

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
345-34 (COR)	Therese M. Terlaje	AN ACT TO ADD A NEW § 2112 2113 TO CHAPTER 2 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LIMITING THE TERMS OF MEMBERS OF BOARDS AND COMMISSIONS AND HEADS OF EXECUTIVE BRANCH AGENCIES AND INSTRUMENTALITIES, AND PUBLIC CORPORATIONS IN ORDER TO PROMOTE GREATER ACCOUNTABILITY IN GOVERNMENT	9/7/18 11:33 a.m.						

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 345-34 (COR)

Introduced by:

Therese M. Terlaje 

AN ACT TO ADD A NEW § 2113 TO CHAPTER 2 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO LIMITING THE TERMS OF MEMBERS OF BOARDS AND COMMISSIONS AND HEADS OF EXECUTIVE BRANCH AGENCIES AND INSTRUMENTALITIES, AND PUBLIC CORPORATIONS IN ORDER TO PROMOTE GREATER ACCOUNTABILITY IN GOVERNMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

3 that many executive branch agency heads and board and commission members are
4 appointed for terms between three and six years, which exceed the terms of senators,
5 and may exceed the terms of Governors. Historically, these lengthy terms
6 represented an attempt to remove political pressure from the boards and
7 commissions and directors, but have in fact insulated some agency heads, especially
8 in autonomous agencies, from public scrutiny. *I Liheslatura* finds that greater checks
9 and balances between the branches improve trust and efficiency within the
10 government. Legislative advice and consent of executive agency heads, partnered
11 with legislative oversight, are fundamental and necessary to the protection of the
12 public interest as well as the increased participation of the people in the government.
13 By limiting the term of appointment of board and commission members and heads

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1 of the executive branch agencies and instrumentalities to two years, *I Liheslatura*
2 intends to significantly increase the opportunity for the public to comment on the
3 performance of these public servants by requiring more frequent confirmation
4 hearings on appointments to these positions of public trust.

5 **Section 2.** A new § 2113 is hereby *added* to Chapter 2 of Title 4, Guam Code
6 Annotated, to read as follows:

7 **“§ 2113. Terms of appointment for members of boards and commissions**
8 **and heads of executive branch agencies and instrumentalities.** Notwithstanding
9 any other law, rule, or regulation, the term of appointment for all heads of executive
10 branch agencies, including autonomous agencies, and instrumentalities and every
11 board or commission member where the consent of the legislature is required *shall*
12 be for a maximum of two (2) years and *shall* be subject to the consent of the
13 Legislature. An agency head or board or commission member may be reappointed
14 to the same position, subject to the renewed consent of the Legislature. Current
15 agency heads and board and commission members subject to this provision *shall*
16 serve until the expiration of their appointments.”