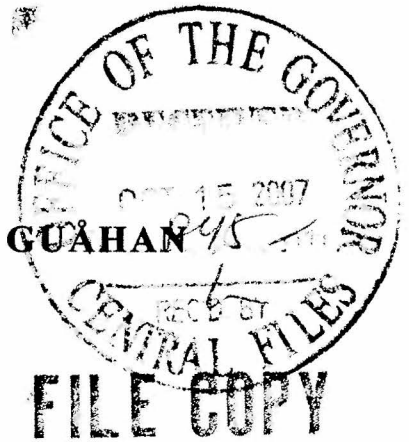




MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910



October 15, 2007

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. 32(EC), 39(EC), 41(EC), 49(EC), 102(LS), 106(EC), 130(EC), 139(EC); and Substitute Bill Nos. 33(EC), 65(EC), 78(LS), 105(EC), 109(EC), 115(EC), 116(EC) & 132(EC) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on October 10, 2007.

Sincerely,

RAY TENORIO

Senator and Secretary of the Legislature

Enclosures (16)

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN

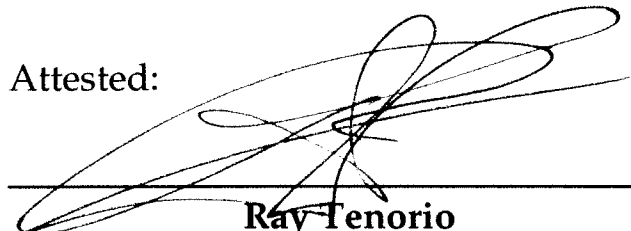
2007 (FIRST) Regular Session

FILE COPY

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

This is to certify that Bill No. 39 (EC), "AN ACT TO ADD A NEW §1903.2 TO CHAPTER 19 OF TITLE 1 GUAM CODE ANNOTATED; TO ADD A NEW §30101.1 TO CHAPTER 30 OF TITLE 5 GUAM CODE ANNOTATED; AND TO ADD A NEW §40103.1 TO CHAPTER 40 OF TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO THE TRANSITION OF A NEWLY ELECTED PUBLIC AUDITOR, ATTORNEY GENERAL, AND VILLAGE MAYORS, RESPECTIVELY," was on the 10th day of October 2007, duly and regularly passed.

Attested:

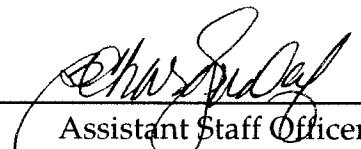


Ray Tenorio
Senator and Secretary of the Legislature



Edward J.B. Calvo
Acting Speaker

This Act was received by *I Maga'lahaen Guåhan* this 15th day of Oct, 2007, at 12:45 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Bill No. 39 (EC)

As amended on the Floor.

Introduced by:

Frank T. Ishizaki
A. B. Palacios, Sr.
Frank F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Judith Paulette Guthertz
J. A. Lujan
Tina Rose Muña Barnes
v. c. pangelinan
R. J. Respicio
David L.G. Shimizu
Ray Tenorio
A. R. Unpingco
J. T. Won Pat

**AN ACT TO *ADD* A NEW §1903.2 TO CHAPTER 19 OF TITLE 1
GUAM CODE ANNOTATED; TO *ADD* A NEW §30101.1 TO
CHAPTER 30 OF TITLE 5 GUAM CODE ANNOTATED; AND TO
ADD A NEW §40103.1 TO CHAPTER 40 OF TITLE 5 GUAM
CODE ANNOTATED, RELATIVE TO THE TRANSITION OF A
NEWLY ELECTED PUBLIC AUDITOR, ATTORNEY GENERAL,
AND VILLAGE MAYORS, RESPECTIVELY.**

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

2 **Section 1. Legislative Findings and Intent.** It is the intent of *I*
3 *Liheslaturan Guåhan* to create a stable environment in order for our government to
4 be effective in serving its people. *I Liheslaturan Guåhan* finds that in certain
5 elected positions such as the Public Auditor, the Attorney General, Mayors and

1 Vice Mayors, there is no set mechanism that effectuates and guarantees a smooth
2 and orderly transition that will not interrupt the operations of each respective office
3 in relation to the functions of Government for an incoming elected official and the
4 outgoing incumbent. Therefore, it is the finding of *I Liheslaturan Guåhan* to
5 create provisions that will allow for such transition to occur.

6 **Section 2.** A new §1903.2 is hereby *added* to Chapter 19 of Title 1 Guam
7 Code Annotated to read as follows:

8 **“§1903.2. Transition for a Public Auditor-elect.** For the period
9 following the certification of the election and the swearing-in of the Public
10 Auditor-elect, the incumbent Public Auditor, should he *or* she not be the
11 successful candidate in that election, *shall* assist the Public Auditor-elect in
12 the preparation of his *or* her new duties. During this transition period, the
13 incumbent Public Auditor *shall* assist the Public Auditor-elect in acquainting
14 the latter with the operations of the Office of the Public Auditor and all
15 necessary functions that come with holding the office. The incumbent
16 Public Auditor *shall* provide all documents at the request of the Public
17 Auditor-elect necessary for the preparation of Public Auditor-elect in
18 assuming office. The Public Auditor-elect, should he *or* she deem
19 necessary, is authorized to appoint a Committee which *shall* be of assistance
20 during the transition period between election and assumption of office. No
21 funds *shall* be appropriated for the purposes of transition. Should an
22 incumbent Public Auditor not be successful in an election, all property,
23 equipment, and documents belonging to the Office *shall* not be removed by
24 the exiting Public Auditor.”

25 **Section 3.** A new §30101.1 is hereby *added* to Chapter 30 of Title 5 Guam

1 Code Annotated to read as follows:

2 **“§30101.1. Transition for an Attorney General-elect.** For the
3 period following the certification of the election and the swearing-in of the
4 Attorney General-elect, the incumbent Attorney General, should he *or* she
5 not be the successful candidate in that election, *shall* assist the Attorney
6 General-elect in the preparation of his *or* her new duties. During this
7 transition period, the incumbent Attorney General *shall* assist the Attorney
8 General-elect in acquainting the latter with the operations of the Office of
9 the Attorney General and all necessary functions that come with holding the
10 office. The incumbent Attorney General *shall* provide all documents at the
11 request of the Attorney General-elect necessary for the preparation of
12 Attorney General-elect in assuming office. The Attorney General-elect,
13 should he *or* she deem necessary, is authorized to appoint a Committee
14 which *shall* be of assistance during the transition period between election
15 and assumption of office. No funds *shall* be appropriated for the purposes of
16 transition. Should an incumbent Attorney General not be successful in an
17 election, all property, equipment, and documents belonging to the Office
18 *shall* not be removed by the exiting Attorney General.”

19 **Section 4.** A new §40103.1 is hereby *added* to Chapter 40 of Title 5 Guam
20 Code Annotated to read as follows:

21 **“§40103.1. Transition for Mayor and Vice Mayor.** After the
22 Certification of Election of newly elected Mayors, and Vice Mayors as
23 applicable, there *shall* exist a transition period ending on the day of the oath
24 of office. During this transition period, the incumbent Mayor, and
25 incumbent Vice Mayor as applicable, *shall* provide assistance to the Mayor-

1 elect and Vice Mayor-elect to acquaint the latter with the operations and
2 functions of the Offices. Should an incumbent Mayor and an incumbent
3 Vice Mayor not be successful in an election, all property, equipment, and
4 documents belonging to the Office *shall* not be removed by the exiting
5 Mayor or Vice Mayor.”

6 **Section 5. Severability.** *If* any provision of this Act or its application to
7 any person or circumstance is found to be invalid or contrary to law, such
8 invalidity shall *not* affect other provisions or applications of this Act which can be
9 given effect without the invalid provisions or application, and to this end the
10 provisions of this Act are severable.