

TEPTORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U.S.A.

1100 AM

JUN 24 1983

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Speaker Carl T.C. Gutierrez Seventeenth Guam Legislature Post Office Box CB-1 Agana, Guam 96910

Dear Mr. Speaker:

For your information and files, there are enclosed the following public laws enacted by the Seventeenth Guam Legislature:

Public Law 17-10 (Substitute Bill 41). An Act relative to the duties of the Chamorro Language Commission, and for other purposes. (By legislative override.)

Public Law 17-11 (Substitute Bill 95). An Act to amend Part XXIII of Public Law 16-111 to permit the Judicial Branch to transfer funds from the vacant judgeship position for fiscal year 1983.

Public Law 17-12 (Bill 78). An Act to repeal the Juvenile Court Law and enact a new Family Court Law as part of the Guam Code Annotated, and to amend 9 GCA §7.10(a) to conform therewith.

Since hely yours,

RICARDO BORDALLO

Enclosures

Replace 168

SEVENTEENTH GUAM LEGISLATURE 1983 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 41, "AN ACT RELATIVE TO THE DUTIES OF THE CHAMORRO LANGUAGE COMMISSION, AND FOR OTHER PURPOSES," returned to the Legislature without the approval of the Governor was, in accordance with the Organic Act of Guam, reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 14th day of June 1983, agree to pass said bill notwithstanding the objections of the Governor by a vote of two-thirds of all members thereof, to wit: by a vote of 15 members.

CARL T. C. GUTIERREZ

Speaker

Attested:

FIL ABETH P. ARRIOLA

Senator and Legislative Secretary

This Act was received by the Governor this 15^{-1} day of June 1983, at 10:55 o'clock A.m.

Assistant Staff Officer
Governor's Office

PUBLIC LAW 17-10
(By legislative override June 14, 1983.)

SEVENTEENTH GUAM LEGISLATURE 1983 (FIRST) Regular Session

Bill No. 41 As Substituted by the Committee on Education

Introduced by:

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J.H. Underwood F.J. Quitugua F.R. Santos

E.P. Arriola
E.T. Charfauros
T.S. Nelson
J.F. Quan
A.C. Lamorena III
A.R. Unpingco
J.F. Ada
J.P. Aguon
E.R. Duenas
C.T.C. Gutierrez
F.J. Gutierrez
M.K. Hartsock
P.C. Lujan
M.A. Manibusan
D. Parkinson
E.D. Ramsey
J.T. San Agustin
T.V.C. Tanaka

AN ACT RELATIVE TO THE DUTIES OF THE CHAMORRO LANGUAGE COMMISSION, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: Section 1. New Sections 11954 and 11955 are added to the Government Code to read:

"Section 11954. Standardization. The Commission shall develop a standard orthographic system to be used by all government agencies in documents, signs and materials printed in the Chamorro language. The orthography shall be used in all Chamorro place and street names. In order to facilitate implementation and minimize costs, only materials, documents and signs done after the availability of the standard

orthography shall conform to it. The Commission shall distribute information on the standard orthography to all agencies and review all use of Chamorro in such documents, signs and materials for external publication. Materials which are for internal use need not be reviewed by the Commission.

Section 11955. Timetable. (a) By September 30, 1983, the Chamorro Language Commission shall prepare a Chamorro orthography and shall conduct public hearings in Guam at least once in each of the four (4) legislative districts for the purpose of receiving comments and suggestions on the proposed orthography. Such Chamorro Language Orthography shall be available for public inspection at least ten (10) days prior to the scheduled public hearing. The date and subject matter of the scheduled public hearing shall be published in a newspaper of general circulation in Guam for three (3) consecutive days at least seven (7) days prior to the scheduled public hearing.

- (b) The Commission shall consult with government leaders and others in the Commonwealth of the Northern Mariana Islands who are interested in the standardization of the Chamorro Language Orthography and pursue ways by which agreement can be reached.
- (c) When a final version has been developed, the Commission, adhering to the Administrative Adjudication Law, shall adopt said Chamorro Language Orthography.
- (d) The Chamorro Language Orthography shall be made official upon its adoption by the Commission, unless the Legislature by September 30, 1984, rescinds by resolution the action of the Commission."
- Section 2. Section 13999.1 of the Government Code is amended to read:

"Section 13999.1. Guam Place Name Commission. The Chamorro Language Commission shall be the Guam Place Name Commission."

- Section 3. Subsections (c) and (f) of Section 13999.2 of the Government Code are amended to read:
 - "(c) Cooperate with the Territorial Planning Commission, the Department of Education, the University of Guam, the Guam Museum,

and civil and religious clubs and organizations interested in the program of providing appropriate place names for Guam in drafting and using a coherent, culturally sound, and historically accurate set of criteria for selecting place names;

(f) Restore to the maximum extent feasible the ancient Chamorro pronounciation to place names mispronounced caused by misspelling in the past."

Section 4. A new Section 1013.1 is added to Title 1 of the Guam Code Annotated to read:

"Section 1013.1. Liberation Day Carnival. (a) Whenever the Guam Island Fair is to be held in a location other than the Agana Paseo grounds, then any Civic Organization, as provided herein, may sponsor a Liberation Day Carnival for the same duration as the Guam Island Fair. In this instance, the Commissioner's Council shall appoint a Liberation Day Carnival committee to plan and make appropriate arrangements for the celebration of this Carnival. The Committee shall be composed of members of patriotic, religious, or other civic organizations, provided; however, that upon the effective date of this Act the Commissioner's Council shall appoint the Civic Center of Guam Foundation to plan and make appropriate arrangements for the 1983 Liberation Day Carnival.

- (b) In the event the Guam Island Fair is not held at the Agana Paseo grounds, then the sponsoring organization may utilize the Agana Paseo grounds to sponsor its own Liberation Day Carnival as provided herein. The responsible governmental agency or agencies shall issue a permit to the sponsoring organization to conduct the Liberation Day Carnival at the Agana Paseo grounds. The provisions of law contained in Sections 64.62 and 64.70 of Title 9 of the Guam Code Annotated shall be applicable to the Liberation Day Carnival held at the Agana Paseo grounds as provided herein.
- (c) The net proceeds from the Liberation Day Carnival shall be divided between the sponsoring organization who shall be entitled to retain fifty percent (50%) of the net proceeds and twenty-five percent (25%) shall be donated to the Commissioner's Council, and the

remaining twenty-five percent (25%) shall be donated to the Department of Vocational Rehabilitation.

- (d) Whenever the Guam Island Fair is to be held at the Agana Paseo grounds, then such Fair will be consolidated with the Liberation Day Carnival as provided herein, and the sections pertaining to the Guam Island Fair shall apply."
- Section 5. A new Section 1013.2 is added to Title 1 of the Guam Code Annotated to read:

"Section 1013.2. Applicability. Section 1013.1 of Title 1, Guam Code Annotated, as provided above, shall apply only when the Guam Island Fair is held in a location other than the Agana Paseo grounds." Section 6. A new Section 1013.3 is added to Title 1 of

the Guam Code Annotated to read:

"Section 1013.3 Effective Date. The provisions of Section 1013.1 of Title 1, Guam Code Annotated, shall be effective upon enactment."

Section 7. Seventy-Five Thousand Dollars (\$75,000) is appropriated from the General Fund to the Department of Commerce for the operation of the Farmers Public Market in Agana and specifically for the purpose of paying classified employees their salaries and benefits.

Section 8. Subsection (4) of Section 21503 of the Government Code is amended to read:

"(4) Establish and modify from time to time, reasonable rates and charges for electric service at least adequate to cover the full cost of such service, and collect money from customers using such service, all subject to any contractual obligation of the Board to the holders of any bonds; enter into covenants to increase rates or charges from time to time as may be necessary pursuant to any such contractual obligation; and refund rates and charges collected in error in accordance with regulations prescribed by the Board. Notwithstanding the provisions of this Subsection, the rate and charge schedule shall not contain a rate under which a customer pays for electricity not actually consumed nor impose a penalty charge for failing to consume electricity. The Board shall file rate and charge schedules for electric

service with the Governor and the Speaker of the Legislature within five (5) days after they are approved by the Board."

Section 9. Section 21503.2 of the Government Code is repealed and reenacted to read:

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Notwithstanding the provisions of Subsection 4 "Section 21503.2 of Section 21503 of the Government Code of Guam the Board shall not institute nor implement any rate schedule causing an increase in rates, nor shall they increase rates above the rates in effect on the first day of February, 1983, without the approval of the Governor and the Guam Legislative approval shall be by resolution. proposed rate schedule shall be deemed disapproved if not approved within ninety (90) days from the date of submission. Any rate increases implemented, promulgated, approved or charged by the Board before the effective date of this act and after February 1, 1983 shall, effective with meters read ten days after the effective date of this act, not be collected from power consumers and shall be a nullity. Nothing herein shall require Guam Power Authority to refund or rebate any charges incurred on meters read prior to ten days after the Commencing ten days after the effective effective date of this act. date of this act, and until some other power rate schedule has been proposed by the Board of Directors of the Guam Power Authority and approved in accordance with this section, the power rates charged to consumers whose meters are read ten days or more after the effective date of this act by the Guam Power Authority shall be in accordance with the old power rate schedule and fuel adjustment as specified in Guam Power Authority Rule No. 11, which rates and Rule 11 were in effect on February 1, 1983; provided that the Guam Power Authority shall not charge any consumers the 'Power Factor Adjustment' contained in the rates which were in effect on February 1, 1983. addition to the foregoing power charges and fuel surcharge as they were in effect on February 1, 1983, the Guam Power Authority Board of Directors may, with the approval of the Governor of Guam, implement, in addition to the non-fuel power rates in effect on February 1, 1983, an additional surcharge of up to twenty-four

percent (24%) of the non-fuel portion of the power charge (not including fuel surcharge) on all Governmental accounts; eighteen percent (18%) of the non-fuel portion of the power charge (not including fuel surcharge) on all commercial accounts (large and small); and fifteen percent (15%) of the non-fuel portion of the power charge (not including fuel surcharge) on all other accounts. Commencing ten days after the effective date of this act, if approved by the Governor and the Board of Directors of the Guam Power Authority, the surcharge as outlined above shall be applicable to all electric meters read for one hundred eighty (180) days after the effective date of this act, at which time it shall expire, and the surcharge shall be of no further force and effect."

Section 10. There is added to the Government Code of Guam a Section 21503.2(a), which shall read as follows:

"Section 21503.2(a). Whenever the Guam Power Authority proposes a power rate increase the Governor shall immediately organize an ad hoc task force to fully review the proposed power rate increase. The task force shall be chaired by the Lt. Governor of Guam, and the members shall consist of one representative from the United States Navy as designated by the Commander, Naval Forces Mariana Islands, one repsentative from the United States Air Force as designated by the Commanding General of Anderson Air Force Base, two members representing each class of service that the Guam Power Authority offers, to be appointed by the Governor of Guam, and five additional members, to be appointed by the Governor of Guam, of whom not more than two may be Government of Guam Employees. Manager of the Guam Power Authority and the Administrator of the Public Utility Agency of Guam shall be ex-officio members of the ad hoc task force. The task force shall fully and carefully review the need for a power rate increase, shall hold a public hearing on the need for a power rate increase, and shall prepare a recommendation to the Governor and the Legislature as to the need for a rate increase, within thirty (30) days of formation of the task force. and logistics for the task force shall be provided by the Guam Power

Authority."

Section 11. There is hereby appropriated the sum of Seventy Thousand Dollars (\$70,000) from the Tourist Attraction Fund to replenish the Off-Island Sports Fund established by Section 26020 of the Government Code and administered by the Department of Parks and Recreation.

Section 12. Section 11 of Public Law 17-5 is hereby amended to read: "Section 11. Section 16 of Public Law 16-120 is amended to read:

'Section 16. (a) The sum of Eight Hundred Sixty-Five Thousand One Hundred Seventy-One Dollars (\$865,171) is appropriated from the General Fund to the Legislative Operations Fund for the personnel services to be rendered by central staff employees of the Legislative Branch during 1983. Positions funded by the appropriation shall not be filled as vacancies occur nor shall the funds be expended for whatever purposes. Any lapsed funds as a result of the conversion from classified to unclassified within the Legislative Branch shall revert to the General Fund.

(b) From lapsed funds within the sum of Eight Hundred Sixty-Five Thousand One Hundred Seventy-One Dollars (\$865,171) appropriated by Section 16 of Public Law 16-120 there is transferred from the category personnel services, classified, the sum of One Hundred Ten Thousand Seven Hundred Fifty Dollars (\$110,750) which transferred sum shall be expended from the Legislative Operations Fund for support of the Minority members."

Section 13. The Governor of Guam is hereby requested to submit a plan to the Seventeenth Guam Legislature within thirty (30) days from passage of this Act to include the following items:

- 1. The status of the maintenance program for operation of the PUAG wells, as identified in the Water Facilities Master Plan and Northern Guam Water Lens Study.
- 2. A listing of the costs for improvement of the well system and identification of the proposed funding sources.
- 3. The projected cost and source of funds for conduct and completion of a line loss survey of the PUAG water distribution system.



Youth & Senior Citizens Cultural Affairs & Human

> General Governmental Operations

Resources

Rules

17-10

SEVENTEENTH GUAM LEGISLATURE

P. O. BOX CB-1 AGANA, TERRITORY OF GUAM U.S.A. 96910 PHONE 477-9182/9546

COMMITTEE ON EDUCATION

Sen. F.J. Quitugua Chairman

Sen. F.R. Santos Vice-Chairman U.S.A. 96910 PHONE 477-9182/9546

March 22, 1983

MEMBERS

Sen. E.P. Arriola

Sen. E.T. Charfauros

Sen. A.C. Lamorena III

Sen. T.S. Nelson

Sen. J.F. Quan

Sen. J.H. Underwood

Sen. A.R. Unpingco

Committee Coordinator Mrs. Ignacia T. Tajalle The Honorable Carl T. C. Gutierrez Speaker, Seventeenth Guam Legislature P. O. Box CB-1 Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Education to which was referred Bill' No. 41, "AN ACT RELATIVE TO THE DUTIES OF THE CHAMORRO LANGUAGE COMMISSION" has had the same under consideration and wishes to report back with the recommendation to substitute said bill and do pass as substituted.

The Committee's voting record is as follows:

 Ayes
 9

 Nays
 0

 Abstentions
 0

 Off-Island
 0

A copy of the Committee Report and all pertinent documents are attached for your information.

Sincerely,

FRANKLIN J. OFITUGUA

Attachments

OFFICIAL XXII

REPORT OF THE COMMITTEE ON EDUCATION ON BILL NO. 41

"AN ACT RELATIVE TO THE DUTIES OF THE CHAMORRO LANGUAGE COMMISSION"

PREFACE

The Committee on Education conducted a scheduled public hearing to hear testimony on Bill No. 41. The public hearing was conducted on Thursday, February 10, 1983 in the Legislative Session Hall. Committee members present were:

Senator Franklin J. Quitugua, Chairman
Francisco R. Santos, Vice Chairman
Elizabeth P. Arriola, Member
Edward T. Charfauros,

" Alberto C. Lamorena III, "Ted S. Nelson, "

John F. Quan,

BACKGROUND

At the public hearing, the following witnesses appeared before the Committee.

- 1. <u>Ms. Neives Flores Sablan, Commissioner of Piti</u>: The "Lady Municipal Commissioner" testified in favor of the passage of Bill No. 41 on behalf of the residents of the Municipality of Piti. She claims the Bill will strengthen the efforts of municipal commissioners who are mandated to initiate and sustain a program of street naming in their respective municipalities.
- 2. <u>Ms. Frances Poppe, Member of the Board of Education</u>: Ms. Poppe testified on behalf of the Legislative Committee of The Territorial Board of Education. The Board favors the intent of the bill and at the same time recommends certain amendments (with explanations) quoted below.
 - 1. In the proposed new section (Section 11954), the phrase including autonomous and semi-autonomous agencies and departments" should be inserted following the initial reference to"... all government agencies." The reason for this inclusion is to clarify any future confusion with regard to executive branch authority to implement the proposed law.
 - 2. The Territorial Board of Education recommends that the concept of restoring proper spelling of place names and signs according to

the current standard orthography developed by the Chamorro Language Commission be retained.

- 3. <u>Senator Pilar C. Lujan, former member of the Govenor's Commission on the Chamorro Language</u>: She, too, supports the intent of Bill No. 41 and thinks that the proposed legislation, when enacted will conribute towards the standardization of the Chamorro language orthography. (Did not present written testimony)
- 4. Mr. Robert A. Underwood, representing the Governor's Commission in the Chamorro Language, was to have testified but had to leave before his turn came up. He submitted a written testimony which also supports Bill No. 41 in that it will establish authority for development of standard orthographic system, consolidate governments functions of two commissions now split and revive appropriate Chamorro pronounciations for place names.

It became apparent during the discussion following Senator Lujan's testimony that there is need for the Committee on Education to consider a substitute bill. In addition to the recommended amendments made by the Board of Education and Mr. Robert A. Underwood, there are other points that appear to merit consideration. These are:

- 1. Is the authority given to the Chamorro Language Commission to "develop" intended to give it final authority to also "approve" the orthography it developed. Or does the authority for final approval rest with the Legislature or some other body?
- 2. Should or shouldn't there be a legal mandate for the Commission to hold public hearings as a means of educating the populace as well as getting input?
- 3. Should or shouldn't there be a specified trial period of implementation. If so, should or should't there be an evaluation and reporting requirement of the Commission back to the Legislature on acceptability and effectiveness of the orthography so developed.

In view of the foregoing, the Committee recommends that Bill No. 41 be

retained for further study and to consider a substitute bill.

EXHIBITS

EXHIBIT	"A"	-	Testimony of Ms. Nieves Flores Sablan, Commissioner
			of Piti.
11	"B"	-	Testimony of Ms. Frances Poppe, on behalf of the
			Board of Education
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,,	"C"	-	Testimony of Mr. Robert A. Underwood, Governor's
			Commission on The Chamorro Language



OFFICE OF THE COMMISSIONER MUNICIPALITY OF PITI

(Territory of Guam, U.S.A.)

NIEVES FLORES SABLAN Municipal Commissioner

February 10, 1983

P.O. Box 2189 Agana, Guam 96 Telephone 472-1232

Hon. Franklin J. Quitugua Chairman, Committee on Education 17th Guam Legislature Agana, Guam 96910

Dear Mr. Chairman and Members of this Committee:

Thank you for the privelege of appearing before this honorable body. I wish to express my appreciation to Senator James Underwood for inviting me to this public hearing on Bill No. 41.

At this time, on behalf of the residents of the Municipality of Piti, I desire to state my full support for the passage of this measure. I feel that the duties and responsibilities of the Chamorro Language Commission is important to the people of Guam. Since Chamorro and English are both official languages of Guam, and English has been in use frequently, there should be a move to strengthen the efforts of public officials and that of the general public relative to the final version of the written Chamorro.

As you know, the municipal commissioners and their respective municipal planning councils are mandated to initiate and sustain a program of street naming in the 19 municipalities of Guam. Of course, we work with the Bureau of Planning, the Department of Land Management and other GovGuam entities.

It is, therefore, vital that the Chamorro Language Commission be in full operation and provided the authority to standardized and stablize the orthography of the Chamorro language.

Thank you for the time allowed to voice our concern for the passage of Bill No. 41.

Sincerely Yours,

NIEVES FLORES SABLAN

"Guam's first 'Lady' Municipal Commissioner"



TERRITORY OF GUAM TERRITORIAL BOARD OF EDUCATION

P.O. BOX DE AGANA, GUAM 96910

February 10, 1983

Senator James Underwood Seventeenth Guam Legislature

P. O. Box 373 Agana, Guam 96910

Dear Senator Underwood:

Legislative Comm of the On behalf of the Territorial Board of Education, I wish to express our deep appreciation for the opportunity to testify on Bill No. 41.

The Chamorro Language Commission has been addressing the problem of developing a standard orthography for the Chamorro Language over the past years. Bill No. 41 will definitely support and expand the work that has been done by the Commission.

It should be pointed out that the concept of a standard orthography has been thoroughly deliberated by the Commission and a single system has been recommended. The system is in general use now in appropriate programs at the University of Guam and the Department of Education.

The Legislative Committee of the Territorial Board of Education is in favor of the intent of Bill No. 41 and at the same time recommend the enclosed modifications.

Sincerely,

Dorrane C. Gama LORRAINE C. YAMASHITA

Chairperson

Enclosure

L. Yamashita

G. Borja

T. Kasperbauer

MEMBERS

- J. Guthertz
- E. L.Guerrero
- A. Quitugua
- V. Reyes
- A. San Agustin
- I. Tainatongo
- . V. Taitano
- j. A. Kelmereit
- a. J. Underhill
- Vivian Furlow

ances Poppe

on-Public Sch.)

POSITION STATEMENT ON BILL NO. 41

- 1. In the proposed new section (Section 11954), the phrase "including autonomous and semi-autonomous agencies and departments" should be inserted following the initial reference to "... all government agencies." The reason for this inclusion is to clarify any future confusion with regard to executive branch authority to implement the proposed law.
- 2. The Territorial Board of Education recommends that the concept of restoring proper spelling of place names and signs according to the current standard orthography developed by the Chamorro Language Commission be retained.



KUMISION I FINO' CHAMORRO

(Governor's Commission on the Chamorro Language)
GOVERNMENT OF GUAM
P. O. BOX 3096, AGANA, GUAM 965



February 10, 1983

TESTIMONY ON BILL NO. 41

My name is Robert Underwood, Chairman of the Chamorro Language Commission, and I am testifying in support of Bill no. 41 relative to the duties of the Chamorro Language Commission. The bill, if enacted into law will accomplish a number of valuable things:

- 1. First, it will give the Commission the authority to establish an orthographic (spelling) system without unnecessary delays and clear up lingering doubts as to who has the final authority on questions of spelling.
- 2. Secondly, it will consolidate government functions by merging the Guam Place Name Commission with the Chamorro Language Commission. Inasmuch as the place name commission has never been active, the desire of the Legislature to retain traditional Chamorro place names has not been fulfilled. The creation of new place names and the loss of traditional names goes on unabated.
- 3. Thirdly, it gives life to efforts to revive appropriate Chamorro pronunciations for place names. The spelling systems and sound systems of other languages have frequently taken precedence over the way Chamorro place names have been traditionally pronounced. The misrepresentation and "misspelling" have resulted in clearly inappropriate pronunciations as in Ritidian (Litekyan), Merizo (Malesso'), Adelup (Adeluk) and Anigua (Aniguak).

In reference to the specific language of the bill, I recommend that "ancient" be deleted and "traditional" be inserted in subsection (f) of Section 13999.2.

In terms of specific provisions, I recommend that your committee await a version of a similar bill emanating from the Governor's Office. That bill, which is similar in its direction, places a time limit on the replacement of signs. I am in basic support of this provision.

I wish to take this opportunity to remind all of you of the serious implications of this bill in the long-run. Some will argue that it is a costly exercise for the sake of cultural preservation. Others will see it as an attempt to take the island's heritage seriously. The survival of the Chamorro language is in the hands of the present generation of those between the ages of 25-40 who may be the last generation that is truly bilingual in English and Chamorro. By giving the Chamorro language the dignity it has long been denied, we further enhance the opportunity for those who are younger to become bilingual. It is not a step to be taken frivolously, but with a great of seriousness and committment. Hopefully, we are all up to it.

Si Yu'os Ma'ase put i atension-miyu.

Si Robert A. Underwood

Hagatha, Guahan