

OFFICE OF THE GOVERNOR TERRITORY OF GUAM

DEC 3 1 1996

OFFICE OF THE SPEAKER 12-21-410 ₽ate: Sine: Licecived By: Frint Rame:

The Honorable Don Parkinson Speaker Twenty-Third Guam Legislature Guam Legislature Temporary Building 155 Hesler Street Agana, Guam 96910

Dear Mr. Speaker:

Enclosed please find a copy of Substitute Bill No. 705 (LS), "AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS", which I have signed into law today as **Public Law No. 23-133.**

The current law restricted the ownership of stock in Savings and Loan institutions to persons who are citizens of the United States. This legislation allows citizens of Palau and citizens of the Federated States of Micronesia to own stock in Savings and Loan institutions on Guam, as they are presently able to do so with stock in banks. Citizens of the Commonwealth of the Northern Mariana Islands are citizens of the United States and are already able to own stocks in local Savings and Loan institutions.

This legislation enhances participation by citizens in our region in ownership and development of financial institutions on Guam, thereby enhancing Guam as a financial center.

A copy has also been delivered to the Office of the Legislative Secretary.

Very truly yours,

Tabeline P. Dardello

Madeleine Z. Bordallo Acting Governor of Guam

Attachment 231605

| | 1 |
|--------------------------------------|------|
| OFFICE OF THE LEGISLATIVE SECRETARY | |
| OFFICE OF THE LEGISLATIVE SECTO | |
| OFFICE OF THE ACKNOWLEDGMENT RECEIPT | 4 |
| ACKNOWLLDUMEN | ţ |
| Received By | |
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| Date | |
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TWENTY-THIRD GUAM LEGISLATURE 1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 705 (LS), "AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS," was on the 12th day of December, 1996, duly and regularly passed.

DON PARKINSON Speaker

Attested:

JUDITH WON PAT-BORJA Senator and Legislative Secretary

This Act was received by the Governor this $\underline{/9^{th}}$ day of $\underline{\bigcirc eem lev}$, 1996, at $\underline{//30}$ o'clock $\underline{9}$.M.

Assistant Staff Officer Governor's Office

APPROVED:

ADELEINE Z BORDAL

Acting Governor of Guam

Date:

Public Law No. ______

TWENTY-THIRD GUAM LEGISLATURE 1996 (SECOND) Regular Session

Bill No. 705 (LS) As substituted by the Committee

Introduced by:

2

F. E. Santos

AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS.

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

Section 1. Section 41202, Government Code is hereby amended to read:

3 "§41202. Ownership of Guarantee Stock. Guarantee stock of
4 any Association may be legally and beneficially owned only by citizens of
5 the United States, citizens of Palau and citizens of the Federated States
6 of Micronesia.



OFFICE OF THE GOVERNOR TERRITORY OF GUAM

DEC 3 1 1996

DEC 3 1 1996

The Honorable Hope A. Cristobal Acting Legislative Secretary Twenty-Third Guam Legislature Guam Legislature Temporary Building 155 Hesler Street Agana, Guam 96910

Dear Madame Legislative Secretary:

Enclosed please find a copy of Governor's message and copy of Substitute Bill No. 705 (LS), "AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS", which I have signed into law today as Public Law No. 23-133.

Message and copy of the public law have also been delivered to the Office of the Speaker.

Very truly yours,

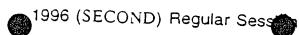
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Madeleine Z. Bordallo Acting Governor of Guam

Attachments

231613 for file purpose mey Some a Doc. NO. 231605

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|-----------|---------------------------|
| OFFICE OF | THE LEGISLATIVE SECRETARY |
| AUKNI | OWLEDGNENT RECEILT |
| Received | By Millin |
| Time | |
| Date | 12/31/96 |
| | |



Date: 12/12/96

VOTING SHEET

| Bill No. | 705 |
|------------|-----|
| Resolution | No |
| Question: | |

| | | 1 | 1 | |
|-----------------------------|-----------------------|------|--|---|
| NAME | YEAS | NAYS | <u>NOT</u> <u>VOTING/</u> <u>ABSTAINED</u> | <u>ABSENT/</u> OUT DURING ROLL CALL |
| ADA, Thomas C. | | | | |
| AGUON, John P. | | | | |
| BARRETT-ANDERSON, Elizabeth | l | | | |
| BLAZ, Anthony C. | | We | | |
| BROWN, Joanne S. | | | | |
| CAMACHO, Felix P. | $\mathbf{\mathbf{X}}$ | | | |
| CHARFAUROS, Mark C | | | | |
| CRISTOBAL, Hope A. | | | | |
| FORBES, MARK | | | | |
| LAMORENA, Alberto C., V | | | | |
| LEON GUERRERO, Carlotta | | - | | |
| LEON GUERRERO, Lou | | | | |
| NELSON, Ted S. | - | | | |
| ORSINI, Sonny L. | | | | la maren . |
| PANGELINAN, Vicente C | | | | |
| PARKINSON, Don | | | | |
| SAN AGUSTIN, Joe T. | | | | |
| SANTOS, Angel L. G. | | X | | |
| SANTOS, Francis E. | | | | |
| UNPINGCO, Antonio R. | | | | |
| WONPAT-BORJA, Judith | 1 c | | | |
| TOTAL | TS. | F. | | 2 |
| CERTIFIED TRUE AND CORRECT: | 17 | 2 | | |

Recording Secretary





TWENTY-THIRD GUAM LEGISLATURE

155 Hesler St. Agana, Guam 96910



Office of Senator Francis Santos

Committee on Ways & Means Phone: (671) 472-3414/5 Fax: (671) 477-3048

September 9, 1996

The Honorable W. Don Parkinson Speaker Twenty-Third Guam Legislature 155 Hesler St. Agana, Guam 96910

Dear Speaker Parkinson:

The Committee on Ways and Means, now reports its findings on Substitute Bill No. 705 - AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS, to the full legislature with the recommendation to do pass.

| To Pass | 9 |
|-----------------|---|
| Not To Pass | 0 |
| Abstain | 0 |
| Inactive File | 0 |
| Off Island | 0 |
| Unavailable | 0 |
| Report out only | |

Copies of the Committee Report and all pertinent documents are attached for your information.

Respectfully,

Francis E. Santos



TWENTY-THIRD GUAM LEGISLATURE 155 Hesler St. Agana, Guam 96910

Member, Committee on Economic-Agricultural Development & Insurance

Member. Committee on Electrical Power & **Consumer** Protection

Member, Committee on Federal & Foreign Affairs

Member. Committee on Rules

Member, Committee on Tourism & Transportation

> Member. Commission on Self-Determination

Member, **Guam Finance Commission**

Senator Franci E. Santos

Chairperson, Committee on Ways & Means Phone: (671) 472-3414/5 Fax: (671) 477-3048

NOT

VOTE SHEET

Bill No. 705 - AN ACT TO AMEND SECTION 41202, GOVERNEMNT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY CNMI, PALAU AND FSM CITIZENS.

| | | <u>TO PASS</u> | NOT <u>TO PASS</u> | <u>ABSTAIN</u> | TO REPORT OUT ONLY |
|---|---|----------------------|-----------------------|----------------|-----------------------|
| | Senator Francis E. SANTOS, | / | | | |
| (| Chairman HL J. A. HL Senator Joe T. SAN AGUSTIN, Vice-Chairman | | | | |
| | Speaker Don PARKINSON | | | · | |
| | Senator John P. AQUON | $\overline{\langle}$ | | | |
| | Senator Sonny L. ORSINI | <u> </u> | | | |
| | Senator Judith WON PAT-BOR | JA (| | | · |
| | Senator Elizabeth BARRETT-Al | NDERSON | | | |
| | Senator Anthony C. BLAZ | | | | |
| | Senator Belix Perez CAMACHO | | | | |
| | Senator Antonio R. UNPINGCO | | | | |
| | | | | | |





TWENTY-THIRD GUAM LEGISLATURE Committee on Ways and Means SENATOR FRANCIS E. SANTOS, Chairman Committee Report

on

Bill No. 705 - AN ACT TO AMEND SECTION 41202, GOVERNEMNT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY CNMI, PALAU AND FSM CITIZENS.

PREFACE

The Committee on Ways and Means convened the Public Hearing at 8:30 a.m., Wednesday, August 7, 1996 in the Legislative Session Hall to receive public testimony on Bill No. 705.

Chairman Francis E. Santos convened the hearing at 8:30 a.m.

OVERVIEW

Bill 705 proposes to amend current statute to permit citizens of the Commonwealth of the Northern Marianas Island, Palau and those in the Federated States of Micronesia to own Savings and Loan guarantee stock.

LEGISLATIVE FINDINGS

The Legislature finds that the present statutes permit citizens of the Commonwealth of the Northern Marianas Island, Palau and those in the Federated States of Micronesia to own stocks for banks. However the same authorization is not included in the Savings and Loan section of the Guam Code.

Justice Joaquin C. Arriola submitted testimony in support of Bill 705. He notes that CNMI residents are citizens of the United States, which then authorizes the residents of Saipan to own stocks.

COMMITTEE RECOMMENDATION

The Committee on Ways and Means to which Bill 705 was referred wishes to report the aforementioned to the Legislature with the recommendation to *do pass*.





TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Substitute Bill No. <u>705</u> As substituted by the Committee on Ways and Means

Introduced by:

F. E. Santos

AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS.

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

2 Section 1. Section 41202, Government Code is hereby amended to

3 **read:**

4 §41202. Ownership of Guarantee Stock. Guarantee stock of any
5 Association may be legally and beneficially owned only by <u>citizens of the</u>
6 United States, <u>citizens of Palau and citizens of the Federated States of</u>
7 <u>Micronesia.</u>



COMMITTEE ON RULES

Twenty-Third Guam Legislature 155 Hesler St., Agana, Guam 96910

July 26, 1996

MEMORANDUM

| то: | Chairman, | Committee | on | Ways | and | Means |
|-------|--------------|-------------|----|------|-----|-------|
| FROM: | Chairman, Co | ommittee on | Ru | les | | |

SUBJECT: Referral - Bill No. 705

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting.

SOMNY LUJAN ORSINI

Attachment:

TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Bill No. 705

Introduced by:

F. E. Santos JULWA

AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY CNMI, PALAU AND FSM CITIZENS.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: 1 2 Section 41202, Government Code is hereby amended to Section 1. 3 read: Ownership of Guarantee Stock. Guarantee stock of any 4 §41202. Association may be legally and beneficially owned only by citizens of the 5 United States, citizens of the Commonwealth of the Northern Marianas 6 Islands, citizens of Palau and citizens of the Federated States of Micronesia. 7





BEFORE THE COMMITTEE ON WAYS & MEANS GUAM LEGISLATURE

TESTIMONY OF JOAQUIN C. ARRIOLA ON BILL 705

My name is Joaquin C. Arriola, counsel for Guam Savings & Loan Association.

Section 30502 of the Guam Banking Code provides, part:

"... Stock of a territorial bank may be legally and beneficially owned only by citizens of the United States, citizens of the Norther Marianas or citizens of the Trust Territory of the Pacific."

The purpose of Bill 705, therefore, is to permit a savings & loan institution organized under

the laws of Guam to sell or transfer shares to the same extent a local bank is permitted

under the laws of Guam.

Since the enactment of the banking code section, the citizens of the CNMI have

become U.S. citizens. The Trust Territory ceased to exist--now we have Republic of Palau,

and Federated States of Micronesia, etc.. Thus the slightly revised version that I sent to

Mr. Al Duenas earlier this week for the consideration of the Committee, a copy of which I enclose.

We ask that the Committee on Ways & Means report the Bill to the Legislature favorably. Thank you.

JOAQUIN C. ARRIOLA

AUG 7 1996





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JOAQUIN C. ARRIOLA





TWENTY-THIRD GUAM LEGISLATURE 1996 (SECOND) Regular Session

Bill No. _____ Introduced by:

> AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY PALAU AND FSM CITIZENS.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
 Section 1. Section 41202, Government Code is hereby
 amended to read:
 \$41202 Ownership of Guardian Ended

§<u>41202.</u> Ownership of Guarantee Stock. Guarantee stock of
any Association may be legally and beneficially owned only by
<u>citizens of the United States, citizens-, of Palau, and citizens of</u>
<u>the Federated States of Micronesia.</u>

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§ 41252. Less than six m by P.L. 2-69, effective Febr effective July 27, 1955; Repea 1973.]

§ 41253. Redemption of c hereafter issued shall be subject at the option of the association by giving the holder at least t redemption; provided, however such certificates shall not be su after the issuance thereof, wh (1) year. The redemption price the value thereof at the date fi redemption is not a date on w interest accrued from the last s be based on the rate of return f have been determined prior to t if not, shall be based on the ra previous period for which such r after the date fixed for redempt tion, each holder of an investn shall surrender his certificate 1 and shall thereupon be entitled price of such certificate, or of the in case a certificate shall be red tificate representing the unrede intended redemption shall have b date fixed for such redemption f shall be and continue available any certificate called for redempti been surrendered, the interest t called for redemption, shall cease redemption, and all rights of the called for redemption shall fort cease and determine, except only redemption price without interest In all cases the notice of redemptic will cease on the date fixed for effective February 19, 1954; amen ber 28, 1973.]

(2) Any person, including a person sentenced to life imprisonment, shall be eligible for parole after being confined for ten (10) years; (3) A person whose parole is revoked shall be eligible for parole only after being confined for one (1) year subsequent to his return to (4) No person shall be eligible for parole who has been confined

(e) The periods of confinement required by Subsections (a), (b), (c), and

(d) for parole eligibility shall be reduced by any allowance for good

(f) This section shall not be construed to encroach upon any conflict-

ing provisions of the Juvenile Court Act, Title V of the Code of Civil

Procedure, or the Youth Correction Act, Title XVI of the Penal Code.

[Added by P.L. 3-22, effective July 15, 1955; amended by P.L. 9-30,

effective March 8, 1967; repealed and reenacted by P.L. 12-221, effective

TITLE XXXVII

Savings and Loan Association Act

CHAPTER IV

Guarantee Stock

§ 41202. Ownership of guarantee stock. Guarantee stock of any

association may be legally and beneficially owned only by United

States citizens. [Added by P.L. 11-200, effective December 12, 1972.]

be eligible for parole only after being confined for five (5) years;

pursuant to § 1231(a) of the Penal Code.

conduct under § 39115.

February 1, 1975.]

required to be served according to his sentence. (d) Notwithstanding the provisions of Subsections (a), (b) and (c): (1) A person sentenced pursuant to 642(a) of the Penal Code shall

confined after conviction of one or more felonies at the same trial, or one or more felonies arising out of the same general circumstances, who has had another conviction adjudged after July 21, 1951 which would constitute a felony under the current laws of Guam, shall be eligible for parole after being confined for two-thirds (34) the minimum period of time

other conviction adjudged after July 21, 1951 which would constitute a felony under the current laws of Guam, shall be eligible for parole after being confined for one-half (½) the minimum period of time required to be (c) Persons confined for felonies (subsequent offense). A person

§ 41202

GOVERNMENT CODE

PUBLIC LAW 13-176

Introduced by:

F.F. Blas

J.F. Ada

C.T.C. Gutierrez

Bill No. 899S Enacted: August 2, 1976 Governor's Action: Approved Riders: Yes

> AN ACT TO AMEND SECTION 2254 AND SECTION 2920(e) OF THE GOVERNMENT CODE TO PROVIDE THAT THE NAMES OF CANDI-DATES SHALL APPEAR ON BALLOTS FOR PRIMARY AND GENERAL ELECTIONS IN AN ORDER TO BE DETERMINED BY LOT.

Section 1 Amends \$2254, GC relative to order of names on ballot. Section 2 Amends \$2920(e), GC relative to form and content of ballot. Section 3 Amends \$30502, GC owners of bank stock to include citizens of NMI and TT.

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

Section 1. Section 2254 of the Government Code is amended to read:

"\$2254. Order of Names on Ballot. The Commission shall prepare the ballot in such a manner that a nominee's name shall appear under the name of the political party, if any, sponsoring such nominee.

In all elections, the names of all nominees or candidates for a specific office shall be listed in a random manner. Each contestant for any office under a party or independent designation shall be listed according to lot drawn by the Election Commission. All drawings for ballot position shall be done publicly and persons appearing on the ballot shall be specifically invited to attend. The drawings for ballot placement shall be accomplished as soon as is reasonably possible after the identity of the persons to appear on the ballot is known to the Election Commission.

The names of the nominees shall appear in columns vertically in such order as is determined by lot.

Columns for recognized political parties shall be listed on the basis of the number of nominees elected to the Legislature at the last preceding regular general election in descending order from left to right; last shall appear the names of those nominees not sponsored by any political party, which shall appear under the designation 'Independent'. The names of all nominees holding the office for which they are seeking election shall have the word 'Incumbent' printed immediately after them."

Section 2. Section 2920 (e) of the Government Code is amended to read:

"(e) The remaining portion of the ballot shall be divided into columns, which shall be separated by heavy ruled lines, which shall be sufficient in number to provide space for each political party which has qualified for ballot placement. The political parties shall be listed alphabetically from left to right. The last column on the right shall be reserved for column occupied by a partisan political party shall be headed by the name of such party and names of the candidates seeking nomination thereto. The order of the offices on the ballot general elections.

The title of the office shall be immediately above the names of the candidate or canddates for the nomination of such office, and under such title the words 'Vote For Not More' Than,' followed by the word 'One' or 'Two' or such other word as will designate the number of candidates that may be voted for to complete the list of nominees.

The names of candidates within a given column shall be printed in such order as is determined by lot in accordance with \$2254 of this Code under the office for which they are contesting, except that in the case of the Governor and Lieutenant Governor, each candidate for Governor shall be coupled with his candidate for Lieutenant Governor, as established by the candidate for Governor at the time of the filing of his nomination papers, and there shall be only one voting square next to each team of Governor and Lieutenant Governor. The names of the different with a square to the to different office s division distinctly."

Section 3. Section

"\$30502. Incor individual incorporat Guam. Each incorporat value not less than surplus requirements by citizens of the U Territory of the Paci

Bill No. 866S Enacted: August 10, 1976 Governor's Action: Appro Riders: None

> AN ACT TC SHORT-TEF

Section 1 Loan o Section 2 Repayn

BE IT ENACTED BY (

Section 1. The sum ban) from the General Fu anding June 30, 1978.

Section 2. The amou Malized by the Commissic Murned shall be in add Commission and which woul

Bl No. 484S Inacted: August 10, 1976 Governor's Action: Did No Mders: None

> AN ACT TO EDUCATION, YEAR 1977.

NOTE: The section nu

P.L. 13-176

names of the different candidates shall be separated from each other by a light ruled line with a square to the left of each name. The spaces devoted to the candidates for nomination пierrez to different office shall be separated by a heavy ruled line so as to separate each office division distinctly." Section 30502 of the Government Code of Guam is hereby amended to read: Section 3. A territorial bank may be organized by five (5) or more "§30502. Incorporators. L individual incorporators. All incorporators shall be United States citizens and residents of Guam. Each incorporator shall subscribe and pay in full in cash for stock having a par value not less than one-half of one percent (1/2% of 1%) of the minimum capital and paid-in surplus requirements. Stock of a territorial bank may be legally and beneficially owned only by citizens of the United States, citizens of the Northern Marianas or citizens of the Trust Territory of the Pacific." ne ballot in such . PUBLIC LAW 13-177 wal party, if any, R.F. Taitano MI No. 866S Introduced by: A.L. Cristobal macted: August 10, 1976 J.R. Duenas ific office shall be Covernor's Action: Approved F.R. Santos G.R. Salas -ty or independent C.C. Barrett ders: None sion. All drawings ilot shall be spech AN ACT TO DIRECT THE GOVERNOR OF GUAM TO MAKE A uplished as soon a SHORT-TERM LOAN TO THE GUAM GAMING COMMISSION. ballot is known to Section 1 Loan of \$45,000 to Guam Gaming Commission. Section 2 Repayment by June 30, 1978. order as is deter-BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: 3 of the number of Section 1. The sum of Forty-Five Thousand Dollars (\$45,000) is hereby transferred (as a -al election in derban) from the General Fund to the Guam Gaming Commission for its operations for the fiscal year nominees not sponading June 30, 1978. independent'. The mion shall have the Section 2. The amount transferred in Section 1 of this Act shall be repaid from receipts realized by the Commission to the General Fund no later than June 30, 1978. The amount teturned shall be in addition to those revenues collected from activities supervised by the Commission and which would otherwise be deposited in the General Fund. mns, which shall be > provide space for cal parties shall be nall be reserved for rt placement. Each e of such party and g contested and the offices on the balb! PUBLIC LAW 13-178 ⇒ the ballot used in MI No. 4845 Introduced by: A.C. Sanchez : candidate or candimacted: August 10, 1976 Governor's Action: Did Not Sign 'Vote For Not More liders: None ≝signate the number AN ACT TO CHANGE THE GOVERNMENT FUNDING OF THE GUAM in such order as is EDUCATIONAL TELECOMMUNICATION COMMISSION FOR FISCAL = for which they are YEAR 1977. mor, each candidate r, as established by The section number referred to in this Act is actually \$63003 GC. NOTE: pers, and there shall mant Governor. The 403





AUG 1 9 1996 TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Bill No. 205 (15)

Introduced by:

JU/Sut F. E. Santos

AN ACT TO AMEND SECTION 41202, GOVERNMENT CODE OF GUAM TO PERMIT OWNERSHIP OF SAVINGS AND LOAN STOCKS BY CNMI, PALAU AND FSM CITIZENS.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: Section 1. 2 Section 41202, Government Code is hereby amended to 3 read: Ownership of Guarantee Stock. Guarantee stock of any 4 §41202. Association may be legally and beneficially owned only by citizens of the 5 United States, citizens of the Commonwealth of the Northern Marianas 6 Islands, citizens of Palau and citizens of the Federated States of Micronesia. 7