

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
81-34 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO ESTABLISHING EDUCATION, HEALTH AND PUBLIC SAFETY AS THE TOP PRIORITIES OF THE GOVERNMENT, TO FACILITATING THE GOVERNOR'S REORGANIZATION AUTHORITY OF THE EXECUTIVE BRANCH OF THE GOVERNMENT AND FOR OTHER PURPOSES; AND TO CITE THIS ACT AS THE "GOVERNMENT PRIORITIES ACT OF 2017.	4/26/2017 5:26 p.m.						

**I MINA'TRENTAI KUÂTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session**


Bill No. 81-3A(LS')

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO ESTABLISHING EDUCATION, HEALTH AND PUBLIC SAFETY AS THE TOP PRIORITIES OF THE GOVERNMENT, TO FACILITATING THE GOVERNOR'S REORGANIZATION AUTHORITY OF THE EXECUTIVE BRANCH OF THE GOVERNMENT AND FOR OTHER PURPOSES; AND TO CITE THIS ACT AS THE "GOVERNMENT PRIORITIES ACT OF 2017."

2017 APR 26 PM 5:26 

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

2 **Section 1. Short title.** This Act may be cited as the *Government Priorities*
3 *Act of 2017.*

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
5 that preparing our youth for the future through education, fostering the health of the
6 people and ensuring safety for all are the most important functions of the executive
7 branch of the government of Guam. These functions must be accomplished even if,
8 in these times of scarce resources, some other activities of government must be
9 greatly reduced or eliminated altogether. By enacting the *Government Priorities Act*
10 *of 2017*, *I Liheslatura* intends to facilitate this prioritization while giving full
11 recognition to the Governor's Organic Act authority to reorganize the executive
12 branch of the government of Guam.

13 *I Liheslatura* finds that the use by *I Maga'låhen Guåhan* of an established
14 order of priority among the various agencies, instrumentalities, and public

1 corporations of the executive branch would greatly facilitate the exercise by the
2 Governor of his reorganization authority for the purposes of this Act.

3 This Act recognizes education, health and public safety as the government's
4 top priorities so that the Governor may establish priorities among government
5 agencies so that the top priorities are adequately funded.

6 *I Liheslatura* further finds that the Governor use these tools, to include
7 outsourcing, privatization, elimination of agencies, absorption of functions,
8 prioritization of personnel and appropriations, to provide a smaller, more affordable
9 government which, if nothing else, provides for education, health and public safety.
10 While allowing transfer of appropriations when agencies are abolished or functions
11 relocated, *I Liheslatura* continues to reserve to itself its plenary power of
12 appropriation and its power to create agencies and departments. It is
13 therefore the intent of the Legislature to mandate that the Governor establish this
14 order of priority, by way of executive order, and in a manner consistent with these
15 findings.

16 **Section 3.** Notwithstanding any other law, rule, or regulation to the
17 contrary, *I Maga'låhen Guåhan* may, by executive order, reorganize the various
18 agencies, instrumentalities, and public corporations of the executive branch of the
19 government of Guam, provided that *I Maga'låhen Guåhan* shall first establish an
20 order of priority, and provided further that said order of priority shall incorporate *I*
21 *Liheslatura's* findings that education, health, and safety are the most vital
22 governmental functions that must be safeguarded at all times, including during a
23 certified emergency. A certified emergency is any emergency posing an imminent
24 threat to public health, welfare, or safety which could not have been foreseen through
25 the use of reasonable and prudent management procedures, and which is certified in
26 writing to exist by *I Maga'låhen Guåhan*. Said reorganization authority shall include
27 the authority of the *I Maga'låhen Guåhan* to transfer, in whole or in part, both the

1 funds and the functions of any one agency, instrumentality, or public corporation of
2 the executive branch to any other agency, instrumentality, or public corporation of
3 the executive branch, and *shall* further include the authority to abolish, consolidate,
4 or otherwise reorganize said entities.

5 **Section 4.** Notwithstanding any other law, rule or regulation to the contrary,
6 *I Maga'låhen Guåhan shall* transmit the order of priority called for in Section 3 of
7 this Act to the Speaker of *I Liheslaturan Guåhan no later than ninety (90) days from*
8 enactment of this Act.

9 **Section 5.** Notwithstanding any other law, rule, or regulation to the contrary,
10 any executive order effectuating reorganization under this Act *shall* immediately
11 terminate upon termination of the certified emergency which gave rise to said
12 executive order.

13 **Section 6. Severability.** If any provision of this law or its application to any
14 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
15 *not* affect other provisions or applications of this law that can be given effect without
16 the invalid provisions or application, and to this end the provisions of this law are
17 severable.