I Mina'trentai Singko Na Liheslaturan Guåhan THE THIRTY-FIFTH GUAM LEGISLATURE Bill HISTORY 9/5/2019 8:38 AM

### I Mina'trentai Singko 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
201-35 (COR	-	AN ACT TO AMEND § 9141 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION OF THE WORKERS' COMPENSATION COMMISSION.	9/5/19 8:35 a.m.						

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# 2019 SEP -5 MM 8: 35

# I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN 2019 (FIRST) Regular Session

Bill No. 201 -35 (609)

Introduced by:

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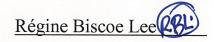
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AN ACT TO AMEND § 9141 OF CHAPTER 9, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE COMPOSITION OF THE WORKERS' COMPENSATION COMMISSION.

### BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Section 9141 of Chapter 9, Title 22, Guam Code Annotated, is

hereby *amended* to read:

## "§ 9141. Administration.

- (a) Except as otherwise specifically provided, the Worker's' Compensation Commission *shall* administer the provisions of this Title, and for such purpose the Commission is authorized (1) to make rules and regulations in conformance with this Title; (2) to select such technical assistants, medical advisors, and other officers and employees; and (3) to make from appropriated funds such expenditures (including expenditures for personal services, rent, law books, books of reference, periodicals and printing, binding and other necessities) as may be necessary in the administration of this Title.
- (b) The Workers' Compensation Commission *shall* be under the cognizance of the Department of Labor and *shall* consist of the Commissioner or designee; and six (6) other members to be appointed by the Governor:

1	(1) one (1) member appointed from the Mayors Council a list						
2	of three (3) nurse practitioners or registered nurses recommended by						
3	the Guam Board of Nurse Examiners;						
4	(2) one (1) member appointed from a list of three (3) medical						
5	doctors recommended by the Guam Board of Medical Examiners						
6	Medical Society;						
7	(3) one (1) member appointed from a list of three (3)						
8	attorneys recommended by the Guam Bar Association;						
9	(4) one (1) member appointed from a list of three (3)						
10	Certified Public Accountants human resource practitioners						
11	recommended by the Guam Society-of Certified Public Accountants						
12	for Human Resources Management Guam Chapter;						
13	(5) one (1) government of Guam employee; and						
14	(6) one (1) member of a labor union;						
15	and at the Director's option, two (2) members from the general public. At all						
16	times, the total number of members shall be an odd number.						
17	(c) The presence of a majority of members shall constitute a						
18	<u>quorum.</u>						
19	(1) Members of the Commission, if physically unable to						
20	attend a meeting or hearing, may be legally present and participate in						
21	a meeting or hearing via telephone conference call or video						
22	communication conferencing, provided that all parties in the meeting						
23	or hearing are able to adequately hear and communicate with such						
24	member.						
25	(2) Meetings and hearings shall be electronically recorded in						
26	audio or video format but, not withstanding any other provision of						
27	law, rule, or regulation, they need not be stenographically recorded.						

All audio and video files must be properly stored within the office of the Commission to ensure safe-keeping and availability to the public consistent with existing laws.

(d) The Commission *shall* maintain and keep open during reasonable business hours, an office for the transaction of business. If any member of the Commission is removed from office or for any reason ceases to act as a member, all of his or her official records and papers *shall* be transferred to his or her successor in office or to the Commission. No member nor any business associate of a member *shall* appear as attorney in any proceedings under this Title, and no member *shall* act in any such case in which he or she is interested, or when he or she is employed by any party in interest or related to any party in interest by consanguinity or affinity within the third degree as determined by the common law. Members of the Commission, except the Commissioner, *shall* receive Fifty Dollars (\$50) per meeting or hearing attended, not to exceed One Hundred Dollars (\$100) per month and any reasonable expenses incurred in performance of duty.

(e)(e) The Commission *shall* direct the vocational rehabilitation of permanently disabled employees and *shall* arrange with the appropriate public or private agencies for such education. The Commission *may* in its discretion furnish such prosthetic appliances or other apparatus made necessary by an injury upon which an award has been made under this Title to render a disabled employee fit to engage in a remunerative occupation.

Section 3. Effective Date. This Act shall become effective upon enactment.

**Section 4. Severability.** If a provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect

- 1 without the invalid provisions or application, and to this end the provisions of this
- 2 Act are severable.