

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2370

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IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, OCTOBER 2), 1998

Received

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## AN ACT

To amend the Organic Act of Guam to clarify local executive and legislative provisions in such Act, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Guam Organic Act  
3 Amendments of 1998”.

4 **SEC. 2. ATTORNEY GENERAL OF GUAM.**

5 Section 29 of the Organic Act of Guam (48 U.S.C.  
6 1421g) is amended by adding at the end the following new  
7 subsection:

8 “(d)(1) The Attorney General of Guam shall be the  
9 Chief Legal Officer of the Government of Guam. At such  
10 time as the Office of the Attorney General of Guam shall  
11 next become vacant, the Attorney General of Guam shall  
12 be appointed by the Governor of Guam with the advice  
13 and consent of the legislature, and shall serve at the pleas-  
14 ure of the Governor of Guam.

15 “(2) Instead of an appointed Attorney General, the  
16 legislature may, by law, provide for the election of the At-  
17 torney General of Guam by the qualified voters of Guam  
18 in general elections after 1998 in which the Governor of  
19 Guam is elected. The term of an elected Attorney General  
20 shall be 4 years. The Attorney General may be removed  
21 by the people of Guam according to the procedures speci-  
22 fied in section 9–A of this Act or may be removed for  
23 cause in accordance with procedures established by the  
24 legislature in law. A vacancy in the office of an elected  
25 Attorney General shall be filled—

1           “(A) by appointment by the Governor of Guam  
2 if such vacancy occurs less than 6 months before a  
3 general election for the Office of Attorney General of  
4 Guam; or

5           “(B) by a special election held no sooner than  
6 3 months after such vacancy occurs and no later  
7 than 6 months before a general election for Attorney  
8 General of Guam, and by appointment by the Gov-  
9 ernor of Guam pending a special election under this  
10 subparagraph.”.

11 **SEC. 3. LEGISLATIVE QUORUM.**

12       Section 12 of the Organic Act of Guam (48 U.S.C.  
13 1423b) is amended by striking “eleven” and inserting “a  
14 simple majority”.

15 **SEC. 4. CLARIFICATION OF LEGISLATIVE POWER.**

16       The first sentence of section 11 of the Organic Act  
17 of Guam (48 U.S.C. 1423a) is amended—

18           (1) by inserting “rightful” before “subjects”;

19       and

20           (2) by striking “legislation of local application”

21       and inserting “legislation”.

      Passed the House of Representatives October 5,  
1998.

Attest:

ROBIN H. CARLE,

*Clerk.*