



Office of the Governor of Guam

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

2010 JUL 23 AM 11:02  
epm

JUL 22 2010

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
Mina' Trenta Na Liheslaturan Guåhan  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 346-30 (LS) "AN ACT TO AMEND §§8107 AND 8108 OF CHAPTER 8, TITLE 7, GUAM CODE ANNOTATED, AND §6403 OF ARTICLE 4, CHAPTER 7, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING SCHOOL ATTENDANCE OFFICERS UNDER THE PROVISIONS OF SPECIAL DEPUTY APPOINTMENTS", which I signed into law on July 16, 2010 as Public Law 30-167.

Sins eru yan Magåhet,

MICHAEL W. CRUZ, M.D.  
I Maga'låhen Guahan para pa'go  
Acting Governor of Guahan

Attachment: copy of Bill

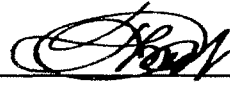
30-10-0614

Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 7/22/10  
Time 4:42P  
Received by mf

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) Regular Session

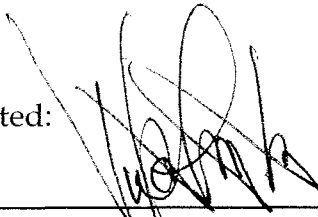
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 346-30 (LS), "AN ACT TO AMEND §§ 8107 AND 8108 OF CHAPTER 8, TITLE 7, GUAM CODE ANNOTATED, AND §6403 OF ARTICLE 4, CHAPTER 7, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING SCHOOL ATTENDANCE OFFICERS UNDER THE PROVISIONS OF SPECIAL DEPUTY APPOINTMENTS", was on the 2<sup>nd</sup> day of July, 2010 duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 6<sup>th</sup> day of July, 2010, at  
5 o'clock P.M.



Assistant Staff Officer  
*Maga'laha*'s Office

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date:

JUL 16 2010

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

P.L. 30-167

***I MINA'TRENTA NA LIHESLATURÁN GUÁHAN***  
**2010 (SECOND) Regular Session**

**Bill No. 346-30 (LS)**

As substituted by the Committee on Economic Development,  
Health & Human Services, and Judiciary,  
and amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

F. B. Aguon, Jr.

Telo Taitague

T. C. Ada

V. Anthony Ada

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

T. R. Muña Barnes

Judith P. Guthertz, DPA

v. c. pangelinan

R. J. Respicio

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §§ 8107 AND 8108 OF CHAPTER 8,  
TITLE 7, GUAM CODE ANNOTATED, AND §6403 OF  
ARTICLE 4, CHAPTER 7, TITLE 17, GUAM CODE  
ANNOTATED, RELATIVE TO INCLUDING SCHOOL  
ATTENDANCE OFFICERS UNDER THE PROVISIONS  
OF SPECIAL DEPUTY APPOINTMENTS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds  
3 and recognizes that School Attendance Officers (SAO) perform critical duties  
4 relative to truancy, and truancy proceedings of the Superior Court of Guam, as

1 employees of the Department of Education (DOE) in accordance with Title 17,  
2 Guam Code Annotated, Chapter 6, Article 4.

3 During 2007 and 2008, SAOs responded to over five hundred thirty-two  
4 (532) reports of truancy and truancy-related matters throughout the schools, of  
5 which twenty-five (25) were at elementary schools, eight (8) were at middle  
6 schools, and five (5) were at high schools, and have provided testimonies before  
7 Judges of the Superior Court of Guam. Much of their work involves taking minors  
8 into custody for attendance problems or behavioral issues and referring them to the  
9 schools, the courts or their parents for disciplinary action.

10 *I Liheslaturan Guåhan* finds that in the past these officers have been  
11 appointed as Special Deputy Marshals under §8107, Chapter 8, Title 7, Guam  
12 Code Annotated. Currently, there are ten (10) School Attendance Officers, of  
13 which five (5) still retain such appointment under §8107 and continue to perform  
14 their truancy function. There are five (5) who have *not* been appointed in light of  
15 the discovery recently of the provision in §8107. It has come to light that §8107  
16 *does not* include the SAOs for such appointment, resulting in the suspension of  
17 new appointments of newly hired SAOs.

18 It is, therefore, the intent of *I Liheslaturan Guåhan* to recognize the role of  
19 the SAOs, and to include the School Attendance Officers of DOE under the  
20 provisions of the special deputy appointment by amending §§8107 and 8108 of  
21 Chapter 8, Title 7 Guam Code Annotated.

22 **Section 2.** §8107 of Chapter 8, Title 7, Guam Code Annotated, is *amended*  
23 to read:

24 “§8107. **Marshal; Appointment of Special Deputies.** The Chief  
25 Justice, at the request of the Marshal of the Court, may appoint employees of  
26 the Department of Law, the Department of Revenue & Taxation of the  
27 government of Guam, and the School Attendance Officers of the Department

1 of Education as Special Deputy Marshals of the Guam Judiciary. Such  
2 appointments *shall* be for as long as such employees remain in their  
3 employment with their respective departments, unless sooner revoked by the  
4 Chief Justice, whichever is earlier.

5 (a) The School Attendance Officers of the Department of  
6 Education *shall* complete a training program developed and adopted  
7 by the Judicial Council, that is pertinent to their appointment, prior to  
8 such appointment as Special Deputy Marshals of the Guam  
9 Judiciary.”

10 **Section 3.** §8108 of Chapter 8, Title 7, Guam Code Annotated, is *amended*  
11 to read:

12 **“§8108. Special Deputy Marshal; Duties, Compensation.**

13 (a) The employees of the Department of Law who are appointed as  
14 deputies under §8107 of this Chapter *shall* exercise their office *only* in cases  
15 wherein the government of Guam is a party. The employees of the  
16 Department of Revenue and Taxation who are appointed as deputies under  
17 said §8107 *shall* exercise their office *only* in matters concerning the income  
18 tax laws and other tax and revenue laws of Guam. The School Attendance  
19 Officers of the Department of Education under §8107 *shall* exercise their  
20 office *only* in matters concerning truancy proceedings of the Superior Court  
21 of Guam. *No* deputies under said §8107 *shall* be entitled to compensation in  
22 addition to the compensation they are receiving as employees of the  
23 government of Guam.”

24 **Section 4.** §6403 of Article 4, Chapter 6, Title 17, Guam Code Annotated,  
25 is hereby *amended* to read:

26 **“§6403. Attendance Officer.**

1           The Superintendent *shall* appoint employees of the Department of  
2 Education, as Attendance Officers. The Attendance Officers, any peace  
3 officer, principal, or dean may take into custody during school hours,  
4 without warrant, any truant found away from the truant’s home and who has  
5 been reported truant. For the purposes of Title 10 GCA, Chapter 55,  
6 §55102, Attendance Officers are *not* classified as public safety and law  
7 enforcement officers.”