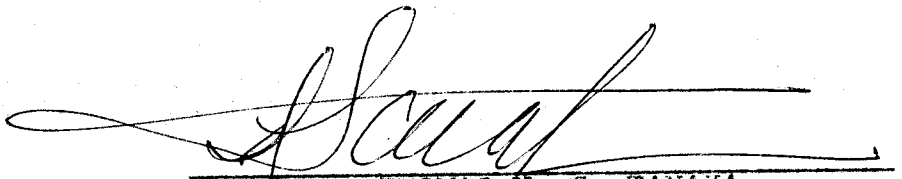



FIFTEENTH GUAM LEGISLATURE
1979 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

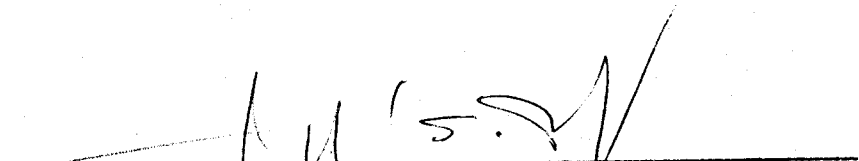
This is to certify that Substitute Bill No. 389, "An Act to amend Chapter 10, Title XII of the Government Code of Guam relative to the Board of Regents, University of Guam", was on the 7th day of August 1979, duly and regularly passed.


THOMAS V. C. TANAKA
Speaker


ATTESTED:


JAMES H. UNDERWOOD
Legislative Secretary

This Act was received by the Governor this 10th day of August 1979, at 5:40 o'clock P.M.


SHERRA L. FRANCISCO
Assistant Staff Officer
Governor's Office

APPROVED:


PAUL M. CALVO
Governor of Guam

DATED: 8/7/79
PL15-55

FIFTEENTH GUAM LEGISLATURE
1979 (FIRST) Regular Session

Bill No. 389
(As Substituted
by the Committee
on Education)

Introduced by Committee on Rules
at the request of the
Governor, pursuant to
Section 6 of the
Organic Act.

AN ACT TO AMEND CHAPTER 10, TITLE XII OF
THE GOVERNMENT CODE OF GUAM RELATIVE TO
THE BOARD OF REGENTS, UNIVERSITY OF GUAM.

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

2 Section 1. Section 11835 of the Government Code is amended
3 to read:

4 "Section 11835. Same: Removal from Office. A member
5 of the Board may be removed by a vote of five (5) members
6 for malfeasance in office or for persistent neglect of or
7 inability to discharge duties, or for offenses involving
8 moral turpitude, and for no other cause. However, no member
9 of the Board shall be removed from office before a written
10 bill of particulars shall have been given to the accused
11 and before an investigation and an open hearing shall have
12 been had. Any member who removes his residence from Guam
13 shall be deemed to have vacated his office, thereby creating
14 a vacancy on the Board."

15 Section 2. Section 11836 of the Government Code is amended
16 to read:

17 "Section 11836. Same: Officers. Annually in April,
18 the Board shall elect a chairman, a vice-chairman, and
19 a treasurer from its membership by a majority vote of its
20 total membership."

1 Section 3. Section 11837 of the Government Code is amended
2 to read:

3 "Section 11837. Same: Meetings. Meetings of the
4 Board shall be held at a regular time and place as determined
5 by the Board, but not less than once a month. Special
6 meetings may be called by the Chairman or by the call of the
7 majority of the members, as often as may be necessary.
8 Meetings of the Board, regular or special, shall be subject
9 to the Open Government Law of Guam (Sections 3225-3240 of
10 the Government Code). A majority of the members shall
11 constitute a quorum and, unless otherwise provided herein,
12 an affirmative vote of five (5) members is required for any
13 action to be valid."

14 Section 4. Section 11839 of the Government Code is amended
15 to read:

16 "Section 11839. President of the University. The
17 Board of Regents, by an affirmative vote of five (5) members,
18 shall appoint the President of the University, whose duties,
19 compensation, and qualifications shall be determined by the
20 Board. The President shall be the executive head of the
21 internal operating organization of the University and shall
22 be responsible for the administration of the academic,
23 business, and service activities thereof. The President
24 of the University shall serve as Executive Secretary of the
25 Board."

1 Section 5. Section 4 of Public Law 15-40 is amended to
2 read:

3 "Section 4. A new Chapter IV-A is added to Title XVII
4 of the Government Code to read:

5 'CHAPTER IV-A

6 Trade

7 Section 16350. The terms used in this Chapter shall
8 have the same meaning as set forth in Section 47410 of the
9 Government Code, as it may from time to time be amended.

10 Section 16351. Any Trader engaged solely in the Trade
11 shall be exempt from the provisions of this Title so long
12 as the provisions of Section 16352 are complied with.

13 Section 16352. A corporation engaged solely in Trade,
14 upon providing satisfactory evidence to the Director of
15 Revenue and Taxation that:

16 (a) it is properly incorporated either in Guam or
17 some other jurisdiction of the United States;

18 (b) that it has appointed a resident agent for
19 service of process; and

20 (c) that as far as its activities in Guam are
21 concerned, it intends to engage solely in Trade; shall
22 be issued a certificate by the Director indicating that
23 it is authorized to carry on Trade and that all other
24 provisions of the business license law are inapplicable
25 to it. Said certificate shall be known as the 'Traders
26 Certificate'.

27 Section 16353. Sections 405, 407, 407.1 and 408 of
28 the Civil Code shall not apply to any corporation holding
29 a Traders Certificate.'"

1 Section 6. Subsection (b) of Section 49004 of the Government
2 Code, as amended by Public Law 14-91, is further amended to read:

3 "(b) Four (4) Trustees shall constitute a quorum of
4 the Board for the transaction of business. The concurrence
5 of four members present shall constitute official action of
6 the Board. The Board may adopt rules and regulations
7 governing the conduct of its affairs."

8 Section 7. Notwithstanding any law to the contrary, during
9 the period of the Merizo Water Festival, all forms of gambling
10 or contrivances which generally fall under the category of games
11 of chance and which are located at the designated fair grounds
12 are exempted from any prohibitions of Chapter 64 of the Criminal
13 and Correctional Code, provided, that licenses issued shall be
14 valid only for the duration of the Merizo Water Festival and
15 provided, further, that no types of casino gambling or heavy
16 gambling be permitted. "Heavy Gambling" means gambling in amounts
17 in excess of those limits set by the organizing committee and
18 approved by the Governor.

19 Section 8. The appropriation made by Section 17 of Public
20 Law 14-140 in the sum of Fifty Two Thousand One Hundred Thirty
21 Dollars (\$52,130.00) shall be available for expenditures by the
22 Chamorro Language Commission until September 30, 1980.

23 Section 9. Notwithstanding any provision of law to the
24 contrary, the Senior Citizen Division of the Department of Public
25 Health and Social Services is authorized to expend an additional
26 One Hundred Thousand Dollars (\$100,000) Federal Grant for the
27 purchase of equipment for the elderly housing project in Tumon
28 Bay. The grant is a one time grant from the Department of Health,

1 Education and Welfare made to the Senior Citizen Division pursuant
2 to an agreement between the Division and Guam Housing and Urban
3 Renewal Authority. The amount of the grant is One Hundred
4 Thousand Dollars (\$100,000) and it must be encumbered no later
5 than September 30, 1979.

6 Section 10. A new Subsection (a) is hereby added to Section
7 11977 of the Government Code of Guam to read as follows:

8 "(a) Said schedule of tuition and fees shall exempt
9 persons over the age of fifty-five (55) from payment of
10 said tuition and fees; provided that such individuals meet
11 the admission requirements of the Guam Community College."

DATE 8-7-79

15TH GUAM LEGISLATURE

VOTING RECORD

BILL/RESOLUTION NO. 389

MAIN SPONSOR Don
NOT VOTING

SENATOR	AYE	NAY	NOT VOTING	ABSENT
AGUON, Katherine B.	✓			
BAMBA, Cecilia C.	out			
BLAS, Frank F.	✓			
CHARFAUROS, Edward T.	✓			
CRISOSTOMO, Thomas C.	✓			
DUENAS, Edward R.	✓			
ESPALDON, Ernesto M.	out			
KASPERBAUER, Carmen A.	✓			
LAMORENA, Alberto C., III	✓			
PALOMO, Antonio M.	✓			
PALOMO, Benigno M.	✓			
PEREZ, Peter, Jr.	✓			
QUAN, John F.	✓			
QUITUGUA, Franklin J.	✓			
SAN AGUSTIN, Joe T.		✓		
SANTOS, Francisco R.		✓		
SUDO, Ramon Q.	✓			
TAITANO, Richard F.		✓		
TANAKA, Thomas V. C.		✓		
UNDERWOOD, James H.		✓		
UNPINGCO, Antonio R.	✓			

TOTAL

14 5 2