



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 07 1997

Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>3:20pm</u>
Date	<u>10-7-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 320 (COR), "AN ACT TO ADD A NEW §420 TO TITLE 1 OF THE GUAM CODE ANNOTATED, RELATIVE TO DISCONTINUING THE USE OF THE TERM 'TERRITORY OF GUAM' IN OFFICIAL GOVERNMENT ACTS, TITLES AND DOCUMENTS, AND TO DISCONTINUE THE USE OF THE TERM 'TERRITORIAL' IN GOVERNMENT TITLES.", which I have signed into law today as **Public Law No. 24-89**.

This legislation deletes the term "territory" from the names of government agencies, and from formal use by the government of Guam in referring to our island and our government.

The Organic Act of Guam specifies that the legal name of our island is "Guam". Specifically, §2 of the Organic Act states:

"The territory ceded to the United States in accordance with the provisions of the Treaty of Peace between the United States and Spain, signed at Paris, December 10, 1898, and proclaimed April 11, 1899, and known as the island of Guam in the Marianas Islands, shall continue to be known as **Guam**."

Our island, under law, is designated as "Guam", not "Territory of Guam". Although Guam's current experience is as a territory under the laws of the United States, the most recent status election by the people of Guam, now 10 years ago, determined that the status chosen as the immediate future

Office of the Speaker
ANTONIO R. UNPINGCO
 Date: 10-7-97
 Time: 1:50pm
 Rec'd by: [Signature]
 Print Name: [Signature]

Doc. No. 00471

desire of the people of Guam is commonwealth. We are trying to obtain closure on this goal.

Deleting the term "territory" from the names of government agencies and from official references, other than when referring to the current status itself, refocuses our efforts and attention towards progress in improving our status, rather than emphasizing our limitations.

Very truly yours,



Carl T. C. Gutierrez
Governor of Guam

Attachment

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

00471

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

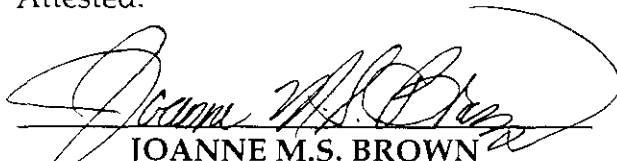
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 320 (COR), "AN ACT TO ADD A NEW §420 TO TITLE 1 OF THE GUAM CODE ANNOTATED, RELATIVE TO DISCONTINUING THE USE OF THE TERM "TERRITORY OF GUAM" IN OFFICIAL GOVERNMENT ACTS, TITLES AND DOCUMENTS, AND TO DISCONTINUE THE USE OF THE TERM "TERRITORIAL" IN GOVERNMENT TITLES," was on the 15th day of September, 1997, duly and regularly passed.




ANTHONY C. BLAZ
Acting Speaker

Attested:




JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 26th day of September, 1997, at
4:00 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 10-7-97

Public Law No. 24-89

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 320 (COR)

As amended on the Floor.

Introduced by:

Mark Forbes
A. C. Lamorena, V
L. F. Kasperbauer
T. C. Ada
F. B. Aguon, Jr.
E. Barrett-Anderson
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO ADD A NEW §420 TO TITLE 1 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
DISCONTINUING THE USE OF THE TERM
"TERRITORY OF GUAM" IN OFFICIAL
GOVERNMENT ACTS, TITLES AND
DOCUMENTS, AND TO DISCONTINUE THE USE
OF THE TERM "TERRITORIAL" IN
GOVERNMENT TITLES.**

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

2 **Section 1.** A new §420 is hereby added to Title 1 of the Guam Code

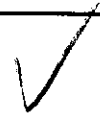
3 Annotated to read as follows:

4 **“Section 420. Affirmation of Self-Respect and Prohibition of**
5 **Use of the Term “Territory” in All Official Uses Within the**
6 **Government of Guam.** In the interests of promoting self-respect and in
7 recognition of the necessarily perjorative, diminishing and colonial
8 aspects of the term ‘territory’ within the context of American law, the
9 term ‘territory of Guam’ or its derivatives, such as ‘territorial,’ shall not
10 be used in direct titular association with the Island, people, or
11 government of Guam or for the purposes of direct self-description, in
12 any government document or otherwise as part of any government title.
13 This Section is intended to prohibit, among other things, official
14 government use of the term ‘territory of Guam’ in any statute,
15 resolution, official government act or document. In replacement, the
16 designation ‘Guam’ shall be used. Further, the term ‘territorial,’ as is
17 used in the titles of various government agencies, councils, boards and
18 instrumentalities is prohibited, to be replaced with the term ‘Guam.’
19 This Section is not intended to ban the use of the terms ‘territory’ or
20 ‘unincorporated territory’ in documents or publications describing
21 Guam or the political status of Guam, but rather to discontinue the self-
22 perpetuation of this unworthy status in official titles associated with
23 Guam. In such cases where existing statutes contain the term ‘territory
24 of Guam,’ on the effective date of this Act, all such statutory references,
25 notwithstanding any other provision of law, are amended to replace the

1 term 'territory of Guam' with the term 'Guam,' which shall be
2 understood to have the same meaning and effect with respect to
3 construction and effect of the statutes so amended. On the effective date
4 of this Act, all government instrumentalities, agencies, councils or
5 boards containing the term 'territorial' in their titles shall be amending
6 notwithstanding any other provision of law in such manner as to
7 remove the term 'territorial' from the title and replace such term with
8 the term 'Guam.'

24-8,

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman



SEP 15 1997

Speaker Antonio R. Unpingco
Twenty-fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 320 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 320** "An act to add a new Section 420 to 1 GCA to discontinue the use of the term "Territory of Guam" in official government acts, titles and documents, and to discontinue the use of the term "Territorial" in government titles."

The voting record is as follows:

TO PASS	<u>8</u>
NOT TO PASS	<u>/</u>
ABSTAIN	<u>/</u>
TO PLACE IN INACTIVE FILE	<u>/</u>

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman



MEMORANDUM

TO: Committee Members

FR: Chairman *[Signature]*

SUBJECT: Committee Report- Bill No. 320 "An act to add a new Section 420 to 1 GCA to discontinue the use of the term "Territory of Guam" in official government acts, titles and documents, and to discontinue the use of the term "Territorial" in government titles."

Transmitted herewith for your information and action is the report on Bill No. 320 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 320
4. Public Hearing Sign-in Sheet
5. Fiscal Note/Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.


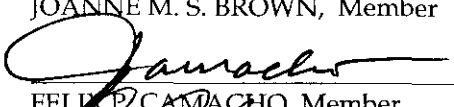
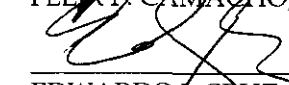
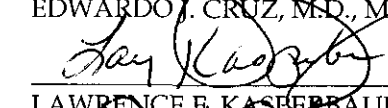
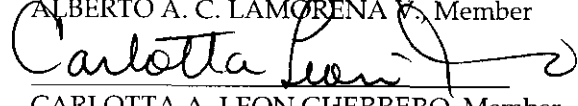
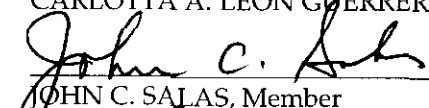
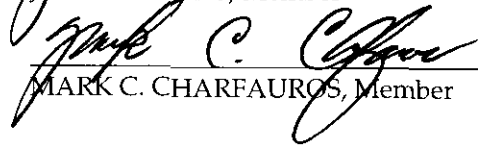
MARK FORBES

Attachments

Committee on Rules, Government Reform and Federal Affairs
Twenty Fourth Guam Legislature

Voting Record

Bill No. 320 "An act to add a new Section 420 to 1 GCA to discontinue the use of the term "Territory of Guam" in official government acts, titles and documents, and to discontinue the use of the term "Territorial" in government titles."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	✓			
ANTHONY C. BLAZ, Vice-Chairman				
ELIZABETH BARRETT-ANDERSON, Member				
JOANNE M. S. BROWN, Member				
 FELIPE CAMACHO, Member	✓			
 EDUARDO J. CRUZ, M.D., Member	✓			
 LAWRENCE E. KASPERBAUER, Member	X			
ALBERTO A. C. LAMORENA V., Member				
 CARLOTTA A. LEON GUERRERO, Member	✓			
 JOHN C. SALAS, Member	✓			
 MARK C. CHARFAUROS, Member	X			
FRANCIS E. SANTOS, Member				
ANTONIO R. UNPINGCO, Member				

TWENTY-FOURTH GUAM LEGISLATURE

**COMMITTEE ON RULES,
GOVERNMENT REFORM & FEDERAL AFFAIRS
SENATOR MARK FORBES, CHAIRMAN**

Committee Report

On

Bill No. 320

**“An act to add a new Section 420 to 1 GCA to discontinue the use of the term
“Territory of Guam” in official government acts, titles and documents, and to
discontinue the use of the term “Territorial” in government titles.”**

I. OVERVIEW

On September 8, 1997 the Committee on Rules, Government Reform and Federal Affairs conducted a public hearing on Bill No. 320 "An act to add a new Section 420 to 1 GCA to discontinue the use of the term "Territory of Guam" in official government acts, titles and documents, and to discontinue the use of the term "Territorial" in government titles." The hearing took place at 5:00 P.M. in the Public Hearing Room of the Guam Legislative Building. Public Notice was given through announcements in the September 7 and 8, 1997 issues of the Pacific Daily News.

Senators in attendance were:

- Senator Mark Forbes, Chairman
- Senator Felix Camacho, Member
- Senator Edwardo Cruz, Member
- Senator Lawrence Kasperbauer, Member
- Senator John Salas, Member
- Speaker Antonio Unpingco, Member
- Senator Frank Aguon
- Senator Ben Pangelinan

II. SUMMARY OF TESTIMONY

No individuals appeared before the Committee to testify on the bill. The floor was then open to comments from senators.

Senator Mark Forbes, the author of Bill No. 320, summarized the intent of the bill. Senator Forbes explained that since the inception of Guam's quest for self-determination and change in political status much time and effort has been spent to persuade the United States government that Guam is ready for a maturation in its political status. Senator Forbes said that the message we have often sent to the United States government is that the status quo is fundamentally abhorrent and an insult to the dignity of the people of our island. The irony of this is that the message to change this status has been written on official letterhead that reads "Territory of Guam." Senator Forbes stated that as small as this step to eliminate the words "territory" or "territorial" from government documents may be; we must first change the lexicon in order to begin to elevate our mindset. If we want to change our status we must cease to use terminology that was handed to us. Guam does not have to use the name given in the Organic Act and we as a people do not have to continue to use this type of terminology that reinforces our present political status. Senator Forbes concluded by saying, "The first step toward freedom is to think free."

Senator Frank Aguon stated that he was highly in favor of the bill. He agreed that though this may seem a small action, the impact would be tremendous.

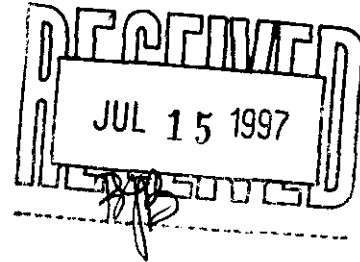
Senator Edwardo Cruz and Senator John Salas also stated their support of the bill.

III. FINDINGS AND RECOMMENDATIONS

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 320 was referred, does hereby submit its findings and recommendations to the Twenty-fourth Guam Legislature **TO DO PASS BILL NO. 320** "An act to add a new Section 420 to 1 GCA to discontinue the use of the term "Territory of Guam" in official government acts, titles and documents, and to discontinue the use of the term "Territorial" in government titles."

**24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs**

Senator Mark Forbes, Chairman



JUL 14 1997

MEMORANDUM

TO: Chairman
Committee on Rules, Government Reform and Federal Affairs

FROM: Chairman ~~Mark Forbes~~
Committee on Rules, Government Reform and Federal Affairs

SUBJECT: Referral- Bill No. 320

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 320 (COR)

Date Received - 09/05/97

Amendatory Bill: YES NO X

Date Reviewed - 09/10/97

Department/Agency Affected: All Departments/Agencies

Department/Agency Head: All Department/Agency Heads

Total FY appropriation to Date: N/A

Bill Title (preamble): AN ACT TO ADD A NEW SECTION 420 TO 1GCA TO DISCONTINUE THE USE OF THE TERM "TERRITORY OF GUAM" IN OFFICIAL GOVERNMENT ACTS, TITLES AND DOCUMENTS, AND TO DISCONTINUE THE USE OF THE TERM "TERRITORIAL" IN GOVERNMENT.

Change in Law: Adds new §420 to 1GCA

Bill's Impact on Present Program Funding:

Increase Decrease Reallocation No Change X
Bill is for: Operations Capital Improvement Other X

FINANCIAL/PROGRAM IMPACT
ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

Table with 4 columns: PROGRAM CATEGORY, GENERAL FUND, OTHER, TOTAL. Row 1: N/A, blank, blank, \$ 1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

Table with 7 columns: FUND, 1st, 2nd, 3rd, 4th, 5th, TOTAL. Rows: GEN. FUND, OTHER, TOTAL (1/)

Funds Adequate To Cover Intent Of Bill? YES/NO - If No, Add'l Amount Required: No funds appropriated. Agency/Person/Date Contacted: Not applicable.

ESTIMATED POTENTIAL MULTI-YEAR REVENUES

Table with 7 columns: FUND, 1st, 2nd, 3rd, 4th, 5th, TOTAL. Rows: GEN. FUND, OTHER, TOTAL

ANALYST: William P. Taitinglong (with signature)

DATE: 9/15/97

DIRECTOR: Joseph E. Rivera, Acting (with signature)

DATE: SEP 15 1997

FOOTNOTE: 1/ See Attached.

COMMENTS TO BILL 320 (COR)

As proposed in the Bill, the Bureau anticipates a financial impact to the Government of Guam with respect to printing and other costs to amend all statutory and related references like that on the Great Seal of Guam. This impact however, cannot be determined at this time. Additionally, any minimal costs such as the printing of new letterheads could be absorbed within the respective departments and agencies operating budgets.