

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) REGULAR SESSION

Bill No. 72 (LS)

Introduced by:  
As amended by the author

v.c. pangelinan 

AN ACT TO DISSOLVE THE INTERIM TRANSITION  
COORDINATING COMMITTEE AND TRANSFER  
ADMINISTRATIVE AND ENFORCEMENT  
AUTHORITY OF POST GTA PRIVATIZATION  
MATTERS TO THE ATTORNEY GENERAL OF  
GUAM.

APR 15 2007  
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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds  
3 that the Interim Transition Coordinating Committee was created to facilitate  
4 the privatization and subsequent sale of the Guam Telephone Authority.  
5 According to its enabling legislation, most recently amended in P.L. 27-109,  
6 the Interim Transition Coordinating Committee was primarily tasked to  
7 oversee and administer the privatization agreements and any assets and  
8 liabilities of GTA retained by the Government of Guam after closing of the  
9 privatization transaction. The law also allowed for the establishment of a  
10 permanent office to oversee such duties of the Interim Transition  
11 Coordinating Committee provided that the governor submits to *I Liheslatura* a  
12 detailed budget for such office.

13 *I Liheslaturan Guahan* also finds that because the privatization  
14 agreements and other associated transactions have already been effectuated,

1 there no longer is a pressing need for the existence of such a committee. Most  
2 of the post-privatization matters are of a legal and not administrative nature  
3 and more appropriately administered by the Attorney General of Guam.

4 *I Liheslaturan Guahan* further finds that in the midst of austere economic  
5 times and an ostensible problem of identifying funds for services operated by  
6 the government of Guam, the government must continue to find ways of  
7 saving taxpayer dollars in order to ensure that other critical areas are  
8 uninterrupted.

9 Therefore, it is the intent of *I Liheslaturan Guahan* to dissolve the Interim  
10 Transition Coordinating Committee and the permanent office which was  
11 established and transfer all authority relative to the enforcement and  
12 compliance with the terms of the contract and sale to the Office of the  
13 Attorney General of Guam.

14 **Section 2.** Section 9 of Public Law 27-109 is repealed and re-enacted to  
15 read: “**Authorization and Enforcement of Agreements.**

16 Except for such oversight and enforcement powers that *I Liheslaturan Guahan*  
17 may grant the Guam Public Utilities Commission, the power and authority to  
18 administer post-privatization matters for GTA and the power and authority to  
19 enforce the Privatization Agreements shall rest with the Attorney General of  
20 Guam for all legal, contract interpretation and enforcement matters; the  
21 Department of Public Works for rights of way use and permit issues; and the  
22 Department of Administration for all matters concerning the rights and  
23 benefits granted the employees of the privatized GTA regarding continued  
24 government employment and benefits .”

1           **Section 3. Interim Transition Coordinating Committee Fund.**

2   Notwithstanding any other provision of law, the remaining balance of the  
3   Interim Transition Coordinating Committee Fund shall be transferred to the  
4   Rainy Day Fund as established by 5GCA §22901.

5           **Section 4. Severability.** If any of the provisions of this Act or  
6   the application thereof to any person or circumstance is held invalid, such  
7   invalidity shall not affect any other provision or application of this Act which  
8   can be given effect without the invalid provision or application, and to this  
9   end the provisions of this Act are severable.