

Public Law 105-291
105th Congress

An Act

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

Oct. 27, 1998

[H.R. 2370]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Guam Organic
Act Amendments
of 1998.
48 USC 1421
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Guam Organic Act Amendments of 1998".

SEC. 2. ATTORNEY GENERAL OF GUAM.

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

"(d)(1) The Attorney General of Guam shall be the Chief Legal Officer of the Government of Guam. At such time as the Office of the Attorney General of Guam shall next become vacant, the Attorney General of Guam shall be appointed by the Governor of Guam with the advice and consent of the legislature, and shall serve at the pleasure of the Governor of Guam.

"(2) Instead of an appointed Attorney General, the legislature may, by law, provide for the election of the Attorney General of Guam by the qualified voters of Guam in general elections after 1998 in which the Governor of Guam is elected. The term of an elected Attorney General shall be 4 years. The Attorney General may be removed by the people of Guam according to the procedures specified in section 9-A of this Act or may be removed for cause in accordance with procedures established by the legislature in law. A vacancy in the office of an elected Attorney General shall be filled—

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

"(B) by a special election held no sooner than 3 months after such vacancy occurs and no later than 6 months before a general election for Attorney General of Guam, and by appointment by the Governor of Guam pending a special election under this subparagraph."

SEC. 3. LEGISLATIVE QUORUM.

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

SEC. 4. CLARIFICATION OF LEGISLATIVE POWER.

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

- (1) by inserting “rightful” before “subjects”; and
- (2) by striking “legislation of local application” and inserting “legislation”.

Approved October 27, 1998.

LEGISLATIVE HISTORY—H.R. 2370:

HOUSE REPORTS: No. 105-742 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 5, considered and passed House.

Oct. 15, considered and passed Senate.