

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (First) Regular Session

Bill No. 90-32 (COR)

Introduced by:

FRANK B. AGUON, JR.
T. R. MUNA BARNES

B.J. Case

AN ACT RELATIVE TO EXPANDING THE REPRESENTATION ON THE HAGATNA RESTORATION & REDEVELOPMENT AUTHORITY, TO INCLUDE THE MAYOR OF HAGATNA AND A LEGISLATIVE REPRESENTATIVE, AND FOR OTHER PURPOSES; THROUGH AMENDING §§79301 OF ARTICLE 3, CHAPTER 79, TITLE 21, GUAM CODE ANNOTATED.

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

2 Section 1. §§79301 of Article 3, Chapter 79, Title 21, Guam Code
3 Annotated, relative to the Establishment provisions of the Hagatna Restoration and
4 Redevelopment Authority is hereby amended to read as follows:

5 **“§ 79301. Establishment.**

6 There is within, ~~and~~ a public corporation and autonomous instrumentality
7 of, the government of Guam, the “HAGATÑA RESTORATION &
8 REDEVELOPMENT AUTHORITY.” The powers, rights, privileges, functions
9 and duties of the Authority shall be vested in ~~seven (7)~~ nine (9) Commissioners,
10 selected in accordance with the provisions in this Section. Seven (7) The
11 Commissioners shall be appointed by the Governor, ~~by and~~ with the advice and
12 consent of the Guam Legislature, to serve for a term of five (5) years. The eighth
13 and ninth Commissioners shall be selected as follows: one of the
14 Commissioners shall be the Mayor of Hagatna, who shall serve for the

1 **duration of his/her term(s); one (1) member shall be appointed by the Speaker**
2 **of the Guam Legislature, who shall serve at the pleasure of the Speaker, and**
3 **whose appointment shall be effective until the conclusion of the term of the**
4 **Guam Legislature in which he/she was appointed.**

5 (a) Before taking office or entering on duty, each Commissioner, as well as
6 each employee of the Authority, shall take the oath of office required of all officers
7 and employees of the government of Guam.

8 (b) Any Commissioner, **appointed by the Governor**, may be removed by
9 the Governor for inefficiency, neglect of duty or misconduct in office, after a
10 hearing before the Governor or a hearing officer specially designated by him for
11 the purpose.

12 (c) A Commissioner shall receive no compensation for his services, but shall
13 be entitled to payment of official travel costs and reimbursement of expenses
14 actually and necessarily incurred in the discharge of his duties and functions.

15 (d) The Governor shall designate a Chairman and Vice-Chairman from
16 among the Commissioners. The Commissioners shall constitute the Board of
17 Commissioners of the Authority. The Board may employ an Executive Director of
18 the Authority who shall serve at the pleasure of the Board, technical experts, such
19 other officers, agents and employees, permanent and temporary, as it may deem
20 necessary, and shall determine their qualifications, duties, tenure and
21 compensation. For such legal service as it may require, the Authority may employ
22 or retain its own counsel and legal staff. The Authority may delegate to one (1) or
23 more of its officers, agents or employees, such powers and duties as it may deem
24 proper. The Board shall adopt personnel rules pursuant to 4 GCA § 4105 and §
25 4106.

26 (e) ~~Four (4)~~ **Five (5)** Commissioners shall constitute a quorum of the Board
27 of Commissioners of the Authority for the purpose of conducting the business of

1 the Authority and exercising its powers, and for all other purposes. A vote of the
2 majority of Commissioners present at any meeting of the Board shall prevail.

3 (f) Non-voting ex-officio members shall include representatives from the
4 Department of Parks and Recreation, the Richard F. Taitano Micronesian Area
5 Research Center, the Chamorro Language Commission, the Department of Land
6 Management, **Department of Public Works, Guam Environmental Protection**
7 **Agency**, and the Guam Preservation Trust. These members shall provide technical
8 assistance to insure accuracy in the development of the Plan.”

9 **Section 2. Effective Date.**

10 The provisions contained herein shall be effective immediately upon
11 enactment of this Act.