

ing appropriations may provide for the withholding of any payments from the United States to the government of Guam which may be or may become due pursuant to any law and offset the amount of such withheld payments against any claim the United States may have against the government of Guam or the Guam Power Authority pursuant to this guarantee. For the purpose of this chapter, under section 3713(a) of title 31 the term "person" includes the government of Guam and the Guam Power Authority. The Secretary may place such stipulations as he deems appropriate on the bonds or other obligations he guarantees.

(Aug. 1, 1950, ch. 512, §11, 64 Stat. 387; Pub. L. 94-395, Sept. 3, 1976, 90 Stat. 1199; Pub. L. 96-205, title III, §303, Mar. 12, 1980, 94 Stat. 88; Pub. L. 98-454, title II, §203, Oct. 5, 1984, 98 Stat. 1733; Pub. L. 105-291, §4, Oct. 27, 1998, 112 Stat. 2786.)

#### CODIFICATION

"Section 3713(a) of title 31" substituted in text for "section 3466 of the Revised Statutes (31 U.S.C. 191)" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### AMENDMENTS

1998—Pub. L. 105-291 substituted "rightful subjects of legislation" for "subjects of legislation of local application" in first sentence.

1984—Pub. L. 98-454 inserted provisions relating to authority of Secretary to guarantee for purchase by the Federal Financing Bank, obligations of the Guam Power Authority to be used for a second refinancing of the principal amount due to mature on December 31, 1990.

1980—Pub. L. 96-205 substituted provisions relating to guarantees by the Secretary of the purchase by the Federal Financing Bank of the refinancing obligations of the Guam Power Authority where such refinancing obligations remain outstanding by Dec. 31, 1980, for provisions relating to payment of interest and default on maturity of guaranteed bonds or other obligations issued prior to Dec. 31, 1980.

1976—Pub. L. 94-395 inserted provisions relating to authority of Secretary of the Interior to guarantee for purchase by the Federal Financing Bank bonds or other obligations of the Guam Power Authority maturing on or before Dec. 31, 1978.

#### § 1423b. Selection and qualification of members; officers; rules and regulations; quorum

The legislature shall be the judge of the selection and qualification of its own members. It shall choose from its members its own officers, determine its rules and procedure, not inconsistent with this chapter, and keep a journal. The quorum of the legislature shall consist of a simple majority of its members. No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays.

(Aug. 1, 1950, ch. 512, §12, 64 Stat. 388; Pub. L. 90-497, §6(b), Sept. 11, 1968, 82 Stat. 846; Pub. L. 105-291, §3, Oct. 27, 1998, 112 Stat. 2785.)

#### AMENDMENTS

1998—Pub. L. 105-291 substituted "a simple majority" for "eleven".

1968—Pub. L. 90-497 inserted a quorum requirement, provided that a quorum of the legislature consist of

eleven of its members, and made presence of a quorum requisite to passage of a law.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-497, §6(b), 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.

#### § 1423c. Privileges of members

(a) The members of the legislature shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the legislature and in going to and returning from the same.

(b) No member of the legislature shall be held to answer before any tribunal other than the legislature itself for any speech or debate in the legislature.

(Aug. 1, 1950, ch. 512, §13, 64 Stat. 388.)

#### § 1423d. Oath of office

Every member of the legislature and all officers of the government of Guam shall take the following oath or affirmation:

"I solemnly swear (or affirm) in the presence of Almighty God that I will well and faithfully support the Constitution of the United States, the laws of the United States applicable to Guam and the laws of Guam, and that I will conscientiously and impartially discharge my duties as a member of the Guam Legislature (or as an officer of the government of Guam)."

(Aug. 1, 1950, ch. 512, §14, 64 Stat. 388.)

#### § 1423e. Prohibition against acceptance of salary increases or newly created offices

No member of the legislature shall, during the term for which he was elected or during the year following the expiration of such term, be appointed to any office which has been created, or the salary or emoluments of which have been increased during such term.

(Aug. 1, 1950, ch. 512, §15, 64 Stat. 388.)

#### § 1423f. Qualifications of members

No person shall sit in the legislature who is not a citizen of the United States, who has not attained the age of twenty-five years and who has not been domiciled in Guam for at least five years immediately preceding the sitting of the legislature in which he seeks to qualify as a member, or who has been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his civil rights.

(Aug. 1, 1950, ch. 512, §16, 64 Stat. 388.)

#### § 1423g. Vacancies

Vacancies occurring in the legislature shall be filled as the legislature shall provide, except that no person filling a vacancy shall hold office longer than for the remainder of the term for which his predecessor was elected.

(Aug. 1, 1950, ch. 512, §17, 64 Stat. 388.)

#### § 1423h. Regular and special sessions

Regular sessions of the legislature shall be held annually, commencing on the second Mon-

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, 1993, 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.