FILE COPY

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 473-31 (COR), "AN ACT TO AMEND §§6105(b)(2) AND 6202(a)(1) OF ARTICLE 2, CHAPTER 6, OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE MINIMUM QUALIFICATIONS OF THE GUAM REGIONAL TRANSIT AUTHORITY EXECUTIVE MANAGER POSITION AND MODIFICATIONS TO ESTABLISHED ROUTES, SCHEDULES, FARES AND POLICIES",** was on the 14th day of December, 2012, duly and regularly passed.

Benjamin J.F. Cruz
Acting Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 17 day of Dec, 2012, at 11:40 o'clock A.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
2012 (SECOND) Regular Session

Bill No. 473-31 (COR)
As substituted by the Committee on Utilities, Transportation, Public Works and Veterans Affairs; and further substituted by the Committee on Rules; and amended on the Floor.

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

AN ACT TO AMEND §§6105(b)(2) AND 6202(a)(1) OF ARTICLE 2, CHAPTER 6, OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE MINIMUM QUALIFICATIONS OF THE GUAM REGIONAL TRANSIT AUTHORITY EXECUTIVE MANAGER POSITION AND MODIFICATIONS TO ESTABLISHED ROUTES, SCHEDULES, FARES AND POLICIES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Executive Manager position of the Guam Regional Transit Authority (GRTA)

is integral to the management and governance of the Authority, and furthermore, vital to the planning, deployment and operation of public transit services.

I Liheslaturan Guåhan further finds that since 2009, the GRTA has been unable to hire an Executive Manager, from on-island or off-island. It has been concluded that current mandated qualification requirements may be unnecessarily high. Also, qualified prospective off-island candidates demand compensation levels that exceed the GRTA's ability to pay.

I Liheslaturan Guåhan finds that qualification requirements can be relaxed without compromising the GRTA's ability to provide a responsive public transit service. Therefore, *I Liheslaturan Guåhan* recommends an amendment to the current law to enable the GRTA to fill this critical position.

I Liheslaturan Guåhan further finds it necessary to provide more flexibility to GRTA to alter or modify its routes, schedules, fares and policies in a timely manner.

Section 2. §6105(b)(2) of Chapter 6, Title 12, Guam Code Annotated is hereby *amended* to read as follows:

"(2) Establish operational routes, schedules, fares and policies consistent with the purpose of the Authority. Such services may be altered or modified *only* after completing the following:

(A) **Public Outreach Notice**. The GRTA *shall* provide notice *no less than* ten (10) working days before the effective date of the proposed changes. Notices *shall* be posted, made available and disseminated at the office of the GRTA and within vehicles used to provide the services of the GRTA.

(B) **World Wide Web Notice.** The GRTA, *no less than* ten (10) working days before the effective date of the proposed changes, *shall*

publish a World Wide Web (Web) page, available to the public via the GRTA website. The Web page link *shall* be highly visible on the GRTA's main web page, and should legibly state in bold letters, "**Guam Regional Transit Authority Service Change Proposal**".

(C) **Public Hearing Notice.** The GRTA *shall* hold *at least* three (3) public hearings on proposed changes at least thirty (30) days prior to the effective date of the proposed changes. One (1) of the public hearings *shall* be held in a location in northern Guam; one (1) of the public hearings *shall* be held in a location in central Guam; and one (1) of the public hearings *shall* be held in southern Guam.

(i) No public hearing shall be held *unless* notice of the hearing has been advertised in a newspaper of general circulation *at least* twice. The notices *shall* be made five (5) working days and forty-eight (48) hours prior to the first scheduled hearing.

(ii) Any interested party, in person or their authorized representative, *shall* be afforded an adequate opportunity to participate in the formulation of the proposed changes through the presentation of facts or arguments or the submission of written data or views. All relevant matter presented *shall* be documented by the GRTA and officially submitted to the Board for disposition.

(D) **Notices.** All notices *shall* include the following:

(i) date of notice;

(ii) GRTA point of contact name, telephone number and email;

(iii) effective date of proposed change(s);

(iv) all public hearing dates, locations and times; and

(v) summary of proposed change(s) to established route, schedule fare or policy.

(E) **Board Approval.** The Board *shall* approve or disapprove the proposed changes.

(F) **Effective Date.** No change(s) to established operational routes, schedules, fare and policies shall be effective until after compliance with the provisions of this Section."

Section 3. §6202(a)(1) of Chapter 6, Title 12 Guam Code Annotated is hereby *amended* to read as follows:

"**§ 6202. Executive Manager.**

(a) The Board may appoint an Executive Manager, who *shall* be its chief executive officer. The Executive Manager *shall* serve at the pleasure of the Board, and the Board *shall* establish the compensation. The Executive Manager *shall*, at a minimum, possess the following qualifications:

(1) a combined minimum of six (6) years of operational, supervisory, and management experience working in an organization that provides transportation related services; and"