

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
167-37 (COR)	Joanne Brown	AN ACT TO AMEND § 4202 (b) OF CHAPTER 2 TITLE 4 GUAM CODE ANNOTATED RELATIVE TO THE ENACTMENT OF PUBLIC LAW 34-145 WHICH AMENDED THE SIXTY DAY RULE.	9/13/23 10:16 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 167-37 (COR)

Introduced by:

Joanne Brown 

**AN ACT TO *AMEND* § 4202 (b) OF CHAPTER 2 TITLE 4
GUAM CODE ANNOTATED RELATIVE TO THE
ENACTMENT OF PUBLIC LAW 34-145 WHICH
AMENDED THE SIXTY DAY RULE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that with the amendment to § 4406 (b) of Chapter 4, Title 4 Guam Code Annotated amending the sixty-day (60) day rule to ninety (90) calendar day rule upon enactment of Public Law 34-145:1, it created a conflict between the sixty (60) day rule of § 4202 (b) and the ninety (90) calendar day rule of § 4406 (b).

I Liheslatura further finds that § 4202.2 of Chapter 2, Title 4 Guam Code Annotated which read as follows:

“§ (b) The ninety (90) day limitation imposed by Title 4 GCA § 4406 commences when the employee gives notice of the charges or conviction of a crime to the head of the department or agency as required by Title 4 GCA §4202.1.”

The Compiler of Law inserted the following Note after § 4202.2 (b) “**2019 NOTE:** P.L. 34-145:1 (Dec. 13, 2018) amended 4 GCA § 4406, establishing the 90 Day Rule. In light of the amendment, the reference in subsection (b) was altered

1 from sixty (60) days to ninety (90) days, pursuant to the authority granted to the
2 Complier by 1 GCA §1606.”

3 Therefore, *I Liheslatura* intends to synchronize the various GCA sections of
4 Chapter 4 Title 4 by amending § 4202 (b) to reflect the ninety calendar Day Rule.

5 **Section 2. § 4202 (b) of Article 1, Chapter 4, Title 4, Guam Code**
6 **Annotated, is amended to read:**

7 “(b) Notwithstanding any provision of law, rule, or regulation to the contrary,
8 any employee, including a casual employee, who is within the classified service,
9 shall be given written notice of at least ~~sixty (60)~~ ninety (90) calendar days prior to
10 termination of employment for any reason. In situations where for the convenience
11 of the Government it is necessary to terminate an employment without the giving of
12 ~~sixty (60)~~ ninety (90) calendar days’ notice, the employee shall be retained in pay
13 status until the notice period shall have run.”