



I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 155 (Cor)  
Introduced by:

FRANK B. AGUON, JR.   
T. R. MUNA BARNES  
F. F. BLAS, JR. 

AN ACT RELATIVE TO RECOGNIZING THE GROWTH AND  
EXPANSION OF THE GUAM NATIONAL GUARD IN  
RECENT YEARS IN ITS CONTRIBUTIONS TO THE  
NATIONAL DEFENSE OF OUR NATION AND IN SUPPORT  
OF OUR ISLAND, THROUGH ENSURING THAT THE  
QUALIFICATIONS AND DUTIES OF THE ADJUTANT  
GENERAL, AND THE ASSISTANT ADJUTANT GENERAL  
FOR THE GUAM AIR NATIONAL GUARD PROPERLY  
REFLECT SUCH GROWTH AND IMPENDING FUTURE  
MILITARY NATIONAL GUARD INITIATIVES; THROUGH  
AMENDING §63201(a), §63201(b), §63203(b), AND §63203(c) OF  
TITLE 10, GUAM CODE ANNOTATED.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1. Legislative Findings and Intent.**

I Mina Trenta Na Liheslaturan Guåhan finds that it is appropriate to recognize that the Guam National Guard has successfully recruited and substantially expanded in the past decade, and that the Guam Air National Guard is poised to expand with a new flying mission in the future, and that the rank of the Adjutant General and the Assistant Adjutant General for Air should be adjusted in accordance with their increased supervisory responsibilities. In addition, I Liheslaturan Guahan further finds that an

1 incumbent Adjutant General, who has served in said position for an extended  
2 period of time and who has previously been confirmed by I Liheslaturan  
3 Guahan, should not be restricted from continuous service as the Adjutant  
4 General of the Guam National Guard if it is the desire of the Commander in  
5 Chief to retain such individual and if federal recognition status is no longer  
6 granted to said individual due to retirement age restrictions.

7 **Section 2. Adjutant General of the Guam National Guard.**

8 Subsections §63201(a) and §63201(b) of Chapter 63, Title 10, Guam Code  
9 Annotated, are hereby amended to read as follows:

10 “(a) Be capable of being Federally recognized in accordance with  
11 Federal law, and Army and Air Force regulations, as appropriate, in the grade  
12 of at least Colonel at the time of appointment and the advice and consent of I  
13 Liheslaturan Guahan. Any individual who is serving in the capacity as the  
14 Adjutant General of the Guam National Guard, and who has been confirmed  
15 by I Liheslaturan Guahan, shall not be required to relinquish said position  
16 should federal recognition status no longer be granted as a result of  
17 mandatory retirement age restrictions and should the Commander in Chief  
18 desire to retain the service of such individual. The Commander in Chief, in  
19 such instances, shall transmit in writing a notice of continuous service of the  
20 incumbent Adjutant General beyond the term of federal recognition to the  
21 Speaker of I Liheslaturan Guahan no later than ten (10) days from the date  
22 federal recognition status is no longer applicable.

1 (b) Be promoted in the Guam Army or Air National Guard, as  
2 appropriate, at the discretion of the Commander-in-Chief, to a grade not to  
3 exceed Lieutenant Major General.”

4 **Section 3. Assistant Adjutant General for the Guam Air National**  
5 **Guard.**

6 Subsection §63203(b) and §63203(c) of Chapter 63, Title 10, Guam Code  
7 Annotated, are hereby amended to read as follows:

8 “(b) Be qualified for immediate Federal recognition as a colonel or  
9 ~~lieutenant colonel~~, and shall serve only so long as Federally recognized in  
10 such grade; and

11 (c) Be promoted to a rank not to exceed Brigadier General at the  
12 discretion of I Maga'láhen Guåhan as Commander-in-Chief of the Guam  
13 National Guard, and perform such military duties as the Commander of the  
14 Guam Air National Guard, under the direction of the Adjutant General, and  
15 shall perform all such military duties as may be required of him by the  
16 Adjutant General under his supervision and control.”

17 **Section 4. Severability Clause.**

18 *If* any provisions of this Act or its application to any person or  
19 circumstance is found to be invalid or contrary to law, such invalidity shall *not*  
20 affect other provisions or applications of this Act which can be given effect  
21 without the invalid provisions or applications, and to this end the provisions  
22 of this Act are severable.