chapter 2 of**  
2 **Title 5 of the Guam Code Annotated to read as follows:**

3           “Section 2103.5. The Lieutenant Governor of Guam shall have  
4 exclusive appointment and removal authority of officers and  
5 employees within the Office of the Lieutenant Governor, the Guam  
6 State Clearinghouse, and all other offices that may be established and  
7 placed under the purview or direction of the Lieutenant Governor of  
8 Guam.”

9           **Section 3. Section 6207 of Article 2, Chapter 6 of Title 4 of the Guam**  
10 **Code Annotated is hereby amended to read as follows:**

11           “Section 6207. Positions in Governor’s Office. The Governor is  
12 authorized to establish such positions as may be necessary for  
13 operation of the Office of the Governor ~~and Lieutenant Governor~~  
14 including off-island offices and Government House; provided,  
15 however, that no person shall be appointed to fill such a position in  
16 the absence of an appropriation to pay the salary set for such  
17 position. The Governor shall set the salaries for positions for which  
18 salaries are not set by law.”

19           **Section 4. A new Section 6207.5 is hereby added to Article 2,**  
20 **Chapter 6 of Title 4 of the Guam Code Annotated to read as follows:**

21           “Section 6207.5. The Lieutenant Governor is authorized to  
22 establish such positions as may be necessary for the operation of the  
23 Office of the Lieutenant Governor, the Guam State Clearinghouse,  
24 and all other offices that may be established and placed under the  
25 purview or direction of the Office of the Lieutenant Governor of  
26 Guam; provided, however, that no person shall be appointed to fill  
27 such a position in the absence of an appropriation to pay the salary

1 set for such position. The Lieutenant Governor shall set the salaries  
2 for positions for which salaries are not set by law.”

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN  
COMMITTEE ON GENERAL & OMNIBUS MATTERS  
SPEAKER MARK FORBES, CHAIRMAN**

**COMMITTEE REPORT**

**ON**

**BILL NO. 207 (EC)**

**Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.**

## **I. OVERVIEW**

The Committee on General and Omnibus Matters held a public hearing at 2:00 p.m. on January 17, 2006 in the Public Hearing Room, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on January 10 and January 16, 2006. Notice was placed in the PDN on January 13, 16 and 17, 2006.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman  
Vice Speaker Joanne M.S. Brown  
Senator Larry Kasperbauer, Member  
Senator Jesse Lujan, Member  
Senator Benjamin Cruz, Member  
Senator Lou Leon Guerrero, Member  
Senator Judy Won Pat, Member  
Senator Robert Klitzkie  
Senator Adolpho B. Palacios, Sr.  
Senator Rory Respicio

## **II. SUMMARY OF TESTIMONY**

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

**There was no testimony received or heard on Bill No. 207 (EC).**

### **Discussion:**

**Senator Rory Respicio**, Author of Bill No. 207, spoke briefly on the bill. He said the bill builds upon current law that separates the budgets of the two offices, the Office of the Governor and the Office of the Lieutenant Governor. He added that this piece of legislation makes it clear that the two offices have separate budgets.

## **III. FINDINGS AND RECOMMENDATION**

The Committee on General and Omnibus Matters finds that the intent of Bill No. 207 is to clearly establish a separate budget appropriation for the Office of the Lieutenant Governor of Guam and thereby establishing the exclusivity of appointment and removal powers by the Lieutenant Governor of Guam in regards to the employees under his purview and payroll. This will extend to the Lieutenant Governor's jurisdiction within the office of the Lieutenant Governor, the State Clearinghouse, and programs or offices that are established under the authority of the Lieutenant Governor of Guam. The intent of the bill further allows the Lieutenant Governor to establish such personnel positions within the budget allocated for the office of the Lieutenant Governor of Guam. The Lieutenant Governor will be authorized to set the salaries of his officers and employees for the positions for which salaries are not set by law.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 207 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 207 (EC)**, "Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated."





AGENDA

COMMITTEE ON GENERAL & OMNIBUS MATTERS, and  
EXECUTIVE COMMITTEE

Public Hearing  
Tuesday, January 17, 2006, 2:00 p.m.  
Public Hearing Room

*The following Bills will be heard by the Committee on General & Omnibus Matters & the Executive Committee;*

**Bill No. 192(EC)** – by J. M.S. Brown

An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Sums Appropriated To Liheslatura For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

**Bill No. 206 (EC)** – By L. A. Leon Guerrero

An Act To Authorize I Maga'lahaen Guåhan To Exchange Portion Of A Prewar Bull Cart Trail, Talofofu, Guam For Portions Of Lot Number 26-2r2, Talofofu, Guam.

**Bill No. 207 (EC)** – By R. J. Respicio

Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.

**Bill No. 208 (EC)** – By J. M.S. Brown

An Act To Appropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Funds Of The Office Of Vice Speaker Joanne M.S. Brown To The Department Of Parks And Recreation For The Installation And Repair Of Entry Gates To Public Parks Around The Island.

**Bill No. 209 (EC)** – By J. M.S. Brown

An Act To Appropriate Sixteen Thousand Dollars (\$16,000.00) From The Funds Of The Office Of Vice Speaker Joanne M.S. Brown And To Authorize The University Of Guam To Reappropriate The Unexpended Funds From Section 2 Of Public Law 28-17 To The University Of Guam's Inarajan Agricultural Experiment Station To Purchase A Total Carbon/Nitrogen Analyzer And Related Supplies.

**Bill No. 222 (EC)** – by J. A. Lujan

An Act To Add A New Article 2 To Chapter 3 Of Title 4 Of The Guam Code Annotated, Relative To Disclosing Speicial Benefits Provided By Airlines To Government Officials.

**Bill No. 239 (EC)** – by B. J.F.Cruz

An Act To Place The Merlyn G. Cook School Under The Administrative Jurisdiction Of The Merizo Mayor's Office.



***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**


155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

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**WAIVER OF FISCAL NOTE**

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 207 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 207.

  
MARK FORBES  
Speaker and Chairman,  
Committee on General and Omnibus Matters

# Transmission Report

Date/Time  
Local ID  
Local Name  
Company Logo

1-10-06; 3:44PM  
4723510  
Guam Legislature

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S



**I Mina' Bente Ocho Na Liheslaturan Guahan**  
The 28<sup>th</sup> Guam Legislature

155 Hester Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

### Facsimile

**Date:** January 10, 2006      **Time:**  
**Fax No.:** 477-3079      **No. of Pages:**  
**To:** PDN Government Meetings  
**From:** The Office of Speaker Mark Forbes  
**Re:** Public Hearing Notice- Tuesday, January 17, 2006  
**Note:** We would like to reserve space in the government meeting notice section of the Pacific Daily News for Wednesday, January 11, Thursday, January 12, Friday, January 13, Monday, January 16 and Tuesday, January 17, 2006 to read:

\*Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Tuesday, January 17, 2006, 2:00 P.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. To be heard;

The following Bills will be heard by the Committee on General & Omnibus Matter & the Executive Committee:

**HR No. 192 (EC)** - by J. M.S. Brown  
An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Same Appropriated To I Legislature For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

**HR No. 226 (EC)** - By L. A. Leon Guerrero  
An Act To Authorize I Mags'lahas Guahan To Exchange Portion Of A Proww Pail Cart Trail, Talofofo, Guam For Portion Of Lot Number 26-2r2, Talofofo, Guam.

**HR No. 287 (EC)** - By R. J. Raspolio  
Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.

Total Pages Scanned : 2      Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	564	pdn	1-10-06; 3:43PM	58"	2 / 2	EC		CP 14.4

**Notes :**

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# Transmission Report

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1-13-06;11:22AM  
671 4723524  
CLERKS  
GUAM LEGISLATURE

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**I Mina' Bente Ocho Na Liheslaturan Guahan**  
The 28<sup>th</sup> Guam Legislature

155 Healer Place  
Hagatna, Guam 96910  
Office (871) 472-3409 • Fax (871) 472-3510

**Speaker Mark Forbes**

Facsimile

**Date:** January 10, 2006      **Time:**

**To:** ALL MEDIA:

**Fax No.:**

Pacific Daily News;	477-3079	KUAM;	637-9870
Marianas Variety;	644-2007	K-57/Power 98;	477-3982
K-Stereo;	477-6411	Hit Radio 100;	472-7663
Glimpses;	649-8883	Advertis World Radio	565-2983
Hawaii Family Radio	477-7136	XPRG	734-2938
KISH	477-6411	Rlene Live	477-7845

**From:** The Office of Speaker Mark Forbes

**Re:** Public Hearing Notice- Tuesday, January 17, 2006

**Note:** Attached is a public hearing notice for January 17, 2006 at 2:00 p.m. in the Public Hearing Room and for your perusal.

Should there be a problem with the transmittal of this fax please contact our office at 472-3409.

**Sender:**

**No. of Pages:**

Total Pages Scanned : 3      Total Pages Confirmed : 3

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1	7	94773982	1-13-06;11:21AM	1'09"	3/ 3	EC		CP 14.4

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EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
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HS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

# Broadcast Report

Date/Time  
Local ID  
Local Name  
Company Logo

1-10-06; 3:23PM  
4723510  
Guam Legislature

Document Size Letter-S



**I Mina' Bente Ocho Na Liheslaturan Guahan**  
The 28<sup>th</sup> Guam Legislature

155 Healer Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

## Facsimile

**Date:** January 10, 2006      **Time:**

**To:** ALL MEDIA:

**Fax No.:**

Pacific Daily News;	477-3079	KUAM;	637-9870
Mariana Variety;	648-2007	K-57/Power 98;	477-3982
K-Stereo;	477-6411	Hit Radio 100;	472-7663
GImpass;	649-8883	Adventist World Radio	563-7983
Harvest Family Radio	477-7136	KPRG	714-2958
KISH	477-6411	Rlane Live	477-7845

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**No. of Pages:**

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	561	pdn	1-10-06; 3:00PM	1'11"	3 / 3	EC	BC	CP 14.4
2	561	marianas variety	3:02PM	1'12"	3 / 3	EC	BC	CP 14.4
3	561	kuam	3:04PM	1'10"	3 / 3	EC	BC	CP 14.4
4	561	h.t radio	3:05PM	1'55"	1 / 3	EC	BC	0536 28.8
5	561	kprg	3:09PM	0"	- / 3	EC	BC	056D
6	561	hit radio	3:11PM	1'02"	1 / 3	EC	RE	0536 28.8
7	561	hit radio	3:14PM	0"	1 / 3	EC	RE	056D

# Broadcast Report

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1-10-06; 3:23PM  
 4723510  
 Guam Legislature

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
8	561	power ninety eight	3:21PM	0"	- / 3		BC	056B
9	561	guam business	3:22PM	0"	- / 3		BC	056B
10	561	k stereo/kish	3:22PM	0"	- / 3		BC	056B
11	561	world radio	3:22PM	0"	- / 3		BC	056B
12	561	family radio	3:23PM	0"	- / 3		BC	056B
13	561	riene steffy	3:23PM	0"	- / 3		BC	056B

Notes :

EC: Error Correct  
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RE: Resend  
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# Transmission Report

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Local Name  
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1-16-06; 3:48PM  
671 4723459  
GUAM LEGISLATURE

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The 28<sup>th</sup> Guam Legislature

156 Healer Place  
Hagatna, Guam 96910  
Office (871) 472-3409 • Fax (871) 472-3510

**Speaker Mark Forbes**

## Facsimile

Date: January 16, 2006 Time:  
Fax No.: 477-3079 No. of Pages:  
To: PDN Government Meetings  
From: The Office of Speaker Mark Forbes  
Re: Public Hearing Notice- Tuesday, January 17, 2006  
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, January 17, 2006 to read:

\*Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Tuesday, January 17, 2006, 2:00 P.M., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. To be heard;

The following Bills will be heard by the Committee on General & Omnibus Matter & the Executive Committee:

**Bill No. 124 (EC)** - by J. M.S. Brown  
An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Funds Appropriated To Liheslaturan For Fiscal Year 2005 And To Reappropriate Said Funds To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

**Bill No. 206 (EC)** - By L. A. Leon Guerrero  
An Act To Authorize I Mago' Mago' Oshlan To Exchange Portion Of A Prower Bull Cert Tract, Talofofo, Guam For Portion Of Lot Number 26-2r2, Talofofo, Guam.

**Bill No. 287 (EC)** - By R. J. Respicio  
Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	914	94773079	1-16-06; 3:47PM	1'07"	2 / 2	EC		CP 14.4

### Notes :

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*I Mina' Bente Ocho Na Liheslaturan Guahan*  
The 28<sup>th</sup> Guam Legislature

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

---

January 16, 2006

**MEMORANDUM**

**TO:** All Media:  
Pacific Daily News; 477-3079 KUAM; 637-9870  
Marianas Variety; 648-2007 K-57/Power 98; 477-3982  
K-Stereo; 477-6411 Hit Radio 100; 472-7663  
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983  
Harvest Family Radio 477-7136 KPRG 734-2958  
KISH 477-6411 Rlene Live

**FROM:** Speaker  
Chairman, Committee on General & Omnibus Matters, and  
Executive Committee

**SUBJECT:** Notice of Public Hearing- **January 17, 2006**

Please be informed that I have scheduled a public hearing on Tuesday, January 17, 2006, 2:00 p.m. at the Public Hearing Room, Temporary Legislative Building, on the following bills:

**The following bills will be heard;**

**Bill No. 192(EC) – by J. M.S. Brown**

An Act To Deappropriate Twenty-Five Thousand Dollars (\$25,000.00) From The Sums Appropriated To I Liheslatura For Fiscal Year 2005 And To Reappropriate Said Sum To The Department Of Agriculture To Purchase Uniforms, Supplies And Law Enforcement Equipment For Its Law Enforcement Division.

**Bill No. 206 (EC) – By L. A. Leon Guerrero**

An Act To Authorize I Maga'lahen Guåhan To Exchange Portion Of A Prewar Bull Cart Trail, Talofof, Guam For Portions Of Lot Number 26-2r2, Talofof, Guam.

**Bill No. 207 (EC) – By R. J. Respicio**

Relative To The Appointment And Removal Authority Of Officers And Employees Within The Office Of The Governor Of Guam, The Lieutenant Governor Of Guam, The Guam State Clearing House, And All Other Offices That May Be Established And Placed Under The Purview Or Direction Of The Lieutenant Governor Of Guam By Adding A New §2103.5 To Chapter 2 Of Title 5 Of The Guam Code Annotated, Amending §6207 Of Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated And Adding A New §6207.5 To Article 2, Chapter 6 Of Title 4 Of The Guam Code Annotated.

# Activity Report

Date/Time  
Local ID  
Local Name  
Company Logo

1-16-06; 3:49PM  
671 4723459  
GUAM LEGISLATURE

\* Calling \*\*

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	843	94723844	1-16-06; 8:18AM	27"	1/ 1	EC		CP 28.8
2	850	96475377	9:20AM	54"	1/ 1	EC		CP 9600
3	853	98282429	10:25AM	2'15"	2/ 2	G3		CP 9600
4	855	AGRICULTURE/DOS	10:28AM	32"	2/ 2	EC		CP 28.8
5	856	96496178	10:28AM	33"	2/ 2	EC		CP 28.8
6	857	94757549	10:35AM	0"	-/ 2			056B
7	858	94757549	10:42AM	0"	-/ 4			056B
8	870	94759329	10:44AM	51"	4/ 4	EC		CP 31.2
9	867	94757549	10:49AM	0"	-/ 4			056B
10	874	94770997	11:00AM	2'00"	5/ 5	EC		CP 14.4
11	877	94770883	11:11AM	32"	2/ 2	EC		CP 28.8
12	880	96496178	11:25AM	20"	1/ 1	EC		CP 28.8
13	883	94794827	11:33AM	22"	1/ 1	EC	BC	CP 31.2
14	883	94724090	11:34AM	57"	1/ 1	EC	BC	CP 9600
15	883	94758805	11:35AM	27"	1/ 1	EC	BC	CP 28.8
16	883	94772522	11:36AM	20"	1/ 1	EC	BC	CP 31.2
17	883	94775984	11:36AM	20"	1/ 1	EC	BC	CP 28.8
18	883	94752000	11:37AM	36"	1/ 1	EC	BC	CP 14.4
19	883	94723591	11:38AM	43"	1/ 1	EC	BC	CP 14.4
20	883	96475377	11:39AM	57"	1/ 1	EC	BC	CP 9600
21	883	94725022	11:41AM	23"	1/ 1	EC	BC	CP 28.8
22	883	94723547	11:42AM	51"	1/ 1	G3	BC	CP 14.4
23	883	94791329	11:43AM	1'13"	1/ 1	G3	BC	CP 9600
24	883	94723400	11:44AM	36"	1/ 1	EC	BC	CP 14.4
25	883	94723589	11:45AM	36"	1/ 1	EC	BC	CP 14.4
26	883	94723403	11:46AM	42"	1/ 1	EC	BC	CP 14.4
27	883	94773079	11:47AM	37"	1/ 1	EC	BC	CP 9600
28	883	94776411	11:48AM	22"	1/ 1	EC	BC	CP 14.4
29	883	GLIMPSES OF GUAM INC	11:49AM	26"	1/ 1	EC	BC	CP 26.4
30	883	KUAM NEWS	11:50AM	22"	1/ 1	EC	BC	CP 28.8
31	883	94727663	11:51AM	21"	1/ 1	EC	BC	CP 26.4
32	883	95652983	11:52AM	1'09"	1/ 1	EC	BC	CP 28.8
33	883	97342958	11:53AM	1'04"	1/ 1	G3	BC	CP 14.4
34	883	96482007	11:55AM	37"	1/ 1	EC	BC	CP 9600
35	883	94777136	11:56AM	21"	1/ 1	EC	BC	CP 14.4
36	883	94723982	12:01PM	0"	-/ 1		BC	CP 28.8
37	885	97340317	12:11PM	1'04"	1/ 1	EC		056B
38	892	96494265	2:32PM	2'34"	6/ 6	EC		CP 9600
39	899	96440103	2:50PM	37"	2/ 2	EC		CP 14.4
40	902	96495615	3:07PM	35"	1/ 1	EC		CP 28.8
41	909	96440103	3:43PM	31"	1/ 1	EC		CP 14.4
42	912	94773079	3:45PM	1'08"	3/ 3	EC		CP 28.8
43	914	94773079	3:47PM	1'07"	2/ 2	EC		CP 14.4
44	918	KUAM NEWS	3:49PM	44"	3/ 3	EC	BC	CP 14.4
Total								62

\* Called \*\*

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	888	6716497766	1-16-06; 12:19PM	1'34"	3	EC		CP 9600
2	890	7340317	2:11PM	56"	1	EC		CP 9600
3	895	671 649 0698	2:38PM	1'41"	5	EC		CP 28.8
4	897	6469710	2:40PM	58"	1	G3		CP 9600
5	905	671 649 0698	3:12PM	32"	1	EC		CP 28.8
6	907	16714725022	3:35PM	25"	1	EC		CP 28.8
Total								12

otes :

C: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
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# Hearing on Cook School transfer today

By Steve Lirio  
Pacific Daily News  
slirio@guampdn.com

A historic former school building in the heart of Merizo, or has been boarded up for years and has become a target for vandals.

Officials are working on a grant from the Guam Preservation Trust, which spent \$500,000 to repair the building in 1997, to repair the Merizo G. Cook School, and lawmakers today will hear public testimony on a bill that would transfer the school from the Department of Parks and Recreation to the village mayor's office.

The basketball court next to the Cook School is popular with village youth, said 30-year-old Merizo resident Jessica Santiago. There aren't many other recreational activities, she said, and it would be a good idea to have pool tables or other activities at the Cook School.

Santiago said many of the older residents in the village have a connection to the building because they went to school there, and using the facility regularly would help keep it maintained.

Former Mayor Ignacio "Buck" Cruz, who was a student at the Cook School, said typhoons damaged the building several years ago, then rock-throwing youths broke more windows and damaged it further.

Most of the windows in the

mayor's office.

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Most of the windows in the

- IF YOU GO**
- The public hearing today at 2 p.m. in the legislative public hearing room covers the following bills:
- ▲ Bill No. 192: Appropriates \$25,000 in savings from Vice Speaker Joens Brown's office budget to the Department of Agriculture to buy uniforms, supplies and law enforcement equipment for its law enforcement division.
  - ▲ Bill No. 206: Allows the governor to exchange a portion of a bull cart used in Tabbolo for part of a residence in the village.
  - ▲ Bill No. 207: Gives the lieutenant governor exclusive authority to hire or fire officers under his purview, such as the Guam State Cleaning House.
  - ▲ Bill No. 208: Appropriates \$10,000 in savings from Vice Speaker Joens Brown's office to the University of Guam to purchase a gas chromatograph station to buy a total carbon/hydrogen analyzer and related supplies.
  - ▲ Bill No. 209: Appropriates \$25,000 in savings from Vice Speaker Joens Brown's office to the Department of Parks and Recreation to install and repair entry gates at public parks around the island.
  - ▲ Bill No. 222: Requires salaries and elected government officials or their employees to report asset upgrades, free schools, discount fares, hotel rooms or other special considerations.
  - ▲ Bill No. 239: Places the Marilyn G. Cook School under the administration of the Merizo mayor's office.

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Republic Daily News, Friday, January 13, 2006 [www.republic.com](http://www.republic.com)

### GOVERNMENT MEETINGS

**Jan. 13**  
 The Board of Education and Community Development public hearing is held at 7:30 p.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Board of Education and Community Development Fund. 2. Report on the progress of the Board of Education and Community Development Fund. 3. Report on the progress of the Board of Education and Community Development Fund.

**Jan. 17**  
 The Committee on General and Omnibus Matters and Executive Committee public hearing is held at 10 a.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Committee on General and Omnibus Matters and Executive Committee. 2. Report on the progress of the Committee on General and Omnibus Matters and Executive Committee.

**Jan. 18**  
 The Board of Education and Community Development public hearing is held at 7:30 p.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Board of Education and Community Development Fund. 2. Report on the progress of the Board of Education and Community Development Fund.

**Jan. 19**  
 The Board of Education and Community Development public hearing is held at 7:30 p.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Board of Education and Community Development Fund. 2. Report on the progress of the Board of Education and Community Development Fund.

**Jan. 20**  
 The Board of Education and Community Development public hearing is held at 7:30 p.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Board of Education and Community Development Fund. 2. Report on the progress of the Board of Education and Community Development Fund.

**Jan. 21**  
 The Board of Education and Community Development public hearing is held at 7:30 p.m. in the Board Room, 13, Retirement Fund Center, 300 O'Hara Road, Hingham, Mass. The hearing is open to the public. The agenda includes: 1. Report on the progress of the Board of Education and Community Development Fund. 2. Report on the progress of the Board of Education and Community Development Fund.

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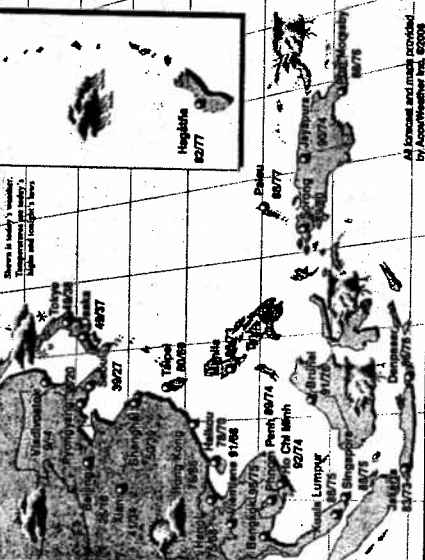
# ALMANAC

Most forecast and data provided by AccuWeather Inc. except where noted. All times are in local time unless otherwise noted. For more information on the National Weather Service, visit www.weather.gov or call 1-800-FED-WEATHER. For a complete forecast, visit www.guamweather.com. © 2006 National Weather Service Guam Home Office.

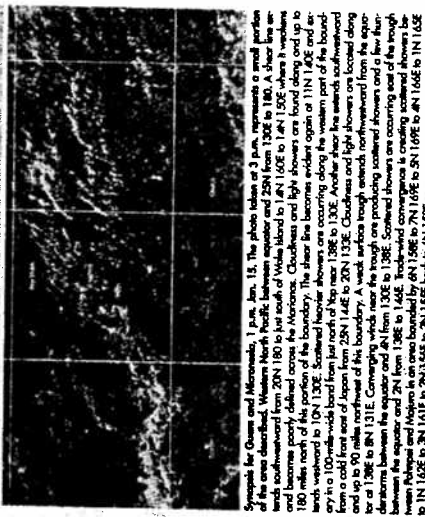
## 5-Day forecast for Guam

Today	UV Index today	Tonight	Tuesday	Wednesday	Thursday	Friday
Misty, cloudy and windy with some clouds. Moderate to rough seas, surf 5-10 feet.	1 2 3 4 5 6 7 8 9 10 The higher the UV Index, the more intense the sun's rays. A UV Index of 8 or higher can cause skin and eye damage in a few minutes. For more information on UV, visit www.epa.gov/uvindex.	Partly cloudy and windy with some clouds. Moderate to rough seas, surf 4-8 feet.	Partly windy and sunny with some clouds. Moderate to rough seas, surf 5-10 feet.	Windy with sea spray and some clouds. Moderate to rough seas, surf 5-10 feet.	Periods of clouds and sunshine. Moderate to rough seas, surf 4-8 feet.	Times of sunshine and clouds. Moderate to rough seas, surf 4-8 feet.
High 82 Winds NE 15-35	Comfort Index™ A number of 1-10, where 1 is the most comfortable and 10 is the least comfortable for the area.	Low 77 Winds NE 15-30	High 84, Low 75 Winds NE 15-35	High 86, Low 75 Winds NE 15-35	High 88, Low 75 Winds NE 12-25	High 88, Low 75 Winds E 12-25

### Pacific forecast for today



### Satellite image from yesterday



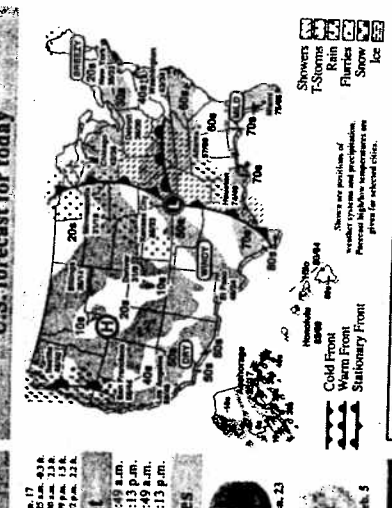
### World cities

City	Today	Tuesday	Wednesday
Alaska	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Atlanta	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Boston	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Chicago	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Denver	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
London	45 41, 4 43 37, 4	45 41, 4 43 37, 4	45 41, 4 43 37, 4
Los Angeles	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Manila	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
New York	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
San Francisco	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Seattle	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4
Tokyo	55 31, 4 55 31, 4	55 31, 4 55 31, 4	55 31, 4 55 31, 4

### Tides

Apra Harbor	Jan 16	Jan 17	Jan 18
Low	6:44	6:44	6:44
High	12:14	12:14	12:14
Sunrise	6:13 a.m.	6:13 a.m.	6:13 a.m.
Sunset	6:13 p.m.	6:13 p.m.	6:13 p.m.

### U.S. forecast for today



### Moon phases



### Micronesia

City	Today	Tuesday	Wednesday
Agaña	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Aradog	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Eniwetok	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Koror	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Majuro	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Ngerulmang	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Pohnpei	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Soke	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Taka	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Toromon	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80
Wotho	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80	HI 78, HI 80, HI 80

### GOVERNMENT MEETINGS

**Jan. 17**  
**Committee on General and Overseas Matters and Executive Committee public hearing:** 2 p.m.  
**Jan. 17, Legislature's public hearing room:** Bill 192, to reappropriate \$25,000 from sums appropriated to the legislature for fiscal 2005 to Department of Agriculture to purchase uniforms, supplies and law enforcement equipment for its law enforcement division; Bill 206, authorizing the governor to exchange a portion of a prewar railcar trail in Talofofo; Bill 207, relative to the appointment of and removal authority of officers and employees within the governor's office; Heur-

tenant governor of Guam, Guam State Clearinghouse and all other offices that may be established and placed under the purview or direction of the lieutenant governor of Guam; Bill 208, to appropriate \$16,000 from funds of the office of Vice Speaker Joanne Brown and to authorize the University of Guam to appropriate unexpended funds from Section 2 of P.L. 26-17 to UOG's Iruajan Agricultural Experiment Station to purchase a total carbon/nitrogen analyzer and related supplies; Bill 208, to appropriate \$25,000 from funds of the office of Vice Speaker Joanne Brown to the Department of Parks and Recreation

**Hapagala Restoration and Re-development Authority board of commissioners regular meeting:** 3 p.m. Jan. 17, HARRA office, Building 106, Chamorro Village, Hagåtña. Public is invited. For special accommodations, call 472-3440.

### READER INFORMATION

The Pacific Daily News is a member of the Greater group of newspapers, is published daily at 244 Archibishop P.L. Building, Hagåtña, Territory of Guam, USA, P.O. Box DN, Hagåtña, Guam 96933. Email: [pdn@pacnews.com](mailto:pdn@pacnews.com). POSTMASTER: Send address changes to: The Pacific Daily News, P.O. Box DN, Hagåtña, Guam 96933. USPS 230-980.

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# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 6/26/06

## VOTING SHEET

*POK until next Voting*

Bill No. 207(FC)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.					
BROWN, Joanne M.S.					
CALVO, Edward J.B.					
CRUZ, Benjamin J.F.					
CRUZ, Michael (Dr.)					
FORBES, Mark					
KASPERBAUER, Lawrence F.					
KLITZKIE, Robert					
LUJAN, Jesse A.					
PALACIOS, Adolpho B.					
RESPICIO, Rory J.					
TENORIO, Ray					
UNPINGCO, Antonio R.					
WON PAT, Judith T.					

TOTAL \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

POF sentil  
6/20/06 Volong

~~6/20/06~~

**MINA BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session**

**Bill No. 207 (EC)**  
As amended.

\*

Introduced by:

- R. J. Respicio
- E. B. Aguon, Jr.
- J. M.S. Brown
- Edward J.B. Calvo
- B. J.F. Cruz
- Mike Cruz
- Mark Forbes
- L. F. Kasperbauer
- R. Klitzkie
- J. A. Lujan
- A. B. Palacios, Sr.
- Ray Tenorio
- A. R. Unpingco
- J. T. Won Pat

**AN ACT TO *ADD* A NEW §2103.5 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO *AMEND* §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO *ADD* A NEW §6207.5 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM.**

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

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that Section 2103 of Chapter 2 of Title 5, Guam Code Annotated provides for a  
3 separate budget for the Office of the Lieutenant Governor. This law, enacted in  
4 Fiscal Year 1977, states in part that....“this is to ensure the effective discharge of  
5 the responsibilities and duties of the Office of the Lieutenant Governor as an office  
6 separate from that of the Governor pursuant to Section 6 of the Organic Act of  
7 Guam.”

8           It is the intent of *I Liheslaturan Guåhan* to provide *I Segundo Na*  
9 *Maga'lahaen Guåhan* appointment and removal powers pursuant to Title 5 G.C.A.  
10 and the Organic Act of Guam.

11           **Section 2. A new Section 2103.5 is hereby added to Chapter 2 of Title 5**  
12 **of the Guam Code Annotated to read as follows:**

13           “**Section 2103.5.** The Lieutenant Governor of Guam shall have  
14 exclusive authority to appoint and remove officers and employees  
15 within the Office of the Lieutenant Governor, the Guam State  
16 Clearinghouse, and all other offices that may be established and  
17 placed under the purview or direction of the Lieutenant Governor of  
18 Guam.”

19           **Section 3. Section 6207 of Article 2, Chapter 6 of Title 4 of the Guam**  
20 **Code Annotated is hereby amended to read as follows:**

21           “**Section 6207. Positions in the Governor’s Office.** The  
22 Governor is authorized to establish such positions as may be  
23 necessary for the operation of the Office of the Governor including  
24 off-island offices and Government House; provided, however, that no  
25 person shall be appointed to fill such a position in the absence of an  
26 appropriation to pay the salary set for such position. The Governor



1 shall set the salaries for positions for which salaries are not set by  
2 law.”

3 **Section 4. A new Section 6207.5 is hereby *added* to Article 2, Chapter 6**  
4 **of Title 4 of the Guam Code Annotated to read as follows:**

5 “Section 6207.5. The Lieutenant Governor is authorized to  
6 establish such positions as may be necessary for the operation of the  
7 Office of the Lieutenant Governor, the Guam State Clearinghouse,  
8 and all other offices that may be established and placed under the  
9 purview or direction of the Office of the Lieutenant Governor of  
10 Guam; provided, however, that *no* person shall be appointed to fill  
11 such a position in the absence of an appropriation to pay the salary set  
12 for that position. The Lieutenant Governor shall set the salaries for  
13 positions for which salaries are not set by law.”

PDF until next voting  
7/3/06

**MINA BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

**Bill No. 207 (EC)**

As amended.

\*

Introduced by:

R. J. Respicio  
F. B. Aguon, Jr.  
J. M.S. Brown  
Edward J.B. Calvo  
B. J.F. Cruz  
Mike Cruz  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
J. A. Lujan  
A. B. Palacios, Sr.  
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**AN ACT TO *ADD* A NEW §2103.5 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO *AMEND* §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO *ADD* A NEW §6207.5 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM.**

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

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
2 that Section 2103 of Chapter 2 of Title 5, Guam Code Annotated provides for a  
3 separate budget for the Office of the Lieutenant Governor. This law, enacted in  
4 Fiscal Year 1977, states in part that....“this is to ensure the effective discharge of  
5 the responsibilities and duties of the Office of the Lieutenant Governor as an office  
6 separate from that of the Governor pursuant to Section 6 of the Organic Act of  
7 Guam.”

8           It is the intent of *I Liheslaturan Guåhan* to provide *I Segundo Na*  
9 *Maga’lahen Guåhan* appointment and removal powers pursuant to Title 5 G.C.A.  
10 and the Organic Act of Guam.

11           **Section 2. A new Section 2103.5 is hereby added to Chapter 2 of Title 5**  
12 **of the Guam Code Annotated to read as follows:**

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14 exclusive authority to appoint and remove officers and employees  
15 within the Office of the Lieutenant Governor, the Guam State  
16 Clearinghouse, and all other offices that may be established and  
17 placed under the purview or direction of the Lieutenant Governor of  
18 Guam.”

19           **Section 3. Section 6207 of Article 2, Chapter 6 of Title 4 of the Guam**  
20 **Code Annotated is hereby amended to read as follows:**

21           “**Section 6207. Positions in the Governor’s Office.** The  
22 Governor is authorized to establish such positions as may be  
23 necessary for the operation of the Office of the Governor including  
24 off-island offices and Government House; provided, however, that no  
25 person shall be appointed to fill such a position in the absence of an  
26 appropriation to pay the salary set for such position. The Governor

1 shall set the salaries for positions for which salaries are not set by  
2 law.”

3 **Section 4. A new Section 6207.5 is hereby *added* to Article 2, Chapter 6**  
4 **of Title 4 of the Guam Code Annotated to read as follows:**

5 “**Section 6207.5.** The Lieutenant Governor is authorized to  
6 establish such positions as may be necessary for the operation of the  
7 Office of the Lieutenant Governor, the Guam State Clearinghouse,  
8 and all other offices that may be established and placed under the  
9 purview or direction of the Office of the Lieutenant Governor of  
10 Guam; provided, however, that *no* person shall be appointed to fill  
11 such a position in the absence of an appropriation to pay the salary set  
12 for that position. The Lieutenant Governor shall set the salaries for  
13 positions for which salaries are not set by law.”

MINA BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) REGULAR SESSION

10:09  
Gloria

Bill No. 207(EC)

Introduced by:

R.J. RESPICIO 

---

RELATIVE TO THE APPOINTMENT AND REMOVAL  
AUTHORITY OF OFFICERS AND EMPLOYEES  
WITHIN THE OFFICE OF THE GOVERNOR OF  
GUAM, THE LIEUTENANT GOVERNOR OF GUAM,  
THE GUAM STATE CLEARING HOUSE, AND ALL  
OTHER OFFICES THAT MAY BE ESTABLISHED  
AND PLACED UNDER THE PURVIEW OR  
DIRECTION OF THE LIEUTENANT GOVERNOR OF  
GUAM BY ADDING A NEW §2103.5 TO CHAPTER 2  
OF TITLE 5 OF THE GUAM CODE ANNOTATED,  
AMENDING §6207 OF ARTICLE 2, CHAPTER 6 OF  
TITLE 4 OF THE GUAM CODE ANNOTATED AND  
ADDING A NEW §6207.5 TO ARTICLE 2, CHAPTER 6  
OF TITLE 4 OF THE GUAM CODE ANNOTATED.

1 BE IT RESOLVED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

3 finds that Section 2103 of Chapter 2 of Title 5, Guam Code Annotated  
4 provides for a separate budget for the Office of the Lieutenant Governor.

5 This law enacted almost thirty years ago in Fiscal Year 1977 states in part  
6 that...."this is to ensure the effective discharge of the responsibilities and

7 duties of the Office of the Lieutenant Governor as an office separate from  
8 that of the Governor pursuant to Section 6 of the Organic Act of Guam." It

9 is the intent of *I Lehislaturan Guahan* to provide *I Segundo Na Maga'lahen*  
10 *Guåhan* appointment and removal powers pursuant to Title 5 GCA and the

11 Organic Act of Guam.

1           **Section 2. A new Section 2103.5 is hereby added to Chapter 2 of**  
2 **Title 5 of the Guam Code Annotated to read as follows:**

3           “Section 2103.5. The Lieutenant Governor of Guam shall have  
4 exclusive appointment and removal authority of officers and  
5 employees within the Office of the Lieutenant Governor, the Guam  
6 State Clearinghouse, and all other offices that may be established and  
7 placed under the purview or direction of the Lieutenant Governor of  
8 Guam.”

9           **Section 3. Section 6207 of Article 2, Chapter 6 of Title 4 of the Guam**  
10 **Code Annotated is hereby amended to read as follows:**

11           “Section 6207. Positions in Governor’s Office. The Governor is  
12 authorized to establish such positions as may be necessary for  
13 operation of the Office of the Governor ~~and Lieutenant Governor~~  
14 including off-island offices and Government House; provided,  
15 however, that no person shall be appointed to fill such a position in  
16 the absence of an appropriation to pay the salary set for such  
17 position. The Governor shall set the salaries for positions for which  
18 salaries are not set by law.”

19           **Section 4. A new Section 6207.5 is hereby added to Article 2,**  
20 **Chapter 6 of Title 4 of the Guam Code Annotated to read as follows:**

21           “Section 6207.5. The Lieutenant Governor is authorized to  
22 establish such positions as may be necessary for the operation of the  
23 Office of the Lieutenant Governor, the Guam State Clearinghouse,  
24 and all other offices that may be established and placed under the  
25 purview or direction of the Office of the Lieutenant Governor of  
26 Guam; provided, however, that no person shall be appointed to fill  
27 such a position in the absence of an appropriation to pay the salary

1 set for such position. The Lieutenant Governor shall set the salaries  
2 for positions for which salaries are not set by law."



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

27 JUL 2006

The Honorable Mark Forbes
Speaker
I Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Office of the Secretary
MARK FORBES

Date: 7/28/06
Time: 11:00 AM
Rec'd by:
Print Name:

28-0670989

Dear Mr. Speaker:

Enclosed herewith is Bill No. 207 (EC), "AN ACT TO ADD A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO AMEND §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO ADD A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM," which I have vetoed.

Since the inception of the Organic Act, the Governor has enjoyed broad powers similar to his Naval predecessors. Noting the powers of supervision and control of all executive agencies and instrumentalities and the power to appoint or remove any officer, the Senate committee provided clarification that while a provision is made for the establishment of a merit system, the Governor is left free to appoint heads of executive agencies in policy-making positions in order to necessitate the interest of an efficient government. In 1968, the Organic Act was amended to expand his supervision and control powers of the Executive Branch.

The provision for the Governor's organic power to appoint and remove employees of the Executive Branch contains language "except as otherwise provided . . . under the laws Guam . . ." This phrase recognizes the authority of the lawmaking department to provide for the appointment of all officers whose appointment is not definitely regulated by the Constitution itself. In re Camacho, 2004 Guam 10. For example, legislation could prescribe appointments pursuant to the organic mandate to establish a merit system. Legislation could prescribe the appointment of the education policy board members and the attorney general as permitted by the Organic Act.

880

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Bernice C. Manibusan
Print Name & Initial
Time: 2:40 pm Date: 7/28/06



Legislation, however, cannot erode gubernatorial powers vested by the Organic Act because the act to legislate is limited to all rightful subjects not inconsistent with the Organic Act. The Supreme Court has ruled that Guam's legislature is prohibited "from enacting laws that are inconsistent with the Organic Act, including the Organic Act's grant of power to the other branches of government." *In re Gutierrez*, 2002 Guam 1 ¶ 7 (2002).

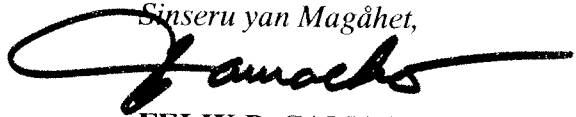
Bill 207 is inconsistent with and erodes upon the Governor's Organic Act power to supervise and control the Executive Branch.

The Supreme Court of Guam itself has recognized that the power to "supervise and control" the Executive Branch belongs to the Governor, not the Guam Legislature. *In re Gutierrez*, 2002 Guam 1 (2002). In *In re Gutierrez*, the Supreme Court of Guam acknowledged that the executive power of Guam was vested exclusively in the "Governor of Guam" pursuant to the Organic Act. *Id.* At ¶ 39. Addressing the issue of separation of powers, the Court noted that the Legislature may not set limitations or conditions which reserve unto "the legislature powers of close supervision that are essentially executive in character." *Id.* at ¶ 45.

And lastly, the legislation impinges on the Chief Executive's responsibility to faithfully execute the laws of Guam. The Organic Act of Guam declares that the Governor of Guam shall be vested with the executive power of Guam.

Eliminating the Governor's purview over unclassified executive assistants of the "front office" that are assigned to work for his Lieutenant Governor and a bureau of the Executive Branch erodes the Governor's organic powers and responsibilities. These employees execute the directives of the Chief Executive. If the Governor determines that one of these employees is dishonest or derelict in his performance as a public servant working directly for the Administration, the Governor should be able to exercise his Organic authority to remove the employee. The legislature cannot arbitrarily carve out portions of the Executive Branch and remove them from the Governor's purview and expect the Governor to carry out his Organic duties. It would impinge upon his ability to supervise and control the Executive Branch and faithfully execute the laws of Guam as provided for in the Organic Act. It is a clear violation of the constitutional doctrine of separation of powers and is contrary to the Organic Act's intent to necessitate the interest of efficient government.

*Sinseru yan Magåhet,*



**FELIX P. CAMACHO**

*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: original vetoed bill  
cc: The Honorable Eddie Baza Calvo  
Senator and Legislative Secretary



**FILE COPY**

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
TWENTY-EIGHTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

July 25, 2006



The Honorable Felix P. Camacho  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill No. 207(EC) & Substitute Bill No. 11(LS) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on July 20, 2006.

Sincerely,

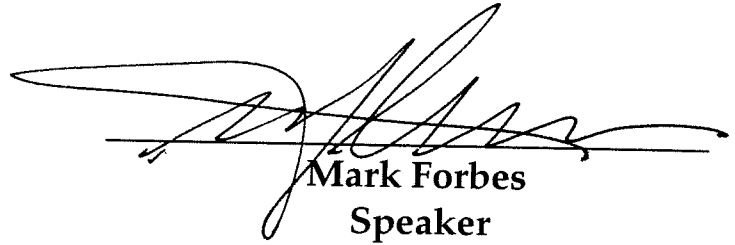
  
EDWARD J.B. CALVO  
Senator and Secretary of the Legislature

Enclosures (2)


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2006 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

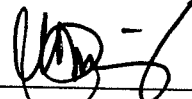
This is to certify that Bill No. 207 (EC), "AN ACT TO ADD A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO AMEND §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO ADD A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM," was on the 20<sup>th</sup> day of July, 2006, duly and regularly passed.

  
Mark Forbes  
Speaker

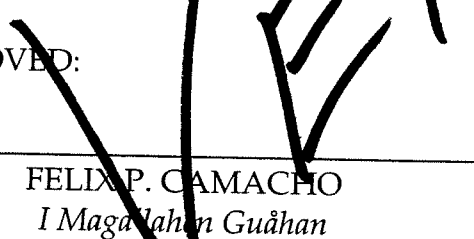
Attested:

  
Edward J.B. Calvo  
Senator and Secretary of the Legislature

This Act was received by I Maga'lahaen Guåhan this 25 day of July, 2006, at 3:48 o'clock P.M.

  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

  
FELIX P. CAMACHO  
I Maga'lahaen Guåhan

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**MINA BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

**Bill No. 207 (EC)**

As amended.

Introduced by:

R. J. Respicio  
F. B. Aguon, Jr.  
J. M.S. Brown  
Edward J.B. Calvo  
B. J.F. Cruz  
Mike Cruz  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
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Ray Tenorio  
A. R. Unpingco  
J. T. Won Pat

**AN ACT TO *ADD* A NEW §2103.1 TO CHAPTER 2 OF TITLE 5 OF THE GUAM CODE ANNOTATED; TO *AMEND* §6207 OF ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED; AND TO *ADD* A NEW §6207.1 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES WITHIN THE OFFICE OF THE GOVERNOR OF GUAM, THE LIEUTENANT GOVERNOR OF GUAM, THE GUAM STATE CLEARINGHOUSE, AND ALL OTHER OFFICES THAT MAY BE ESTABLISHED AND PLACED UNDER THE PURVIEW OR DIRECTION OF THE LIEUTENANT GOVERNOR OF GUAM.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that §2103 of Chapter 2 of Title 5, Guam Code Annotated provides for a separate  
4 budget for the Office of the Lieutenant Governor. This law, enacted in Fiscal Year  
5 1977, states in part that....“this is to ensure the effective discharge of the  
6 responsibilities and duties of the Office of the Lieutenant Governor as an office  
7 separate from that of the Governor pursuant to Section 6 of the Organic Act of  
8 Guam.”

9           It is the intent of *I Liheslaturan Guåhan* to provide *I Segundo Na*  
10 *Maga’lahen Guåhan* appointment and removal powers pursuant to statute and the  
11 Organic Act of Guam.

12           **Section 2. A new §2103.1 is hereby *added* to Chapter 2 of Title 5 of the**  
13 **Guam Code Annotated to read as follows:**

14           “**§2103.1. Lieutenant Governor’s Appointment Powers.** The  
15 Lieutenant Governor of Guam shall have exclusive authority to  
16 appoint and remove officers and employees within the Office of the  
17 Lieutenant Governor, the Guam State Clearinghouse, and all other  
18 offices that may be established and placed under the purview or  
19 direction of the Lieutenant Governor of Guam.”

20           **Section 3. §6207 of Article 2, Chapter 6 of Title 4 of the Guam Code**  
21 **Annotated is hereby *amended* to read as follows:**

22           “**§6207. Positions in the Governor’s Office.** The Governor is  
23 authorized to establish such positions as may be necessary for the  
24 operation of the Office of the Governor including off-island offices  
25 and Government House; provided, however, that no person shall be  
26 appointed to fill such a position in the absence of an appropriation to

1 pay the salary set for such position. The Governor shall set the salaries  
2 for positions for which salaries are not set by law.”

3 **Section 4. A new §6207.1 is hereby *added* to Article 2, Chapter 6 of Title**  
4 **4 of the Guam Code Annotated to read as follows:**

5 **“§6207.1. Positions in the Lieutenant Governor’s Office.**

6 The Lieutenant Governor is authorized to establish such positions as  
7 may be necessary for the operation of the Office of the Lieutenant  
8 Governor, the Guam State Clearinghouse, and other offices that are  
9 established and placed under the purview or direction of the  
10 Lieutenant Governor of Guam; provided, however, that *no* person  
11 shall be appointed to fill such a position in the absence of an  
12 appropriation to pay the salary set for that position. The Lieutenant  
13 Governor shall set the salaries for positions for which salaries are not  
14 set by law.”

6

# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2006 (SECOND) Regular Session

Date: 7/20/06

## VOTING SHEET

Bill No. 207

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.		✓			
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)		✓			
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.		✓			
KLITZKIE, Robert	<del>✓</del>				✓
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.		✓			
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

9      4      \_\_\_\_\_      \_\_\_\_\_      1

CERTIFIED TRUE AND CORRECT:

Patricia C. [Signature]  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence