I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Bill No. 161-31 (COR), "AN ACT TO *AMEND* §27003(e) OF CHAPTER 27, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE REMOVAL OF MEMBERS OF THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION,"** was on the 19th day of September, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 161-31 (COR)

Introduced by: B. J.F. Cruz
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §27003(e) OF CHAPTER 27, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE REMOVAL OF MEMBERS OF THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that §43106 of Title 5, Guam Code Annotated, states, *"Unless the provisions of law governing the removal from a particular board or commission are to the contrary, the unexcused absences of a member of a board or commission from three consecutive regular meetings of the board or commission shall constitute a cause for removal of the member from the board or commission, and the Governor may thereupon remove such a member from the board or commission."*

I Liheslatura also finds that the Guam Commission for Educator Certification (GCEC) was created by Public Law 29-73, which also provided for a provision governing the removal of members from that Commission. §27003(e) of Title 17, Guam Code Annotated, as added by Public Law 29-73, states *"If a member is absent from any four (4) regularly scheduled meetings in any calendar year, his or her office as a member of the Commission shall be deemed vacant."*

I Liheslatura further finds that while §43106 of Title 5, Guam Code Annotated, permits the Guam Commission for Educator Certification enabling legislation provide its own provision for the removal of members based on four (4) absences from regular meetings, there is a gross disparity between the treatment of members of the GCEC and members of other boards and commissions in that regard. GCEC members are subject to removal after four (4) absences, whereas members of most other boards and commissions are deemed to have provided cause for removal by *I Maga'lahi* (the Governor) after three (3) unexcused and *consecutive* absences.

It is the intent of *I Liheslatura* to end this disparity by amending §27003(e) of Title 17, Guam Code Annotated, so that the Guam Commission for Educator Certification is then fully subject to the same law governing the removal from office for absences applied to all boards and commissions government-wide.

Section 2. § 27003(e) of Chapter 27, Title 17, Guam Code Annotated, is hereby *amended* to read:

"(e) *If* a member is appointed pursuant to Items (1), (2) and (3) of Paragraph (a), supra, and ceases to be employed as such, that member *shall* be considered to have vacated his or her seat effective on the date that such employment was terminated. The Chairperson of the Commission *shall* forthwith notify *I Maga'lahi* that the vacancy exists."