

I MINA 'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Bill No. 3 (LS)

As amended on the Floor.

Introduced by:

Ray Tenorio
Frank F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Judith Paulette Guthertz
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
David L.G. Shimizu
A. R. Unpingco
J. T. Won Pat

AN ACT TO AMEND §§2109 AND 2110 OF CHAPTER 2 AND TO AMEND §§6230 AND 6231 OF CHAPTER 6, ALL OF TITLE 4 GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING “LAME DUCK” INCUMBENTS FROM HIRING NEW, UNCLASSIFIED EMPLOYEES FOLLOWING THE LOSS OF AN ELECTION AND TO PROHIBIT SALARY INCREASES FOR UNCLASSIFIED EMPLOYEES FOLLOWING THE LOSS OF AN ELECTION OR THE DECISION NOT TO SEEK RE-ELECTION BY AN INCUMBENT ELECTED OFFICIAL.

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

2 **Section 1.** §2109 of Chapter 2, 4 GCA is *amended* to read:

3 **"§2109. Prohibition Against Hiring New, Unclassified**
4 **Employees Following the Defeat of an Incumbent in an Election.** No new

1 unclassified employees may be hired in the Executive Branch of government
2 following the defeat of a sitting *Maga’lahen Guðhan* in a primary election *or*
3 general election until after such date that such *Maga’lahen Guðhan* leaves office.
4 No new, unclassified employees may be hired in any Legislative Office of a sitting
5 Senator following the defeat of such Senator in a primary *or* general election. No
6 new contract workers *or* unclassified employees may be hired in the Department of
7 Law following the defeat of a sitting Attorney General in a primary *or* general
8 election until said Attorney General leaves office. No new unclassified employees
9 may be hired in the Office of the Public Auditor following the defeat of said Public
10 Auditor in a primary *or* general election until said Public Auditor leaves office.
11 Following the defeat of a sitting Attorney General in a primary *or* general election,
12 no contract workers *or* unclassified employees employed in the Office of the
13 Attorney General may receive a pay increase until said Attorney General leaves
14 office. Following the defeat of a sitting Public Auditor in a primary *or* general
15 election, no contract workers *or* unclassified employees employed in the Office of
16 the Public Auditor may receive a pay increase until said Public Auditor leaves
17 office.”

18 **Section 2.** §2110 of Chapter 2, 4 GCA is *amended* to read:

19 **“§2110. Prohibition Against Hiring Unclassified Employees**
20 **Employed by Incumbents Not Seeking Re-election.** (a) No new unclassified
21 employees may be hired in the Executive Branch of government after October 1st
22 of the last year of office of a sitting *Maga’lahen Guðhan* who is not seeking re-
23 election until after such date that such *Maga’lahen Guðhan* leaves office. No new,
24 unclassified employees may be hired in any Legislative Office of a sitting Senator,
25 opting not to seek re-election, after October 1st of the last year in office of such
26 Senator. No contract workers *or* unclassified employees employed in the

1 Department of Law *or* the Office of the Public Auditor may be hired following the
2 defeat of Attorney General *or* Public Auditor, respectively, in a primary *or* general
3 election until that Attorney General *or* Public Auditor leaves office.”

4 **Section 3.** §6230 of Chapter 6, 4 GCA is *amended* to read:

5 **“§6230. Prohibition Against Salary Increases for Unclassified**
6 **Employees Following the Defeat of an Incumbent in an Election.** No
7 unclassified employees employed in the Executive Branch of government may
8 receive a pay increase following the defeat of a sitting *Maga’lahen Guåhan* in a
9 primary election *or* general election until after such date that such *Maga’lahen*
10 *Guåhan* leaves office. No unclassified employees employed in any Legislative
11 Office of a sitting Senator may receive a pay increase following the defeat of such
12 Senator in a primary *or* general election. No unclassified employees employed in
13 any Mayoral Office of a sitting Mayor may receive a pay increase following the
14 defeat of such Mayor in a primary *or* general election. No contract workers *or*
15 unclassified employees employed in the Department of Law *or* the Office of the
16 Public Auditor may receive a pay increase following the defeat of Attorney
17 General *or* Public Auditor, respectively, in a primary *or* general election until that
18 Attorney General *or* Public Auditor leaves office.”

19 **Section 4.** §6231 of Chapter 6, 4 GCA is *amended* to read:

20 **“§6231. Prohibition Against Salary Increases for Unclassified**
21 **Employees Employed by Incumbents *Not* Seeking Re-election.** No unclassified
22 employees employed in the Executive Branch of government may receive a pay
23 increase after October 1st of the last year of office of a sitting *Maga’lahen Guåhan*
24 who is *not* seeking re-election until after such date that such *Maga’lahen Guåhan*
25 leaves office. No unclassified employees employed in any Legislative Office of a
26 sitting Senator, opting not to seek re-election, may receive a pay increase after

1 October 1st of the last year in office of such Senator. No unclassified employees
2 employed in any Mayoral Office of a sitting Mayor, opting not to seek re-election,
3 may receive a pay increase after October 1st of the last year in office of such
4 Mayor. *If* an incumbent Attorney General *or* Public Auditor decides not to seek re-
5 election, no contract workers *or* unclassified employees employed in the
6 Department of Law *or* the Office of the Public Auditor, respectively, may receive a
7 pay increase after October 1st of the respective official's last year in office. "