

file



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

2009 JUL 17 AM 9:33 ME

16 JUL 2009

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 82(COR) "AN ACT TO AMEND §§2109 AND 2110 OF TITLE 4, AND §§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM" which I signed into law on July 14, 2009 as Public Law 30-47.

Sinseru yan Magåhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-0867
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 7/16/09
Time
Received by [Signature]

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

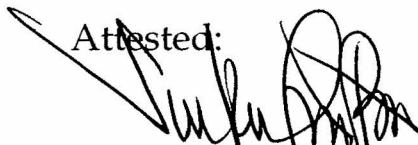
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 82 (COR)**, "AN ACT TO AMEND §§2109 AND 2110 OF TITLE 4, AND §§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM," was on the 2<sup>nd</sup> day of July 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guåhan* this 2 day of July, 2009, at  
4:30 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date: 07.14.09

Public Law No. 30-47

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (FIRST) Regular Session**

**Bill No. 82 (COR)**

As amended.

Introduced by:

Judith T. Won Pat, Ed. D.

T. R. Muña Barnes

T. C. Ada

Telo Taitague

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

Adolpho B. Palacios, Sr.

v. c. pangelinan

M. J. Rector

R. J. Respicio

Ray Tenorio

**AN ACT TO *AMEND* §§2109 AND 2110 OF TITLE 4, AND  
§§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM  
CODE ANNOTATED, RELATIVE TO THE MAYORS'  
OFFICES OF GUAM.**

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

2        **Section 1.**    §2109 of Chapter 2 of Title 4 of the Guam Code Annotated is  
3 hereby *amended* to read:

4                **“§2109.    Prohibition Against Hiring New, Unclassified**  
5 **Employees Following the Defeat of an Incumbent in an Election. *No***  
6 new, unclassified employees may be hired in the Executive Branch of  
7 government following the defeat of a sitting *Maga’lahen Guåhan* in a  
8 primary election *or* general election until after such date that such

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

18 **Section 2.** §2110 of Chapter 2 of Title 4 of the Guam Code Annotated, is  
19 hereby *amended* to read:

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

1 employees may be hired in any Mayoral Office of a sitting Mayor opting *not*  
2 to seek re-election, after October 1st of the last year in office of such Mayor.  
3 *No* new contract workers *or* unclassified employees may be employed in the  
4 Department of Law *or* the Office of the Public Auditor when the Attorney  
5 General *or* Public Auditor, respectively, opts *not* to seek re-election, until  
6 that Attorney General *or* Public Auditor leaves office.”

7 **Section 3.** §40103.1 of Chapter 40 of Title 5 of the Guam Code  
8 Annotated, is hereby *amended* to read:

9 “**§40103.1. Transition for Mayor and Vice Mayor.** After the  
10 Certification of Election of newly elected Mayors, and Vice Mayors, as  
11 applicable, there *shall* exist a transition period ending on the day of the oath  
12 of office of the newly elected Mayors and Vice Mayors. During this  
13 transition period, the incumbent Mayor, and incumbent Vice Mayor as  
14 applicable, *shall* provide assistance to the Mayor-elect and Vice Mayor-elect  
15 to acquaint the latter with the operations and functions of the Offices,  
16 including, but *not limited to*, pending invoices and purchase orders, office  
17 budget, financial reports, appropriations, expenditure reports, staffing  
18 pattern, financial obligations, and the inventory of equipment, furniture, and  
19 vehicles belonging to the Municipality of such Mayor. Such transition  
20 period *shall* be coordinated by the Executive Director of the Mayors’  
21 Council of Guam who *shall* also be responsible for the transitions of each  
22 Mayoral Office. Should an incumbent Mayor and an incumbent Vice Mayor  
23 *not* be successful in an election, all property, equipment, and documents  
24 belonging to the Office *shall not* be removed by the exiting Mayor *or* Vice  
25 Mayor.”

26 **Section 4.** Subsection (a) of §40107 of Chapter 40 of Title 5 of the Guam  
27 Code Annotated, is hereby *amended* to read:

1           “§40107.   **Council Staffing.** (a) Subject to budgetary limitations,  
2           the Council may hire personnel necessary to carry out the purposes of this  
3           Chapter. The staff *shall* include an Executive Director, who *shall* be the  
4           Executive Secretary of the Council, who *shall* be responsible for the day-to-  
5           day operations of the staff and *shall* also be the Certifying Officer for the  
6           Council and the nineteen (19) municipal funds. The Executive Director  
7           *shall* be responsible for the transitions of each Mayoral Office subject to  
8           §40103.1 of this Chapter. The Executive Director *shall*, during such  
9           transition, provide to all Mayors and Vice Mayors a compilation of laws  
10          applicable to such office detailing the duties, responsibilities, sources of  
11          funding, limitations, and powers of the Office of the Mayor. The staff of the  
12          Council *shall* be paid such compensation as *shall* be determined by the Civil  
13          Service Commission within ninety (90) days of the enactment of this  
14          Section; provided, however, that such compensation *shall* be comparable to  
15          equivalent position classifications within the government of Guam.”