



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

23 JUL 2008

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina' Bente Nuebe Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

2008 JUL 29 PM 5:02

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 279 (LS), "AN ACT TO PROVIDE FOR THE PURCHASE OF LIBRARY SCHOOL BOOKS FOR THE NEWLY CONSTRUCTED SCHOOLS OF THE GUAM PUBLIC SCHOOL SYSTEM; TO ALLOW TRANSFERS OF BOND PROCEEDS; TO APPROPRIATE FOUR MILLION DOLLARS TO GPSS; TO ALLOW FOR A GPSS MANAGEMENT TEAM; AND TO REPEAL AND REENACT 3 GCA §16108, RELATIVE TO PRIMARY ELECTIONS," which I have signed into law on July 22, 2008 as Public Law No. 29-102.

Sinseru yan Magåhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

29-08-0546
Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 7/28/08
Time 3:18
Received by [Signature]

Attachment

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

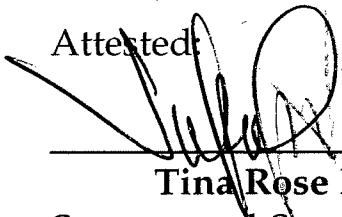
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 279(LS)**, "AN ACT TO PROVIDE FOR THE PURCHASE OF LIBRARY SCHOOL BOOKS FOR THE NEWLY CONSTRUCTED SCHOOLS OF THE GUAM PUBLIC SCHOOL SYSTEM; TO ALLOW TRANSFERS OF BOND PROCEEDS; TO APPROPRIATE FOUR MILLION DOLLARS TO GPSS; TO ALLOW FOR A GPSS MANAGEMENT TEAM; AND TO REPEAL AND REENACT 3 GCA §16108, RELATIVE TO PRIMARY ELECTIONS", was on the 9th day of July, 2008, duly and regularly passed.



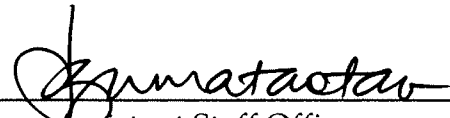
Judith T. Won Pat, Ed. D.
Speaker

Attested:



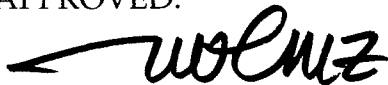
Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 10 day of July, 2008, at
3:16 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 22 JULY '08

Public Law No. 29-102

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 279 (LS)

As substituted by the author
and amended on the Floor.

Introduced by:

Dr. David L.G. Shimizu
Tina Rose Muña Barnes
R. J. Respicio
B. J.F. Cruz
Judith P. Guthertz, DPA
Frank F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
A. B. Palacios, Sr.
v. c. pangelinan
Ray Tenorio
J. T. Won Pat, Ed.D

**AN ACT TO PROVIDE FOR THE PURCHASE OF LIBRARY
SCHOOL BOOKS FOR THE NEWLY CONSTRUCTED
SCHOOLS OF THE GUAM PUBLIC SCHOOL SYSTEM; TO
ALLOW TRANSFERS OF BOND PROCEEDS; TO
APPROPRIATE FOUR MILLION DOLLARS TO GPSS; TO
ALLOW FOR A GPSS MANAGEMENT TEAM; AND TO
REPEAL AND *REENACT* 3 GCA §16108, RELATIVE TO
PRIMARY ELECTIONS.**

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

2 **Section 1.** The sum of Eight Hundred Thousand Dollars (\$800,000) is
3 appropriated from the FY 2009 General Fund revenues to the Public School
4 Library Resource Fund, for the purchase of library school books for the new
5 schools completed for the Guam Public School System

6 **Section 2.** Notwithstanding any other provision of law, GPSS is hereby
7 authorized to transfer a total of Five Hundred Thousand Dollars (\$500,000) among
8 the object categories delineated in Attachment A of Public Law 29-19, to ensure
9 opening of the schools in August 2008. Any transfer pursuant to this Act *shall* be
10 reported to *I Liheslatura* no later than five (5) days of said transfer.

11 **Section 3.** Section 3 of Public Law 29-52 is hereby *repealed* and
12 *reenacted* to read:

13 **“Section 3. Appropriation to Guam Public School System**
14 **(GPSS).** As a result of *I Maga’lahi* (the Governor) transferring out the
15 original appropriation to fund the opening of the new landfill, *I*
16 *Liheslaturan Guåhan* hereby appropriates the sum of Four Million Seventy-
17 six Thousand Six Hundred Forty Dollars (\$4,076,640) from General Fund
18 revenues in excess of the General Fund revenues adopted pursuant to Public
19 Law 29-19, to the Guam Public School System for school operations.
20 Notwithstanding any other provision of law, this appropriation is not subject
21 to transfer by *I Maga’lahi* (the Governor). This appropriation shall not be
22 sequestered or subject to the allotment process administered by the Bureau
23 of Budget and Management Research but shall be released by BBMR and
24 DOA upon enactment, notwithstanding any other law.”

25 **Section 4.** §3125 of Article 1, Title 17, Guam Code Annotated, is *repealed*
26 *and reenacted* to read as follows:

27 **“§ 3125. Management Team.**

1 **(a) Unclassified Deputy Superintendent(s) Appointment.**

2 The Superintendent shall reserve the right to select unclassified
3 Deputy Superintendent(s) as his management team with full
4 management responsibility and authority as delegated unto him or her
5 by the Superintendent. Such unclassified Deputy Superintendent(s)
6 appointees may number from one (1) but *shall not* exceed four (4),
7 unless otherwise approved by the Guam Education Policy Board. The
8 unclassified Deputy Superintendent(s) appointed positions shall cover,
9 *but not be limited to:*

10 (1) Deputy Superintendent, Finance and Administrative
11 Services

12 (2) Deputy Superintendent, Assessment and Accountability

13 (3) Deputy Superintendent, Curriculum and Instructional
14 Improvement

15 (4) Deputy Superintendent, Educational Support and
16 Community Learning

17 **(b) Unclassified Status.**

18 ~~Notwithstanding any other provision of law, members of the~~
19 management team may be selected through direct appointment or
20 through contractual arrangement and may be terminated at will and
21 without cause. Sole authority for selection and termination of
22 management team personnel rests with the Superintendent of
23 Education.

24 **(c) Compensation.**

25 Notwithstanding any other provision of law, personnel from the Guam
26 Public School System who are selected as a management team

1 member shall receive compensation at no more than the maximum
2 salary established for the Superintendent of GPSS.

3 **(d) Qualifications.** The Superintendent shall establish qualifications
4 demonstrating quantifiable criteria to define the skills required for
5 each of the positions, which qualifications shall be subject to approval
6 by the Board.

7 **(e) Elimination of Positions at Guam Public School System.**

8 **(1) Elimination of Deputy Superintendent Position.** The
9 position of Deputy Superintendent of Education in the
10 Guam Public School System is hereby eliminated.

11 **(2) Elimination of Chief Financial Officer Position.** The
12 position of Chief Financial Officer in the Guam Public
13 School System is hereby eliminated.

14 **(3) Elimination of Associate Superintendent Positions.**
15 The position of Associate Superintendent in the Guam
16 Public School System is hereby eliminated.

17 **(f) Evaluation of Management Team.** The Superintendent of
18 Education shall conduct a semi-annual evaluation of his management

19 team and shall post the results of the evaluation on the GPSS' website.

20 **(g) Effective Date.** This provision of law *shall* take effect on
21 September 1, 2008.”

22 **Section 5. Title 3 GCA Chapter 16 §16108 is repealed and reenacted to read:**

23 **“§ 16108. Primary Elections Cancelled When Unnecessary.**

24 (a) When the Commission determines that all political parties that
25 have qualified for placement on the primary ballot have:

26 (i) the same or fewer number of candidates running for
27 nomination to the Legislature than the number of senatorial seats

1 allowed in law, it shall cancel such Primary Election for the
2 Legislature because of the lack of any contest; or

3 (ii) only one (1) set of candidates running for Governor or
4 Lieutenant Governor, it shall cancel such primary election for the
5 gubernatorial team because of the lack of any contest; or

6 (iii) only one (1) candidate running for mayor or vice mayor in
7 a particular municipal district, it shall cancel such primary election for
8 mayor or vice mayor because of the lack of any contest.

9 (b) Certification of candidates. Following such cancellation, the
10 Commission shall certify all candidates who qualified to appear on the
11 ballots in such cancelled primary elections for placement on the general
12 election ballot as candidates of their respective political parties for the
13 general election. The drawing for placement of names on the ballots for the
14 primary election, if undertaken, shall control the placement of names on the
15 ballots for the general election.”