

day in January (unless the legislature shall by law fix a different date), and shall continue for such term as the legislature may provide. The Governor may call special sessions of the legislature at any time when, in his opinion, the public interest may require it. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session. All sessions of the legislature shall be open to the public.

(Aug. 1, 1950, ch. 512, §18, 64 Stat. 388; Pub. L. 90-497, §6(a), Sept. 11, 1968, 82 Stat. 846.)

AMENDMENTS

1968—Pub. L. 90-497 removed 60-day limitation on the length of regular sessions and 14-day limitation on the length of special sessions of the legislature.

EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-497, §6(a), Sept. 11, 1968, 82 Stat. 846, provided that the amendment made by that section is effective on date of enactment of Pub. L. 90-497, which was approved Sept. 11, 1968.

§ 1423i. Approval of bills

Every bill passed by the legislature shall, before it becomes a law, be entered upon the journal and presented to the Governor. If he approves it, he shall sign it, but if not he shall, except as hereinafter provided, return it, with his objections, to the legislature within ten days (Sundays excepted) after it shall have been presented to him. If he does not return it within such period, it shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevents its return, in which case it shall be a law if signed by the Governor within thirty days after it shall have been presented to him; otherwise it shall not be a law. When a bill is returned by the Governor to the legislature with his objections, the legislature shall enter his objections at large on its journal and, upon motion of a member of the legislature, proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more of such items, or any part or parts, portion or portions thereof, while approving the other items, parts, or portions of the bill. In such a case he shall append to the bill at the time of signing it, a statement of the items, or parts or portions thereof, to which he objects, and the items, or parts or portions thereof, so objected to shall not take effect. All laws enacted by the legislature shall be reported by the Governor to the head of the department or agency designated by the President under section 1421a of this title. The Congress of the United States reserves the power and authority to annul the same.

(Aug. 1, 1950, ch. 512, §19, 64 Stat. 389; Pub. L. 90-497, §8, Sept. 11, 1968, 82 Stat. 847; Pub. L. 93-608, §1(14), Jan. 2, 1975, 88 Stat. 1969.)

AMENDMENTS

1975—Pub. L. 93-608 struck out requirement that reports be transmitted to Congress by the Secretary concerned.

1968—Pub. L. 90-497, §8(a), struck out President's authority to veto territorial legislation referred by the Governor after such legislation had been passed by the legislature over the Governor's veto.

Pub. L. 90-497, §8(b), struck out provision that, if Congress did not annul laws passed by the legislature and reported to Congress within one year of the date of its receipt by Congress, such laws were deemed to have been approved by Congress.

EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-497, §8(b), Sept. 11, 1968, 82 Stat. 847, provided that the amendment made by that section is effective on the date of enactment of Pub. L. 90-497, which was approved Sept. 11, 1968.

Amendment by Pub. L. 90-497 necessary to authorize the holding of an election for Governor and Lieutenant Governor on Nov. 3, 1970, effective Jan. 1, 1970, and all other amendments unless otherwise provided effective Jan. 4, 1971, see section 13 of Pub. L. 90-497, set out as a note under section 1422 of this title.

§ 1423j. Authorization of appropriations

(a) Appropriations, except as otherwise provided in this chapter, and except such appropriations as shall be made from time to time by the Congress of the United States, shall be made by the legislature.

(b) If at the termination of any fiscal year the legislature shall have failed to pass appropriation bills providing for payments of the necessary current expenses of the government and meeting its legal obligations for the ensuing fiscal year, then the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be applicable, shall be deemed to be re-appropriated, item by item.

(c) All appropriations made prior to August 1, 1950 shall be available to the government of Guam.

(Aug. 1, 1950, ch. 512, §20, 64 Stat. 389.)

§ 1423k. Right of petition

The legislature or any person or group of persons in Guam shall have the unrestricted right of petition. It shall be the duty of all officers of the government to receive and without delay to act upon or forward, as the case may require, any such petition.

(Aug. 1, 1950, ch. 512, §21, 64 Stat. 389.)

§ 1423l. Omitted

CODIFICATION

Section, act Oct. 5, 1992, Pub. L. 102-381, title I, 106 Stat. 1392, which authorized Territorial and local governments of Guam to make purchases through General Services Administration, was from the Department of the Interior and Related Agencies Appropriations Act, 1992, and was not repeated in subsequent appropriation acts. See section 1469e of this title. Similar provisions were contained in the following prior appropriation acts:

Nov. 13, 1991, Pub. L. 102-154, title I, 105 Stat. 1007.

Nov. 5, 1990, Pub. L. 101-512, title I, 104 Stat. 1932.

Oct. 23, 1989, Pub. L. 101-121, title I, 103 Stat. 716.

Sept. 27, 1988, Pub. L. 100-446, title I, 102 Stat. 1797.

Dec. 22, 1987, Pub. L. 100-202, §101(g) [title I], 101 Stat. 1329-213, 1329-231.

Oct. 18, 1986, Pub. L. 99-500, §101(h) [title I], 100 Stat. 1783-242, 1783-258, and Oct. 30, 1986, Pub. L. 99-591, §101(h) [title I], 100 Stat. 3341-242, 3341-258.

Dec. 19, 1985, Pub. L. 99-190, §101(d) [title I], 99 Stat. 1224, 1238.

Oct. 12, 1984, Pub. L. 98-473, title I, §101(c) [title I], 98 Stat. 1837, 1851.

Nov. 4, 1983, Pub. L. 98-146, title I, 97 Stat. 931.
 Dec. 30, 1982, Pub. L. 97-394, title I, 96 Stat. 1979.
 Dec. 23, 1981, Pub. L. 97-100, title I, 95 Stat. 1401.
 Dec. 12, 1980, Pub. L. 96-514, title I, 94 Stat. 2969.
 Nov. 27, 1979, Pub. L. 96-126, title I, 93 Stat. 965.
 Oct. 17, 1978, Pub. L. 95-465, title I, 92 Stat. 1289.
 July 26, 1977, Pub. L. 95-74, title I, 91 Stat. 295.
 July 31, 1976, Pub. L. 94-373, title I, 90 Stat. 1052.
 Dec. 23, 1975, Pub. L. 94-165, title I, 89 Stat. 987.
 Aug. 31, 1974, Pub. L. 93-404, title I, 88 Stat. 812.
 Oct. 4, 1973, Pub. L. 93-120, title I, 87 Stat. 433.
 Aug. 10, 1972, Pub. L. 92-369, title I, 86 Stat. 512.
 Aug. 10, 1971, Pub. L. 92-76, title I, 85 Stat. 233.
 July 31, 1970, Pub. L. 91-361, title I, 84 Stat. 673.
 Oct. 29, 1969, Pub. L. 91-98, title I, 83 Stat. 151.
 July 26, 1968, Pub. L. 90-425, title I, 82 Stat. 430.
 June 24, 1967, Pub. L. 90-28, title I, 81 Stat. 63.
 May 31, 1966, Pub. L. 89-435, title I, 80 Stat. 174.
 June 28, 1965, Pub. L. 89-52, title I, 79 Stat. 179.
 July 7, 1964, Pub. L. 88-356, title I, 78 Stat. 278.
 July 26, 1963, Pub. L. 88-79, title I, 77 Stat. 102.
 Aug. 9, 1962, Pub. L. 87-578, title I, 76 Stat. 339.
 Aug. 3, 1961, Pub. L. 87-122, title I, 75 Stat. 250.
 May 13, 1960, Pub. L. 86-455, title I, 74 Stat. 112.
 June 23, 1959, Pub. L. 86-60, title I, 73 Stat. 101.
 June 4, 1958, Pub. L. 85-439, title I, 72 Stat. 163.
 July 1, 1957, Pub. L. 85-77, title I, 71 Stat. 265.
 June 13, 1956, ch. 380, title I, 70 Stat. 264.
 June 16, 1955, ch. 147, title I, 69 Stat. 149.
 July 1, 1954, ch. 446, title I, 68 Stat. 372.
 July 31, 1953, ch. 298, title I, 67 Stat. 273.
 July 9, 1952, ch. 597, title I, 66 Stat. 457.
 Aug. 31, 1951, ch. 375, title I, 65 Stat. 263.
 Sept. 6, 1950, ch. 896, Ch. VII, title I, 64 Stat. 694.

SUBCHAPTER IV—THE JUDICIARY

§ 1424. District Court of Guam; local courts; jurisdiction

(a) District Court of Guam; unified court system

(1) The judicial authority of Guam shall be vested in a court established by Congress designated as the “District Court of Guam”, and a judicial branch of Guam which branch shall constitute a unified judicial system and include an appellate court designated as the “Supreme Court of Guam”, a trial court designated as the “Superior Court of Guam”, and such other lower local courts as may have been or shall hereafter be established by the laws of Guam.

(2) The Supreme Court of Guam may, by rules of such court, create divisions of the Superior Court of Guam and other local courts of Guam.

(3) The courts of record for Guam shall be the District Court of Guam, the Supreme Court of Guam, the Superior Court of Guam (except the Traffic and Small Claims divisions of the Superior Court of Guam) and any other local courts or divisions of local courts that the Supreme Court of Guam shall designate.

(b) Jurisdiction

The District Court of Guam shall have the jurisdiction of a district court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28, and that of a bankruptcy court of the United States.

(c) Original jurisdiction

In addition to the jurisdiction described in subsection (b) of this section, the District Court of Guam shall have original jurisdiction in all

other causes in Guam, jurisdiction over which is not then vested by the legislature in another court or other courts established by it. In causes brought in the district court solely on the basis of this subsection, the district court shall be considered a court established by the laws of Guam for the purpose of determining the requirements of indictment by grand jury or trial by jury.

(Aug. 1, 1950, ch. 512, §22, 64 Stat. 389; Aug. 27, 1954, ch. 1017, §1, 68 Stat. 882; Pub. L. 85-444, §§1, 2, June 4, 1958, 72 Stat. 178, 179; Pub. L. 95-598, title III, §335, Nov. 6, 1978, 92 Stat. 2680; Pub. L. 98-454, title VIII, §§801, 803, title X, §1001, Oct. 5, 1984, 98 Stat. 1741, 1743, 1745; Pub. L. 108-378, §1(a), Oct. 30, 2004, 118 Stat. 2206.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-378 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The judicial authority of Guam shall be vested in a court of record established by Congress, designated the ‘District Court of Guam,’ and such local court or courts as may have been or shall hereafter be established by the laws of Guam in conformity with section 1424-1 of this title.”

1984—Pub. L. 98-454 amended section generally, striking out language which directed that no provisions of any rules which authorized or required trial by jury or the prosecution of offenses by indictment by a grand jury instead of by information be applicable to the District Court of Guam unless and until made so applicable by laws enacted by the Legislature of Guam, repealed that portion of section 1 of act Aug. 27, 1954, which had inserted such language originally, repealed section 335 of Pub. L. 95-598, which had amended this section, and transferred out of this section into sections 1424-1 to 1424-4, with amendments, the remaining provisions formerly set out in this section relating to the creation, jurisdiction, and rules governing procedure in the Guam judicial system.

1978—Subsec. (a). Pub. L. 95-598, §335(a), inserted “and a bankruptcy court”.

Subsec. (b). Pub. L. 95-598, §335(b), substituted “section 2075 of title 28, in cases under title 11,” for “section 53 of title 11, in bankruptcy cases”.

1958—Subsec. (a). Pub. L. 85-444 provided that the District Court of Guam shall have jurisdiction in all causes arising under the Constitution, treaties, and laws of the United States, regardless of the sum or value of the matter in controversy, and to insert the paragraph requiring appeals to the District Court to be heard and determined by an appellate division.

1954—Subsec. (b). Act Aug. 27, 1954, inserted provisions making it clear that trial by jury or the prosecution of offenses by indictment by a grand jury instead of by information shall not be required in the District Court of Guam until so required by laws enacted by the Legislature of Guam; and defining the terms “attorney for the government”, and “United States attorney”, as used in the Federal Rules of Criminal Procedure, when applicable to cases arising under the laws of Guam.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-454, title X, §1005, Oct. 5, 1984, 98 Stat. 1746, provided that: “Titles VII, VIII, IX, and X of this Act [enacting sections 1424-1 to 1424-4, 1493, and 1613a of this title, repealing section 1400 of this title, amending this section and sections 1424b, 1561, 1611, 1612, 1613, 1614, 1615, 1617, 1694, and 1821 to 1824 of this title, and enacting provisions set out as notes under sections 1424b, 1612, and 1614 of this title and section 373 of Title 28, Judiciary and Judicial Procedure] shall become effective on the ninetieth day following their enactment [Oct. 5, 1984].”

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by section 335(b) of Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set