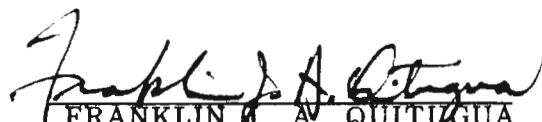


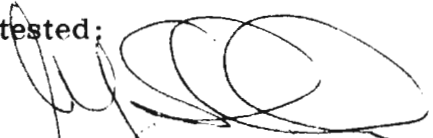
NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

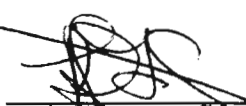
This is to certify that Bill No. 827, "AN ACT TO AMEND SUBSECTIONS (a) AND (c) OF §15201 AND §15401 OF TITLE 17, GUAM CODE ANNOTATED, AND TO ADD SUBSECTIONS (c) AND (d) TO §15203, TO REPEAL AND REENACT §15301, TO REPEAL THE LAST PARAGRAPHS OF SUBSECTIONS (b) OF §15203 AND §15403, ALL OF SAID TITLE 17, AND TO REPEAL AND REENACT CHAPTER 18 TO SAID TITLE, TO REVISE THE FINANCIAL ASSISTANCE PROGRAMS AT THE UNIVERSITY OF GUAM, AND TO ADD A NEW ARTICLE 6 TO CHAPTER 15 OF SAID TITLE TO ESTABLISH THE JOHN F. QUAN MEMORIAL SCHOLARSHIPS IN OCEAN RESEARCH," was on the 19th day of December, 1988, duly and regularly passed.


FRANKLIN S. A. QUITUGUA
Speaker


Attested:


A. J. SONNY SHELTON
Senator and Acting Legislative Secretary

This Act was received by the Governor this 19 day of Dec, 1988,
at 10:15 o'clock p.m.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: DEC 30 1988

Public Law No. 19-37

NINETEENTH GUAM LEGISLATURE
1988 (SECOND) Regular Session

Bill No. 827
As Substituted the Committee on
Rules 12/19/88

Introduced by:

M. K. Hartsock
F. J. A. Quitugua
F. J. Gutierrez

E. P. Arriola
J. G. Bamba
M. Z. Bordallo
H. D. Dierking
E. R. Duenas
E. M. Espaldon
P. C. Lujan
M. D. A. Manibusan
J. G. Miles
T. S. Nelson
D. Parkinson
J. M. Rivera
M. C. Ruth
J. T. San Agustin
F. R. Santos
A. J. Shelton

AN ACT TO AMEND SUBSECTIONS (a) AND (c) OF §15201 AND §15401 OF TITLE 17, GUAM CODE ANNOTATED, AND TO ADD SUBSECTIONS (c) AND (d) TO §15203, TO REPEAL AND REENACT §15301, TO REPEAL THE LAST PARAGRAPHS OF SUBSECTIONS (b) OF §15203 AND §15403, ALL OF SAID TITLE 17, AND TO REPEAL AND REENACT CHAPTER 18 TO SAID TITLE, TO REVISE THE FINANCIAL ASSISTANCE PROGRAMS AT THE UNIVERSITY OF GUAM, AND TO ADD A NEW ARTICLE 6 TO CHAPTER 15 OF SAID TITLE TO ESTABLISH THE JOHN F. QUAN MEMORIAL SCHOLARSHIPS IN OCEAN RESEARCH.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. Subsections (a) and (c) of §15201, Title 17, Guam Code
3 Annotated, are amended to read:
4 "(a) The applicant must be a bona fide resident of Guam and a
5 United States citizen or a permanent resident alien and must have

1 achieved an overall grade point average of a least 2.0 or its equivalent
2 in his high school studies, or in his undergraduate studies if he is
3 pursuing an academic graduate degree or an irrevocable letter of
4 acceptance from a professional school in an area of a particular need in
5 Guam as determined by the Board of Regents (the "Board")."

6 "(c) The applicant must be in financial need, which shall be
7 determined by regulations authorized by §15105 of Article 1 of this
8 Chapter. In addition, the applicant must complete an application for
9 Federal Student Aid (AFSA) form as documentary evidence of need."

10 Section 2. Subsections (c) and (d) are added to §15203, Title 17,
11 Guam Code Annotated, to read:

12 "(c) Any student granted a loan pursuant to the provision of
13 this Article who fails to return to Guam must repay the full amount of
14 the loan. The Board shall establish such policies prescribing the
15 length and terms of repayment, the interest rate to be charged, the
16 collection of delinquent accounts or in the event of default."

17 "(d) If a student is recruited to serve in active duty in a
18 branch of the U.S. Armed Services while in attendance or upon
19 completion of studies, the service credit shall be postponed until such
20 student returns to Guam but in no case longer than six (6) years;
21 provided, however, that the student applies for the postponement
22 within ninety (90) days of entering the Armed Services and continues
23 to maintain Guam as such student's place of residence."

24 Section 3. The last paragraph of subsection (b) of §15203 of Title 17,
25 Guam Code Annotated is repealed.

26 Section 4. §15301, Title 17, Guam Code Annotated, is repealed and a
27 new §15302 is enacted to read:

28 "§15301. Students Entitled to Merit Awards. There are
29 established annual merit awards for high school students in the
30 graduating classes of the several public and private high schools in
31 Guam now or hereafter established. The students entitled to these
32 awards shall be those students having the highest scholastic standing
33 in their graduating classes. Each graduating class of each school with

1 at least fifty (50) graduates is entitled to two (2) such awards and an
2 additional award for every fifty (50) graduates or fraction thereof;
3 provided, however, that if as a result of the equal scholastic standing
4 of two (2) or more graduates, there is a tie for the awards granted
5 pursuant to this Chapter and there is an insufficient number of awards
6 available for the tying graduates, additional awards shall be provided
7 for such graduates. Each school with a graduating class of less than
8 fifty (50) shall be entitled to one (1) annual merit award as determined
9 by the Board. Recipients are to attend the University of Guam.
10 However, if the recipient is a valedictorian or salutatorian whose
11 declared major is unavailable at the University of Guam, the
12 valedictorian or salutatorian may attend any accredited college or
13 university in the United States where such declared major is available
14 after the first two (2) years.

15 Awards shall be subject to the following limitations:

16 (a) A recipient must be a bona fide resident of Guam. In
17 addition, a recipient must be either:

18 (1) a United States citizen, or

19 (2) a permanent resident alien who has completed four
20 (4) academic quarters in public or private high school in
21 Guam.

22 (b) If any student is ineligible for a scholarship solely
23 because of failure to meet the requirements contained in
24 subsection (a) of this section; or if any eligible student chooses
25 not to accept an award when first offered such award, the award
26 shall be granted to the eligible student with the highest scholastic
27 rank. If an eligible student declines to accept an award when
28 first offered, such students cannot accept such an award after it
29 has been granted to another student.

30 The recipient of a merit award must notify the Board within
31 thirty (30) days, that the award is accepted. If such recipient
32 fails to do so, the award is thereby forfeited and the same shall
33 be offered to the next alternate.

1 (c) A recipient who attends a college or university outside
2 of Guam during the term of the award must agree that such
3 recipient will return to work on Guam for a period of one (1)
4 year subsequent to the completion or termination of the course of
5 studies for which the award was granted, provided that if the
6 recipient continues as a full-time student at a graduate or
7 professional school such recipient may defer return to Guam until
8 such additional studies are completed.

9 (d) Awards granted on or subsequent to the effective date
10 of this section shall be cancelled if a recipient:

11 (1) fails to maintain a cumulative grade point average of
12 2.5 or its equivalent, except a recipient may be allowed one
13 academic term to regain this average without cancellation of
14 award, or

15 (2) fails to meet the academic and other requirements
16 governing full-time students at the institution attended, or

17 (3) is no longer a full-time student, or

18 (4) changes Guam residency status."

19 Section 5. §15401, Title 17, Guam Code Annotated, is repealed and a
20 new §15401 is enacted to read:

21 "§15401. Students Entitled to Awards. There are established
22 professional and technical annual awards for graduate studies. On or
23 before December 1st of each and every year, the Board shall conduct
24 a public hearing to receive the opinion and recommendation of various
25 professional groups or associations and the Guam Occupational
26 Information Coordinating Committee or its equivalent, to determine
27 those areas in which additional professional and technical skills are
28 needed. From those hearings, the Board shall establish a list of
29 occupational priorities for Guam prior to considering applications for
30 the awards. The number of awards and occupational priorities to be
31 recommended shall be submitted to the Legislature no later than
32 January 1st of each year. The provisions of this section shall also be
33 applicable to students who are to receive loans under §15201 of this
34 Chapter.

1 Funds appropriated to provide loans and professional and
2 technical awards and which are not totally expended may be used in
3 succeeding years so as to increase the number of annual awards. The
4 awards provided in this Article are subject to the following limitations:

5 (a) The applicant must be a bona fide resident of Guam and
6 a United States citizen or a permanent resident alien and must
7 have achieved an overall grade point average of 3.0 or its
8 equivalent in such applicant's undergraduate studies if pursuing
9 an academic graduate degree, or an irrevocable letter of
10 acceptance from an accredited professional school.

11 (b) The applicant must agree that after completion or
12 termination of the course of studies for which the award was
13 granted, such applicant return to work on Guam for a period of
14 one (1) year for each Three Thousand Dollars (\$3,000) received
15 under the award.

16 (c) The applicant must present to the Board prior to
17 granting of the award satisfactory proof that such applicant has
18 been admitted to the college or university as a full-time student
19 to pursue a program of study in the field applied for.

20 (d) The colleges or universities must be properly accredited
21 and must be approved by the Board; provided, however, that no
22 award shall be granted for studies at an off-island institution in a
23 specific academic program that is available at the University of
24 Guam.

25 (e) The Board shall select the recipients of the awards
26 upon the basis of scholastic ability, financial need, aptitude and
27 health as well as the likelihood of the recipient returning to Guam
28 to fill its professional needs.

29 In determining financial need, the applicant must complete an
30 application form of Federal Student Aid (AFSA) as documentary
31 evidence of need."

32 Section 6. The last paragraph of subsection (b) of §15403 of Title 17,
33 Guam Code Annotated is repealed.

1 Section 7. Title 17, Guam Code Annotated, Chapter 18 is repealed in
2 its entirety and a new Chapter 18 is enacted to read:

3 "CHAPTER 18

4 TEACHER EDUCATION SCHOLARSHIP PROGRAM

5 Section 18101. Establishment. There is established at the
6 University of Guam, a 'Teacher Education Scholarship Program', to be
7 awarded to junior, senior and graduate students at the University.

8 Section 18102. Eligibility criteria. In order to be eligible to
9 receive a Teacher-Education Scholarship, the applicant must meet the
10 following criteria:

11 (a) Be a bona fide resident of Guam;

12 (b) Be a citizen of the United States or a permanent
13 resident alien;

14 (c) Must have graduated from an accredited high school, or
15 have completed the equivalent of a high school program, with an
16 overall grade point average of not less than 2.5; and

17 (d) Must be admitted to the College of Education in
18 accordance with its admission policy.

19 No person who is receiving benefits for education under a
20 Government of Guam financial assistance program, including in-service
21 training, shall be concurrently eligible for a Teacher Education
22 Scholarship.

23 Section 18103. Scholarship Rules and Regulations. The
24 University shall, subject to the approval of the Board of Regents (the
25 "Board"), prescribe and promulgate rules and regulations not
26 inconsistent with the provisions of this Chapter, relative to the
27 selection and retention of scholarship recipients and to the general
28 administration of the program. In the event of limited space or funds,
29 priority in the selection of recipients shall be given to students who
30 are closer to the completion of their baccalaureate or graduate degree
31 programs.

32 Section 18104. Scholarship Benefits. Each scholarship recipient
33 shall be entitled to the following benefits from funds appropriated for
34 the Teacher Education Scholarship Program:

1 (a) Registration, tuition and other fees normally assessed
2 by the University and an allowance in an amount of Two Hundred
3 Dollars (\$200) shall be allowed per regular semester, and One
4 Hundred Dollars (\$100) per summer session, in which a person is
5 enrolled to cover the cost of textbooks and supplies.

6 (b) Monthly stipends to be distributed as follows:

7 (1) Recipients without dependents:

8 \$300 for junior, \$400 for senior, and \$500 for
9 graduate students.

10 (2) Recipients who are heads of households or with
11 dependents:

12 \$350 for junior, \$450 for senior and \$550 for
13 graduate students.

14 As a condition for continuing entitlement to the benefits provided
15 for in this chapter, recipients must maintain a full-time enrollment of
16 15 semester credits per semester, 6 semester credits per summer
17 session, and good academic standing in the teacher education program
18 in accordance with the scholarship rules and regulations provided for
19 in §18103 of this Chapter. No student may receive benefits beyond
20 the number of calendar years normally required to complete such
21 student's program.

22 Section 18105. Substitute Teachers - Eligibility. Any student
23 enrolled in the Teacher Education Scholarship Program shall be eligible
24 to work as a substitute teacher with the Department of Education
25 subject to rules and regulations promulgated by the Board regarding
26 maximum hours per week and academic standing.

27 Section 18106. Employment of Recipients: Reimbursement.

28 (a) As a condition for selection and enrollment in the
29 program, each recipient shall agree to accept employment as a
30 teacher in the public school system of Guam, and to continue in
31 such employment for a period of time equal to the period of
32 enrollment under the program.

33 (b) The recipient shall further agree that in the event of
34 failure or refusal to fulfill the obligation set forth in subsection

1 (a) of this section, such recipient shall then repay the
2 government of Guam an amount equal to the total financial
3 assistance received while in the program. The Board shall
4 demand immediate repayment; provided, however, that the Board
5 may extend the time of repayment for a period not to exceed two
6 (2) years upon written request of the student and upon a
7 showing to the satisfaction of the Board of good cause for such
8 extension. Any such repayment shall be remitted to the Teacher
9 Training Education Scholarship Fund account at the University of
10 Guam.

11 (c) The Department of Education shall place graduates of
12 the Teacher Education Scholarship Program on a priority list for
13 employment in public schools as a teacher.

14 Section 18107. Establishment of Fund. There is within the
15 University of Guam a 'Teacher Training Education Scholarship Fund',
16 separate and apart from any other funds of the government, to be
17 used for paying stipends, tuition and other fees to students enrolled
18 in the Teacher Training Education Program."

19 Section 8. A new Article 6 is added to Chapter 15 of Title 17, Guam
20 Code Annotated to read:

21 "ARTICLE 6

22 John F. Quan Memorial Scholarship

23 for Ocean Resource Science and Research

24 §15601. Declaration of Public Policy. It is and shall be the
25 policy of the government to advance the understanding of the vast
26 ocean resources surrounding Guam through support for the education
27 of deserving Guam students in the scientific field of ocean resource
28 studies.

29 §15602. Purpose. The Legislature establishes the John F. Quan
30 Memorial Scholarship for Ocean Resource Science and Research to
31 commemorate the leadership of the Honorable John F. Quan as an
32 advocate of Guam's ownership rights to the ocean resources
33 surrounding the island -- both in Guam and as a member of the
34 Council of State Governments Western Legislative Conference.

1 The John F. Quan Memorial Scholarship for Ocean Resource
2 Science and Research shall be given to deserving undergraduate and
3 graduate students of Guam who are accepted into programs which will
4 help to advance Guam's scientific understanding of its ocean resources,
5 living and non-living, on and below the sea floor, and to protect
6 Guam's Exclusive Economic Zone from external impediments which
7 potentially threaten resources within Guam's waters. Preference for
8 University of Guam programs should be considered, as appropriate.

9 §15603. Entitlement to Scholarship. The Board is authorized to
10 approve one (1) scholarship per year for undergraduate studies or
11 training, to qualified applicants who have been accepted or admitted
12 into programs leading to a degree in the field of ocean resources
13 scientific studies. The scholarships provided in this Article are
14 subject to the following limitations:

15 (a) The applicant must be a bona fide resident of Guam and
16 a U.S. citizen who has achieved at least a grade point average of
17 3.0 in high school or undergraduate studies, or an irrevocable
18 letter of acceptance from an accredited U.S. universities,
19 colleges, or professional institutes recognized in the fields of
20 ocean resource science, or oceanography.

21 (b) The applicant must agree that after completion of the
22 course of studies for which the scholarship was granted, such
23 applicant will remain on or return to Guam to work on Guam for
24 one (1) year, for each twelve (12) credits earned.

25 (c) The applicant must present to the Board prior to the
26 granting of the award, satisfactory proof that of admission to an
27 accredited U.S. university, college or professional institute as a
28 full time student to pursue a program of study in ocean resource
29 science, including studies in:

30 (1) living resources;

31 (2) non-living resources such as hard seabed
32 materials, geo-thermal venting, precious minerals, submarine
33 currents; and other non-living resources;

1 (3) ocean research technology; and

2 (4) pollutant mitigation technology.

3 (d) No scholarship shall be granted under this Article
4 unless the Board has made a written finding that the proposed
5 award, in the specific area of study to be pursued by the
6 applicant, is needed for the development of Guam's ocean
7 resources in the future. The Board shall annually review the
8 fields of study in which ocean resource science scholarships have
9 been awarded, and shall establish a list of priorities for the
10 respective fields of study prior to considering new scholarships
11 applicants.

12 §15604. Benefits. Students entitled to the receipt of the John
13 F. Quan Memorial Scholarship for Ocean Resource Science and Research
14 pursuant to this Article shall receive the following benefits:

15 (a) Payment of tuition, fees, and related field research
16 costs shall be as follows:

17 (1) Undergraduate Scholarship Award:

18 Associate Degree, for a period not to exceed two

19 (2) scholastic years.

20 Bachelor's Degree, for a period not to exceed four

21 (4) scholastic years.

22 (2) Graduate Scholarship Award:

23 Master's Degree, for a period not to exceed two

24 (2) scholastic years.

25 Doctoral Degree, for a period not to exceed four

26 (4) scholastic years.

27 (b) An annual grant of not more than Two Thousand Five
28 Hundred Dollars (\$2,500) per year to be disbursed in accordance
29 with regulations adopted by the Board. In no case shall the total
30 amount awarded under this paragraph, to a single individual
31 exceed the sum of Ten Thousand Dollars (\$10,000).

32 §15605. Promotion of Scholarship. The University of Guam shall
33 make available as requested by the Department of Education, human
34 and technical resources as is appropriate to promote the interest of

1 Guam students in the field of Ocean Resource Science and Research,
2 and to promote a better understanding of the resources indigenous to
3 Guam's Exclusive Economic Zone. The Board may submit an annual
4 budget, and promotional proposal to the Legislature under scholarship
5 funding requests, to enhance student awareness of Guam's ocean
6 resources, and the availability of scholarship funding for Ocean
7 Resource Science Research."