

MINA TRENTA UNO NA LIHESLATURAN GUÅHAN
2010 (First) Regular Session

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Bill No. 3- 31(LS)

Introduced by:

B.J.F Cruz



**AN ACT TO CREATE A GUAM COMMISSION ON FISCAL
RESPONSIBILITY AND REFORM.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Establishment. There is established, within the Office of the Governor, a Guam Commission on Fiscal Responsibility and Reform (Commission).

Section 2. Membership. The Commission shall be composed of eight (8) members who shall be selected as follows:

(a) four (4) members appointed by the *I Maga' Lahren*, not more than two of whom shall be from the same political party;

(b) two (2) members selected by the Speaker of the *I Liheslaturan Guåhan* all of whom shall be current Members of *I Liheslaturan Guåhan*;

(c) two (2) members selected by the Minority Leader of *I Liheslaturan Guåhan*, all of whom shall be current Members of *I Liheslaturan Guåhan*; and

(d) *I Maga' Lahren Guahan*, the Speaker of *I Liheslaturan Guåhan*, and the Minority Leader of *I Liheslatura* shall make their appointments or selections pursuant to this Act, within thirty (30) days of its enactment.

1 **Section 3. Term of Service.** Members shall serve so long as they retain the
2 positions they occupy or are members of the groups they represented when they
3 were appointed. The term of any non-elected member appointed by *I Maga' lahi* or
4 serving as a designee shall expire with the term of the appointing authority except
5 that any non-elected member appointed by *I Maga' lahi* or serving as a designee
6 who is not present at three (3) consecutive meetings, and whose absences are
7 unexcused, shall no longer be eligible to serve, and the appointing or designating
8 authority shall name a replacement. Vacancies in membership shall be filled in the
9 same manner as the original appointment.

10 **Section 4. Co-Chairs.** From among his appointees, *I Maga' Lahi* shall
11 designate two members, who shall not be of the same political party, to serve as
12 Co-Chairs of the Commission.

13 **Section 5. Mission.** The Commission is charged with identifying policies to
14 improve the fiscal situation in the medium term and to achieve fiscal sustainability
15 over the long run. Specifically, the Commission shall propose recommendations
16 designed to balance the budget, excluding interest payments on the Government's
17 debt, by 2020. In addition, the Commission shall propose recommendations that
18 meaningfully improve the long-run fiscal outlook, including changes to address the
19 solvency of the Government of Guam Retirement Fund and the gap between the
20 projected revenues and expenditures of the Government.

21 **Section 6. Reports.**

22 (a) No later than December 1, 2011, the Commission shall vote on the
23 approval of a final report containing a set of recommendations to achieve the
24 mission set forth in Section 4 of this Act.

25 (b) The issuance of a final report of the Commission shall require the
26 approval of not less than six (6) of the eight (8) members of the Commission.

27 **Section 7. Administration.**

1 (a) Members of the Commission shall serve without any additional
2 compensation, but shall be allowed travel expenses, including per diem in lieu of
3 subsistence, as authorized by law, consistent with the availability of funds.

4 (b) The Commission shall have a staff headed by an Executive Director.

5 **Section 7. General.**

6 (a) The Commission shall terminate thirty (30) days after submitting its final
7 report.

8 (b) Nothing in this Act shall be construed to impair or otherwise affect:

9 (i) authority granted by law to an executive department, agency, or the
10 head thereof; *or*

11 (ii) government functions relating to budgetary, administrative, or
12 legislative proposals.

13 (c) This Act is not intended to, and does not, create any right or benefit,
14 substantive or procedural, enforceable at law or in equity by any party against the
15 Government, its departments, agencies, or entities, its officers, employees, or
16 agents, or any other person.

17 **Section 8. Authorization for *I Maga' Lahen Guåhan* to Transfer Funds.**

18 Excepting the United Judiciary of Guam, *I Liheslatura*, the University of
19 Guam, the Guam Community College, the Office of the Attorney General, the
20 Office of the Public Auditor, the Guam Memorial Hospital, Mayors Council, the
21 Department of Education and Federal funds that are exempted from *I Maga Lahi's*
22 transfer authority, *I Maga' lahi* is authorized to transfer from any other department,
23 agency, or instrumentality of the Executive Branch to the Office of the Governor
24 amounts not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00)
25 cumulatively from Fiscal Year 2011 appropriations. All transfers authorized by this
26 section are appropriated to the Office of the Governor. *I Maga' lahan Guåhan*

1 shall within five (5) days report any transfers made to the Speaker of *I*
2 *Liheslaturan Guåhan*.

3 **Section 9. Effective Date of Act.**

4 The effective date of the provisions of this Act shall be immediate upon
5 enactment.

6 **Section 10. Severability.**

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