

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

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Bill 30 Won't Apply to Elected Officials;
Costs Taxpayers in Potential Lawsuits

Hagåtña, Guam - The Office of the Governor issues the following statement calling upon the Guam Legislature to uphold the veto of Bill No. 30-37 (COR):

“Governor Lou Leon Guerrero vetoed Bill 30 because it is poorly drafted legislation that may cost taxpayers millions of dollars in future litigation. Regardless of what some senators may think about specific government employees in Guam, classified employees who were hired on the basis of merit and in good faith are entitled to certain Organic Act and Constitutional protections.

They cannot be denied these rights because of someone’s bitter political agenda. It’s unfair to change the rules for hiring individuals after they’ve been legally hired in good faith—especially when changing the rules after they were hired leads to their termination.

As the Supreme Court has observed, “the presumption against retroactive legislation is deeply rooted in our jurisprudence and embodies a legal doctrine centuries older than our Republic. Elementary considerations of fairness dictate that individuals should have an opportunity to know what the law is and to conform their conduct accordingly; settled expectations should not be lightly disrupted.”

That’s why this bill could lead to numerous costly lawsuits in the future—lawsuits that GovGuam would likely lose.

Bill 30 also creates a double standard for elected officials. If a classified employee is convicted of official misconduct (a misdemeanor), they would lose their job. Under Bill 30, the bill’s author could be convicted of the same thing and continue to run for public office because elected officials can run for office provided that they are not convicted of a felony.

We call upon the Legislature to do the right thing and uphold the Governor’s veto.

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