

**I MINA'TRENTA NA LIHESLATURAN GU HAN
2010 (SECOND) Regular Session**

Bill No. 374-30 (COR)

Introduced by:

F. F. Blas, Jr.

V. A. Ada

**AN ACT TO AMEND §40110 (a) AND (b) OF
CHAPTER 40, TITLE 5 OF THE GUAM CODE
ANNOTATED RELATIVE TO THE FILLING OF
VACANCIES FOR MAYORS AND VICE MAYORS.**

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1 **Section 1.** §40110 (a) of Chapter 40 of Title 5 of the Guam Code Annotated
2 is hereby *amended* to read as follows:

3 “§40110. **Vacancies. (a) Vice-Mayors.** A vacancy in the office of
4 the Vice-Mayor shall be filled for the unexpired term until ~~at~~ the next general
5 election for Mayors and Vice-Mayors. The vacancy shall be filled by the
6 Governor by appointment after soliciting the non-binding recommendations of
7 the Municipal Planning Council of the municipality in which the vacancy
8 occurs, subject to the advice and consent of the Legislature.

9 **Section 2.** §40110 (b) of Chapter 40 of Title 5 of the Guam Code Annotated
10 is hereby *amended* to read as follows:

11 **(b) Mayors.** If by reason of death, resignation, removal from
12 office, inability or failure to perform, there shall be a vacancy in the office of
13 the Mayor, it shall be filled for the unexpired term until ~~at~~ the next general
14 election for Mayors and Vice-Mayors. The vacancy shall be filled by the
15 Governor by appointment after soliciting the non-binding recommendations of

1 the Municipal Planning Council of the municipality in which the vacancy
2 occurred, subject to the advice and consent of the Legislature; provided,
3 however, that in a municipality where there is a Vice-Mayor, the Vice-Mayor
4 shall automatically assume the position of Mayor and there shall be a vacancy
5 in the position of Vice-Mayor.”

6 **Section 2. Severability.** *If* any provision of this law or its application to any
7 person or circumstance is found to be invalid or contrary to law, such invalidity shall
8 *not* affect other provisions or applications of this law which can be given effect
9 without the invalid provisions or applications, and to this end the provisions of this
10 law are severable.