



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

DEC 15 2002

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 343 (COR), "AN ACT TO ELIMINATE VARIOUS LEGAL HOLIDAYS BY AMENDING 1 GCA §§ 1000 AND 1017; TO REPEAL 1 GCA CHAPTER 10 §1001; AND TO TAKE OTHER STEPS TO PREVENT UNAFFORDABLE EXPENDITURES PENDING THE INAUGURATION OF A NEW ADMINISTRATION", which was enacted into law on December 15, 2002 without the signature of the Governor and is now designated as **Public Law No. 26-157**.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker

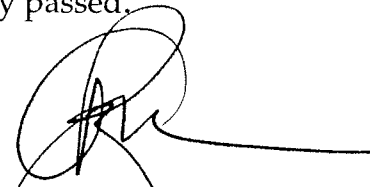
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGEMENT RECEIPT	
Received By	
Time	1244
Date	12/30/02

01017

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session


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

This is to certify that Substitute Bill No. 343 (COR) "AN ACT TO ELIMINATE VARIOUS LEGAL HOLIDAYS BY AMENDING 1 GCA §§ 1000 AND 1017; TO REPEAL 1 GCA CHAPTER 10 §1001; AND TO TAKE OTHER STEPS TO PREVENT UNAFFORDABLE EXPENDITURES PENDING THE INAUGURATION OF A NEW ADMINISTRATION," was on the 3rd day of December, 2002, duly and regularly passed.



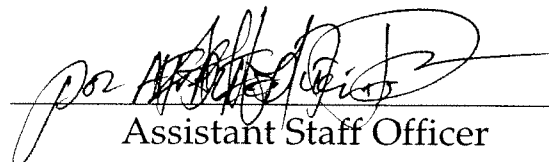
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 3rd day of December, 2002,
at 5:26 o'clock p.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: December 15, 2002

Public Law No. 26-157
Became law without the
signature of *I Maga' Lahaen Guahan*,
the Governor of Guam.

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 343 (COR)

As substituted by the Author
and amended on the Floor.

Introduced by:

A. R. Unpingco
E. B. Calvo
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
K. S. Moylan
V. C. Pangelinan
A. L.G. Santos
J. T. Won Pat

**AN ACT TO ELIMINATE VARIOUS LEGAL
HOLIDAYS BY AMENDING 1 GCA §§ 1000 AND
1017; TO REPEAL 1 GCA CHAPTER 10 §1001; AND
TO TAKE OTHER STEPS TO PREVENT
UNAFFORDABLE EXPENDITURES PENDING
THE INAUGURATION OF A NEW
ADMINISTRATION.**

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

2 **Section 1. Statement of legislative findings.** The long hoped for
3 recovery of Guam's economy has yet to materialize. Although there have
4 been modest gains in the number of visitors coming to the island, the
5 comparative count of visitors in 2002 still trails 2001 month-to-month. The
6 private sector continues to struggle to stay afloat. Military activity on the
7 island appears on the upswing, but much of it is short-lived, such as the visit
8 to Guam earlier this year of the USS Kitty Hawk and other ships. While
9 COMSUBRON 15 has been reactivated on Guam and the submarine San
10 Francisco is now home ported here, the arrival of the submarine Corpus
11 Christi and another submarine are still awaited. Tax collections are down
12 precipitously when compared to the same periods in the previous year. An
13 estimated 2,750 persons have left Guam since September 11, 2001, in the hope
14 of finding better job opportunities. All of these factors are putting the
15 government of Guam in an ever-tightening economic dilemma.

16 The threat of payless paydays hangs heavy over the heads of
17 government employees and workers in both the public and private sectors
18 worry that their salaries may be reduced or, worse still, their positions may be
19 abolished.

20 In these circumstances austerity measures must be immediately
21 implemented.

22 While *I Liheslaturan Guåhan* is not disposed to impose an across-the-
23 board pay reduction for all government employees or ordering massive
24 reductions in force, there are cost-reduction steps that can be immediately

1 implemented to conserve the government's limited financial resources.
2 Among these are the freezing of all pay increases and limiting the
3 appointment of new employees in the classified service of the Executive and
4 Legislative branches through January 6, 2003; and reducing the number of
5 paid holidays for government employees from fifteen (15) to ten (10). It is also
6 appropriate in these austere times to eliminate the once-every-four-year
7 holiday set aside for the inauguration of *I Maga'lahaen Guåhan* and *I Segundu na*
8 *Maga'lahaen Guåhan*.

9 *I Liheslaturan Guåhan* finds that the following steps are necessary to
10 preserve essential government services and enacts this measure, pursuant to 2
11 GCA 2103, as an emergency necessary to assure the public health and safety of
12 the community.

13 **Section 2. Pay increases barred through January 6, 2003.** No person
14 employed in any branch of the government of Guam, including those
15 employed in autonomous agencies, however denominated, shall receive a pay
16 increase of any kind through January 6, 2003. Any personnel action executed
17 in violation of this paragraph shall be a nullity and no pay increase shall be
18 paid to any person on the basis of such a personnel action. Any person
19 executing or attempting to execute a personnel action in violation of this
20 paragraph shall be guilty of a felony of the third degree. This paragraph shall
21 not be construed to prohibit the promotion of a qualified person within the
22 merit system to a vacant higher paying position, provided funds have been
23 appropriated and are available for the payment of the salary of the higher
24 paying position.

1 **Section 3. Limitation on the filling of vacancies in the classified**
2 **service.** No person shall be hired in the classified service of the Executive
3 or Judicial Branch to fill any vacancy occurring after the effective date of this
4 act through January 6, 2003, except upon a written determination by the
5 appointing authority that such hiring is necessary to preserve the health or
6 safety of the people of Guam. The appointing authority of the Executive or
7 Judicial Branch hiring any person in the classified service after the effective
8 date of this act shall give the Speaker of *I Liheslaturan Guåhan* written notice of
9 such hiring within five (5) days of its occurrence. Any citizen may challenge
10 the necessity of such hiring by an action for declaratory judgment filed in the
11 Superior Court. In such an action, the defendant's time for answering the
12 complaint shall be five (5) days. Upon a finding by the Superior Court that an
13 appointment is not necessary to preserve the health or safety of the people of
14 Guam, the appointment shall be void. Although a defendant may appeal the
15 decision of the Superior Court to the Supreme Court, the decision ordering
16 that the appointment be void shall not be stayed pending the appeal. A citizen
17 who prevails in such an action shall be awarded reasonable attorney's fees
18 and costs, which sum shall be paid from the allotment appropriated to the
19 agency or entity that is found to have violated this section of this Act.

20 **Section 4. Freeze on legislative employment and pay raises.** *I Mina*
21 *Bente Sais Na Liheslaturan Guåhan* shall hire no new employees, whether to fill
22 a new position or to fill a vacancy however caused, through January 6, 2003.
23 No person employed by *I Mina Bente Sais Na Liheslaturan Guåhan* on the
24 effective date of this Act shall have his or her rate of pay increased through
25 January 6, 2003.

1 **Section 5.** Section 1000 of Title 1 of the Guam Code Annotated is
2 repealed and re-enacted to read:

3 **“Section 1000. Holidays.** (a) The holidays of Guam are:

4 New Year’s Day;

5 Memorial Day, the last Monday in May;

6 Independence Day, July 4th;

7 Liberation Day, July 21st;

8 Labor Day, the first Monday in September;

9 All Souls’ Day, November 2;

10 Veterans’ Day, November 11;

11 Thanksgiving, the fourth Thursday in November;

12 Our Lady of Camarin Day, December 8; and

13 Christmas, December 25th.

14 (b) Whenever a holiday falls on a Saturday or Sunday, neither
15 the preceding Friday nor the following Monday shall be a holiday.”

16 **Section 6.** Section 1017 of Title 1 of the Guam Code Annotated is
17 amended to read:

18 **“Section 1017. Gubernatorial Inauguration Day.** The first
19 Monday in January of every fourth year, beginning with January 1971, is
20 a designated Gubernatorial Inauguration Day, on which day *I*
21 *Maga’lahen Guåhan* and *I Segundu na Maga’lahen Guåhan* elected in the
22 general election preceding such day shall be sworn into office. The
23 inauguration shall be arranged by *I Maga’lahen Guåhan*-elect’s Transition

1 Committee, which shall coordinate its planning with the incumbent *I*
2 *Maga'lahaen Guåhan*.

3 **Section 7. Repeal of inconsistent law.** Section 1001 of Chapter 10 of
4 Title 1, Guam Code Annotated, is hereby *repealed* in its entirety.

5 **Section 8. Immediate effect.** This Act shall have immediate effect.

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

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 12/3/02

VOTING SHEET

Bill No. 343

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.					✓
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.				X	✓
CHARFAUROS, Mark C.				X	✓
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.		✓			
SANTOS, Angel L.G.					✓
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.					✓

TOTAL

9 1 _____ _____ 5

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

2nd Rdy 12/2/02 *3rd 12/2/02*

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session**

Bill 343 (COR)

As substituted by the sponsors.

Introduced by:

A. R. Unpingco
E. B. Calvo

AN ACT TO ELIMINATE VARIOUS LEGAL HOLIDAYS BY AMENDING 1 GCA §§ 1000 AND 1017; TO GRANT GOVERNMENT EMPLOYEES ONE DAY OF DISCRETIONARY PERSONAL LEAVE BY ADDING 4 GCA § 4109.5; AND TO TAKE OTHER STEPS TO PREVENT UNAFFORDABLE EXPENDITURES PENDING THE INAUGURATION OF A NEW ADMINISTRATION.

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

2 **Section 1. Statement of legislative findings.** The long hoped for
3 recovery of Guam's economy has yet to materialize. Although there have
4 been modest gains in the number of visitors coming to the island, the
5 comparative count of visitors in 2002 still trails 2001 month-to-month. The
6 private sector continues to struggle to stay afloat. Military activity on the
7 island appears on the upswing, but much of it is short-lived, such as the visit
8 to Guam earlier this year of the USS Kitty Hawk and other ships. While
9 COMSUBRON 15 has been reactivated on Guam and the submarine San
10 Francisco is now homeported here, the arrival of the submarine Corpus
11 Christi and another submarine are still awaited. Tax collections are down

1 precipitously when compared to the same periods in the previous year. An
2 estimated 2,750 persons have left Guam since September 11, 2001, in the hope
3 of finding better job opportunities. All of these factors are putting the
4 Government of Guam in an ever-tightening economic dilemma.

5 The threat of payless paydays hangs heavy over the heads of government
6 employees and workers in both the public and private sectors worry that their
7 salaries may be reduced or, worse still, their positions may be abolished.

8 In these circumstances austerity measures must be immediately implemented.

9 While the Legislature is not disposed to impose an across-the-board pay
10 reduction for all government employees or ordering massive reductions in
11 force, there are cost-reduction steps that can be immediately implemented to
12 conserve the government's limited financial resources. Among these are the
13 freezing of all pay increases and limiting the appointment of new employees
14 in the classified service of the Executive and Legislative branches through
15 January 6, 2003; and reducing the number of paid holidays for government
16 employees from fifteen (15) to ten (10). It is also appropriate in these austere
17 times to eliminate the once-every-four-year holiday set aside for the
18 inauguration of the Governor and Lieutenant Governor ~~and to mandate that~~
19 ~~the inauguration of leaders of the Executive Branch be dignified, modest, brief~~
20 ~~and not disruptive to general government services that would otherwise occur~~
21 on that day.]

22 The Legislature finds that the following steps are necessary to preserve
23 essential government services and enacts this measure, pursuant to 2 GCA
24 2103, as an emergency necessary to assure the public health and safety of the
25 community.

1 **Section 2. Pay increases barred through January 6, 2003.** No person
2 employed in any branch of the government of Guam, including those
3 employed in autonomous agencies, however denominated, shall receive a pay
4 increase of any kind through January 6, 2003. Any personnel action executed
5 in violation of this paragraph shall be a nullity and no pay increase shall be
6 paid to any person on the basis of such a personnel action. Any person
7 executing or attempting to execute a personnel action in violation of this
8 paragraph shall be guilty of a felony of the third degree. This paragraph shall
9 not be construed to prohibit the promotion of a qualified person within the
10 merit system to a vacant higher paying position, provided funds have been
11 appropriated and are available for the payment of the salary of the higher
12 paying position.

BM
FA3
1

13 **Section 3. Limitation on the filling of vacancies in the classified**
14 **service.** No person shall be hired in the classified service of the Executive
15 or Judicial Branch to fill any vacancy occurring after the effective date of this
16 act ^{FA3} except upon a written determination by the appointing authority that such
17 hiring is necessary to preserve the health or safety of the people of Guam. The
18 appointing authority of the Executive or Judicial Branch hiring any person in
19 the classified service after the effective date of this act shall give the Speaker of
20 the Legislature written notice of such hiring within five (5) days of its
21 occurrence. Any citizen may challenge the necessity of such hiring by an
22 action for declaratory judgment filed in the Superior Court. In such an action,
23 the defendant's time for answering the complaint shall be five (5) days. Upon
24 a finding by the Superior Court that an appointment is not necessary to
25 preserve the health or safety of the people of Guam, the appointment shall be

Passed FA No. 3
Date: 12/2 Time: _____

I MINA'BENTE SAIS NA LIHESLATURAN GUÁHAN

FLOOR AMENDMENTS/CHANGES

Bill No.

Senator Proposing Amendment: K. Moylan

Amend line 16 of page 3 of the Bill (Section 3) to read:

“act through January 6, 2003, except upon a written determination by the appointing authority that such”

(Below only for Clerk of Legislature's use and processing)

Date: December 2, 2002

Floor Amendment No. 3 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED


AUTHOR OF AMENDMENT

Concur (*initial*)


Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

1 void. Although a defendant may appeal the decision of the Superior Court to
2 the Supreme Court, the decision ordering that the appointment be void shall
3 not be stayed pending the appeal. A citizen who prevails in such an action
4 shall be awarded reasonable attorney's fees and costs, which sum shall be
5 paid from the allotment appropriated to the agency or entity that is found to
6 have violated this section of this Act.

*Calg
FA 7
5
N*

see FA

7 **Section 4. Freeze on legislative employment and pay raises.** The
8 Legislature shall hire no new employees, whether to fill a new position or to
9 fill a vacancy however caused, through January 3, 2003. No person employed
10 by the Legislature on the effective date of this Act shall have his or her rate of
11 pay increased through January 3, 2003.

12 **Section 5.** Section 1000 of Title 1 of the Guam Code Annotated is
13 repealed and re-enacted to read:

14 **"Section 1000. Holidays.** (a) The holidays of Guam are:

15 New Year's Day;

16 ~~Discovery Day, the first Monday in March;~~

17 Memorial Day, the last Monday in May;

18 Independence Day, July 4th;

19 Liberation Day, July 21st;

20 Labor Day, the first Monday in September;

21 All Souls' Day, November 2

22 Veterans' Day, November 11;

23 Thanksgiving, the fourth Thursday in November; and

*Remembrance
Day*

24 ~~December 8~~
Christmas, December 25th.

Calg FA 1a

*Do FA 2
N*

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES
Bill No. 343

Senator Proposing Amendment: L.A. Leon Guerrero

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Amend Section 4 of Bill 343 to read as follows:

"Section 4. Freeze on legislative employment and pay raises. I Mina'Bente Sais na Liheslaturan Guahan ~~The Legislature~~ shall hire no new employees, whether to fill a new position or to fill a vacancy however caused, through January 3 6, 2003. No person employed by the Legislature on the effective date of this Act shall have his or her rate of pay increased through January 3 6, 2003."

(Below only for Clerk of Legislature's use and processing)

Date: December 2, 2002

Floor Amendment No. 5 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

AUTHOR OF AMENDMENT

Concur *(initial)*

ms
Clerk of Legislature

Speaker

stop FA 2

Holiday

(b) Whenever All Souls' Day falls on a Saturday or Sunday, neither the preceding Friday nor the following Monday shall be a holiday.

eba FA 3

[Section 6. Section 4109.5 is added to Title 4 of the Guam Code

Annotated to read:

~~"Section 4109.5. Personal holiday. Every employee, upon the completion of six (6) months of his or her initial period as a classified or unclassified employee, shall be entitled to one personal holiday per fiscal year. The personal holiday shall be credited to each full-time employee on the first day of October. The department head or his or her designee may require the employee to provide five (5) working days' advance notice before a personal holiday is taken, and the department head or his or her designee may deny the use subject to operational needs. No premium pay shall be paid for the personal holiday chosen by the employee. The Civil Service Commission may provide by rule for the granting of this holiday."~~

Section 7. Section 1017 of Title 1 of the Guam Code Annotated is

amended to read:

for FA 4

"Section 1017. Gubernatorial Inauguration Day. The first Monday in January of every fourth year, beginning with January 1971, is [a limited holiday, as that term is defined by Section 1003 of Title 1,

designated Gubernatorial Inauguration Day, on which day the Governor and Lieutenant Governor elected in the general election preceding such day shall be sworn into office. The inauguration [ceremony] shall be arranged by the Governor-elect's Transition

Passed FA No. 1
Date: 12/2 Time: 4:50 P

I MINA'BENTE SAIS NA LIHESLATURAN GUAHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 343

E. B. Calvo

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Add to Section 5. under subsection listed as "Section 1000. Holidays
Remembrance Day, December 8th

eliminate Section 6 - lines 4 through 16

lalg - to delete Discovery Day, 1st Monday of March
1a p. 4, delete line 16. ~~to~~ p. 2.

(Below only for Clerk of Legislature's use and processing))

Date 12/2, 2002

Floor Amendment No. 1a of a total of 1a changes on above Bill.

Votes For Amendment: Votes Against Amendment:

AMENDMENT PASSED:

Amendment Failed:

Amendment Withdrawn:

APPROVED AS TO FORM PASSED

EBC
AUTHOR OF AMENDMENT

Concur (initial)

US
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 343

Senator Proposing Amendment: F. Camacho

(a) a. Delete line 21 on page 5 of the Bill (Section 7), and delete the underlined portions of lines 2 through 6 on page 6 of the Bill (Section 7).

(b) b. On page 2 of the Bill, delete the following words from lines 18 through 21, after the term "Lieutenant Governor" in line 18, (Section 1):

~~"and to mandate that the inauguration of leaders of the Executive Branch be dignified, modest, brief and not disruptive to general government services that would otherwise occur on that day"~~

(Below only for Clerk of Legislature's use and processing)

Date: December 2, 2002

Floor Amendment No. 4 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUAHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 343

[Signature]
Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 5, delete line 21 entirety
p. 6, delete lines 2 thru 6 starting "The inauguration"
p. 2, delete lines 18 thru 21 starting "and to mandate"

(Below only for Clerk of Legislature's use and processing))

Date 12/2, 2002

Floor Amendment No. 4 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: _____

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 343

Wm. Pitt

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 5 line 1
delete "All Souls' Day" $\frac{1}{2}$
add "a holiday"

(Below only for Clerk of Legislature's use and processing))

Date 12/2, 2002

Floor Amendment No. 2 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

Wm. Pitt
AUTHOR OF AMENDMENT

Concur (initial)

ms
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

from FA 4/1

2
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Committee, which shall coordinate its planning with the incumbent governor. The inauguration shall be dignified, brief and modest. The inauguration shall not disrupt the operations of regular government services and except in such instances as it may fall on New Year's Day, government employees shall not be paid holiday pay for working on Gubernatorial Inauguration Day."

Section 8. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

Section 9. Immediate effect. This Act shall have immediate effect.

stop
FA 6

new section

Reconduction Top of 2nd 3rd
12/3/02 12/3/02 12/3/02

6
12/3/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session**

Bill 343 (COR)

As substituted by the Author
and amended on the Floor.

Introduced by:

A. R. Unpingco
E. B. Calvo
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
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A. L.G. Santos
J. T. Won Pat

**AN ACT TO ELIMINATE VARIOUS LEGAL
HOLIDAYS BY AMENDING 1 GCA §§ 1000 AND
1017; TO REPEAL 1 GCA CHAPTER 10 §1001; AND
TO TAKE OTHER STEPS TO PREVENT
UNAFFORDABLE EXPENDITURES PENDING
THE INAUGURATION OF A NEW
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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Statement of legislative findings.** The long hoped for
3 recovery of Guam's economy has yet to materialize. Although there have
4 been modest gains in the number of visitors coming to the island, the
5 comparative count of visitors in 2002 still trails 2001 month-to-month. The
6 private sector continues to struggle to stay afloat. Military activity on the
7 island appears on the upswing, but much of it is short-lived, such as the visit
8 to Guam earlier this year of the USS Kitty Hawk and other ships. While
9 COMSUBRON 15 has been reactivated on Guam and the submarine San
10 Francisco is now home ported here, the arrival of the submarine Corpus
11 Christi and another submarine are still awaited. Tax collections are down
12 precipitously when compared to the same periods in the previous year. An
13 estimated 2,750 persons have left Guam since September 11, 2001, in the hope
14 of finding better job opportunities. All of these factors are putting the
15 government of Guam in an ever-tightening economic dilemma.

16 The threat of payless paydays hangs heavy over the heads of
17 government employees and workers in both the public and private sectors
18 worry that their salaries may be reduced or, worse still, their positions may be
19 abolished.

20 In these circumstances austerity measures must be immediately
21 implemented.

22 While *I Liheslaturan Guåhan* is not disposed to impose an across-the-
23 board pay reduction for all government employees or ordering massive
24 reductions in force, there are cost-reduction steps that can be immediately

1 implemented to conserve the government's limited financial resources.
2 Among these are the freezing of all pay increases and limiting the
3 appointment of new employees in the classified service of the Executive and
4 Legislative branches through January 6, 2003; and reducing the number of
5 paid holidays for government employees from fifteen (15) to ten (10). It is also
6 appropriate in these austere times to eliminate the once-every-four-year
7 holiday set aside for the inauguration of *I Maga'lahaen Guåhan* and *I Segundu na*
8 *Maga'lahaen Guåhan*.

9 *I Liheslaturan Guåhan* finds that the following steps are necessary to
10 preserve essential government services and enacts this measure, pursuant to 2
11 GCA 2103, as an emergency necessary to assure the public health and safety of
12 the community.

13 **Section 2. Pay increases barred through January 6, 2003.** No person
14 employed in any branch of the government of Guam, including those
15 employed in autonomous agencies, however denominated, shall receive a pay
16 increase of any kind through January 6, 2003. Any personnel action executed
17 in violation of this paragraph shall be a nullity and no pay increase shall be
18 paid to any person on the basis of such a personnel action. Any person
19 executing or attempting to execute a personnel action in violation of this
20 paragraph shall be guilty of a felony of the third degree. This paragraph shall
21 not be construed to prohibit the promotion of a qualified person within the
22 merit system to a vacant higher paying position, provided funds have been
23 appropriated and are available for the payment of the salary of the higher
24 paying position.

1 **Section 3. Limitation on the filling of vacancies in the classified**
2 **service.** No person shall be hired in the classified service of the Executive
3 or Judicial Branch to fill any vacancy occurring after the effective date of this
4 act through January 6, 2003, except upon a written determination by the
5 appointing authority that such hiring is necessary to preserve the health or
6 safety of the people of Guam. The appointing authority of the Executive or
7 Judicial Branch hiring any person in the classified service after the effective
8 date of this act shall give the Speaker of *I Liheslaturan Guåhan* written notice of
9 such hiring within five (5) days of its occurrence. Any citizen may challenge
10 the necessity of such hiring by an action for declaratory judgment filed in the
11 Superior Court. In such an action, the defendant's time for answering the
12 complaint shall be five (5) days. Upon a finding by the Superior Court that an
13 appointment is not necessary to preserve the health or safety of the people of
14 Guam, the appointment shall be void. Although a defendant may appeal the
15 decision of the Superior Court to the Supreme Court, the decision ordering
16 that the appointment be void shall not be stayed pending the appeal. A citizen
17 who prevails in such an action shall be awarded reasonable attorney's fees
18 and costs, which sum shall be paid from the allotment appropriated to the
19 agency or entity that is found to have violated this section of this Act.

20 **Section 4. Freeze on legislative employment and pay raises.** *I Mina*
21 *Bente Sais Na Liheslaturan Guåhan* shall hire no new employees, whether to fill
22 a new position or to fill a vacancy however caused, through January 6, 2003.
23 No person employed by *I Mina Bente Sais Na Liheslaturan Guåhan* on the
24 effective date of this Act shall have his or her rate of pay increased through
25 January 6, 2003.

1 **Section 5.** Section 1000 of Title 1 of the Guam Code Annotated is
2 repealed and re-enacted to read:

3 **"Section 1000. Holidays.** (a) The holidays of Guam are:

4 New Year's Day;

5 Memorial Day, the last Monday in May;

6 Independence Day, July 4th;

7 Liberation Day, July 21st;

8 Labor Day, the first Monday in September;

9 All Souls' Day, November 2;

10 Veterans' Day, November 11;

11 Thanksgiving, the fourth Thursday in November;

12 ~~Remembrance Day~~, December 8; and

13 Christmas, December 25th.

14 (b) Whenever a holiday falls on a Saturday or Sunday, neither
15 the preceding Friday nor the following Monday shall be a holiday."

16 **Section 6.** Section 1017 of Title 1 of the Guam Code Annotated is
17 amended to read:

18 **"Section 1017. Gubernatorial Inauguration Day.** The first
19 Monday in January of every fourth year, beginning with January 1971, is
20 a designated Gubernatorial Inauguration Day, on which day *I*
21 *Maga'lahaen Guåhan* and *I Segundu na Maga'lahaen Guåhan* elected in the
22 general election preceding such day shall be sworn into office. The
23 inauguration shall be arranged by *I Maga'lahaen Guåhan*-elect's Transition

etc FAZ

I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

S Bill No. 343

EBC

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Delete "Remembrance Day, Dec. 8"
+ add "Our Lady of Carmain" ^{Day} Dec. 8

(Below only for Clerk of Legislature's use and processing))

Date 12/3, 2002

Floor Amendment No. 1 of a total of changes on above Bill.

Votes For Amendment: Votes Against Amendment:

AMENDMENT PASSED:

Amendment Failed:

Amendment Withdrawn:

APPROVED AS TO FORM PASSED

EBC

AUTHOR OF AMENDMENT

Concur (initial)

MS
Clerk of Legislature

Speaker

____ Ass't. Amend. Clerk

____ Engrossment Staff

1 Committee, which shall coordinate its planning with the incumbent *I*
2 *Maga'lahaen Guahan*.

3 **Section 7. Repeal of inconsistent law.** Section 1001 of Chapter 10 of
4 Title 1, Guam Code Annotated, is hereby *repealed* in its entirety.

5 **Section 8. Immediate effect.** This Act shall have immediate effect.

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

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

To: All Senators

Report from Legal Counsel pertaining to Bill No. 343 as modified following movement from the Second Reading File to the Third Reading File.

As the amendments to the substantive provisions of the bill modified its content, Legal Counsel has modified the description of the Act preceding the bill language to delete the reference to adding a personal leave day and inserting the repeal of 1 GCA Chapter 10, §1001. The word "homeported" as stated in the bill was corrected to read "home ported," the prior "Section 6" was deleted, and the remaining sections advance in number except for the insertion of a new section, "Section 7" which is the amendment of Senator Won Pat approved without objection to repeal 1 GCA Chapter 10 §1001.

A search of the Guam Code Annotated on Westlaw indicated the following relevant provisions were identified when the search parameters were statutes including all the following words, "employee, holiday and pay." None of these provisions appear to be in conflict with the language of the proposed bill.

GU ST T. 4, Sec. 6219	Firemen: Compensation: Annual and Sick Leave.
GU ST T. 4, Sec. 6226	Employees: Compensation During Typhoons: Exceptions.
GU ST T. 4, Sec. 6229.7	Work Compensation.
GU ST T. 5, Sec. 22423	Retirement Contributions and Personnel Benefits Funds.
GU ST T. 22, Sec. 3213	Statement of Wages Not Paid.

Another provision of Guam law dealing with holidays that you may desire to review relative to government holidays that may result in holiday pay to government employees is as follows:

§ 1003. Special or Limited Holidays; Transaction of Business on.

A Special or Limited Holiday is a holiday applying only to a special class or classes of business, or a special class or classes of persons, and not appointed to be generally observed throughout the Territory by all classes of business and all classes of persons.

General Materials (GM) - References, Annotations, or Tables

NOTES, REFERENCES, AND ANNOTATIONS

On any Special or Limited Holiday appointed by the President of the United States or the Governor of Guam, all courts and offices of the government shall be open and function in their normal and usual manner. All other public

functions shall be performed as on days which are not holidays, and all contracts shall be performed and business transacted as usual, except only as to or by the particular class of business or persons expressly limited or restricted by the provisions of the proclamation appointing or declaring such special or limited holiday.

SOURCE: Former Government Code § 203 with reference to political subdivisions and municipalities is omitted, as this was a copy of a former California statute. At this time, Guam has no political subdivisions or municipalities which are separate political entities.

As to the provisions of Bill No. 343 amending the language of 1 G.C.A. §1017, the draft submitted for third reading contains in a shaded portion, the insertion of the Chamorro language title of each respective office. Senators may consider this an inappropriate modification by Legal Counsel and desire to strike the language as not officially included in Bill No. 343 as submitted and amended by the Legislature or alternatively to move for such amendment and adoption of the language as submitted at the time of the Third Reading.



MINA ' BENTE SAIS NA LIHESLATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hiniråt, Rifotma yan Rinueba,
yan Asunton Fidiråt, Taotao Hiyong yan Hiniråt

*Senadot Mark Forbes, Gebilu
Kabisiyon Mayuråt*

02 DEC 2002

Speaker Antonio R. Unpingco
I Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 343, was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 343: "An Act To Repeal And Reenact Section 1000, Repeal Section 1001 Of Title 1 And To Add Section 4109.5 Of Title 4 Of The Guam Code Annotated Relative To The Reduction Of The Number Of Government Of Guam Holidays."**

The voting record is as follows:

TO PASS

6

NOT TO PASS

0

ABSTAIN

0

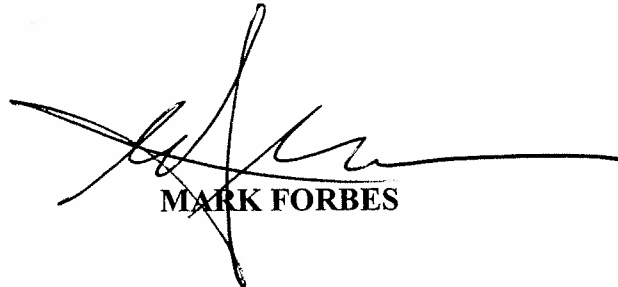
TO PLACE IN INACTIVE FILE

0

TO REPORT OUT

0

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments



MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

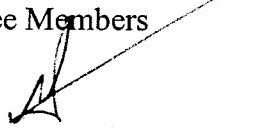
Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senador Mark Forbes, Gehilu
Kabisiyon Mayorát*

02 DEC 2002

MEMORANDUM

TO: Committee Members

FROM: Chairman 

SUBJECT: Committee Report- BILL NO. 343: "An Act To Repeal And Reenact Section 1000, Repeal Section 1001 Of Title 1 And To Add Section 4109.5 Of Title 4 Of The Guam Code Annotated Relative To The Reduction Of The Number Of Government Of Guam Holidays."

Transmitted herewith for your information and action is the report on Bill No. 343, from the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No.343
4. Public Hearing Sign-in Sheet
5. Fiscal Note/Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

MARK FORBES

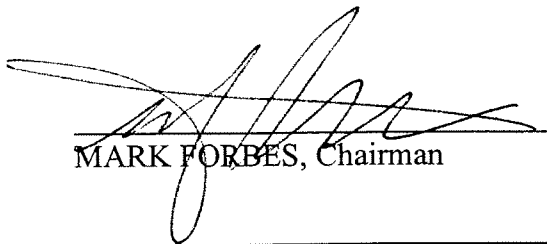
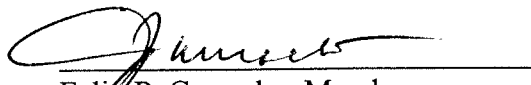
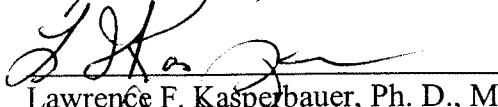
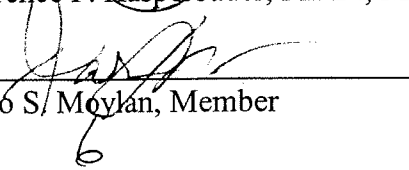
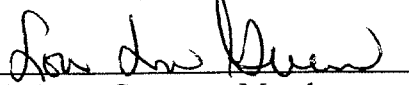
Attachments

**Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal,
Foreign and General Affairs**

I Mina' Bente Sais Na Liheslaturan Guåhan

Voting Record

BILL NO. 343: "An Act To Repeal And Reenact Section 1000, Repeal Section 1001 Of Title 1 And To Add Section 4109.5 Of Title 4 Of The Guam Code Annotated Relative To The Reduction Of The Number Of Government Of Guam Holidays."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>INACTIVE FILE</u>	<u>REPORT OUT</u>
 MARK FORBES, Chairman	✓	_____	_____	_____	_____
Joseph F. Ada, Member	_____	_____	_____	_____	_____
Joanne M.S. Brown, Member	_____	_____	_____	_____	_____
Eddie B. Calvo, Member	_____	_____	_____	_____	_____
 Felix P. Camacho, Member	✓	_____	_____	_____	_____
 Lawrence F. Kasperbauer, Ph. D., Member	✗	_____	_____	_____	_____
 Kaleo S. Moylan, Member	✓	_____	_____	_____	_____
Antonio R. Unpingco, <i>Ex-Officio Member</i>	_____	_____	_____	_____	_____
Thomas C. Ada, Member	_____	_____	_____	_____	_____
 Lou A. Leon Guerrero, Member	✓	_____	_____	_____	_____
Vicente C. Pangelinan, Member	_____	_____	_____	_____	_____

Introduced

JUN 24 2002

Mina Bente Sais Na Liheslaturan Guahan
2002 (Second) Regular Session

Bill No. 343 (COR)

Introduced by:

A.R. Unpingco
E.B. Calvo

AN ACT TO REPEAL AND REENACT SECTION 1000, REPEAL SECTION 1001 OF TITLE 1 AND TO ADD SECTION 4109.5 OF TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE TO THE REDUCTION OF THE NUMBER OF GOVERNMENT OF GUAM HOLIDAYS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Statement of Legislative Findings:** The long hoped for recovery
of Guam's economy has yet to materialize. Although there have been modest gains in
4 the number of visitors coming to the island, the comparative count of visitors in 2002
still trails 2001 on a month to month basis. The private sector continues to struggle to
6 stay afloat. Military activity on the island appears on the upswing but much of it is
short lived, such as the recent visit to Guam of the USS Kitty Hawk and other ships.
8 Other anticipated developments are not occurring as quickly as hoped, for instance the
home-porting of the submarines San Francisco and Corpus Christi.

10 Tax collections are down precipitously when compared to the same periods in
the previous year. An estimated 2,750 persons have left Guam since last September
12 in the hope of finding better job opportunities. All of these factors are putting the
Government of Guam in an ever-tightening economic dilemma and the threat of payless
14 paydays hangs heavy over the heads of diligent government employees and workers in

2 both the public and private sectors worry that their salaries may be reduced, or worse
still, their positions may be abolished.

4 While the Legislature is not disposed at this time to take such drastic steps as
imposing an across-the-board pay reduction for all hard working government
6 employees or ordering massive reductions in force, there are cost-reduction steps that
can be immediately implemented to conserve the government's limited financial
resources while preserving the base pay of all classified government employees to meet
8 their monthly bill payments.

10 The 26th Guam Legislature finds that the following steps are necessary to
preserve essential government services and enacts this measure, pursuant to 2 GCA
2103, as an emergency measure necessary to assure the public health and safety of the
12 community.

14 **Section 2. Repeal and re-enactment of §1000 of Title 1, Guam Code
Annotated relative to holidays.** §1000 of Title 1, Guam Code Annotated is repealed
and re-enacted to read:

16 **“§1000. Holidays.** The holidays of this Territory are:

- 18 1. New Year's Day.
2. Discovery Day, the first Monday in March.
3. Memorial Day, the last Monday in May.
- 20 4. Independence Day, July 4th.
5. Liberation Day, July 21st.
- 22 6. Labor Day, the first Monday in September.
7. All Soul's Day, November 2nd.
- 24 8. Veterans' Day, November 11th.
9. Thanksgiving Day, the fourth Thursday in November.

10. Christmas Day, December 25th.”

2 **Section 3.** Section 4109.5 is added to Title 4 of the Guam Code Annotated to
read:

4 **“Section 4109.5. Personal Holiday.** Every employee, upon completion
of six months of his or her initial period as a classified or unclassified employee,
6 shall be entitled to one personal holiday per fiscal year. The personal holiday
shall be credited to each full-time employee on the first day of October. The
8 department head or his or her designee may deny the use subject to operational
needs. The Civil Service Commission shall provide by rule for the granting of
10 this holiday.”

12 **Section 4. Repeal of §1001 of Title 1, Guam Code Annotated.** §1001 of
Title 1, Guam Code Annotated is repealed in its entirety.

14 **Section 5. Exception for federally funded jobs.** Notwithstanding the
provisions of Section 6 of Public Law 26-83, nothing shall prohibit the filling of a
16 vacancy in the classified service if the position is one hundred percent (100%) federally
funded. Appointment of a person to a one hundred percent (100%) federal funded
18 position shall not relieve the appointing authority of the duty to inform the speaker in
writing within five (5) days of the filling of such position.

20 **Section 6. Immediate effect.** This Act shall become effective upon approval
by the Governor.

22 **Section 7. Severability.** If any provision of this Act or its application to any
person or circumstance is found to be invalid or contrary to law, such invalidity shall
24 not affect other provisions or applications of this Act which can be given effect without
the invalid provisions or application, and to this end the provisions of this Act are
severable.

I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

**COMMITTEE ON RULES, GENERAL GOVERNMENTAL
OPERATIONS, REORGANIZATION AND REFORM, AND
FEDERAL, FOREIGN AND GENERAL AFFAIRS**

SENATOR MARK FORBES, CHAIRMAN

**COMMITTEE REPORT
ON
BILL NO. 343:**

**“AN ACT TO REPEAL AND REENACT SECTION 1000, REPEAL
SECTION 1001 OF TITLE 1 AND TO ADD SECTION 4109.5 OF
TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE TO
THE REDUCTION OF THE NUMBER OF GOVERNMENT OF
GUAM HOLIDAYS.”**

I. OVERVIEW

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing at 10:00 a.m. on August 12, 2002 in the Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. Public Notice was provided to the media on August 09, 2002.

Senators present at the public hearing were:

Senator Mark Forbes, Chairman
Senator Eddie B. Calvo, Member
Senator Larry Kasperbauer, Member
Senator Tom Ada, Member
Senator Lou Leon Guerrero, Member
Senator Ben Pangelinan, Member

II. SUMMARY OF TESTIMONY

There were no testimonies (oral or written) presented to the committee for Bill No. 343.

III. FINDINGS AND RECOMMENDATION

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that Bill No. 343 is intended to preserve essential government services and assure the public health and safety of the community in light of the financial crisis that our government and our island is facing.

Accordingly, the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No 343 was referred does hereby submit its findings and recommendations to I Mina' Bente Sais Na Liheslaturan Guahan **TO DO PASS BILL NO. 343**: "An Act To Repeal And Reenact Section 1000, Repeal Section 1001 Of Title 1 And To Add Section 4109.5 Of Title 4 Of The Guam Code Annotated Relative To The Reduction Of The Number Of Government Of Guam Holidays".



MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senador Mark Forbes, Gehilu
Kabisiyon Mayurát*

08 AUG 2002

MEMORANDUM

TO: Chairman
Committee on Rules, General Governmental Operations, Reorganization and
Reform, and Federal, Foreign and General Affairs

FROM: Chairman
Committee on Rules, General Governmental Operations, Reorganization and
Reform, and Federal, Foreign and General Affairs

SUBJECT: Principal Referral - Bill No. 343 (COR)

The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment





MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gebilu
Kabisiyon Mayurát*

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 343 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 343.

MARK FORBES
Chairman,
Committee on Rules, General Governmental Operations,
Reorganization and Reform, and Federal, Foreign
and General Affairs

Citation/Title

3U ST T. 1, Sec. 1000, Holidays.

*218 1 G.C.A. § 1000

GUAM CODE ANNOTATED
TITLE 1. GENERAL PROVISIONS
CHAPTER 10. HOLIDAYS, FESTIVITIES, TIME, ETC.

Current through P.L. 26-72 (2001)

§ 1000. Holidays.


The holidays of this Territory are:

1. Every Sunday.
2. Christmas Day, December 25.
3. New Year's Day, January 1.
- ① 4. ~~President's Day, third Monday in February.~~ ③ Martin Luther Day
- ② 5. ~~Good Friday.~~ ④ Columbus Day
6. Memorial Day, last Monday in May.
7. Independence Day, July 4.
8. Liberation Day, July 21.
9. Labor Day, first Monday in September.
10. Guam Discovery Day, first Monday in March.
11. All Soul's Day, November 2.
12. Veteran's Day, November 11.
13. Thanksgiving Day, fourth Thursday in November.
- ⑥ 14. ~~Every day on which an election is held throughout Guam, except for elections to the Youth Congress.~~
- ⑤ 15. ~~Our Lady of Camarin Day, December 8.~~
- ⑦ 16. ~~Every day appointed by the President of the United States or the Governor of Guam for a public fast, thanksgiving day, or holiday.~~

Mina Bente Sais Na Liheslaturan Guahan
2002 (Second) Regular Session

Bill No. 343 (COR)

Introduced by:

A.R. Unpingco
E.B. Calvo 

AN ACT TO REPEAL AND REENACT SECTION 1000, REPEAL SECTION 1001 OF TITLE 1 AND TO ADD SECTION 4109.5 OF TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE TO THE REDUCTION OF THE NUMBER OF GOVERNMENT OF GUAM HOLIDAYS.

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12 in the hope of finding better job opportunities. All of these factors are putting the
Government of Guam in an ever-tightening economic dilemma and the threat of payless
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resources while preserving the base pay of all classified government employees to meet
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6 shall be entitled to one personal holiday per fiscal year. The personal holiday
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8 department head or his or her designee may deny the use subject to operational
needs. The Civil Service Commission shall provide by rule for the granting of
10 this holiday.”

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16 funded. Appointment of a person to a one hundred percent (100%) federal funded
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18 writing within five (5) days of the filling of such position.

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by the Governor.

22 **Section 7. Severability.** If any provision of this Act or its application to any
person or circumstance is found to be invalid or contrary to law, such invalidity shall
not affect other provisions or applications of this Act which can be given effect without
24 the invalid provisions or application, and to this end the provisions of this Act are
severable.