MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

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March 24, 2008

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The Honorable Felix P. Camacho
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 72(EC), 120(EC), 138(EC), 164(LS), 166(EC), 186(EC), 222(LS); and Substitute Bill Nos. 1(LS), 25(EC), 118(EC) & 185(EC) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on March 21, 2008.

Sincerely,

TINA ROSE MUNA BARNES
Senator and Secretary of the Legislature

Enclosures (11)

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I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 164 (LS), "AN ACT TO *AMEND* §§43201, 43202 AND 43203 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PERFORMANCE REVIEWS OF AGENCY HEADS,"** was on the 21st day of March, 2008, duly and regularly passed.

JUDITH T. WON PAT, Ed.D
Speaker

Attested:

TINA ROSE MUÑA BARNES
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 25 day of March, 2008, at 10:50 o'clock AM.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Bill No. 164 (LS)
As amended.

Introduced by: J. T. Won Pat, Ed.D
R. J. Respicio
Mark Forbes
Frank F. Blas, Jr.
James V. Espaldon
Edward J.B. Calvo
B. J.F. Cruz
Judith Paulette Guthertz
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
David L.G. Shimizu
Ray Tenorio

AN ACT TO *AMEND* §§43201, 43202 AND 43203 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PERFORMANCE REVIEWS OF AGENCY HEADS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §43201 of Article 2 of Chapter 43 of Title 5, Guam Code Annotated, is hereby *amended* to read as follows:

"**§43201. Definitions.** For purposes of this Article only:

Agency, instrumentality, or *entity shall* mean the Guam Public School System, the Guam Power Authority, the Guam Waterworks Authority, the Guam Housing Corporation, the Guam Housing and Urban Renewal

Authority, the Public Defender Service Corporation, the Jose D. Leon Guerrero Commercial Port, the A. B. Won Pat International Airport Authority, Guam, the Guam Economic Development and Commerce Authority, the Civil Service Commission, the Department of *Chamorro* Affairs, the *Chamorro* Land Trust Commission, the Ancestral Lands Commission, the Guam Memorial Hospital Authority, the Guam Educational Telecommunications Corporation, the Guam Council on the Arts and Humanities, the Guam Visitors Bureau, the Guam Environmental Protection Agency, the Guam Election Commission, and the Government of Guam Retirement Fund.

Governing Board *shall* mean the Guam Education Policy Board, the Consolidated Commission on Utilities, the Board of Directors, the Council, the Commission, *or* the Board with the statutory authority to select the Chief Executive of the agency, instrumentality, *or* entity for which it determines policy. Chief Executive *shall* mean the Senior Manager who heads an agency, including, but *not limited to*, the Superintendent of Education, Director, Executive Director, General Manager, President, Hospital Administrator, *or* Administrator."

Section 2. §43202 of Article 2 of Chapter 43 of Title 5, Guam Code Annotated, is hereby *amended* to read as follows:

"**§43202. Performance Reviews of Agency Heads.** The governing Boards for all agencies, instrumentalities, *or* entities *shall* issue performance reviews of the Chief Executive selected for that agency six (6) months after appointment of the said Chief Executive and every twelve (12) months thereafter that the Chief Executive is retained by the Governing Board. Each performance review *shall* document the Chief Executive's performance,

accomplishments, and the respective Governing Board's reasons for retaining the said Chief Executive."

Section 3. §43203 of Article 2 of Chapter 43 of Title 5, Guam Code Annotated, is hereby *amended* to read as follows:

"**§43203. Publication of Performance Reviews.** The performance reviews required under this Act *shall* be made public and the availability of these reviews *shall* be published by the respective Governing Boards issuing the aforementioned reviews by newspaper of general circulation *or* by radio *or* television which is reasonably calculated to provide notice of the facts it announces to the public at large and posted on the agency, instrumentality *or* entity's website."