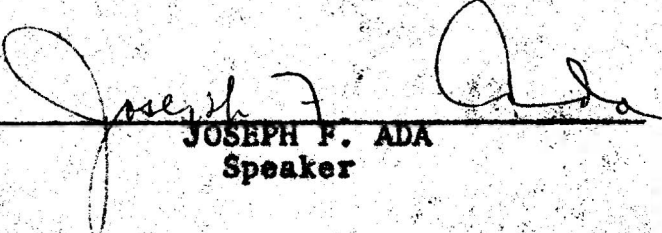


FOURTEENTH GUAM LEGISLATURE  
1977 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 499, "An Act to repeal Chapters VII and XIV of Title XII; to add a new Section 5116 and a new Title XII-A to the Government Code to create a Community College and for other purposes", was on the 27th day of October, 1977, duly and regularly passed.

  
\_\_\_\_\_  
JOSEPH F. ADA  
Speaker

ATTESTED:

  
\_\_\_\_\_  
ERNESTO M. ESPALDON  
Legislative Secretary

-----  
This Act was received by the Governor this \_\_\_\_\_ day of \_\_\_\_\_, 1977, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
RUTH F. WON PAT  
Assistant Staff Officer  
Governor's Office

APPROVED:

\_\_\_\_\_  
RICARDO J. BORDALLO  
Governor of Guam

DATED: Nov. 11, 1977

10:30 am.

P.L. 14-77

FOURTEENTH GUAM LEGISLATURE  
1977 (FIRST) Regular Session

Bill No. 499  
(As Substituted by the  
Committee on Education)

Introduced by

---

K. B. Aguon  
F. F. Blas  
F. J. Quitugua  
J. F. Ada  
E. M. Calvo  
B. D. Ada  
E. R. Duenas  
E. M. Espaldon  
A. M. Palomo  
B. M. Palomo  
J. M. Rivera  
T. V.C. Tanaka  
J. H. Underwood  
A. R. Unpingco  
J. R. Duenas  
R. F. Taitano  
F. R. Santos  
J. T. San Agustin  
E. T. Charfauros  
C. T.C. Gutierrez  
H. Trapp

AN ACT TO REPEAL CHAPTERS VII AND XIV  
OF TITLE XII; TO ADD A NEW SECTION 5116  
AND A NEW TITLE XII-A TO THE GOVERNMENT  
CODE TO CREATE A COMMUNITY COLLEGE AND  
FOR OTHER PURPOSES.

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

2 Section 1. A new Section 5116 is added to the Government

3 Code to read:

4 "Section 5116. Guam Community College. There is  
5 within the Executive Branch of the government a  
6 Community College to be known as the Guam Community  
7 College. The Provost of the Community College is the  
8 head of the institution. The Provost is appointed by  
9 the Board of Trustees of the Community College."

10 Section 2. A new Title XII-A is added to the Government

11 Code to read:

1 "TITLE XII-A

2 GUAM COMMUNITY COLLEGE

3 Chapter I

4 General Provision

5 Section 11960. Short title. This Act may be  
6 cited as the 'Community College Act of 1977'.

7 Section 11961. Definitions. As used in this  
8 Chapter unless otherwise indicated:

9 (1) 'Provost' means the administrative head  
10 of the Guam Community College.

11 (2) 'Guam Community College' means both secondary  
12 and post-secondary vocational-technical education.

13 (3) 'Board' means the Board of Trustees  
14 of the Guam Community College.

15 (4) 'Trustee' means a member of the Board.

16 (5) 'Cross Enrollment' means horizontally  
17 and vertically articulated current enrollment in  
18 more than one (1) educational institution with  
19 the approval of the respective administrators  
20 of such institutions.

21 (6) 'Vocational Education' means organized  
22 educational programs which are directly related  
23 to the preparation of individuals for paid  
24 employment, or for additional preparation for  
25 a career requiring other than a baccalaureate or  
26 advance degree.

1           (7) 'Post-Secondary Education' means education  
2 for persons sixteen (16) years old or older who have  
3 graduated from or left elementary or secondary school.

4           Section 11962. Construction. This Chapter  
5 shall be construed in accordance with the following  
6 statement of legislative intent. It is the legislative  
7 intent in enacting this Title to:

8           (1) consolidate and strengthen many of the  
9 existing manpower training programs administered by the  
10 government of Guam under one (1) governing board to  
11 avoid expensive duplication of functions;

12           (2) expand and strengthen career education  
13 within the territory;

14           (3) expand short term and extension programs  
15 in skill training; and

16           (4) strengthen the formal secondary and  
17 post-secondary education program in the vocational-  
18 technical fields.

19                           Chapter II

20                                   Administration

21           Section 11963. Administration of the Guam  
22 Community College. (a) All powers vested in the Guam  
23 Community College except as provided herein shall be  
24 exercised by the Guam Community College Board of  
25 Trustees. The Board shall consist of seven (7)  
26 trustees nominated and appointed by the Governor  
27 with the advice and consent of the Legislature. Three  
28 (3) trustees shall be appointed to terms of three (3)  
29 years, three (3) trustees shall be appointed to  
30 terms of five (5) years and the student member

1 provided for herein shall serve a term of two (2)  
2 years. Their successors shall be appointed each  
3 for a term of five (5) years with the exception of  
4 the student member whose term shall be two (2) years  
5 from the date of the expiration of the term for  
6 which his predecessor was appointed and until a  
7 successor is appointed and has qualified. All  
8 vacancies occurring on the Board of Trustees shall  
9 be filled by the Governor with the advice and consent  
10 of the Legislature for the unexpired term.

11 (b) The Governor shall appoint one (1) trustee  
12 to represent business and industry and employer  
13 organizations; one (1) trustee to represent organized  
14 labor organizations on the island; and one (1)  
15 appointment shall be made from amongst the students  
16 enrolled in the public schools or colleges of the  
17 territory, provided that after the implementation  
18 of this Act such student member shall be appointed  
19 from amongst the students enrolled within the institutions  
20 created by this Title. The remaining four (4)  
21 trustees shall be members of the general public.  
22 As these positions on the Board become vacant they  
23 shall be filled in a like manner. No person may serve  
24 as a trustee if he is a government of Guam employee  
25 or if his service would amount to a conflict of interest.

26 There may be, in addition to the trustees,  
27 advisors who shall be without vote. Advisory members  
28 of the Board of Trustees shall be appointed by  
29 and serve at the pleasure of the Board.

1 (c) The concurrence of four (4) members of the  
2 Board at a duly called and noticed regular or special  
3 meeting of the Board which is open to the public  
4 in accordance with law shall be necessary to the  
5 validity of its acts, provided that the Board need  
6 not meet in public when it is discussing litigation  
7 or impending litigation with its attorney.

8 (d) The trustees shall elect the chairman  
9 from among their number.

10 Section 11964. Advisory Committee. The Board  
11 shall establish Craft Committees for each of the  
12 different career programs or levels of instruction  
13 and appoint committee members from among people  
14 in the community who can best advise the Board in  
15 their area of expertise or on matters pertaining  
16 to the Board's responsibilities as established by  
17 law.

18 Section 11965. Compensation. The voting members  
19 of the Board shall be compensated not to exceed  
20 Seventy-Five Dollars (\$75) per regularly called meeting  
21 at which a quorum is present and the voting member is  
22 in attendance or One Hundred Fifty Dollars (\$150) per  
23 month as determined by the Board and all members  
24 shall be reimbursed for reasonable and necessary  
25 expenses incurred in the performance of their duties.

26 Section 11966. Rules and regulations. The  
27 Board shall adopt reasonable rules and regulations  
28 not inconsistent with the laws of the United States

1 and this territory (a) for its own government, (b)  
2 for the government of the College and (c) for  
3 the purpose of carrying out all other duties and  
4 powers herein conferred.

5 Section 11967. Rules and regulations: availability.  
6 All rules and regulations adopted by the Board  
7 pursuant to this Title shall be made available to  
8 the public.

9 Section 11968. Purposes. The purposes of  
10 the College shall be:

11 (1) to establish technical, vocational and  
12 other related occupational training and education  
13 courses of instruction aimed at developing educated  
14 and skilled workers for Guam;

15 (2) to coordinate vocational-technical education  
16 programs in all public schools;

17 (3) to establish and maintain short-term  
18 extension, and apprenticeship training programs in  
19 Guam;

20 (4) to expand and maintain secondary and  
21 post-secondary educational programs in the vocational-  
22 technical fields;

23 (5) to award appropriate certificates, degrees,  
24 and diplomas to qualified students; and

25 (6) to serve as the Board of Control for  
26 vocational education for purposes of the United  
27 States Vocational Education Act of 1946 and 1963  
28 and subsequent amendments thereto. The government  
29 of Guam hereby accepts together with the benefits  
30 of funds appropriated thereunder the Vocational  
31 Education Act of 1946 and any Act or Acts amendatory

1           thereof or supplementary thereto as enacted by the  
2 Congress of the United States. The Board shall  
3 serve as the Board of Control for vocational education  
4 in the same manner as the Board of Education previously  
5 served as such Board of Control.

6           Section 11969. Duties. The Board shall have  
7 the following duties:

8           (1) to evaluate existing and potential job  
9 skills needed in the territory of Guam, including  
10 business, industry, territorial and Federal governments;

11           (2) to coordinate and recommend improvements  
12 in vocational educational programs in order to  
13 match vocational educational programs with current  
14 and existing job needs;

15           (3) to encourage work-study programs in industry  
16 and more scholarships funded by private employers,  
17 labor unions, territorial and Federal governments;

18           (4) to encourage retraining programs for the  
19 unemployed and under-employed in order to provide  
20 a guaranteed work force;

21           (5) to evaluate and make recommendations for  
22 executive and legislative action to improve programs  
23 regarding job innovation and development;

24           (6) to act as the Board of Control for Vocational  
25 Education; and

26           (7) to formulate plans and objectives in  
27 measurable terms and to continuously evaluate, in terms  
28 of those plans and objectives, the various programs  
29 operated by the College to determine if the College



1 is complying with its statutory mandate and to that  
2 end, to provide for five (5) year follow-up studies  
3 of the various graduates of the various programs operated  
4 by the College.

5 Section 11970. Powers of the Guam Community  
6 College and Board. The Guam Community College and  
7 Board shall have all the powers necessary and convenient  
8 to carry out and perform the purposes and provisions  
9 of this Title except the power to levy and collect  
10 taxes or special assessments including the following  
11 in addition to other powers granted in this Title,  
12 it may:

13 (1) have perpetual succession except if this  
14 Act shall expire in accordance with Section 15 of this  
15 Act.

16 (2) have a seal and modify it.

17 (3) enter into and execute contracts and  
18 instruments of every kind and nature necessary  
19 or convenient to the exercise of its powers and  
20 functions. The provisions of Section 6107 of this  
21 Code shall not apply to such contracts.

22 (4) acquire any real or personal property or  
23 interest or estate therein by lease, option, purchase,  
24 gift, grant, donation, appropriation, bequest or  
25 devise or otherwise.

26 (5) to act as administrator for the Federal  
27 Adult Basic Education Program.

28 (6) to grant appropriate degrees and issue  
29 diplomas in accordance with its rules and regulations.

1           Section 11971. Provost. (a) The Board shall  
2 appoint the Provost of the College who shall  
3 be its chief executive officer. The Provost of  
4 the College shall serve as the executive officer  
5 of the Board and shall have full charge and control  
6 of the administration and business affairs of the  
7 College.

8           (b) The powers of the Provost include the following:

9           (1) to see that all rules and regulations  
10 of the College are enforced;

11           (2) to attend all meetings of the Board  
12 and submit a general report of the affairs of  
13 the College;

14           (3) to keep the Board advised as to the  
15 needs of the College;

16           (4) to devote his entire time to the  
17 business of the College, to select and  
18 appoint the employees of the College except  
19 as otherwise provided by this Act and to plan,  
20 organize, coordinate and control the services  
21 of such employees in the exercise of the power  
22 of the College under the general direction  
23 of the Board;

24           (5) to cause to be submitted to the  
25 Governor and the Legislature one hundred twenty  
26 (120) days from the end of each fiscal year  
27 a report describing the condition and progress  
28 of vocational-technical education during the  
29 year including a financial report showing the  
30 result of operations for the preceding fiscal

1 year and financial status of the College on  
2 the last day thereof. The report shall be  
3 made in the manner provided by the Board; and

4 (6) to perform such other additional  
5 duties as the Board may require.

6 Section 11972. Custody of appropriated funds;  
7 expenditures. (a) The Treasurer of Guam is hereby  
8 designated custodian of all monies received by the  
9 government of Guam for appropriations made pursuant  
10 to said Act or Acts of Congress and is hereby authorized  
11 and directed to receive and provide for the proper  
12 custody of same and make disbursement thereof upon  
13 the order of the Board in the manner provided  
14 in said Act for the purposes therein specified.

15 (b) The Board or its designee is hereby authorized  
16 to certify to the Treasurer of Guam for payment and  
17 necessary expenses of the Board, the salaries and  
18 necessary expenses of all personnel recruited for  
19 the College, and such other expenses, including  
20 printing and contracts for personnel services and  
21 other services and items as the Board may find  
22 necessary for the proper execution and administration  
23 of this Chapter.

24 Section 11973. Nonappropriated funds. The  
25 Board is authorized to accept private gifts, donations,  
26 endowments, grants and other monies which may be  
27 offered to the Guam Community College even though such  
28 gifts, donations, endowments or grants may be subject  
29 to reasonable conditions. Such funds as are received  
30 shall be deposited into the fund to be known as  
31 the Guam Community College Fund. Expenditures  
32 shall be made from the fund only for the purposes

1 of this Act and in accordance with such conditions  
2 as may be attached to the gift, donation, endowment  
3 or grant; provided that such expenditure shall be  
4 made only upon resolution of the Board. The Board  
5 is authorized to deposit the funds in the Guam  
6 Community College Fund in banking institutions which  
7 are members of the Federal Deposit Insurance Corporation.

8 Section 11974. Employees. (a) With the exception  
9 of the Provost who shall be in the unclassified  
10 service, all other employees of the College shall  
11 be classified employees.

12 (b) Employees of the College, excluding members  
13 of the Board of Trustees of the Guam Community College,  
14 shall be members of the government of Guam Retirement  
15 Fund, subject to the provisions of Section 4204  
16 of this Code, except that for the purposes of Subsection  
17 (d) of Section 4204, the employees of the College  
18 shall not be considered employees of a 'public  
19 corporation' whereby their membership in the Fund is  
20 optional and membership therein must be specifically  
21 requested. The College shall contribute to the  
22 government of Guam Retirement Fund on the basis of  
23 annual billings as determined by the Board of Trustees,  
24 government of Guam Retirement Fund, for the government  
25 share of the cost of the retirement benefits applicable  
26 to the College's employees and their beneficiaries.

27 Section 11975. Initially, there shall be  
28 three (3) instructional divisions within the College.  
29 The Board may from time to time add, abolish or merge  
30 the divisions within the College as it shall  
31 see fit. The initial three (3) division shall be:

1 (1) The Secondary Division;

2 (2) The Post-Secondary and Continuing Education  
3 Division; and

4 (3) The Apprenticeship Training Division.

5 Section 11976. Same: Division Chief. The  
6 Provost shall designate an employee within each  
7 division to be chief of that division. Each division  
8 chief shall report directly to the Provost.

9 Section 11977. Fees and tuition. The Board  
10 shall establish a schedule of tuition and fees for  
11 courses offered by the Post-Secondary and Continuing  
12 Education Division and the Apprenticeship Training  
13 Division.

### 14 Chapter III

#### 15 Curriculum and Instruction

16 Section 11978. Secondary division. The Guam  
17 Vocational-Technical High School shall be maintained  
18 within this division. The high school shall be  
19 comparable in scope, programs and courses of instruction  
20 to those offered in the other public high schools  
21 in the territory. The high school shall offer  
22 courses of instruction at the high school level and  
23 shall award to qualifying students a high school  
24 diploma and such other certificates as shall be  
25 provided by the Board. Instruction shall be in  
26 those courses necessary to meet the general  
27 requirements for high school graduation within  
28 the territory as well as courses in the vocational  
29 and technical fields, provided that those courses

1 offered to meet the general requirements shall be  
2 oriented toward the vocational and technical fields.  
3 The high school shall permit cross-enrollment of  
4 students among the several public and private high  
5 schools within the territory.

6 The chief of the secondary division shall be  
7 designated the principal of the Guam Vocational-  
8 Technical High School.

9 Section 11979. Post-Secondary and Continuing  
10 Education. The Post-Secondary and Continuing Education  
11 Division shall offer such vocational-technical and  
12 career programs as the Board shall determine. The  
13 programs may be either credit or non-credit and  
14 may be degree or non-degree programs.

15 Section 11980. Apprenticeship Training Division.  
16 The division shall consider problems of developing  
17 local skills in the various crafts and trades and  
18 developing a program of apprenticeship training  
19 and apprenticeship standards in accordance with  
20 standards established by and acceptable for registration  
21 with the Bureau of Apprenticeship and Training,  
22 United States Department of Labor or its successor.

23 The Board shall, in cooperation with an appropriate  
24 advisory committee composed of members of the  
25 construction industry, general business community,  
26 labor community, the general public and the Department  
27 of Education formulate an apprenticeship program in  
28 the several vocational-technical career fields in  
29 which critical shortages of trained personnel exist.

1           Section 11981. Cooperative programs authorized.  
2           The College is authorized to enter into contracts  
3           with public or private organizations, firms, companies  
4           or individuals to provide technical manpower training  
5           programs. Such contracts shall be utilized to provide  
6           for specialized training in particular fields not  
7           otherwise available within the College which are  
8           designed to train local persons in needed skills and  
9           at the same time to train employees to carry on such  
10          courses.

11          Any contract under this section may require  
12          the training of College employees to continue  
13          teaching such a course on a self-sustaining basis  
14          after the initial contract period which shall not  
15          be in excess of three (3) years.

#### 16                           Chapter IV

#### 17                           Miscellaneous

18          Section 11982. Submission of budget. Notwithstanding  
19          any other law, rule or regulation to the contrary,  
20          the Board shall submit its annual operating budget  
21          and such capital improvement budgets as it finds  
22          necessary directly to the Legislature.

23          Section 11983. Construction with other law.  
24          Except as expressly provided for herein and notwithstanding  
25          any other law to the contrary, the College shall  
26          be autonomous and self-sufficient in matters pertaining  
27          to its governance, organization and administration  
28          and the promulgation of its rules and regulations,

1 in accordance with the Administrative Adjudication  
2 Law (Title XXV of this Code) pertaining to the  
3 following:

- 4 (1) courses of instruction;
- 5 (2) issuance of certificates, diplomas, credits  
6 and degrees;
- 7 (3) personnel recruitment, appointment, tenure,  
8 promotion, dismissal and other personnel matters;
- 9 (4) obligation and disposition of funds,  
10 provided that appropriated funds are used for the  
11 purpose or purposes stipulated in the Act appropriating  
12 said funds; and
- 13 (5) soliciting, receiving and using gifts  
14 of any kind whatsoever for the purposes provided in  
15 this Chapter.

16 Section 11984. Campuses. The Guam Vocational-  
17 Technical High School campus located in the municipality  
18 of Mangilao is hereby designated the campus and  
19 principal office of the Guam Community College.  
20 There may be such additional campuses as the Board  
21 shall provide."

22 Section 3. Section 4003 of the Government Code is  
23 amended by adding a second paragraph to read:

24 "In addition to the preferences established  
25 by the first paragraph of this section, graduates  
26 of the Guam Community College or the Guam Vocational-  
27 Technical High School conducted by the College or high  
28 school shall receive a preferential credit of five (5)  
29 points which shall be added to their competitive



1 examination score for purposes of initial employment  
2 or promotion when such graduate or certificate  
3 holder is being considered for a position for which  
4 the training or education received at the Guam Community  
5 College or Guam Vocational-Technical High School  
6 is a condition precedent."

7 Section 4. A new Subchapter A is added to Chapter IX  
8 of Title XII of the Government Code to read:

9 "Subchapter A

10 Vocational and Technical Scholarships

11 Section 11829.1. The Board of Trustees of the  
12 Guam Community College shall establish such scholarships  
13 as it finds appropriate to provide the territory  
14 with people with necessary training in vocational  
15 and technical fields. The Board is authorized  
16 to establish such independent funds as are  
17 necessary to carry out the provisions of this  
18 section and may seek appropriations to fund such  
19 scholarships. The Board shall establish the  
20 criteria for the granting and maintaining of such  
21 scholarships by its rule."

22 Section 5. Transfer of programs. The following programs  
23 are hereby transferred to the Guam Community College:

24 (1) Programs involving the skill center facility  
25 which is currently under construction in Mangilao.

26 (2) The proposed programs listed below which,  
27 prior to the effective date of this Act, were operated  
28 by the University of Guam or the Department of  
29 Education:

30 (a) The Division of Careers and Occupation  
31 including Guam Vocational-Technical High School;

- (b) Civil Engineering Technology;
- (c) Architectural Engineering Technology;
- (d) Surveying;
- (e) Electronics Engineering Technology;
- (f) Computer Science;
- (g) Career Studies;
- (h) Secretarial Administration;
- (i) Adult Basic Education;
- (j) Adult Education;
- (k) GED; and

(l) Such other programs as the Provost and the governing bodies of other governmental institutions shall agree upon.

On September 28, 1978, the Police Academy shall be transferred to the Guam Community College for operation.

Section 6. Transfer of positions and personnel.

(a) All positions and the employees occupying said positions on the effective date hereof in the Department of Education, the University of Guam, the Department of Labor, and the Guam Vocational-Technical High School who are exclusively employed in the operation or administration of the programs except those relating to the Police Academy set forth in Section 5 of this Act are hereby transferred to the Guam Community College.

(b) On September 28, 1978, all positions and the employees occupying said positions who are exclusively employed in the operation or administration of the Police Academy are transferred to the Guam Community College.

1           Section 7. Transfer of appropriation. All appropriations,  
2 federal funds, grants and other monies exclusively pertaining  
3 to or issued in connection with the programs except those  
4 relating to the Police Academy identified in Section 5 of  
5 this Act in the Department of Education, University of Guam,  
6 Department of Labor or other departments of the government  
7 of Guam are hereby transferred to the Guam Community College,  
8 provided that if such transfer would be a violation of  
9 federal law, rule or regulation such transfer shall not take  
10 place until the appropriate federal consent to the transfer  
11 has been received.

12           Section 8. Transfer of property. All personalty,  
13 facilities, equipment, supplies, records, files, books and  
14 other papers exclusively pertaining to the operation of the  
15 programs except those relating to the Police Academy identified  
16 in Section 5 of this Act in the Department of Education, the  
17 University of Guam, the Department of Labor or other departments  
18 of the government of Guam are hereby transferred to the Guam  
19 Community College. On September 28, 1978, all personalty,  
20 facilities, equipment, supplies, records, files, books and  
21 other papers exclusively pertaining to the operation of the  
22 Police Academy are transferred to the Guam Community College.

23           The campuses of the Guam Vocational-Technical High  
24 School, the Department of Labor Skill Center, and the Vocational  
25 Building at John F. Kennedy High School, are transferred  
26 from the jurisdiction of the Department of Education to the  
27 Guam Community College.

1           Section 9. Transfer of personnel; special provision.  
2 An employee who would be the subject of an involuntary  
3 transfer under this Act shall be eligible for transfer to  
4 any other position within government service; provided that  
5 such position is available and the transferee is qualified  
6 therefor.

7           Section 10. New Sections 4417 through 4423 are added  
8 to the Government Code to read:

9           "Section 4417. Special bargaining unit:  
10 recognition of. Notwithstanding Section 4407 of  
11 this Chapter, a new bargaining unit to be known  
12 as 'Special Bargaining Unit' is established within  
13 the Guam Community College created by Title XII-A  
14 of this Code. The bargaining unit shall include  
15 those positions transferred to the Community College  
16 as a result of the enactment of the Community College  
17 Act of 1977 which were included within an employee  
18 bargaining unit prior to such transfer. The Special  
19 Bargaining Unit shall be of a limited duration and  
20 shall come into existence on the transfer date of  
21 the positions involved as provided for by Sections  
22 6 and 13 of the Community College Act of 1977.  
23 The duration of the Special Bargaining Unit shall  
24 be one (1) year from said transfer date. Upon the  
25 expiration of one (1) year, the Special Bargaining  
26 Unit shall expire and cease to exist.

1           Section 4418. Same: exclusive bargaining  
2 agent. Except as provided for in Section 4419,  
3 every position within the Special Bargaining Unit  
4 shall continue to be subject to such collective  
5 bargaining agreement as it was subject to prior  
6 to the transfer date mentioned in Section 4417.  
7 Such collective bargaining agreements shall be  
8 applicable within the Special Bargaining Unit to  
9 the greatest extent practicable during the time  
10 that the Special Bargaining Unit is in existence.

11           Section 4419. Same: election of agreement.  
12 No sooner than thirty (30) days from the transfer  
13 date mentioned in Section 4417 of this Code, the  
14 incumbents of the positions within the Special  
15 Bargaining Unit may, if a majority of their number  
16 so desire, elect to be covered by one of the collective  
17 bargaining agreements effective within the Special  
18 Bargaining Unit to the exclusion of all others.  
19 Evidence of the election of the majority of the  
20 members within the Special Bargaining Unit of a  
21 collective bargaining agreement may be made by  
22 any of the methods mentioned in Section 4415(a)  
23 of this Chapter.

24           Section 4420. New bargaining units and exclusive  
25 recognition. Prior to the expiration of one  
26 hundred and eighty (180) days after the transfer  
27 date mentioned in Section 4417 of this Chapter,  
28 government management officials shall entertain  
29 requests from qualified employee organizations  
30 pursuant to Section 4407 of this Chapter and shall

1 make determinations relative to the granting of  
2 exclusive recognition of employee organizations  
3 pursuant to Section 4408 of this Chapter; provided  
4 that no bargaining unit or units which are determined  
5 appropriate shall come into existence until one  
6 hundred and eighty-one (181) days after the transfer  
7 date mentioned in Section 4417 of this Act; and  
8 further provided that exclusive recognition shall not  
9 be granted to any employee organization until the  
10 expiration of one hundred and eighty-one (181) days  
11 from the transfer date mentioned in Section 4417 of  
12 this Act.

13 Section 4421. Negotiations between the College  
14 and an exclusive bargaining agent or exclusive bargaining  
15 agents recognized for any unit or units within the  
16 College may commence upon the determination of such  
17 exclusive recognition, provided that no agreement  
18 negotiated may be effective until the expiration of the  
19 Special Bargaining Unit provided for in Section 4417  
20 of this Chapter."

21 Section 11. Severability. The parts of this Act  
22 are severable.

23 Section 12. Authorization of appropriation. There is  
24 hereby authorized to be appropriated from any available surplus  
25 in the General Fund such sums as are necessary to effectuate  
26 the purposes of this Act.

27 Section 13. Effective Date. This Act shall take  
28 effect upon adoption provided that none of the transfer  
29 provisions provided for herein shall be effective until

1 sixty (60) days after the confirmation of four (4) members  
2 of the Board of Trustees. Further provided that the Board  
3 may by resolution extend the effective date of any or all  
4 such transfer provisions for another ninety (90) days.  
5 Provided, however, that the transfer provisions shall be  
6 effective no later than July 1, 1978 except those pertaining  
7 to the Police Academy.

8 Section 14. As soon as four (4) members of the Board  
9 are confirmed, the Board shall immediately with the Board of  
10 Education and the Board of Regents promulgate joint rules  
11 and regulations for the administration and transfer of the  
12 positions, programs, appropriations, facilities and equipment  
13 to be transferred by the operation of this Act.

14 Section 15. This Act shall expire by its own terms on  
15 July 1, 1983, provided that the Legislature may by resolution  
16 enacted not earlier than March 1, 1982 but prior to March  
17 1, 1983 cause this provision to be of no effect. If no such  
18 resolution is adopted and this Act expires on July 1, 1983,  
19 the provisions of law in effect prior to the enactment of  
20 this Act which were repealed by this Act shall then again  
21 become law.

22 Section 16. Chapters VII and XIV of Title XII of the  
23 Government Code are repealed.