


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)	Régine Biscoe Lee	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.						

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

Bill No. 201-35 (COR)

Introduced by:

Régine Biscoe Lee 

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

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

2 **Section 1.** Section 9141 of Chapter 9, Title 22, Guam Code Annotated, is
3 hereby *amended* to read:

4 “§ 9141. **Administration.**

5 (a) Except as otherwise specifically provided, the Worker's'
6 Compensation Commission *shall* administer the provisions of this Title, and
7 for such purpose the Commission is authorized (1) to make rules and
8 regulations in conformance with this Title; (2) to select such technical
9 assistants, medical advisors, and other officers and employees; and (3) to
10 make from appropriated funds such expenditures (including expenditures for
11 personal services, rent, law books, books of reference, periodicals and
12 printing, binding and other necessities) as may be necessary in the
13 administration of this Title.

14 (b) The Workers' Compensation Commission *shall* be under the
15 cognizance of the Department of Labor and *shall* consist of the
16 Commissioner or designee; and six (6) ~~other~~ members to be appointed by the
17 Governor:

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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 quorum.

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, notwithstanding any other provision of
27 law, rule, or regulation, they need not be stenographically recorded.

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

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

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

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

25 **Section 4. Severability.** If a provision of this Act or its application to any
26 person or circumstance is found to be invalid or contrary to law, such invalidity
27 *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.