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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 157-31 (COR), "AN ACT TO *ADD* A NEW §4121 TO CHAPTER 4, AND A NEW §2103.2 TO CHAPTER 2, ALL OF TITLE 5; AND TO *REPEAL AND REENACT* §1106 OF CHAPTER 1 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO THE SUSPENSION OF THE SALARIES OF *I MAGA'LAHEN GUÅHAN, I SEGUNDU NA MAGA'LAHEN GUÅHAN,* AND THE SENATORS OF *I LIHESLATURAN GUÅHAN* IN THE EVENT OF A GOVERNMENT SHUTDOWN CAUSED BY THE FAILURE TO ENACT AN ANNUAL OPERATING BUDGET FOR THE GOVERNMENT OF GUAM IN ACCORDANCE WITH THE ORGANIC ACT",** was on the 10th day of May, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 16th day of May, 2011, at 2:20 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____
Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 157-31 (COR)
As substituted on the Floor.

Introduced by: R. J. Respicio
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW §4121 TO CHAPTER 4, AND A NEW §2103.2 TO CHAPTER 2, ALL OF TITLE 5; AND TO *REPEAL AND REENACT* §1106 OF CHAPTER 1 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO THE SUSPENSION OF THE SALARIES OF *I MAGA'LAHEN GUÅHAN, I SEGUNDU NA MAGA'LAHEN GUÅHAN,* AND THE SENATORS OF *I LIHESLATURAN GUÅHAN* IN THE EVENT OF A GOVERNMENT SHUTDOWN CAUSED BY THE FAILURE TO ENACT AN ANNUAL OPERATING BUDGET FOR THE GOVERNMENT OF GUAM IN ACCORDANCE WITH THE ORGANIC ACT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that the primary responsibility of the elected leadership of the executive and

legislative branches of the government of Guam is the preparation and implementation of an annual operating budget to sustain the important functions of the government of Guam. Should Guam's elected leadership fail in this task and cause a government shutdown, resulting in disruption of vital public services for the people of Guam, then it is only fair and appropriate that the salaries for these elected officials also cease until such time as an annual operating budget is enacted into law.

Section 2. Suspension of Executive Salaries. (a) A new §4121 is *added* to Chapter 4, Title 5, Guam Code Annotated, to read:

"**§4121. Suspension of Salary of *I Maga'lahen Guåhan*.** In the event that the annual operating budget for the government of Guam expires and *no* new annual operating budget has been enacted into law in accordance with the Organic Act, or rolled over from the previous year, then the salary of *I Maga'lahen Guåhan, shall* be suspended and will resume prospectively *only* when a new annual operating budget for the government of Guam is enacted into law. This §4121 *shall* be subject to the following provisions:

(a) Such suspension of salary *shall not* take place if the failure to enact an annual budget is due to an emergency resulting from a natural or other disaster, or hostile action.

(b) The government of Guam's share of retirement, Social Security, and health and other insurance payments *shall* be the individual responsibility of *I Maga'lahen Guåhan* for the suspension period."

(b) A new §2103.2 is *added* to Chapter 2, Title 5, Guam Code Annotated, to read:

"**§2103.2. Suspension of Salary of *I Segundu Na Maga'lahen Guåhan*.** In the event that the annual operating budget for the government of Guam expires and *no* new annual operating budget has been enacted into law in accordance with the Organic Act, or rolled over from the previous year, then the salary of *I Segundu Na Maga'lahen Guåhan shall* be suspended and will resume prospectively *only* when a new annual operating budget for the government of Guam is enacted into law. This §2103.2 *shall* be subject to the following provisions:

(a) Such suspension of salary *shall not* take place if the failure to enact an annual budget is due to an emergency resulting from a natural or other disaster, or hostile action.

(b) The government of Guam's share of retirement, Social Security, and health and other insurance payments *shall* be the individual responsibility of *I Segundu Na Maga'lahen Guåhan* for the suspension period."

Section 3. Suspension of Legislative Salaries. §1106 of Chapter 1 of Title 2, Guam Code Annotated, is hereby *repealed and reenacted* to read:

"**§1106. Legislative Compensation and Allowances.** Notwithstanding any other provision of law, legislative compensation and allowances *shall* be:

(a) Compensation of each member of *I Liheslaturan Guåhan* [the Guam Legislature] *shall* be paid in twenty-six (26) equal installments at the rate per annum of fifty percent (50%) of the annual salary of a judge of the Superior Court; the compensation of the Speaker of *I Liheslaturan Guåhan shall* be paid in twenty-six (26) equal installments at the rate per annum of fifty percent (50%) of the

annual salary of the presiding judge of the Superior Court. Such compensation *shall* be paid out of funds to be appropriated to *I Liheslaturan Guåhan* [the Guam Legislature].

(b) From the date of enactment of this Subsection (b) and until the end of Fiscal Year 2003, the annual salary of Senators of *I Mina'Bente Siete Na Liheslaturan Guåhan* [the Legislature] *shall* be based on eighty percent (80%) of the amount as computed according to Subsection (a) of this Section, for a reduction of twenty percent (20%).

(c) In the event that the annual operating budget for the government of Guam expires and *no* new annual operating budget has been enacted into law in accordance with the Organic Act, or rolled over from the previous year, then the salaries of the Senators of *I Liheslaturan Guåhan shall* be suspended and will resume prospectively *only* when a new annual operating budget for the government of Guam is enacted into law. This subsection (c) *shall* be subject to the following provisions:

(1) Such suspension of salaries *shall not* take place if the failure to enact an annual budget is due to an emergency resulting from a natural or other disaster, or hostile action.

(2) The government of Guam's share of retirement, Social Security, and health and other insurance payments *shall* be the individual responsibility of the Senators of *I Liheslaturan Guåhan* for the suspension period."