

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
272-34 (COR)	Telena C. Nelson	AN ACT TO ADD A NEW SUBSECTION (e) TO § 6303 OF ARTICLE 3, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REPORTING OF AMENDED GOVERNMENT POSITIONS AND DEFERRING THE FILLING OF AMENDED POSITIONS.	4/20/18 1:35 p.m.	04/27/18	Committee on General Government Operations and Federal, Foreign, and Regional Affairs	7/18/18 10:00 a.m.	7/26/18 2:25 p.m.	Fiscal Note Request 5/1/18 Fiscal Note 5/8/18	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW	DATE SIGNED	NOTES	
	10/01/18	AN ACT TO ADD A NEW § 6303(e) TO ARTICLE 3 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REPORTING OF AMENDED GOVERNMENT POSITIONS AND DEFERRING THE FILLING OF AMENDED POSITIONS.	10/04/18	10/05/18 1:08 p.m.	10/17/18	34-131	10/17/18	Received: 10/23/18 Mess and Comm. Doc. No. 34GL-18-2462.	



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

OCT 17 2018

Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuáttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Vice Speaker Therese M. Terlaje

34 GL-18-2462

OCT 23 2018

Time: 10:37am

Received by: Y

Dear Madam Speaker:

Transmitted herewith is Bill No. 272-34 (COR), "AN ACT TO ADD A NEW § 6303(e) TO ARTICLE 3 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REPORTING OF AMENDED GOVERNMENT POSITIONS AND DEFERRING THE FILLING OF AMENDED POSITIONS," which was signed on October 17, 2018, as Public Law 34-131.

Senseramente,

EDDIE BAZA CALVO

2018 OCT 23 PM 12:28



I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

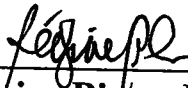
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUÁHAN*

This is to certify that **Bill No. 272-34 (COR)**, “**AN ACT TO ADD A NEW § 6303(e) TO ARTICLE 3 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REPORTING OF AMENDED GOVERNMENT POSITIONS AND DEFERRING THE FILLING OF AMENDED POSITIONS,**” was on the 4th day of October 2018, duly and regularly passed.



Therese M. Terlaje
Acting Speaker

Attested:



Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'láhen Guáhan* this 5th day of OCTOBER,
2018, at 1:00 o'clock P.M.



Assistant Staff Officer
Maga'láhi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'láhen Guáhan

Date: OCT 17 2018

Public Law No. 34-131

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

Bill No. 272-34 (COR)

Introduced by:

Telena Cruz Nelson
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO ADD A NEW § 6303(e) TO ARTICLE 3 OF
CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED,
RELATIVE TO REQUIRING REPORTING OF
AMENDED GOVERNMENT POSITIONS AND
DEFERRING THE FILLING OF AMENDED POSITIONS.**

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
2 and recognizes that job positions may require amendments thereto in order to select
3 the candidates most qualified for a civil government job or a promotion. However,
4 amendments to such positions may cause an otherwise qualified candidate to lose
5 the job or promotion opportunity. No candidate who was initially qualified prior to
6 an amendment should be impacted by such amendment if they were not given ample
7 time to comply with the amendment.

1 *I Liheslaturan Guåhan*, therefore, intends that amendments to a job position
2 go through the same approval process as that set out for the creation of jobs, and that
3 the filing of those newly amended jobs must be updated with the Department of
4 Administration and the Legislative Secretary of *I Liheslaturan Guåhan* for
5 transparency of the recruitment process for all government agencies.

6 **Section 2.** A new § 6303(e) is hereby *added* to Article 3 of Chapter 6, Title
7 4, Guam Code Annotated, to read:

8 “(e) (1) If a position created pursuant to § 6303 is amended in pay
9 range, position description, or qualifications, the amendment *shall* be subject
10 to a petition of the head of a line agency, department, autonomous agency, or
11 public corporation (or, in the case of the Judiciary, the Administrator of the
12 Courts) listed in 4 GCA § 4105(a). Said petition *shall* include:

13 (A) the justification for the amendment of the position;

14 (B) the essential details concerning the amendment of the
15 position;

16 (C) the amended pay range and position description; and

17 (D) any other pertinent information.

18 (2) The petition for the amendment *shall* be posted on the line
19 agency, department, autonomous agency, or public corporation’s website (or,
20 in the case of the Judiciary, the Judiciary’s website) for ten (10) days
21 (Saturdays, Sundays, and government of Guam holidays excepted), and must
22 comply with § 6303.1(a) of this Article.

23 (A) The Judiciary. The Administrator of the Courts *shall*
24 submit to the Judicial Council the petition, who, if it approves the
25 petition, *shall* do so by resolution. The Judicial Council *shall* file the
26 approved petition and resolution for record with the Legislative
27 Secretary.

1 (B) Line Agencies and Departments. The petition of the head
2 of a line agency or department (department head) and the Director of
3 Administration *shall* post the petition on their respective websites for
4 ten (10) days (Saturdays, Sundays, and government of Guam holidays
5 excepted). After the posting, the Director of Administration *shall*
6 forward the petition with his recommendation to *I Maga'låhi* who, if
7 he approves the same, *shall* so indicate and file it for record with the
8 Director of Administration and the Legislative Secretary.

9 (C) Autonomous Agencies and Public Corporations. The head
10 of an autonomous agency or public corporation *shall* forward the
11 petition, along with evidence of his compliance with § 6303.1(a), to the
12 governing board or commission, who, if it approves the same, *shall*
13 approve the petition by resolution and file the petition and resolution
14 for record with the Director of Administration and the Legislative
15 Secretary.

16 (3) No amended position may be filled until after compliance with
17 the provisions of this Section, and one hundred eighty (180) days have elapsed
18 from the date of filing with the Legislative Secretary.

19 (4) If a position's qualifications were amended and the position must
20 be filled prior to the one hundred eighty (180) day period, the last approved
21 position qualification *shall* be used for selection. No penalty shall be applied
22 to any applicant who does not meet requirements from an amended position
23 description that did not complete the one hundred eighty (180) day period."