

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
30-37 (COR)	Joanne Brown Chris Barnett Frank Blas, Jr. Thomas Fisher Telo T. Taitague Christopher M. Dueñas Jesse A. Lujan	AN ACT TO ADD A NEW § 4101(a) (1) (D) OF ARTICLE 1, AND TO ADD A NEW § 4203.4 TO ARTICLE 2, BOTH OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF EMPLOYMENT IN THE GOVERNMENT OF GUAM FOR INDIVIDUALS CONVICTED OF OFFICIAL MISCONDUCT UNDER THE PROVISIONS OF 9 GCA § 49.90.	2/6/23 10:40 a.m.						

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

Bill No. 30-37 (COR)

Introduced by:

Joanne Brown
Chris "Malafunkshun" Barnett
Frank Blas Jr.
Thomas J. Fisher
Telo T. Taitague
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AN ACT TO *ADD A NEW* § 4101(a) (1) (D) OF ARTICLE 1, AND TO *ADD A NEW* § 4203.4 TO ARTICLE 2, *BOTH* OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF EMPLOYMENT IN THE GOVERNMENT OF GUAM FOR INDIVIDUALS CONVICTED OF OFFICIAL MISCONDUCT UNDER THE PROVISIONS OF 9 GCA § 49.90.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the people of Guam should be able to reasonably expect that their government employs people on the basis of merit and *does not* employ criminals, especially criminals convicted of official misconduct while in government employment. Experience has shown that this expectation has been misplaced. While the sentiment of providing second chances to criminals is admirable in the right context, government service cannot bear the risk of employing convicted criminals.

Therefore, *I Liheslatura* intends to prohibit the employment of an individual in any agency or instrumentality of the government of Guam if said individual is

1 convicted under the provisions of 9 GCA § 49.90, or an offense in any jurisdiction
2 which includes, at a minimum, all of the elements of said offenses.

3 **Section 2. A New § 4101(a)(1)(D) of Article 1, Chapter 4, Title 4, Guam**
4 **Code Annotated, is *added* to read:**

5 “(D) No person *shall* be employed nor continued in employment, who
6 was convicted of a violation 9 GCA § 49.90. Any attempted or erroneous
7 appointment or continuation of employment in violation of this section is void
8 *ab initio*. Title 4 GCA § 4202 and § 4406 (b) shall not apply to this section.”

9 **Section 3. A New § 4203.4 is hereby *added* to Article 2 of Chapter 4,**
10 **Title 4, Guam Code Annotated, to read:**

11 “§ 4203.4. Prohibition: Conviction of Official Misconduct and
12 Absolute Bar to Employment. No person convicted under the provisions of
13 9 GCA § 49.90, or an offense in any jurisdiction which includes, at a
14 minimum, all of the elements of said offenses, *shall* work in any agency or
15 instrumentality of the government of Guam.”