



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

SEP 17 2002

The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina'Bente Sais na Liheslaturan Guåhan  
Twenty-Sixth Guam Legislature  
Suite 200  
130 Aspal Street  
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 376 (COR) "AN ACT TO *REPEAL AND REENACT* § 79104 OF TITLE 12, AND TO *AMEND* § 6113 OF TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE LOAN NEGOTIATED BETWEEN *I MAGA'LAHEN GUÅHAN*, THROUGH GEDCA, AND THE BANK OF GUAM, AND FOR OTHER PURPOSES," which was enacted into law without the signature of the Governor. This legislation is now designated as **Public Law No. 26-130**.

Very truly yours,

Carl T. C. Gutierrez  
I Maga'Lahen Guåhan  
Governor of Guam

Attachments: original bill for vetoed legislation or  
copy of bill for signed or overridden legislation  
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco  
Speaker

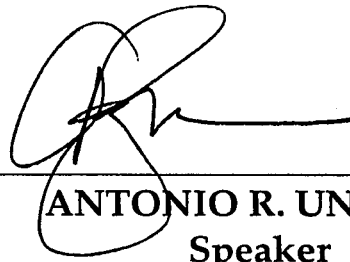
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	2:58 PM
Date	9/17/02

07/05

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2002 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 376 (COR), "AN ACT TO REPEAL AND REENACT § 79104 OF TITLE 12, AND TO AMEND § 6113 OF TITLE 17, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE LOAN NEGOTIATED BETWEEN I MAGA'LAHEN GUÅHAN, THROUGH GEDCA, AND THE BANK OF GUAM, AND FOR OTHER PURPOSES," was on the 4<sup>th</sup> day of September, 2002, duly and regularly passed.



ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guåhan* this 4<sup>th</sup> day of Sept, 2002,  
at 18:15 o'clock A.M.



Assistant Staff Officer  
*Maga'laha'i's Office*

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahaen Guåhan*

Date: September 17, 2002

Public Law No. 26-130

Became law without the signature  
of *I Maga'Lahaen Guahan*, the  
Governor of Guam.

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN  
2002 (SECOND) Regular Session

**Bill No. 376 (COR)**

As substituted and amended  
on the Floor.

Introduced by:

Mark Forbes

J. F. Ada

T. C. Ada

F. B. Aguon, Jr.

J. M.S. Brown

E. B. Calvo

F. P. Camacho

M. C. Charfauros

L. F. Kasperbauer

L. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

A. L.G. Santos

A. R. Unpingco

J. T. Won Pat

AN ACT TO REPEAL AND REENACT § 79104 OF  
TITLE 12, AND TO AMEND § 6113 OF TITLE 17, ALL  
OF THE GUAM CODE ANNOTATED, RELATIVE TO  
APPROVING THE TERMS AND CONDITIONS OF  
THE LOAN NEGOTIATED BETWEEN I  
*MAGA'LAHEN GUÅHAN*, THROUGH GEDCA, AND  
THE BANK OF GUAM, AND FOR OTHER  
PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Loan Approval. The terms and conditions of the loan

3 negotiated between *I Maga'lahren Guåhan* through the agency of the Guam

1 Economic Development and Commerce Authority ("GEDCA") and the Bank  
2 of Guam ("BOG") in the amount of Ten Million Dollars (\$10,000,000), as  
3 authorized by Public Law Numbers 26-84 and 26-122, are hereby approved.

4 **Section 2.** Section 79104 of Chapter 79, Division 2 of Title 12 of the  
5 Guam Code Annotated is hereby *repealed and reenacted* to read as follows:

6 **"Section 79104. Reporting Requirements.** Commissioners and  
7 candidates for the Office of Commissioner shall be subject to the same  
8 reporting requirements pertaining to their campaign contributions and  
9 expenditures as apply to candidates and members of *I Liheslaturan*  
10 *Guåhan*. Commissioners and candidates for the Office of Commissioner  
11 shall be required to file a personal disclosure statement that shall  
12 contain the following items:

13 (a) the source of all wages and commissions paid to the  
14 Commissioner, or candidate for the Office of Commissioner;

15 (b) a list of all corporations or partnerships in which the  
16 Commissioner, or candidate for the Office of Commissioner, has a  
17 material interest of five percent (5%) or greater; *and*

18 (c) a list of all corporations, partnerships or sole  
19 proprietorships in which the Commissioner, or candidate for the  
20 Office of Commissioner, has a material interest of fifty percent  
21 (50%) or more.

22 A candidate for the Office of Commissioner shall be required to  
23 file the personal disclosure statement required by this Section with the  
24 Guam Election Commission upon filing that person's candidacy with

1 the Guam Election Commission. A Commissioner is required to file the  
2 personal disclosure statement required by this Section on an annual  
3 basis on the same dates personal financial disclosures are required from  
4 members of *I Liheslaturan Guåhan*."

5 **Section 3. Extension of Filing Deadline for 2002 Election for**  
6 **Consolidated Commission on Utilities.** Notwithstanding any other  
7 provisions of law, including 3 G.C.A. § 6112, as repealed and reenacted by  
8 Public Law Number 26-119, the filing deadline for candidates for the  
9 Consolidated Commission on Utilities shall be by 5:00 p.m. on September 20,  
10 2002 for the 2002 election year.

11 **Section 4.** Notwithstanding any other provision of law, *I Liheslaturan*  
12 *Guåhan* approves and grants a one (1) foot variance from yard setback  
13 requirements of the Zoning Law of Guam for Lot 16, Block 11, Tract 232,  
14 Municipality of Sinajana Urban Renewal Project.

15 **Section 5.** Notwithstanding any other provision of law, all lots with  
16 homes built in accordance with applicable laws, rules and policies in effect at  
17 the time of construction are hereby granted a variance of the zoning law  
18 setback requirements to prevent a designation of the lot as non-conforming as  
19 a result of the conversion of "dotted line" easements into "severed lot"  
20 easements upon resubdivision of the lot subsequent to the approved  
21 construction of the home on the lot. The Department of Land Management  
22 shall report to *I liheslaturan Guåhan* a list of all lots granted a variance  
23 pursuant to this Section.

1           **Section 6.** Section 6113 of Article 1, Chapter 6, Division 1 of Title 17 of  
2 the Guam Code Annotated, as amended by Public Law Number 26-96 and  
3 amended and renumbered further by Public Law Number 26-104, is hereby  
4 *amended* to read as follows:

5           **“Section 6113. Guaranteed Admission of Children.** No  
6 student who is regularly and legally enrolled in a school within the  
7 public school system shall be refused to be placed in a classroom for  
8 which the student is eligible, as determined by the school administrator  
9 following guidelines established by the Board’s policies.

10           No child wishing to attend school, who has reached that child’s  
11 sixteenth (16<sup>th</sup>) birthday, and has *not* reached that child’s nineteenth  
12 (19<sup>th</sup>) birthday, may be denied admission to a public school on the basis  
13 of age.”



# MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

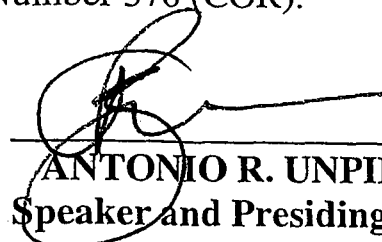
TWENTY-SIXTH GUAM LEGISLATURE

155 Hessler Place, Hagåtña, Guam 96910

## 2002 (SECOND) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated § 2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public welfare of the People and therefore waive the statutory requirements for a public hearing on Bill Number 376 (COR), "AN ACT TO APPROVE THE TERMS AND CONDITIONS OF THE LOAN NEGOTIATED BETWEEN THE GOVERNOR OF GUAM THROUGH THE AGENCY OF THE GUAM ECONOMIC DEVELOPMENT AND COMMERCE AUTHORITY AND THE BANK OF GUAM IN THE AMOUNT OF TEN MILLION DOLLARS (\$10,000,000) AS AUTHORIZED BY PUBLIC LAWS 26-84 AND 26-122, AND FOR OTHER PURPOSES," which was introduced on this date, September 3, 2002, and therefore waive the statutory requirements for a public hearing on Bill Number 376 (COR).

Dated: September 3, 2002

  
ANTONIO R. UNPINGCO  
Speaker and Presiding Officer

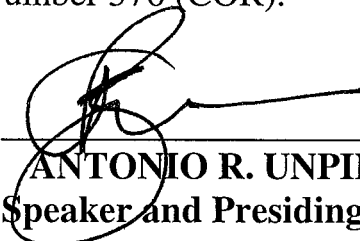


**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN**  
TWENTY-SIXTH GUAM LEGISLATURE  
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6

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 9/4/02

## VOTING SHEET

S Bill No. 376 (COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

26-1720

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	.		✓		
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14      \_\_\_\_\_      1      \_\_\_\_\_      \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

4  
9/4/02

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As substituted and amended  
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