

CHAPTER 79
CONSOLIDATED COMMISSION ON UTILITIES

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SOURCE: This Chapter was added by P.L. 26-76:8.

§79100. Creation of Commission. There is established an elected Consolidated Commission on Utilities whose purpose is to exercise powers vested in them by the laws establishing the Guam Power Authority ('GPA') and the Guam Waterworks Authority ('GWA'). The Consolidated Commission on Utilities, hereinafter referred to as 'Commission' shall be elected by the registered voters of Guam.

§79101. Commissioners. The Commission shall be comprised of five (5) Commissioners elected at-large by the voters of Guam in a General Election. To be eligible to be a Commissioner, a person must be a registered voter of Guam and a minimum of twenty-five (25) years of age, and shall have been a resident of Guam for at least five (5) years prior to the date of the Commissioner's election. A person may not simultaneously serve as a Commissioner and an employee of the government of Guam, except that an adjunct instructor, teacher or professor employed by the University of Guam or the Guam Community College shall not be considered an employee of the government of Guam for the purpose of this Section and may thus serve as a Commissioner.

Persons retired from the government of Guam may serve as Commissioners. At their first official meeting, the Commissioners shall elect from among the Commissioners a chairperson, who shall preside

over meetings of the Commission. A majority of the Commissioners holding office shall constitute a quorum. The affirmative vote of the Commissioners holding office shall constitute the decision of the Commission. The Commission may adopt rules and regulations governing the conduct of its affairs.

SOURCE: Added by P.L. 26-126:3.

§79102. Non-partisan Office. The Office of Commissioner is a non-partisan office. Candidates for the Office of Commissioner shall not identify themselves as members of any political party on Guam for the purpose of their campaign, nor shall they receive any endorsement or material support from any political party on Guam during the course of their campaigns. No Primary Election is required for candidates for this office. No nominating petitions shall be required of any candidate for this Office. Any qualified person applying to the Guam Election Commission, or its successor, for candidacy to this office shall be placed on the General Election ballot. In each election, the candidates receiving the highest numbers of votes shall be the elected Commissioners, without regard to the actual number of votes cast or received, and no runoff elections shall be required.

§79103. Terms of Office.

(a) Except as provided in § 79105 and in Subsection (b) of this Section, each Commissioner shall be elected to serve a term of four (4) years, commencing on the First (1st) day of January following their election.

(b) The first election for members of the Commission shall occur during the General Election in November, 2002. The three (3) candidates receiving the highest numbers of votes shall each be elected to serve a four (4) year term, and the two (2) candidates receiving the next highest numbers of votes shall each be elected to serve a two (2) year term.

§79104. Reporting Requirements. Commissioners and candidates for the Office of Commissioner shall be subject to the same reporting requirements pertaining to their campaign contributions and expenditures as apply to candidates and members of I Liheslaturan

Guåhan [the Legislature]. Commissioners and candidates for the Office of Commissioner shall be required to file a personal disclosure statement that shall contain the following items:

- (a) the source of all wages and commissions paid to the Commissioner, or candidate for the Office of Commissioner;
- (b) a list of all corporations or partnerships in which the Commissioner, or candidate for the Office of Commissioner, has a material interest of five percent (5%) or greater; and
- (c) a list of all corporations, partnerships or sole proprietorships in which the Commissioner, or candidate for the Office of Commissioner, has a material interest of fifty percent (50%) or more.

A candidate for the Office of Commissioner shall be required to file the personal disclosure statement required by this Section with the Guam Election Commission upon filing that person's candidacy with the Guam Election Commission. A Commissioner is required to file the personal disclosure statement required by this Section on an annual basis on the same dates personal financial disclosures are required from members of I Liheslaturan Guåhan.

SOURCE: Repealed/reenacted by P.L. 26-130:2.

§79105. Vacancies. A permanent vacancy in the Office of a Commissioner shall result in a Special Election to fill that vacancy, to be held on the date of the next General Election following the date that the permanent vacancy occurred, or at a Special Election called by I Liheslaturan Guåhan. The person elected to fill a permanent vacancy shall serve for the balance of the term of the member whose position is being filled.

§79106. Compensation. Commissioners shall be compensated at the rate of Eight Hundred Dollars (\$800.00) per month for their services. All funds required for the operations of the Commission shall be obtained by subscription from the Authorities administered by the Commission, pursuant to such formula as the Commission shall devise. Commissioners

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shall not be eligible for government of Guam retirement or insurance benefits, or other benefits associated with government of Guam employment. Commissioners who are government of Guam retirees may serve on the Commission without giving up their retirement benefits.

SOURCE: Amended by P.L. 27-05:IV:17(b).
