

*I Mina'trentai Ocho Na Liheslaturan Guahan*  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
91-38 (COR)	Joe S. San Agustin V. Anthony Ada Tina Rose Muñá Barnes Vincent A. V. Borja Jesse A. Lujan Christopher M. Dueñas William A. Parkinson	AN ACT TO ADD A NEW (n) TO §63201 AND AMEND §63202(a)AND §63203(a), ALL OF ARTICLE 2, CHAPTER63, TITLE 10, GUAM CODE ANNOTATED RELATIVETO ESTABLISHING A MINIMUM RESIDENCYREQUIREMENT FOR THE GUAM NATIONAL GUARDEADERSHIP.	3/14/25 1:10 p.m.						

***IMINA 'TRENTAI OCHO NA LIHESLUTURAN GUÅHAN***  
**2025 (FIRST) Regular Session**

**Bill No.91-38 (COR)**

Introduced by:

Joe S. San Agustin   
V. Anthony Ada   
Tina Rose Muña Barnes   
Vincent Anthony V. Borja   
Jesse A. Lujan   
Christopher M. Dueñas   
William A. Parkinson 

**AN ACT TO ADD A NEW (n) TO §63201 AND AMEND  
§63202(a) AND §63203(a), ALL OF ARTICLE 2, CHAPTER  
63, TITLE 10, GUAM CODE ANNOTATED RELATIVE  
TO ESTABLISHING A MINIMUM RESIDENCY  
REQUIREMENT FOR THE GUAM NATIONAL GUARD  
LEADERSHIP.**

1                   **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* recognizes  
3           that the position of Adjutant General and Assistant Adjutant General are critical  
4           leadership roles within the Guam National Guard. They are responsible for  
5           overseeing the day-to-day operations of the Guard, ensuring its readiness, and  
6           fostering the professional development of its service members. This position  
7           requires a unique combination of military experience, strong leadership skills, and a  
8           deep understanding of Guam's distinct geopolitical and cultural context.

9                   *I Liheslaturan Guåhan* finds that in order to embrace such characteristics a  
10           minimum residency requirement is needed. *I Liheslaturan Guåhan* proposes a  
11           minimum of five (5) year residency prior to appointment of leadership. This

1 residency requirement ensures that the appointee has a comprehensive  
2 understanding of the island's needs, challenges, and opportunities, and is well-  
3 positioned to lead the Guam National Guard with insight and effectiveness.

4 Therefore, the intent of *I Liheslaturan Guåhan* is to establish a transparent  
5 and accountable process for the appointment of the Guam National Guard top  
6 leadership that reflects the values and priorities of the people of Guam. It is designed  
7 to ensure that the individual selected for these critical roles are not only qualified but  
8 also deeply connected to the community they serve, fostering public trust and  
9 reinforcing commitment to responsible governance and leadership.

10 **Section 2.** A new (n) to §63201, Article 2, Chapter 63, Title 10, Guam Code  
11 Annotated, is hereby *added* to read:

12 **“§ 63201. The Adjutant General.**

13 The Adjutant General shall be appointed by *I Maga 'lahen Guåhan*, subject to  
14 the advice and consent of *I Liheslaturan Guåhan*, and shall have such rank and  
15 qualifications as *I Maga 'lahen Guåhan* may prescribe, and he shall:

16 (a) be, or have been, a Federally recognized commissioned officer in  
17 the Army or Air Force or their Reserve components in the grade of at least  
18 Lieutenant Colonel (O-5, Promotable) pursuant to Army or Air Force  
19 promotion regulations and policies at the time of appointment;

20 (b) be promoted in the Guam Army or Air National Guard, as  
21 appropriate, at the discretion of the Commander-in-Chief, to a grade not to  
22 exceed Lieutenant General (O-9);

23 (c) serve until such time as his replacement is appointed by *I*  
24 *Maga 'lahen Guåhan* or until he resigns;

25 (d) issue and promulgate regulations in furtherance of the provisions of  
26 this Title (The regulations shall take effect by Executive Order of *I*  
27 *Maga 'lahen Guahan*. The provisions of the Administrative Adjudication Law

1 shall not apply to the issuance and promulgation of regulations of the  
2 Department of Military Affairs.);

3 (e) be the senior commander, under the Commander-in-Chief of the  
4 Guam National Guard, and be responsible for the training of all members and  
5 units of the Guam National Guard for both Federal and Guam missions;

6 (f) be the paymaster general and be charged with all disbursements of  
7 pay and allowances for the service of the troops when in the service of Guam;

8 (g) give his entire time to the management of the Department of  
9 Military Affairs;

10 (h) have such military and civilian assistants and clerks as may be  
11 required to properly conduct the operation of his department;

12 (i) issue and transmit and keep a record of all orders and regulations of  
13 the Commander-in-Chief and the Department of Military Affairs pertaining  
14 to the Guam National Guard;

15 (j) keep a record of all appointments, commissions and warrants of  
16 officers and appointments of non-commissioned officers and shall have  
17 general charge of recruiting and records of enlistments and discharges;

18 (k) keep the military history of the Guam National Guard and personnel  
19 records of each individual member thereof;

20 (l) have charge of all correspondence and records pertaining to the  
21 Department of Military Affairs, and file for record all reports and records of  
22 all active service performed by members of the Guam National Guard in the  
23 service of Guam or of the United States; and

24 (m) direct and have charge of all purchase of military supplies and  
25 stores, subject to the purchasing procedure of the government of Guam.

26 (n) shall have maintained residency in Guam for no less than (5) years  
27 prior to appointment.”

1   **Section 3.** §63202(a), Article 2, Chapter 63, Title 10, Guam Code Annotated, is  
2   hereby *amended* to read:

3   **“§ 63202. Assistant Adjutant General for Army.**

4       The Assistant Adjutant General for Army shall be recommended by the  
5   Adjutant General to *I Maga 'lahen Guåhan*, and he shall:

6           (a) be a citizen of the United States and a resident of Guam for no less than  
7           five (5) years prior to appointment;

8           (b) hold the rank of Colonel, which is Federally recognized;

9           (c) be promoted to a rank not to exceed Brigadier General at the  
10           discretion of *I Maga 'lahen Guåhan* as Commander-in-Chief of the Guam  
11           National Guard; and

12           (d) perform such military duties as the Commander of the Guam Army  
13           National Guard, under the direction of the Adjutant General and shall perform  
14           such other military duties as may be required of him by the Adjutant General.  
15           The Assistant Adjutant General for Army shall be under the supervision and  
16           control of the Adjutant General. When so designated by *I Maga 'lahen*  
17           *Guåhan*, the Assistant Adjutant General shall be the acting Adjutant General  
18           during the Adjutant General's absence from Guam or during the unavailability  
19           of the Adjutant General due to illness or incapacitation.”

20   **Section 4.** §63203(a), Article 2, Chapter 63, Title 10, Guam Code Annotated, is  
21   hereby *amended* to read:

22   **“§ 63203. Assistant Adjutant General for Air.**

23       The Assistant Adjutant General for Air shall be appointed by the Adjutant  
24   General and he shall:

25           (a) Be a citizen of the United States and a resident of Guam for no less than  
26           five (5) years prior to appointment;

27           (b) Be qualified for immediate federal recognition as a colonel; and

(c) Be promoted to a rank not to exceed Brigadier General at the discretion of

*I Maga'lahan Guåhan as Commander-in-Chief of the Guam National Guard, and perform such military duties as the Commander of the Guam Air National Guard, under the direction of the Adjutant General, and shall perform all such military duties as may be required of him by the Adjutant General.”*

**Section 5. Effective Date.** This Act *shall* be effective upon enactment.

**Section 6. Severability.** If any provision of this Act or its application to any

person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.