



Office of the Governor of Guam

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

2008 APR 10 AM 10:54

09 APR 2008

The Honorable Judith T. Won Pat  
Speaker  
*Mina' Bente Nuebi Na Liheslaturan Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 164(LS), "AN ACT TO AMEND §§43201, 43202 AND 43203 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PERFORMANCE REVIEWS OF AGENCY HEADS" which I signed into law on April 4, 2008 as **Public Law 29-61**.

*Sinseru yan Magåhet,*

FELIX P. CAMACHO  
*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,  
Senator and Legislative Secretary

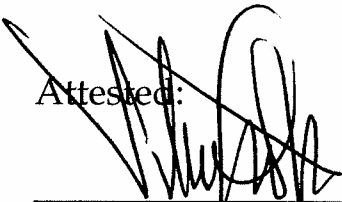
09-08-0263  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 4/09/08  
Time 4:47  
Received by [Signature]

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

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

This is to certify that Bill No. 164 (LS), "AN ACT TO AMEND §§43201, 43202 AND 43203 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PERFORMANCE REVIEWS OF AGENCY HEADS," was on the 21<sup>st</sup> day of March, 2008, duly and regularly passed.

Attested:

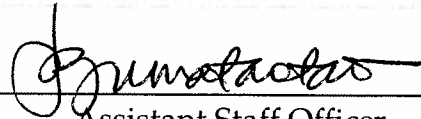


TINA ROSE MUÑA BARNES  
Senator and Secretary of the Legislature



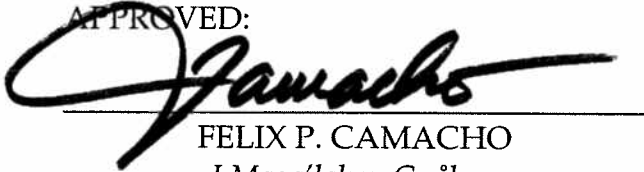
JUDITH T. WON PAT, Ed.D  
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 25 day of March, 2008, at  
10:50 o'clock A.M.



Assistant Staff Officer  
*Maga'laha*'s Office

APPROVED:



FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 4 APRIL 2008

Public Law No. 29-61

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

**Bill No. 164 (LS)**

As amended.

Introduced by:

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

**AN ACT TO AMEND §§43201, 43202 AND 43203 OF TITLE 5,  
GUAM CODE ANNOTATED, RELATIVE TO  
PERFORMANCE REVIEWS OF AGENCY HEADS.**

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

2           **Section 1.** §43201 of Article 2 of Chapter 43 of Title 5, Guam Code  
3 Annotated, is hereby *amended* to read as follows:

4                   **“§43201. Definitions.** For purposes of this Article only:

5                   *Agency, instrumentality, or entity shall* mean the Guam Public School  
6           System, the Guam Power Authority, the Guam Waterworks Authority, the  
7           Guam Housing Corporation, the Guam Housing and Urban Renewal

1 Authority, the Public Defender Service Corporation, the Jose D. Leon  
2 Guerrero Commercial Port, the A. B. Won Pat International Airport  
3 Authority, Guam, the Guam Economic Development and Commerce  
4 Authority, the Civil Service Commission, the Department of *Chamorro*  
5 Affairs, the *Chamorro* Land Trust Commission, the Ancestral Lands  
6 Commission, the Guam Memorial Hospital Authority, the Guam  
7 Educational Telecommunications Corporation, the Guam Council on the  
8 Arts and Humanities, the Guam Visitors Bureau, the Guam Environmental  
9 Protection Agency, the Guam Election Commission, and the Government of  
10 Guam Retirement Fund.

11 Governing Board *shall* mean the Guam Education Policy Board, the  
12 Consolidated Commission on Utilities, the Board of Directors, the Council,  
13 the Commission, *or* the Board with the statutory authority to select the Chief  
14 Executive of the agency, instrumentality, *or* entity for which it determines  
15 policy. Chief Executive *shall* mean the Senior Manager who heads an  
16 agency, including, but *not limited to*, the Superintendent of Education,  
17 Director, Executive Director, General Manager, President, Hospital  
18 Administrator, *or* Administrator.”

19 **Section 2.** §43202 of Article 2 of Chapter 43 of Title 5, Guam Code  
20 Annotated, is hereby *amended* to read as follows:

21 “**§43202. Performance Reviews of Agency Heads.** The governing  
22 Boards for all agencies, instrumentalities, *or* entities *shall* issue performance  
23 reviews of the Chief Executive selected for that agency six (6) months after  
24 appointment of the said Chief Executive and every twelve (12) months  
25 thereafter that the Chief Executive is retained by the Governing Board. Each  
26 performance review *shall* document the Chief Executive’s performance,

1 accomplishments, and the respective Governing Board's reasons for  
2 retaining the said Chief Executive."

3 **Section 3.** §43203 of Article 2 of Chapter 43 of Title 5, Guam Code  
4 Annotated, is hereby *amended* to read as follows:

5 **"§43203. Publication of Performance Reviews.** The performance  
6 reviews required under this Act *shall* be made public and the availability of  
7 these reviews *shall* be published by the respective Governing Boards issuing  
8 the aforementioned reviews by newspaper of general circulation *or* by radio  
9 *or* television which is reasonably calculated to provide notice of the facts it  
10 announces to the public at large and posted on the agency, instrumentality *or*  
11 entity's website."