



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
L'FISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A

RECEIVED
OFFICE OF THE SPEAKER
DATE: 3/8/94
TIME: 8:25 AM
RECD BY: [Signature]

March 7, 1994

The Honorable Joe T. San Agustin
Speaker
Twenty Second Guam Legislature
Agana, Guam 96910

REFER TO
LEGISLATIVE PROGRAMS
[Signature]

Dear Mr. Speaker:

Enclosed herewith is Substitute Bill No. 512 which I have signed into law this date as Public Law 22-92.

I have signed this measure because I do not object to legislative confirmation of the Director of the Library and other administrative changes made in this measure.

However, Section 1 of this measure is completely unnecessary as it has long been the policy of the library to purchase books authored by local residents as well as books of local interest.

Cordially,

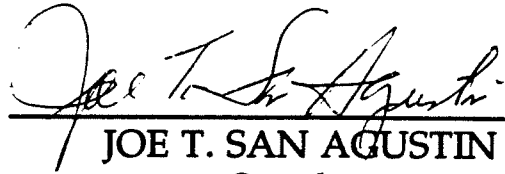
Joseph F. Ada
JOSEPH F. ADA,
Governor of Guam

220564

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

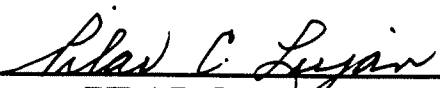
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 512 (LS), "AN ACT TO ADD §42000.1 TO TITLE XXXVIII OF THE GOVERNMENT CODE TO ENCOURAGE THE GUAM PUBLIC LIBRARY TO ACQUIRE BOOKS AND OTHER WRITTEN MATTER AUTHORED BY LOCAL RESIDENTS CONTAINING INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT §42012 OF SAID TITLE ON THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND §§42008, 42009, 42014 AND 42015 OF SAID TITLE TO DELETE REFERENCES TO THE GUAM MUSEUM," was on the 16th day of February, 1994, duly and regularly passed.



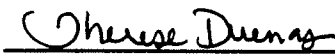
JOE T. SAN AGUSTIN
Speaker

Attested:



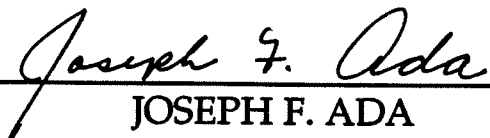
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 23rd day of February, 1994, at
3:53 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: March 7, 1994

Public Law No. 22-92

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 512 (LS)

As substituted by the Committee on
Education and further substituted by
the Committee on Rules

Introduced by:

M. Z. Bordallo
C. T. C. Gutierrez
H. D. Dierking
T. C. Ada
J. P. Aguon
E. P. Arriola
P. C. Lujan
T. S. Nelson
V. C. Pangelinan
D. Parkinson
E. D. Reyes
J. T. San Agustin
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO ADD §42000.1 TO TITLE XXXVIII OF THE GOVERNMENT CODE TO ENCOURAGE THE GUAM PUBLIC LIBRARY TO ACQUIRE BOOKS AND OTHER WRITTEN MATTER AUTHORED BY LOCAL RESIDENTS CONTAINING INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT §42012 OF SAID TITLE ON THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND §§42008, 42009,

42014 AND 42015 OF SAID TITLE TO DELETE
REFERENCES TO THE GUAM MUSEUM.

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

2 **Section 1. Legislative intent.** For many years, local residents have
3 written books and other documents about Guam, the Mariana Islands,
4 Micronesia, and the Pacific region which contain valuable information
5 beneficial to the people of Guam, pertaining to Guam's history, culture,
6 language or traditions. Such books and materials written by local authors
7 should be collected by Guam's major informational resource center, the
8 Guam Public Library, for the benefit of future generations. This Act
9 authorizes the Guam Public Library to solicit or purchase, if necessary, such
10 materials for the Library's informational collection.

11 **Section 2.** §42000.1 is hereby added to Title XXXVIII of the Government
12 Code to read:

13 **"§42000.1. Collection of locally authored books and**
14 **materials.** The Library is hereby authorized to actively solicit or
15 purchase, if necessary, books and written matter authored by local
16 residents which contain information of significant historical and
17 cultural value to the people of Guam. The Library shall insure that
18 all materials so acquired will benefit the people of Guam and the
19 Library's territorial collection. The Board shall establish and
20 promulgate rules and regulations pursuant to the Administrative
21 Adjudication Law on the implementation of this section. The Library
22 is authorized to request funds for the implementation of the
23 provisions of this section to be included in the Library's annual
24 budget request submitted to the Governor for submission to the
25 Legislature."

1 **Section 3.** §42012 of Title XXXVIII of the Government Code is hereby
2 repealed and reenacted to read as follows:

3 **"§42012. Director.** The Board shall appoint a Director of the
4 Library subject to the advice and consent of the Legislature who shall
5 perform such executive functions in connection with the operation of
6 the Library as may be designated by the Board, and who shall serve
7 as executive secretary of the Board without additional
8 compensation."

9 **Section 4.** §42008 of Title XXXVIII of the Government Code is hereby
10 amended to read:

11 **"§42008. Same: Quorum.** Four (4) members of the Board
12 shall constitute a quorum."

13 **Section 5.** §42009 of Title XXXVIII of the Government Code is hereby
14 amended to read:

15 **"§42009 Same: Acts.** The concurrence of four (4) members of
16 the Board shall be necessary for the validity of its official actions
17 including the election of the Chairman."

18 **Section 6.** §42014 of Title XXXVIII of the Government Code is hereby
19 repealed and reenacted to read:

20 **"§42014. Selection of employees.** Employees of the Library,
21 except for the Director, shall be appointed, paid and hold their
22 positions pursuant to the provisions of Title 4, Guam Code
23 Annotated, and other personnel laws, and their remuneration shall
24 be established in accordance with the provisions of said Title 4 and
25 such other personnel laws. The salary of the Director shall be
26 established by the Civil Service Commission."

1 Section 7. §42015 of Title XXXVIII of the Government Code is hereby
2 amended to read:

3 "§42015. Gifts. The Board shall have authority to accept on
4 behalf of, and in the name of, the government of Guam from any
5 government or agency thereof, or any person, advisory services,
6 grants-in-aid, gifts, donations of money and other property for the
7 benefit of the Library, or the Guam Archives; provided, that any
8 grants-in-aid, gifts, donations or other form of assistance involving
9 an obligation on the part of the Library or the Guam Archives or the
10 government of Guam shall require the approval of the Governor."

TWENTY-SECOND GUAM LEGISLATURE

1994 (SECOND) Regular Session

Date: 2/16/94

VOTING SHEET (AS REVISED)

Bill No. 512
 Resolution No. _____
 Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George		✓		
BLAZ, Anthony C. //		✓		
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F. /		✓		
CAMACHO, Felix P.		✓		
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.		✓		
UNPINGCO, Antonio R.		✓		

TOTAL 15 6 0 _____



COMMITTEE ON EDUCATION
TWENTY-SECOND GUAM LEGISLATURE
KUMITEN IDUKASION
MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

December 13, 1993

Senators

Madeleine F. Bordallo

CHAIRPERSON

COMMITTEE ON
EDUCATION

Sen. Thomas C. Ada
Vice-Chairperson

MEMBERS

Vice Speaker John P. Aguon
 Sen. Elizabeth P. Arriola
 Sen. Herminia D. Dierking
 Sen. Carl T.C. Gutierrez
 Sen. Pilar C. Lujan
 Sen. David L.G. Shimizu
 Sen. J. George Bamba
 Sen. Anthony C. Blaz
 Sen. Marilyn D.A. Manibusan
 Sen. Thomas V.C. Tanaka

Speaker Joe T. San Agustin
Ex. Officio

The Honorable Joe T. San Agustin
Speaker
Twenty Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Speaker San Agustin:

The Committee on Education, Twenty Second Guam Legislature, to which was referred BILL NO. 512: "AN ACT RELATIVE TO ENCOURAGING AND AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT OR PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND SECTIONS 42008, 42009, 42014 AND 42015 RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS", as substituted by the Committee on Education, be favorably considered and passed by the Twenty-Second Guam Legislature.

Votes of the Committee members are as follows:

<i>To Pass</i>	<u>10</u>
<i>To Not Pass</i>	<u>0</u>
<i>To Abstain</i>	<u>1</u>
<i>To Report Out</i>	<u>0</u>
<i>To Place in Inactive File</i>	<u>0</u>

*Off-Island
Not Available*

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1

Respectfully Submitted,

Madeline Z. Bordallo
MADELEINE Z. BORDALLO
Chairperson

Enclosures



COMMITTEE ON EDUCATION
TWENTY-SECOND GUAM LEGISLATURE
KUMITEN IDUKASION
MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

VOTING SHEET

BILL NO. 512

(AS SUBSTITUTED BY THE COMMITTEE ON EDUCATION)

"AN ACT RELATIVE TO ENCOURAGING AND AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT OR PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND SECTIONS 42008, 42009, 42014 AND 42015 RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS."

Senator
Madeleine F. Bordallo
 CHAIRPERSON

COMMITTEE ON
 EDUCATION

Sen. Thomas C. Ada
 Vice-Chairperson

MEMBERS

- Vice Speaker John P. Aguon
- Sen. Elizabeth P. Arriola
- Sen. Herminia D. Dierking
- Sen. Carl T.C. Gutierrez
- Sen. Pilar C. Lujan
- Sen. David L.G. Shimizu
- Sen. J. George Bamba
- Sen. Anthony C. Blaz
- Sen. Marilyn D.A. Manibusan
- Sen. Thomas V.C. Tanaka

Speaker Joe T. San Agustin
 Ex. Officio

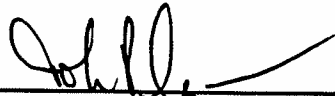
<u>COMMITTEE MEMBER</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>Madeleine F. Bordallo</i> MADELEINE Z. BORDALLO Chairperson				
<i>T.C. Ada</i> THOMAS C. ADA Vice Chairperson	✓			
<i>J. San Agustin</i> SPEAKER JOE T. SAN AGUSTIN (Ex-Officio Member)	✓			
<i>Carl T.C. Gutierrez</i> CARL T.C. GUTIERREZ Member	✓			
<i>David L.G. Shimizu</i> DAVID L. G. SHIMIZU Member	✓			

COMMITTEE MEMBER

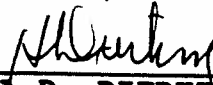
TO NOT TO
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ABSTAIN

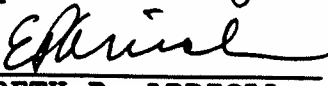
TO PLACE IN
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FILE



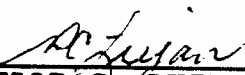
VICE-SPEAKER JOHN P. AGUON
Member



HERMINIA D. DIERKING
Member

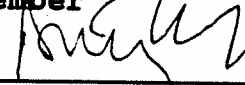


ELIZABETH P. ARRIOLA
Member



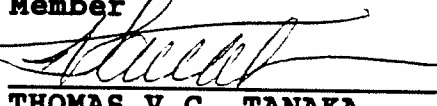
PILAR C. LUJAN
Member

J. GEORGE BAMBA
Member



ANTHONY C. BLAZ
Member

MARILYN D.A. MANIBUSAN
Member



THOMAS V.C. TANAKA
Member

**COMMITTEE ON EDUCATION
TWENTY-SECOND GUAM LEGISLATURE**

**SENATOR MADELEINE Z. BORDALLO
CHAIRPERSON**

COMMITTEE MEMBERS

**Senator Thomas C. Ada, Vice-Chairman
Vice-Speaker John P. Aguon
Senator Elizabeth P. Arriola
Senator Herminia D. Dierking
Senator Carl T. C. Gutierrez
Senator Pilar C. Lujan
Senator David L. G. Shimizu
Senator J. George Bamba
Senator Anthony C. Blaz
Senator Marilyn D. A. Manibusan
Senator Thomas V. C. Tanaka
Speaker Joe T. San Agustin
Ex-Officio Member**

**COMMITTEE REPORT
ON
BILL NO. 512**

(AS SUBSTITUTED BY THE COMMITTEE ON EDUCATION)

"AN ACT RELATIVE TO ENCOURAGING AND AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT OR PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND SECTIONS 42008, 42009, 42014 AND 42015 RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS."

The Committee on Education, Twenty Second Guam Legislature, conducted a Public Hearing on Bill No. 512, relative to authorizing the Guam

Public Library to solicit or purchase locally authored books and writing materials of informational value to the People of Guam, and Bill No. 474, relative to requiring the appointment of the Director of the Guam Public Library, on Thursday, July 15, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana. Because of the applicability of the provisions within both bills to the Guam Public Library, the Committee has combined both provisions into a single measure, which is now Bill No. 512, as substituted by the Committee on Education.

MEMBERS PRESENT

Senator Madeleine Z. Bordallo, Chairperson
Speaker Joe T. San Agustin
Vice-Speaker John P. Aguon
Senator David L. G. Shimizu
Senator J. George Bamba

WITNESSES PRESENT: Frank R. San Agustin, Territorial Librarian, Guam Public Library; Kenneth Perez, Chairman, Guam Public Library Board.

SUMMARY OF TESTIMONY

Mr. Kenneth R. T. Perez
Chairman, Guam Public Library Board

Mr. Kenneth R. T. Perez, Chairman of the Guam Public Library Board, presented oral and written testimony to the Committee in support of both Bill No. 512 and Bill No. 474. On Bill No. 512, Mr. Perez stated that the library is the holding place of information on the island and that the proposed provision would help acknowledge local authors for their contribution to Guam's culture and heritage, and asked that the measure be passed to help the library with its information collections. On Bill No. 474, Mr. Perez testified in support of the measure emphasizing that the Board is in support of the proposed increase in the requirement for a quorum.

Frank R. San Agustin
Territorial Librarian, Guam Public Library

Mr. Frank R. San Agustin, Territorial Librarian of the Guam Public Library, presented oral and written testimony in support of Bill No. 474. Mr. San Agustin presented a brief history on the position of Territorial Librarian and its administrative responsibilities, thus necessitating the change in the title of the position. Mr. San Agustin further explained his support for the increase in the quorum requirement of the Board which is presently three; when the number of Board members were increased to seven in 1985, the quorum requirement was not increased accordingly. Mr. San Agustin concluded by stating that Bill No. 474 addresses the importance of appropriateness and consistency in government and eliminates ambiguities in the present law.

Willis S. Cannon
Chairman, Civil Service Commission

Mr. Willis S. Cannon, Chairman of the Civil Service Commission, presented written testimony on behalf of the Commission in support of Bill No. 474. Mr. Cannon presented a proposal for amending the provision in the measure pertaining to the selection of employees. Mr. Cannon concluded his statement by mentioning that the Commission questions the proposal to require the Board's appointment of the Director to legislative confirmation, because the appointment of the Board members are already subject to legislative confirmation.

COMMITTEE QUESTIONS / COMMENTS

Senator Madeleine Z. Bordallo, Chairperson, posed a question to the representatives from the Guam Public Library on Bill Nos. 512 and 474. Senator Bordallo asked Mr. Frank R. San Agustin and Mr. Kenneth R. T. Perez if the Guam Public Library has ever turned away a local author from presenting the library with their written books or materials. Mr. San Agustin responded that the Library has never refused individuals who would like to donate their writing materials to the facility, but not many have approached the Library in the past.

COMMITTEE FINDINGS / RECOMMENDATIONS

The Committee on Education finds that the Guam Public Library is the primary source of information on the island, thereby it should continue to increase its collection of informational books, magazines and other reference materials; such materials should also consist of information on the culture, heritage and history of Guam and its People. The Committee also finds that the government of Guam should encourage our the Guam Public Library, which is the primary source of information and reference materials, to collect books and documents written by local residents which may contain information useful to the preservation and enhancement of the island's local traditions and culture. The Committee further finds that Public Law 21-118 separated the Guam Museum from the Guam Public Library, but did not make appropriate amendments deleting any reference of the Guam Museum from Guam's laws on the Guam Public Library, thus, the proposed provision would make necessary amendments accordingly. Therefore, the Committee on Education, Twenty Second Guam Legislature, recommends that Bill No. 512, as substituted by the Committee on Education, "AN ACT RELATIVE TO ENCOURAGING AND AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT OR PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; AND TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, TO AMEND SECTIONS 42008, 42009, 42014 AND 42015 RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS", be favorably considered and passed by the Twenty Second Guam Legislature.

ATTACHMENTS

1. Voting Sheet on Bill No. 512, as substituted by the Committee on Education, Twenty Second Guam Legislature.
2. Bill No. 512, as substituted by the Committee on Education, twenty Second Guam legislature.
3. Bill No. 512, as introduced.
4. Bill No. 474, as introduced.

5. Written testimony on Bill No. 474, by Mr. Kenneth R. T. Perez, Chairman, Guam Public Library Board.
6. Written testimony on Bill No. 474, by Mr. Frank R. San Agustin, Territorial Librarian, Guam Public Library.
7. Written testimony on Bill No. 474, by Mr. Willis S. Cannon, Chairman, Civil Service Commission.
8. Written testimony on Bill No. 512, by Mr. Kenneth R. T. Perez, Chairman, Guam Public Library Board.
9. Copy of Public Hearing agenda on Bill No. 474 and Bill No. 512, conducted on Thursday, July 15, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.
10. Witness attendance sheet on Bill No. 474, for the Public Hearing conducted on Thursday, July 15, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.
11. Witness attendance sheet on Bill No. 512, for the Public Hearing conducted on Thursday, July 15, 1993, in the Public Hearing Room, Temporary Legislative Building, Agana, Guam.

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

BILL NO. 512

(AS SUBST. BY COMMITTEE ON EDUCATION)

INTRODUCED BY:

M. Z. BORDALLO *MZB*

AN ACT RELATIVE TO ENCOURAGING AND AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT OR PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF THE DIRECTOR OF THE GUAM PUBLIC LIBRARY, AND TO AMEND SECTIONS 42008, 42009, 42014 AND 42015 RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS."

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

Section 1. Authorization for the Purchase of Locally written Materials.

a.) Legislative Intent.

For many years, local residents have written books and documents about Guam, the Marianas, Micronesia, and the Pacific Region containing valuable information which may be beneficial to the People of Guam, comprising information pertaining to Guam's history, culture, language or traditions. Such books and materials written by local authors should be collected by Guam's major informational resource center, the Guam Public Library, for the benefit of future generations. This provision would authorize the Guam

Public Library to solicit or purchase, if necessary, such materials for the library's informational collection.

b.) Collection of Locally Authored Books/Materials.

The Guam Public Library is hereby authorized to actively solicit or purchase, if necessary, books and writing materials authored by local residents which contain information of significant historical and cultural value to the People of Guam. The Library must insure that any and all materials acquired through this Act will truly benefit the People of Guam and the Library's material informational collection.

The Guam Public Library Board shall establish and promulgate rules and regulations relative to the proper implementation of this Act. Copies of such rules and regulations shall be distributed to the Governor and the Guam Legislature within 30 days following its adoption.

c.) Authorization for funding request.

The Guam Public Library is hereby authorized to request funds for the implementation of the provisions within this Act. Such funding requests shall be included in the Library's annual budget request, and submitted to the Governor and the Guam Legislature.

Section 2. Director of the Guam Public Library and Deletion of References pertaining to the Guam Museum.

a.) Change of Title from Territorial Librarian to Director.

Section 42012 of the Government Code is hereby repealed and reenacted to read as follows:

"Section 42012. Librarian Director.

The Board shall appoint a Librarian Director, subject to the confirmation of the Legislature who shall perform such executive functions in connection with the operation of the library as may be designated by the Board, and who shall serve as executive secretary of the Board without additional

compensation."

b.) Quorum Requirements.

Section 42008 of the Government Code is hereby amended to read as follows:

"Section 42008. Same: Quorum.

~~Three (3)~~ Four (4) members of the Board shall constitute a quorum."

c.) Board Actions.

Section 42009 of the Government Code is hereby amended to read as follows:

"Section 42009. Same: Acts.

The concurrence of ~~three (3)~~ four (4) members of the Board shall constitute a quorum."

d.) Employees.

Section 42014 of the Government Code is hereby amended to read as follows:

"Section 42014. Selection of Employees. ~~The Librarian and all other persons~~ Employees employed shall be appointed, paid and hold their positions pursuant to the provisions of Title IV, Chapter IV of Guam Code Annotated and other personnel laws ~~the Personnel Law, Title V of the Government Code, now in force, or as hereafter amended,~~ and their remuneration shall be established in accordance with the provisions of Title 4, Chapter 6, 4 GCA and other personnel laws such law."

e.) Acceptance of Contributions.

Section 42015 of the Government Code is hereby amended to read as follows:

"Section 42015. The Board shall have authority to accept on behalf of, and in the name of, the Government of Guam from any government or agency thereof, or any person, advisory services, grants-in-aid, gifts, donations of money and other property for the benefit of the Library, or the ~~Guam Museum,~~

Guam Archives; provided that any grants-in-aid, gifts, donations or other form of assistance involving an obligation on the part of the Library ~~or the Guam Museum~~ or the Guam Archives or the Government of Guam shall require the approval of the Governor."

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

**BILL NO. 512
INTRODUCED BY:**

M. Z. BORDALLO *MZB*

**"AN ACT RELATIVE TO AUTHORIZING THE
GUAM PUBLIC LIBRARY TO SOLICIT OR
PURCHASE BOOKS AND WRITING MATERIALS
AUTHORED BY LOCAL RESIDENTS CONTAINING
SIGNIFICANT INFORMATION OF VALUE TO
THE PEOPLE OF GUAM; AND AUTHORIZING
THE LIBRARY TO REQUEST FUNDING FOR
THE IMPLEMENTATION OF THIS ACT."**

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

**3
4 Section 1. Legislative Intent.**

**5 For many years, local residents have written books and documents
6 about Guam, the Marianas, Micronesia, and the Pacific Region containing
7 valuable information which may be beneficial to the People of Guam. Such
8 books and materials written by local authors should be collected by Guam's
9 major informational resource center, the Guam Public Library, for the benefit
10 of future generations. This provision would authorize the Guam Public Library
11 to solicit or purchase, if necessary, such materials for the library's informational
12 collection.**

1 Section 2. Collection of Locally Authored Books/Materials.

2 The Guam Public Library is hereby authorized to aggressively solicit
3 or purchase, if necessary, books and writing materials authored by local
4 residents which contain information of significant value to the People of Guam.
5 The Library must insure that any and all materials acquired through this Act will
6 truly benefit the People of Guam and the Library's material informational
7 collection.

8
9 The Guam Public Library Board shall establish and promulgate rules and
10 regulations relative to the proper implementation of this Act. Copies of such
11 rules and regulations shall be distributed to the Governor and the Guam
12 Legislature within 30 days following its adoption.

13
14 Section 3. Authorization for funding request.

15 The Guam Public Library is hereby authorized to request funds for
16 the implementation of the provisions within this Act. Such funding requests
17 shall be included in the Library's annual budget request, and submitted to the
18 Governor and the Guam Legislature.

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

**BILL NO. 474
INTRODUCED BY:**

M. Z. BORDALLO 

**"AN ACT TO REPEAL AND REENACT SECTIONS 42012
OF TITLE XXXVIII OF THE GOVERNMENT CODE OF GUAM
RELATIVE TO REQUIRING THE APPOINTMENT OF THE
DIRECTOR OF THE GUAM PUBLIC LIBRARY; TO AMEND
SECTIONS 42008, 42009, 42014 AND 42015, RELATIVE
TO THE DELETION OF REFERENCES PERTAINING TO
THE GUAM MUSEUM FROM SUCH PROVISIONS."**

**1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF
2 GUAM:
3**

**4 Section 1. Section 42012 of the Government Code is hereby repealed and
5 reenacted to read:**

6 "Section 42012. Librarian Director.

**7 The Board shall appoint a Librarian Director, subject to the
8 confirmation of the Legislature who shall perform such executive functions in
9 connection with the operation of the library as may be designated by the Board,
10 and who shall serve as executive secretary of the Board without additional
11 compensation."
12**

**13 Section 2. Section 42008 of the Government Code is hereby amended to
14 read:**

15 "Section 42008. Same: Quorum.

**16 ~~Three (3)~~ Four (4) members of the Board shall constitute a quorum."
17**

**18 Section 3. Section 42009 of the Government Code is hereby amended to
19 read:**

20 "Section 42009. Same: Acts.

21 The concurrence of ~~three (3)~~ four (4) members of the Board shall

1 constitute a quorum."
2

3 Section 4. Section 42014 of the Government Code is hereby amended to
4 read:

5 "Section 42014. Selection of Employees. ~~The Librarian and all other~~
6 ~~persons~~ Employees employed shall be appointed, paid and hold their positions
7 pursuant to the provisions of the Personnel Law, Title V of the Government
8 Code, now in force, or as hereafter amended, and their remuneration shall be
9 established in accordance with the provisions of such law."
10

11 Section 5. Section 42015 of the Government Code is hereby amended to
12 read:

13 "Section 42015. The Board shall have authority to accept on behalf of,
14 and in the name of, the Government of Guam from any government or agency
15 thereof, or any person, advisory services, grants-in-aid, gifts, donations of
16 money and other property for the benefit of the Library, or the ~~Guam Museum,~~
17 ~~Guam Archives;~~ provided that any grants-in-aid, gifts, donations or other form
18 of assistance involving an obligation on the part of the Library ~~or the Guam~~
19 ~~Museum~~ or the Guam Archives or the Government of Guam shall require the
20 approval of the Governor."

July 15, 1993

Sen. Madeleine Bordallo
Chairperson, Committee on Education
22nd Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Madam Chair:

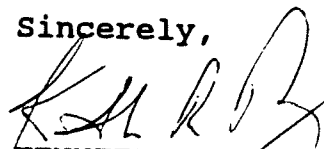
Good morning Madam Chair, and committee members, I am here representing the Guam Public Library board, and testifying in favor of bill 512 which is an act relative to authorizing our Guam Public Library to solicit or purchase books and writing materials, which are authored by local residents. These informational items which contain significant value to the people of Guam and authorizing our library to request funding for the implementation of this act.

The library is our holding place of information and mostly knowledge of other places, things, and etc. Authors of other areas and fields are in our libraries and this bill 512 will help our local authors be acknowledged for their contribution of Guam's culture and heritage. The library has purchase a few local books from a retail book store before the introduction of bill 512. Some of these books are "Spanish Forts of Guam, My Mental Odyssey, Adventure of Carmen & Wishing stone, Micronesian Reef fishes, Chamorro coloring book, Legacy of Guam, and other books that are in reference to Guam and/or the micronesian area.

The Guam Public Library Board will also do what is need to expound on the rules and regulations of bill 512. Our public library has rules and regulations on the use of their informational collection presently set up, but if there is a need for additional rules and regulations this will be implemented by the board.

We thank you for your time and hope that bill 512 will be passed to help our library in the funding and implementation of preserving our culture and heritage through the purchase of local informational material, and to enhance our local author's work.

Sincerely,



KENNETH R.T. PEREZ
Board Chairman
Guam Public Library

July 15, 1993

Sen. Madeleine Bordallo
Chairperson, Committee on Education
22nd Guam Legislature
155 Hesler Street
Agana, Guam 96910

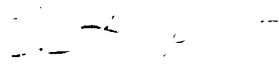
Dear Madam Chair:

Good morning Madam Chair, and committee members, as a representative to the Guam Public Library board, I am testifying in favor of the bill 474. The repeal and reenact, relative to requiring the appointment of the Director of the Guam Public library and to amend sections 42008, 42009, 42012, 42014, and 42015, relative to the deletion of references pertaining to the Guam Museum from such provisions.

The Guam Public Library Board is in favor of the action to amend and repeal the sections mention in bill 474. The section 42008, 42009 of the government code deleting of three (3) members and making it to four (4) members to constitute a quorum is favorable to the board. Since the members to the Guam Public Library Board has increased, the need for an appropriate quorum is requested for ample representation. Since the establishment of a Guam Museum has been addressed, section 42015, will help in the identification of duties of the Guam Public Library and Guam Museum Boards.

We would like to submit to the committee our favor to bill 474 and to thank Madam Chair and the committee members for the opportunity to respond at this hearing.

Sincerely,


KENNETH R.T. PEREZ
Board Chairman
Guam Public Library

TESTIMONY

(Bill No. 474)

Good morning Senator Bordallo and members of your Committee on Education. Thank you for giving me the opportunity to testify on Bill No. 474.

I support Bill No. 474. Public Law 2-107 in August 1954 established the Library and mandated that the Library Board appoint a "Librarian." Since that time the position of "Territorial Librarian" was established in the classified service and remained classified until 1983 when it was converted into the unclassified service. That action removed the position of "Territorial Librarian" from the list of classified service. As a result, the role and functions of the Territorial Librarian as head of the Guam Public Library shifted from a librarianship to that of administratorship or directorship. As early as 1979 during the first Guam Governor's Conference on Library and Information Services, the relationship between the Librarian and Director of Library Services was defined and one of the conference recommendations was to establish the position of Director, Guam Public Library, apart from the Civil Service Commission's established position of "Territorial Librarian."

Over the years Since 1987, I was subjected to scrutiny for not being a Librarian but was never challenged as to my role as Director, head of the Guam Public Library; in fact, I had many praises of being a good administrator. To conclude this section of the bill, let me just say that in my research of the Public Library System throughout the country (United States) over 95% of the head of the Library are holding the position of directorship.

Extending the brief history of the Library to Sections 2, 3, 4 and 5 of Bill No. 474, P.L. 2-107 established a five (5)

///

member board and then another member was added and subsequently in September 1, 1985, through P.L. 18-14 the current composition of the board reached seven (7) members with the addition of a secondary student member. While these were happening, the constitution of the quorum was never changed and it continued to remain at three (3) members. Section 3 of Bill No. 474 is appropriately an extension of Section 2. Section 4 of Bill 474 is simply enhancing the intent of Section 1 of Bill 474 which separates the unclassified position of Director from the normal process of recruitment for the classified service. Under Section 5 of Bill 474, the intent of the section is simply to correct the oversight when this section (Section 42015) was not addressed after P.L. 21-118 separated the Museum from the Guam Public Library.

I completely support Bill 474 as written and I believe it is a significant bill as it addresses the importance of appropriateness and consistency in government and eliminates ambiguities.


FRANK E. SAN AGUSTIN
Territorial Librarian

Date:

7/15/93



GOVERNMENT OF GUAM

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

Century Plaza, 2nd Floor, Upper Tamuning
P.O. Box 3156, Agana, Guam 96910

Tel: (671) 649-4272, 649-7955/57 • Fax: (671) 649-1272

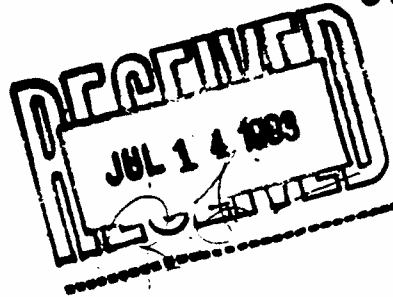


Frank see me this way they support it at least MB

CSC NO. 93-663

JUL 13 1993

Senator Madeleine Z. Bordallo
Chairperson
Committee on Education
Twenty-Second Guam Legislature
Agana, Guam 96910



RE: ***Bill No. 474 is "An Act to Repeal and Reenact Sections 42012 of Title XXXVIII of the Government Code of Guam Relative to Requiring the Appointment of the Director of the Guam Public Library; to Amend Sections 42008, 42009, 42014 AND 42015, Relative to the Deletion of References pertaining to the Guam Museum from such provisions".***

Dear Senator Bordallo:

Thank you for the opportunity to provide comments on Bill No. 474. The Civil Service Commission supports Bill No. 474 and submits the following amendment to Section 42014:

§42014. Selection of Employees.

~~The Librarian and all other persons~~ Employees employed shall be appointed, paid and hold their positions pursuant to the provisions of Title IV, Chapter IV of the Guam Code Annotated and other personnel laws ~~the Personnel Law, Title V of the government code, now in force, or as hereafter amended,~~ and their remuneration shall be established in accordance with the provisions of Title 4, Chapter 6, 4 GCA and other personnel laws ~~such law.~~

The enactment of Public Law 16-23, as amended, placed the position of Territorial Librarian in the unclassified service. The proposed measure will retitle the position and will make the appointment to the position subject to the confirmation of the Legislature. The Commission has no real objection to the retitling proposal. The



Commonwealth Now!

Page 2
CSC No. 93-663
Senator M.Z. Bordallo

Commission, however, questions the proposal to require the Board's appointment of the director to legislative confirmation, in that the appointment of the Board, which is the policy-making body, is already subjected to legislative confirmation. In fact, the Legislature should consider restoring full appointment power to the Civil Service Commissioners for its Executive Director, as had been the case previously.

Sincerely,



WILLIS S. CANNON
Chairman



Commonwealth Now!



COMMITTEE ON EDUCATION

TWENTY-SECOND GUAM LEGISLATURE

KUMITEN IDUKASION

MINA'BENTE DOS NA LIHESLATURA

155 Hesler Street • Agaña, Guam 96910 • Tel: (671) 472-3581/2/3 • Fax: (671) 472-3585

PUBLIC HEARING

Thursday, July 15, 1993

Public Hearing Room
Legislative Building, Agaña

9:00 a.m.

AGENDA

CONFIRMATIONS:

- I. "REAPPOINTMENT OF MRS. BERNADETTE T. TAITAGUE TO SERVE AS A MEMBER OF THE TERRITORIAL BOARD OF EDUCATION, TO EXPIRE ON 5/14/96."

BILLS:

- I. BILL NO. 486
"AN ACT TO REPEAL AND REENACT §4117 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING THE DEPARTMENT OF EDUCATION EMPLOYEES, TO ASSIST THE DEPARTMENT IN ADDRESSING THE SERIOUS PROBLEM REGARDING THE LACK OF SCHOOL ADMINISTRATORS WITHIN THE PUBLIC SCHOOL SYSTEM."
- II. BILL NO. 471
"AN ACT RELATIVE TO PROVIDING FOR ANNUAL PERFORMANCE EVALUATIONS OF DIRECTOR, DEPUTY DIRECTOR, SCHOOL ADMINISTRATORS AND DEPUTY SCHOOL ADMINISTRATORS, AND TEACHERS IN THE GUAM PUBLIC SCHOOL SYSTEM."
- III. BILL NO. 485
"AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE DRIVER EDUCATION INSTRUCTION AND TO REQUIRE DRIVERS UNDER THE AGE OF 18 TO HAVE SUCCESSFULLY COMPLETED A DRIVERS EDUCATION COURSE BEFORE THEY RECEIVE A DRIVERS LICENSE."
- IV. BILL NO. 502
"AN ACT RELATIVE TO ADDRESSING THE OVERCROWDING SITUATION WITHIN GUAM PUBLIC SCHOOL SYSTEM, PROVIDING FOR BETTER UTILIZATION OF SCHOOL FACILITIES, AND REDUCING THE NUMBER OF GANG-RELATED AND STUDENT-RELATED VIOLENCE OCCURRING WITHIN THE SCHOOLS; THROUGH TASKING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY AND POSSIBLE IMPLEMENTATION OF A DOUBLE SESSION SCHOOL PROGRAM FOR GUAM'S PUBLIC SCHOOLS."
- V. BILL NO. 416
"AN ACT TO DIRECT THE BOARD OF EDUCATION TO ESTABLISH AND IMPLEMENT AN ALTERNATIVE SCHOOL SESSION."
- VI. BILL NO. 377
"AN ACT TO IMMEDIATELY AIR-CONDITION HARMON LOOP ELEMENTARY SCHOOL AND FOR GUAM POWER AUTHORITY TO RELOCATE THE MACHECHE GENERATOR."
- VII. BILL NO. 475
"AN ACT TO REPEAL CHAPTER IV OF THE GOVERNMENT CODE OF GUAM RELATIVE TO THE GUAM PLACE NAME COMMISSION; AND TO ADD A NEW §§11956, 11956.1, 11956.2, 11956.3, 11956.4, 11956.5, 11956.6 TO CHAPTER XIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO PROVIDING THE CHAMORRO LANGUAGE COMMISSION WITH THE RESPONSIBILITY OF NAMING PLACES WITHIN THE JURISDICTION OF THE TERRITORY OF GUAM."

Sonata

Madelaine F. Bordallo
CHAIRPERSON

COMMITTEE ON
EDUCATION

Sen. Thomas C. Ada
Vice-Chairperson

MEMBERS

Vice Speaker John P. Aguon
Sen. Elizabeth P. Arriola
Sen. Herminia D. Dierking
Sen. Carl T.C. Gutierrez
Sen. Pilar C. Lujan
Sen. David L.G. Shimizu
Sen. J. George Bamba
Sen. Anthony C. Blaz
Sen. Marilyn D.A. Manibusan
Sen. Thomas V.C. Tanaka

Speaker Joe T. San Agustin
Ex. Officio

VIII. BILL NO. 482

"AN ACT TO ADD A NEW SUBSECTION 46104.1 TO TITLE 17 GCA, SECTION 46104 TO AUTHORIZE THE CHAMORRO LANGUAGE COMMISSION FUND TO CONDUCT FUNDRAISING ACTIVITIES THROUGH THE INSTITUTE OF CHAMORRO LANGUAGE AND CULTURE PROGRAM AND GUAM PLACE NAME COMMISSION."

IX. BILL NO. 512

"AN ACT RELATIVE TO AUTHORIZING THE GUAM PUBLIC LIBRARY TO SOLICIT AND PURCHASE BOOKS AND WRITING MATERIALS AUTHORED BY LOCAL RESIDENTS CONTAINING SIGNIFICANT INFORMATION OF VALUE TO THE PEOPLE OF GUAM; AUTHORIZING THE LIBRARY TO REQUEST FUNDING FOR THE IMPLEMENTATION OF THIS ACT."

X. BILL NO. 474

"AN ACT TO REPEAL AND REENACT SECTIONS 42012 OF TITLE XXVIII OF THE GOVERNMENT CODE OF GUAM RELATIVE TO REQUIRING THE APPOINTMENT OF A DIRECTOR OF THE GUAM PUBLIC LIBRARY; TO AMEND SECTIONS 42008, 42014 AND 42015, RELATIVE TO THE DELETION OF REFERENCES PERTAINING TO THE GUAM MUSEUM FROM SUCH PROVISIONS."

OVERSIGHT HEARING
ON THE
UNIVERSITY OF GUAM
3:00 p.m.

AGENDA

- I. STUDENT FINANCIAL ASSISTANCE PROGRAMS.
- II. STUDENT ENROLLMENT FOR ACADEMIC YEAR 1993-1994.
- III. GENERAL CONCERNS.

**THE GENERAL PUBLIC IS INVITED TO ATTEND
AND EXPRESS ITS VIEWS.**

**COMMITTEE ON EDUCATION
TWENTY SECOND GUAM LEGISLATURE**

PUBLIC HEARING

DATE: Thursday, July 15, 1993

TIME: 9:00 a.m.

WITNESS ATTENDANCE SHEET

Bill No. 512

NAME
(PRINT)

SIGNATURE

TESTIMONY

AGENCY

WRITTEN ORAL

Servants Perez

F. R. AND KRISTIN

[Signature]

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— ✓

Liberty
Center

**COMMITTEE ON EDUCATION
TWENTY SECOND GUAM LAW**

PUBLIC HEARING

DATE: Thursday, July 15,]

TIME: 9:00 a.m.

WITNESS ATTENDANCE SHEET

Bill No. 472

**NAME
(PRINT)**

SIGNATURE

TESTIMONY

AGENCY

WRITTEN ORAL

F. R. San Agustin

[Signature]

✓

✓

Gov

Kenneth Jones

[Signature]

✓

✓

Gov

JUN 8 '93

**TWENTY SECOND GUAM LEGISLATURE
1993 (FIRST) REGULAR SESSION**

BILL NO. 512 (LS)

INTRODUCED BY:

M. Z. BORDALLO *MZB*

**"AN ACT RELATIVE TO AUTHORIZING THE
GUAM PUBLIC LIBRARY TO SOLICIT OR
PURCHASE BOOKS AND WRITING MATERIALS
AUTHORED BY LOCAL RESIDENTS CONTAINING
SIGNIFICANT INFORMATION OF VALUE TO
THE PEOPLE OF GUAM; AND AUTHORIZING
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THE IMPLEMENTATION OF THIS ACT."**

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

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4 Section 1. Legislative Intent.**

**5 For many years, local residents have written books and documents
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