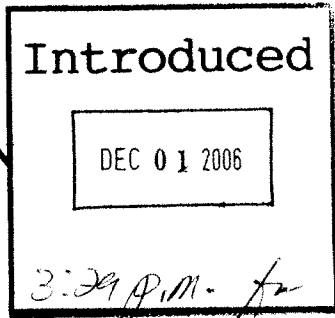


**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session**



Bill No. H01(cc)

Introduced by:

L.F. Kasperbauer
Mark Forbes

**AN ACT TO ADD SECTION 4102(A)(18) TO ARTICLE 1,
CHAPTER 4, TITLE 4 OF THE GUAM CODE
ANNOTATED AND TO AMEND SECTION 4105 OF
ARTICLE 1, CHAPTER 4, TITLE 4 OF THE GUAM CODE
ANNOTATED RELATIVE TO AUTHORIZING THE
GOVERNMENT OF GUAM RETIREMENT FUND TO
DESIGNATE UNCLASSIFIED POSITIONS AND TO
PROMULGATE PERSONNEL RULES AND
REGULATIONS**

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

2

3 **Section 1. Legislative Intent.** The Board of Trustees of the Government of Guam
4 Retirement Fund owes fiduciary duties to the members of the Fund. The Board of
5 Trustees is tasked with discharging its duties with care, skill, prudence and
6 diligence. In line with exercising its fiduciary duties, and to protect the members
7 of the Fund, it is in the best interests of the Fund for it to retain a certain level of
8 autonomy with respect to personnel matters.

9

10 **Section 2.** Section 4102(a)(18) of Article 1, Chapter 4, Title 4 of the Guam Code
11 Annotated is hereby added as follows:

12

1 (18) positions expressly designated as unclassified by the
2 Board of Trustees of the Government of Guam
3 Retirement Fund.

4 **Section 3.** Section 4105(a) of Article 1, Chapter 4, Title 4 of the Guam Code
5 Annotated is hereby amended as follows:

6
7 Rules subject to criteria established by this Chapter
8 governing the selection, promotion, performance,
9 evaluation, demotion, suspension and other disciplinary
10 action of classified employees shall be adopted by the
11 Board of Trustees of the Government of Guam
12 Retirement Fund; the Board of Directors of the Antonio
13 B. Won Pat International Airport Authority, Guam; the
14 Board of Directors of the Guam Economic Development
15 and Commerce Authority; the Board of Directors of the
16 Guam Housing Corporation; the Board of
17 Commissioners of the Guam Housing and Urban
18 Renewal Authority; the Guam Judicial Council; the
19 Board of Directors of the Jose D. Leon Guerrero
20 Commercial Port; the Guam Education Policy Board; the
21 Board of Regents of the University of Guam; the Guam
22 Community College Board of Trustees; the Board of
23 Trustees of the Guam Memorial Hospital Authority; the
24 Board of Directors of the Guam Visitors Bureau; and the
25 Consolidated Commission on Utilities on behalf of the
26 Guam Waterworks Authority and the Guam Power

1 Authority, with respect to personnel matters within their
2 respective Branches, agencies, public corporations or
3 departments, and by the Director of Administration as to
4 all other Executive Branch employment.

5 **Section 4.** Section 4105(b) of Article 1, Chapter 4, Title 4 of the Guam Code
6 Annotated is hereby amended as follows:

7
8 Such rules shall, to the extent practicable, provide
9 standard conditions for entry into and the other matters
10 concerning the government service. The personnel rules
11 adopted for the Government of Guam Retirement Fund;
12 the Guam Economic Development and Commerce
13 Authority, the Guam Housing Corporation, the Guam
14 Housing and Urban Renewal Authority, the University of
15 Guam, the Guam Community College, the Antonio B.
16 Won Pat International Airport Authority, Guam, the Jose
17 D. Leon Guerrero Commercial Port, the Guam Public
18 School System, the Guam Memorial Hospital Authority,
19 by the Director of Administration and by the
20 Consolidated Commission on Utilities shall require that
21 all their classified employee appeals, except academic
22 personnel of the Guam Community College and the
23 University of Guam in conformance with Title 4 GCA §
24 4403(h), be heard by the Civil Service Commission
25 ('Commission').

1 **Section 5. Severability.** If any provision of this Act or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity
3 shall not affect other provisions or applications of this Act which can be given
4 effect without the invalid provisions or applications, and to this end the provisions
5 of this Act are severable.

6
7 **Section 6. Effective Date.** The amendments herein shall be effective upon the
8 enactment.

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