

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 222-33 (COR)

Introduced by:

Benjamin J.F. Cruz 

**AN ACT TO AMEND SECTIONS 6207 AND 6207.1 OF
AND TO ADD NEW SECTIONS 6218.2 AND 6218.3 TO
CHAPTER 6, TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO PROHIBITING BONUS
PAY AND MANDATING PROPER PAY AND PAY
ADJUSTMENT PROCESSING FOR UNCLASSIFIED
EMPLOYEES.**

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

2 **Section 1.** § 6207, Chapter 6, Title 4 of the Guam Code Annotated is hereby
3 *amended* to read:

4 **“§ 6207. Positions in Governor’s Office.**

5 The Governor is authorized to establish such positions as may be
6 necessary for the operation of the Office of the Governor including off-
7 island offices and Government House; provided, however, that no person
8 shall be appointed to fill such a position in the absence of an appropriation to
9 pay the salary set for such position. The Governor shall set the salaries for
10 positions for which salaries are not set by law which shall be paid in twenty-
11 six (26) equal installments from the date when such salary was set.”

12 **Section 2.** § 6207.1, Chapter 6, Title 4 of the Guam Code Annotated is
13 hereby *amended* to read:

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1 **“§ 6207.1. Positions in Lieutenant Governor’s Office.**

2 The Lieutenant Governor is authorized to establish such positions as
3 may be necessary for the operation of the Office of the Lieutenant Governor,
4 the Guam State Clearinghouse, and other offices that are established and
5 placed under the purview or direction of the Lieutenant Governor of Guam;
6 provided, however, that no person shall be appointed to fill such a position
7 in the absence of an appropriation to pay the salary set for such position. The
8 Lieutenant Governor shall set the salaries for positions for which salaries are
9 not set by law which shall be paid in twenty-six (26) equal installments from
10 the date when such salary was set.”

11 **Section 3.** A new section 6218.2 is hereby *added* to Chapter 6, Title 4 of the
12 Guam Code Annotated to read:

13 **“§ 6218.2. Prohibition on Bonus Pay for Unclassified Employees.**

14 No bonuses *shall* be authorized and/or paid in lump-sum or otherwise,
15 to unclassified employees of the government of Guam unless so specified by
16 law. Any person who authorizes a bonus payment in violation of this Section
17 *shall* be guilty of a misdemeanor. For the purposes of this Section, bonuses
18 or bonus payments *shall* mean sums authorized and/or paid to an
19 unclassified employee that is separate and apart from and/or added to the
20 base pay of such unclassified employee for any purpose.”

21 **Section 4.** A new section 6218.3 is hereby *added* to Chapter 6, Title 4 of the
22 Guam Code Annotated to read:

23 **“§ 6218.3. Processing of Pay Adjustments for Unclassified Employees.**

24 Pay adjustments that increase base pay that are authorized pursuant to
25 §§ 6207 and 6207.1 of this Chapter *shall* be paid in twenty-six (26) equal
26 installments from the date when such pay adjustment was authorized. If,
27 after such pay adjustments that increase base pay for such unclassified

1 employees that are authorized pursuant to §§ 6207 and 6207.1 of this
2 Chapter, a pay adjustment is authorized to decrease base pay within two (2)
3 pay periods, the amount of such pay adjustment that previously increased
4 base pay *shall* be repaid by the unclassified employee *no later than* the
5 following pay period subsequent to the date from when the pay adjustment
6 decrease was authorized.”

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

8 **Section 6. Severability.** *If* any provision of this Act or its application to
9 any person or circumstance is held invalid, the invalidity *shall not* affect other
10 provisions or applications of this Act which can be given effect without the invalid
11 provision or application and to this end the provisions of this Act is severable.