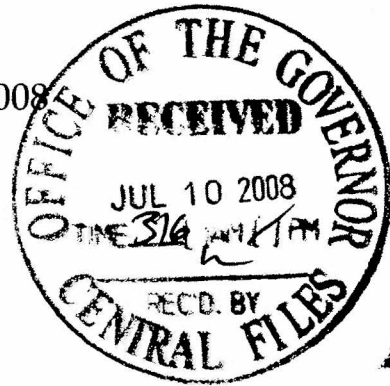




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**MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN**  
TWENTY-NINTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

July 10, 2008



The Honorable Felix P. Camacho  
*I Maga'lahen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 199(EC), 232(LS), 238(LS), 267(EC), 273(EC), 284(EC), 285(EC), 287(EC) & 294(EC); and Substitute Bill Nos. 266(EC), 278(LS) & 279(LS) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on July 9, 2008.

Sincerely,

TINA ROSE MUÑA BARNES  
Senator and Secretary of the Legislature

Enclosures (12)

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I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

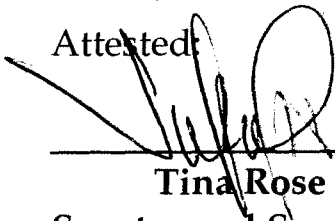
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 279(LS), "AN ACT TO PROVIDE FOR THE PURCHASE OF LIBRARY SCHOOL BOOKS FOR THE NEWLY CONSTRUCTED SCHOOLS OF THE GUAM PUBLIC SCHOOL SYSTEM; TO ALLOW TRANSFERS OF BOND PROCEEDS; TO APPROPRIATE FOUR MILLION DOLLARS TO GPSS; TO ALLOW FOR A GPSS MANAGEMENT TEAM; AND TO REPEAL AND REENACT 3 GCA §16108, RELATIVE TO PRIMARY ELECTIONS", was on the 9<sup>th</sup> day of July, 2008, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 10 day of July, 2008, at  
3:16 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***  
**2008 (SECOND) Regular Session**

**Bill No. 279 (LS)**

As substituted by the author  
and amended on the Floor.

Introduced by:

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

**AN ACT TO PROVIDE FOR THE PURCHASE OF LIBRARY  
SCHOOL BOOKS FOR THE NEWLY CONSTRUCTED  
SCHOOLS OF THE GUAM PUBLIC SCHOOL SYSTEM; TO  
ALLOW TRANSFERS OF BOND PROCEEDS; TO  
APPROPRIATE FOUR MILLION DOLLARS TO GPSS; TO  
ALLOW FOR A GPSS MANAGEMENT TEAM; AND TO  
*REPEAL* AND *REENACT* 3 GCA §16108, RELATIVE TO  
PRIMARY ELECTIONS.**

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

2           **Section 1.** The sum of Eight Hundred Thousand Dollars (\$800,000) is  
3 appropriated from the FY 2009 General Fund revenues to the Public School  
4 Library Resource Fund, for the purchase of library school books for the new  
5 schools completed for the Guam Public School System

6           **Section 2.** Notwithstanding any other provision of law, GPSS is hereby  
7 authorized to transfer a total of Five Hundred Thousand Dollars (\$500,000) among  
8 the object categories delineated in Attachment A of Public Law 29-19, to ensure  
9 opening of the schools in August 2008. Any transfer pursuant to this Act *shall* be  
10 reported to *I Liheslatura* no later than five (5) days of said transfer.

11           **Section 3.** Section 3 of Public Law 29-52 is hereby *repealed* and  
12 *reenacted* to read:

13                   **“Section 3. Appropriation to Guam Public School System**  
14                   **(GPSS).** As a result of *I Maga’lahi* (the Governor) transferring out the  
15 original appropriation to fund the opening of the new landfill, *I*  
16 *Liheslaturan Guåhan* hereby appropriates the sum of Four Million Seventy-  
17 six Thousand Six Hundred Forty Dollars (\$4,076,640) from General Fund  
18 revenues in excess of the General Fund revenues adopted pursuant to Public  
19 Law 29-19, to the Guam Public School System for school operations.  
20 Notwithstanding any other provision of law, this appropriation is not subject  
21 to transfer by *I Maga’lahi* (the Governor). This appropriation shall not be  
22 sequestered or subject to the allotment process administered by the Bureau  
23 of Budget and Management Research but shall be released by BBMR and  
24 DOA upon enactment, notwithstanding any other law.”

25           **Section 4.** §3125 of Article 1, Title 17, Guam Code Annotated, is *repealed*  
26 *and reenacted* to read as follows:

27                   **“§ 3125. Management Team.**

1                   **(a) Unclassified Deputy Superintendent(s) Appointment.**

2                   The Superintendent shall reserve the right to select unclassified  
3                   Deputy Superintendent(s) as his management team with full  
4                   management responsibility and authority as delegated unto him or her  
5                   by the Superintendent. Such unclassified Deputy Superintendent(s)  
6                   appointees may number from one (1) but *shall not* exceed four (4),  
7                   unless otherwise approved by the Guam Education Policy Board. The  
8                   unclassified Deputy Superintendent(s) appointed positions shall cover,  
9                   *but not be limited to:*

10                               (1) Deputy Superintendent, Finance and Administrative  
11                               Services

12                               (2) Deputy Superintendent, Assessment and Accountability

13                               (3) Deputy Superintendent, Curriculum and Instructional  
14                               Improvement

15                               (4) Deputy Superintendent, Educational Support and  
16                               Community Learning

17                   **(b) Unclassified Status.**

18                   Notwithstanding any other provision of law, members of the  
19                   management team may be selected through direct appointment or  
20                   through contractual arrangement and may by terminated at will and  
21                   without cause. Sole authority for selection and termination of  
22                   management team personnel rests with the Superintendent of  
23                   Education.

24                   **(c) Compensation.**

25                   Notwithstanding any other provision of law, personnel from the Guam  
26                   Public School System who are selected as a management team

1 member shall receive compensation at no more than the maximum  
2 salary established for the Superintendent of GPSS.

3 **(d) Qualifications.** The Superintendent shall establish qualifications  
4 demonstrating quantifiable criteria to define the skills required for  
5 each of the positions, which qualifications shall be subject to approval  
6 by the Board.

7 **(e) Elimination of Positions at Guam Public School System.**

8 **(1) Elimination of Deputy Superintendent Position.** The  
9 position of Deputy Superintendent of Education in the  
10 Guam Public School System is hereby eliminated.

11 **(2) Elimination of Chief Financial Officer Position.** The  
12 position of Chief Financial Officer in the Guam Public  
13 School System is hereby eliminated.

14 **(3) Elimination of Associate Superintendent Positions.**  
15 The position of Associate Superintendent in the Guam  
16 Public School System is hereby eliminated.

17 **(f) Evaluation of Management Team.** The Superintendent of  
18 Education shall conduct a semi-annual evaluation of his management  
19 team and shall post the results of the evaluation on the GPSS' website.

20 **(g) Effective Date.** This provision of law *shall* take effect on  
21 September 1, 2008.”

22 **Section 5. Title 3 GCA Chapter 16 §16108 is repealed and reenacted to read:**

23 **“§ 16108. Primary Elections Cancelled When Unnecessary.**

24 (a) When the Commission determines that all political parties that  
25 have qualified for placement on the primary ballot have:

26 (i) the same or fewer number of candidates running for  
27 nomination to the Legislature than the number of senatorial seats

1           allowed in law, it shall cancel such Primary Election for the  
2           Legislature because of the lack of any contest; or

3                   (ii) only one (1) set of candidates running for Governor or  
4           Lieutenant Governor, it shall cancel such primary election for the  
5           gubernatorial team because of the lack of any contest; or

6                   (iii) only one (1) candidate running for mayor or vice mayor in  
7           a particular municipal district, it shall cancel such primary election for  
8           mayor or vice mayor because of the lack of any contest.

9           (b) Certification of candidates. Following such cancellation, the  
10          Commission shall certify all candidates who qualified to appear on the  
11          ballots in such cancelled primary elections for placement on the general  
12          election ballot as candidates of their respective political parties for the  
13          general election. The drawing for placement of names on the ballots for the  
14          primary election, if undertaken, shall control the placement of names on the  
15          ballots for the general election.”