



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JAN 05 2003

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

1-5-03  
5:28 pm  
Crosito & Brown

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 420 (COR), "AN ACT TO ADD § 6114 TO TITLE 3 OF THE GUAM CODE ANNOTATED, RELATIVE TO BARRING CONVICTED FELONS FROM RUNNING FOR PUBLIC OFFICE", which was **signed** into law as **Public Law No. 26-171**.

Very truly yours,

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

Attachment: copy attached for signed bill or overridden bill  
original attached for vetoed bill

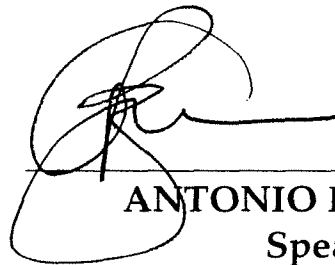
cc: The Honorable Antonio R. Unpingco  
Speaker

016

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

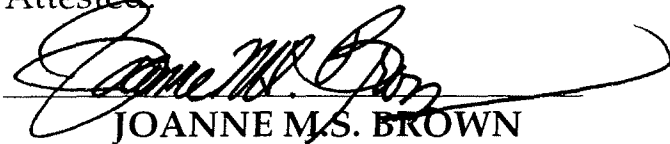
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 420 (COR), "AN ACT TO ADD § 6114 TO TITLE 3 OF THE GUAM CODE ANNOTATED, RELATIVE TO BARRING CONVICTED FELONS FROM RUNNING FOR PUBLIC OFFICE" was on the 30<sup>th</sup> day of December, 2002, duly and regularly passed.



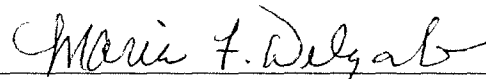
ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guahan* this 31<sup>st</sup> day of December, 2002,  
at 2:30 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

Date: 1-5-03

Public Law No. 26-171

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

**Bill No. 420 (COR)**

As substituted by the  
Committee on Education and amended.

Introduced by:

L. F. Kasperbauer  
J. F. Ada  
T. C. Ada  
F. B. Aguon, Jr.  
J. M.S. Brown  
E. B. Calvo  
F. P. Camacho  
M. C. Charfauros  
Mark Forbes  
L. A. Leon Guerrero  
K. S. Moylan  
V. C. Pangelinan  
A. L. G. Santos  
A. R. Unpingco  
J. T. Won Pat

**AN ACT TO ADD § 6114 TO TITLE 3 OF THE  
GUAM CODE ANNOTATED, RELATIVE TO  
BARRING CONVICTED FELONS FROM  
RUNNING FOR PUBLIC OFFICE.**

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

2        **Section 1.** Section 6114 is hereby *added* to Chapter 6 of Title 3 of the  
3        Guam Code Annotated to read as follows:

4                **"Section 6114. Convicted Felons and Others Shall Not be**  
5        **Candidates.**                Notwithstanding any other provision of law, all  
6        candidates for any elected public office, board or commission must *not*

1 have been convicted of a felony, and must *not* have been convicted of a  
2 misdemeanor involving criminal sexual conduct or crime of moral  
3 turpitude.

4 At the time of filing for candidacy with the Commission, all  
5 candidates shall submit: (1) clearance from the Guam Police  
6 Department; *and* (2) signed affidavit attesting that the candidate has *not*  
7 been convicted for a felony or misdemeanor, as described herein this  
8 Section, in any State or Territory of the United States or foreign country.  
9 The Commission shall disclose via a Public Notice in a newspaper  
10 published on Guam, a list of candidates with any pending felony or  
11 misdemeanor, as described herein this Section, and such offense(s) the  
12 candidate is charged with.”

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 12/30/02

## VOTING SHEET

S Bill No. 420 (COR)

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

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

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. 11	✓				
SANTOS, Angel L.G.					✓
UNPINGCO, Antonio R. 11	✓				
WON PAT, Judith T.	✓				

TOTAL

12   0   0   0   3

CERTIFIED TRUE AND CORRECT:

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

\* 3 Passes = No vote  
EA = Excused Absence

p.l. 26-191



I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN  
TWENTY-SIXTH GUAM LEGISLATURE

Senator Larry F. Kasperbauer, Ph.D.  
Vice Speaker • Chairman, Committee on Education

155 Hesler Street  
Hagåtña, Guam 96910

Telephone (671) 475-KIDS  
Fax (671) 475-2000  
e-mail: lk4kids@ite.net  
webpg: www.lk4kids.com

December 23, 2002

The Honorable Antonio R. Unpingco  
Speaker  
*I Mina Bente Sais Na Liheslaturan Guahan*  
155 Hesler Place  
Hagatna, Guam 96910

Via: Committee on Rules

Dear Speaker Unpingco:

The Committee on Education, to which was referred **Bill No. 420 (COR): AN ACT TO AMEND ITEM (a) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD**, herein reports back with the recommendation **TO DO PASS** as substituted by the Committee.

Votes are as follows:

9 To Pass

\_\_\_ Not to Pass

\_\_\_ To the Inactive File

\_\_\_ Abstained

Sincerely,

  
LARRY F. KASPERBAUER, Ph.D.

Enclosures



December 23, 2002

MEMORANDUM

To: All Members  
Committee on Education

From: Chairman

Subject: Voting Sheet

Transmitted herewith are the voting sheets and Committee Report on **Substitute Bill No. 420 (COR): AN ACT TO ADD A NEW §6114 TO CHAPTER 6 OF TITLE 3, GUAM CODE ANNOTATED RELATIVE TO BARRING CONVICTED FELONS FROM RUNNING FOR PUBLIC OFFICE**, for your review and signature.

Attention to this matter is greatly appreciated.

  
LARRY F. KASPERBAUER, PH.D.


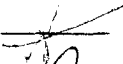

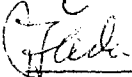

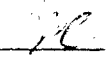
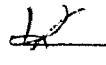


Attachments

COMMITTEE ON EDUCATION  
*I Mina' Bente Sais Na Libeslaturan Guåhan*  
 155 Hesler Street · Hagåtña, Guam 96910

Chairman: Vice Speaker Lawrence F. Kasperbauer    Vice-Chairman: Senator Mark Forbes  
 Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

**Bill No. 420 (COR): AN ACT TO AMEND ITEM (a) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD.**

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Vice Speaker Lawrence F. Kasperbauer <i>Chairman</i>		X	_____	_____	_____
Sen. Mark Forbes <i>Vice-Chairperson</i>		✓	_____	_____	_____
Speaker Antonio R. Unpingco <i>Ex-Officio</i>		_____	_____	_____	_____
Sen. Joseph F. Ada <i>Member</i>		✓	_____	_____	_____
Sen. Thomas C. Ada <i>Member</i>		✓	_____	_____	_____
Sen. Frank Blas Aguon, Jr. <i>Member</i>	_____	_____	_____	_____	_____
Sen. Joanne M.S. Brown <i>Member</i>	_____	_____	_____	_____	_____
Sen. Felix P. Camacho <i>Member</i>	_____	_____	_____	_____	_____
Sen. Mark Charfauros <i>Member</i>		✓	_____	_____	_____
Sen. Kaleo Scott Moylan <i>Member</i>		_____	_____	_____	_____
Sen. Vicente Pangelinan <i>Member</i>		✓	_____	_____	_____
Sen. Angel L.G. Santos <i>Member</i>	_____	_____	_____	_____	_____
Sen. Judith Won Pat <i>Member</i>		✓	_____	_____	_____



**I MINA' BENTE SAIS NA LIHESLATURAN GUÁHAN**  
**Committee on Education**

**Vice Speaker Lawrence F. Kasperbauer, Chairperson**

**Committee Report On**

**Bill No. 420 (COR): AN ACT TO AMEND ITEM (a) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD.**

**Substitute Bill No. 420 (COR): AN ACT TO ADD A NEW §6114 TO CHAPTER 6 OF TITLE 3, GUAM CODE ANNOTATED RELATIVE TO BARRING CONVICTED FELONS FROM RUNNING FOR PUBLIC OFFICE.**

**I. OVERVIEW**

The Committee on Education held a public hearing on Thursday, August 22, 2002 at 9:30 a.m. at I Liheslatura's Public Hearing Room.

**Committee Members Present:**

Vice Speaker Lawrence F. Kasperbauer, Chairperson  
Senator Vicente Pangelinan.

**Providing Testimony on the Bill:**

Ms. Rosa Palomo, Chairman, Guam Education Policy Board  
Mr. Romeo Hernandez, Vice Chairman, Guam Education Policy Board  
Mr. Garland Wilhite, Member, Guam Education Policy Board  
Mr. Jonathan Toves, Member, Guam Education Policy Board  
Ms. Patricia Bennett, Member, Guam Education Policy Board  
George Salas, PTO, Daniel Perez Elementary  
Felix Santos, Private Citizen

**II. Testimony**

**Ms. Rosa Palomo** began by stating that she is testifying as an individual board member and that the board has not taken a position on the bill. She testified in favor of Bill 420 stating that while it is unfortunate that the proposed provisions were not included in the original legislation, it is important that the community know that a remedy will soon be enacted.

**Mr. Garland Wilhite** concurred with Ms. Palomo's positioning Bill 420. He stated that he has been approached by many who are upset with the current situation and who are demanding that something be done. He further stated that the problem created by the existing statute cast a cloud

over the entire Board and that the issue has taken precedence over other important matters before the Board. He urged the Legislature to act soon on the proposed amendment.

**Mr. Felix Toves** testified in favor of Bill No. 420 but recommended that language be included to require a candidate to “undergo a detailed police clearance”. He stated that if such a requirement were in effect, the current situation could have been averted.

**Mr. Jonathan Toves** testified in opposition to Bill No. 420 and notes as a member of the GEPB. He stated that people need to be given a chance to prove that they have changed and can serve the people. He said he agreed with the Bill’s provisions regarding criminal sexual conduct and controlled substances, but recommended deleting the provisions regarding felonies and misdemeanors.

**Ms. Pat Bennett** stated that with the current crisis within our education system, the newly elected board is looked to in order to begin a process of healing. It is for this reason she stated, that the enactment of Bill No. 420 is crucial. She further stated that the Guam Education Policy Board is not a body of rehabilitation for felons.

**Mr. George Salas** stated his support for the bill.

### **III. Findings and Recommendation**

The Committee on Education finds that, with the exception of candidates for office of the Guam Legislature, Guam or Federal law does not expressly prohibit convicted felons from running for public office. The Committee further finds that as a result of the election of a convicted felon to the Guam Education Policy Board, that wide-spread public support exists for changes in Guam law to would prohibit both (2) felons from running or holding any elected offices and (2) inform the voting public that a felon or person accused of a felony is seeking an elected office. The Committee further finds that as elected officials should be positive role models for our children that it would be in the best interest of Guam’s children and education community if individuals convicted of the most serious crimes were excluded from seeking and holding public office.

The Committee therefore includes changes to the original Bill that would, instead of amending only the *Education Laws* and prevent felons from running for the Guam Education Policy Board, would amend the *Election Laws* and prevent felons from running for all elected offices on Guam. The bill’s restrictions would also prevent individuals convicted of misdemeanors involving criminal sexual conduct or moral turpitude from seeking and holding public office and require the Guam Election Commission to disclose any pending felony charges/misdemeanor charges involving criminal sexual conduct or moral turpitude against anyone seeking public office.

It is the recommendation of the Committee on Education that Substitute Bill No. 420 (COR) be reported out with the recommendation **TO DO PASS**.

*2nd* *3rd*  
*12/27/02* *12/27/02*

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

Bill No. 420 (COR)  
As Substituted by the  
Committee On Education

Introduced by:

L.F. Kasperbauer

**AN ACT TO ADD A NEW §6114 TO CHAPTER 6 OF  
TITLE 3, GUAM CODE ANNOTATED RELATIVE TO  
BARRING CONVICTED FELONS FROM RUNNING  
FOR PUBLIC OFFICE.**

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

2

3 **Section 1.** A new Section 6114 is hereby added to Title 3 of the Guam Code

4 Annotated read:

5 **§6114. Convicted Felons and others shall not be candidates.**

6 Notwithstanding any other provision of law, all candidates for any elected public  
7 office, board or commission must not have been convicted of a felony, and must not  
8 have been convicted of a misdemeanor involving criminal sexual conduct or crime of  
9 moral turpitude. At the time of filing for candidacy with the Guam Election  
10 Commission all candidates shall submit (1) Clearance from the Guam Police  
11 Department and (2) signed affidavit attesting that the candidate has not been convicted  
12 for a felony or misdemeanor, as described herein this Section, in any State or Territory  
13 of the United States or foreign country. The Election Commission shall disclose via a  
14 Public Notice in a newspaper published on Guam, a list of candidates with any  
15 pending felony or misdemeanor, as described herein this Section, and such offense(s)  
16 the candidate is charged with.

COMMITTEE ON EDUCATION  
 Mina' Bente Sais na Libeslauran Guåhan

Bill No. 420 (COR), AN ACT TO AMEND ITEM (A) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATE  
 RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD. Introduced by L.F. Kasperbauer.

Friday, December 20, 2002  
 Office of Senator Kaleo Moylan

WITNESS SIGN-IN SHEET

Name:	Address:	Agency or Interest Group (if applicable)	Telephone No.	Testimony		Comment
				Oral	Written	
Rosa Salas Palomo	P.O. Box 909 Hagåtña, Guam 96932	GEDB - Member Guam Ed. Policy Board	734-3870	<input checked="" type="checkbox"/>		
Leves - Jennifer		GEDB Parents CATERSON	689-5233	<input checked="" type="checkbox"/>		
Mr. Felix Sauter	Felix	TEBARE GWSH	637-7774	<input checked="" type="checkbox"/>		UAI annex
Georgina B. Saks	4150	D. Pong Sr PTD. YISC skid	653-5955	<input checked="" type="checkbox"/>		
Ronald M. Astumbo	Ad 3344 Hagåtña, Gu #115 uluano st. 96900	Ed. Policy Board.	678-637 8484	<input checked="" type="checkbox"/>		

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COMMITTEE ON EDUCATION  
Mina' Bente Sais na Liheslaturan Guåhan

Bill No. 420 (COR), AN ACT TO AMEND ITEM (A) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATE  
RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD. Introduced by L.F. Kasperbauer.

Friday, December 20, 2002  
Office of Senator Kaleo Moylan

WITNESS SIGN-IN SHEET

Name:	Gaelard S. Williams	Agency or Interest Group (if applicable)	Telephone No.	Testimony	Comment								
Address:	AA 1124	Sheldon Pley Bank	477-1375	<table border="1"> <tr> <td>Oral</td> <td>Written</td> <td>For</td> <td>Aga</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td></td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </table>	Oral	Written	For	Aga	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
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Name:	Yolanda Bennett	Agency or Interest Group (if applicable)	Telephone No.	Testimony	Comment								
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MINA' BENTE SAIS NA LIHESLATURAN GUAHAN  
2002 (SECOND) Regular Session

Bill No. 420 (COR)

CD  
4:15P  
11/18/03

Introduced by:

L.F. Kasperbauer *sk*

**AN ACT TO AMEND ITEM (a) OF §3111 OF CHAPTER 3,  
TITLE 17, GUAM CODE ANNOTATED RELATIVE TO  
QUALIFICATIONS FOR THE GUAM EDUCATION POLICY  
BOARD.**

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

**Section 1.** Item (a) of Section 3111 of Chapter 3, Title 17, Guam Code Annotated is hereby *amended* to read:

**(a) Nine (9) District Elected Voting Members.** Nine (9) members of the Board shall be elected through district-wide elections at each General Election for a term of two (2) years. Notwithstanding any other provision of law, *except* for the student member and non-voting members, unclassified and contracted employees of the Executive and Legislative Branches and all employees of the Department of Education are *not* eligible to run. The candidates must be *at least* twenty-five (25) years old, an *at least* two (2) year resident of Guam, and a resident and domiciliary in that District the candidate will be representing for *at least* two (2) years immediately preceding the date on which the member takes office and continuing throughout the term. All candidates for the Board must be citizens of the United States of America, registered to vote on Guam, must not have been convicted of a felony, and must not have been convicted of a misdemeanor involving criminal sexual conduct, obscenity, or controlled substances.



## COMMITTEE ON EDUCATION

*Vice Speaker Larry F. Kasperbauer  
Chairman*

PUBLIC/CONFIRMATION HEARING  
10:00 am Friday, December 20, 2002  
Office of Senator Kaleo Moylan

### AGENDA

1. Appointment of Ms. **Alexandria "Sandy" Gould Yow** as a member of the University of Guam Board of Regents. Expiration Date: December 2, 2008
2. **Bill No. 420 (COR)**, AN ACT TO AMEND ITEM (A) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD. Introduced by L.F. Kasperbauer.

Psst.

Have you heard the news? A big holiday is just six days away.

And after spending the last 11 days wringing wet towels, cleaning debris, buying gas and spending quiet nights with relatives, many people seem determined to have the best Christmas they can.

"As soon as I can get my generator back on line, I'm turning on the lights," said Sinjapan resident Carlos Laganzo. "The trees still up. We managed, didn't have too much damage, ... so we're still going to celebrate."

Carlos, his wife, Angie, and 8-year-old daughter, Candice, count themselves among the lucky ones. They spent some time yesterday shopping for holiday items at Knarr. "There's presents under the tree. They're still OK," said Candice, shyly hugging her mom.

Asan resident Rose Dominguez said no typhoon could ruin Christmas with her family. She said Christmas is about Christ.

"The main thing we need to do is be positive and just take things as they are. We should be grateful for the things that God has given us, and the first thing is our lives," she said. "The whole meaning of Christmas is the birth of Jesus. It's not about presents. We can give happiness to others."

Dominguez said she is looking forward to getting together with her family on Christmas Eve and Christmas Day, electricity or not.

For Dededo resident April Suñaz, 6, the last several days have been



Ron Salfman/Pacific Daily News/solimon@guampdn.com

**Free tree:** Anthony Campos, 17, of Chaldon Pogo carries a Christmas tree at the Girl Scouts Center Dec. 12 in Upper Tumon. Hundreds of the trees were given away after SuperTyphoon Pongsona.

just as good as any Christmas.

"There was no gas, so we would walk to the nearest store as a family. That was a nice bonding thing that we did," she said. "It doesn't matter if there's no power. It's kind of good, because it keeps people away from the computer and TV. And we were going to have a party at my house with my grandparents, that's still going to happen."

For her 5-year-old brother, Reuben, Christmas is still about the presents that stayed dry under the tree.

He can't wait.

"I want a Jack-in-the-box, a GI Joe and a robot that talks. And a Game Boy Advance," he said.

Are you going to get it?

"Yes."

Why, were you a good boy?

perTyphoon Pongsona. She moved into her house the Friday before the storm.

"We're just trying to throw together a Christmas," she said. "But all our stuff hasn't arrived yet. All we have is what's in our suitcases — including tons of Christmas things and lights."

Waldie also was looking for a tree stand. She got her tree from the Navy and said the price went down from \$9 to free. Some lights and a generator, she said, and it'll be like the typhoon never happened.

"The typhoon took a lot of things away," she said. "But it couldn't take away everything. Nor the whole spirit of Christmas."

The Navy wasn't the only group spreading free Christmas cheer. Just about every organization that brought trees here to sell ended up giving them away, including the Guam Girl Scouts, the Mendiola Family's Grown for Guam, the Academy of Our Lady of Guam and even private businesses.

"The money you were going to spend on Christmas presents and stuff, you're now spending on just survival," said Marie Rodelhorst, a parent who helped the school sell trees.

"We just felt like they would go to waste if we didn't give them out to the community. There's so many people without homes, so if nothing else, maybe they could just have a tree as a symbol of what Christmas stands for."

"People were very shy. They would take one tree, we asked them to take three and give one to each neighbor," Rodelhorst said. "We gave them out the Saturday after the storm. We started at 9 a.m. and by noon, they were all gone."

people whose homes were destroyed Dec. 8 by SuperTyphoon Pongsona. Taltalong said the education department contracted a security company to patrol schools. There have been reports of looting of emergency supplies and generator parts at several shelters.

Board members unanimously passed a resolution in appreciation of shelter workers who have helped staff the shelters since the day before the superTyphoon hit.

Associate Superintendent of Secondary Schools Kenneth Chagualaf told board members many middle schools need repairs, but should be ready to open on schedule.

Of the four public high schools, George Washington High School suffered the least damage and might have to host JFK students in a double session.

Simon Sanchez: High School administrators reported major damage to the main building and are considering sharing classrooms with neighboring F.B. Leon Guerrero Middle School in a double session. Jeanette Yamashita, associate superintendent of elementary schools, said many elementary schools suffered water damage, but 23 of the 26 schools should be ready to open according to the approved school schedule.

Schools on the year-round schedule are to resume classes Jan. 7, and traditional-calendar schools resume Jan. 6.

### WHAT'S NEXT

▲ The Legislative Committee on Education has scheduled a public hearing for 10 a.m. tomorrow at Sen. Kolea Moylan's office in Sinajohn. To discuss Bill 420, which changes the qualifications of Education Policy Board members; and the appointment of Alexandria Coull-Yow as a University of Guam regent.





I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN  
TWENTY-SIXTH GUAM LEGISLATURE  
**Senator Larry F. Kasperbauer, Ph.D.**  
Vice Speaker • Chairman, Committee on Education

155 Hesler Street  
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December 16, 2002

Ms. Catriona Melyan  
Pacific Daily News  
P.O. Box DE  
Hagatna, Guam 96932

Re: Notice of Public Hearing

Please post the following on the PDN Government Meetings Section:

COMMITTEE ON EDUCATION: 10:00 a.m., Dec. 20, Office of Senator Kaleo Moylan, re-scheduled hearing on Bill 420 and re-scheduled confirmation hearing on the appointment of Alexandria "Sandy" G. Yow as a member of the University of Guam Board of Regents. For additional information and for those with disabilities and require special accommodations, please call the Office of Senator Joseph Ada at 472-3431.

Thank you for your time and kind consideration.

Sincerely,

*Larry F. Kasperbauer*  
Larry F. Kasperbauer, Ph.D.

*I appreciate your help  
Thank  
Larry*

*Meeting for next session info from 1.15.03*



For immediate release:

*December 13, 2002*

### **Re-scheduled Education Hearings to take place Monday**

Committee on Education hearings scheduled to take place last week are now rescheduled to take place Monday afternoon. The committee will receive testimony on a number of education-related bill and an appointment to the University of Guam Board of Regents.

According to Vice Speaker and Education Committee Chairman, Vice Speaker Larry Kasperbauer, the appointment of Ms. Alexandria "Sandy" Yow to serve as a member of the University of Guam Board of Regents will be heard. A realtor and former host of the Radio Show "Let's Talk Real Estate" on K57 and the Television Program "House Keys" on KUAM TV 8, Yow is the daughter of the late Silas Ed Gould, a former UOG Professor and Media Specialist, and the late Clotilde Gould, a well-known educator and local storyteller.

Bills to be heard include: Bill No. 420, relative to disallowing felons from seeking office on the Guam Education Policy Board; Bill No. 406, relative to establishing an independent office of professional licensure for teachers in the department of education; Bill No. 409, relative to granting of compensatory time off to teachers for working after school hours on parent-teacher conference days; and Bill No. 410, relative to providing reciprocity in UOG resident tuition with resident tuition rates of colleges or institutions of higher learning in other islands of the region.

The Committee on Education will convene beginning with Yow's confirmation hearing followed by each bill's public hearing at **1:00 p.m., Monday, December 16, 2002** in the Conference Room of the Office of Senator Kaleo Moylan in Sinajana. For more information, contact Vice Speaker Larry Kasperbauer at 472-3342.

*Si yu' on 'Ma' aww!*  
*Larry K*



I MINA' BENTE SAIS NA LIHESLATURAN GUAM  
TWENTY-SIXTH GUAM LEGISLATURE

Senator Larry F. Kasperbauer, Ph.D.  
Vice Speaker • Chairman, Committee on Education

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December 16, 2002

MEMORANDUM

To: All Senators

From: Chairman  
Committee on Education

Subject: Re-scheduling of Public & Confirmation Hearings

Please be advised that Committee on Education hearings scheduled to take place last week are now scheduled to take place **Friday, December 20, 2002** beginning at 10:00 a.m. at the Office of Senator Kaleo Moylan. The committee will receive testimony on the following:

- Appointment of Alexandria "Sandy" Yow as a member of the University of Guam Board of Regents. Expiration Date: December 2, 2008.
- Bill No. 420 (COR) AN ACT TO AMEND ITEM (A) OF §3111 OF CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED RELATIVE TO QUALIFICATIONS FOR THE GUAM EDUCATION POLICY BOARD.

Your presence will be helpful to the committee's deliberations and the success of this hearing. Should you require further information, please contact my staff at the Office of Senator Joseph Ada. Thank you for your time and kind consideration.

  
Larry F. Kasperbauer, Ph.D.

Cc: Protocol  
Office of the Clerk

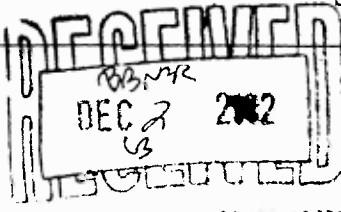


I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN  
TWENTY-SIXTH GUAM LEGISLATURE

Senator Larry F. Kasperbauer, Ph.D.  
Vice Speaker • Chairman, Committee on Education

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December 2, 2002

Mr. Paul Leon Guerrero  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagatna, Guam 96932

Dear Mr. Leon Guerrero:

Buenas yan hafa adai!

Pursuant to Chapter 9 of Title 2, Guam Code Annotated, I respectfully request that your office issue Fiscal Notes for the attached bill(s):

- Bill No. 406 (COR)
- Bill No. 409 (COR)
- Bill No. 410 (COR)
- Bill No. 420 (COR)

Thank you for your time and consideration to this matter.

Sincerely,

  
LARRY F. KASPERBAUER, Ph.D.

Enclosure

**I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN**

**FLOOR AMENDMENTS/CHANGES  
Bill No. 420**

**Senator Proposing Amendment: A. Unpingco**

*(Below for Senator to complete)*

Please describe proposed amendment, including where change to occur:

*A new Section is hereby added to read as follows:*

"Section \_\_\_\_\_. Upon findings of cause by the Board or upon the filing of a written complaint to the elected Board by a voter of the same election district, a member of any elected Board may be removed by a vote of 2/3rds of its members for malfeasance in office or for persistent neglect of, or inability to discharge duties, or for offenses involving moral turpitude, including but not limited to felony convictions. However, no member of the Board shall be removed from office before a written bill of particulars shall have been given to the accused and before an investigation and an open and public hearing shall have been had. Any member who removes his residence from Guam shall be deemed to have vacated his office, thereby creating a vacancy on the Board."

*(Below only for Clerk of Legislature's use and processing)*

Date: December 2, 2002

*Amendment w/ drawn by Clerk*

Floor Amendment No. 1 of a total of \_\_\_\_\_ changes on above Bill.

Votes For Amendment: \_\_\_\_\_ Votes Against Amendment: \_\_\_\_\_

**AMENDMENT PASSED:** \_\_\_\_\_

Amendment Failed: \_\_\_\_\_

Amendment Withdrawn: ✓

**APPROVED AS TO FORM PASSED**

\_\_\_\_\_

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

Bill No. 420 (COR)

Introduced by:

L.F. Kasperbauer *LFK*

**AN ACT TO AMEND ITEM (a) OF §3111 OF CHAPTER 3,  
TITLE 17, GUAM CODE ANNOTATED RELATIVE TO  
QUALIFICATIONS FOR THE GUAM EDUCATION POLICY  
BOARD.**

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

2       **Section 1.** Item (a) of Section 3111 of Chapter 3, Title 17, Guam Code  
3 Annotated is hereby *amended* to read:

4       **(a) Nine (9) District Elected Voting Members.** Nine (9) members  
5 of the Board shall be elected through district-wide elections at each General  
6 Election for a term of two (2) years. Notwithstanding any other provision of law,  
7 *except* for the student member and non-voting members, unclassified and  
8 contracted employees of the Executive and Legislative Branches and all  
9 employees of the Department of Education are *not* eligible to run. The candidates  
10 must be *at least* twenty-five (25) years old, an *at least* two (2) year resident of  
11 Guam, and a resident and domiciliary in that District the candidate will be  
12 representing for *at least* two (2) years immediately preceding the date on which  
13 the member takes office and continuing throughout the term. All candidates for  
14 the Board must be citizens of the United States of America, registered to vote on  
15 Guam, must not have been convicted of a felony, and must not have been  
16 convicted of a misdemeanor involving criminal sexual conduct, obscenity, or  
17 controlled substances.