



Office of the Governor of Guam

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Office of the Governor of Guam
Speaker
Vicente C. Pangelinan

NOV 13 2003

TIME: 1:38 ( ) AM ( ) PM
RECEIVED BY: [Signature]

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

10 NOV 2003

The Honorable Vicente C. Pangelinan
Speaker Mina 'Bente Siete Na Liheslaturan Guåhan
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 83 (COR), "AN ACT TO FACILITATE REORGANIZATION AND PRIVATIZATION BY AMENDING §11102 OF TITLE 5, GUAM CODE ANNOTATED, §1800 OF TITLE 1, GUAM CODE ANNOTATED, AND BY ADDING §4207.1 TO TITLE 4, GUAM CODE ANNOTATED," now designated as Public Law 27-34.

Sincerely yours,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga 'lahen Guåhan
Governor of Guam

Attachment: a copy of the overridden bill is attached

cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

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

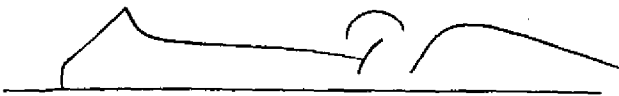
This is to certify that Substitute Bill No. 83 (COR), "AN ACT TO FACILITATE REORGANIZATION AND PRIVATIZATION BY AMENDING §11102 OF TITLE 5, GUAM CODE ANNOTATED, §1800 OF TITLE 1, GUAM CODE ANNOTATED, AND BY ADDING A NEW §4207.1 TO TITLE 4, GUAM CODE ANNOTATED," returned without approval of *I Maga'lahen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 31<sup>st</sup> day of October, 2003, to pass said bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of fifteen (15) Members.

\_\_\_\_\_  
vicente (ben) c. pangelinan  
Speaker

Attested:

  
\_\_\_\_\_  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

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This Act was received by *I Maga'lahen Guåhan* this 5<sup>th</sup> day of November, 2003, at 3:50  
o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's* Office

Public Law No. 27-34

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

**Bill No. 83 (COR)**

As substituted by the Committee  
on Appropriations and Budgeting,  
General Governmental Operations,  
Reorganization and Reform, as further  
substituted on the Floor, and as amended  
on the Floor.

Introduced by:

Committee on Appropriations and  
Budgeting, General Governmental  
Operations, Reorganization and  
Reform

By request of *I Maga'lahen Guåhan*  
in accordance with the Organic  
Act of Guam, as amended.

AN ACT TO FACILITATE REORGANIZATION AND  
PRIVATIZATION BY AMENDING §11102 OF TITLE 5,  
GUAM CODE ANNOTATED, §1800 OF TITLE 1, GUAM  
CODE ANNOTATED, AND BY ADDING A NEW §4207.1  
TO TITLE 4, GUAM CODE ANNOTATED.

1           BE IT ENACTED BY THE PEOPLE OF GUAM:

2           Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*  
3 finds that certain existing provisions of the Guam Code Annotated  
4 governing "reorganization" of the government of Guam are restrictive  
5 of the privatization and outsourcing mandates required by the current  
6 financial and economic circumstances of the government of Guam.

1 Thus, *I Liheslaturan Guåhan* finds it necessary to amend specific  
2 provisions that will facilitate implementation of such measures.

3 **Section 2.** 5 GCA §11102 is hereby *amended* to read as follows:

4 “§11102. Employment Security. No classified employee at  
5 the time a reorganization plan is adopted shall be removed from  
6 his or her position or downgraded as a result of any  
7 reorganization undertaken pursuant to the plan, except pursuant  
8 to reduction in force procedures contained in 4 GCA §4207, Civil  
9 Service Commission Rules, and Public Law 27-05:IV:19.”

10 **Section 3.** 1 GCA §1800 is hereby *amended* to read as follows:

11 “§1800. **Requirement of Approval by *I Liheslatura* for**  
12 **Privatization.** No office, department, agency, institution, board,  
13 bureau, commission, council, authority, committee of territorial  
14 government, branch, or the Guam Visitors Bureau, of the  
15 government of Guam may privatize any function or transfer any  
16 real property of the government of Guam without the approval of  
17 *I Liheslatura*. Any plan or action taken by an office, department,  
18 instrumentality, agency, institution, board, bureau, commission,  
19 council, authority, committee of territorial government, branch, or  
20 the Guam Visitors Bureau purporting to privatize any function or  
21 transfer any real property of the government of Guam shall be  
22 transmitted to *I Liheslatura* which, by statute, may amend,  
23 approve, or disapprove the plan or the action taken within forty-  
24 five (45) days or said plan or action shall be deemed approved.”

1           Section 4. A new §4207.1 is *added* to Title 4, Guam Code  
2 Annotated, to read:

3                   “§4207.1. Notwithstanding any other provision of law,  
4 any reduction in force shall safeguard the health, safety, and  
5 education of the island and shall ensure maintenance of  
6 effort levels and sustainability of federally-funded programs  
7 at no less than current levels. *I Maga’lahi* or Directors shall  
8 certify to the Speaker of *I Liheslaturan Guåhan* compliance  
9 with this Section.”

10           Section 5. **Severability.** *If* any of the provisions of this Act or the  
11 application thereof to any person or circumstance is held invalid, such  
12 invalidity shall *not* affect any other provision or application of this Act  
13 which can be given effect without the invalid provision or application,  
14 and to this end the provisions of this Act are severable.