



**BOARD OF REGENTS  
REGENT NOMINATING COUNCIL**

Dear Regent Applicant:

Thank you for your interest in serving as a University of Guam (UOG) Regent. Vigorous, visionary leadership is essential to addressing the challenges facing UOG in today's ever changing higher education environment.

In accordance with Public Law 26-24, the 11-member Regent Nominating Council (the Council) is responsible for recommending *at least one (1)* and *no more than three (3)* qualified candidates to the Governor for every Board vacancy.

The Board of Regents is composed of nine members, including a UOG student member. The Council invites applications from distinguished leaders, like yourself, representing various sectors of our community, to assist in guiding UOG's vision and achieving its mission.

It is, therefore, important that applicants embrace and support a(n):

- Commitment to the value of higher education
- Understanding of UOG's mission
- Understanding of the land-grant and sea-grant nature of UOG
- Willingness to commit time and energy, as necessary, for 6 years
- Willingness to forego political activity that may be disruptive or harmful to UOG
- Overriding loyalty to UOG above any other specific constituency
- Commitment to UOG's Regents' Code of Conduct

Please review the enclosed application information package. For consideration, you must submit all required documentation to Ms. Chris Mababayag, in the Office of the President or email to [ckamm@triton.uog.edu](mailto:ckamm@triton.uog.edu). Your completed application package will remain in the "eligible pool" of potential nominees for three years from the date your completed application is received.

If you should have any questions or concerns, please feel free to contact me at 671-477-8325 or email to [adiaz@triton.uog.edu](mailto:adiaz@triton.uog.edu).

Thank you for your interest in serving as a Regent for our University of Guam!

Sincerely,



Agapito "Pete" Diaz  
Chairperson, Regent Nominating Council

T: +1 671.735.2990 F: +1 671.734.2296

Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913

*The University of Guam is a U.S. Land Grant and Sea Grant Institution accredited by the Western Association of Schools and Colleges Senior College and University Commission and is an equal opportunity employer and provider.*



**THIS INFORMATION PACKET CONTAINS THE FOLLOWING:**

1. University of Guam's (UOG's) Vision, Mission, and Values.
2. A Reprint of "AGB Statement on External Influences on Universities and College", approved August 17, 2012.
3. Statement of Selection Criteria for Regent Candidates.
4. UOG Regents' Code of Conduct.
5. Regent Applicant Eligibility and Commitment Verification Form.  
(Please sign and attach to Regent Applicant Form and Check List)
6. Regent Application Form and Checklist.  
(Please complete and attach to all required application material)
7. Frequently Asked Questions from Prospective Regent Candidates.
8. 4GCA, Chapter 13 – Public Official Financial Disclosure Act.

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# University of Guam Unibetsedåt Guåhån

Regent Nominating Council  
UOG Station, Mangilao, Guam 96923  
Tel.: (671) 735-2990 • Fax: (671) 734-2296

## UNIVERSITY OF GUAM – VISION, MISSION, VALUES

### **Vision**

Transforming Lives, Advancing Communities

### **Mission**

***Ina, Deskubre, Setbe - To Enlighten, To Discover, To Serve***

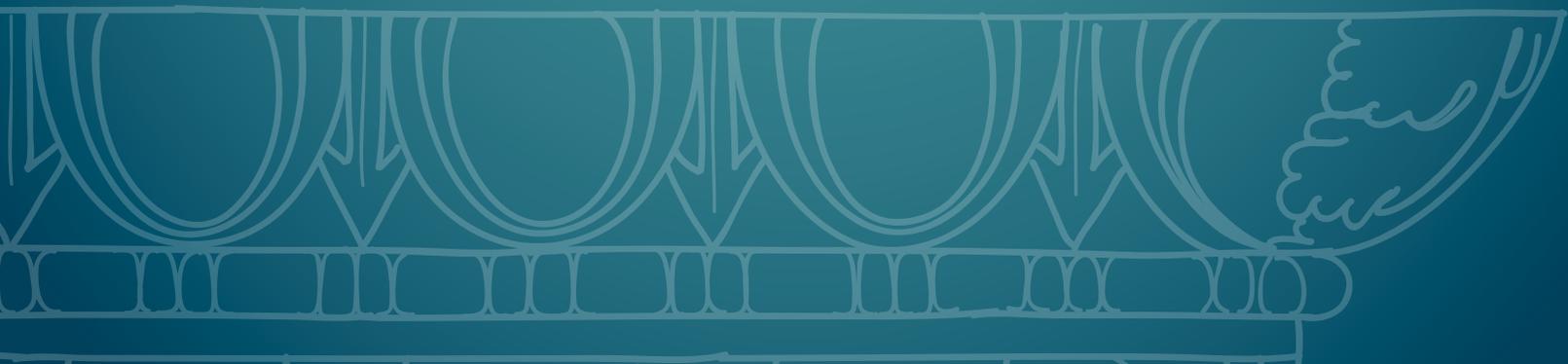
The University of Guam (UOG) empowers the region by uniting island wisdom with universal sources of enlightenment to support exceptional education, discovery, and service that respect and benefit local and global communities.

- UOG is a U.S. accredited, regional Land Grant and Sea Grant institution. It is dedicated to the search for and dissemination of knowledge, wisdom and truth.
- UOG exists to serve its learners and the communities of Guam, Micronesia, and the neighboring regions of the Pacific and Asia.
- UOG prepares learners for life by providing the opportunity to acquire knowledge, skills, attitudes, and abilities through the core curriculum, degree programs, research, and outreach.
- At the Pacific crosscurrents of the east and west, UOG provides a unique opportunity to discover and acquire indigenous and global knowledge.
- UOG embraces diversity, equity, and inclusion. In the spirit of *Inadahi yan Inagofli'e' yan bendision ginen i manmo'fo'na*, the UOG promotes values of respect, compassion, and community rooted in Micronesia and her history. Through these principles, we foster equitable access, thriving engagement, robust scholarship, and innovative solutions to meet local, regional, and global needs. These Micronesian values strengthen the intellectual, emotional, and spiritual well-being of individuals, respecting the dignity of our peoples and all humanity. *Inadahi* means “taking care of myself, others, and environment around me” and *Inagofli'e'* means “harmonious way to proceed, operate, and live together.”

### **Values**

- Respect and Supportiveness
- Honesty, Integrity, Trustworthiness, and Dependability
- High Standards
- Diversity, Equity, and Inclusion
- Community Engagement
- Sustainability and Campus Beauty
- Innovation and Proactivity

AGB Statement on  
**External Influences**  
*on Universities and Colleges*





This statement was approved on August 17, 2012, by the Board of Directors of the Association of Governing Boards of Universities and Colleges. The following principles are intended to guide boards in the governance of colleges, universities, and systems, inform them of their roles and responsibilities, and clarify their relationships with presidents, administration, faculty, and others involved in the governance process.

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of Universities and Colleges

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AGGB

**A**s the country increasingly focuses on the relationship between higher education and our nation's future, the responsibilities associated with effective board governance take on renewed emphasis. Serving as a board member has never been easy. Yet with calls at both the federal and state level for more transparency, improved educational quality, accountability, increased student access and attainment, and cost containment, the responsibilities of boards are more complex and challenging than ever.

During the past decade, intrusions into the work of governing bodies have grown significantly. Governors and legislators have attempted to direct governance actions, regulators have tried to redefine board independence, state laws have increasingly encroached upon independent decision making, donors and sponsors have sought to determine institution policy, and a broadening array of organizations has continually worked to influence board decision making.

As the overseers of a public trust, boards have an obligation to remain open to external input and ensure the institutions they govern are responsive to societal needs. They have the responsibility to link the colleges, universities, and systems they serve to the interests of the public. Through this special responsibility, boards help their institutions and systems meet public expectations and ensure a high degree of trust.

However, boards must also recognize that, in the end, their decision making must rise above the external pressures being applied to their work. America's unique higher education governance model is dependent on boards consisting of independent men and women acting together to be fully informed and impartial in their policy determinations, and committed to the long-term well-being of the institutions they serve.

This statement, first issued by AGB's board of directors in 2001, has been updated to address increasing efforts to affect board independence from outside the boardrooms of our institutions. It also serves as a reminder to the nation's 50,000 board members that theirs is a sacred trust that requires awareness, engagement, and independence.

AGB Statement on  
**External Influences**  
*on Universities and Colleges*

The stakes are too high for boards to cede their policy authority, for which they bear ultimate fiduciary responsibility, to governmental control or self-serving political, economic, or personal interests external to the institution. Acting as the oversight body of a public trust, boards should always bear in mind the following:

- ✦ Although boards should respect, encourage, and welcome the input of all stakeholders in considering a policy, they must ensure that their decision making processes are free of any undue pressures from external stakeholders—from policy makers (including appointing authorities and regulators), donors, alumni and boosters, corporate sponsors, or political-interest groups/organizations.
- ✦ Boards have ultimate responsibility to sustain higher education’s inherent values—academic freedom, institutional autonomy, and self-regulation—and protect them from those who attempt to leverage influence to affect institutional policy.
- ✦ Board independence is a basic requisite in meeting the fiduciary standards of obedience and loyalty that define a board’s legal obligations.
- ✦ Boards must use the mission of their institution or system as the focal point for their policy decisions, and public institution boards should also be especially mindful of statewide policy agendas as a framework for their actions.
- ✦ Individual board members whose views are not consistent with board decisions must respect the actions of the corporate body and avoid putting their own interests before that of the institution.
- ✦ Boards must police themselves in assuring the highest level of ethical behavior among their members, including avoiding any board member assuming the role as an advocate for a special interest in the outcome of a board’s decision.



- 1. PRESERVE INSTITUTIONAL INDEPENDENCE AND AUTONOMY.**
- 2. DEMONSTRATE BOARD INDEPENDENCE TO GOVERN ESTABLISHED BY CHARTER, STATE LAW, OR CONSTITUTION.**
- 3. KEEP ACADEMIC FREEDOM CENTRAL AND BE THE STANDARD BEARER FOR THE DUE-PROCESS PROTECTION OF FACULTY, STAFF, AND STUDENTS.**
- 4. ASSURE INSTITUTIONAL ACCOUNTABILITY TO THE PUBLIC INTEREST.**

This statement is comprised of four principles. It concludes with several illustrative questions for governing boards to consider. The four principles are:

1. Preserve institutional independence and autonomy by:
  - ✧ keeping the mission as a beacon,
  - ✧ ensuring that philanthropy does not inappropriately influence institutional independence and autonomy or skew academic programs or mission, and
  - ✧ ensuring that institutional policies governing corporate-sponsored research and partnerships with the private sector are clear, up-to-date, and periodically reviewed.
2. Demonstrate board independence to govern as established in charter, state law, or constitution by:
  - ✧ ensuring the full board governs as a collective, corporate body taking into consideration the need for individual members to apply their individual consciences and judgments,
  - ✧ individual board members committing to the duties of care, loyalty, and obedience as essential fiduciary responsibilities, and
  - ✧ basing the selection or appointment of board members on merit and their ability to fulfill the responsibilities of the position.
3. Keep academic freedom central and be the standard bearer for the due-process protection of faculty, staff, and students.
4. Assure institutional accountability to the public interest by:
  - ✧ serving as a bridge to the external community,
  - ✧ informing, advocating, and communicating on behalf of the institution, and
  - ✧ exhibiting exemplary public behavior.

Primarily intended for boards and their individual members, the statement's secondary audience is the several stakeholders external to the university. Their input into board decision making is often essential and should always be respected, but it should never be unwarranted or intrusive.

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## Principles on External Influences

The following four principles are organized around key themes for governing boards and other academic leaders—and, in appropriate places, the external stakeholders of universities and colleges—to thoughtfully consider.

### 1. PRESERVE INSTITUTIONAL INDEPENDENCE AND AUTONOMY.

Both private and public institutions need a high degree of independence and autonomy from direct government control or any self-serving or political agenda. Because of higher education's unique mission to transmit and advance knowledge, colleges and universities function at their best when teaching and scholarship are unencumbered by unnecessary restrictions, preordained outcomes, or undue expectations or influences—whether from government officials, donors, or any other individuals or groups. The integrity of research findings and advancement of knowledge require free and independent inquiry. When necessary, boards must be willing to take a strong stand in defense of institutional autonomy and independence, providing a buffer between the college or university and inappropriate outside intrusion or criticism. Boards should:

🌀 **Keep the mission as a beacon.**

A governing board should base its decisions on how the institution can best serve the public trust by respecting the boundaries of the institution's mission. Colleges and universities are under frequent pressure from well-meaning interests and supportive constituents to alter missions or offer new academic programs that may run counter to their missions.

🌀 **Ensure that philanthropy does not inappropriately influence institutional independence and autonomy or skew academic programs or mission.**

All colleges and universities are becoming increasingly dependent on gifts from private donors, many of whom are demanding a greater say in not only the purposes but also the uses of those gifts. Such an outcome-driven and collaborative approach is the reality of contemporary philanthropy. Boards can help facilitate meaningful and appropriate relationships with donors by calling for up-to-date gift-acceptance policies and processes, as well as naming policies for buildings, research institutes and centers, and the like. These policies and processes will preclude donors from exercising inappropriate influence on the institution's independence and autonomy or its academic programs and mission. These policies and processes should apply to donors who are members of the governing board as well as to donors external to the institution, no matter how generous they may be.

🌀 **Ensure that institutional policies governing corporate-sponsored research and partnerships with the private sector are clear, up-to-date, and periodically reviewed.**

Colleges and universities engaged in research garner significant revenues from corporate-sector research and development programs, which are encouraged by federal tax laws and the needs of a competitive marketplace. Governing boards should make certain that all institutional policies guiding research and partnerships with the corporate sector—including technology transfer, licensing agreements, and ownership and dissemination of research results—are clear, current, protect faculty, and serve the interests of the institution. At the same time, those policies should be sufficiently flexible to enable new research discoveries to enter the marketplace in a timely manner.

**2. DEMONSTRATE BOARD INDEPENDENCE TO GOVERN AS ESTABLISHED IN CHARTER, STATE LAW, OR CONSTITUTION.**

Within some practical and legal limits, the board's authority is extensive—it is the legal entity composed of citizens who are surrogates of the full citizenry, created and charged to oversee the institution. Compared to their private college and university counterparts, boards of public institutions face some constraints in founding statutes or subsequent laws, but in nearly all areas, the authority of public and private college and university boards is remarkably similar.

It is the board's responsibility to exercise due diligence and trust in its own authority and capacity to make decisions, some of which will be difficult or unpopular—especially when internal and external stakeholders have competing demands. Despite the importance—indeed the necessity—that a board garner and appreciate a rich array of voices from its various communities, the distinction between advising and governing must remain clear. The board that surrenders or compromises its independence to internal or external claimants will see the erosion of its ability to govern fully and effectively.

🌀 **The full board must govern as a collective, corporate body taking into consideration the need for individual members to apply their individual consciences and judgments.**

A board with consistently agreeable members would be neither plausible nor in an institution's best interest; disagreements and tensions are inevitable in the boardroom. Board members bring their own perspectives and opinions to decisions, but in the end, the board governs as a body. Even when board members sharply disagree during the deliberative process, once a decision has been made the board must always speak publicly with one voice—particularly on issues with keen external stakeholder interest.



External pressures should not lead board members to respond to narrow interests or single issues, nor to use their board position inappropriately to advance their own personal goals, stature, or visibility. Doing so weakens the board and the citizen trusteeship of the institution.

**🌀 Individual board members must commit to the duties of care, loyalty, and obedience as essential fiduciary responsibilities.**

Board members' fiduciary responsibilities go well beyond ensuring the fiscal health of the college or university. The duty of care requires full attention to one's duties as trustee, setting aside competing personal or professional interests. The duty of loyalty demands that board members put the interests of the institution before their own self-interest and the interest of others. The duty of obedience refers to board members' obligation to promote the mission of the organization, within legal limits. Knowledge of and commitment to these duties, which are the cornerstone of governance and well established in law and practice, can guide a board and its members in relationships to external stakeholders.

**🌀 The selection or appointment of board members should be based on merit and their ability to fulfill the responsibilities of the position.**

Governing boards should be composed of carefully selected, independent-minded individuals who are fully committed to the college, university, or system they govern. All trustees must hold the institution "in trust" for all citizens, regardless of how they are selected and whether particular seats on the board are reserved for specific constituencies (such as faculty members or alumni).

Board appointments and reappointments in both private and public colleges and universities should be made based on a demonstrated commitment to serving the institution, its mission, and its public purpose. Doing so ensures that the board and its individual members can engage successfully with an array of external stakeholders, constituents, and influences.

Governing boards of most private colleges and universities are self-perpetuating; the board appoints members for most vacancies that occur. Selection should be guided by a statement of expectations and clear criteria, including the ability and willingness of the individual to use his or her best independent judgment on matters affecting the institution, to make a broad commitment to higher education, and to commit the time and energy necessary to fulfill the required responsibilities. Such expectations and criteria should also apply to the many church-related institutions where many trustees are appointed by denomination units or authorities.

The appointing authority in the vast majority of public colleges and universities—governors (with legislatures confirming)—should base selection on merit and commitment, not on political or partisan considerations. Criteria and expectations should include, in addition to those for private board members, a demonstrated understanding of the role of the institution or university system within the broader higher education system of the state and an appreciation for the public nature of the position and the institution.

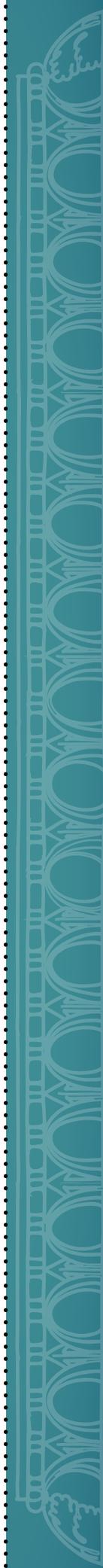
### **3. KEEP ACADEMIC FREEDOM CENTRAL AND BE THE STANDARD BEARER FOR THE DUE-PROCESS PROTECTION OF FACULTY, STAFF, AND STUDENTS.**

Intellectual integrity and academic freedom are at the heart of the historic justification for the self-governance of colleges and universities. Board members should be able to explain academic freedom and be prepared to support and defend it on behalf of their institutions and faculty members when external pressures, complaints, or misunderstandings arise. At times, it may be necessary for the board to publicly declare its support of faculty members and their right to unpopular or controversial ideas. The protection of academic freedom should also extend to staff members and students where appropriate.

At the same time, the board should ensure that academic freedom is not used as a shield for inappropriate or unethical behavior. The disregard or abuse of academic freedom corrodes respect for the governance of higher education and basic trust of the academy. In the legitimate academic work of research, scholarship, and teaching and learning, the board should see that protections of academic freedom through due-process policies and procedures are in place.

### **4. ENSURE INSTITUTIONAL ACCOUNTABILITY TO THE PUBLIC INTEREST.**

When boards ensure that their institutions are accountable to the public interest, external constituents and stakeholders will respect the board's authority, see its value, and understand its responsibility for the oversight of the institution and its future. The American people entrust control of higher education institutions to citizen boards and to the independent judgment of their members, rather than to public officials, ministries, or bureaucracies. Governing boards, however, must earn and maintain the respect of external stakeholders, including those in political power.





When it is perceived that societal and institutional interests diverge, it is the board's responsibility to help reconcile differences and ensure institutional accountability to public purposes. Board oversight of educational quality must be a priority, not only to address legitimate public concerns, but to ensure that the private interests of students—to pursue meaningful degrees and credentials—are honored. Boards should:

 **Serve as a bridge to the external community.**

Governing boards should be a conduit between the institution and the public. This role means being attentive to the political, economic, social, and educational priorities of the nation, state, region, or community and actively encouraging the institution to search for solutions to society's problems. It means working with the chief executive to maintain a clear process for soliciting views from, and speaking to, such external stakeholders as elected leaders, business groups, or the news media.

The governing board and the chief executive face a variety of demands and expectations. But ultimately it is the board, by being a bridge to the community and attuned to its needs, that must decide what can be changed or improved and what should not, including any change in mission after careful deliberation.

 **Inform, advocate, and communicate on behalf of the institution.**

A governing board has a responsibility to communicate the value of the institution to the economic, social, and civic well-being of the community, state, or nation. While it is usually the chief executive who speaks for the institution and the board chair who speaks for the board, individual board members should take every opportunity to inform the public about the good things that the institution is doing and why it deserves support.

A governing board must be careful never to endorse political candidates and be wise and measured about making public statements or taking positions on community, state, or national social and political issues that do not directly affect the institution. At the same time, the board should encourage and sustain a campus environment that encourages debate and diversity of opinion on such issues.

🌀 **Exhibit exemplary public behavior.**

Through their personal demeanor, public respect for civilized dialogue, and commitment to board self-regulation, trustees should serve as models of public conduct for the campus community and the community at-large.

Trustees often come to the board from different political, religious, and social backgrounds, positions, or experiences, sometimes including election to their positions. They must protect their colleges and universities from partisan influences so they in no way become a distraction to the work of the institution or the board. All trustees have a responsibility to guard against encroachment into their boardrooms of ideology that works counter to ideas of mission, academic freedom, and fiduciary responsibility.

College and university boards must impose on themselves and those whom they govern the strictest ethical behavior—at the very least observing all applicable laws and regulations and being ready to exceed what the law demands. Board members must be especially vigilant in regard to potential conflicts, actual and apparent, created by their business and professional roles and personal relationships.





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## Illustrative Questions for Governing Boards to Consider

What evidence suggests that the board functions efficiently and effectively as an independent body?

Has the board defended institutional autonomy when such challenges have occurred?

Has the board defended academic freedom when such challenges have occurred? Have board members been educated about the principles of academic freedom and do they understand their obligation to defend it?

Do individual board members speak openly and freely during board meetings but support majority decisions in the end?

Has the board identified the key issues coming from outside the university that could potentially divide the board? Does the board have a positive board structure and culture to sustain effectiveness, if and when such situations arise?

Does the board have a statement of expectations for its members, which includes language about how individual members and the board relate to external constituents?

What policies and procedures does the board have in place to ensure that donors, including private-sector partners and sponsors, are engaged appropriately?

Has the board's capacity to fulfill its fiduciary responsibilities been impeded by external influences such as government, corporate, political, social, or religious interests? Has the legislature or governor recently intervened when it was determined that the board had not acted decisively on an issue clearly within the board's purview?

To what extent and in what ways have instances of partisan politics occurred in the boardroom by a minority of its members? How has this adversely affected the work, cohesion, and culture of the board?

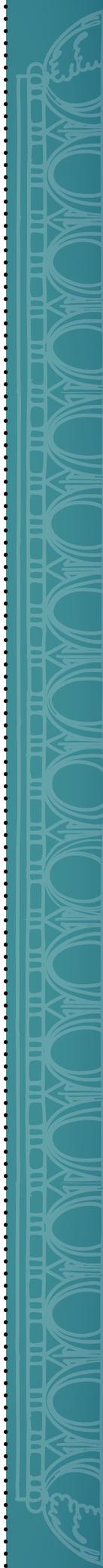
Are members of the board able to articulate persuasively the public purposes of the institution? What does the board do to publicly ensure accountability by the institution?

Does the board have policies or protocols for its individual members about speaking to the press, elected leaders, donors, etc.? If so, have they been effective in reducing confusion, conflicts, and misunderstandings with external stakeholders?

How comfortable is the board with the processes through which new members are identified and vetted? To what extent are members identified on merit and their ability to serve as board members?

How does the board serve as an effective bridge to the external community? Through what mechanisms does the board identify potentially meaningful changes and trends in the external environment?

How does the board monitor its own conflict-of-interest policies and procedures?





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## AGB Board of Directors

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*Western Governors University*

**Vice Chair**

Yvonne R. Jackson  
*Simmons College*

**Vice Chair**

Honorable Jack B. Jewett  
*University of Arizona Foundation*

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*University System of Maryland Foundation*  
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Rita J. Bornstein  
*Public Member*

James M. Fallows  
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Helen Aguirre Ferré  
*Miami Dade College*

Marilyn French Hubbard  
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*Occidental College*

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*Public Member*

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*City University of New York*

James C. Stalder  
*Carnegie Mellon University*

James M. Weaver  
*Gettysburg College, former board chair*

Jacqueline F. Woods  
*Kent State University*  
*Muskingum College*

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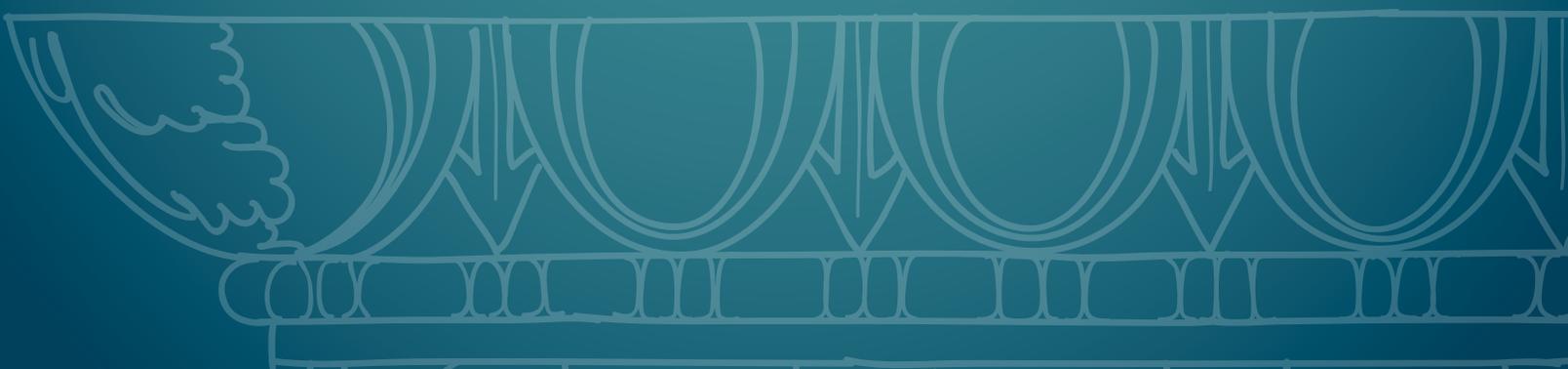
## Our Mission

The Association of Governing Boards of Universities and Colleges strengthens and protects this country's unique form of institutional governance through its research, services, and advocacy. AGB is committed to citizen trusteeship of American higher education. For more information, visit [www.agb.org](http://www.agb.org).



**AGB** ASSOCIATION OF  
GOVERNING BOARDS  
OF UNIVERSITIES AND COLLEGES

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[www.agb.org](http://www.agb.org)





## **STATEMENT OF SELECTION CRITERIA FOR REGENT CANDIDATES**

Candidates for membership on the University of Guam (UOG) Board of Regents will be evaluated with respect to the following criteria:

1. Be a US citizen or permanent resident.
2. Be a Guam resident for at least 3 years prior to appointment.
3. Not currently an employee of the Government of Guam or of UOG.
4. Not have held an elected government position in the last two years, which was filled through an island-wide election.
5. One regent must be an alumnus or alumna of UOG.
6. Have integrity, with a code of personal honor above reproach.
7. Be wise and have a breadth of vision.
8. Be independent.
9. Have an inquiring mind and ability to speak articulately and succinctly.
10. Have the ability to challenge, support, and motivate university administration.
11. Have an orientation to the future with an appreciation of the University's heritage.
12. Have the capability and willingness to function as a member of a diverse group in an atmosphere of collegiality and selflessness.
13. Have an appreciation of the public nature of the position and the institution, including the open process of election and service.
14. Have a record of accomplishment in one's own life.
15. Have a proven record of contribution with the governing body of one or more appropriate organizations.
16. Have knowledge and experience that can bear on university problems, opportunities, and deliberations.

Additional considerations of overall Board composition:

1. Seek ethnic diversity
2. Seek gender balance
3. Seek social diversity
  
4. Seek a balance of professional, technical, and entrepreneurial skills

The Regent's Nominating Council will seek to have up to 3 candidates submitted to the Governor each time there is a vacancy.

*Re-adopted by the Regent Nominating Council on Oct 6, 2022*

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## **UOG REGENTS' CODE OF CONDUCT**

1. To become familiar with and committed to the major responsibilities of a governing Board of Regents (BOR) for the University of Guam (UOG):
  - a. To appoint and remove the President;
  - b. To support the President;
  - c. To monitor the President's performance;
  - d. To clarify the mission;
  - e. To approve long-term plans;
  - f. To approve the educational program;
  - g. To ensure financial solvency;
  - h. To preserve institutional independence;
  - i. To enhance the public image;
  - J. To assess their own performance;
2. To exercise the powers and responsibilities of the BOR given in the UOG Articles of Incorporation;
3. To be independent-minded and to focus on the intersection between society and the academic institution;
4. To base BOR decisions on how the institution can best serve the public trust by respecting the boundaries of the institution's mission;
5. To be willing to make unpopular decisions in the best interest of the institution and the society;
6. To serve as models of public conduct through our personal demeanor, public respect for civilized dialogue, strict avoidance of conflict of interest, and commitment to BOR self-regulation and periodic self-assessment;
7. To articulate intellectual integrity and academic freedom that are at the heart of the historical justification for self-governance in universities;
8. To resist pressure from outside individuals to intervene on behalf of a particular student or group of students, or employee(s);
9. To ignore directives from political leaders to vote a certain way on such policy matters as admissions, curriculum content, program approvals, and the selection of BOR Officers and institutional administrators;
10. To refuse to change the composition of the BOR to designate seats for members expected to represent interests;
11. To oppose proposals from political leaders to restructure or abolish boards that have resisted or neglected their wishes;

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12. To avoid favoring particular economic interests;
13. To not be manipulated in the Presidential search process to ensure the selection of a candidate favorable to the faculty, alumni, political party, business leaders, or special interest groups;
14. To support the institution's fund-raising efforts through personal giving in accordance with one's means and to be willing to share in the solicitation of others;
15. To devote time to learn how the institution functions - its uniqueness, strengths and needs – its place in post secondary education;
16. To carefully prepare for, regularly attend, and actively participate in, BOR meetings and BOR committee assignments;
17. To accept and abide by the fiscal responsibilities of the BOR as specified by UOG Charter, UOG Articles of Incorporation, By-Laws, applicable UOG Policy and associated manuals, and government statutes and regulations;
18. To vote according to one's individual conviction, to challenge the judgment of others when necessary; yet to be willing to support the majority decision of the BOR and work with the other BOR members in a spirit of cooperation;
19. To maintain confidential BOR deliberations and avoid acting as a spokesperson for the entire BOR, unless specifically authorized to do so;
20. To understand the role of the BOR as a policy-making body and to avoid participation in the actual administration of policy;
21. To learn and use consistently designated institutional channels when conducting BOR business in matters dealing with employees and students;
22. To comply with conflict of interest policies and disclosure forms developed by the BOR;
23. To refrain from actions and involvements that might prove embarrassing to the BOR and UOG, and to resign if such actions or involvements develop;
24. To always make judgements based on what is best for the institution as a whole and for the advancement of higher education rather than to serve a special interest.

*Adopted by the UOG BOR on January 25, 2002. Re-adopted by the UOG BOR on August 13, 2018, Resolution 18-27, and on May 23, 2022, Resolution 22-20.*

T: +1 671.735.2990 F: +1 671.734.2296

Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913

*The University of Guam is a U.S. Land Grant and Sea Grant Institution accredited by the Western Association of Schools and Colleges Senior College and University Commission and is an equal opportunity employer and provider.*



## REGENT APPLICANT

### ELIGIBILITY AND COMMITMENT VERIFICATION FORM

This is to verify that I, the undersigned, meet the following requirements for appointment to the University of Guam (UOG) Board of Regents:

- I am a US citizen or permanent resident alien.
- I have been a resident of Guam for at least three years.
- I am not currently an employee of the Government of Guam or of UOG.
- I have not held an elected government position in the last two years, which was filled through an island-wide election.

Furthermore, I have read the information provided and, if appointed as Regent, commit to uphold the mission statement of UOG and to abide by the Regents' Code of Conduct.

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

T: +1 671.735.2990 F: +1 671.734.2296

Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913

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## **REGENT APPLICATION FORM AND CHECKLIST**

Please complete the following:

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Contact numbers:

(Home)\_\_\_\_\_ (Office)\_\_\_\_\_ (Cellular)\_\_\_\_\_

Please submit this Regent Applicant Form and Checklist with the required application material attached to Christine Mababayag, Office of the President, University of Guam (UOG).

Late or incomplete applications will not be considered.

### **Attach the following to this form:**

1. Cover letter, stating why you would like to serve on the Board of Regents, addressed to:

Chairperson, Regent Nominating Council  
Office of the President  
University of Guam  
UOG Station  
Mangilao, Guam 96923

2. Current curriculum vitae / resume.
3. Please have a minimum of three letters of recommendation submitted directly to the Regent Nominating Council c/o Chris Mababayag, Office of the President, University of Guam, UOG Station, Mangilao, Guam 96923.
4. Signed "Eligibility and Commitment Verification Form".
5. DD Form 214 (For applicants with prior military service).

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For Verification Purposes:

/ \_ / This is to verify that the application submitted is complete as of:

\_\_\_\_\_

/ \_ / This is to verify that the application submitted is incomplete as of:

\_\_\_\_\_

T: +1 671.735.2990 F: +1 671.734.2296

Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913

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# Frequently Asked Questions from Prospective Regent Candidates

## As of Jan 12, 2024

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### **How do I apply?**

Active recruitment of prospective Regents is ongoing by Council members. You may obtain an information packet by contacting Christine Mababayag at the Office of the President (671-735-2990) or from any Council member.

### **What is the term of appointment?**

Six years. However, if a person is appointed to fill a term that has been vacated, then the appointee serves only the remainder of that term.

An appointee who fulfills another regent's term, is eligible to apply for a full term of six years, if interested. A submission to serve a full six-year term will still go through the standard review process and there is no guarantee of selection, appointment, or confirmation.

### **How often do the regents meet and are there other committees to attend?**

The Board of Regents (BOR) meets quarterly, generally on the third Thursday of the month. There are additional committee meetings, training sessions and other University activities such as Commencement in December and May, which a Regent is invited to attend.

The BOR committees are: Student Affairs, Scholarship, Alumni Relations and Honorary Degrees (SASARHD) Committee; Academic Personnel & Tenure (AP&T) Committee; Budget, Finance, and Audit (BFA) Committee; Investment Committee; Physical Facilities Committee; and Executive Committee.

There are also four other boards/councils a regent may be assigned: (1) BOR representative to the Research Corporation of UOG (RCUOG) Board; (2) Ex-officio Director of the UOG Endowment Foundation Board; (3) Regent Nominating Council (RNC); and (4) Representative to the Centennial Fund.

### **What is the amount of stipend?**

Fifty dollars for each regularly scheduled monthly Board meetings and special meetings. No stipend is given for committee meetings or other council meetings assigned.

### **Do I have to accept the stipend?**

You must accept the stipend unless you choose not to accept it in writing. Regents can also donate this to the UOG Endowment Foundation or a scholarship fund of their choice.

### **Can members of the BOR be sued as individuals for any action taken by the board?**

There is a possibility that members may be sued as individuals in their official capacity but only if the Board member acts outside the scope of his/her authority.

### **Do I need to make a financial disclosure statement to be nominated?**

You do not need to provide financial information to be nominated by the Council. However, financial disclosure and other forms (for example, police clearance) are required by the Office of the Governor if you are appointed to the Board. Please see 4GCA Public Officers & Employees, Chapter 13 Public Official Financial Disclosure Act (attached).

### **If I do business with the University, am I eligible to be appointed as Regent?**

Yes. The University procurement process is intended to avoid any possible conflict of interest.

**What are my duties as a Regent?**

The duties and expectations of a Regent are described in Board of Regents Articles of Incorporation and Bylaws. The UOG Regents Code of Conduct, which is in the BOR Bylaws, is included in the information packet. Additional duties are also assumed as a member of a Board committee. The Chair makes the appointments to committees.

**Are there any training opportunities to learn how to be a Regent?**

There is training on Boardsmanship provided by the President's office through coordination with the Chair. Other training is made available germane to the work of the Regents as the Board budget allows.

**What happens if I am not nominated? Or I am nominated but not appointed?**

You remain in the pool of eligible candidates for nomination for three years from the date of your completed application.

**Who am I replacing on the Board?**

Currently there is no vacancy on the board. Your name will be included in the pool for consideration as a regent nominee when the next vacancy occurs. The person you may be replacing will be announced at the time of packet preparation for the Governor.

**When do I start?**

After you are confirmed by the legislature, you may be seated; however, you may not vote as a member of the Board until sworn in (oath of office) by the Board Chair or designated representative. The Governor may also have a swearing in ceremony which can count for the oath of office.

**Who are the current Board members?**

Regents Sandra McKeever, Lesley-Anne Leon Guerrero, Mike Naholowaa, Agapito Diaz, Roland Certeza, Janice Malilay, Joanna Chun, Christopher Duenas, and a Student Member, Julie Laxamana.

*This Question and Answer sheet is updated as needed by the Regent representative, in consultation with the Chair of the Regent Nominating Council.*

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CH. 13 PUBLIC OFFICIAL DISCLOSURE ACT

CHAPTER 13  
PUBLIC OFFICIAL DISCLOSURE ACT

- § 13101. Title.
- § 13102. Definitions for Purpose of this Act.
- § 13103. Report to Be Filed With the Election Commission.
- § 13104. Contents of Report.
- § 13104.1. Contents of Reports Filed by Appointees to or Members of Boards and Commissions.
- § 13105. Election Commission to Report.
- § 13106. Failure to File: Punishment.

**§ 13101. Title.**

This Chapter shall be known and may be cited as the Public Official Disclosure Act.

**SOURCE:** GC § 1800, as added by P.L. 12-153. Amended by P.L. 29-020:3 (Oct. 10, 2007)

**§ 13102. Definitions for Purposes of This Act.**

(a) The term *official* means any person elected to any public office in Guam and any person appointed, with legislative concurrence *or* by the Guam Legislature, to any public office, to include, but *not* limited to:

- (1) all elected officials;
- (2) officials appointed by *I Maga'lahi* whose appointment is subject to the consent of *I Liheslaturan Guåhan*, except ex-officio and student members of Boards and Commissions in their capacity as members of such Boards and Commissions; and
- (3) the chief executive officers, by whatever title they may be known, of all agencies and instrumentalities of the government of Guam whether *or* not confirmation by *I Liheslaturan Guåhan* is required.
- (4) all individuals who are given or delegated authority by an elected official or appointed official to have *sole* authority to enter into contracts for procurement or approved change order. Exempt are classified employees who do administrative processing but *do not* have discretion on awards.

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(b) The term *candidate* means a candidate to any public office.

(c) The term *gift* means something of value voluntarily transferred from one party to another without compensation *or* monetary consideration.

(d) The term *fund* means a sum of money *or* other material resources available for the use of an official *or* candidate *or* anyone acting on his behalf.

(e) The term *asset* means an item of value owned *or* in which exists a beneficial interest.

**SOURCE:** GC § 1801, as added by P.L. 12-153. Amended by P.L. 23-105:2; P.L. 24-14:47; 24-91:2; P.L. 29-020:3 (Oct. 10, 2007). Subsection (a)(4) added by P.L. 30-079:1 (Jan. 22, 2010).

**§ 13103. Report to be Filed With the Election Commission.**

(a) Each official *shall* file with the Election Commission, on *or* before April 22 of each calendar year, a written report containing the financial information required by this Chapter covering the preceding calendar year (or other year *if* the individual official files a Guam Income Tax Return covering a period other than the calendar year). Each official *shall* also file a written felony conviction report within thirty (30) days of conviction of a felony in court, *or* within thirty (30) days of enactment hereof, regardless of whether an appeal may be *or* has been filed, and regardless of whether the case has been sealed. Each candidate who is not an official *shall* file with the Election Commission on the date he files his petition for candidacy, a written report containing the financial information required by this Chapter covering the preceding calendar year (or other year *if* the individual official files a Guam Income Tax Return covering a period other than the calendar year), and a written report itemizing any and all of his felony convictions, whether public *or* under seal, that have not been dismissed upon successful appeal, vacated by a court, *or* cleared by a grant of executive pardon. The felony conviction report is a statement describing each offense for which a felony conviction was entered in a court of law, within *or* without the United States, sealed *or* not, including the address of the court, date of conviction, and sentence imposed. The Executive Director of the Election Commission *shall* grant extensions for the filing of financial reports herein required by officials; provided, however, that such extension shall *not* exceed one hundred eighty (180) days beyond April 22 of each calendar year.

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(b) The reports required to be filed under Subsection (a) of this Section *shall* be verified in the manner permitted by 6 GCA § 4308 (Unsworn Declaration Under Penalty of Perjury).

(c) All reports filed pursuant to this Section *shall* be maintained by the Election Commission as public records available for inspection. Copies of the reports *shall* be furnished to the public, upon the payment of reasonable copying fees. The Executive Director of the Election Commission *shall* issue a certificate certifying that an official *or* candidate has filed his reports as required by this Chapter.

(d) *If* an official *or* candidate dies after he has been granted an extension for filing the financial disclosure report, the Executive Director of the Election Commission *shall* have a statement placed in the file of the official *or* candidate that states: 'Unable to file Financial Disclosure Report as a result of death on \_\_\_\_\_ (date of death).

**SOURCE:** GC § 1802; added by P.L. 12-153. Amended by P.L. 13-11; P.L. 17-7; P.L. 22-109:10; P.L. 29-020:3 (Oct. 10, 2007).

**§ 13104. Contents of Report.**

(a) The financial report of the official *or* candidate as required in this Chapter *shall* include a complete account of the official's *or* candidate's gross income and that of his spouse and dependent children. For the purpose of this Chapter, gross income *shall* be defined as set forth in Section 61 of the Internal Revenue Code of 1954, as amended (26 U.S.C 61). The report of income *shall* specifically indicate, though not to the exclusion of other items listed in Section 61, the following information:

(1) The names and addresses of all persons and organizations from whom was received by the official *or* candidate *or* on his behalf with his knowledge and consent, any honorarium *or* compensation for services, including fees, commissions, salaries, and similar items, and the amount of such honorarium *or* compensation for services, if not money, the substance of the honorarium *or* compensation and the appraised value thereof;

(2) Gross income derived from business enterprises including the amount thereof, the nature of his interest in the business, and the names and addresses of such business;

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(3) An itemization of all gains derived from dealings in real property, including the names and addresses of seller and purchaser and a brief description of the transaction which too place;

(4) The sources from which were derived income from interest and the amounts thereof;

(5) The sources from which rents were derived and the amount thereof;

(6) The sources from which royalties were derived and the amounts thereof;

(7) The sources from which dividends were derived and the amounts thereof;

(8) The names and addresses of all persons and organizations from whom he received assistance in the discharge of indebtedness and the aggregate amount of appraised value thereof;

(9) Itemization of income *or* benefits derived from distribution of the official's *or* candidate's share in any partnership or professional group, and the names and addresses of all persons and organizations from whose payments such distributions are made; provided, however, that no such names and addresses need be furnished when the distribution to the official *or* candidate from any such person *or* organization in said year is less than One Thousand Dollars (\$1,000), *or* when said disclosure is derogation of a privilege granted by law.

(10) Itemization of income derived from an estate *or* trust in which the official *or* candidate has an interest and the nature of that interest.

(b) The report *shall* list all gifts to the official or candidate which in aggregate value exceed One Hundred Dollars (\$100) in the year from a particular source. Included in the report *shall* be the name and address of the donor, the amount *or* value of his gifts, and a description thereof. The report *shall* also contain the name and address of a donor to the official *or* candidate, his spouse and/or his dependent children when the amounts or values of such gifts given in the course of a calendar year from a particular source exceed Five Hundred Dollars (\$500), and *shall* describe each such gift and the value thereof;

(c) The report *shall* list assets held by the official *or* candidate, by his spouse *or* dependent children, *or* by any of them jointly. The list *shall*

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include the value of each asset and a brief description thereof, but household furnishings and personal effects need *not* be reported.

(d) The report *shall* include the names and addresses of each person and organization to whom the official *or* candidate, his wife, *or* dependent children, *or* any of them jointly owe an aggregate amount in excess of Five Thousand Dollars (\$5,000), and include a statement of the total aggregate indebtedness of the official *or* candidate and such family members.

(e) The report *shall* include a statement of any funds established by the official *or* candidate *or* on his behalf, to assist him in defraying expenses which may be incurred by reason of his being an official *or* candidate. The report *shall* set forth the names and addresses of all persons contributing to the funds, the amount of each contribution, and the amount of each expenditure from such funds, and the purpose of each such expenditure.

**SOURCE:** GC § 1803, as added by P.L. 12-153. Amended by P.L. 29-020:3 (Oct. 10, 2007).

**§ 13104.1. Contents of Reports Filed by Appointees to or Members of Boards and Commissions.**

Notwithstanding any other provision of Public Law, all appointees to Boards and Commissions of the government of Guam, as defined by § 13102(5) of this Chapter, *shall* be required to disclose and submit a financial report containing only information where conflicts of interest or possible conflicts of interest exist at the time of appointment *or* as may be expected to exist during their tenure of service on the Board *or* Commission to which they are being appointed. Such information *shall* include conflicts of interest *or* possible conflicts of interests with the appointee's *or* member's place of employment, any entity in which the appointee *or* member serves as a director *or* consultant to and any entity to which the appointee *or* member *or* a family member of the appointee *or* member owns an interest of five percent (5%) *or* more in. A family member *shall* be defined as any relative by blood *or* marriage *or* cohabitation in lieu of marriage; within two (2) degrees of consanguinity. In the event that any conflicts of interests, as defined herein, arise subsequent to a member's appointment, the member *shall*, within thirty (30) days of the knowledge of such conflicts of interest, file an amended report with the Guam Election Commission *or* by the next filing deadline, whichever is sooner. For purposes of this Subsection, 'conflicts of interest' *shall* be defined under the provisions of § 15205 of Title 4, Guam Code Annotated. In the event that no conflicts of interests *or*

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possible conflicts of interest exist, the report *shall* state that 'no conflict exists.' The Election Commission *shall* prepare separate disclosure reports specifically for Board and Commission members. In the event that any Board or Commission is required to approve the purchase of any item from any SOURCE in which any of its members may have a conflict of interest as described herein, such member *shall* disclose for the record, the nature of such conflict and *shall* append a copy of the minutes of such meeting to the financial disclosure report.

**SOURCE:** Added by P.L. 24-091:3 (Oct. 7, 1997). Amended by P.L. 29-020:3 (Oct. 7, 2007).

**2015 NOTE:** This provision contains a reference to “all appointees to Boards and Commissions of the government of Guam, as defined by § 13102(5) of this Chapter.” This reference appears to be subsection 5 of § 13102(a), which sets forth the definitions for terms contained in Chapter 13. Subsection 5 was added to the Guam Code Annotated when P.L. 23-105:2 (July 8, 1996) amended § 13102(a) to read:

§13102. Definitions for Purpose of this Act.

(a) The term official means any person elected to any public office in Guam and any person appointed, with legislative concurrence or by the Legislature, to any public office, to include but not limited to:

(1) the Governor, the Lieutenant Governor, members of the Legislature, Judges of the Superior Court, Justices of the Supreme Court, both full time and part time, village Mayors and Vice Mayors, and elected members of the Territorial Board of Education.;

(2) the directors and their deputies, the division chiefs, and executive directors, regardless of specific titles by which the foregoing persons are designated, of every territorial agency;

(3) the Executive Director of the Legislature, and the staff or management assistants in the offices of the Governor and Lieutenant Governor, other than persons employed in clerical, secretarial or similar positions;

(4) the hearing officers of every territorial agency;

(5) members of every board or commission whose original term of office is for a period exceeding one year and whose functions are not solely advisory;

(6) the members of the Guam Ethics Commission and the Executive Director of that Agency shall file the required reports with the Legislative Secretary;

(7) The administrative director and deputy director of the courts;

(8) The Suruhanu;

(9) The Public Auditor; and

(10) The President, Vice President and Assistant Vice Presidents of the University of Guam and the Guam Community College.

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However, P.L. 24-014:47 (Mar. 21, 1997) repealed and reenacted § 13102(a), and removed subsections (3) through (10) from the Guam Code Annotated. When this provision was added by P.L. 24-091:3 (Oct. 7, 1997), it referred to “appointees to Boards and Commissions of the government of Guam, as defined by § 13102(5) of this Chapter.” Since its enactment, this provision referred to a statutory provision that no longer existed, as subsection (5) of § 13102(a) had already been repealed by P.L. 24-014:47. Although P.L. 29-020:3 (Oct. 7, 2007) amended Chapter 13 of this title, the amendment did not address the discrepancy in this provision.

To date, “§ 13102(5)” does not exist in Guam law. Consequently, there is no definition of “appointees to Boards and Commissions of the government of Guam” for purposes of enforcing this provision.

**§ 13105. Election Commission.**

On *or* before May 1, of every calendar year, the Election Commission *shall* cause to have published in a newspaper of local circulation for a period of three (3) consecutive days a report containing therein the names of all officials who have not filed their reports as required by this Chapter at least fifteen (15) days preceding the election for which the candidate has filed.

**SOURCE:** GC § 1804, as added by P.L. 12-153. References changed from Territorial Auditor to Election Commission pursuant to P.L. 17-7:3. Amended by P.L. 29-020:3 (Oct. 7, 2007).

**§ 13106. Failure to File: Punishment.**

(a) Any official *or* candidate who fails to file a financial report required by this Chapter, *or* who knowingly and willfully files a false financial report under this Chapter *shall* be guilty of a misdemeanor. The Election Commission *shall* report to the Attorney General for appropriate action the name of any official *or* candidate who fails to file a financial report required by this Chapter, *or* who in its professional judgment has knowingly filed a false report. This Section *shall* not be construed to permit prosecution of a person who unintentionally filed an erroneous report, which report *shall* be subject to correction.

(b) Any official *or* candidate who fails to file a felony conviction report required by this Chapter, *or* who knowingly and willingly files a felony conviction report that contains false *or* misleading information, *shall* be guilty of a third degree felony, punishable by a period of incarceration of *not less than* ninety (90) days and *not more than* three (3) years, with a maximum fine of Five Thousand Dollars (\$5,000) for each non-disclosed felony conviction. The statute of limitations for this offense *shall* be five (5) years from the end of the pertinent period of government service *or*

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candidacy.

**SOURCE:** GC § 1805, as added by P.L. 12-153, amended by P.L. 13-187. References changed from Territorial Auditor to Election Commission pursuant to P.L. 17-7:3. Amended by P.L. 29-020:3 (Oct. 7, 2007).

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