

## SUBMERGED LANDS, CONVEYANCE TO TERRITORY

Conveyance of submerged lands to the government of Guam, see section 1701 et seq. of this title.

**§ 1422a. Removal of Governor, Lieutenant Governor, or member of legislature; referendum election**

(a) The people of Guam shall have the right of initiative and referendum, to be exercised under conditions and procedures specified in the laws of Guam.

(b) Any Governor, Lieutenant Governor, or member of the legislature of Guam may be removed from office by a referendum election in which at least two-thirds of the number of persons voting for such official in the last preceding general election at which such official was elected vote in favor of recall and in which those so voting constitute a majority of all those participating in such referendum election. The referendum election shall be initiated by the legislature of Guam following (a) a two-thirds vote of the members of the legislature in favor of a referendum, or (b) petition for such a referendum to the legislature by registered voters equal in number to at least 50 per centum of the whole number of votes cast at the last general election at which such official was elected preceding the filing of the petition.

(Aug. 1, 1950, ch. 512, §7, 64 Stat. 387; Pub. L. 90-497, §2, Sept. 11, 1968, 82 Stat. 844; Pub. L. 97-357, title I, §101, Oct. 19, 1982, 96 Stat. 1705.)

**Editorial Notes**

AMENDMENTS

1982—Subsec. (a). Pub. L. 97-357 added subsec. (a).

Subsec. (b). Pub. L. 97-357 redesignated existing provisions as subsec. (b) and inserted provisions relating to the removal of a Lieutenant Governor or member of the legislature of Guam.

1968—Pub. L. 90-497 substituted provisions for the removal of the Governor of Guam through a referendum election for provisions for the appointment, tenure, powers, and duties of the Secretary of Guam.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1968 AMENDMENT

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.

**§ 1422b. Vacancy in office of Governor or Lieutenant Governor**

**(a) Temporary disability or temporary absence of Governor**

In case of the temporary disability or temporary absence of the Governor, the Lieutenant Governor shall have the powers of the Governor.

**(b) Permanent vacancy in office of Governor**

In case of a permanent vacancy in the office of Governor, arising by reason of the death, resignation, removal by recall, or permanent disability of the Governor, or the death, resignation, or permanent disability of a Governor-elect, or for any other reason, the Lieutenant

Governor or Lieutenant Governor-elect shall become the Governor, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Governor.

**(c) Temporary disability or temporary absence of Lieutenant Governor**

In case of the temporary disability or temporary absence of the Lieutenant Governor, or during any period when the Lieutenant Governor is acting as Governor, the speaker of the Guam Legislature shall act as Lieutenant Governor.

**(d) Permanent vacancy in office of Lieutenant Governor**

In case of a permanent vacancy in the office of Lieutenant Governor, arising by reason of the death, resignation, or permanent disability of the Lieutenant Governor, or because the Lieutenant Governor or Lieutenant Governor-elect has succeeded to the office of Governor, the Governor shall appoint a new Lieutenant Governor, with the advice and consent of the legislature, to hold office for the unexpired term and until he or his successor shall have been duly elected and qualified at the next regular election for Lieutenant Governor.

**(e) Temporary disability or temporary absence of both Governor and Lieutenant Governor**

In case of the temporary disability or temporary absence of both the Governor and the Lieutenant Governor, the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of Guam may prescribe. In case of a permanent vacancy in the offices of both the Governor and Lieutenant Governor, the office of Governor shall be filled for the unexpired term in the manner prescribed by the laws of Guam.

**(f) Additional compensation**

No additional compensation shall be paid to any person acting as Governor or Lieutenant Governor who does not also assume the office of Governor or Lieutenant Governor under the provisions of this chapter.

(Aug. 1, 1950, ch. 512, §8, 64 Stat. 387; Pub. L. 87-419, §1, Mar. 16, 1962, 76 Stat. 34; Pub. L. 90-497, §3, Sept. 11, 1968, 82 Stat. 844.)

**Editorial Notes**

AMENDMENTS

1968—Pub. L. 90-497 designated existing provisions as subsec. (a), substituted provisions that the Lieutenant Governor have the powers of the Governor in the event of the temporary disability or temporary absence of the Governor for provisions authorizing the appointed department head to designate an acting Governor in the case of a vacancy or temporary absence of both the Governor and the Secretary of Guam, and added subsecs. (b) to (f).

1962—Pub. L. 87-419 provided for appointment of an acting secretary under certain conditions, prescribed the powers of such secretary and proscribed additional compensation for an acting Governor or acting secretary.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-497 necessary to authorize the holding of an election for Governor and Lieutenant