

I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN

2006 SECOND REGULAR SESSION

Bill No. 277(FC)

Introduced by:

J.A. Lujan

AN ACT TO REPEAL AND RE-ENACT SECTIONS 1107 AND 1108 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE AUTHORITY OF THE BOARD OF DIRECTORS OF THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM ("GIAA") TO HIRE ITS EXECUTIVE MANAGER, COMPTROLLER, ATTORNEY, ACCOUNTANT AND OTHER OFFICERS.

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

2 **Section 1.** Title 12, Guam Code Annotated, Section 1107 shall be repealed and re-
3 enacted to read as follows:

4 § 1107. Executive Manager.

5 (a) The Board shall appoint an Executive Manager, who shall be its chief executive
6 officer. The Executive Manager shall serve at the pleasure of the Board, which shall fix
7 his compensation. The Board shall have the authority to set the salary of the Executive
8 Manager notwithstanding the provisions of Title 4, Guam Code Annotated, Section 6103
9 or other law in conflict with this provision. The Executive Manager shall have full charge
10 and control of the operations and maintenance of the airports controlled by the Authority,
11 and of the construction of any airports, facilities, runways, taxiways and other necessary
12 works controlled by, or required to be constructed or repaired by the Authority.

13 (b) The powers of the Executive Manager include:

14 (1) To see that all rules and regulations of the Authority are enforced.

1 (2) To attend, unless excused by the Board, all meetings of the Board and to submit
2 reports on the affairs of the Authority as required by the Board.

3 (3) To keep the Board advised on the needs of the Authority and to approve demands for
4 payment of obligations within the purposes and amounts authorized by the Board.

5 (4) To prepare or cause to be prepared all plans and specifications for the construction
6 and repair of works and facilities operated by the Authority.

7 (5) To devote his entire time to the business of the Authority, to select and appoint the
8 employees of the Authority, except as otherwise provided in this Chapter, and to plan,
9 organize, coordinate and control the services of such employees in the exercise of the
10 powers of the Authority under the general direction of the Board.

11 (6) To cause to be published within one hundred twenty (120) days from the end of each
12 fiscal year a financial statement showing the results of operations for the preceding fiscal
13 year and the financial status of the Authority on the last day thereof. The publication shall
14 be made in the manner provided by the Board.

15 (7) To perform such other and additional duties as the Board may require.

16 Section 2. Title 12, Guam Code Annotated, Section 1108 is hereby repealed and re-
17 enacted as follows:

18 § 1108. Treasurer, Comptroller, Attorney and other Officers.

19 (a) The Board may also appoint a treasurer, a comptroller ~~and~~ an attorney and any other
20 officers, all of whom shall serve at the pleasure of the Board. Their duties and

1 compensation shall be fixed by the Board and any such compensation shall not be limited
2 by the provisions of Title 4, Guam Code Annotated, Section 6103 or other law which
3 may be in conflict with this provision. The Board may appoint one assistant to any such
4 office. Any of the said offices may be consolidated into one person.

5 (b) The Treasurer shall have custody of all monies of the Authority, and shall pay out
6 such money only in accordance with the directions of the Board or as provided by Article
7 2 of this Chapter. The Board shall, however, appoint the Director of Administration or
8 any agent designated by him as its trustee for the payment of bonds issued by it and for
9 any related purposes as the Board may provide.

10 (c) The Attorney, who must have been admitted to the practice of law in Guam, shall
11 advise the Board and the Executive Director on all legal matters to which the Authority is
12 a party or in which the Authority is legally interested, and may represent the Authority in
13 connection with legal matters before the Legislature, boards and other agencies of the
14 Territory or of the United States. The Attorney for the Authority shall represent the
15 Authority in litigation concerning the affairs of the Authority.

16 (d) The Board may appoint any such other officers as the Board, in its discretion and in
17 the interest of the Territory may require.

18 **Section 4. Severability.** If any provision of this Law or its application to any person or
19 circumstance is found to be invalid or contrary to law, such invalidity shall not affect
20 other provisions or applications of this Law which can be given effect without the invalid
21 provisions or application, and to this end the provisions of this Law are severable.