



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

04 APR 2008

2008 APR -7 PM 1:25

Honorable Judith T. Won Pat
Speaker
I Mina' Bente Nuebi Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill. No 25 (EC) entitled "AN ACT TO AMEND §1000(a) OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED, TO INCLUDE MARTIN LUTHER KING, JR. DAY AS A GUAM HOLIDAY AND TO ADD A NEW CHAPTER 23 TO TITLE 1, GUAM CODE ANNOTATED, TO CREATE THE REVEREND DR. MARTIN LUTHER KING, JR. HUMAN AND CIVIL RIGHTS COMMISSION" which I have vetoed.

Public Law 26-157 was enacted on December 15, 2002 as part of cost-reduction steps to conserve the government's limited financial resources by reducing the number of paid holidays of the government of Guam from 15 to 10. Martin Luther King, Jr. Day was one of the five holidays eliminated. Also eliminated were Presidents Day, Discovery Day, Good Friday, Columbus Day and Election Day.

1 G.C.A. §1000 was subsequently amended to restore the Governor's authority to declare additional holidays and the adoption of the federal government practice for holidays falling on a weekend.

While I admire and applaud the sacrifices and strides that Dr. Martin Luther King, Jr. accomplished in the struggle for equality, Bill No. 25 was passed by the Guam Legislature with no additional appropriation to cover the increased cost this government would incur, and as such would begin to erode the purpose for the limited holiday measure. Several of the holidays that were eliminated from the government of Guam, Presidents Day, Discovery Day, Good Friday, Columbus Day and Election Day, carry significant value to our people, however, our financial realities preclude us from granting those holidays. This does not diminish the significance of these events nor does it prevent the government or its employees from acknowledging or celebrating their significance.

29-08-0253

Office of the Speaker
Judith T. Won Pat, Ed. D.

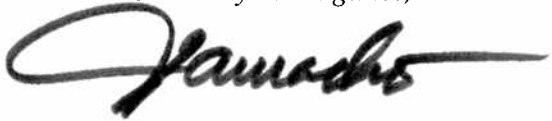
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Honorable Judith T. Won Pat  
Speaker, *I Mina' Bente Nuebi Na Liheslaturan Guåhan*  
Page 2

Rather than codifying the holiday, the law allows the Governor the flexibility to declare special holidays when it is determined that the government's finances could afford it. Unfortunately, the government's financial condition still warrants austere measures including limited holidays and therefore regretfully have had to veto Bill No. 25.

*Sinseru yan Magåhet,*

A handwritten signature in black ink, appearing to read 'Felix P. Camacho', written in a cursive style.

**FELIX P. CAMACHO**  
*I Maga'låhen Guåhan*  
Governor of Guam

cc: Honorable Tina Rose Muna Barnes,  
Senator & Legislative Secretary

Attachment

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

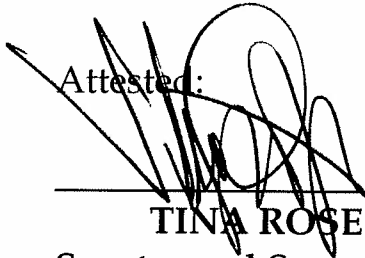
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 25 (EC), "AN ACT TO AMEND §1000 (a) OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED, TO INCLUDE MARTIN LUTHER KING, JR. DAY AS A GUAM HOLIDAY AND TO ADD A NEW CHAPTER 23 TO TITLE 1, GUAM CODE ANNOTATED, TO CREATE THE REVEREND DR. MARTIN LUTHER KING, JR. HUMAN AND CIVIL RIGHTS COMMISSION," was on the 21<sup>st</sup> day of March, 2008, duly and regularly passed.



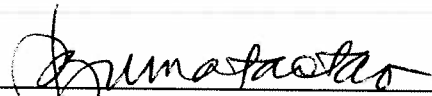
JUDITH T. WON PAT, Ed.D  
Speaker

Attested:



TINA ROSE MUÑA BARNES  
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 25 day of March, 2008, at  
10:50 o'clock A.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

**VETO**

FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN***  
**2007 (FIRST) Regular Session**

**Bill No. 25 (EC)**

As substituted by the Committee on  
Education, General & Omnibus Affairs  
and amended on the Floor.

Introduced by:

Judith Paulette Guthertz  
R. J. Respicio  
Tina Rose Muña Barnes  
David L.G. Shimizu  
Frank F. Blas, Jr.  
Edward J.B. Calvo  
B. J.F. Cruz  
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 *AMEND* §1000 (a) OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED, TO INCLUDE MARTIN LUTHER KING, JR. DAY AS A GUAM HOLIDAY AND TO *ADD* A NEW CHAPTER 23 TO TITLE 1, GUAM CODE ANNOTATED, TO CREATE THE REVEREND DR. MARTIN LUTHER KING, JR. HUMAN AND CIVIL RIGHTS COMMISSION.**

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

2       **Section 1.** §1000 (a) of Chapter 10 of Title 1, Guam Code Annotated, is  
3 *amended* to read:

4       **“§1000. Holidays.** (a) The holidays of Guam are:

5               New Year’s Day;

1 Martin Luther King, Jr. Day, the third Monday in January;  
2 Memorial Day, the last Monday in May;  
3 Independence Day, July 4<sup>th</sup>;  
4 Liberation Day, July 21<sup>st</sup>;  
5 Labor Day, the first Monday in September;  
6 All Soul’s Day, November 2<sup>nd</sup>;  
7 Veteran’s Day, November 11<sup>th</sup>;  
8 Thanksgiving, the fourth Thursday in November;  
9 Our Lady of Camarin Day, December 8<sup>th</sup>; and  
10 Christmas, December 25<sup>th</sup>.”

11 **Section 2.** A new Chapter 23 is *added* to Title 1, Guam Code Annotated, to  
12 read:

13 **“Chapter 23**

14 **The Reverend, Dr. Martin Luther King, Jr.**

15 **Human and Civil Rights Commission**

- 16 **§2301. Creation and Membership**
- 17 **§2302. Term and Vacancy**
- 18 **§2303. Function**
- 19 **§2304. General Powers**
- 20 **§2305. Repository for Commission Documents**
- 21 **§2306. Budget**
- 22 **§2307. Reporting**
- 23 **§2308. Martin Luther King, Jr. Festival**

24 **§2301. Creation and Membership.** There is hereby created the Reverend, Dr.  
25 Martin Luther King, Jr. Human and Civil Rights Commission, hereinafter referred to  
26 as the ‘Commission’, which *shall* continue in effect until dissolved by *I Liheslatura*.

1 The Commission *shall* be formed and meet *no later than* forty-five (45) days after the  
2 enactment of this Act.

3 Commission appointees must have lived in Guam for at least one (1) year and  
4 must be committed to promoting the ideas and vision of the Reverend, Dr. King, Jr.,  
5 as well as human and civil rights in Guam. Commission members *shall* be sworn in  
6 by *I Maga'lahaen Guåhan* and their appointments shall *not* be subject to advice and  
7 consent procedure of *I Liheslaturan Guåhan*.

8 The Commission *shall* be comprised of seventeen (17) members, fourteen (14)  
9 of whom *shall* be appointed by *I Maga'lahi* and three (3) who *shall* be appointed by  
10 the Speaker of *I Liheslatura*.

11 (a) *I Maga'lahi's* appointees are:

- 12 (1) The Executive Director;
- 13 (2) Two (2) from the military community;
- 14 (3) One (1) from the business community;
- 15 (4) One (1) from the Guam Interfaith Committee;
- 16 (5) Three (3) representing education: one (1) each from private,  
17 public, and military educational institutions;
- 18 (6) One (1) from the Consular Corps;
- 19 (7) One (1) member of the Mayor's Council of Guam  
20 designated by the President of the Council, who may select  
21 himself;
- 22 (8) One (1) member of the Guam Youth Congress designated by  
23 the Speaker of the Youth Congress, who may select himself;
- 24 (9) One (1) member of the Civil Service Commission;
- 25 (10) One (1) from the Judiciary System; and

1 (11) One (1) member of the Guam Chamber of Commerce,  
2 designated by the Chairman of the Chamber, who may select  
3 himself.

4 (b) The Speaker's appointees are one (1) member of the minority and  
5 two (2) members of the majority who *shall* be designated by the  
6 Speaker who may appoint himself.

7 **§2302. Term and Vacancy.** Members of the Commission *shall* serve a  
8 three (3)-year term. Members *shall* serve without compensation. The Executive  
9 Director of the Reverend, Dr. Martin Luther King, Jr. Human and Civil Rights  
10 Commission *shall* serve as the Commission's Chair and the Vice Chairperson and  
11 other commissioned officers *shall* be elected from among its members. Any  
12 vacancies occurring within any three (3)-year term *shall* be filled by nomination by  
13 two-thirds (2/3) vote of the remaining Commission members and approved by *I*  
14 *Maga'lahi*.

15 **§2303. Function.** The Executive Director, as Chair of the Commission,  
16 *shall* be responsible for the leadership, guidance, and directions, for the planning,  
17 organizing, coordinating, and developing activities to achieve the mission and goals of  
18 the Commission as contained in this Chapter. The Commission *shall* receive support  
19 services from *I Maga'lahi's* Office consisting of office supplies, materials, equipment,  
20 and duplicating services to carry out the duties and mission of the Commission.

21 Commission Members *shall* be responsible for:

- 22 (a) the roles, duties, and responsibilities of the officers and  
23 committees;
- 24 (b) creating programs and activities that promote social justice, peace  
25 and goodwill among people of different races and cultures through  
26 debates, festivals that markets goods and services, performing arts,

1 arts and crafts, and displays of the Reverend Dr. Martin Luther  
2 King, Jr.'s vision of 'Living the Dream';

3 (c) securing grants, sponsorships, and donations for developing and  
4 delivering educational programs, cultural activities and projects  
5 that promote positive social change, cultural understanding, and  
6 appreciation for ethnic differences;

7 (d) Planning, developing and coordinating workshops, seminars,  
8 and/or conferences that focus on 'Training the Trainers' on the  
9 non-violent philosophy espoused by Dr. King, Jr.;

10 (e) Building partnership with Guam's public, private, and military  
11 school systems, Guam Community College, University of Guam,  
12 Nieves Flores Memorial Library, Guam Educational  
13 Telecommunications Corporation (KGTF), other media stations,  
14 government instrumentalities, non-profit organizations, and human  
15 and civil rights groups for promoting and marketing the  
16 Commission's programs and activities; and

17 (f) developing communication networks with local and global  
18 communities to gain information, share ideas, and exchange  
19 resources that foster a global vision for future leaders.

20 Unless and until modified by a majority vote of the Commission's Members,  
21 the Commission's meetings *shall* take place on the third Wednesday of each month at  
22 *I Maga'lahi's* Conference room. All committee meetings *shall* be open to the public  
23 as mandated by Title 5 GCA, Chapter 8, §8107.

24 **§2304. General Powers.** The Commission *shall* have, and may exercise,  
25 the following general powers in carrying out the activities specified in this Chapter.

26 (a) The Commission *shall* establish the following fifteen (15) committees:

27 (1) Human and Civil Rights Issues



- 1 (2) Non-Denominational Faith Groups
  - 2 (3) Military Communities
  - 3 (4) Business Communities
  - 4 (5) Mayors Council
  - 5 (6) Youth Council
  - 6 (7) Senior Citizen Community
  - 7 (8) Political Community
  - 8 (9) Educational Community
  - 9 (10) AmeriCorps Members
  - 10 (11) Non-Profit Organizations
  - 11 (12) Guam Women’s Council
  - 12 (13) Consular Corps
  - 13 (14) Judiciary Community
  - 14 (15) Multicultural and Ethnic Diversity
- 15 (b) The Chair and Vice Chair *shall not* chair any of the fifteen (15)
- 16 committees.
- 17 (c) Each Commission Member *shall* chair one of the designated committees.
- 18 The Committee Chair *shall* recruit its members to plan, organize,
- 19 develop, coordinate, and carryout the activities and projects that address
- 20 the overall mission and goals of the Commission.
- 21 (d) The Committee Chair *shall* provide guidance, leadership, support, and
- 22 oversight in helping to achieve the goals and mission of its committee.
- 23 (e) The Commission *shall* acquire and accept gifts, donations, in-kind
- 24 services, real, personal or mixed, tangible or intangible property – to aid
- 25 in developing and implementing of the activities, programs, and projects
- 26 as authorized by this Chapter and Commission.

1 (f) The Commission *shall* adopt rules and regulations for governing the  
2 operations of this Commission and *shall* take other actions as may be  
3 necessary *or* appropriate to carry out the powers and duties herein  
4 specified *or* hereafter granted to *or* imposed upon it.

5 **§2305. Repository for Commission Documents.** The Executive Director  
6 of the Human and Civil Rights Commission *shall* be responsible for transmitting  
7 video recordings and documents that represent programs, workshops, activities, and  
8 projects conducted by the Commission. The Nieves Flores Memorial Library *shall* be  
9 the official repository of all public records and materials pertaining to the  
10 Commission’s programs.

11 **§2306. Budget.** In addition to assistance from *I Maga’lahi’s* Office, the  
12 Commission *shall* exert efforts to secure grants, monetary donations, and sponsorships  
13 and in-kind services from the community at large, both locally and nationally.

14 **§2307. Reporting.** The Commission *shall* submit the following reports to  
15 *I Maga’lahi* and the Speaker of *I Liheslaturan Guåhan*:

- 16 (a) Overall Financial Status Reports on all Committees;  
17 (b) Copies of all Commission and Committee minutes; and  
18 (c) Annual Overall Evaluation & Performance Report.

19 **§2308. Martin Luther King, Jr. Festival.** The primary festival event  
20 will occur on the Monday of the Martin Luther King, Jr. holiday; however, additional  
21 events related to the holiday may be scheduled at any time during the holiday  
22 weekend and thereafter. The Commission will conduct a festival that highlights  
23 ‘Living the Dream.’ The Commission will seek the volunteer participation of  
24 government of Guam employees and the community at large to participate in the  
25 various stages of planning, developing, and implementing the festival activities as  
26 deemed necessary.”