

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 340-34 (LS)

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Introduced by:

B. J.F. Cruz
Thomas C. Ada

AN ACT TO *AMEND* THE FIRST PARAGRAPH OF SECTION 12, CHAPTER XII, PUBLIC LAW NO. 34-116, RELATIVE TO CORRECTING A SCRIVENER'S ERROR PERTAINING TO THE HIRING OF CERTAIN UNCLASSIFIED EMPLOYEES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. On August 11, 2018, *I Liheslaturan Guåhan* (the Guam Legislature) passed Bill 323-34 (COR), as amended by the Committee on Appropriations and Adjudication; substituted on the Floor; amended and further amended in the Committee of the Whole, entitled, "An Act Making Appropriations for the Operations of the Executive, Legislative, and Judicial Branches of the Government of Guam for Fiscal Year Ending September 30, 2019, Making Other Appropriations, and Establishing Miscellaneous and Administrative Provisions," also known as the General Appropriations Act of 2019 (hereinafter "Budget Act"). The Legislature transmitted the Budget Act to the Governor on August 11, 2018. After transmittal of the bill, and prior to the Governor's approval or rejection of it, the Legislature found a typographical or scrivener's error, consisting of single word omission, in Section 12 of Chapter 12 of the Budget Act relative to restrictions on hiring unclassified employees. In his

1 reading of Section 12, the Governor inaccurately interpreted the law as a limit on the
2 hiring of employees necessary to provide critical services when in fact Section 12
3 was amended on the Floor to clarify the opposite: that government funds may be
4 spent to hire certain unclassified employees, such as teachers, nurses, doctors, social
5 workers, and others enumerated in that section.

6 *I Liheslaturan Guåhan*, recognizing its mistake, acknowledged the same on
7 August 14, 2018, in a letter that accompanied its re-transmittal of the Budget Act
8 and supporting Session documents reflecting the amendment and specific language
9 at issue to the Governor for his acceptance.

10 Therefore, in order to clarify its intent, *I Liheslaturan Guåhan* seeks to correct
11 the scrivener's error by amending Section 12 of Chapter 12 of the Budget Act, now
12 designated as Public Law No. 34-116, to insert the word "no" in the first paragraph
13 of said section.

14 **Section 2.** The first paragraph of Section 12 of Chapter XII of Public Law
15 No. 34-116, is *amended* to read:

16 **"Section 12. Restrictions on Hiring of Unclassified**
17 **Employees.** Unless otherwise authorized by this Chapter, no government
18 funds of any kind or description may be expended for the employment or
19 hiring of unclassified employees in the Executive Branch of the government
20 of Guam, *except* for the following:"