

ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

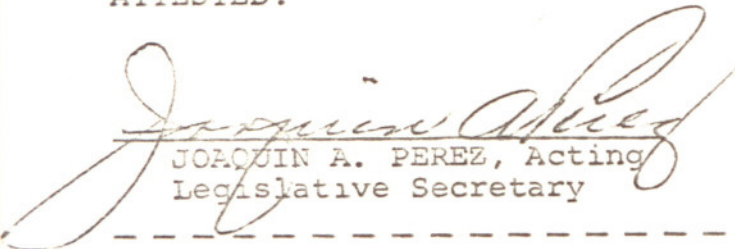
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 477, "An Act to amend Section 3102 of the Government Code of Guam to prohibit an appointee to an office requiring legislative confirmation to take office until confirmed by the Legislature", which was heretofore passed and thereafter on October 26, 1971, returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration the Legislature did on the 27th day of October, 1971, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all the members thereof, to wit: by a vote of 14 members.


F. T. RAMIREZ
Speaker

ATTESTED:


JOAQUIN A. PEREZ, Acting
Legislative Secretary

This Act was received by the Governor this 3rd day
of November, 1971 at 2:10 o'clock P. M.

/s/ RICHARD D. MAGEE

RICHARD D. MAGEE, Acting
Attorney General of Guam

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ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

Bill No. 477

Introduced by _____

P. J. Bordallo
W. D. L. Flores

AN ACT TO AMEND SECTION 3102 OF THE GOVERNMENT
CODE OF GUAM TO PROHIBIT AN APPOINTEE TO AN
OFFICE REQUIRING LEGISLATIVE CONFIRMATION TO
TAKE OFFICE UNTIL CONFIRMED BY THE LEGISLATURE.

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

2 Section 1. Section 3102 of the Government Code of Guam is
3 hereby amended to read as follows:

4 "Section 3102. Same: where consent of the
5 Legislature required. Whenever an appointment by the
6 Governor requires the consent of the Legislature, the
7 Governor shall submit such appointment to the Legislature
8 within ten days. If the Legislature shall recess prior
9 to such submission, then he shall submit such appoint-
10 ment to the next meeting of such Legislature within
11 ten days after the commencement thereof; or if such
12 Legislature has adjourned sine die, then to the first
13 meeting of the next Legislature within ten days after
14 the commencement thereof. Whenever the Legislature
15 has adjourned sine die without having confirmed or
16 rejected an appointment, such appointment shall there-
17 upon automatically terminate. Any appointment not
18 submitted to the Legislature in accordance with this
19 section shall automatically terminate as of the end of
20 the last day available for submission. No person whose
21 appointment requires the consent of the Legislature
22 shall take office or be paid the salary applicable to
23 such office until his appointment shall have been

1 confirmed by the Legislature. Any office to which
2 appointment requires legislative consent which becomes
3 vacant shall remain vacant until the Legislature
4 consents to the appointment. Nothing in this section
5 shall preclude the Governor from making an interim or
6 recess appointment when the Legislature is in recess
7 but any such appointment shall automatically terminate
8 upon the convening or reconvening of the Legislature
9 in regular session and no recess or interim appointee
10 may receive the salary of the office to which he is
11 given interim or recess appointment until he is
12 confirmed by the Legislature; provided, however, that
13 the confirmation of a recess or interim appointee may
14 include approval of retroactive pay to the date of
15 his recess or interim appointment."